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CHAPTER - VI

ROLE OF NEUTRAL NATIONS, REPATRIATION COMMISSION AND
THE KOREAN CRISIS

(With Special Reference to India)

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According to the Article III of the Armistice Agreement, a Commission was set-up for the repatriation of the prisoners of war who had resisted going back to their countries. The Commission was to consist of the representatives each from Czechoslovakia, Poland, India, Sweden and Switzerland. It is clear that Czechoslovakia and Poland were nominated by communist side and Sweden and Switzerland were appointed by U.S. block. India stood as the common choice of both. As such Indian representative was not only to be a member of the commission but also to be in accordance with the provisions of Article 132 of the Geneva Convention " the Umpire, Chairman and Executive Agent of the Neutral Nations Repatriation Commission"¹.

But though the two commands selected India in common Syngman Rhee opposed India, regarding it pro communist and even threatened " the use of force of stop Indians from landing in Korea"². Due to above circumstances India's position became delicate right from the beging.

1. Yearbook of the United Nations, 1953, n.1, p.144.

2. Major General S.P.P.Thorat, The Custodian Force of India, Delhi (A cyclostyled Report), p.3.

So on 4th August, 1953, in accordance with the terms of the Agreement of Repatriation of prisoners of war in Korea, an advance mission was set-up under the leadership of R.K. Nehru to discuss with both commands about repatriation of prisoners of wars of Korea. (The)

The Indian Advance Mission left for Korea, via Japan on 5th August, 1953; ^u halting three days at Tokyo, reached Korea on 9th August, 1953. Since the day of arrival the Indian delegation began their talks with UN staff officers. They discussed about the prisoners of wars, administration arrangement for NNRC, movement of Indian forces into the demilitarised zone and delivery of non-repatriated prisoners of war to Indian forces. They visited the existing Neutral Nations Supervisory Commission and ~~at~~ NNRC camp site, prisoners of war camp site on UN-side and also the Indian 60th parachute field Ambulance Unit".

On 11th August, the Indian team arrived at Panmunjom to hold talks with the communists. On 12th August, the Indian team met many high ranking officers of the Korean People's Army and the Chinese People's Volunteers. Their delegation

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was led by Marshal Chae³ Defence Minister of North Korea and General Lee, Political Commissioner of the Chinese People's Volunteers. Also R.K.Nehru had a separate talk with General Nom II, the North Korean Foreign Minister. The Indian team returned to Munson-Ni. Mr.R.K.Nehru was satisfied with the discussions and hospitality of Northern side³.

The custodian force of India was drawn from the regular establishment of the Armed Forces of India. Careful selection of the officers had been made. Initially the total strength of the Custodian Force of India (CFI) was 1,254 rifleman. Soon after the NNRC started taking over the custody of prisoners of war in Korea, the Custodian Force of India had to be supplemented by adding 798 administrative personnel. The maximum force, however, never exceeded 6,000 men. Major General S.P.P.Thorat was In-charge of Custodian Force of India, while Lieutenant Gen.K.S.Thimayya was Chairman and Executive Agent of NNRC.⁴ In a way Indian delegation to NNRC, and the CFI worked as two separate entities. India thus functioned in three capacities in Korea as a member of NNRC, as a Chairman and Executive Agent of NNRC and as a

3. Nehru R.K., Visit to Korea, p.8.

4. Shiv Dayal, India's Role in Korean Crisis, p.196.

Custodian of prisoners of war, which points to the major responsibility and role which India was asked to play. It is in this context it is important to study the Korean crisis. But CFI was badly handicapped by the limited number of its personnel.

After the two commands completed the exchange of the prisoners, who were willing to be repatriated the unrepatriated prisoners were released into the custody of the NNRC. The Indian camp of NNRC was named as 'Shanti Nagar' i.e. peace city to symbolise India's desire for peace and its role in NNRC. And the custodian force of India was called as Hind Nagar⁵.

The delivery of 22,604 prisoners of war was completed by the UN Command on September 23, 1953, while the Command of the Korean People's Army and Chinese People's Volunteers (KPA and CPV) delivered 259 prisoners on the next day. The CFI received them unarmed and did not use any weapon in enforcing discipline. This according to Mr. Krishna Menon was of great risk⁶.

5. Hindustan Times, October 14, 1953, p.5.

6. The Hindu, December 26, 1953, p.5.

Both sides had promised to give India their full cooperation. Moreover, both sides agreed that force should not be used against the prisoners and that full opportunity should be given to explainers from either side to remove any doubt as fear which might exist in the minds of the prisoners⁷.

According to the terms of the armistice the prisoners not directly repatriated, " were to be handed over to the commission on or before the 25th of September, the date on which the commission was scheduled to start functioning"⁸

The commission was to supervise the work of explainers, validate applications for repatriation, refer cause to the political conference, release prisoners to the civilian status and in colaboration with the Indian Red Cross, give assistance to any ex-prisoner who wished to go to any neutral country. This work was to be completed within 150 days⁹.

India also had to carry out the special responsibility of being the Chairman and Executive Agent of the Commission, to act as Umpire and provide the entire operating personnel,

7. R.K. Nehru, Visit to Korea, Cyclostyled Report, Delhi.

8. Ibid.

9. UN General Assembly Official Records (herein after referred to GAOR) Supplement Session 8, 1953, Supl. No. 18 (A/2641).

send arm forces to take charge of the prisoners of war camps as well as render essential Red Cross Services. On the shoulders of India rested the ultimate task of making a success of the Armistic Agreement and thereby establishing peace. Both sides trusted India and had expressed their full confidence that India would act impartially. This shows the position India enjoyed as mediator. India's role as bridge between two powers was a recognised fact.

The first and most essential task of the Commission was to induce confidence in the prisoners, and reduce their fears; and assure them about the commissions impartial role and making them prepared to exercise their right of repatriation and repatriation and assuring them the secured atmosphere.

The Armistic Agreement laid down certain terms within the bonds of which the commission had to function. For example:

- 1) It could not use force or threat of force against prisoners of war to prevent or effect their repatriation,
- 2) Explinations were to be conducted in the presence of the representatives of each member nation of the NNRC and a representative of the detaining side.

- 3) Prisoners of war were to have freedom and facilities to make representations and communications to the NNRC.
- 4) The home countries of the prisoners of war were to be given the freedom and facilities to send representatives to explain to the prisoners of war their rights and to inform them of any matters relating to their returns home to lead a peaceful life within 90 days after they had been handedover to the commission. At the ^{ex}piry of these 90 days, explanations were to terminate and the remaining prisoners of war, who had not exercised their right to be repatriated would have to be referred to a political conference, which in case was deadlock over the issue. The NNRC was then to declare these prisoners as civilians, 120 days after taking charge of countries, the commissions was to assist them in their rehabilitation, 30 days after such assistance, the NNRC was to cease its functions and dissove itself.

Right at the beginning, the NNRC found out that the prisoners of war did not enjoy freedom to seek repatriation but on the contrary were subject to force". So the " commission decided to make out individual explanations"¹⁰.

10. GAOR, Session 8, 1953, Supplement No.18 (A/2641),p.9.

UNs command reported to NNRC and CFI that prisoners in it's custody were refusing to be handed over to Indian custody. So it suggested that South Korean and Nationalist Chinese representatives, be allowed to persuade the prisoners to change their mind. This suggestion was accepted by CFI as a way out of the difficulty. The NNRC or CFI was not permitted to attend the meetings of representatives and prisoners. So it was never known what the prisoners were told by these representatives. But its after effects showed that it would have been better if CFI would have done the job of persuasion through its own representatives; rather than asking mediator mediate the issue.

However, in the very first operation, the prisoners refused to come out of their compounds for explanation unless their representatives were heard by the NNRC.¹¹ The Commission agreed to this and gave the assurance sought by the representatives that no Prisoners of war would be coerced and that those who did not want to be repatriated would be brought back to their original compound. In spite of this they did not come out till they were surrounded by the custodian force of India¹¹.

11. Thorat S.P.P., n.6,p.11.

A strange thing was that many of the prisoners had no desire to return to their country, their family and their homes. And this was largely responsible for all the troubles. All these strange things were due to the fact that these prisoners were the unfortunate residue of the war and were frustrated and mentally broken down. Such kind of prisoners were restored to the custodian force of India.

The other factors which complicated the task of CFI was the lay-out of the prisoners campus. The prisoners of war were concentrated in large numbers in each compound and the compounds were in close range. The lay-out could consequently be a serious obstacle to the operations of the CFI in the event of any large scale disturbances. Widely spread campus on the other hand would have needed a larger number of guards. The difficulty of the CFI was further " enhanced by the fact that the prisoners had a deep distrust for the NRC and CFI and had grave doubts about neutrality of India"¹². So, the Indian force had to go through what it did to demonstrate their neutrality, keep both sides happy

12. Shiv Dayal, India's Role in Korean Crisis, S.Chand & Co., Delhi, p.199.

and yet carry out its responsibility without occurrence of any unworthy incidents. " General Thimayya was not to execute the terms of reference but was to act as referee in the bitter game of political warfare"¹³.

To start with Gen. Thimayya declared that the principle factor guiding Indian policy in Korea was his country's desire to remain strictly neutral and to avoid stepping on the toes on either side"¹⁴. The smallest unit in the Prisoners set-up was a " compound " consisting of 500 prisoners. Each compound was closed by wire fences 10 to 15 feet apart from each other. The area between the two fences was called as " Chichen run ". Although these fences were about 10 feet high, one angry group of prisoners could easily break it down in no time. Such 8 to 10 compounds formed an enclosure . " Each enclosure had barbed wire fences around it, with a chicken run of about fifteen feet width which enabled the Indian sentries to go in without coming into physical contact with the prisoners"¹⁵. When they wanted to bring the prisoners under control, they pushed them into the chicken runs. " Round the chicken runs there were a number of sentry towers which were manned 24 hours"¹⁶.

13. Ibid.

14. The Hindu, October 20, 1953, p.5.

15. S.P.P. Thorat, p.5.

16. Ibid., p.7.

As the commission began to assume the custody of the prisoners it became evident that the prisoners had no correct understanding of the terms of reference. So The commission distributed leaflets describing various provisions of the terms of reference, and it said:

"... No one is entitled to prevent you from expressing your will. No one is entitled to ~~pre~~ prevent you from returning to your homes, none is allowed to compel or force you to return to your homes... It is our task to prevent any one from imposing any pressure on you..."¹⁷

There were six enclosures in all, two for Koreans, three for Chinese and one for those who wanted repatriation. And also there was a hospital closure for treating sick.

According to the Armistic Agreement, Prinsors of war were to be transferred from both sides to the custody of the CFI within sixty days which was very difficult and inconvenient for Indian forces for there were almost 24,000 prisoners to be taken over and by this time only two ship loads of Indian troops had arrived, and out of this almost

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17. . Shiv Dayal, India's Role in the Korean Question, p.201.

half were administrative personnel. Naturally the infantry element was small and inadequate. Still CFI completed this work according to schedule.

CFI very soon realised that in almost every compound more than 90% of the prisoners were anti-communist while only about four percent were pro-communist. And though " every prisoner had the opportunity to seek repatriation. Some in spite of wanting to repatriate did not do so in fear of the others"¹⁸.

In this report Gen.Thorat stated that " the UN command had assured the prisoners that the operation of taking over would not be supervised by anyone from the communist side. However, the KPA-CPV insisted on sending observers to watch the taking over process and the trouble began". Whenever the prisoners of war saw the communist observer teams or the Czechoslovakian and Polish delegates of the NNKC, they could get scared, for they feared that if they were recognised; their families would be victimized"¹⁹. He stated that when one compound was nearly taken over, the inmates made a mad rush to the fence and broke it down, for they wanted to kill communist observers. But the men of 3rd battalion, the Dogra Regiment, though unarmed, succeeded in controlling the prisoners admirably"²⁰.

18. S.P.P.Thorat,n.6,p.9.

19. Ibid.

20. Ibid.

Once again General Thorat reports, that after they tookover the prisoners, and when the prisoners realised that the CFI was truly impartial some of them started surrendering. According to the General, there was no doubt that there had existed a region of terror in every compound and the " prisoners who wished to go had no option other than to risk climbing over the wire. And it goes to the credit to the Indian guards that no one such prisoner caught in the act of climbing was killed²¹.

On September, 26, 1953, Major Grewal of Indian was forcibly dragged by the Chinese non-repatriates in the Southern camp and was held for ransom till one of their companions who had been repatriated was brought back to their camp. When major General Thorat, Commander of the CFI, personally intervened, he was trapped by prisoners who threw a firm cordon around him. However, on his orders no force was used and the prisoners eventually released Major General and decided to address an application to the NNRC²². It was due to the peaceful persuasion employed by Major General Thorat that the CFI succeeded without using force.

21. Ibid., p. 10.

22. The Hindu, 27th September, 1953, p. 5.

On October 2, 1953, Chinese prisoners created a lot of problems and there was mass break out. " After unsuccessful attempts to control the situation by the use of persuasion and sticks the CFL had to fire. Two Chinese prisoners were killed²³. Later in November the American British and the South Korean prisoners in Northern camps held three Indian officers as hostages.

However, on General Thimayyas tactful intervention the officers were released²⁴. The CFL had to face various difficulties because of the Chinese prisoners and had to deal with an iron hand, to perform the task, which India was entrusted to do.

The South Korean Government was from the beginning hostile to the (CFL), while United Nations Command had suspicious and non-cooperative attitude. The South Korean Government tried to place difficulties in way of the commission and it went to the extent of threatening to take up arms against the Indian troops²⁵.

23. The Hindu, 3rd October, 1953, p. 7.

24. The Hindu, 8th November, 1953, p. 5.

25. The Hindu, 8th October, 1953, p. 7.

But India made it clear that it would try to carry out its responsibility as long as the two commands adhered to the guarantee they had given that NNRC would be able to function in demilitarised zone without any interference²⁶. India further informed to U.S. and U.N. about the grave situation resulting from the threats of South Korean Government and impressing the necessity of ensuring proper atmosphere which would enable the NNRC to carry out its functions²⁷. Mr. Nehru publicly " demanded that U.S. and U.N. should break their silence and should openly condemn the anti India, propoganda of South Korean Government"²⁸. But the reactions of UNs command were silent and U.S. were very weak. India's patience was literally put to test. This also points to the efforts of Nehru in adhering to the principles of international politics. Though his appeal made little, impact, the Indian team in Korea was not stopped their endeavours.

The explanations could not be conducted in a satisfactory manner because of number of reasons. The war " organisations " and secret agents among the prisoners

26. The Hindu, 11th October, 1953, p.5.

27. Hindustan Times, 9th October, 1953, p.1.

28. The Hindu, 7th October, 1953, p.5.

always created a great pressure and threat in the minds of prisoners. Sometimes explainers took long time to explain, which was literally a waste of time. Because of this explanations could not be completed within scheduled time. As a result, " only ten out of the ninety days allotted for explanation could be utilized and a mere 15% of the total prisoners of wars in the Southern camp could be taken up for explanation.²⁹ The explanations officially came to a close on 23rd December, 1953, after ceasing the ninety days time, as provided for in the terms of reference.

India considered the explanations and interviews as an most essential and important part of the Terms of Reference. The fundamental spirit of the Terms of Reference lay in the removal of the control and influence of the both side so as to enable the prisoners to make a choice free from any compulsion or force. Any force or compulsion exercised by the former detaining side or by the explaining side on the fellow prisoners might well be said to strike at the very basis or object of the terms of reference.

29. The Problem of Korea, " Indian Year Book of International Affairs", Madras, Vol.III, 1954, p.216.

For achieving the above purpose, the commission framed a set of rules using its quasi legislative powers, But these rules were criticised by UN's command saying that the rules provided encouragement for prisoners of war to seek repatriation. Such criticism according to Mr. Nehru " would frustrate the very basis of the commission which was charged with the responsibility of helping, to take true decisions of the prisoners"³⁰.

There was a striking contrast between the Northern Camps and the Southern camps as far as the explanations are considered. In the Southern camps explanations commenced on 2nd November, and the prisoners turned out to be disciplined and well behaved.

It is interesting to note that not one of the prisoners who had gone through the explanations wished to be repatriated in the Northern camp while well over a hundred asked to be repatriated after the explanation in the Southern camp³¹. In fact a total of over 600 North Korean and Chinese prisoners in the South camp wished for repatriation at different stages³².

30. Mr. Nehru's View, The Hindu, 11th October, 1953, p.9.

31. L.M,n.72, 'The Problem of Korea', Indian Yearbook of International Affairs, Madras, Vol.3, p.218.

32. Ibid.

According to the terms of reference all explanations to be terminated at the end of ninety days after the restoration of prisoners of war to the NNRC and those prisoners who could not avail of the explanations due to expiry of the scheduled 90/ ninety days, were to be in the custody of the Indians for a period of thirty days which a political conference was to decide their fate. However, if the political conference came to be a dead lock due to some unforeseen reasons, the NNRC was to " declare all such prisoners of war as civilians and then help them in their rehabilitation if they desired to go to neutral country. This task was to be completed within thirty days and then the NNRC was to dissolve itself"³³.

But the ' Political Conference ' as envisaged by Armistice did not materialize. Indian delegate did not think it right to straightway declare the prisoners as civilians. So General Thimayya proposed to return the remaining bulk of the prisoners to their respective captors on 20th January, 1954. In answer to this the UN command proclaimed that on 23rd January, they would release all the prisoners of war restored to them. In the mean time the

33. Para 11 of the Terms of Reference.

General allowed the communists to set up loud-speakers all around through which they informed that they had a right to stay in the NNRC custody, listen to explanations, be repatriated and seek refuge with CFI in case they were forced to leave their compounds. This was followed by General Thorat speech to the prisoners that they still had right to be repatriated.

As time passed and finally the day arrived when 21,805 anti-communist prisoners marched through the Neutral Zone towards the land South of 3,811. However, the KPA and CPV refused to take both their prisoners and it was only a few days later when the Indian guards werewithdrawn, the Red Cross took them over.

Thus, with its responsibilities over the NNRC duly declared its dissolution at 2400 hours on 21 February, 1954 bringing to an end the most complicated task which was entrusted to an International Commission. At the end of the process there emerged some 12 Chinese and 89 Korean prisoners who were fed up of the propaganda and expressed a desire to start new life in neutral country. As such a request was permissible under the Terms of Reference, 15 Koreans were restored to UN Command at their own request and remaining sailed off to India on 8th February, 1954.

The mission entrusted to NNRC was not easy job any other better word? Commission had to handle and tackle the whole problem with great skill and patience. Though the commission was supposed to be Neutral Nations Commission, it was no secret that Czech and Poles were inclined to communists while Swiss and Swedes tried to represent the side of the American group. So it was India who had to shoulder the most important responsibility of bridging gap between two groups and maintain the neutral position of the commission. India did it admirably well. The fact, firmness and impartiality with which the CFI tackled the problem received unqualified appreciation³⁴.

President Eisenhower in his message to Mr. Nehru observed:

"... No military unit in recent years has undertaken a more delicate and demarking peace time mission then faced by the Indian forces in Korea³⁵..

This was a tribute to the performance of CFI, Syngman Rhee who opposed India considering it a pro-communist nation was also convinced of its genuine neutral attitude by its patience, ~~sincerely~~ and gave thanks to CFI.

34. The Hindu, 28th January, 1954, p.6.

35. UN Documents A/2642, para 72, p.9.

But the difficult situation gave a golden chance to India, to prove its neutrality. India tried to maintain the balance between Western world and Communist, both effectively. India would balance it properly as she had strong basis of her impartial attitude and neutral politics. Hence the Korean crisis can be considered as a landmark in the history of India's Foreign Policy. What Nehru meant by neutralism non-alignment was defined not by mere definitions, but by actual work of the Indian forces as a Chairman of the Neutral Commission.

The Korean Crisis predicated a bright future for India's Foreign Policy, which was doubted both at home and abroad. It is only after the Korean Crisis, India could attract super-powers attention. The super-powers also realised the potential role that India played in Korea, and also realised the potentiality of India to become the leader of non-aligned bloc, which Nehru wished to play. The participation of India in Korean crisis had no doubt both bad and good implications; and as a result though India got recognised by super-powers, it gain enmosity with a very close, neighbouring country like China. The attack which India suffered in was not an attack on India, but it was an attack on India's Foreign Policy. It was a test of India's Foreign Policy. In this context India was right in following the path laid by Pandit Nehru after him.