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subject: unc-kpa general officer-level meeting, 21 dec 94 - follow-up (u)

refs: a. sec uncmac.211528z dec 94 (c)

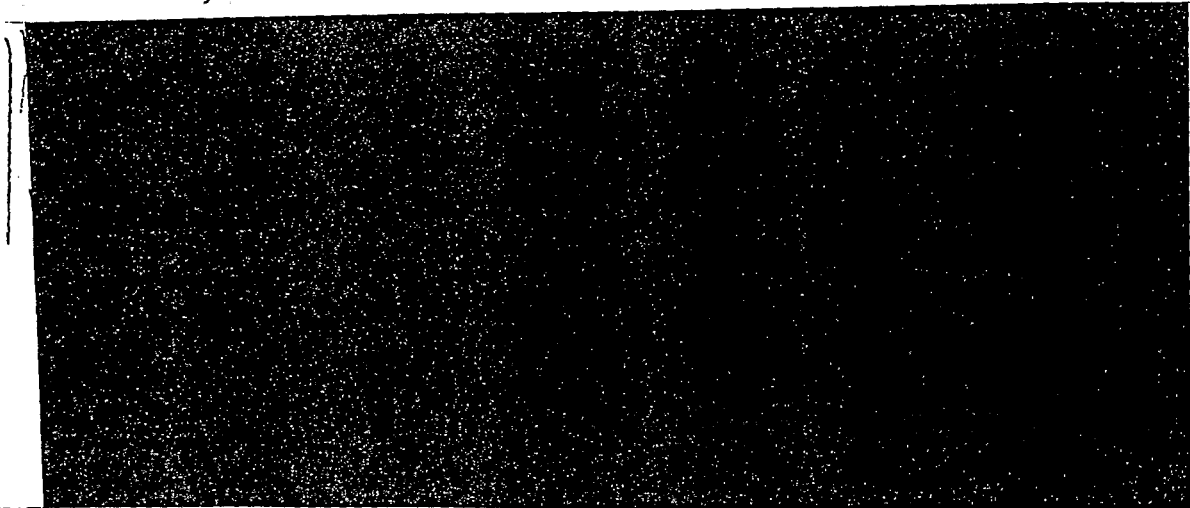
b. cincunc/amemb seoul msg 211240z dec 94 (c)

c. cjcs 202124z dec 94 (u)

1. (u) on 21 dec 94, unc and kpa general officers met in panmunjom, initiating flag-level dialogue aimed at obtaining the return of the ch-58 helicopter crewman downed in north korea on 17 dec. ref a provided a quick-look report on the meeting. this follow-up message provides a full narrative report of the kpa's statements, as well as uncmac and

~~amemb seoul comments.~~ Deleted

2. (s) maj gen smith (acos, plans and policy, unc/cfc/usfk) met with kpa ltg li chan-bok (representative, kpa panmunjom mission) for over ninety minutes on 21 dec 94 in the kpa's panmun-gak building on the north side of the mdl in panmunjom. purpose was to negotiate for the return of the helicopter crew downed in north korea on 17 dec 94 (iaw refs b and c).



(b)(1)
1.4.(a)(c)(g)
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4. (u) majgen smith was initially accompanied to the meeting by col shoemaker (uncmac secretary), ltc ley (cfc/c5 staff officer), lt col flury (uncmac ip/mao), lcdr gruber (uncmac jdo) and mr s.k. kim (uncmac interpreter). however, when the unc delegation reached the mdl enroute to panmun-gak, the kpa escort officer (col yu yong-chol) stopped the

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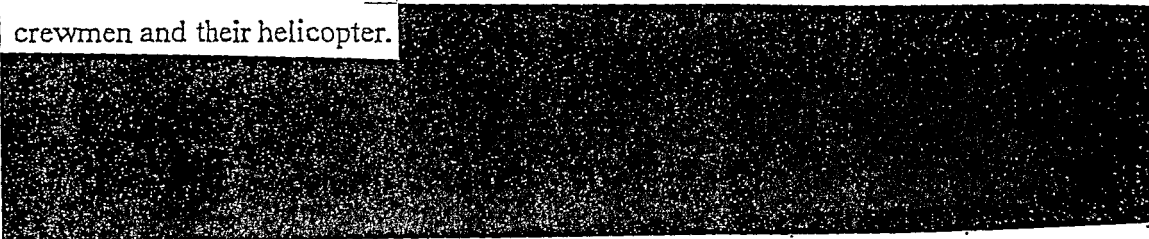
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delegation and refused to permit mr kim (a rok national) to cross the mdl. majgen smith acquiesced to the kpa's demand, and the group proceeded to panmun-gak without mr kim. maj li gwon (the kpa interpreter) translated for both sides during the meeting.

5. as already reported in ref a, the kpa delegation was led by ltg li chan-bok (representative, kpa panmunjom mission and former kpa mac member), and included col yu yong-chol (chief liaison officer, kpa panmunjom mission), ltc kwak (kpa staff officer from pyongyang associated with the "peace assurance system" proposal), and maj li gwon (kpa interpreter).

6. (u) the session occurred in the cavernous third floor conference room in the newly renovated panmun-gak building. after brief introductions and handshakes, the two sides' participants were seated across from each other at a long, two-meter wide, polished wood conference table.

7. (u) majgen smith read a short, prepared opening statement identifying himself as having been appointed by cincunc for the purpose of negotiating the release of the crewmen and their helicopter.



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8. (u) majgen smith provided an unclassified summary of the events leading up to the helicopter's inadvertent mdl crossing. a mounted topographic chart of the area in question was placed on an easel within view of the kpa officers. waypoints of the helicopter's flight, taken from radar reporting/visual sightings, were depicted with the appropriate times shown. a wooden pointer was used by flury to trace the route, during majgen smith's briefing. after recounting the flight path and pointing out the probable points at which navigation errors were made, majgen smith emphasized the fact that the helicopter was on a routine terrain orientation mission, was unarmed, and acted without hostile intent.

9. (u) after majgen smith finished, ltg li said the following:

"after we have completed our investigation, we will know the true reality of why the helicopter intruded into our airspace. you say it flew a long distance to checkpoint 84 (note: referring to the distance from camp page to checkpoint 84), why did you sit idle when it flew over the dmz to our side? we are suspicious of the actions you did not take, since you made such a long, purposeful flight. i think we must wait for the results of our investigation, along with your investigation.

on dec 17th your military helicopter intruded deep into our territorial airspace across the mdl. when your helicopter crossed all of a sudden, unexpectedly, we sent warning signals. everyone saw it. ignoring our signals, it continued into our airspace. it was a flagrant violation of international law, a criminal act infringing on the sovereignty of our country. our anti-aircraft gunners in this area, where a tense situation prevails, could not sit idle when the helicopter intruded 7 km. that's why we took self-defense measures. the helicopter was shot out of the air over ipo-ri, kumgang county, kangwon province. it was a self-defense act of defending our territory. two david hilemon was dead when downed on the spot because of shocking (sic). but wo bobby hall is alive. i'm not sure if god has forsaken him. his health is normal. he has no wounds.

we are suspicious of your real intentions, when you say you want affirmative development in dprk relations, in connection with the helicopter. as soon as the nuclear talks started in geneva, you deployed the kittyhawk battlegroup in the east sea to threaten us. you aggravated tensions by conducting such exercises as foal eagle. and now, when relations between the u.s. and the dprk are just developing, your side made this helicopter incident. that's why we are suspicious. we think you have another political purpose. now, high level authorities and different personnel in the u.s. are saying this and that -- threatening the development of the u.s.-dprk relationship and the implementation of the nuclear agreement. it does not sound good.

think about this. we only made one press release about the shoot-down. there have been no other announcements. you should think about our real intentions when making the one press release. we have already informed your side of our patient investigation. but, you are making this problem complicated by acting impatiently. it would be good for your side to keep patience and not say this-and-that.

however, the dprk has decided to return to the u.s. forces' side the body of wo david hilemen, through panmunjom, in light of a humanitarian point of view and considering the ardent request of the u.s. congressman visiting pyongyang.

now, the kpa organ concerned is making a detailed investigation of the u.s. helicopter that intruded deep into our airspace. when the investigation is finished, the next step will be taken according to the legal procedures of our army. it is clear that if they did not commit crimes - as you have said - they will be returned. but, if they committed crimes, they will be duly punished. do you understand my meaning? i advise you. it is good for our side to not make a fuss about it when there is good circumstances at the u.s.-dprk level. if we have good relations, we will solve the problem smoothly.

this incident occurred because of your unnessecary actions. terrain training is preparation for war. of course, it's not easy that we build trust because we have confronted each other for over 40 years. this incident occurred because of a lack of trust. this incident occurred because we failed to settle through the basic problem. you should pay attention."

10. (u) majgen smith responded to several of ltg li's points, stating that:

a. (u) long helicopter flights without radio contact are routine - he has personally flown on long helicopter flights, with no radio conversation, on more than one occassion.

b. (u) the unc investigation revealed that no one on our side saw warning signals on your side. majgen smith told ltg li that he believed li's statement that warning signals were given.

c. (u) majgen smith disputed li's statement that the intrusion was a flagrant violation of international law, and said it was instead a pilot mistake. he also stated that it was an unintentional violation of the armistice agreement. majgen smith said that he took exception to the idea that the pilots were criminals, as they were conducting terrain orientation, intending to train south of the dmz, which is defensive in nature.

d. (u) majgen smith welcomed the news of the return of wo hilemon's remains, and noted that like all military leaders concerned with taking care of their subordinates, the cinc is deeply concerned for the return of both pilots.

e. (u) majgen smith pointed out that we have an active press in the u.s. he specifically noted that in his remarks broadcast on cnn (recommending linking heavy oil shipment to return of the pilots), col (ret) taylor spoke for himself and not as a government spokesman. majgen smith said that "the u.s. military has learned to live with the messiness of our press."

11. (u) Itg li responded:

"i think you are a military authority. military authorities should learn a lesson from this. it is the military authorities who do not want the development of u.s.-dprk relations. // ?

of course, as you have said, the retired colonel spoke on his own. in the past, we did not have to live on the heavy oil from you. and in the future we won't need it. but you should not talk of such things, at a high level or a low level. if you want a fast and affirmative solution of the helicopter incident, please wait patiently. it will be good.

12. (u) majgen smith pointed out that he brought up taylor's comments as an example of how someone's statement could be just the opposite of the government's policy (of not linking progress in the nuclear agreement to resolution of the helicopter incident).

13. (u) Itg li said that "there were complicated problems in connection with arranging this meeting. before long, your side will be informed of the details of the investigation." ?

14. (u) majgen smith discussed the "military-to-military" aspect, as compared to political talks, stressing that other humanitarian issues (return of 2 kpa soldiers in feb 94; return of u.s. helicopter crewmen in 1977) had been resolved quickly through such military-to-military cooperation. Itg li expressed appreciation for the return of the two kpa soldiers. majgen smith pressed again for the return of wo hall with wo hilemon's body.

15. (u) Itg li (in a louder tone signalling this to be his closing words) said:

"as you have said we are not politicians, but are military men. and the military should solve things quickly.

a new ^{peace?} ensuring system should be taken (sic) to preclude recurrence of such incidents. as military men, you and i should think of how to take such measures to keep peace and safety on the korean peninsula. and we should solve it. as well as professional military steps, we should think of some other measures to correct this. we should solve the basic problem. that's all."

16 (u) Itg li then suggested that the "working-level" personnel (i.e., col shoemaker and col yu) discuss detailed procedures for the next day's transfer of wo hilemon's remains. majgen smith said that he wanted to reach an agreement that included wo hall's transfer with hilemon's. Itg li said it would be impossible without the results of the detailed investigation, but that he would call majgen smith when the investigation is finished.

17. (u) majgen smith asked for an estimate of how long it would take to complete the investigation. Itg li stated that it would depend upon the competence of the investigators and "the responses of the warrant officer." majgen smith then asked whether he and two staff officers could be escorted by the kpa to visit wo hall. Itg li responded, "it will not be too long to wait to meet him when he returns after our investigation." li added, "frankly speaking, i worry that he cannot be returned because of his crimes."

18 (c) at this point, majgen smith again stated that we cannot accept the idea that the pilots are criminals. majgen smith stated that we are still operating under an armistice, and we view wo hall as a pow. he pointed out that the pilots were uniformed military

personnel in an unarmed helicopter. majgen smith stated that the geneva conventions undoubtedly apply:

19. (u) Itg li, now appearing a bit agitated, said:

"i did not intend to talk about this, but you keep talking about the armistice agreement. this occurred because of the armistice agreement. both sides are belligerent parties. we cannot guarantee that such things will not happen in the future.

you mentioned pows, relating to your pilot. before you talk about it, you should think of something.

since you brought up the geneva convention and the armistice agreement, i will mention it."

20. (u) majgen smith responded that he, too, did not want to talk about the armistice agreement, political matters, the geneva convention, or pows; but that we cannot accept the idea that wo hall is a criminal. Itg li responded: "we can judge if he is a criminal or not after the investigation. the best way to resolve this is to wait for the investigation."

21. (u) majgen smith said: "then, i have no choice. every day that passes makes the situation between the two militaries worse."

22. (u) Itg li said:

"if you think like this, then you can't solve any problem. the military authorities are responsible for this incident. i think that, because of the error of the military leaders, the soldiers conducted an error. if you want a prompt return of the soldiers; you should not think like that. as time passes, the relations between both militaries will get worse.

"i think it is desirable that if the pilots are married, the military should visit the family and his wife and parents. it happened because of the military leaders. we are victims of your military policy."

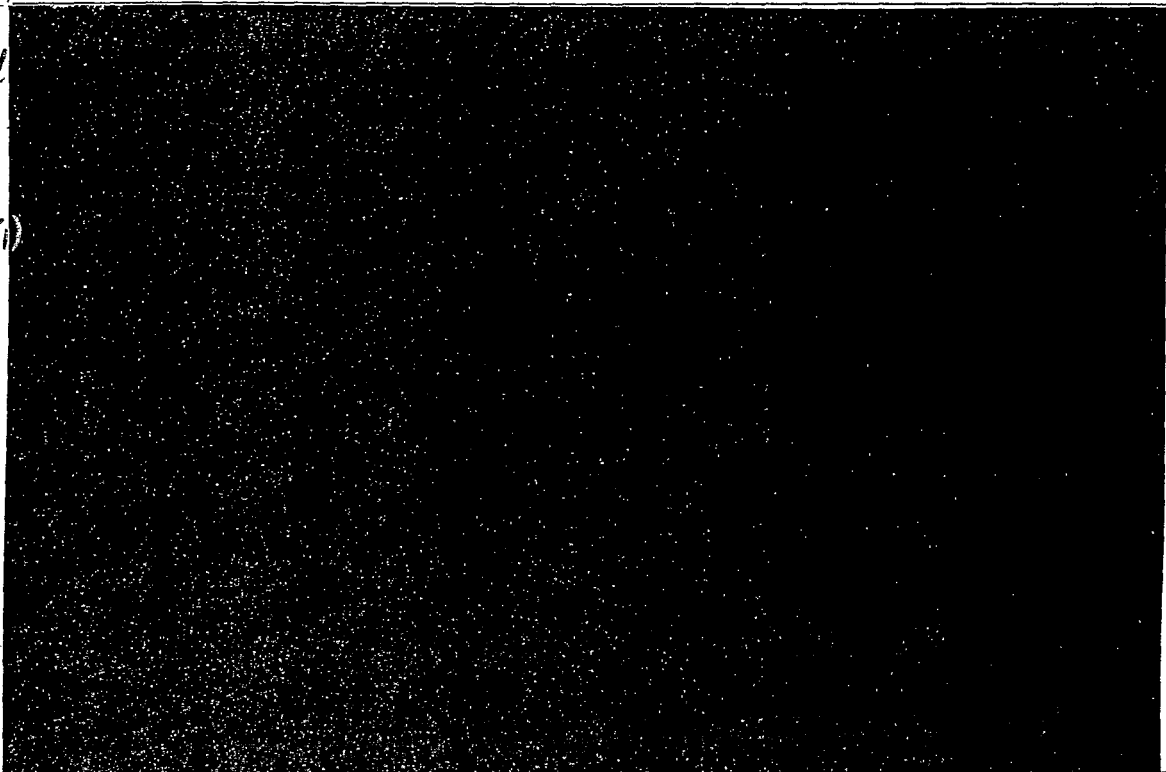
23. (u) majgen smith then asked Itg li to call back to his superiors and ask for wo hall's return tomorrow (with hilemon) or access to visit hall by unc staff officers. Itg li declined, saying:

*problems with
Armistice*

"i understand your intent. please wait until the investigation is complete, until i call you. i have the same wish as you. but i am not in a position. there is no result of the investigation. after the investigation is complete, i will call you to solve."

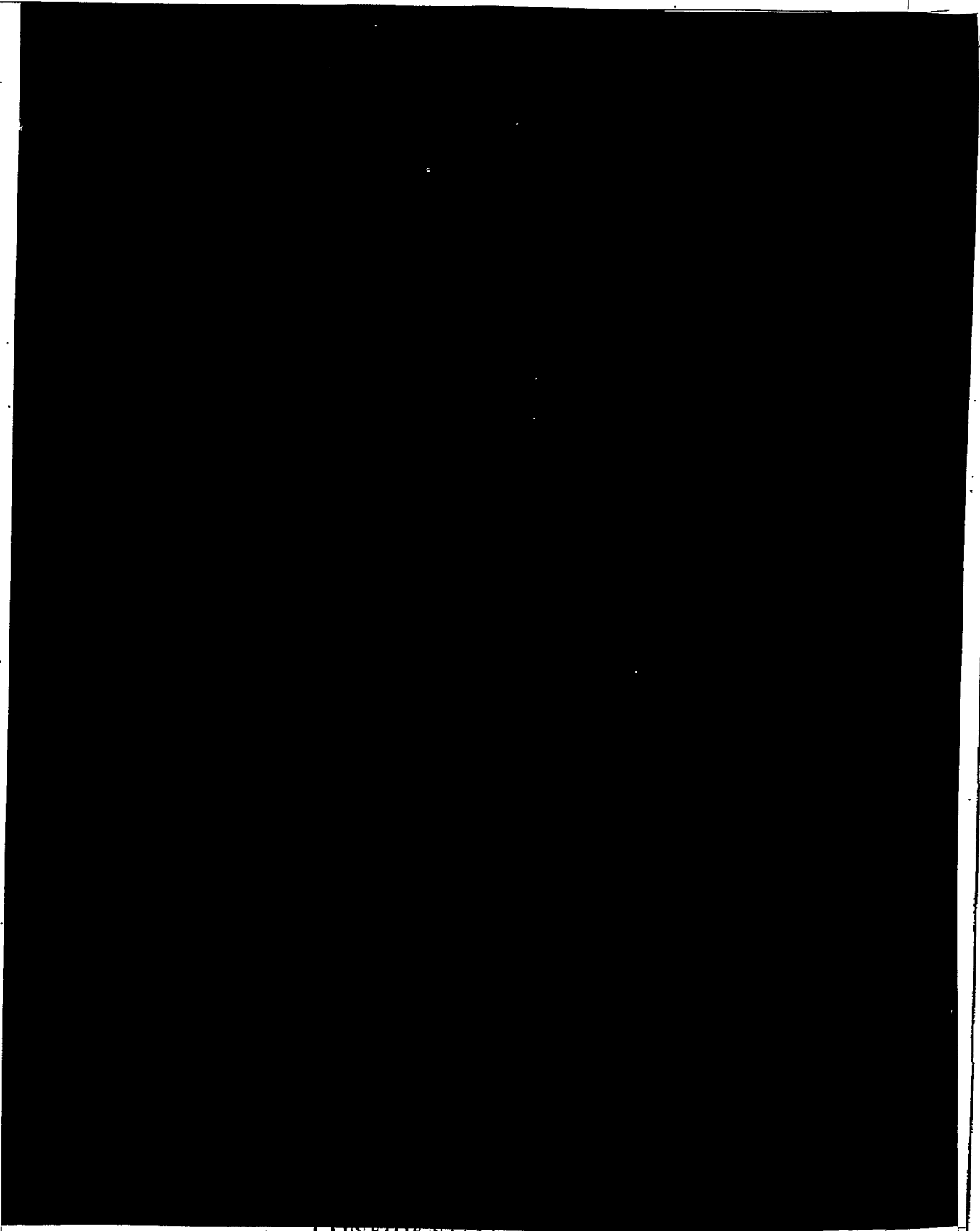
24. (u) ~~majgen smith asked again for an estimate of the time to complete the~~ investigation. Itg li replied, "i cannot estimate because i am not the person investigating. i can read your mind and i understand. you have to wait." majgen smith then told Itg li, "only 30 minutes before i got the call to come to this meeting, we had recieved word that the DPRK delegation in new york had given a message to the U.S. UN delegation in new york, stating that wo hilemon's body would be returned tomorrow. it seems today we have only agreed to something that had already been agreed before we came into the room. so we really did not accomplish anything." the session ended on that note. shoemaker and yu then met to work out the 22 dec 94 transfer of wo hilemon's remains and codel richardson's mdl crossing.

25. (u) uncomac comments/recommendations:



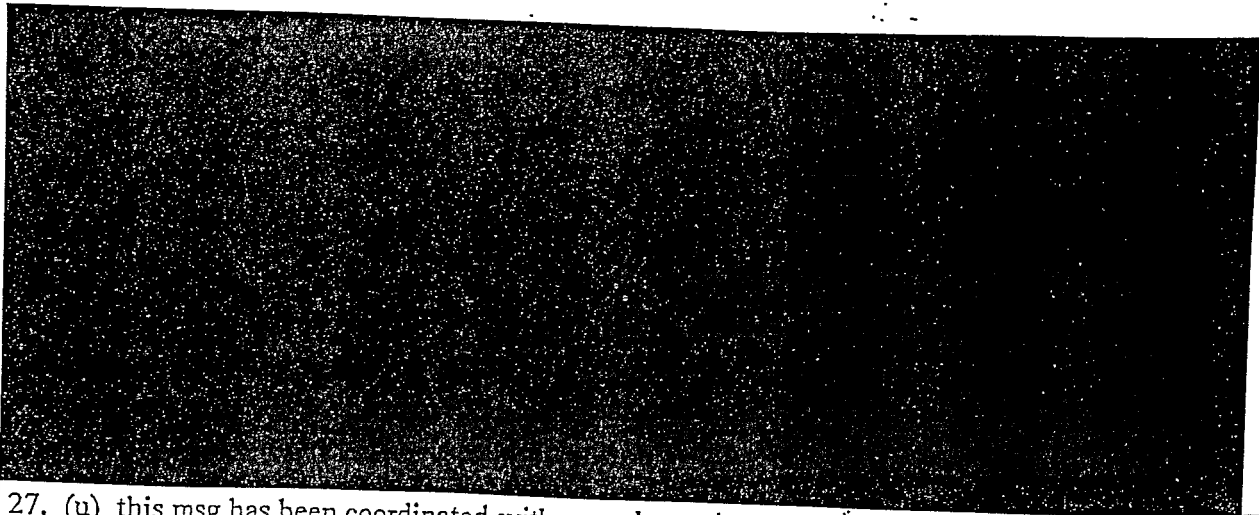
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27. (u) this msg has been coordinated with amemb seoul.

28. (u) uncmac poc is



(b)(6) Privacy
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