



Saturday, 31 October 1953,
at 10.30 a.m.

New York

C O N T E N T S

	<i>Page</i>
Question of impartial investigation of charges of use by United Nations forces of bacterial warfare (<i>concluded</i>)	141
Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China: report of the Government of the Union of Burma	145

Chairman: Mr. F. VAN LANGENHOVE (Belgium).

Question of impartial investigation of charges of use by United Nations forces of bacterial warfare (A/2426, A/C.1/L.66, A/C.1/L.67, A/C.1/L.68) (*concluded*)

[Item 24]*

1. Dr. MAYO (United States of America) said that he had listened with emotion to the statement made at the previous evening by General Dean, who had told how he had contemplated suicide under the inhuman pressure exerted upon him in the prisoner-of-war camps which the Polish representative had so recently described in such attractive colours. As for the USSR representative's remarks in the Committee (648th meeting), they contained so much that was inconsistent with the most elementary logic that he would select only a few points for comment. First, however, he had to reply briefly to the representative of Byelorussia, who had wondered (651st meeting) how one could believe the statements Lieutenants Stanley and Stribey had made contradicting what they had told the Communists. The truth was that despite all the coercion employed, those two men had never made any "confessions" of the kind desired by their gaolers.

2. The USSR representative had complained that the impartial investigation proposed under General Assembly resolution 706 (VII) was to have been conducted under conditions dictated by the United States; he had referred to the Commission composed of Brazil, Egypt, Pakistan, Sweden and Uruguay, which was to have investigated the question. The Brazilian representative had already said (649th meeting) what must be thought of such an opinion. While he had regarded that Commission as partial, the USSR representative, together with the representatives of Czechoslovakia and Poland, had spoken highly of the International Scientific Commission, whose true nature had latterly been demonstrated by the representative of Cuba (651st meeting). That glaring contrast showed once again that for communist governments the term "impartial investigation" really meant an investigation carried out under the orders of Moscow.

3. Mr. Y. Malik had declared that the statements in which the captured airmen had repudiated their

* Indicates the item number on the agenda of the General Assembly.

alleged confessions had been obtained by horrible methods of pressure. He had even gone so far as to say that the United States Secretary of Defense had published real threats to that end. But the statement by Mr. Wilson cited by the USSR representative had been published on 16 October, i.e., long after the repatriated airmen had repudiated their first statements; and the United States Press had reported the change after their return to freedom. That could be seen from articles published in *The New York Times* of 6 September and the *U. S. News & World Report* of 18 September. Once again it was obvious that in developing his argument the USSR representative was not at all concerned about the chronological order of facts.

4. If the Soviet delegation refused to concede that, whatever it might say, coercion was used exclusively by the agents of communism, it would be helpful if it could answer a few questions. First, was it the communist world or the free world that had perfected the system of political propaganda confessions? Second, who was in the habit of spreading such lies as the allegation of aggression by the Republic of Korea against North Korea, the story of the potato bugs scattered in Eastern Europe, the tales of espionage by journalists and the attempted enslavement asserted to be behind every programme of technical assistance in the free world? Third, whose Iron Curtain shut out inquiring eyes? Fourth, how did the Soviet delegation account for the fact that Colonel Schwable and Major Bley, for example, who had been in communist hands for nearly eight months before making their so-called confessions, had repudiated them less than three weeks after their release, that Colonels Evans and Mahurin, who had signed their so-called confessions five and eleven months respectively after their capture, had repudiated them publicly within three days of their repatriation? One wondered what that contrast suggested about the use of coercion by one side or the other.

5. The history of bacterial warfare propaganda was now known in spite of Soviet communist stratagems and obstruction. The record was conclusive, and showed clearly that the charge made was false and that the most brutal coercion had been used to extract confessions. As to the motives of those who had repudiated their so-called confessions as soon as they had been repatriated, they needed no explanation other than that the repudiations were the prisoners' first spontaneous manifestation of feeling upon their recovery of freedom.

6. His (Dr. Mayo's) statement that Soviet personnel had participated in the interrogation of United States prisoners in Korea had been challenged by the USSR representative. Yet at least sixteen liberated airmen had categorically stated that they had seen Russian personnel during their imprisonment, mostly at the

Korean interrogation centre known as "Pak's Palace". Dr. Mayo cited the statements of five repatriated officers and a non-commissioned officer.

7. In his last speech the USSR representative had expressed some doubt about the existence of six airmen whose statements had been quoted; perhaps he had meant that since communist propaganda had made use of certain airmen, those alone had the right to exist.

8. As for the draft resolution contained in document A/C.1/L.67 submitted by the Soviet Union, it was similar to the drafts which the USSR representative had submitted to the Security Council in June 1952,¹ which the Polish delegation had submitted to the General Assembly at the seventh session (382nd plenary meeting), and which was now before the Disarmament Commission (DC/4) at the request of the Soviet Union. The Disarmament Commission had not rejected the proposal, as the Soviet representative had asserted. In March 1952 the Soviet Union had submitted to the Commission a so-called agenda item which had actually been a substantive proposal. The Commission had rejected the alleged agenda item and had adopted an item reading: "Elimination of weapons of mass destruction and control with a view to ensuring their elimination". Under that item, the USSR representative had been entitled to introduce in the Disarmament Commission the draft which he had originally intended to submit; in fact, in his statements to the Commission, he had not failed to do so. Moreover, so as to leave no doubt that the Soviet Union could make its proposal in the Commission, the latter had amended its agenda to make specific reference to bacterial weapons among the weapons of mass destruction. The United States had made a different proposal on the subject in the Commission and the Soviet Union, as he had just said, had submitted its own proposal. The Commission had not voted on any substantive proposal, realizing that unless such a proposal could secure a unanimous vote it would be useless.

9. Although the Soviet proposal was not connected with the item under discussion, it should be remembered that the Geneva Protocol of 1925 had been the expression of an effort made by nations of goodwill, in an era of good feeling, to give further effect to their hope that armaments could be limited. Since its signature, the political structure of the world had undergone a radical change, owing to the fact that the Soviet Union had revealed itself as a nation that openly violated international agreements. By its enslavement of surrounding nations, by its secret agreements with Hitler, by crushing the human rights which it claimed to defend, and finally by the duplicity in its relations with the entire world, the Soviet Union had shown that its word was not to be trusted. So far as bacterial weapons were concerned, the Soviet Union, when it had ratified the Geneva Protocol, had made two reservations, one of which stated that the Protocol would cease to be binding in regard to all enemy States whose armed forces or whose allies, *de jure*, or in fact, did not respect the restrictions which were the object of the Protocol. Thus, by foisting on the world the charge that bacterial weapons had been used, the Soviet leaders had served notice that they would not hesitate to use a lie to evade their obligations under the Geneva Protocol.

¹ See *Official Records of the Security Council, Seventh Year*, 577th meeting.

10. All that showed that the world of 1953 was not the hopeful world of 1925, and it was in that context that the Soviet draft resolution must be examined. Although he had nothing but praise for those who had drafted, signed and ratified the Protocol in that era long past, the achievement of the objectives of the Geneva Protocol was to be hoped for as a part of the system of safeguarded disarmament, which the Disarmament Commission had endeavoured to develop. But to bring up a proposal such as the USSR proposal with the idea that it would solve anything was to mock the hopes of the hundreds of millions of people of goodwill who yearned for genuine peace. The Soviet Union was proposing a general agreement which, its whole history indicated, it would treat as a scrap of paper and violate at will behind the Iron Curtain. States could not embark upon the momentous task of disarmament without iron-clad guarantees of performance by all parties. The history of disarmament efforts in the United Nations in the past seven years illustrated that truth. No people hoped more fervently than the people of the United States for the day when the basic conditions for genuine peace would be established—not the sham peace of a scrap of paper but the peace that flowed from human goodwill.

11. The United States delegation supported the draft resolution contained in document A/C.1/L.68, calling for the reference of the Soviet draft proposal to the Disarmament Commission.

12. Mr. Y. MALIK (Union of Soviet Socialist Republics) said that in their previous statements several delegations, including that of the Soviet Union, had already demonstrated the causes and purposes of the slanderous campaign that had been launched by the United States in order to make use of returned American prisoners of war for its own ends. During his statement, which was full of lies and fabrications, the United States representative had referred to the remarks of General Dean. General Dean had now been in the United States for some time; and clearly the reason why it had been found necessary that he should speak at the present time and that all possible publicity should be given to his remarks was that reactionary American groups feared any further development in the slight relaxation of international tension noted during recent months. It was in order to accelerate the armaments race that since June the American generals had come forward in turn; and it was in order to maintain a state of war hysteria that a new item relating to the so-called atrocities practised against American prisoners was to be included in the Assembly's agenda.

13. The United States representative had been wrong in stating that the Soviet Union had criticized the composition of the Commission appointed for the so-called impartial investigation of the charges concerning the use of bacterial warfare. The Soviet Union had objected to the examination of the matter by the General Assembly and the Security Council as being contrary to the Charter: in the absence of the representatives of the People's Republic of China and of North Korea such an examination was illegal under the terms of Article 32 of the Charter. The Soviet Union had never criticized the actual composition of the Commission.

14. It was significant that the United States representative had not replied to the observation made earlier in the discussion that whereas during the American airmen's captivity the United States Press had de-

manded that they should be handed over to a neutral commission to be re-interrogated on neutral territory, that had not been done when the men had been freed. It was not surprising that once in the hands of American interrogators, the airmen had been forced to make statements favourable to the American military authorities.

15. The United States representative had then stated that the order of the United States Secretary of Defense had been published on 16 October. What did that matter? What was important was the fact that the order had been published and put into effect. Indeed as far back as 8 September the Press, as witness a special editorial of *The New York Times*, was instructing prisoners of war as to how they should behave.

16. The United States representative had asked certain questions, which could easily be answered; but first he should state what country it was in which fabulous sums were appropriated by law for the financing and organization of subversive activities and sabotage in the Soviet Union.

17. The question of who had started the war in Korea had been fully debated, and both facts and documents showed irrefutably who had organized it and found it profitable. Neither Mr. Dulles nor Mr. Acheson had been able to reply to the evidence adduced by Mr. Vyshinsky.

18. The United States representative had repeated his crude lie concerning the alleged presence of Russian interrogators during the questioning of American prisoners of war. He had asked the Soviet Union to rebut the charge by facts. But what facts could be adduced to prove that there had been no Soviet interrogators? Moreover, that false charge was an insult to the Chinese and the North Koreans.

19. With regard to the depositions of the American airmen whom no one had ever yet seen, their existence was not in doubt, but their testimony was surprising, although it was not difficult for the American military authorities to find soldiers or officers who, after due indoctrination by the incessant propaganda of hatred and calumny being conducted, would be ready to sign any depositions useful to their commanders. Such testimony was the more easy to obtain because the American Press itself advised former prisoners of war to make depositions hostile to North Korea and China, telling them that it was an act of patriotism to do so.

20. The United States representative had been mistaken in stating that the Soviet Union proposal had been examined last year by the Disarmament Commission. The USSR delegation had proposed that the question of bacterial weapons and measures to prevent their use should be considered as a matter of urgency and without delay. That proposal had been rejected by the United States and United Kingdom representatives and others. The United States representative's attempt to justify the refusal of his Government to ratify the Geneva Protocol of 1925 on the ground that the Soviet Union had made certain reservations in ratifying that instrument was entirely unfounded; seventeen other signatories to the Protocol had made the same reservations. But that in no way detracted from the importance of the Geneva Protocol, and the moral, political and legal obligations it involved. If the United States ratified the Protocol with the same reservations as the Soviet Union, it would be none the less valid. As for the argument that the United States' refusal was justified

by the difference between the situation in 1925 and that in 1953, that had already been refuted by the Soviet delegation both in the Disarmament Commission and in the Security Council. The USSR delegation had proved by quoting the Congressional Records for 1927 and 1928 that the United States position had been exactly the same then as at present. Even then the senators and generals asked to give testimony before a Senate Committee had said that the advantage of bacterial warfare was that it could kill more people. That was the first reason why the United States had refused to ratify the Protocol. The second reason had been the opposition of the American Legion, which, being financed by the chemical trusts, was directly interested in the contingency of a bacterial war. The facts had not changed: those two reasons were still valid so far as the United States was concerned; and that was why Mr. Truman had withdrawn the instrument of ratification of the Geneva Protocol from Congress in 1947.

21. The United States representative had tried to link the question of the Geneva Protocol to that of disarmament; but, of course, that was only a pretext which fell into place in the series of manoeuvres by means of which the United States had continually sought to oppose the examination of the question of the prohibition of bacterial warfare by any commission whatsoever. Yet the adoption of such measures would do much to improve international relations. The United States representative's arguments in support of his claim that a decision of that nature could not be taken in the absence of certain conditions going as far as control were not serious. A document published the previous year by the Special Committee of Twelve on the history of the question of the prohibition of chemical and bacterial weapons in the League of Nations and its various organs had contained an expert report stating that there could be no real control over the production of bacterial weapons, because they could be made in any laboratory. To link the ratification of the Geneva Protocol with the control of bacterial production, therefore, was merely a crude subterfuge.

22. The Soviet Union delegation urged all Member States to adopt its draft resolution (A/C.1/L.67). The accession to and ratification of the Geneva Protocol by all States would be a great contribution to international peace and security.

23. General ANAYA (Argentina) said that his delegation had voted for resolution 706 (VII) of the General Assembly calling for the establishment of a commission for the investigation of charges made concerning the use of bacterial weapons. That resolution was still in force.

24. Although the Argentine Government, in line with its peace-loving policy, appreciated the considerations in the mind of those who wished to eliminate methods of mass destruction, it felt unable to support the Soviet Union draft resolution (A/C.1/L.67) which was not directly connected with the item under discussion. The Argentine delegation would however support the draft resolution contained in document A/C.1/L.68.

25. Mr. BELAUNDE (Peru) said his delegation had been struck by two points: firstly, that the discussion had raised questions of international law, and secondly, that the amendment his delegation had proposed at the sixth session of the General Assembly, calling for the inclusion of poison gas and bacterial

weapons among weapons of mass destruction, could not be ignored in any reference of the problem of the Geneva Protocol to the Disarmament Commission.

26. In the statement he had just made the USSR representative had said that his Government objected not to the composition or size of the Commission of investigation set up by the General Assembly, but to the fact that North Korea and China had not been consulted. It therefore seemed regrettable that the Soviet delegation had not submitted an amendment along those lines, since in view of the fact that the question raised not only political but also numerous technical problems, the most eminent world authorities on epidemiology and bacteriology might have been consulted. The Commission's members were completely impartial and if they could have had the collaboration of experts of world repute, including the leading Soviet experts, the Commission would have acquired a prestige which would have made it possible to bring the debate to a completely satisfactory conclusion. That, alas, had not been the case, and the tone of the discussion was becoming increasingly acrimonious.

27. The students of international law, humble though they were, had been struck by a fact which could not be passed over in silence. The statements obtained from prisoners of war during their detention by the Chinese and the North Koreans had been discussed in the Committee as though they were a matter of course. That in itself was wrong and an obvious indication of the deterioration of moral conscience in the USSR. Both the person and the mind of the prisoner of war was sacrosanct. International conventions relating to the general protection of prisoners of war—in particular article 13 of the Geneva Convention—provided quite explicitly that prisoners of war must be protected against all acts of violence and intimidation. The Geneva Convention had stressed the sacrosanct and inviolable status of the prisoner of war, which it was the inalienable duty of the detaining Power to protect. Indeed, a prisoner might be interrogated only as to his surname, first name, rank, date of birth and army, regimental, personal or serial number. No other information must be obtained from him.

28. How could students of international law accept the implication that interrogation of prisoners of war was something normal, regardless of whether it was accompanied by violence or pressure, when the very fact of interrogating prisoners and interfering with their mental and psychological processes was abnormal? Prisoners were entitled to be left in peace, to reflect upon their own problems and on their sufferings which must be respected.

29. Mr. Y. MALIK (Union of Soviet Socialist Republics), speaking on a point of order, reserved his right to speak again the following Monday should the debate be resumed.

30. Mr. KATZ-SUCHY (Poland), speaking on a point of order, was sorry that the Peruvian representative had not made his statement when the General Assembly had been discussing the murders committed in the Kojé camp.

31. Mr. BELAUNDE (Peru) said he wished to emphasize despite those interruptions, which went to show that his views were felt embarrassing in certain quarters, that a definite breach of the Geneva Convention had been committed. If the General Assembly did not concern itself with the observance of international

law, who would do so in its place? The Committee would undoubtedly recall Mr. Vyshinsky's assertion that while the person of the prisoner of war was sacrosanct there was also a sacred bond between the prisoner and his country. At that time, however, the question of the true motherland of the Chinese volunteers and North Koreans taken prisoner in Korea remained to be decided. But the quotations from Fauchille which Mr. Vyshinsky had used still retained their force, since they stressed the respect due to the prisoners of war and to his feelings towards his own country. How could the possibility of a prisoner of war accusing his own country be conceded? If he did, he would be doing violence to the natural feelings which every prisoner of war cherished for his own country. It was for that reason that the Brussels Declaration prohibited all pressure or propaganda designed to embitter relations between prisoners or to alienate them from their country or government. The Declaration also condemned as contrary to the most rudimentary concepts of justice and honour attempts to extract from a prisoner by means of threats or ill-treatment information on the army to which he belonged or on his country's resources. That was the strict legal position. Today, since the question had been brought up for discussion, a statement that the interrogation of prisoners of war in Korea constituted a flagrant breach of articles 13 and 17 of the Geneva Convention was fully justified.

32. As for the draft resolutions which had been submitted, the USSR draft (A/C.1/L.67) was not pertinent despite the procedural skill with which it had been submitted. Its purpose was in effect to censure the United States for its failure to ratify the Geneva Convention. Such a position could not be supported. When the USSR had submitted, at the sixth session, its grandiose proposal for the prohibition of atomic weapons (336th plenary meeting), the Peruvian delegation had stated that it was prepared to support such a prohibition provided that it was guaranteed by adequate measures of control. There was however a gap in the USSR proposal—the prohibition of other weapons of mass destruction such as conventional armaments and, as the Lebanese (452nd meeting) and Egyptian (450th meeting) delegations had pointed out, asphyxiating gases and bacterial weapons. The USSR delegation had accepted the principle of such a general prohibition in 1946. Consequently, from the standpoint of what might be described as the prevailing international ideas, the Soviet proposal was out of date, since the Geneva Protocol constituted a general and moral undertaking limited, however, by a series of reservations, so that its principles had already been superseded. The Soviet draft resolution should accordingly be referred to the Disarmament Commission.

33. His delegation would accordingly vote for the five-Power draft resolution, and proposed that after the vote on that proposal the USSR proposal should not be put to the vote.

34. Sheikh JABBAR (Saudi Arabia) deplored the use of the United Nations for purposes of propaganda which could only serve to heighten international tension regardless of its source. To support either of the draft resolutions would therefore be to disregard the need for a relaxation of tension.

35. Those who had accused the United Nations of atrocities had damaged their own cause by refusing

an impartial inquiry on the spot. While it was true that the Geneva Protocol was now being invoked, that instrument was well known to the United Nations, and to refer it to the Disarmament Commission would merely hold up that body's work. His delegation would therefore abstain from voting on the draft resolutions contained in documents A/C.1/L.67 and A/C.1/L.68.

36. Mr. LLOYD (United Kingdom) said he would confine himself to replying to some of the contentious statements made by the USSR representative. In the first place, the Soviet propaganda on the subject sufficiently warranted the vigour of the United States reply. Secondly, there had never been any question of the United Nations setting up a commission to which the People's Republic of China and North Korea would not have freedom of access. Thirdly, anyone who knew the methods used to obtain confessions on the other side of the Iron Curtain would readily understand that the statements prisoners made after their repatriation were the only authentic ones.

37. The Polish representative had alleged that the draft resolution contained in document A/C.1/L.68 was a way out. In point of fact it was the Soviet Union which, its accusations having been disproved, had fallen back on the Geneva Protocol, whereas referring the USSR draft to the Disarmament Commission was a constructive step. It was high time that the Disarmament Commission got on with the task of producing some practical scheme for supervising disarmament and the fulfilment of pledges made; otherwise the terrified world would be faced with a piling up of weapons of mass destruction.

38. In accordance with rule 130 of the rules of procedure, the United Kingdom delegation proposed that the five-Power draft resolution, upon which the fate of the USSR proposal depended, should be put to the vote first.

39. Mr. SANSON TERAN (Nicaragua) said that although his Government had ratified the Geneva Protocol it could not lend its support to the political machinations behind the draft resolution contained in document A/C.1/L.67. Nicaragua condemned the calumnies uttered against the United States and would vote in favour of the draft resolution contained in document A/C.1/L.68.

40. Mr. Y. MALIK (Union of Soviet Socialist Republics) observed that the Peruvian representative, instead of confining himself to considering the draft resolutions, had made a general statement, which called for a reply. He had said, among other things, that prisoners of war ought to love their country. But Colonel Schwable himself had felt that in making his statement on the use of bacterial warfare he was serving his country; and no one had prevented him from making it.

41. The aim of the USSR draft resolution was not, as the Peruvian representative had maintained, to isolate the United States, which was not referred to specifically and moreover was not the only country that had not signed and ratified the Geneva Protocol. It was consequently consistent with the interests of peace to make the appeal contained in the draft resolution (A/C.1/L.67).

42. The USSR delegation could not agree to draft resolution A/C.1/L.68 being given priority. Above all, the USSR draft had been submitted first, and rule 130

of the rules of procedure provided that texts should be put to the vote in the order of their submission. Moreover, it was equally true to say that the fate of the five-Power draft resolution depended on that of the USSR draft.

43. The CHAIRMAN put to the vote the United Kingdom representative's motion that draft resolution A/C.1/L.68 should be put to the vote first.

The motion was adopted by 44 votes to 5, with 11 abstentions.

44. The CHAIRMAN put to the vote the draft resolution contained in document A/C.1/L.68.

The draft resolution was adopted by 47 votes to none, with 13 abstentions.

45. The CHAIRMAN pointed out that it had been asked whether the draft resolution contained in document A/C.1/L.67 was compatible with the decision just taken. Accordingly he would call upon the Committee to decide.

46. He put to the vote the question whether a vote should be taken on draft resolution A/C.1/L.67.

The Committee decided, by 38 votes to 5, with 15 abstentions, that the draft resolution contained in document A/C.1/L.67 should not be put to the vote.

Complaint by the Union of Burma regarding aggression against it by the Government of the Republic of China: report of the Government of the Union of Burma (A/2468, A/C.1/L.69, A/C.1/L.70, A/C.1/L.71)

[Item 25]*

47. U MYINT THEIN (Burma) said that in 1950 a force of 1,700 men from Yunnan had entrenched themselves in Burmese territory, and in 1952 their numbers had been increased to 12,000 by the addition of reinforcements from Formosa and local recruitment. In its complaint made and discussed at the seventh session, Burma had stated that the army in question formed part of the army of the Republic of China and was being maintained by the Formosa Government, that it was committing depredations in Burma and that it had joined forces with the Karen insurgents to fight the Burmese Government. In its resolution 707 (VII) of 23 April 1953, the General Assembly had refrained from condemning the Formosa Government, the majority considering that to do so would impede a solution of the problem. Nevertheless, the Burmese delegation, while it had abstained in the First Committee, had voted in the plenary meeting in favour of that draft resolution. Unfortunately, the situation in Burma had not changed and no solution had yet been achieved.

48. In accordance with General Assembly resolution 707 (VII), the Government of the Union of Burma had given an account of the development of the situation in its report to the General Assembly (A/2468), which made very dismal reading. General Li Mi's forces had strongly resented the resolution, and persisted in the belief that they could do as they pleased so long as they posed as crusaders against communism. Li Mi's assertion that the Burmese Minister for Foreign Affairs had visited China was untrue, and Burma's action was not inspired by the People's Republic of China

* Indicates the item number on the agenda of the General Assembly.

(A/2468, para. 7). But it was only too true that aircraft from Formosa were still flying over Thailand, bringing supplies to the foreign forces on Burmese territory.

49. To revert to what had happened after the adoption of the resolution, it had taken a month of untiring effort by the United States ambassadors at Rangoon, Bangkok and Taipeh to bring about the first meeting. The Burmese Government, for its part, had decided to cooperate unreservedly, although it had its doubts about the Kuomintang's sincerity. At the very outset, on 23 May 1953, the representative of the Republic of China had stated that his Government could use its influence on Li Mi but not compel him. Since the discussions were making slow progress, the Burmese representative had entered into direct discussion with the Chinese representative, who had accepted the plans for evacuation in principle, as was to be seen from the *communiqué* of the Joint Military Committee dated 23 June 1953. On his return from Formosa, however, the Chinese representative had raised the question of Chinese civilians who had been detained for collaborating with the invaders. Although that was a matter quite outside the committee's competence, Burma had replied that such civilians would be allowed to depart as freely as the soldiers who had done much more harm than they had. Everything had seemed settled when the Chinese representative had hit on the idea of sending for the "jungle" generals. The generals had made hostile statements to the Press against Burma, and had flatly refused to leave the country. The Burmese delegation, exasperated, had thereupon asked the Joint Military Committee whether or not the Chinese intentions were sincere. It had been learned at that time, it might be noted, that the Chinese proposed to make a token evacuation of a small contingent, to coincide with the eighth session of the General Assembly; the generals' attitude and certain intercepted letters had made it clear that General Li Tse-feng was to take over Li Mi's forces almost intact.

50. As might be seen from the report (A/2468, annexes E and F), Li Mi had told Chang Kai-shek flatly that he would never give orders to evacuate, and at Bangkok Li Tse-feng and the other "generals" had openly expressed their intention to remain in Burma.

51. Annex G showed the situation at the end of July. In paragraph 24 of the body of the report, written on 31 August, the Burmese Government had expressed the view that the Bangkok talks would lead to no spectacular result. In fact, in spite of the optimism of Mr. Shao Yu-lin, personal representative of Chang Kai-shek, who had made a tour of the Monghsat area, no progress had been made.

52. In order to obtain definite pledges, the Burmese representative on the Joint Military Committee had then asked for the evacuation of 5,000 men in three months, a very reasonable request in view of the fact that the committee considered that 200 men could be evacuated a day. However, the representative of the Republic of China had spoken of an "ultimatum" and had made no counter-proposals, with the result that the negotiations had collapsed at 3 p.m. on 17 September. The Kuomintang had then decided to accept an evacuation scheme, certain details of which had been worked out by the committee in the absence of the representative of Burma. The figure proposed was 2,000 men.

53. Although the United States Embassy at Rangoon had at that time informed Burma that the Formosa Government meant business, United States efforts were frustrated by the irrepensible Li Mi, who still refused to give the order for evacuation.

54. Unhappily the Kuomintang marauders were continuing their depredations and penetrating deep into Burma; in the north plundering rice and other crops, while in the south, together with the Karen insurgents, they were burning outposts and government depots. At the same time, they were continuing their traffic in opium and wolfram. Burma, after having stayed its hand at the request of its friends, had resorted to the bombing of hideouts and strongholds; that had led to tearful protests from the Taipeh authorities who had even protested to the United Nations. In his statement (A/C.1/L.69) Mr. George K. C. Yeh had made much of those bombings. It would be noticed that he also reiterated that his Government had no control over Li Mi, a claim that had already been sufficiently refuted. With regard to the air-raids on Monghsat, Burma could not be blamed for bombing an enemy stronghold on its own territory; moreover, the raids had been carried out on 20, 22 and 23 September and 1 October, that is, before any preparation for evacuation had been made, if indeed any such preparations had been arranged subsequently.

55. The Burmese Government had been informed about 1 October that there was a chance of withdrawal and had stopped the air-raids in deference to the wishes of its friends. The only places bombed had been areas north and south of Monghsat where, Burma had been informed both in the committee and privately, there were bandit forces not under the control of Li Mi. In any case, there had been no bombing operations since 14 October.

56. The United States Ambassador at Rangoon had continued to strive for a solution and on 6 October it was learned that the forces evacuated would only number between 1,500 and 2,000 men. In other words, 10,000 men would still be left to embarrass the Burmese in their domestic and international relations and would have to be fought in difficult terrain. Nevertheless, the Burmese Government had replied on 14 October that it would not interfere with the departure of the 2,000 men against whom operations would cease until 15 November, but had emphasized that the Government of the Republic of China who had brought the original force and expanded it should be responsible for the removal of the entire body from Burma.

57. Mr. Tsiang would no doubt wax eloquent on the *communiqué* issued by the Joint Military Committee on 29 October (A/C.1/L.71), but it remained to be seen whether the 2,000 men would really be withdrawn by 15 November. The *communiqué* also mentioned that the Republic of China would give no assistance to those remaining in Burma. The same undertaking had been given in Mr. George K. C. Yeh's *communiqué* (A/C.1/L.69), which proved once more that the Chinese forces in Burma were maintained by Formosa.

58. Nevertheless, the disavowal of the Chinese remaining behind in Burma was a matter for concern, for it was not in compliance with resolution 707 (VII); there was considerable difference between the withdrawal of 2,000 men and the withdrawal of 12,000. The Burmese Government continued to insist that the entire Chinese force must be evacuated. There was

reason to fear that Taipeh's disavowal of those unwilling to leave Burma was part of a strategy to make a token show of removal at the time of the Assembly. At most, the headquarters would be moved from Monghsat to another place in Burma and, even if Li Tse-feng were disavowed, he would remain in Burma as commander.

59. Those fears appeared to be justified by a number of documents. Following the adoption of resolution 707 (VII) a junior officer of the Burmese army stationed in the north of Burma had written to a Kuomintang officer suggesting that he should return to his own country. One of the letters sent in reply by the Chinese recipient, a brigade commander, had been of such a sensational nature that it had been transmitted to the Burmese War Office.

60. The representative of Burma then read out a letter from a Chinese officer dated 25 July 1953 (A/C.1/L.70, exhibit No. 2). Those letters showed that there was an army 3,000 men strong in the vicinity of Bhamo and Myitkyina, far north of Monghsat, under the orders of Chiang Kai-shek and Li Mi and that it would be prepared to evacuate Burma, if ordered to do so. When there was talk of the withdrawal of only 2,000 men, the Burmese Government could not forget that army which would be disavowed on the grounds that it would not obey General Li Mi's orders.

61. He then referred to two letters from General Li Mi seized at Khemaphyu on 22 July 1953 from a courier who had fallen into Burmese hands while on his way to the joint Kuomintang-Karen Camp at Mawchi, Ketung (A/C.1/L.70, exhibits No. 6 and No. 7). He also read out exhibits No. 3, No. 4 and No. 5.

62. It could not be claimed that the troops stationed far south of Monghsat were not under the control of Li Mi since the latter had had an airstrip built near Mese, which had not yet been used due to the vigilance of the Burmese Air Force. The truth was that Li Mi's new plan was merely to shift his headquarters.

63. If the Formosa Government moved out a token force, it would naturally be from the base which it intended to abandon. As for the troops in the Bhamo-Myitkyina area, north of Monghsat, and the Mawchi-Moulmein area, south of Monghsat, the Chinese representative in the Joint Military Committee had said that it was unnecessary to make any evacuation plans for them because Li Mi did not control them. It was clear, however, from the letters produced, that the plan was merely to move out a token force and leave Li Tse-feng in command, with his headquarters either north or south of Monghsat.

64. Messages from Taipeh on 7 and 17 October had indicated that Li Mi would fight on to the end and that Li Tse-feng had asked the Nationalist Government to reconsider the proposed evacuation.

65. Burma would regard the evacuation of the 2,000 men as only a first instalment. Moreover, the withdrawal of the troops, who had entered Burma without permission, could not be made conditional on the signing of an agreement which Burma could not be criticized for not having signed. After bringing in and reinforcing an invading force, the Chinese would like to get out of the venture without loss by merely evacuating 2,000 men. But Chang Kai-shek and Li-Mi were under a moral duty to remove their entire force and to disarm the local recruits who did not wish to go to

Formosa. It was not the first time that there had been talk of evacuation although with the General Assembly now meeting the latest affirmation might be a little more earnest. Was it still impossible for Formosa to disavow or even discredit those troops? As the operations of the Burmese army had been suspended it was time to proceed with the evacuation. It was hard to believe that Formosa had the audacity to flout the United Nations.

66. Since it was so difficult to believe in the goodwill of the Formosan authorities, the First Committee would have to think of ways and means of implementing the mild resolution adopted at the seventh session. While refraining from submitting any draft resolution, the Burmese delegation reiterated that the activities of the Kuomintang army in Burma were fostered by the authorities in Formosa and that they should be branded as aggressors. It believed that many delegations secretly agreed that the situation was intolerable even if for other considerations they were unable to say to publicly.

67. Burma was deeply grateful for the efforts of the United States. But in dealing with the authorities in Formosa, moral pressure was perhaps not enough. If the Formosan authorities were threatened with ouster from their seat in the United Nations the Kuomintang army would disappear within a month, and this process would take less time if a charitable people were to threaten suspension of its aid.

68. The Kuomintang army was no threat to the People's Republic of China and served no purpose other than to antagonize and plunder the Burmese. John Alsop, in his article in the *New York Herald Tribune* of 26 October, had said that the help given by the United States to the Chinese Nationalists had been lavish, yet the number of guerrillas operating on the mainland was not more than a few thousand. Mr. Alsop might have added that those few thousand guerrillas were on Burmese territory.

69. Mr. TSIANG (China) said that he would reply to the Burmese representative's statement later; he wished, however, to point out a number of strange contradictions in some of the documents submitted to the Committee and particularly in document A/C.1/L.70.

70. With regard to the substance of the matter, he referred to the results of the negotiations undertaken by the Joint Military Committee which had met at Bangkok in accordance with the recommendations made by the First Committee at the seventh session. He read the statement issued by the committee at Bangkok on 29 October 1953 (A/C.1/L.71). The contents represented a positive result to be recorded to the credit of the United Nations. The figure of 2,000 persons to be evacuated was approximate, for it did not include the families of those persons. It was in no sense restrictive; the Chinese Government had never placed any limit on the number of irregular troops to be evacuated. It was prepared to welcome all those who could be induced to return. The figure of 2,000 was merely the one which had been given to the Chinese Government by the leaders of the forces. Furthermore, the Chinese Government had completely and unreservedly disavowed all those who refused to leave Burmese soil.

71. It was necessary, however, to form an idea of the difficulties involved in such an operation. In the first place, it was difficult to ascertain the exact number

of the forces to be evacuated. In principal, there had been 1,700 of them in the beginning; the Burmese estimated their number at 12,000; estimates of 30,000 and 7,000 had been advanced. It was also difficult to ascertain the composition of those forces which comprised not only Chinese but also Karens, Kachins, Chins, Shans and Burmese. The troops' equipment was scanty and mediocre; half were without weapons. Their supplies which came from different sources were uncertain. Isolation in the jungle had, however, created among those troops a special ideology which was expressed by a propaganda varying largely with the persons to whom it was addressed. They had a fanatic faith in their anti-communist mission, which they envisaged in their own peculiar way. The Chinese Government, of course, had quite different ideas about the fight against communism; but it was also clear that that Government had lost all control over those irregular forces.

72. He then described to the Committee the sincere efforts made by his Government to conform to the General Assembly's resolution 707 (VII). The United Nations documents on the subject had been transmitted through the Secretariat to Formosa and distributed, among others, to General Li Mi and his supporters. Mr. Tsiang had himself gone to Formosa to explain the matter to the legislature and describe the position of the United Nations. He had actually had an interview with General Li Mi, who he had attempted to convince. But he had encountered a fanatic who thought he was responsible for the campaign against communism in South East Asia.

73. The First Committee knew about the work of the Joint Military Committee which was set up at Bangkok, where the United States of America and Thailand had offered their good offices to China and Burma. The members of that committee which had met for four months had undertaken a difficult task, especially the Chinese military representative who had had to ascertain, by agreement with the leaders of the irregular forces, the number of those to be evacuated and the place of evacuation. In view of those difficulties, the Chinese Government had in August sent Ambassador Shao Yu-lin into the Burmese jungle with promises of welcome for those who returned and severe warnings to those who stayed in Burma against the wishes of the Chinese Government that the Government would see that they were refused all assistance from outside. Partly as a result of those efforts, the leaders of the Anti-Communist National Salvation Army of Yunnan had agreed to evacuate the six places specified by the representatives of Burma in the Joint Military Committee and to try and persuade as many as possible of their forces to agree to leave Burma. In mid-September, the leaders had informed the Chinese Government that they had induced 2,000 soldiers to return to Formosa with their families. Those were the efforts which had been made by the Chinese Government. Before concluding, he would like to express his gratitude to the delegations of Thailand and the United States for the good offices which their Governments had offered during those delicate negotiations.

74. Mr. CAREY (United States of America) said that, on the basis of resolution 707 (VII), his Government had suggested the formation of a committee of

representatives of the interested parties: Burma, China, Thailand and the United States—responsible for the evacuation of as many of the foreign forces from Burma as possible. By June, the committee had prepared a satisfactory plan for evacuation. Difficulties had arisen towards the end of June when the officers of the irregulars had appeared before the committee. The dead-lock had continued until the end of August, when President Chiang Kai-shek had sent Mr. Shao Yu-lin on a special mission to Monghsat. He had soon been able to report some progress: a considerable number of the troops had agreed to being evacuated. It had, however, been impossible to reach agreement in the evacuation plan on the exact number to be evacuated. On 17 September Burma, which *inter alia* had stipulated the removal of 5,000 men in thirty-five days, had withdrawn from the Joint Military Committee. The United States Government had nevertheless continued its efforts, together with the Government of Thailand. On 30 September the Chinese Government had informed the committee that 2,000 men and their families could be evacuated. It had also indicated willingness to disavow and abandon all irregulars refusing to leave. Those offers had been communicated to the Burmese Government. The United States Government attached great importance to the question, in which President Eisenhower was taking a personal interest. After Burma had left the Joint Military Committee, the United States had acted as go-between to ensure the execution of the evacuation plan. On 27 October, the representative of the Chinese Government at Bangkok had stated that the first group of evacuees would reach the Burmese-Thai border by 5 November. Hence the Joint Military Committee had issued the *communiqué* which was now before the First Committee (A/C.1/L.71). It had then been possible to make practical arrangements for the evacuation: airlift from Thailand to Formosa, the dispatch of Burmese observers, the reception of the evacuees at the border and their transit through the territory of Thailand, food, shelter and care, and security troops—all those services being furnished by Thailand, without whose co-operation and hospitality the operation could not have been carried out.

75. He repeated that his Government deplored the presence of foreign troops in Burmese territory. The Chinese Government, for its part, had clearly stated that it intended to remove as many irregulars as possible. It was nevertheless evident that the Chinese Government exercised a very limited influence over those troops. The United States Government therefore felt that the removal of all the foreign forces amenable to the influence of the Chinese Government would constitute the limit of what could be achieved by international action. At the seventh session, the Chinese representative had pledged his Government's co-operation. In the opinion of the United States delegation, such removal, when achieved, would constitute a substantial implementation of the resolution 707 (VII). The interest of the United States Government in the problem would not cease with the evacuation of those several thousand men. It would be prepared to consult again with the interested parties regarding any further action that might usefully be taken.

The meeting rose at 2.15 p.m.