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*President:* Mrs. Vijaya Lakshmi PANDIT (India).

**Question of atrocities committed by the North Korean and Chinese communist forces against United Nations prisoners of war in Korea (*continued*)**

[Agenda item 74]

*Sir Gladwyn Jebb, (United Kingdom), Vice-President, took the Chair.*

1. Mr. CHEN (China): My delegation is gratified that, at long last, the atrocities perpetrated by the régimes of communist China and North Korea against the United Nations prisoners of war in Korea are being brought before the General Assembly of the United Nations.

2. The United States delegation, in connexion with this item of the agenda, has circulated documentary material bearing on this item. This material admittedly consists of extracts, summaries, and typical cases. As pointed out by the United States representative yesterday [462nd meeting], "the evidence in this document is only a very small part of the whole body of evidence on these atrocities". However, we are assured that the full files, standing some 20 feet high, are available for inspection.

3. An examination of the evidence before us shows that, in their conduct of the war of aggression in Korea, the Chinese and Korean communist rulers have employed the most barbaric methods in dealing with United Nations and Republic of Korea prisoners of war in their captivity. Soldiers and civilians by the tens of thousands were shot in cold blood, bayoneted, starved, allowed to die of cold, disease and exhaustion. The evidence tells of 81 separate death marches, always in the depth of winter, during which an estimated 1,940 prisoners died in the roadside or in camps. It tells of the massacre of thousands of civilians for political reasons.

4. These cases of atrocities add up to a blistering indictment of the régimes in communist China and North Korea. They show that the perpetrators of these atrocities conducted themselves in total disregard of all precepts of international law and the elementary sense of human decency. What the Communists have been doing is to employ mass murder as an instrument of policy. It is a programme of brutalization designed to terrorize their foes into submission. The tabulation of

statistics in the documentary material before us shows that the Communists committed these atrocities without reference to the nationality or the race of their victims. They are not atrocities committed by one racial group against another. They are atrocities committed purely for political purposes. In the documentary material, we find that citizens of Belgium, Turkey, Korea, the United Kingdom and the United States were involved. Soldiers and civilians of the Republic of Korea were murdered by the Korean and Chinese Communists, just as American, British, Turkish and Belgian soldiers were murdered by these same Communists. That the Korean Communists are responsible for more atrocities than the Chinese Communists is not due to the fact that the latter are more humane. It is simply because the Chinese Communists entered the Korean war several months later. Once they had joined in the aggression, they were just as brutal and committed just as many atrocities proportionally as their comrades from North Korea.

5. In the appraisal of this grim and gruesome record, we see once again the inhumanity which lies at the root of the communist system. We are faced again with the stark truth that the employment of brutality for political purposes is at the very foundation of communist ideology, taught by its masters and practised in every land where communism is in control. For it was Lenin who taught his disciples, among whom are Mao Tse-tung and Kim Il-sung, that "terror cannot be dispensed with, notwithstanding hypocrites and phrase mongers".

6. The history of the Bolshevik Revolution in Russia shows that Lenin and his successors have faithfully followed this doctrine of terror to gain and maintain political power. There was in Russia the wholesale liquidation of the kulaks. There was the wholesale liquidation, first of the Mensheviks and later of the Trotskyites. Those liquidations were carried out with barbaric thoroughness and in total disregard of the basic principles of law and justice. For it was Lenin, again, who taught: "For the public advocacy of menshevism our revolutionary courts must pass sentence of death, otherwise they are not our courts."

7. On many occasions, my delegation has brought to the attention of the General Assembly clear evidences of the barbaric nature of the communist régime in China. In the employment of terror and mass murder for the attainment of political purposes, as in every other respect, the Peiping communist régime is the most faithful image of the Soviet Union. Therefore it should occasion no surprise on our part that the Chinese Communists are among the perpetrators of atrocities against the United Nations and Republic of Korea forces in Korea. It is in the nature of the Communist to be brutal. It is his creed, his normal form of conduct. In the debate on this item of the agenda, it was to be expected that the spokesmen for

world communism would employ all their propaganda tricks and devices to deny the black record of their Chinese and Korean comrades. But, with all their tricks and devices, they will fail to pull the wool over the eyes of the civilized world as regards the meticulously careful documentation on communist atrocities in Korea which is now before us. The truth will prevail and the perpetrators of these atrocities will stand condemned, once their evil doings are exposed.

8. My delegation is prepared to vote for the draft resolution introduced by Australia, France, Turkey, the United Kingdom and the United States [A/L.169]. While it is our view that the draft resolution does not go far enough on a matter which is in open and direct violation of the basic principles of the Charter of the United Nations, my delegation believes that the authors of the draft resolution have brought out in clear terms the grave concern which the General Assembly must feel towards these atrocities, and that the General Assembly should go on to condemn the commission of these atrocities as a violation of rules of international law and basic standards of conduct and morality and as affronting human rights and the dignity and worth of the human person. We believe that this is the least the General Assembly can do, for the victims of these atrocities were to a considerable extent men from various Member States of the United Nations which the United Nations itself called upon to uphold the principles of the Charter.

9. Mr. VON BALLUSECK (Netherlands): The item now before us concerns a frightening number of very serious charges, carefully examined by the War Crimes Division of the United States Command in Korea, about atrocities alleged to have been committed in Korea by armed forces belonging to those who in 1950 engaged in aggression against the Republic of Korea and who bitterly fought the soldiers from many Member States of the United Nations who, under the Unified Command, rushed to the rescue of the victim nation.

10. These charges, levelled by the United States on the basis of information and corroborative evidence, can leave no decent human being and no decent nation unmoved. They cannot leave the United Nations unmoved, since the atrocities are declared to have been committed not haphazardly, but systematically, against the South Koreans, both military and civilian, for whose fate the United Nations has assumed special responsibilities, and against the armed forces which were made available by sixteen nations, among them my own, to the collective effort to repel the aggression and to restore peace and security in the area. They cannot leave my own country unmoved, because they concern human dignity and because we ourselves remember having suffered atrocities of the kind described in the document now before this Assembly when we were occupied by the totalitarian Hitlerite hordes in the Second World War. We recognize the awful pattern all too well.

11. My delegation does not propose to enter into a detailed analysis of the charges made. We are confident that these accusations have not been brought forward lightly. We recognize that the United States military authorities have made painstaking efforts to examine seriously all the cases brought to light, and collected evidence as far as possible on the spot or corroborative evidence from returning prisoners of

war. The very least that one can say is that the resulting picture is one that causes deep concern and gloom. Deep concern about the sufferings to which, in our twentieth century, captive human beings, according to these charges, apparently can be subjected when the standards of humane conduct and the principles of recognized international law are forgotten or violated. Gloom because the information suggests that, only a few years after the close of the Second World War, the lessons of the trials of the war criminals in Nürnberg and Tokyo, to which the representative of Australia so eloquently referred this morning [463rd meeting], have apparently been cast aside by some who also seem to have renounced the spirit of international codes, such as the Geneva Conventions of 1949 concerning the treatment in time of war of civilians and of prisoners of war, that is to say, who have renounced rules of conduct brought into existence with the voluntary co-operation of a great number of countries, including a number of communist States.

12. The Geneva Conventions emerged, so to speak, from the terrible experience of the Second World War. They came after the Nürnberg and Tokyo trials of war criminals and criminals against humanity, and in them the world proclaims that justice be done. The treatment of prisoners of war and of civilian populations in time of war was regulated in great detail by the Geneva Conventions of 1949. The Convention on prisoners of war, for instance, spells out meticulously the duties and responsibilities of the detaining Powers with regard to captive soldiers. Yesterday, the representative of the United States gave us some examples. Let me add a few more.

13. The Convention stipulates, *inter alia*, that these captives must at all times be humanely treated. They must be protected against acts of force, of terrorization and of insult. Their person and honour must be respected. They must not be tortured, either physically or morally. When transported away from the battlefield to their places of encampment, they must be treated decently and in circumstances not less favourable than those obtaining when troops of the detaining Power itself are being moved. Special care must be given to sick and wounded prisoners of war. Collective forms of punishment for individual offences are prohibited, as are all forms of torture and cruelty.

14. The Convention on the treatment of civilians is based on the same standards of respect for human life and human dignity. How brutally the acts described in the information now placed before us by the United States contrasts with those Geneva rules, supported at the time by the international community!

15. These were only a few examples, chosen at random, of what the Geneva Conventions of 1949 prescribe with regard to the treatment of prisoners of war. I could cite many others, but those I have recalled are sufficient to show clearly the underlying philosophy of decent human conduct towards non-combatants and ex-combatants. Such a code of decency should be maintained wherever possible, even under conditions of war, when combatant human life is called upon to make supreme sacrifices on the battlefield and when non-combatant life is subjected to untold hardships and miseries.

16. War itself is a horrible thing. Here, in the United Nations, we are doing our best to prevent it and to make it impossible. If that is our difficult and

sometimes exacerbating task, there is equal, and perhaps all the more reason to remain alert for the safeguarding of respect for human dignity if, in spite of our peace efforts, war should nevertheless be inflicted upon us.

17. We have been talking here, strange as the term may sound, about the humanization of war in an endeavour to achieve the prohibition or the elimination of certain kinds of weapons of mass destruction. If that, in the context of a general and balanced reduction of armaments, makes sense, then there are correspondingly imperative reasons to protect the interests of those, both military and civilian, who as a result of captivity or of occupation under foreign rule are powerless at least physically to defend themselves. This, even apart from the initial crime of aggression which so often leads up to all these consequential crimes, the civilized world recognized at Nürnberg and Tokyo. This a few years later was confirmed in Geneva. Have these convictions and this recognition lost any of their fundamental significance since then? It would be a tragic thing for the conscience of humanity if that were so. Yet the accusations now brought to our attention cast, to say the least, a black shadow of the greatest doubt on the willingness of certain elements in our divided world to observe strictly these codes of specified humaneness and decency to which so many others subscribed in 1949, as well as in 1945, when we pledged ourselves, in signing the Charter of the United Nations, to the respect of human rights in an even wider sense.

18. Today we are not, I think, in a position to pronounce on the substance of the charges which have been brought to our knowledge as a *prima facie* case. For the moment, we can only express our deepest concern over a situation in which there is reason for such grave charges seriously to be made, and in which our thoughts are disturbed by such pertinent, detailed information and corroborative testimony about the tragic fate of many who fought, as we must never forget, under the banner of the United Nations.

19. But if we cannot now go into the substance of the individual cases, we can and must raise our voices with great determination to condemn inhumane conduct of the nature which has been described to us, wherever it appears and by whomsoever it is committed. We must address a very passionate appeal to the world in general, and in particular to those who may well have special reasons for listening, an appeal to the effect that human dignity and decency, as well as the standards of chivalry and magnanimity to the weak and to the powerless, shall not perish from the earth, even at times when this divided globe bursts into flames and when soldiers and civilians behind barbed wire and under unwanted foreign authority need more than ever the observance by their captors of some basic rules of humane behaviour.

20. Counter-accusations have been made from this rostrum. It may well be that there have been some isolated cases of individual misconduct. There are always exceptions to every rule, even to the rules of decency. But there is on the side of the free and democratic world, which bases its philosophy on respect for the individual, no rule of systematized suppression or systematized violation of human dignity in war or in peace. Besides, the prisoner-of-war camps of the United Nations forces in Korea have always been open to inspection by the impartial International Committee

of the Red Cross. Can the North Koreans and the Chinese so-called volunteers say as much? If the rule of human dignity prevailed, it was on the side of the United Nations forces. It is significant in this respect that, as the representative of Turkey suggested yesterday [462nd meeting], thousands of North Koreans and Chinese prisoners of war in the hands of the United Nations Command recognized as much by refusing to be repatriated.

21. For all the reasons which I have explained, my delegation will support the draft resolution submitted by Australia, France, Turkey, the United Kingdom and the United States.

22. Mr. MUNRO (New Zealand): I do not propose to go through the deliberately misleading arguments embodied in the cynical and indeed brutal speech of Mr. Vyshinsky this morning [463rd meeting], but I would ask him to examine the photographs in the extract of the interim historical report. When he has done so, I invite him to look at these mute testimonies to the enemy's terrible brutality. And I say, let him look at these pathetic memorials which furnish irrefutable and tragic evidence of the most atrocious cruelties.

23. At the end of a war, there comes of course a dreadful accounting: the lists of the dead and the wounded. In past, and perhaps more civilized centuries, the dead and the wounded were the dismal fruit of the field of battle. The miseries of soldiers sprang from the clash of arms. Between civilized States, war did not usually wreak its vengeance after the battlefield was silent. Now, in this century, wars have harked back to the barbarities of Genghis Khan and Tamerlane, who put to the sword their hapless captives. It has been said that wars are the dread of mothers. But the monsters who have committed the crimes we now hear of were deaf to the cries of mothers. The awful revelations of the compilations now before us prove beyond all doubt the inhumanities of the Communists in Korea, their disregard not only of the laws of war but of the most elementary feelings of human decency and their contempt for mercy and for the helpless. Indeed, the history of atrocities in this, the twentieth century, is long, bloody and revolting.

24. It is a fearful fact that, in recent years, at a time when we have reached undreamed-of heights in technological development, forces of aggression have again and again been unleashed against peace-loving nations. It is also true that these evil forces, driven by whatever totalitarian philosophy, have not been content with the grim engines of destruction which have been vouchsafed them as a by-product of our technical advances, but have reverted to the most primitive brutality and barbarism in their treatment of those, whether prisoners of war or civilians, who have been unlucky enough to fall into their hands.

25. I do not attempt to reconcile this contradiction between the acceleration of technical progress and the shocking examples of man's inhumanity to man which have marked the most recent course of our history. But we cannot blind ourselves to the fact that, however unpleasant, the times in which we live may well go down in history as one of the darker ages. It is no coincidence that the larger-scale aggressions and the large-scale cruelties of this century have gone hand in hand with the accession to power of the totalitarian régimes: fascist, nazi and communist. Fascist expansion led to a brutal war in Abyssinia. Nazi expansion-

ism led to the attempted liquidation of a whole people, the Jews, and then to a world-wide conflagration, during which the Hitler régime and its Japanese ally committed unheard-of atrocities.

26. Now, with the expansion of communism into Asia, we have had aggression and cruelty in Korea. In the Korean war, the forces of the United Nations, with which my country has been proud to be associated, have been fighting a limited war in far different circumstances from those of any war in the past. For the first time, a war has been fought at the direction and under the authority of an international organization with a single specific purpose: the repulsion of aggression.

27. Now, in this unique situation, we are faced with a new problem. Evidence of a particularly vicious and cruel series of war crimes has been uncovered, evidence which suggests not merely random and irresponsible acts but a definite policy directed by higher authority as a matter of expediency during a particular phase of the Korean war. No one can have read the evidence presented to us without revulsion and anger. Yet we have to accept the painful fact that this was not a war fought to the bitter end of unconditional surrender, but a war fought with the limited objective of repelling aggression. In this, we were successful. But the hard fact remains that a permanent settlement has still to be reached by negotiation, in the preliminary phases of which the two sides are now engaged. Thus we are at present unable to punish, and may never be able to punish, those responsible for crimes against our forces engaged in the fight against aggression.

28. This may be part of the price to be paid for collective security in the particular circumstances of this case. But those who have suffered cannot be expected to do so in silence. We have a right to the verdict of the opinion of the world, and it is that verdict which the Assembly is now asked to render. The United Nations cannot stand aside in this matter. It was the United Nations resolution which called the victims of these atrocities to fight in Korea; it was for the principles of the United Nations that they suffered and that they died. We cannot forget them.

29. Speakers before me have referred to the relevant provisions of the Geneva Convention. The representative of the United States referred [462nd meeting] to the undertaking given by the North Korean Government on 13 July 1950 to the effect that the North Korean Army was adhering strictly to the principles of the Geneva Convention in respect of prisoners of war. Yet representatives of the International Red Cross were never allowed near a single communist prisoner-of-war camp. Now that the surviving prisoners have brought back their stories, we can well see why. Seldom indeed have words and deeds been in such striking contradiction.

30. This flouting of international law and practice is another reason, if any were needed, why the General Assembly cannot afford to ignore the state of affairs revealed by the records before us; for every disregarded breach weakens the law. No one can prevent inhumanity in war, for war itself is inhumane. But at least we must do what we can to uphold such legal sanctions as exist to curb war's worst excesses. The terms of the draft resolution before us recognize the realities of the situation. Those terms express our deep concern, and surely we should express that concern, at the informa-

tion which has been brought to our attention. The draft resolution condemns in plain terms the perpetrators of war crimes, whoever and wherever they may be. If we can do no more than this, surely we can do no less.

31. Mr. VAN LANGENHOVE (Belgium) (*translated from French*): During the war in Korea, there were frequent reports of atrocities committed in that country. We now have before us precise facts and a complete report describing the extent and the horror of the crimes committed. Thousands of soldiers in the United Nations armed forces are said to have been the victims of these crimes. The victims were fulfilling a mission of the United Nations. They were fighting under its flag, as a result of the recommendations of the Security Council and the General Assembly inviting Member States to lend assistance to Korea. They were thus carrying out one of the primary aims of our Organization: the suppression of acts of aggression. For this reason, the General Assembly cannot ignore the facts which have been placed before it.

32. It is true that the investigation of the facts, no matter how carefully it was done, could not in the circumstances be complete. In any case, the draft resolution [A/L.169] does not request the General Assembly to pass judgment. But although this is impossible for the time being, we cannot ignore all the information which has been assembled. The Assembly could not conceivably disregard the data that have been submitted to it.

33. As the New Zealand representative has just said, the least the General Assembly can do is to state the importance it attaches to the facts and the concern with which it has taken cognizance of them. Moreover, even if it is unable to come to a definite decision on the basis of the evidence, the Assembly should at least utter a general condemnation of murder, mutilation or torture of prisoners of war or civilians by the agents of any government or any authority whatsoever as a violation of international law and a defiance of the most elementary rules of conduct and of respect for the human person. This is the dual purpose of the draft resolution. While realizing that nothing more can be done now, the Belgian delegation considers that the Assembly can do no less. That is why it will vote for the text submitted to the General Assembly.

34. The troops of the United Nations and of the Republic of Korea have also been accused of war crimes. Even the story of bacteriological warfare has been revived. But the members of the General Assembly have long been familiar with this subject; they know how futile these charges are. The immense majority has judged as they deserved the methods used to compel prisoners of war to make so-called confessions. These are vain allegations.

35. Moreover, even supposing that the forces fighting under the United Nations flag had violated the rules of war, that would be no justification for the crimes committed against members of the United Nations armed forces. Those crimes, the General Assembly must never forget, must be added to the initial crime of aggression, whose authors are vainly seeking to prove that it was their victims who were the aggressors. And if the Soviet delegation's allegations were well-founded, would that not be yet another reason for all members of the General Assembly to join in condemning the cruelties and the violations of international law

from which both civilians and prisoners of war have suffered?

36. Mr. DAVID (Czechoslovakia) (*translated from Russian*): The Czechoslovak delegation considers that the inclusion in the agenda of the eighth session of the General Assembly of the United States item on so-called atrocities calls for censure and constitutes a step which cannot further the cause of peace and friendly collaboration among nations. In the general debate which took place at the beginning of the present session of the General Assembly, a large number of delegations expressed gratification and hope in connexion with the undoubted indications of a relaxation in international tension. The present trend of international events has further strengthened the hope that a solution of controversial international questions can be reached through negotiation and direct discussion among the great Powers. The inclusion of this item in the agenda of the eighth session of the General Assembly on the proposal of the United States delegation represents an endeavour to prevent an improvement in the international situation. It also provides evidence of the activities of those circles which are thirsting for war and are opposed to the peaceful coexistence of nations. We are witnessing yet another attempt to exploit the United Nations in the interests of a United States propaganda campaign.

37. The General Assembly must, however, take account of all the implications of its decision to discuss this provocative item about so-called atrocities at a time when all its efforts should be concentrated on securing a peaceful settlement of the Korean question. There is no doubt that discussion of this item, which has been forced upon the Assembly by the United States delegation, cannot further the cause of peace and may, on the contrary merely raise difficulties on the path to agreement and to a peaceful settlement of the Korean question.

38. The Australian representative's statement [463rd meeting] only confirms this view. In his statement, Sir Percy Spender unsuccessfully endeavoured to weaken the effect produced by the convincing statement of the head of the Soviet delegation [463rd meeting] who had completely shown up the so-called documents submitted by the United States, proving them to be worthless and mendacious in character. Sir Percy Spender touched on a variety of subjects with a view to distracting the attention of representatives. He even saw fit to resurrect the old calumny about the alleged persecution of the clergy in Poland, quite undeterred by the fact that it has already been completely refuted by the Polish delegation on several occasions. As any impartial person is aware, full liberty of religious belief is guaranteed in Poland as in all other countries of the peace camp. But it must be pointed out that not even a cardinal's hat will save a man from just punishment if he conspires for foreign gold against the freedom and independence of his own people.

39. Let us now return to the question at issue. Since the General Assembly has been compelled to consider the fantastic and provocative accusations against the People's Republic of China and the People's Democratic Republic of Korea, the Czechoslovak delegation cannot, in the interest of truth and justice, pass over these patent falsifications and slanders in silence. It cannot do so, particularly as this is yet another attempt on the part of the United States delegation to accuse

and to condemn, while the other party does not have the opportunity to state its case, and because the United States delegation is simultaneously appearing here in the roles of prosecutor, principal witness and judge.

40. The United States delegation has designedly adopted an irregular and inadmissible procedure in order to prevent delegations even from discussing the question adequately at the present meeting. It is indeed most unusual that the basic document relating to this item, which is 162 pages long,<sup>1</sup> should not have been distributed to delegations until a fortnight after the item was included in the General Assembly's agenda and only two days before the debate upon it began. The United States delegation took that step in the hope that the shortness of the time available for the study of this so-called document would prevent the unmasking of the great lie which the United States is endeavouring to foist on world public opinion.

41. In document A/2563, the United States delegation publishes a letter from the Deputy Secretary of Defense, Mr. Roger Kyes, together with enclosures concerning the eight cases which the Department of Defense considers most typical and hence most suitable for use in the United Nations. In his letter, Mr. Kyes refers to the report on so-called atrocities released by the United States military authorities on 28 October 1953. Let us take a closer look at that report.

42. In that first report, the United States military authorities divide the alleged atrocities into two categories: reported cases and probable cases. This unusual system of classification frankly bewilders the reader. Of the total number of reported cases, only half are considered probable. This means in effect that the military authorities themselves do not believe that the other half—the cases which they do not regard as probable—ever in fact took place. Since they themselves consider them improbable, why did they include them in the report? They have dared to classify only half the total number of reported cases as probable. What does a probable case mean? Clearly, there is no question here of substantiated cases, but merely of an arbitrary appraisal of the cases presented. Such an appraisal in fact depends on the arbitrary judgment or degree of irresponsibility of the official who goes through and classifies the files and selects from among the faked cases those he considers to be most plausible and best suited for presentation to the public.

43. Let us look more closely at the individual cases of alleged atrocities. We are dumbfounded by the temerity, nay, effrontery of the United States officials in assuming that no one will study their report and that their assertions will be accepted in a completely uncritical spirit.

44. Let us look for example at one of the most sensational reports of alleged atrocities committed by the Korean side, a report first published by Colonel Hanley on 13 November 1951 at Pusan. This report, which appears as case No. 270 in the United States Army document, alleges that 1,250 Americans were murdered at one time. The report actually states that these prisoners of war "were slaughtered in cold blood by their communist captors, if the confession of a North Korean prisoner is true", and adds that "unfortunately that is all the evidence contained in the file" of the

<sup>1</sup> The reference is to the mimeographed document.

military authorities. In other words, this case, which concerns 1,250 men or 20 per cent of the total number of Americans classified by the United States Army as "probable" victims of atrocities, is based on nothing more than the confession of a single North Korean prisoner of war.

45. This testimony, if, such it may be called, provides such questionable evidence that even the authors of the report felt compelled to indicate their doubts about it and therefore appended the words "if the confession of a North Korean prisoner is true" to the shameless calumny. We know how prisoners of war were treated in United States camps. We can imagine what sort of a "voluntary" confession this was, if in fact it was ever made at all. Even those who blindly follow the United States delegation in any proposal do not find such evidence credible. For that reason, any mention of this atrocity, which accounts for 20 per cent of all the probable cases submitted by the United States, was omitted from document A/2563. But this did not prevent the authors from reproducing in that document the total figures given in the original report published by the United States military authorities at the end of October 1953.

46. Document A/2563 states, for example, that by 30 June 1953, the United States Army files covered 1,615 alleged atrocity cases. But the report published at the end of October cites only thirty-four cases which were "referable at being ready for trial", including some of the type I have just mentioned. Having regard to the weakness of these amazing fabrications, the Department of Defense has ventured to put forward only eight cases in the document submitted to the United Nations. What can have inspired the striking moderation shown by the United States Department of Defense in reducing the number of alleged atrocity cases from 1,615 to eight?

47. We might usefully take a closer look at some of the cases which the United States Department of Defense has not ventured to reproduce in document A/2563, but which are included in the report published at the end of October.

48. Let us look for example at case No. 125. According to the United States Army files, the case involved the killing of two United States soldiers in combat with North Korean soldiers after a South Korean civilian had informed the enemy of their hiding place. The account of the incident concludes with the words: "It is doubtful that this case should be considered as an atrocity."

49. The reliability of the depositions and confessions of North Korean prisoners of war, who were tortured and constantly threatened with death—and it is their testimony which constitutes the basis for the majority of the so-called atrocity cases submitted by the United States—can be correctly appraised, for example, in case No. 102. Here, the United States Army investigators themselves admit that "the case was probably submitted to accommodate the confessor".

50. A similar incomprehensible readiness on the part of North Korean prisoners of war to admit to the gravest crimes is also shown in case No. 29. The United States Army report states the following:

"Two North Korean officer prisoners confessed to killing as many as 2,000 anti-Communists, but check with natives indicates that approximately

eighty were slain. Two survivors state that sixteen were in the group with them and that death in each case was by beating at the hands of a mob."

Thus the United States military authorities quote the confessions allegedly made by two North Korean prisoners of war that they had killed 2,000 anti-Communists, but in the same sentence they are themselves compelled to discount these fantastic confessions. The United States Army is obliged to admit in its report that "a check with natives" indicated that "approximately eighty were slain". In other words, not 2,000 but only eighty persons were killed. But even that is not true. The authors of the report are compelled to admit that there was no shooting at all, and that the report of eighty men having been shot was untrue, a pure fabrication.

51. How can these so-called authenticated atrocity cases be taken seriously, when they begin by mentioning 2,000 victims, then come down to eighty and end up by admitting that no one was shot at all? It is not difficult to arrive at the correct conclusion, to which there is of course no reference in the United States report, namely, that in fact no murders at all took place.

52. These are cases which are not given in document A/2563, but which were used by Mr. Lodge in his thunderous speech of 11 November [457th meeting] from the rostrum of the General Assembly as *prima facie* evidence in support of his demand for the inclusion of the item on the so-called atrocities in the Assembly's agenda. It would be interesting to know, and Mr. Lodge may perhaps tell us, why he did not risk including these spurious cases in document A/2563 which he is now submitting to the General Assembly. At the beginning of November, Mr. Lodge brought eighteen cases to our notice: now he mentions only eight, and of these only five were among those to which Mr. Lodge referred with such confidence and emphasis on 11 November 1953.

53. It might have been assumed that cases submitted to the United Nations would be well founded. The United States Deputy Secretary of Defense, Mr. Kyes, says himself in his letter that the cases "selected are illustrative of the proof available to support the charges". However, a glance at these eight cases indicates that the best so-called evidence of atrocities available to the Americans consists of imaginary stories and fabrications which even their authors themselves do not believe.

54. Let us turn to case No. 67. The end of this incident, in which the alleged murder of six Americans is described, is, to put it mildly, confused. The document submitted by the United States delegation contains the following statement:

"However, there were five survivors, wounded in the massacre, who escaped by feigning death. In addition, a captive North Korean sergeant has admitted participation in the murders. Close examination of the evidence leaves some doubt as to whether this case was properly referred, since there seem to be discrepancies between the confession and the survivors' statements."

Let us take a closer look at this fabrication. Out of seven United States prisoners of war alleged to have been killed, five—I repeat, five—survived the so-called massacre. Moreover, even according to the United States military authorities, the investigation revealed

such discrepancies in the depositions as to give rise to doubt "as to whether this case was properly referred", that is to say, whether the alleged massacre ever took place at all.

*At this point Mrs. Pandit took the Chair.*

55. Nevertheless, the United States Department of Defense, which has found a ready tool in the United States delegation to the United Nations, has had the temerity to submit such nonsense to the General Assembly. We do, however, learn some facts of real importance from document A/2563. Even that report has not succeeded in concealing the real atrocities perpetrated in Korea—those perpetrated by United States airmen. The Chinese and Korean side kept world public opinion regularly informed of those atrocities throughout the war. The report of the United States Department of Defense itself involuntarily corroborates those appalling facts. Again and again the Commission of the Central Committee of the United Democratic National Front in Korea indicated that not only did United States airmen ruthlessly bomb the civilian population of Korea—women, children and the aged—but ceaselessly bombed, machine-gunned and killed United States prisoners of war.

56. In case 28 A, in document A/2563, we find the interrogation of the United States prisoner of war, Carey H. Weinel. In the course of the interrogation, Weinel said that two United States prisoners of war had died on their way to the collecting point. In answer to Colonel Levie's question: "What did they die of?" Weinel replied: "They were hit, Sir. They were hit by aircraft, our own aircraft . . . We left approximately nine men wounded there."

57. Document A/2563 gives further evidence of the barbarous and criminal operations of United States airmen in connexion with case No. 639, in which they are stated to have dropped napalm bombs on Belgian and British prisoners of war.

58. In its appalling bombing raids, the United States Air Force did not even spare prisoner-of-war camps in North Korea. A note of 12 December 1951 from the Chinese Red Cross to the International Committee of the Red Cross gives some information on the subject relating to a short period of a few months at the beginning of 1951. The note states, *inter alia*, that nineteen United States prisoners of war were killed or wounded on 19 February, two were killed on 17 March, one was killed on 2 April and thirty-two were killed or wounded on 22 April. On 13 October, the United States Air Force dropped sixty bombs on a camp for United States prisoners of war, killing seven and wounding fourteen. This last incident aroused widespread indignation among United States and British prisoners of war. A protest against the indiscriminate United States bombing in Korea was then signed by 1,362 United States and British prisoners of war. The originators of these barbarous attacks on prisoners of war on the move or in camps fear the just anger of the survivors as well as of the fathers, wives and sons of the victims of this inhuman method of warfare.

59. This is one of the reasons for the initiation of the present shameless campaign of vilification in connexion with the so-called atrocities committed by the Korean-Chinese side. The United States Command is anxious that the atrocities perpetrated by the United States Air Force should be concealed not only from the Korean population but also from the United States prisoners

of war. It is characteristic, and it shows clearly who are the sponsors of this campaign of lies, that the fantastic reports of purported atrocities and so-called "death marches" are circulated exclusively by United States military circles. The responsible military authorities of other countries whose forces took part in the intervention in Korea repudiated these stories when the first reports of the alleged atrocities were released and did so again after the exchange of prisoners of war.

60. Nothing can alter that fact, not even yesterday's statement by Sir Gladwyn Jebb [462nd meeting] to the effect that he, as the United Kingdom representative, had no doubt whatever that atrocities had been committed in Korea. However, a very different view was taken by the most highly placed and competent British military representatives, who had access to all the information and had an opportunity to verify the facts on the spot in Korea.

61. Let us, for example, compare yesterday's statement by Sir Gladwyn Jebb with that made in 1951 by the British Secretary of State for War, Mr. Shinwell, when the United States calumnies about purported atrocities were first put forward. There is reason to believe that Mr. Shinwell had at his disposal reliable information from authoritative British sources. Thus the *Times* of London, in its issue of 3 May 1951, reported a question asked in the House of Commons as to whether the British military authorities had any information on the alleged ill-treatment of prisoners of war by the Korean People's Army and the Chinese People's Volunteers. The Secretary of State for War, Mr. Shinwell, replied that "he had no official information, but he had read reports from men who had returned to our lines that while they were in the custody of the communist forces they were, on the whole, well treated".

62. It might be objected that Mr. Shinwell could not then have been in possession of complete information. But his statement was confirmed by Lieutenant-General Wells, Commander of the British forces in Korea, after the repatriation of British prisoners of war in 1953. General Wells declared in April 1953: "In our interviews with repatriated prisoners of war we have gained no knowledge of any death march or similar ill-treatment."

63. The United Kingdom delegation will not hold it against us if we consider the statements of the then British Secretary of State for War and of the Commander-in-Chief of the British forces in Korea and Japan as more convincing and authoritative than that of Sir Gladwyn Jebb.

64. The statement of their commander was corroborated the same year by repatriated British prisoners of war. In several reports published at that period, the *London Times* pointed out that British prisoners of war had not confirmed the stories of atrocities told by repatriated United States personnel. According to dispatches published in the same paper on 22 April 1953, British civilians, who had been interned in the People's Democratic Republic of Korea, stated after their repatriation that "the North Koreans had done their best for them although they did not themselves have much to give away".

65. These statements by the highest military authorities of the United Kingdom and by British civilians bear out the fact that the United States Command's

report on alleged atrocities is a hotchpotch of fabrications and completely unfounded slanders. It is in fact stated on page 36 of the interim historical report that "the bulk of the figures established by the War Crimes Division may not be supported by conclusive evidence". This serious admission by the United States military authorities that they have insufficient evidence for their lying accusations has not of course been included in document A/2563, which was censored before it was distributed to delegations to the General Assembly; this document is in effect a third, revised edition of the discredited report by Colonel Hanley.

66. Do the United States military authorities think that it is by disseminating slander and fictions that they can efface the memory of the real crimes and atrocities committed by the United States forces in Korea? The entire civilized world was shocked by the barbarous methods of warfare employed by the United States army in Korea. The United States forces in Korea employed every method of destructive warfare against the Korean people, from the ruthless razing of cities to bacterial warfare. The United States Air Force spared neither women nor children and ruthlessly machine-gunned any moving target. On orders from their superiors, United States airmen even machine-gunned women, children and old people engaged in harvesting their crops or in other work in the fields and relentlessly set themselves to destroy every living thing in the territory of North Korea. Details of the crimes and atrocities committed by the United States interventionists and by the forces of Syngman Rhee since hostilities began were recorded and published regularly in the reports of the Commission of the Central Committee of the United Democratic Fatherland Front for the investigation of the atrocities and determination of the damage caused by the United States interventionists and the Syngman Rhee clique.

67. That Commission was set up and began to function on 14 July 1950. Its first report was published on 18 August 1950, and by the spring of 1953 it had issued five reports in all. Throughout the period of the hostilities in Korea the Commission's reports kept the whole world regularly informed of the growing number of increasingly horrible atrocities perpetrated against the Korean people. In its fifth and last report [S/2979], issued on 19 February 1953 the Commission says:

"Every day the American Air Force is carrying out cruel and barbarous raids on peaceful Korean towns and villages, killing women, children and old people. In July 1952 the American aggressors, enraged at their defeats at the front, adopted a monstrous plan for the destruction of seventy-eight North Korean towns in order to wreak vengeance for these defeats on the peaceful population. Carrying out this criminal plan, American aircraft of all types, including B-29 flying fortresses, are night and day bombing and machine-gunning inhabited localities in North Korea, killing their inhabitants and destroying houses and cultural centres, power stations and Korean cultural monuments."

68. Violating all the rules of international law and grossly disregarding the principles of human ethics, the United States interventionists committed monstrous crimes on Korean soil. They made large-scale use of such atrocious methods of extermination as napalm bombs and bacterial and chemical weapons. As a result of the ruthless bombing by the United States

Air Force of the peaceful cities and villages of Korea, almost all the cultural and social institutions, constructed in the northern part of the Republic before the war, had been destroyed by the beginning of 1951. Yet United States aircraft continued throughout 1951 and 1952 to carry out attacks on those institutions even when they had been evacuated and set up again in other localities.

69. The ruthless and inhuman ferocity of the criminal methods of warfare employed by the United States is exemplified by the bombing of Pyongyang, capital of the Korean People's Democratic Republic. During the period from 11 July 1950 to 20 August 1951, more than 250 air attacks were made on the city. In 1952, United States planes dropped 52,380 bombs of varying weight on Pyongyang and the surrounding area. Since the total area of Pyongyang is about fifty-two square kilometres, this means that an average of 1,000 bombs were dropped on every square kilometre of the city.

70. The report by the Commission of the Central Committee of the United Democratic Fatherland Front of Korea published in 1951 [S/2034] contains shocking evidence of the atrocities committed against the peaceful population of Korea by the United States forces and by those of Syngman Rhee. The report notes *inter alia* that "when the Americans captured Seoul, they organized murders there". It continues as follows:

"They concocted a special law on reactionaries. Under this law the Americans and Syngman Rhee's followers shot the active members of the People's committees and their families, members of the Labour Party and democratic organizations, members of the families of fighters in the People's Army and partisans. In Seoul a staff headquarters was set up to hunt down the Reds and a special identity card was introduced for the inhabitants . . . Then the Americans organized on every street check points where they arrested everybody who did not have an identity card . . .

"All the aforementioned atrocities were perpetrated under the pretext that these people were, as alleged, traitors. At the time of the liberation of Seoul by the National army and Chinese volunteers, the American butchers had killed, hanged and tortured 390 Korean patriots . . . At the time of the evacuation of Seoul, 30,000 people were taken from the prisons of Seoul and carried away to the south on the pretext of transfer to another prison, and on the way more than 10,000 persons were shot.

"On 15 September 1950, the Americans landed in the port of Inchon and occupied the town. A crowd of refugees, escaping from the town, were mercilessly fired upon. The bandits picked up indiscriminately all the young people they met, labelled them as Communists and shot them. More than 10,000 peaceful inhabitants were shot by them."

71. There is probably no need to continue this enumeration of atrocities and barbarities which roused just indignation and horror among all right-thinking men and women. North Korean and Chinese prisoners of war were subjected by the United States forces to no less ruthless treatment, in contravention of the basic principles of humanity and of the Geneva Convention of 1949.

72. The United Nations has already considered the question of the mass murders of Chinese and Korean prisoners of war by United States forces. At its [411th]



meeting of 21 December 1952, during its seventh session, the General Assembly discussed the tragic incidents which had taken place in the prisoner-of-war camp on the island of Pongam, on 14 December 1952, where members of the United States forces and those of Syngman Rhee killed eighty-two and wounded 120 prisoners of war.

73. But mass murders of prisoners of war had taken place even earlier. For example, in 1951, according to official reports, these developed into the so-called "major incidents", in the course of which 128 Korean and Chinese prisoners of war were killed or wounded in the United States prisoner-of-war camps on the island of Koje and at Pusan. My information comes from the *Congressional Record* of 10 June 1952. In actual fact a great deal more bloodshed took place in prisoner-of-war camps, though this is not mentioned in the official United States report, which confines itself to the so-called "major incidents".

74. The murders of prisoners of war in United States camps continued during 1952. The *Congressional Record* of 10 June 1952 quotes an incident which took place on the island of Koje on 18 February 1952. Some seventy-five prisoners of war were killed and 139 wounded in a mass butchery which "followed the entrance into the compound of United Nations Command personnel to ascertain which of these civilian internees were actually loyal South Koreans". Dozens of instances of crimes and mass murders of Korean and Chinese prisoners of war in United States prisoner-of-war camps in Pusan, Masan and Yongchon could be quoted. The examples I have given are by no means exhaustive. The number of victims in fact amounts to several thousands.

75. Reports of atrocities by the Americans and by the followers of Syngman Rhee reached the world throughout the period of military operations, and even the United States Command and official United States representatives were unable to deny these crimes. The statement made by the United States General Colson in May 1952 revealed to the whole world the bloodshed and violence taking place in United States prisoner-of-war camps. General Colson's actual words were:

"I do admit that there have been instances of bloodshed where many prisoners of war have been killed and wounded by United Nations forces."

76. Under pressure of world public opinion, the International Committee of the Red Cross was also compelled to admit to crimes committed against North Korean and Chinese prisoners of war by the United States forces and by those of Syngman Rhee. It put forward, *inter alia*, documents concerning crimes committed by Americans against prisoners of war sick in hospitals. It is incomprehensible to civilized men and women that the forces of the United States could commit such an act of inhuman cruelty and barbarism as to ill-treat, torture and even murder Chinese and Korean prisoners of war in hospitals.

77. In the official report of the International Committee of the Red Cross published in 1952 in Geneva (vol. II, pp. 39-40), we read that food and water were withheld from Chinese and North Korean prisoners of war in three hospital compounds of prisoner-of-war enclosure No. 10. The report adds that the attitude of the United States Army Command constituted an infringement of article 25 of the Geneva Convention relative to the treatment of prisoners of war, and states

that this infringement of the Convention was all the more serious in that the measure had been applied to hospital patients who had been operated on, amputees and so on. The second paragraph of the above-mentioned report contains the following statement:

"Furthermore, concussion grenades were used against patients in compound No. 3 of United Nations prisoner-of-war enclosure No. 10 which caused at least one death and several wounded."

Such is the testimony of the International Committee of the Red Cross, which is certainly not suspect of engaging in so-called communist propaganda.

78. One of the reasons given by Mr. Lodge for the inclusion of the question proposed by the United States—for purposes of provocation—in the agenda of the eighth session of the General Assembly was that the so-called atrocities allegedly committed by the Korean People's Army and the Chinese People's Volunteers constituted "an assault upon basic standards of international conduct and morality". At this morning's meeting, the Australian representative, Sir Percy Spender, also tried to give the impression that a decline in ethical standards had taken place. In a speech full of untruths and insulting personal remarks, he declared himself ready to condemn atrocities, no matter by whom they might be committed. The hypocrisy of the authors of the slanderous United States report, and of the sponsors of the draft resolution now before the Assembly, apparently knows no bounds. Why did the delegations concerned, which are now displaying such a striking, though misdirected humanitarianism, not protest when the official reports of the Korean Commission on atrocities committed by United States airmen, and on the mass extermination of the civilian population of North Korea were published and referred to organs of the United Nations?

79. These delegations were not moved to indignation on reading the official reports by American public men on the atrocities committed against North Korean and Chinese prisoners of war by United States forces or by those of Syngman Rhee. Their conscience and humanitarian feelings were unaffected even by a perusal of the report of the International Committee of the Red Cross, which shocks the conscience of all civilized men and women, on the ill-treatment, torture and murder of North Korean and Chinese prisoners of war, even those in hospitals, by the Americans. But the United States military authorities, Mr. Lodge, Sir Percy Spender and others in their hypocritical speeches about humanity vainly seek to hush up the atrocities committed by the United States forces in Korea. Vainly they attempt to make the world forget those terrible crimes.

80. Anyone who has received the United States report on the so-called atrocities allegedly committed against the United States prisoners of war in Korea will see, even at a cursory glance, that the document is false from beginning to end, a hotchpotch, in fact, of slander and fabrications. For that reason, world public opinion, too, sharply criticized the report immediately it was issued, and even the United States Press received it very sceptically. In an article published on 29 October 1953 the American newspaper the *Christian Science Monitor* made the following comment:

"Publication of this dispatch does not indicate an unawareness on the part of this newspaper that

serious atrocities were committed by some United Nations troops in the early stages of the Korean war."

In thus referring to the report published by the United States military authorities, the paper evidently deemed it necessary to apologize to its readers for such a patent underestimation of the intelligence and perspicacity of the American public. It realized that it was quite impossible to count on its readers having such short memories and on their having completely forgotten the atrocities perpetrated against the civilian population and prisoners of war in Korea by United States forces, and by those of the Syngman Rhee clique.

81. As has already been pointed out here, not a single one of the cases quoted in the report of the United States Command and reproduced in document A/2563 stands up to critical analysis, because none of them is, or is capable of being, based on any sort of evidence, and because even a cursory perusal shows us that we are dealing with fabrications and inventions. What, then, were the reasons for the compilation and wide circulation of this shameless, lying and slanderous report?

82. The report was originally intended to serve as a United States Army manual and to assist in raising the low morale of members of the United States forces. It was designed to inflame the hatred of United States soldiers for those of the People's Army, whom it depicts in the most repulsive light. As the United States Press indicates, this was the purpose for which the report was also distributed to United States forces in Korea. But the most reactionary circles in the United States intended the report to be exploited for more far-reaching purposes. It was to serve as a new means of poisoning the international atmosphere, of heightening international tension and of creating further obstacles to a peaceful settlement of the Korean question.

83. The inclusion, under pressure from the United States delegation, of this provocative item in the agenda of the eighth session of the General Assembly was, as we know, coldly received by a large number of delegations, which had serious reservations and doubts. It is clear to all that the chief aim which the United States is pursuing in its campaign of slander is to denigrate the Chinese People's Republic and the Korean People's Democratic Republic.

84. With the help of patent slanders, the ruling circles of the United States are endeavouring to create a further obstacle to the recognition of the legal rights of the Chinese People's Republic in the United Nations. But an increasing number of delegations are coming to recognize that the policy of ignoring the Chinese People's Republic and the continual postponement of a decision on questions concerning the restitution of its legal rights is helping to maintain and even to exacerbate international tension.

85. The ruling circles of the United States are preventing the recognition of the legal rights of the Chinese People's Republic and at the same time lending their support to the Kuomintang clique. But there is increasing evidence to indicate that their protégés are regarded by the whole world as a handful of brigands, who are impudently plundering in Burma and committing piracy in Formosan waters. The policy of the United States towards the Chinese People's Republic is thus receiving less and less support from its allies. The campaign

of vilification which the United States is conducting on the basis of the report on the alleged atrocities is designed to provide backing for the United States policy towards the Chinese People's Republic, a policy which is politically unsound and completely opposed to a peaceful settlement of international questions. It is intended to provide one of the arguments used by the most reactionary circles in the United States to prevent the recognition of the legal rights of the Chinese People's Republic in the United Nations and to blacken the good name of this great, united and peace-loving State whose international prestige and authority are growing daily and which is a mighty bulwark of peace in the Far East and throughout the world.

86. None of this calumny can succeed in discrediting the heroic struggle of the Korean people, which has victoriously defended its independence and freedom against attack by the United States interventionists.

87. In discussing the publication of the aforementioned report, the United States Press has made no attempt to conceal the fact that the deliberate circulation of this slander is also intended to intensify the war psychosis and to make the further increase in the burden of rearmament more acceptable to the American taxpayer.

88. But the enemies of peace, who stoop even to lies and shameless calumny, will make their unbridled attacks in vain. The campaign can only end in the complete ruin and moral bankruptcy of its initiators. The aims of this campaign launched in the United Nations are now obvious to all. All honest men and women condemn the actions of United States leaders, which are contrary to the basic principles of decent international conduct and undermine collaboration between Nations.

89. The Czechoslovak people, which is linked by ties of close friendship with the peoples of the Chinese People's Republic and the Korean People's Democratic Republic, like all honest people throughout the world, contemptuously repudiates this unworthy and mendacious campaign of vilification, which the United States delegation has carried even into the United Nations. The Czechoslovak delegation resolutely rejects this shameful and dishonest act of provocation.

90. It will accordingly also vote against the draft resolution submitted to the General Assembly by five countries, although it could accept certain paragraphs of that text, such as paragraph 2 of the operative part and the paragraphs referring to international conventions to which the Czechoslovak Government has acceded and by which it abides. However, the context in which these paragraphs are set leaves no doubt that they were included in the draft resolution for the sole purpose of supporting the provocative action initiated by the United States reactionary circles. Other paragraphs of the draft contain gross insults to the heroic and victorious North Korean forces and the Chinese People's Volunteers. These paragraphs are evidence of the operations of the reactionary forces which are trying to heighten international tension and are hostile to the strengthening of universal peace and security. For these reasons, the Czechoslovak delegation will vote against the draft resolution.

91. Mr. FAURE (France) (*translated from French*): My delegation was deeply moved by the United States Government's report to the General Assembly on the

question of atrocities committed by the North Korean and Chinese communist forces against United Nations prisoners of war in Korea. We voted for the inclusion of this item in the agenda and joined in submitting the draft resolution before the Assembly because, while we hope that the discussion of this question will not adversely influence the preparations at Panmunjom for the Korean peace conference, we feel that our Organization cannot ignore or refrain from discussing such violations of morality and international law without betraying its mission.

92. There are horrors which even the horror of war cannot conceal or excuse. That applies particularly to the cruel and gratuitous torture of defenceless prisoners; such practices do not assist the conduct of the war but gravely dishonour those who take the responsibility of committing them or who inspire or tolerate them.

93. History will no doubt judge our century as the most bloody and turbulent of all, if only from the holocausts which, alas, it has already seen. Why must we add fresh deeds whose savagery belies the degree of civilization which we claim to have attained and harks back to the cruellest precedents set by the tyrants of ancient times and of the Middle Ages? There are things which the world hoped never to see again.

94. France has not forgotten the manifold outrages to the dignity of the human person committed only a few years ago against its people, on its own soil, by Nazi barbarity. We still shudder at the thought of the concentration camps, murders, atrocities and tortures of all kinds inflicted by the Gestapo on the flower of our people. The ideal which France has always set itself as respect for the fundamental and inalienable rights of man; and once again, in this instance, we condemn such brutal violations of those rights and clearly proclaim that we shall condemn them in the future in any circumstances, no matter when, where and by whom they are committed. However convinced a soldier may be of the justice of his cause, he must refrain from certain acts and never forget that his enemy is a human being like himself.

95. We have heard the USSR delegation, and all the delegations of the peoples' democracies, dismiss the facts brought to light by the United States Government as lies and baseless inventions put forward for propaganda purposes. We wish we could believe them, but unfortunately we are convinced of the contrary.

96. In the first place, the facts set out in the documents submitted for our consideration were reliably established and admit of no doubt. Mr. Vyshinsky's superficial criticism of them does not make them any the less well founded. It may be legitimate to question the accuracy or probability of some of the facts reported, but obviously to conclude that the whole thing is a fabrication is to depart from the method of *bona fide* historical criticism.

97. Secondly, my country can make its own contribution to this discussion. The group of French people living in Seoul, one of whom was the French Consul-General, witnessed the initial capture of the town by communist troops and was imprisoned in North Korea for several years, from July 1950 to April 1953, in defiance of every principle of international law. The survivors reported that their column, in which were many American prisoners of war, had to make a long march to its reception camp. That was at the end of October and the beginning of November 1950. The

nights were freezing, there was no heating of any kind and every night under such conditions brought death to a number of prisoners. But, as if that were not enough, those who could not keep up with the column owing to extreme fatigue or slight wounds were systematically shot. A young American officer, who was blamed for the slowness of his section, was shot out of hand.

98. I do not want to dwell on these facts; but they are so well established that it is impossible not to refer to them. Such deeds are not only flagrant violations of the moral law, in the highest sense of the term, and unprovoked crimes against the human person, but they are also violations of public international law and the rules of warfare. France is proud of its efforts over half a century to convert the imperatives of natural law into the rules of positive law. We regret only that the coercive force of positive law does not sufficiently apply to nations. Only appropriate sanctions can effectively ensure respect for law. Certain texts already exist, and I should like in my turn to refer to them.

99. Article 23, paragraph *c*, of the annex to The Hague Convention IV, signed on 18 October 1907, states that it is forbidden "to kill or wound an enemy who, having laid down his arms, or having no longer means of defence, has surrendered at discretion".

100. More recently, and in a more general context, article 5 of the Universal Declaration of Human Rights, approved by the Assembly on 10 December 1948, states that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". It is significant that these very words are quoted in one of the articles of the present draft international conventions on the protection and recognition of human rights (annex I B, article 7).

101. With reference more particularly to the protection of prisoners of war, the Geneva Conventions on the protection of war victims, signed on 12 August 1949—and it is regrettable that the signatory countries are so slow in ratifying them—stipulated in article 12, section II of Convention V that "the detaining Power is responsible for the treatment given to prisoners". Furthermore, articles 13, 14 and 20 stipulate the following:

"Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited . . . No prisoner of war may be subjected to physical mutilation . . . Prisoners of war are entitled in all circumstances to respect for their persons and their honour . . . The evacuation of prisoners of war shall always be effected humanely and in conditions similar to those for the forces of the detaining Power in their changes of station."

102. It is painful to see how far those provisions have remained a dead letter. That is another reason for recalling their existence and the lofty principles which they proclaim. May our censure serve as a warning to those who have violated them and whom we denounce as guilty of a crime against the most elementary laws of humanity. They should not forget that, according to the legal precedents established by the International Tribunal at Nürnberg after the Second World War, a member of the armed forces can be held personally responsible even when acting under orders, whether as an instigator or an executant, for such acts of bru-

tality, considered as war crimes and not as acts of war, which already, unfortunately, are horrible enough in themselves. If that warning is heeded, this discussion will not have been fruitless. It will help to prevent such incidents in the future. It will in any case have brought home to us, very opportunely, the horrors of war and strengthened our devotion to the cause of peace.

103. These considerations seemed decisive to my delegation; therefore we associated ourselves with the draft resolution which we hope to see adopted by the Assembly.

104. I wish now, in conclusion, to reply briefly to that part of Mr. Vyshinsky's speech this morning in which he gave his interpretation of the events which led up to the Second World War and, more specifically, cast doubt on the intentions and the attitude of France.

105. Mr. Vyshinsky will find it hard to make us agree that the German-Soviet Pact of August 1939 was a contribution to the cause of peace, a manifestation of anti-hitlerian solidarity and an attempt to preserve Polish independence. We all know what happened. The war which broke out a few days later was marked by a series of lightning victories for the nazi armies, each victory being hailed by messages of congratulation and encouragement from Moscow which have remained stamped on our memory; that period was marked also by the hasty partition of Poland between Hitler and Stalin.

106. The truth is that France and the United Kingdom proposed to the Soviet Union a mutual security pact in the spring of 1939, but Moscow was at the same time negotiating secretly with Berlin. It is obvious that if the German-Soviet Pact had not been signed and if, on the contrary, Germany had known that by attacking Poland it would encounter the united opposition of France, the United Kingdom and the Soviet Union, the Second World War would in all probability not have occurred. Although we acknowledge with sincerity and gratitude the Soviet Union's vital contribution to the anti-nazi cause, we cannot forget its responsibility for the events of 1939.

107. I wish now to turn to Mr. Vyshinsky's accusation against France. He claims that our policy was one of open preparation for war. All honest men know, however, that France wished only, together with all other free nations, to stem the torrent of fascism and nazism. Mr. Vyshinsky will certainly not deny that those movements were a danger to the freedom and independence of neighbouring countries.

108. France has never served anything but the cause of peace and can never agree that its intentions, in the past or in the present, are open to suspicion. Such an accusation is unfortunately not calculated to contribute to the relief of international tension on the eve of decisive diplomatic conferences in which our peoples have placed so much hope for a peaceful future.

109. Mr. KYROU (Greece): Although Greece was among the first countries to contribute military forces to repel aggression in Korea, our soldiers there were fortunate enough to be spared the tragic fate of many of their comrades in arms who fell victim to such inhuman treatment, to say the least. Our good fortune, however, is not a ground for complacency, nor does it allay the utter revolt that these acts have aroused in the hearts of the Greek people.

110. Our feelings do not spring only from the thought that Greek soldiers could have been subjected to exactly

the same treatment as their gallant American, Australian, Belgian, British, Korean and Turkish colleagues, as well as innocent civilians, but also and above all from the realization that the soldiers who joined the ranks of the United Nations in Korea in the implementation of recommendations contained in resolutions adopted by United Nations organs should be regarded by every Member State as assimilated with its own national forces. The sacred obligation that every Member State assumed by its vote in respect of all the forces which fought in Korea under the United Nations banner should translate itself in this hall into an expression of revolt and horror at the brutalities suffered by members of those forces.

111. Like most other representatives, I read the factual data contained in document A/2563 of 26 November with grave concern and deep affliction. Such a detailed account of human callousness does not make pleasant reading. I was, however, particularly struck by the statement of a Korean national named Paik Yun Man, which is contained in the report of case No. 49. He reported having heard a Red soldier say: "We must kill the prisoners, because if we don't, they might kill us." I am afraid that such grisly logic throws into sharp relief a shocking and odious mentality which was bound to develop among the perpetrators of the crimes against the body and soul of prisoners of war and the innocent civilian population.

112. Our clear duty is to combat this mentality of creatures who are apparently living in a moral jungle. We owe it to our soldiers and to our age of which, as the United States representative said yesterday [*462nd meeting*], we are the custodians. We are in duty bound at least to seek to bring about a change of mind, if not a change of heart, in those people, if we are to make the United Nations ideals a living reality. Although the past weighs very heavily upon us, we have to prepare and to hope for a better future. My delegation, therefore, has an additional reason for not agreeing with the very few delegations which support the opinion that the airing of the item on atrocities before the United Nations can only result in further straining the international situation. How is it possible to relax the present international tensions or to clear the heavily charged atmosphere if those entrusted by the peoples of the United Nations with the task of establishing conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, are tacitly to condone acts in open contradiction with these prerequisites of a better future?

113. The ultimate aim of our debate on this item should be to arrive, from the starting point of collective resistance to aggression, at a collective psychology of peace, which cannot be achieved unless the General Assembly expresses its collective indignation concerning the flagrant violations of the provisions of The Hague and Geneva Conventions on prisoners of war and of the elementary precepts of international ethics.

114. In view of these considerations, my delegation will whole-heartedly support by its vote the draft resolution submitted by Australia, France, Turkey, the United Kingdom and the United States.

115. Mr. DU TOIT (Union of South Africa): This session of the General Assembly has indeed had a full measure of debate on atrocities, war, the weapons and methods of warfare, the threats of international tensions, and the threat which the future holds for the human race from these various factors.

116. Perplexed by our divergent views on these important matters, we have been able to agree, altogether, on very little. The draft resolution now under consideration is, however, a call on our co-operation to denounce an evil. It deals with a lamentable past, but also serves no less as a warning for the future, a warning to victor and vanquished alike that even in war there are rules of international law which may not be violated.

117. On such a subject it would almost be out of place for me to explain the vote of my delegation. My delegation cannot, however, remain wholly silent on a matter which so keenly touches us all. We, like others, cannot but condemn these practices of murder, mutilation and torture, and it is that sentiment which we support in the present draft resolution. The subject before us is a sad and unpleasant one. But unpleasant as the task may be for this Assembly, it is our duty to declare our condemnation of any atrocities which are committed in time of war, a time when might is right and when man is prone to succumb to his evil rather than to his better instincts.

118. It is our duty towards those who survived these atrocities to demonstrate to them that this assembly of nations has taken note of their sufferings and will answer to its high purpose in the manner at its command, by acknowledging those who have suffered and, on the other hand, recognizing those who have caused the suffering. But we do not think only of those who have survived these vile deeds. We think also of those, far greater in number, who did not remain to tell the tale, whose ordeal we can only imagine and whose memory we can only honour. They are the silent witnesses of man's failings when he resorts to the sword instead of to reason, when he seeks in aggression the expression of his ideology, and when he prostitutes his ideology for the attainment of power over the weak. There are those in this country, and in many other countries also, who mourn the loss of a son, a father, a husband, a brother, not only by the ravages of battle, but by the wicked hand of atrocity, and it is their due also that this Assembly should express its judgment on the inhuman practices which led to their bereavement.

119. This task done, there remains the call and the warning to all of us to recognize and remember the evils of war, to save ourselves and posterity from the ravages of war by devoting our every effort to peace. Only then will this Organization serve its main, its foremost, and its exalted purpose.

120. Mr. DE PIMENTEL BRANDÃO (Brazil): We have read with dismay the documents submitted by the United States delegation on the question of the atrocities committed against United Nations prisoners of war in Korea, and we have listened with no less concern to the statements of several representatives, who have impressed upon us the grave significance of the matter now under consideration. It would seem that, by some fateful process of retrocession, a part of mankind is being deprived of all moral sense and of all notion of human dignity.

121. At the close of the last world war, in the course of which Nazi Germany had reverted to barbarian methods in dealing with prisoners of war and with the civilian population of occupied territories, there was wide-spread hope that mankind as a whole would return and keep to the road of progressive ethical civilization, as someone emerging from a nightmarish

delirium into a normal, sound life. Our high hopes were soon shattered when information relating to the fate of German, Italian and Spanish prisoners of war at the hands of a former ally in the battle against totalitarian forces came to be known. Other events served to hasten this disillusionment, as for instance the well known issue of the Greek children kidnapped by communist guerrillas and the denial of elementary human rights in countries that had fought for democracy. Again, it seemed that man's sense of ethics was being blotted out from a large section of the earth.

122. And now our concern is deeper, before reports on the facts—frightful, but by no means surprising—relating to the treatment of United Nations prisoners of war in Korea. We had hoped that no such barbarous acts would be permitted to happen again in our lifetime, but to our despair we witness a tragic repetition of the slaughter which victimized an incredibly large number of men who fought for the cause of freedom between 1939 and 1945, not only against Germany, but also against other Powers. And it is indeed ironic, to say the least, that the representative of a nation—Poland—whose sons were slain in the Katyn forest, should rise in this Assembly to defend the authors of similar deeds.

123. These atrocities are certainly contrary to the principles of accepted international law, but, as a matter of fact, I do not think that we need have recourse to legal texts to pass judgment on the culprits. Our natural moral feelings as civilized men should be enough to condemn them before law and conscience. This sentence is well expressed in the draft resolution submitted to the General Assembly, which will not fail to approve it, for indifference or leniency towards the crimes referred to therein would only mean denial of the essential qualities of man as a rational being endowed with moral responsibility. We, as parties to the United Nations Charter, certainly cannot allow mankind to be plunged back into the primitive ages of savage behaviour by ignoring the high principles and values on which the best achievements of our civilization are based.

124. After the close of the Spanish Civil War, the Spanish Government published numerous documents on the atrocities committed by the Reds against the people. This book was entitled *Causa general*. It was the "general cause", the cause of the Spanish people, in which the nation acted as a public prosecutor against the criminals who, taking advantage of political power, had perpetrated unspeakable outrages against the life and honour of their fellow citizens. The accusation levelled at the North Korean and communist Chinese forces by the delegation of the United States is also part of a general cause, not the cause of a single nation against its outlawed rulers, but the cause of humanity against those who are set on destroying its very essence.

125. This is the cause of every country and of every man. The Brazilian delegation, representing a people which is not directly affected in its flesh by those atrocious deeds, joins the chorus of indignant voices which protest against the violation of human dignity and the disregard of the worth of the human person. In the jury of nations, the Brazilian vote will be cast for the condemnation of these crimes.