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Chairman: Mr. João Carlos MUNIZ (Brazil).

Complaint of non-compliance of States still detaining members of the Greek armed forces with the provisions of resolution 382 (V), adopted by the General Assembly on 1 December 1950, recommending "the repatriation of all those among them who express the wish to be repatriated" (A/2204, A/2365 and A/C.1/L.23)

[Item 70]*

1. Mr. KYROU (Greece) recalled that the question had first been raised at the fifth session of the General Assembly. On 1 December 1950, the General Assembly had adopted resolution 382 (V), which invited the States concerned to repatriate all members of the Greek armed forces who expressed the wish to be repatriated. The Secretary-General had been instructed to request the International Committee of the Red Cross and the League of Red Cross Societies to ensure liaison with the national Red Cross organizations of the States concerned with a view to implementing the resolution.

2. Mr. Kyrou wished to express publicly the thanks and gratitude of the Greek Government and people to the Secretary-General and the International Committee of the Red Cross for the untiring efforts they had made during the past two years on behalf of the Greek prisoners. Unfortunately, not only had those efforts been unavailing, but the rare possibilities afforded certain detained men to correspond with their families and to receive parcels had been abolished. The Greek Red Cross had placed foodstuffs and clothing in warehouses at Genoa and Geneva, and the International Committee of the Red Cross had supported the efforts of the Greek Red Cross to send parcels to the detained men, but so far without success. In September 1952, a parcel was returned by the Hungarian Red Cross under the pretext that it had not been disinfected. Two Greek soldiers who had recently escaped from an Albanian camp had stated that the men detained in that camp had never received the parcels sent to them.

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

3. The question of the detained men dated from the years immediately following the end of the Second World War. The communist guerrillas had planned to capture members of the Greek armed forces stationed along the frontiers and to force them across those frontiers. That practice had been very prevalent at the time the guerrillas retreated. The number of men detained at the present time was estimated at about 3,000. The General Staff of the Greek Army had drawn up a list of those men, who had been traced to camps in Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the USSR. That information, which had been obtained from reliable sources, could not, for obvious reasons, be divulged for the time being, but most of it had been sent by the Greek Red Cross to the International Committee on the Red Cross at Geneva. The danger to which the detained men on whom information had been received were exposed was illustrated by the case of one of them who, being in Albania, had succeeded in corresponding with his family in Salonika. The Albanian Government had officially denied that he was on Albanian territory, and it was feared that that denial was due to the interest shown in him by the Secretary-General and the International Committee of the Red Cross. The Albanian Government's attitude in the question was also illustrated by the following case: the Tirana broadcasting station stated, on 24 August 1948, that 224 Greek soldiers, captured by guerrillas, were in that country. The Albanian Government had stated that it was ready, at the request of the United Nations Special Committee on the Balkans, to begin negotiations with the Greek Government with a view to the repatriation of the men detained. But in February 1949, the head of the Albanian State unmasked his designs to the French representative at Tirana; he proposed to link the question of the repatriation of members of the Greek armed forces with other questions which had no connexion with it, such as, for example, the fate of Italian war criminals.

4. Mr. Kyrou emphasized the use of the term "members of the Greek armed forces" in connexion with the detained men in question. Those members of the armed

forces who had been captured on Greek soil and taken away by the guerrillas could not be considered as prisoners of war of the States detaining them. That, moreover, had been pointed out in the opinion given in April 1950 to the United Nations Special Committee on the Balkans by the Legal Department of the United Nations Secretariat. The obligation to free those detained men immediately was based therefore, on a principle generally recognized under international law; it was an obligation which had been incurred towards the men themselves and towards the States of which they were nationals.

5. It should be emphasized that resolution 382 A (V) did not request the repatriation of the detained men *en masse*. It recommended only the repatriation of those expressing a desire for repatriation. The free expression of individual choice could not take place without adequate guarantees, and the International Committee of the Red Cross was better fitted than any other international body to assist in that task. It was in that sense that Mr. Kyrrou, on 6 May 1952, had sent a letter to the Secretary-General replying to an allegation by the Polish Red Cross that no member of the Greek armed forces had been detained in Poland against his will.

6. The representative of Greece emphasized that he did not wish to pour oil on the flames and would therefore refrain from enlarging upon the flagrant disregard of promises and glaring violations of international obligations committed by the States concerned. He wished, however, to recall that, in 1951, the Hungarian Red Cross had suggested, of its own accord, that 616 Greek civilians who had been forcibly removed from Greece should be repatriated through the International Committee of the Red Cross. Later, however, the Hungarian Red Cross had suddenly become less responsive, and had turned a deaf ear to appeals that it should give effect to its offer.

7. In conclusion, Mr. Kyrrou expressed the hope that the renewed efforts of the International Committee of the Red Cross would not again be unsuccessful.

8. Mr. BELAUNDE (Peru) emphasized that the draft resolution which he had submitted jointly with the representatives of Denmark and New Zealand (A/C.1/L.23) was of a strictly humanitarian nature. Any reference which might give rise to the smallest political controversy had been deliberately avoided. With regard to its legal implications, it had kept to the wording used in resolution 382 A (V). It had not taken into account any information supplied by the parties concerned and was based solely on testimony and information from a highly respected international body, the International Committee of the Red Cross. It should be emphasized, as the Greek representative had already done, that the men detained were not prisoners of war. But even had they been prisoners of war, the principle should not be lost sight of that persons who had lost their freedom in a war, or during other hostilities, also had the right to return to their homes if they so wished, though they could remain in the countries in which they were detained if that was their desire.

9. With regard to the operative part of the draft resolution, it was not sufficient merely to take note of past events or merely to proclaim a principle which it was essential, for the United Nations, that the parties

concerned should observe. All the moral authority of the United Nations should be brought to bear in a humanitarian cause. The high authority of the President of the General Assembly permitted him to consult with the governments concerned with full respect for State sovereignty. The Secretary-General was invited to keep the problem under review and, as appropriate, to notify Member States of any important developments. The General Assembly was an organ representing world public opinion and the Secretariat should provide it with the necessary information on which to base its decisions.

10. Lastly, Mr. Belaúnde pointed out that he had co-operated in drawing up the draft resolution not only for humanitarian reasons, but also because he admired and had a profound regard for Greece, its past and present culture and its heroism during the last war. He hoped that the draft resolution would be adopted in a spirit of unity and harmony.

11. Mr. WADSWORTH (United States of America) recalled that, like the tragic problem of Greek children, the item was not new, having been the subject of General Assembly resolution 382 A (V) of 1 December 1950. The unanimous conclusions of the United Nations Special Commission on the Balkans, consideration of which had led to the adoption of that resolution, had been that the members of the Greek armed forces who had been captured by the Greek guerrillas and taken into the countries to the north and east of Greece were still being detained, except for those in Yugoslavia. That continued detention, the Special Committee had pointed out, had no valid basis in international law, and the individuals concerned could not be regarded as prisoners of war. Consequently, the General Assembly had recommended the repatriation "of all those among them who express the wish to be repatriated", called upon the States concerned to take the necessary measures for implementing that recommendation, and asked the international Red Cross organizations to ensure liaison with the national Red Cross societies of the States concerned with the same end in mind.

12. In spite of resolution 382 A (V), the Cominform countries had refused co-operation with the International Committee of the Red Cross, which had sought to ascertain from them the names and whereabouts of the Greek military personnel within their territories. The course followed by Yugoslavia in rendering co-operation and repatriating to Greece a number of those individuals was the sole exception to the sad situation. The central point in resolving that basically humanitarian problem was the General Assembly's recommendation that those among the Greek military personnel who "express the wish to be repatriated" should be freely allowed to do so. No other position was admissible or defensible. Once located and clearly identified, those individuals could express their true wishes, and that could, if necessary, be verified by impartial representatives of the International Committee of the Red Cross. Every aspect of that procedure had been rejected or ignored by the Cominform countries. Whatever their motives might be, that behaviour constituted not only contemptuous defiance of the will of the Assembly, but also cynical disregard of fundamental humanitarian principles and accepted international practice.

13. In Korea, the Soviet-communist position was that hostilities must continue unless all prisoners of war,

regardless of their wishes, were forcibly repatriated. In the case under consideration the persons concerned could not be considered as prisoners of war since the detaining powers were at no time engaged in direct belligerent action against Greece. However, they had refused to repatriate any of the members of the Greek armed forces, and had blocked all steps which might help to determine the true wishes of the Greek military personnel. No possible interpretation of international law gave them the right to continue to detain those who wished to return to their homeland.

14. During the sixth session of the General Assembly, the problem had not been discussed; it had simply been confirmed, on 31 January 1952, at the 58th meeting of the *Ad Hoc* Political Committee, that resolution 382 A (V) was to be considered as remaining in force unless and until the Assembly decided otherwise. The United States fully agreed that the Assembly could not remain silent in the face of the inhuman policy of the Eastern European States within the Soviet orbit, and their negative attitude towards a resolution with so high a humanitarian purpose. Three to four years had elapsed while the Greek soldiers had been arbitrarily and illegally detained in those countries. What was the object of that cruel policy on their part? Perhaps they might pretend, as they did in the case of the Greek children, that those individuals could lead freer, happier and more prosperous lives behind the "iron curtain", behind which they had disappeared. Or they might argue that after a detention of several years the Greek Government might treat them severely if they were to be returned. But surely they would not expect such an argument to be taken seriously. All that had been sought was the return of those who definitely desired repatriation and who were enabled freely to express that wish. Such individuals would be received in Greece with the rejoicing of their families and the warm welcome of their own national government.

15. The Secretary-General and the international Red Cross organizations merited the sincere appreciation of the Committee for their continued efforts in that humanitarian cause. The General Assembly should address an earnest appeal to the governments concerned to live up to the generally acknowledged principles of international law on that question. That would be consistent with the request of the International Committee of the Red Cross to the national Red Cross societies of Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the USSR urging them to inform the International Committee of the intentions of their Governments in the matter and of any conditions those Governments might wish to place on the repatriation of the Greek personnel. Likewise, the Assembly should request its President to consult to that end with the Cominform governments in question. It should ask the Secretary-General to keep that humanitarian issue under review and notify the Members of the United Nations of important developments in that matter.

16. The United States delegation deemed the draft resolution submitted by Denmark, New Zealand and Peru to be consistent with the previous moral, humanitarian and legal position of the Assembly in that case, and, accordingly, would support it whole-heartedly.

17. Mr. HOPPENOT (France) also pointed out that the question was not one of prisoners of war, because

the operations during which the detained Greeks had been captured had not been military operations.

18. The question should be kept within its proper framework—a clearly defined geographical framework and a legal framework based on international law—without introducing any emotional or political factors into the debate. The representative of Greece was to be commended on the restraint he had exercised in checking his emotional reaction to the suffering inflicted on his countrymen.

19. The procedure adopted under resolution 382 A (V) unfortunately had not produced the desired results, except in the case of Yugoslavia. While it obviously retained its full force, it was already two years old and it was therefore time to make another appeal to the governments concerned. It would surely be unwise to embark on what would inevitably be a more complicated and hazardous course, before exhausting present possibilities.

20. Mr. WINIEWICZ (Poland) considered that the representative of Greece had never furnished any evidence whatsoever in support of his charges and was hypocritically attempting to represent the question as a humanitarian cause.

21. With regard to the figures cited by the Greek representative, it should be recalled that in 1950 the United Nations Special Committee on the Balkans had estimated the number of so-called members of the Greek armed forces allegedly detained against their will at 106, while the Greek Government had claimed that in all probability the number came to 1,713. In 1951, the Greek General Staff had miraculously expanded that figure to 3,295, although the United Nations Special Committee on the Balkans, on the basis, after all, of Greek sources, had not been able to list more than 211 persons detained. The Greek representative was now claiming that the number exceeded 3,000, although the Executive Director of the International Committee of the Red Cross, in his letter to the Secretary-General (A/2365) gave the figure of 148. The situation could be explained by the fact that there were actually no exact figures, no documentation and no available proof. The whole case had been contrived as a slander and a diversionist tactic. Moreover, it should be remembered that all those contradictory figures were from Greek sources and were therefore quite valueless, for everybody knew that the Greek police State would stop at nothing in its misrepresentations and distortion of facts.

22. It was also clear that no documentary proof existed if it was considered that at first the false charges had been brought up only against Albania and Bulgaria, whereas, since 1951, they had also been made against the USSR, Czechoslovakia, Hungary, Romania and Poland. The requests for precise information to justify resolution 382 A (V), which had been made at the fifth session of the General Assembly, had remained unanswered. They still remained unanswered. The inevitable conclusion must be that the Greek Government had not even tried to justify the presentation of its case.

23. It might be asked, however, why such charges, all of them unfounded, had been not only included in the agenda of the current session, but placed among the first items to be considered. Was an attempt being made to poison the atmosphere from the outset of the debate by false and slanderous charges against the USSR,

Poland and the other peoples' democracies? The truth was that the Greek delegation, for the same purposes which had guided it a few years earlier, was engaged there in an act of provocation. Its purpose was to divert the Assembly's attention from other important items of the agenda concerning war or peace, the armaments race or disarmament, *inter alia*, from the Polish proposal (A/2229), which dealt not only with the best way to end the Korean war quickly, but with other paramount questions. The Greek Government was the tool of those whose interests were served by heightened international tension, a prolongation of the Korean war, and preparations for the expansion of that war. The slanderous statement that Greek prisoners of war were being forcibly detained was one of the many attempts to divert public attention from the preparations for a new world war and to justify the intolerable burden of mounting armaments expenditure. More attention was being given to finding new arms for psychological warfare than to settling the fate of human beings.

24. The allegations made in the letter of the Greek representative (A/2204) should be indignantly repudiated. They represented no more than another instalment paid by the Greek ruling circles for the so-called assistance they were receiving as partners in the aggressive bloc.

25. Sir Gladwyn JEBB (United Kingdom) thought that agreement could easily be reached on the question. A certain number of members of the Greek armed forces had been kidnapped during the civil war and taken across the Greek borders. It was not known how many persons were involved; the Greek Government estimated the number at over 3,000. It would be simple, however, to find out the exact number of persons captured if the countries concerned showed any willingness to co-operate.

26. When the First Committee was debating the fate of the prisoners of war in Korea, some representatives had felt that all such prisoners should be repatriated. At all events, it had been unanimously agreed that prisoners who desired it should be repatriated immediately after the cessation of hostilities. As the fighting in Greece had ended in 1949, it was surely time to release the Greek soldiers forthwith.

27. As the problem was relatively simple, a reasonable attitude should lead to its solution. Obviously, if the

representative of Poland and others were to persist in their attitude, they could only aggravate the misfortune of the prisoners concerned.

28. Mr. KYROU (Greece) wanted to reply to three arguments advanced by the Polish representative.

29. First, it was not true that the matter raised by the Greek delegation was a political manoeuvre designed to delay consideration of other problems, for it had been treated purely as a humanitarian question. It was the Polish representative who had sought to give it a political character; he had only to restore the question to its proper context—a humanitarian context—and his objection would automatically disappear.

30. Secondly, the representative of Poland had claimed that there were discrepancies between the figures of Greek prisoners quoted at various times by the Greek Government. It was true that owing to the lack of information from those countries which still detained members of the Greek armed forces, the Greek General Staff had been forced to estimate the number of persons missing as best it could. In any case, the International Committee of the Red Cross had a list of Greek military personnel identified in each detaining country. There were 297 in the USSR, 341 in Albania, 187 in Poland, 38 in Hungary, 46 in Romania, 147 in Bulgaria and 142 in Czechoslovakia, making a total of 1,198. The special services of the Greek Army were continuing their investigations so as to obtain additional information.

31. Thirdly, the Polish representative had asserted that no Greek prisoners were detained in his country. He had only to be reminded that in a letter dated 2 May 1952, from the International Committee of the Red Cross to the Secretary-General, reference had been made to a statement of the Polish Red Cross to the effect that no Greek soldier was being detained in Poland against his will. Obviously, that implied that members of the Greek armed forces were still in Poland.

32. Mr. SARPER (Turkey) asked the Polish representative to give a definite answer to the question whether any Greek soldiers were detained in his country.

33. Mr. WINIEWICZ (Poland) reserved his delegation's right to reply at a later stage.

The meeting rose at 4.30 p.m.