

*Government Orders*

were achieved. Bill C-25 simply seeks to ratify the two protocols and to codify them in Canadian statute law.

In a general sense no one would object to the Geneva Protocols. However, I do have some reservations on some aspects of them. First of all I would like to talk about the general impact that such protocols have. The Geneva Conventions referred to law applicable in time of armed conflict, humanitarian law or rules of conduct in war. The protocol served to broaden the scope of the Conventions. For instance, they include additional protection for prisoners-of-war and rules regarding children in armed conflict.

In addition, the Geneva Conventions Act is amended so that its language is consistent with that of the protocols. The National Defence Act is amended so that there are no statutory limitations on the prosecution of serious breaches, again consistent with the protocols. Moreover, the amendment to the Trade Marks Act introduces legal protection for the new international distinctive sign for civil defence.

In the past, the Geneva Protocols and the Geneva Conventions were drawn up and adopted by various international governments, primarily in the western world, largely as a result of the slaughter that took place in World War I, in western and eastern Europe. It was an attempt to set forth rules and regulations and, indeed, laws of an international nature with respect to the treatment of combatants, both on the battlefield and upon being taken prisoner-of-war. Certain decent humanitarian provisions were set forth whereby prisoners of war, combatants in uniform, would be treated with decency and respect, not as a defeated mob but as soldiers, sailors, airmen, officers and other ranks. They would be treated according to a protocol that was already set forth in the various militaries prior to their going to war and prior to their being captured.

There is a certain amount of irony. This is one of the points I want to make. There is a certain amount of rather bitter irony attached to the Geneva protocols. What the protocols say is simply this: If you volunteer or if you are drafted and you go to war and you shoot and kill because you may be killed in return, you attempt to destroy your enemy, his munitions and his supply, total war, in other words, and if you are captured in doing so, coming out of a rather uncivilized, almost dehumanizing experience, and put into a prisoner of war camp, then

you have to be treated in a certain civilized way. You have to be provided with clean, warm bedding, with meals that are nutritious, and to be treated in such a way that you are not tortured, hurt or harmed and you do not endure any physical or mental pain. If you are an officer, under no circumstances are you to be billeted with the other ranks. That was simply a throw-back to the class system that was prevalent in Europe in the 1920s. It was a reflection of the nineteenth century. There is a bitter irony here.

The protocols said that after you engaged in war, destruction and death, pillage and carnage and the destruction of all kinds of property of a military and non-military nature, you were to be treated with common decency. Moreover, if you were an officer, you were to be treated even better. You were to have better accommodations. You were not to be forced to do manual labour. But if you were a captured officer, you could, under orders from those who held you prisoner, order your other ranks, the privates, the corporals, the sergeants and so on, to do manual labour.

While this is extremely ironic, I am not arguing that prisoners of war should not be treated humanely. Of course they should. What I am saying is that while the protocols lay down certain rules of decency for combatants, we have no laws nor international conventions as to the treatment of innocent civilians. We bomb their homes, we bomb the factories, we flood the mines when the workers are in them. I read enough about World War II to make me as sick as anybody else. The allies who sent their bombers out day after day and night after night over Germany and other occupied countries in Europe for what they called precision bombing. When they discovered that we were no good at precision bombing and that, given the technology we had at that time, precision bombing was virtually impossible, we changed its name to saturation bombing. That way the bombardiers did not have to worry about hitting the target; a 1,000 planes instead of 100 were sent to wipe out whole sections of cities. Both sides indulged in this kind of carnage.

While we spent a lot of time in the 1920s drawing up the Geneva Protocols as to the treatment of combatants taken prisoner, we totally ignored those who suffer the most in war—the innocent, the elderly and the children. We still do. The ultimate desecration of humanity in the name of war and victory was the dropping of the atomic bomb in Hiroshima in August, 1945. We were not satisfied with the block-busters wiping out whole blocks of innocent people. We were not satisfied with saturation