

other words, deal with the question in a spirit of national reconciliation and concord, with a view to ending hatred and enmity, in order to ease suffering and to reunite families. The two South Vietnamese parties will do their utmost to resolve this question within 90 days after the cease-fire comes into effect.

• (2110)

Article 11 provides that immediately after the cease-fire, the two South Vietnamese parties will: (a) achieve national reconciliation and concord, end hatred and enmity, prohibit all acts of reprisal and discrimination against individuals or organizations that have collaborated with one side or the other; (b) ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of belief, freedom of movement, freedom of residence, freedom of work, right to property ownership and right to free enterprise.

It may surprise members of the House to know that such sweeping provisions were in the agreement that was signed. It must be admitted that these provisions sound somewhat utopian, but nevertheless they are part of the solemn agreement of the parties and it is obvious that the detaining of political prisoners and of those victims of the war who are not even political prisoners and have committed no offences is quite inconsistent with the spirit of the agreement.

Article 12 of the agreement provides for the setting up of a National Council of National Reconciliation and Concord of "three equal segments". The agreement does not define what the three segments are, but presumably they include the representatives of the National Liberation Front, the representatives of the Thieu regime in Saigon and the Third Force, largely consisting of buddhists and other religious elements. Obviously, if the Third Force is to be free to function as part of the National Council of National Reconciliation and Concord the detention of many of its members cannot be continued if the agreement is to be applied in good faith.

There is a protocol to the agreement concerning the return of captured military personnel and foreign civilians and captured and detained Vietnamese civilian personnel. The articles of this protocol which refer to Vietnamese civilian personnel are articles 7, 8 and 9. Article 7 reproduces from the terms of the main agreement the proviso that the question of the return of Vietnamese civilian personnel captured and detained in South Viet Nam will be resolved by the two South Vietnamese parties on the basis of the principles of article 21(b) of the agreement of July 20, 1954, which reads as follows:

The term "civilian internees" is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason and have been kept in detention by either party during the period of hostilities.

Subsection (c) of article 7 of the protocol provides that within 15 days after the cease-fire comes into effect the two South Vietnamese parties shall exchange lists of the Vietnamese civilian personnel captured and detained by each party and lists of the places at which they are held.

Viet Nam

Article 8 deals with the treatment of captured persons during detention and provides:

All captured . . . foreign civilians of the parties shall be treated humanely at all times, and in accordance with international practice.

They are to be protected against all violence to life and person, in particular against murder in any form, mutilation, torture and cruel treatment, and outrages upon personal dignity. They are to be given adequate food, clothing, shelter and the medical attention required for their health. They are to be allowed to exchange postcards and letters with their families and receive parcels.

The same provisions apply to all Vietnamese civilian personnel captured and detained in South Vietnam.

By article 9 it is provided as follows:

(b) To contribute to improving the living conditions of the captured and detained Vietnamese civilian personnel, the two South Vietnamese parties shall, within fifteen days after the cease-fire comes into effect, agree upon the designation of two or more national Red Cross societies to visit all places where the captured and detained Vietnamese civilian personnel are held.

Under article 18 of the agreement the International Commission of Control and Supervision is also given certain responsibilities in this regard. Under article 18(c) it is provided that until the international conference makes definitive arrangements the International Commission of Control and Supervision will report to the two South Vietnamese parties on matters concerning the control and supervision of the implementation of the following provisions of this agreement. Included in these provisions is article 8(c) regarding the question of the return of Vietnamese civilian personnel captured and detained in South Viet Nam. It seems to me that these provisions impose a responsibility on the international community as well as on the parties to ensure that the provision in the agreement respecting civilian prisoners is carried out.

Article 19 of the agreement calls for the convening of an international conference within 30 days after the signing of the agreement to guarantee the ending of the war, the maintenance of peace in Viet Nam and respect for the Vietnamese people's fundamental national rights. Canada is one of the parties to participate in this conference. I would urge upon the Secretary of State for External Affairs (Mr. Sharp) that the question of the plight of civilian refugees be brought before the conference and included in the agenda. The present intolerable conditions to which I referred earlier in my speech continue, notwithstanding the agreement. The moral authority of the whole peacemaking effort will be undermined if this situation is allowed to continue.

These provisions in the agreement, accepted by all parties, must be lived up to and Canada's participation in the supervision and control commission gives Canada a special responsibility on behalf of the suffering and innocent persons who have been detained. No doubt there will be difficult questions. It may be that it will be claimed that some of the people detained are detained for civilian offences and are not covered by the agreement at all. But this must not be allowed to rest on mere assertion. Adequate machinery should be set up to look at the actual facts and to obtain the release of those who are in fact not criminals but political prisoners or victims of the war. It