



# Bulletin

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## VIETNAM WAR CRIME ALLEGATIONS

*Mr. Mitchell Sharp, Secretary of State for External Affairs, made the following statement in the House of Commons on December 11:*

...It is, I trust, not necessary for me to stress how appalled all of us in Canada have been by the wave of reports coming out over the last two weeks concerning alleged behavior of combatants on both sides in this tragic conflict towards each other and towards innocent civilians. Every war is abhorrent, whatever its origins, whatever explanation made for it by belligerents or by historians. It becomes particularly abhorrent when even normal rules of military behavior are discarded: when there is deliberate individual terrorism and assassination; when there is indiscriminate bombing and shelling; when there is rejection of internationally accepted treatment of prisoners-of-war; when thousands of civilians from a particular city are methodically executed and dumped into mass graves; when women and children in villages are shot in cold blood. There may be explanations, but there can be no justification for such action by either side. It seems to me that the agony which the American people are going through at this time shows that they too believe deeply that there cannot be such justification.

### U.S. ACTION

Since events at My Lai came to the attention of the American Government and the public, that Government has acted in a manner consistent with normal practice of a democratic society. A committee of the U.S. Senate has reviewed evidence. An enquiry at the highest level has been instituted by the Secretary of Defense. Criminal charges have been laid against those accused of complicity in the matter. Secretary of State Rogers told us in Brussels last week that his Government is determined that criminal proceedings will be carried out as vigorously as possible and that any U.S. personnel found responsible will receive the punishment that they so obviously deserve. At a TV press conference on Monday night, President Nixon told the American people: "What appears is certainly a massacre and under no circumstances was this justifiable....We can never condone or use atrocities against civilians to accomplish our goal." He also had this to say: "I am going to do everything I possibly can to see that all facts are brought to light and that those who are charged - if they are found guilty - are punished."

The normal course of enquiries and criminal proceedings now under way in the United States will bring to light the facts of this particular event and the circumstances in which it took place, and meet the requirements of justice.

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### ICC OR UN ACTION UNLIKELY

The question has been raised of an investigation by the International Control Commission, of which Canada is a member along with India and Poland. We have consulted our delegation in Vietnam and their view confirms our own reaction that an investigation by the Commission of charges of atrocities would be beyond its powers under the 1954 Ceasefire Agreement, which sets out terms of reference of the ICC. For this reason, it has been unable to undertake investigations of similar allegations submitted to it over the years concerning Viet Cong atrocities,