

role of the United Nations ought, therefore, to be avoided, and if any of those concerned wished to explore other proposals for unification which would be acceptable to all the parties, then Canada believed that these should be considered with an open mind. The debate as a whole in the tenth session followed familiar lines, with most of the speakers restating positions which their governments had taken at the ninth session. In the voting, the United States draft resolution was adopted by 45 in favour (including Canada), 0 against, with 11 abstentions (Soviet bloc, India, Indonesia, Chile, Bolivia, Burma and Syria).

### **Prisoners of the Korean War**

The ninth and tenth sessions of the General Assembly dealt with two other Korean items not directly related to the unification question. These were the detention and imprisonment by the People's Republic of China of United Nations military personnel in violation of the Korean Armistice Agreement; and the question of the disposition of certain ex-prisoners of the Korean war who had been taken temporarily to India when the Neutral Nations Repatriation Commission completed its duties in February 1954.

#### **Detention and Imprisonment of United Nations Military Personnel**

On November 23, 1954, Peking radio announced that a military tribunal of the Chinese Communist Government had tried and sentenced 11 United States airmen to long prison terms on charges of espionage for which, the Chinese said, there was substantial documentary evidence and sworn confessions. The airmen were the crew members of an aircraft shot down over North Korea on January 12, 1953 while on a mission for the United Nations Command. The reaction of United States public opinion to the announcement from Peking was immediate and intense, and the United States Representative to the ninth session quickly moved to have the question inscribed on the agenda of the General Assembly. In this he was supported by the 15 other member states who had contributed forces to the United Nations Command in Korea. A draft resolution co-sponsored by these 16 states condemning the Chinese action as contrary to the Korean Armistice Agreement and requesting the Secretary-General to seek the release of the prisoners was therefore submitted to the General Assembly on December 7, 1954.

The debate on this resolution left no doubt that the majority of the General Assembly considered the Government of the People's Republic of China to be culpable on both legal and humanitarian grounds. As nearly every speaker pointed out, it was obvious that there had been a violation of the Korean Armistice Agreement, inasmuch as that Agreement required both sides to return all prisoners who desired repatriation. From the humanitarian point of view, the Peking Government could not be excused for having failed for 18 months to inform either the International Red Cross or the United States Government that the prisoners were alive. Against these views the communist delegates argued that China's right to sentence the prisoners on espionage charges was a matter of domestic jurisdiction, and that in any event these prisoners were outside the terms of the Korean Armistice Agreement because they had been captured on Chinese territory. Moreover, they said, China had not been a belligerent in the Korean war. The Canadian Representative in his statement remarked that this claim of non-belligerency was difficult to understand in view of the responsibility for the so-called "Chinese People's Volunteers" which Mr. Chou En-lai had assumed at the Geneva Conference.