



## STATEMENTS AND SPEECHES

INFORMATION DIVISION  
DEPARTMENT OF EXTERNAL AFFAIRS  
OTTAWA - CANADA

No. 54/59 COMPLAINT OF DETENTION AND IMPRISONMENT OF  
UNITED NATIONS MILITARY PERSONNEL IN VIOLATION  
OF THE KOREAN ARMISTICE AGREEMENT

Statement by the Secretary of State for External Affairs, and Chairman of the Canadian Delegation to the United Nations General Assembly, Mr. L.B. Pearson, made in a plenary session of the General Assembly on December 8, 1954.

On the eve of Thanksgiving in the United States and at a time when the international climate seemed to be improving, at least in some respects, the Chinese Communist Government in Peking saw fit to announce that they had sentenced to long prison terms eleven United States airmen. These airmen, as has been pointed out, had fallen into Chinese hands almost two years ago when they were serving in the United Nations command in Korea, and their aircraft was attacked while on a United Nations operational mission some fifteen miles south of the Yalu River. They were shot down on January 12, 1953 and for 18 long months the Chinese Communist authorities did not even carry out the elementary humanitarian and international obligation of notifying the International Red Cross or any government that they were even alive. It took the Peking Government a long time to convince itself that they were spies. Military judicial procedure in Communist China has been known to work more speedily on other occasions. There were no doubt special reasons for delay on this occasion.

Eight months after these airmen were shot down, senior military representatives of both sides in Korea were discussing the final arrangements covering the repatriation of prisoners of war on both sides. At the sixteenth meeting of the Military Armistice Commission at Panmunjom on August 31, 1953, the official record makes it quite clear that the Chinese representatives said they would repatriate all personnel that wanted to be repatriated including those who had committed crimes before or after the agreement.

This statement must be read in the context of the Armistice Agreement which had already been concluded between the two sides on July 27, 1953, and which stated categorically that "the release and repatriation of all prisoners of war held in the custody of both sides at the time this Armistice Agreement becomes effective shall be effected in conformity with the following provisions agreed upon by both sides prior to the signing of this Armistice Agreement".

In other words the Chinese representatives signed their names to an agreement to release and repatriate all prisoners and subsequently their senior officers in Korea agreed that they would repatriate all captured personnel who wished to be repatriated, including those prisoners who had committed crimes before or after their capture.

It has been argued by the Soviet Representative at the General Committee on December 6 and indeed also today that the so-called Chinese Peoples Volunteers were not speaking for the Government of the Chinese Peoples Republic. He maintained that the Government of the Peoples Republic of China was not bound as a belligerent in the Korean war and was therefore not bound by the Korean Armistice Agreement. That argument has already been sufficiently demolished this afternoon. If it was put forward seriously, I can only say that the Foreign Minister of the Chinese Peoples Government does not seem to share the inhibitions of his friends here about assuming responsibility for the actions of the Chinese troops in Korea. On May 3 and again on June 5 at Geneva, Mr. Chou En Lai made proposals involving the withdrawal of foreign forces of both sides from the Korean Peninsula. Presumably speaking with the full responsibility of his office, he said that, in the event of agreement being reached, the Chinese Volunteers would withdraw from North Korea. Without any nonsense about China not being a belligerent in the Korean war, Mr. Chou En Lai said plainly on May 3 "the Korean and Chinese side made repeated efforts for the conclusion of an armistice in Korea, and finally reached agreement with the other side on the question of war prisoners. Both sides agreed to ensure for every prisoner of war the opportunity of exercising his right to be repatriated." If Mr. Chou En Lai did not assume responsibility on behalf of his Government for the actions and activities of the so-called Chinese Peoples Volunteers, then I do not know why he spoke like this at the Geneva Conference. Indeed, I do not know what he was doing there at all.

To try to escape responsibility in this way for applying to the eleven United States airmen and to others in a similar plight the appropriate provisions of the Korean Armistice Agreement seems to me, a transparent evasion of a straightforward and clear obligation. It is as if a man charged with having committed fraud were to plead that at the time of his crime he had been travelling under an assumed name.

But this is not a dry legal problem. It is not merely a violation of agreements solemnly undertaken which we are being asked to condemn in this item which we are proposing for inclusion in the agenda. This action is also a violation of our deepest humanitarian instincts. Eleven men of whom we now know, and no doubt others of whose fate we still remain in ignorance, have been imprisoned by the Chinese Communist authorities while serving in the forces of the United Nations Command and after an agreement which provided that they should be released, so we are bound here in this Assembly to

do everything humanly possible to secure their release in accordance with the terms of an Armistice Agreement binding both sides. In all we say or do here, I am sure that we should and will have this principal objective in mind.

Our purpose is to bring home to the Chinese Communist authorities our very urgent and grave concern about this matter. This concern is, I am sure, shared by many Governments and peoples who did not participate in the Korean war, who have often declared their intention of remaining outside of what has been called the "cold war", and whose foreign policies cannot be remotely considered as aimed against the Communist powers, and who -- notwithstanding the statement of the Soviet Delegate this afternoon -- are satellites of no power or powers.

In this connection I am glad that in the draft resolution which my delegation is co-sponsoring for inclusion in our agenda, and for which we are seeking inscription, we are asking the Secretary-General to seek the release of these men in the name of the United Nations. The Secretary-General would, if this item is included on the agenda, in accordance with the present terms of our resolution, be asked to report progress to all members before the end of this year. We hope he will by then be able to report some success; but if his mission has not by that time been completed, he would, in accordance with the terms of this resolution, submitted for inclusion, be asked to continue his efforts. We have the greatest confidence in our Secretary-General and we consider that he should be given adequate time and full latitude to decide himself on the means most appropriate in his judgment for fulfilling the important and difficult mission which is included in this resolution.

If this item is inscribed and carried it would make possible the transmission by the Secretary-General to the Government of the Chinese Peoples Republic not only this resolution but a solemn appeal for the release of these men whose only crime was that as soldiers they carried out faithfully their duty to the United Nations, to whose command they belonged and to the country whose uniform they were wearing when captured. It is hard to believe that such an appeal will not find some response in the hearts of those to whom it would be directed.

The Soviet and Czech Representatives in opposing inscription of this item, have emphasized the unfortunate effect which this incident is having upon international relations generally and how it is "poisoning the atmosphere" which had earlier in this session shown signs of improving. No one regrets and deplores any such change in the political atmosphere more than our delegation but I think the Soviet Delegate would be more honest if he were to direct his complaints and regrets to Peking. He would indeed be doing a service to peace if he let the Chinese Communist Government know what a hornets'

nest they are stirring up and to advise them in all sincerity that the greatest contribution which they could make at the present time to the improvement of the international atmosphere and to comply with the Resolution of this General Assembly and, in accordance with the Armistice Agreement, to release these men.

We all recall that at the seventh Session of the General Assembly our collective efforts were devoted to seeking a resolution of the difficult problem involving prisoners of war which had been holding up the Korean Armistice. It was our duty then to make these efforts because fighting was continuing in Korea, and hundreds of thousands of men - from both sides - were languishing in prisoner of war camps. The General Assembly's resolution of December 3, 1953, which received almost unanimous support would pave the way for a solution of this prisoner of war question consistent not merely with legal texts but with the most deeply rooted humanitarian principles. That resolution and that settlement required the mobilization of world public opinion in this forum. This, along with persistence and patience in continuing negotiations outside the United Nations with the other side, finally made an Armistice in Korea possible. Like the larger issue which has now been settled, the case of these eleven prisoners is now before us a challenge to our deepest convictions as to the rights of human beings. This draft resolution results from that feeling, and that is another reason why we think it should be included in our agenda.

There are also, however, wider considerations involved in this matter. After the cessation of the fighting in Korea and later Indochina, many of us hoped that there would be a lessening of tension in Asia and that we might make some progress towards a settlement of outstanding issues in that part of the world which would remove, or at least reduce, a threat to peace and security. Among these issues is the renewal in recent months of the fighting in the Formosa Strait, which has caused such grave anxiety. We had hoped that here, as in Korea and in Indochina, some modus vivendi might be found to stop the fighting and pave the way for further easing of tension.

Delegates will have noticed how in recent weeks the President of the United States and other responsible spokesmen of the Government of the United States have expressed their desire to seek ways of reducing such tension. In this connection, it is worthwhile recalling President Eisenhower's remarks on December 2 when he said, "The great hope of mankind is that we can find methods and means of progressing a little bit, even if by little steps, toward a true or real peace, and that we do not go progressively toward war."

It was that moment that the Peking Government chose to announce the punishment and imprisonment of the American airmen, a move which served only to exacerbate feelings, to increase tensions and to make more difficult the settlement of outstanding issues in the Far East. This United Nations Assembly has, in my view, a

responsibility which we are bound to accept, to do what it can to restore and improve this situation, and this item and the resolution which will result from it will give us that opportunity.

Accordingly, the Canadian Delegation commends this item for inclusion in our agenda. It is moderate in tone and substance. It is just, and it is humane. It makes possible action by which the United Nations may be able to secure the release of these prisoners and thereby further as well the interests of peace.

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