

plied that the Geneva Convention was designed to protect the State rather than the individual.

In subsequent discussions, although the issue of voluntary repatriation remained unsolved, agreement was reached on the following points:

(1) Prisoners of war, when released from custody, would not again be employed in acts of war in the Korean conflict.

(2) Sick and injured prisoners would be repatriated first.

(3) The exchange of prisoners of war would be completed within two months.

(4) A committee of Chinese-North Korean Command and United Nations Command officers would supervise the exchange of prisoners of war.

(5) This committee would be assisted by joint Red Cross teams composed of representatives of United Nations Red Cross societies and Chinese-North Korean Red Cross societies.

(6) Korean civilians would be permitted to return to their homes on either side of the demarcation line.

(7) Foreign civilians would be permitted to return to their homes.

At the suggestion of the United Nations Command, the armistice negotiations went into secret session on 25 March when, the United Nations Command stated, it made its position on forced repatriation unmistakably clear. The Chinese-North Korean delegation indicated its willingness to negotiate but on condition that the United Nations Command would provide an estimate of the total number of persons the Chinese-North Koreans would expect to have returned to their side. The United Nations Command stated that, since no poll of the individual preferences had been taken, there was no basis for any reliable estimate of the number available for return. However, it reported, Chinese-North Korean insistence on a round figure compelled the United Nations Command to initiate a screening programme for all persons held in custody in the camps at Koje-Do and Pusan.

It gave the following account of the screening process:

During a 24-hour period prior to the screening, North Korean and Chinese Communist prisoners of war of each compound on Koje-Do were carefully informed of the fact that they would be interviewed for the purpose of determining whether or not they would forcibly oppose repatriation. The prisoners were briefed not only on the importance of this decision, which was to be final, but on the fact that for their

own safety they should not discuss the matter with others or make known their decision before the individual interviews were held.

The interviews were conducted by unarmed United Nations Command personnel near the entrance to each compound. Each prisoner, carrying his personal possessions, was called forward individually and interviewed in private. Highly qualified personnel, it was stated, conducted the interrogations.

The series of questions used in the interview, the report said, was designed to encourage a maximum number of prisoners to return to the Chinese-North Korean side, not to oppose such return. The first question was designed to identify those who clearly desired to return. In the case of Chinese prisoners, the first question was: "Would you like to return to China?" In the case of North Koreans, the first question was: "Would you like to return to North Korea?" If the answer was in the affirmative, the prisoner was listed for repatriation without further questioning. Those who replied in the negative were subjected to additional questions designed to determine whether their opposition was nominal or whether they would violently oppose repatriation, the report said. The second question was: "Would you forcibly resist repatriation?" If the answer was "No" the prisoner of war was listed for repatriation. If the answer was "Yes" the prisoner of war was asked four additional questions to determine fully his attitude. These were: "Have you carefully considered the important effect of your decision upon your family?" "Do you realize that you may stay in Koje-Do for a long time—even after those who choose repatriation have already returned home?" "Do you understand that the United Nations Command has never promised to send you to any certain place?" "Do you still insist on forcibly resisting repatriation?" And, finally, "Despite your decision, if the United Nations Command should repatriate you, what would you do?" The prisoner was listed for repatriation unless during the questioning he mentioned suicide, fight to death, braving death to escape, or similar intentions. As a result of these procedures, all prisoners of war were included among those to be repatriated except those whose opposition to return was so strong that they would attempt to destroy themselves rather than return to Communist control.

Prisoners of war and civilian internees in custody at the hospital compound in Pusan were screened under a similar procedure.

As a result of the screening, in which prisoners of war and civilian internees were interviewed