

# The Week

A NEWS ANALYSIS FOR SOCIALISTS  
Vol. 3. No. 21. May 24th. 1967

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WAR  
CRIMES  
TRIBUNAL  
VERDICT

# MIDDLE EAST

# - NO SECOND

# SUEZ

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71, Onslow Gardens, London N. 10.

Subscription: £2 per annum and pro rata

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## SOCIALISTS AND THE MIDDLE EAST CRISIS

The U.S. Administration has now intervened in the Middle East crisis by describing the Egyptian blockade of Israel shipping in the Gulf of Aqaba as "illegal and potentially disastrous to the cause of peace." This is rich coming from the Government that has blockaded the coast of North Vietnam, and which dally indulges in acts "illegal and potentially disastrous to peace." The fact that the United States, which has taken up the role of world policeman against national liberation movements, is on the side of Israel against the Arab countries is sufficient to make one suspicious of the Israeli role. However, from a socialist point of view the racialist anti-semitic attitude of the Arab Governments is totally unsupportable.

The present crisis has its origins in the growing friction between Syria and Israel which has developed in the last few months. This in turn follows the emergence in Syria of a left-nationalist Government which has taken an anti-imperialist line in domestic and foreign policies. The most notable thing this regime did was to stop the Iraqi Petroleum Company's pipeline through Syria during a dispute over oil royalties. It can hardly be a coincidence that shortly afterwards the Israelis started to put pressure on Syria. Simultaneously, there has been a series of attempts by right wing elements in Syria to overthrow the Government, the latest of these being a strike called by shop-keepers in the main cities in protest against an atheist article in an army newspaper. This strike was broken by teams of trade union "red guards" forcing the shops to open. The pattern is a familiar one: the big oil monopolies cannot afford the existence of a regime that drives too hard a bargain, therefore they have attempted by various means to replace it. When the normal CIA-type activities failed, pressure from the outside via Israel was organised.

The role of Egypt in all this is more complicated. Nasser is no friend of the present Syrian regime, but he cannot allow it to be toppled by the Israelis. If this takes place his posture as champion of the Arab world will be exposed as mere verbiage. He is undoubtedly working on the assumption that the Soviet Union will back him - at least in words. The role of the Soviet Union is complex too: the Kremlin leaders must view with some trepidation an American success on their door-step (the Middle East is a different kettle of fish from South East Asia); furthermore, in their efforts to bring about a compromise peace in Vietnam they must desire some kind of concession from the Americans. Thus the whole Middle East crisis must be seen in the context of the world relationship of forces known as the cold war. For socialists in Britain, the major task is to oppose British intervention on the side of Israel against the Arabs. We can have no illusions in Nasser but we must seek to defend the anti-imperialist Government of Syria. We should demand no British intervention and the withdrawal of all British forces from the Middle East.



JUMP IN GROCERY PRICES from our Economics Correspondent.

Government spokesmen continue to repeat that prices have been frozen as well as wages. The following figures taken from the Financial Times Grocery Index show the large increase in prices of groceries in the last month and with wages still under strict Government control this means a real reduction in the standard of living of those very people who brought the present Labour Government to power.

Dearer fruit and vegetables, especially new potatoes and tomatoes, were the main reason for a jump of 1.55 points in the index of grocery prices this month, which stands at 109.75. The pattern is the same as for last year, when May's index was 1.43 points above April 1966, also because of fruit and vegetables. Old potatoes are still available but are being rejected by most shoppers because they represent such poor value at this time of year. Much the same applies to tomatoes and good quality English varieties are averaging 3s a pound. Apples, too, are from 3d to 6d higher this month for good qualities. Onions are unusually high at around 1s 3d. Meat and fish are also costing more at present - beef is up by about 4d a pound on average in most areas.

Despite these wide-ranging examples of increases in the price of food the Financial Times shopping team considered that grocery retailers were keeping prices down well compared with retailers of other family necessities. Among their comments were that grocers must be making "very little profit" and that "competition seems to be reducing the profit margin to an all-time low, but how long can they keep it up?" This makes it quite obvious that the present increases are more than seasonal fluctuations and that we can expect a further jump in the prices of basic necessities in the very near future.

Financial Times Grocery Index - Summary of Categories.

Totals of Eleven Shopping Areas.

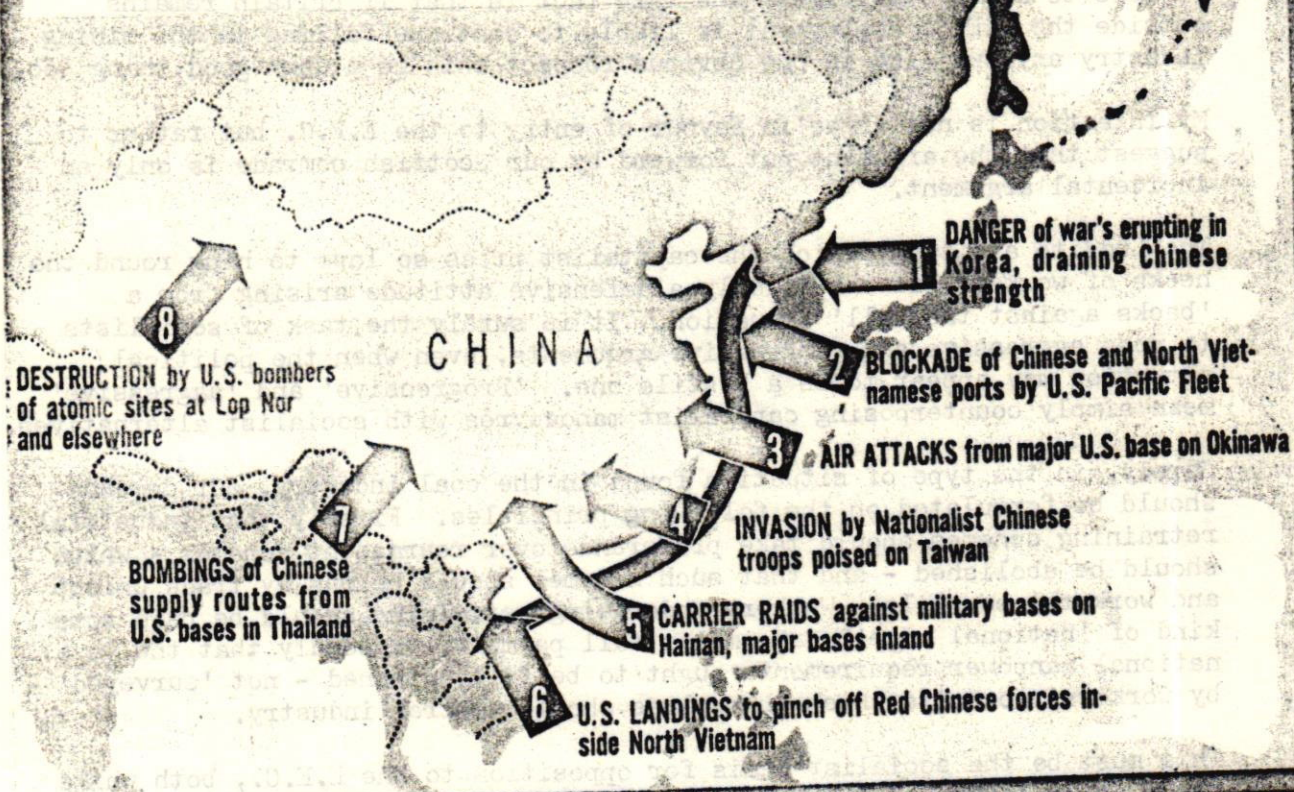
	May	April
	£ s.d.	£ s.d.
1. Dairy produce, fats eggs, etc.	43 6 6	43 4 8½
2. Sugar, tea, coffee and soft drinks.	18 8 11½	18 7 8
3. Bread, flour, cereals, biscuits and cakes.	27 1 3	27 0 5
4. Preserves and dry groceries.	5 10 4	5 9 8½
5. Sauces and pickles.	4 4 9½	4 3 9
6. Canned foods.	18 9 10½	18 10 3½
7. Frozen foods.	4 8 8	4 9 1
8. Fish, meat, bacon, ham, etc. (fresh)	60 9 9½	59 10 0
9. Fruit and vegetables.	30 4 3	27 16 5
10. Non-foods.	21 4 5	21 10 7
	<u>233 8 10</u>	<u>230 2 7½</u>

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- 1964: Nov. 100; Dec. 102.35.  
 1965: Jan. 101.41; Feb. 102.23; Mar. 102.58; April 103.16; May 103.70; June 105.28.  
 July 105.88; Aug. 105.31; Sept. 103.66; Oct. 103.13; Nov. 103.95; Dec. 105.93.  
 1966: Jan. 105.80; Feb. 104.66; Mar. 105.39; April 106.78; May 108.21; June 109.90;  
 July 109.34; Aug. 108.47; Sept. 107.74; Oct. 106.81; Nov. 107.47; Dec. 108.16.  
 1967: Jan. 108.85; Feb. 108.20; Mar. 107.66; April 108.20; May 109.75.



# IF RED CHINA ENTERS THE VIETNAM WAR - THE GRAVE RISKS IT FACES



## AND IF WAR SHOULD GET BIGGER—U.S. IS READY

- B-52 strategic bombers already on Guam, with nuclear payloads
- Polaris submarines in Pacific, with 16 nuclear missiles each
- Atomic fighter-bombers ringing China from Korea south to Vietnam

U.S. News & World Report, Inc.

# Who Threatens Who ?

from  
Geoff Coggan

A detailed survey in the current issue of US News & World Report places in perspective the myth of the "Red Menace" in South East Asia. In trying to maintain this myth as justification for escalation of the Vietnam war, the US is to some degree in conflict with the necessity to assure the American public of the military practicability of such escalation. Now that the hawks are in the ascendant, the emphasis is on the military realities of the situation. The article in question, which is illustrated by the map reproduced above, remarks pointedly that ... "the mainland was spared during the Korean War. The message to Peking is clear: Not this time."

One would feel safer if, indeed, the myth was nearer to the reality. The only way it could become so would be for the Soviet Union to make crystal clear its own intentions in support of the Chinese and Vietnamese revolutions.



Joining the Common Market will mean a further fall in employment in the coal industry, according to your Scottish Miner correspondent last week. This may well be so. I have not at hand comparative figures of costs and selling prices of coal in Britain and the European Economic Community to be able to argue otherwise. The bare fact is that if Britain remains outside the E.E.C. employment is liable to continue falling in the mining industry anyhow. And in one obvious respect this is a damn good thing too.

My intention is not argue in favour of entry to the E.E.C. but rather to suggest that the argument put forward by our Scottish comrade is only an incidental argument.

The Luddite attitude, which the capitalist press so love to hang round the necks of workers, is essentially a defensive attitude arising from a 'backs against the wall' situation. It is surely the task of socialists to pose aggressive and progressive arguments, even when the political situation may appear to be a hostile one. 'Progressive' and 'aggressive' mean simply counterposing capitalist manoeuvres with socialist alternatives.

Surely, in the type of situation found in the coal industry, our demands should be formulated on the following principles. Firstly that industrial retraining schemes should take preference over rearmament schemes - which should be abolished - and that such schemes should be run by trade unions and workers' councils. Workers undergoing retraining should be paid some kind of 'national wage'? or similar full payment. Secondly that the national manpower requirements ought to be fully planned - not 'surveyed' - by workers' councils which themselves should control industry.

This must be the socialist basis for opposition to the E.E.C., both while negotiating entry and when we are actually in.

DETROIT POLICE GO SLOW? from U.S. News & World Report article

Have members of Detroit's police department found a new way to go about getting pay raises? The question arose when the Motor City suddenly noticed that its policemen were not writing as many traffic tickets as they formerly issued. The policemen happen to be demanding a pay raise, and many residents decided there was a connection.

Police Commissioner Ray Girardin said there was a decline of about 60 per cent in the number of minor traffic violations written up by his men. He said the police would be reminded that "neglecting their duty is no way to convince the public that they are entitled to more pay." The head of the Detroit Police Officers Association, Carl F. Parsell, said the association opposes any slowdown in writing of tickets.

FREE HUGO BLANCO FREE HUGO BLANCO FREE HUGO BLANCO FREE HUGO BLANCO

The Committee for Solidarity with the Victims of Repression in Peru is holding a protest meeting at Caxton Hall on Friday 26th May, commencing at 8.00 p.m. Among the speakers will be Bill Molloy, M.P., Roger Protz, Paris Glubb and Robin Blackburn. The Week urges all readers to attend and bring their friends.



THE PROGRESSIVE DONS - A REJOINDER TO MICHAEL HINTON by Harry Goode

In your issue of May 11th Michael Hinton attacks certain aspects of my pamphlet 'The Faceless Ones', which deals with the domination of the citizens of Oxford by the University and Colleges. Some of the issues raised are of more than local significance, so I feel justified in replying in your columns.

The essence of Michael Hinton's criticism is that the pamphlet is a diversionary attack on 'the mandarin establishment', this latter nature of society at large. Progressive dons it would appear are helpless victims of a vicious system. Using similar logic it would be possible for us all to argue that we are trapped in superstructures determined by factors beyond our control.

In modern technological society it is impossible to say just how far education reflects the economic base and how far the reverse is true. We all inhabit very small corners of the universe, but as long as we persist in seeing the struggle as being 'out there' - in industry, in Vietnam or whatever - then we have assumed the role of commentators (a role not unfamiliar to progressive dons) and have abandoned that of factors.

Perhaps it is true that progressive dons, being in a minority, are not responsible for the bursarial policies of their colleges - but I have yet to hear of a campaign by these dons to change these policies. Being progressive can be either a cheap or an expensive process.

The acid test of the progressiveness of a given academic is his attitude to the struggle for student rights. During recent events at L.S.E. many leading progressive intellectuals betrayed the shallowness of their radicalism by siding with the establishment. It would appear that progressive dons are a far rarer animal than was hitherto thought. Many of the reported sightings of recent years have turned out to be a distant species of skilful mimics.

My pamphlet\* shows how the University and Colleges have prevented any proper planning in the centre of Oxford, have restricted the growth of council housing, and have generally ignored the needs of citizens. In no case where a bureaucracy, whatever it's nature, has usurped the right of people to control their social environment can such issues be labelled as irrelevant for socialists.

\* Obtainable from 24 Stockmore St., Oxford - price 10d., post free.

VIC ALLEN SPEAKS ON HIS BOOK "MILITANT TRADE UNIONISM"

Vic Allen, author of the book Militant Trade Unionism, will speak on his book at the next Week forum on Friday, June 2nd at Caxton Hall, near St. James Park Tube Station, commencing at 7.30 p.m.

This will be an extremely interesting and important discussion. Vic Allen has done a pioneering job of giving a theoretical underpinning to the question of militant trade unionism. His book covers new ground in considering the actual role of trade unionism in a modern capitalist society. Packed with facts and figures, the book is an extremely important weapon in the fight against the Labour Government's wage freeze policy. We urge all readers to give us maximum assistance in publicising this event.



## INDUSTRIAL NOTES

Short-time at Bristol Siddeley from Alan Rooney.

Three thousand workers at Bristol Siddeley's Parkside plant, Coventry, left the factory for half-an-hour last Friday to hear a report from shop stewards on talks held with the management about shortage of work. They decided afterwards to acquaint the Coventry and district M.P.'s with the situation and call upon them to raise the matter in Parliament. Also they agreed that the staff and manual workers' unions should jointly demand a meeting with the board of directors. The meeting further agreed that the joint negotiating committee should take all steps necessary "to resolve the serious position at the factory."

Mr. Phil Higgs, Amalgamated Engineering Union convenor, told the workers that since October the work situation at the factory had worsened. He posed the question of whether "the decks are being cleared" for work on the Concord and added that if that was the case why should the workers be made to suffer "by being left on the shelf until 18 months time." Mr. Higgs said he had been told that in the machine shops the position would improve gradually but the amount of semi-skilled work on milling and turning would decline. It had been reported that the fitting shop would have a surplus of 20 to 25 fitters and the extension to the development machine shop had been deferred for this year. Bristol and Rolls-Royce work brought into the factory now equalled 4,500 man hours a week and this would increase to 13,000 a week at the end of the year. "However," Mr. Higgs said, "we have said that this will only equal work for an additional 200 men and short-time and waiting time at the factory comes to more than that."

There is also short-time and even redundancy at the Bristol Siddeley plant at Watford, near London. The B.S.E. workers are militant on this issue for two reasons:-

1. In the past, notably in the case of the Baginton plant of Hawker Siddeley, short-time was the first step towards plant closure. Baginton is now shut.
2. B.S.E. depends on the Government for its orders and subsidies. The B.S.E. men are arguing that the workers and the Government now should have a real influence on B.S.E. in directing work to plants.

### Marriage of Inconvenience.

The following criticisms of the proposed steel nationalisation measures appeared in the Scunthorpe Star editorial on May 5th.

Leaders of the steel industry, who accepted the inevitable some time ago and promised not to put any impediment in the way of nationalisation, can now look forward to it with a certain relish. Those same principals of a backward and decadent industry whose inefficiency and archaic policies provided the springboard for the Government's action are to form the backbone of the new Corporation's executive. Will nationalisation prove to be nothing more than a piece of political card-shuffling using the same old pack? Although the workers have been promised three directors on each of the new group boards they will have to serve their stints on boards outside their own groups and the shop floor will have to share this meagre representation with technicians and middle management. The worker-directors are to be appointed on the nomination of the T.U.C. rather than elected by the people employed in the industry.

Also it must seem incongruous that, having for several years campaigned to get business and commerce to move their operational headquarters away from the congested centre of London, the national government are now proposing to establish the National Steel Corporation right in the heart of the city.



## INDUSTRIAL NOTES continued.

### Call for Five-Day Week

The National Union of Bank Employees decided at their conference by 29,209 votes to 22,755 to call for a five-day week in banking as soon as possible. A movement to demand payment of overtime to staff for working on Saturday was rejected. Entry into national negotiating machinery on the basis of three constituent bodies was also authorised. Mr. A.G. Brooks, general secretary, told delegates: "This is only the beginning of a new era for the union and for all banking men and women."

### Pay Offer Rejected by P.O. Workers.

An offer of a pay increase for 30,000 Post Office telephonists, made last Monday, has been rejected by the executive of the Union of Post Office Workers, which will tell the Post Office that it does not form a basis for negotiations. The telephonists were offered an increase of 2s. a week on the wage of £5 0s 6d at 15, 8s 6d a week on £7 13s at 18, 9s on £8 6s 6d at 19, dropping to 7s 6d on £9 3s at 20. The increases on the 21 - 25 age range would be 6s on wages of £10 10s 6d to £12 10s 6d and 5s on the maximum rate of £13 7s 6d over 25.

On Tuesday, May 23rd, at the union's annual conference at Bournemouth, Tom Jackson the General Secretary, said: "This is a first offer and it is totally unacceptable. Last night the executive council resolved that I should write to the Post Office and tell them this offer does not form the basis for negotiation and ask for a fresh offer."

### Attack on Prices and Incomes Act.

Last Monday ASSET instructed its lawyers to get every breach of contract case into court as soon as possible because it is anxious to see the end of the Prices and Incomes Act.

Clive Jenkins, General Secretary of ASSET, referred to this when addressing the annual conference of the Society of Technical Civil Servants at Margate. He called the act "disreputable" and said he supported those Ministers who were now urging a change in policy. The demand they were making inside the Government for a stimulus to the economy deserved a reaction from every Labour Party and trade union in Britain, said Mr. Jenkins.

"The effects of the Chancellor's disastrous Budget must be liquidated as soon as possible. At the same time, when Labour Parties write to Transport House they should insist there are no amendments put forward to the Prices and Incomes Act, but that Part 4 should lapse as promised on August 11, and Part 2 should not be invoked. Unless this is done the Labour Party faces even greater electoral losses in the future."

### TGWU Joins Attack on P & I

In the latest edition of the TGWU journal the union says that the tremendous unpopularity of the Labour Party in the country at the moment stems from the obvious unfairness in the way the incomes policy has been applied and in Government inability to hold down prices. Another cause for discontent had been continuance of heavy unemployment in the last few months.



## 6000 AT DENMARK MARCH IN SOLIDARITY WITH THE N.L.F.

For two days on May 14th and 15th, at least 6000 people, almost entirely youth marched under the banner of solidarity from Helsingors to Copenhagen: about 50 kilometres. The Whitsun march was organized by a number of Vietnam committees in Denmark, but it was a truly international event, with hundreds of participants from Sweden, Norway, Germany, Belgium, France, Greece, England, and even some students from Bahrain and Angola.

The atmosphere of the march was gay and fraternal, even the passers by were often smiling and waving at us as we passed. The Cops too were also very friendly, in fact there were only two or three of them escorting us on their motor-bikes until we reached Copenhagen. Many of the participants were wearing vests of the N.L.F. flag, and several musical groups added to the attraction.

On reaching the suburbs of the city on the second day, we stopped outside the house of the U.S. ambassador, and speeches were made over a loud speaker, in English and Danish, denouncing the aggressors and expressing solidarity with the N.L.F. in full view of the ambassador and other residents. Shortly after this, as we marched towards the embassy itself we were caught in a tremendous thunderstorm which lasted for two or three hours until we reached the Town Hall square itself for the final ceremony. However in spite of the heavy downpour which soaked everybody to the skin, the march did not disintegrate and a meeting was held outside the embassy in the rain. We then continued the march to the Town-hall square but unfortunately the thousands who had lined the streets to wait for us had gone home because of the rain, however on arrival at the square there were at least 3000 marchers.

The N.L.F. ambassador to the U.S.S.R. Ngyen Van-Dong gave a speech in which he applauded the marchers and welcomed the event as a great act of solidarity with his compatriots in Vietnam. The marchers responded in a thunderous chorus: Viva F.N.L.... Viva F.N.L. ! Later Van Dong was presented with a collection of 25000 Kroner ( about £5000 ) for the N.L.F. He returned the compliment with a magnificent flag of the N.L.F. colours which he presented to the Organizer of the march.

This was the first march of its kind to be carried off in Denmark, and it was certainly a significant success considering that Scandinavia like this country has the bulk of the anti-war movement under the banners of "stop the bombing" and "negotiations" rather than "solidarity". The marchers lived up to their slogans of solidarity by marching through to the finish, Completely soaked!

## SUCCESSFUL MEETING & EXHIBITION OF V.S.C. AT PONTYPRIDD

The recently formed Pontypridd Y.S. exhibited the Photographic exhibition of the Vietnam Solidarity Campaign for three days and concluded it with a meeting on May 20th where Aziz Kurtha spoke on the War Crimes Tribunal and Jim Clough spoke on the war and the V.S.C. Many of the fifty or so who were there had previously had no opinion on the war at all, and from this experience it was of good educational value to them. In spite of the many obstacles put in their way, such as the denunciations of the local Labour party reactionaries and slanders from the local press, the project was a success and the Pontypridd Y.S. in conjunction with other Youth in the area.



VERDICT OF THE STOCKHOLM SESSION OF THE INTERNATIONAL WAR CRIMES TRIBUNAL

The International War Crimes Tribunal during the session held at Stockholm from the 2nd to the 10th May 1967, studied the two following questions included in its programme, adopted in London on the 15 November 1966:

"Has the United States Government (and the Governments of Australia, New Zealand and South Korea) committed acts of aggression according to international law?"

"Has there been bombardment of targets of a purely civilian character, for example hospitals, schools, sanatoria, dams, etc., and on what scale has this occurred?"

Having heard the qualified representatives of the Democratic Republic of Vietnam and noted the official refusal of the government of the United States of America to make known its point of view, and this despite the various appeals addressed to it,

Having heard the various reporters, the experts, numerous witnesses, including members of the investigating teams which it had itself sent to Vietnam, as well as Vietnamese victims of the war.

Having examined several written, photographic and cinematographic documents, together with numerous exhibits, and having decided on publication of the whole of its documentation,

Having heard the highly valuable summing up report of Mr. Lelio Basso, considers itself able to take the following decisions:

On the first question

Resort to force in international relations has been prohibited by numerous international agreements, the chief of which is the 1928 Pact of Paris, known as the Briand-Kellogg Pact.

In its article 2, the United Nations Charter solemnly recalled the said principle immediately after the Second World War.

Article 6 of the Statute of Nuremberg qualified as crimes against peace "the conduct of, preparation for, starting or pursuit of a war of aggression or a war in violation of international treaties, pledges or agreements, or participation in a concerted plan, or plot for the accomplishment of any of the foregoing acts."

Finally, it must be recalled, as in the United Nations resolution of December 1960, that all peoples have fundamental rights to national independence, to sovereignty, to respect of the integrity of their territory, and that breaches of these fundamental rights may be regarded as crimes against the national existence of a people.



The accession to independence and to national existence of the people of Vietnam dates back to 2 September 1945. This independence was called in question by the old colonial power. The war of national liberation then embarked upon ended with the victory of the Vietnam army.

The Geneva Agreements of the 20th and 21st July 1954, intended to put an end to the previous conflict, created in Vietnam a state of law the respect of which was incumbent on all, and particularly on the United States. These Agreements recognised the guarantees, independence, unity and territorial integrity of Vietnam (Articles 6 and 7 of the final Declaration). Although a line of demarcation divided the country into two parts on a level with the 17th parallel, it was expressly stipulated that as the essential aim of this division was to settle military questions, it was of a provisional nature "and could in no way be interpreted as constituting a political or territorial boundary." (Article 6 of the final Declaration).

The Geneva Agreements stipulated that general elections should take place over the whole of the country in July 1956 under the supervision of an international commission, and that consultations on this subject were to take place between the competent representative authorities of the two zones as from July 1955.

The Agreements specifically excluded all reprisals or discrimination against persons and organisations by reason of their activities during the previous hostilities (Article 14 of the Armistice Agreement). They formally prohibited the introduction of fresh troops, of military personnel, fresh arms and munitions, as well as the installation of military bases (Article 16 of the Armistice Agreement) and the inclusion of Vietnam in military alliances, this applying to the two zones (Art. 9 of the final Declaration).

This state of law, intended to create a peaceful situation in Vietnam, was replaced by a state of war in consequence of successive violations of the various aforesaid stipulations of the Geneva Agreements.

For the reasons set forth hereunder the Tribunal considers that the responsibility for these violations and for the passage to a state of war lies with the government of the United States of America.

It transpires from the information of a historical and diplomatic nature that has been brought to the knowledge of the Tribunal:

- that numerous proofs exist of the American intention prior to 1954 to dominate Vietnam;
- that the Diem government was set up in Saigon by American agents several weeks before the conclusion of the Geneva Agreements;
- that the Saigon authorities subservient to the United States systematically violated the provisions of the Geneva Agreements which prohibited reprisals, as has been established on several occasions by the International Control Commission;
- that in defiance of the Geneva Agreements the United States has, since 1954, introduced into Vietnam increasing quantities of military equipment and personnel and has set up bases there.



The elections that were fixed for July 1956 and which were to be the subject of consultations in July 1955 did not take place in spite of numerous diplomatic notes from the government of the Democratic Republic of Vietnam calling for the said consultations. Information from United States' sources makes it possible to ascribe to the U.S.A. the refusal by Saigon to respect the most essential provisions of the Geneva Agreements.

In this manner there was created in South Vietnam a situation of foreign intrusion by force against which the people of Vietnam had to launch a struggle of national liberation in a political form until 1959 and in the form of an armed struggle since that date, a struggle led by the National Liberation Front of South Vietnam since 1960, which has succeeded in controlling vastly greater territories than those controlled by the United States.

This attack against the South was followed by an attack against the North, begun in 1964, and intensified since 1965 in the form of aerial bombardments and naval and land shellings in circumstances which form the subject of the second question studied by the Tribunal. The United States has not ceased to increase the power of these attacks by practising what it has itself called a policy of escalation.

The Tribunal has made a point of examining scrupulously the arguments put forward in American official documents to justify the legality of their intervention in Vietnam. Special attention has been paid to the document entitled: "Juridical Memorandum on the legality of the participation of the United States in the defence of Vietnam", which document was submitted to the Senate Foreign Affairs Committee on the 4 March 1966. The main argument formulated by this text consists in claiming that the American intervention in Vietnam merely constitutes aid to the Saigon government against aggression from the North. Such argument is untenable both in law and in fact.

In law, it is hardly necessary to recall that Vietnam constitutes a single nation which can with difficulty be seen as an aggressor against itself.

The fact is that no proof of this alleged aggression has ever been produced. The figures stated of infiltration of personnel from the North into the South, often contradictory, mixing up armed men and unarmed men, are thoroughly disputable and could in no case justify the plea of legitimate defence provided for in Article 51 of the United Nations Charter, an Article, moreover, none of the other conditions of which are complied with.

From the foregoing it follows that the United States bears the responsibility for the use of force in Vietnam and that it has in consequence committed a crime of aggression against that country, a crime against peace.

It has therefore violated the provisions of International Law outlawing the use of force in international relations, in particular the Pact of Paris of 1928, the so-called Briand-Kellog Pact, of which it was however the author, and the United Nations Charter (Article 2, para.4). This violation of the general principles has been accompanied by violation of the special Agreements relating to the territory in question, Vietnam - that is to say, the Geneva Agreements of July 1954.



In acting thus the United States has undeniably committed a crime against peace within the meaning of Article 6 of the Statute of Nuremberg, a provision sanctioned by international jurisprudence (Judgment of Nuremberg and of Tokyo) and acknowledge as international law by all, by the unanimous resolution of the United Nations of the 11 December 1946.

The United States has furthermore committed a crime against the fundamental rights of the people of Vietnam.

It should be added that States such as South Korea, Australia and New Zealand, which have in one form or another provided aid to the American aggression, have rendered themselves accomplices.

The Tribunal has concerned itself with the situation in Cambodia. It has heard the report of the investigating teams which it sent to that country and the depositions of a qualified representative of the General Staff of the Cambodian army. It considers that the forces of the United States and those of the governments subordinate to it at Bangkok and Saigon are engaging in continuous and serious acts of aggression against the Kingdom of Cambodia. This aggression constitutes not only an attack on Cambodian neutrality and independence but also an extremely serious threat to the peace in South East Asia and in the world.

#### On the second question.

The Tribunal has gained the conviction that the aerial, naval and land bombardments of civil targets is of a massive, systematic and deliberate nature.

The massive nature of these bombardments is attested by innumerable reports from American sources on the tonnage of bombs dropped and the great number of American aerial sorties.

The systematic and deliberate bombardment of civil targets is established by extensive evidence to the effect that in the vast majority of cases they are preceded by reconnaissance flights: according to a report of American origin, the aircraft stationed at a single base in Thailand alone utilise 300,000 metres of film every month to photograph Vietnam. If it is borne in mind on the one hand that most of the aircraft are equipped with automatic firing devices and, on the other hand that the aircraft return persistently and furiously to the same targets, which are sometimes already almost completely destroyed, no doubt is possible as to the deliberate intention to strike the targets in question.

Besides the aerial bombardments, intense pounding by the artillery of the 7th fleet is progressively ravaging the coastal zones.

All of the witnesses heard, in particular the members of the investigating teams, have confirmed that the greater part of the civilian targets (hospitals, schools, churches, pagodas) are very obvious and very clearly distinguished from the rest of the Vietnam countryside.



The extent of the bombardments is considerable and the Tribunal has had a close study made by its investigating teams of the results published by the Democratic Republic of Vietnam. Proceeding by the method of soundings, the investigating teams have been able to verify at places of their choice the information received. Thus, for example, so far as hospitals are concerned, out of 95 establishments mentioned as destroyed by the Vietnamese Commission of Inquiry into War Crimes, 34 have been verified by the Tribunal's investigating teams, i.e., 36%. The great value of these soundings lies in their dispersion, since the 34 hospitals checked relate to 8 provinces out of the 12 involved in the bombardments.

Apart from the extensive private evidence submitted to it, the Tribunal has heard general reports on the distribution of the various categories of civilian targets: hospitals, schools, places of worship (pagodas or churches) and dams, as well as of the bombardment of the civilian populations of urban centres and in the countryside. It has also heard combined reports on the bombardments in the two provinces of Nghe-An and Thanh-Hoa. All of these reports were accompanied by documents, statements and material evidence.

The Tribunal ascertained the vital importance to the people of Vietnam of the dams and other hydraulic works, and the grave danger of famine to which the civilian populations were exposed by the attempted destruction by the American forces.

The Tribunal has received all necessary information in the diversity and power of the engines of war employed against the Democratic Republic of Vietnam and the circumstances of their utilisation (high power explosive bombs, napalm, phosphorus and fragmentation bombs, etc.). Seriously injured victims of napalm bombs have appeared before it and medical reports on these mutilated people have been provided to it. Its attention in particular has been drawn to the massive use of various kinds of anti-personnel bombs of the fragmentation type, also called in American parlance, C.B.U., and in Vietnamese parlance pellet bombs. These devices, obviously intended to strike defenceless populations, have the following characteristics:

- containers, called by the Vietnamese the "mother bombs" release a hundred small oblong or spherical bombs ("pineapple" or "guava" bombs) which in turn release hundreds of small pellets. A single "mother bomb" can therefore cause the dispersion of nearly 100,000 pellets; these pellets can cause no serious damage to buildings or plants or to protected military personnel (for example, civil defence workers behind their sandbags). They are therefore intended solely to reach the greatest number of persons in the civilian population.

The Tribunal has had medical experts study the consequences of attacks with these pellets. The path of the particles through the body is long and irregular and produces, apart from cases of death, multiple and various internal injuries.

The Hague Convention No.4 of the 18 October 1907 laid down the principle that belligerents may not have unlimited choice so far as the means of injuring an enemy are concerned (Art.22); the said Convention specially



prohibits the use of arms, projectiles and material deliberately destined to cause pointless suffering (Art.23); attacks on or bombardment by any means whatsoever of towns, villages, dwellings or undefended buildings are prohibited (Art.25). During bombardments all necessary steps must be taken to spare, so far as possible, buildings devoted to religion, art, science or charitable purposes, historical monuments, hospitals or places where sick and injured persons are assembled, provided that these places are not used for military purposes (Art.27).

Article 6 of the Statutes of the Tribunal of Nuremberg has qualified as war crimes the destruction without reason of towns and villages or devastation not justified by military requirements.

The Geneva Convention of the 2 August 1949 also laid down the principle of absolute prohibition of attack on civilian hospitals (Art.18) and private and collective property not rendered absolutely necessary by the conduct of the operations (Art.53).

The government of the United States cannot override such Treaties, to which it has subscribed, whilst its own constitution (Article 6, para. 2) gives them pre-eminence over domestic law. Furthermore, the Official Manual (Department of the Army Field Manual) entitled "The Law of Land Warfare" published by the U.S. Ministry of War in 1956, under reference F.M. 27-10, refers to all of the foregoing provisions as being obligatory on all members of the American army.

In consequence, the Tribunal considers that in subjecting the civilian population and civilian targets of the Democratic Republic of Vietnam to intensive and systematic bombardment, the United States of America has committed

a war crime.

Apart from condemnation of this war crime, the Tribunal makes a point of declaring that fragmentation bombs of the C.B.U. type, which have no other purpose than to injure to the maximum the civilian population, must be regarded as arms prohibited by the laws and customs of war.

Meeting with the resistance of a people who intended to "exercise peacefully and freely its right to full independence and to the integrity of its territory" (United Nations resolution of the 14 December 1960), the government of the United States of America has given these war crimes, through their extent and frequency, the character of crimes against humanity (Article 6 of the Statute of Nuremberg).

These crimes cannot be regarded merely as a consequence of a war of aggression, whose prosecution is determined by them.

Thanks to their systematic employment with the object of destroying the fundamental rights of the people of Vietnam, their unity and their wish for peace, the crimes against humanity of which the government of the



United States of America has rendered itself guilty, become a fundamental constituent part of the crime of aggression, a supreme crime which embraces all the others according to the Nuremberg verdict.

### FINDINGS OF THE TRIBUNAL

1. - Has the government of the United States committed acts of aggression against Vietnam under the terms of international law?  
- YES (Unanimously)
2. - Has there been, and if so, on what scale, bombardment of purely civilian targets, for example, hospitals, schools, medical establishments, dams, etc?  
- YES (Unanimously)

We find that the government and armed forces of the United States are guilty of the deliberate, systematic and large scale bombardment of civilian targets, including civilian populations, dwellings, villages, dams, dykes, medical establishments, leper colonies, schools, churches, pagodas, historical and cultural monuments.

We also find unanimously, with one abstention, that the government of the United States of America is guilty of repeated violations of the sovereignty, neutrality and territorial integrity of Cambodia, that it is guilty of attacks against the civilian population of a certain number of Cambodian towns and villages.

3. - Have the governments of Australia, New Zealand and South Korea been accomplices of the United States in the aggression against Vietnam in violation of international law?  
- YES (Unanimously)

The question also arises as to whether or not the governments of Thailand and other countries have become accomplices to acts of aggression or other crimes against Vietnam and its populations. We have not been able to study this question during the present session. We intend to examine at the next session legal aspects of the problem and to seek proofs of any incriminating facts.

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Endorsed "ne variatur"

The President of the Tribunal

Jean Paul Sartre.

Stockholm, 10 May 1967.



ADVERTISERS' ANNOUNCEMENT

URGENT: for the attention of all Trade Unionists and Labour Parties in the Midlands Area.

5th National Conference on Workers' Control, and Industrial Democracy

Organised by the Centre for Socialist Education, (Coventry branch), and sponsored by

"Voice of the Unions", Redbourn (steel) Works Delegate Committee,  
"Labour's Voice", Scunthorpe Society of Steelworkers for  
"Humberside Voice", Industrial Democracy,  
"Engineering Voice", Coventry Trades Council,

Coventry T&GWU Branch 5/190,  
Bristol Siddeley Shop Stewards Committee, local labour parties,  
Standard Motors Branch No.2 T&GWU,

and supported by "Tribune" and "The Week".

To be held at TRANSPORT HOUSE (T&GWU Hall), Much Park Street, LONDON ROAD,  
(Inner Ring Rd.,) COVENTRY, on June 10th-11th.  
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You are invited to attend, and send branch delegates, ward delegates, committee delegates, to the above conference. Workers' control - industrial democracy - is again a big issue in the labour movement and in British industry.

Both the TUC and the Labour Party have made controversial proposals for reform which are arousing widespread discussion among trade unionists. This meeting, the fifth of a series which have pioneered the new movement for workers' control, will be the most representative gathering of trade union members to discuss these questions for many years. Prominent Trade Union leaders like Bill Jones of the T&GWU, Hugh Scanlon and Ernie Roberts of the AEU, experts like Vic Allen, Michael Barratt Brown, Ken Coates and Tony Topham, leading shop stewards' convenors, and hundreds of branch delegates, will take part. The conference will be opened by Bill Jones at 10.45 a.m. on Saturday : after a general session there will be a number of special sessions designed for the study of the problems of particular industries, including: cars, electronics, engineering, mines, steel, docks, public transport, municipal enterprise, the co-ops and chemicals. Conference will be in session until 7.30 p.m. on Saturday, and from 10.15 a.m. to 4 p.m. on Sunday.

Early registration is requested, to enable the Conference Arrangements Committee to cope with its work. Please complete and return the attached slip to Workers' Control Conference, 1, Plantation Drive, Anlaby Park, Hull, enclosing 6/- minimum fee per person.

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To: Convenor, Workers' Control Conference, 1, Plantation Drive, Hull.  
I/We wish to attend the workers' control conference at Coventry, June 10th-11th.  
Names Addresses Union or other Organisation

I/We enclose ..... as fees/donation to the conference.  
Please send credentials.