



# Alaska State Legislature

1970

Source:

HJR 92

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## HOUSE JOINT RESOLUTION

Urging the enactment of legislation for the protection of American personnel captured in military operations other than in a "declared war".

### BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS Article VI of the United States Constitution specifically states that provisions of treaties ratified by the United States government become the "supreme law of the land"; and

WHEREAS notwithstanding solemn promises ratified at the international conference at Geneva that all prisoners of war captured would be given the respect of humane treatment; that Article 2 of the convention provides that it "shall apply to all cases of declared war or any other armed conflict which may arise between two or more of the High Contracting parties, even if the state of war is not recognized by one of them"; and

WHEREAS the government of North Vietnam acceded to the convention on June 28, 1957, and the government of South Vietnam acceded to the convention on November 14, 1953, and the government of the United States acceded to the convention on August 2, 1955; no pretense of compliance has been advanced by North Vietnam or the National Liberation Front (Viet Cong) despite the reminder to do so on June 11, 1965, by M. Jacques Freymond, Vice President of the International Committee of the Red Cross; and

WHEREAS repeated appeals on the part of wives, parents, relatives, and dependents of those unfortunate victims of Communist violence have proven ineffective through the United States Department of State;

BE IT RESOLVED by the Alaska State Legislature that the United States government is requested to undertake a more determined effort to obtain the release of names of prisoners

now held; to effect the immediate release of sick and wounded prisoners; to achieve impartial inspections of prisoner-of-war facilities; to assure proper treatment of all prisoners; to facilitate the regular flow of mail; and most importantly, to obtain the release and freedom from captivity of those American men of this "undeclared" war with North Vietnam; and be it

FURTHER RESOLVED that there be enacted by the Congress of the United States a code of protective legislation similar to the Uniform Code of Military Justice, Public Law 506, applicable to American personnel captured in military operations other than in a "declared war" to assure that the full force, authority, and power of the United States of America shall henceforth be publicly committed to the attainment of freedom from captivity of all Americans captured in such military actions, past and future.

COPIES of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable William P. Rogers, Secretary, Department of State; the Honorable Richard B. Russell, President Pro Tempore of the Senate; the Honorable John W. McCormack, Speaker of the House; the Honorable J. W. Fulbright, Chairman of the Senate Foreign Relations Committee; the Honorable Thomas E. Morgan, Chairman of the House Foreign Affairs Committee; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U. S. Senators, and the Honorable Howard W. Pollock, U. S. Representative, members of the Alaska delegation in Congress.