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INDO-CHINA



Miscellaneous No. 25 (1965)

Documents

relating to British Involvement in the
Indo-China Conflict
1945-1965

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
December 1965*

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
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PREFACE

Her Majesty's Government have already presented to Parliament and the British public detailed accounts of two aspects of the problems of Indo-China: recent efforts to promote negotiations on Cambodia and Viet-Nam respectively.⁽¹⁾ Because these publications were each confined to a single aspect of the problem and to a period of a few weeks or months, it was possible to tell the whole story by printing original documents and to include enough of these to illustrate the action and attitudes of all the governments concerned. But the short periods covered by these publications made it impossible to tell the whole story of Indo-China and its problems or to explain how it was that Britain came to be so closely involved.

The purpose and nature of the present volume are different. It is meant to explain how Britain came to be concerned with Indo-China and to describe the policies pursued by successive British Governments since 1945. The documents printed have been chosen to illustrate British policies in Indo-China. The actions and attitudes of other governments are covered only to the extent necessary to explain how British Governments came to take the decisions they did.

Because these decisions cannot be understood without some knowledge of the background, these documents are preceded by a detailed narrative of developments in Indo-China since 1945. This too has been written from the British point of view and is not meant to provide a comprehensive history of Indo-China or to explain why foreign governments or leaders acted as they did. There are many books and publications on these subjects and the present volume is only intended to explain to the British people the actions and attitudes of their own government.

These have naturally varied with the circumstances of the times, but successive British Governments have tried to achieve three objectives: to promote peaceful settlements in Indo-China; to support and assist their allies; and to promote the right of the peoples of Indo-China to pursue in peace their chosen paths towards independence and prosperity. It has not always been easy to find a single policy that would reconcile all three objectives and the degree of priority accorded to each has varied. But these basic objectives have always been in the mind of successive administrations and continue to determine the policy of Her Majesty's Government to-day. Their achievement, as will be obvious from the contents of this volume and its predecessors, does not depend on the British Government alone, but demands a degree of reasonableness and a spirit of compromise from all concerned. It is the earnest hope of Her Majesty's Government that this will eventually be forthcoming and that the peoples of Cambodia, Laos and Viet-Nam will then be allowed to pursue in peace their freely chosen destinies.

Foreign Office

October 1965.

⁽¹⁾ Recent diplomatic exchanges concerning the proposal for an international conference on the neutrality and territorial integrity of Cambodia, "Cambodia No. 1 (1965)", Cmnd. 2678. Recent exchanges concerning attempts to promote a negotiated settlement of the conflict in Viet-Nam, "Viet-Nam No. 3 (1965)", Cmnd. 2756.

NARRATIVE^(?)

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(?) For simplicity's sake, this memorandum refers to various "governments" and "ministers" by the titles claimed by them at the time; but this practice should not be taken as implying any degree of British recognition in cases where this has not already been accorded.

1. The Activities of British Forces in Indo-China, 1945-46

When in August, 1945, the Japanese Government accepted defeat at the hands of the Allied Powers, South-East Asia Command was faced with the assumption of responsibilities in the territories generally known as French Indo-China. As the situation stood a few months before the Pacific War ended, these territories comprised Cochin-China, a French colony in the area of the Mekong delta, corresponding to the southern part of modern Viet-Nam; Annam, the central part of Viet-Nam, which, occupying the coastal strip between the hills of the Annamite Chain and the sea, was a French Protected State under the nominal sovereignty of the Emperor Bao Dai;⁽³⁾ Tongking, consisting of the Red River delta and the surrounding hills, corresponding to the northern part of Viet-Nam, also part of H.M. Bao Dai's dominions under French protection; the protected Kingdom of Cambodia, north of Cochin-China; and the territory of Laos, in the middle Mekong valley, most of which was under direct French administration but part of which, the Kingdom of Luang Prabang, had the status of a Protected State. All five territories were linked together as the Indo-Chinese Union under a Governor-General. The reality of the situation in August, 1945, was, however, radically different from this theoretical picture, for French authority had been displaced by the Japanese and the whole area was in a state of confusion.

2. On 30 August, 1940, the Vichy régime in France, helpless after the German victory, succumbed to Japanese pressure and agreed to grant military facilities to Japanese forces in Indo-China in consideration of Japan's recognition of French authority there and a guarantee of the area's territorial integrity; a subsequent military agreement of 22 September gave Japan the use of airfields in Tongking and the right to station troops there. The Japanese demanded these concessions as a means of completing their blockade of China, the Red River route having been a major channel of supply to the interior of China after the Japanese occupation of the China coast. In the following year, when Japan was contemplating war against the Western Powers, a further agreement of 29 July recognised that the defence of Indo-China was a joint Franco-Japanese commitment and gave the Japanese authority to use military facilities throughout the country; and when Japan commenced the Pacific War in December, 1941, all Indo-China's economic resources were placed at Japan's disposal. In return for these concessions, the French retained their administrative powers.

3. Resistance movements grew up amongst the French, however, and these gave the Japanese a pretext for displacing French authority completely. On 9 March, 1945, the French administration was overthrown by force, and under Japanese inspiration the Emperor Bao Dai on 11 March proclaimed the independence of his country; on 8 August the Japanese agreed to the incorporation of Cochin-China with Annam and Tongking in a united Viet-Nam. On 12 March similarly the King of Cambodia proclaimed his country's independence, and on 18 April the King of Luang Prabang was compelled to do the same.

⁽³⁾ There had been Emperors on the throne of Annam since 1802; the Empire fell under French protection in 1883. H.M. Bao Dai succeeded to the throne in 1925.

4. The collapse of French administration, which neither the Japanese nor the nominally independent governments set up by them could effectively replace, gave opportunity for extremist organisations to extend their influence. The most notable of these was the Viet-Name movement usually referred to as the Viet Minh. This body, the *Viet-Nam Doc Lap Dong Minh Hoi*, or League for the Independence of Viet-Nam, had been formed under Chinese patronage in 1941 as a coalition of nationalist parties, but it was dominated by the Communists under the leadership of the veteran revolutionary, Ho Chi Minh, who had been a founder-member of the French Communist Party, had worked with the Communists in the Soviet Union and in China, and had established the Communist Party of Indo-China in 1930. From 1943 onwards, Viet Minh bands carried on sporadic guerilla warfare against the French in the hills of Tongking, and the virtual interregnum which followed the events of March, 1945, enabled them to extend their activities. By August of that year, aided by the American Office of Strategic Services, they had spread their influence to the Red River delta and had established links with the anti-French movements in Cambodia and Laos known as the Khmer Issarak or Free Cambodians and the Lao Issara or Free Laotians. Though American and Chinese aid was given to the Viet Minh in the expectation that they would combat the Japanese, in practice they avoided conflict of this character; and it does not appear that the Japanese, at this stage desirous of embarrassing the victorious Allied Powers by encouraging Asian nationalism, put many obstacles in their way.

5. Thus when the Pacific War ended in August, 1945, orderly government had almost vanished from the Indo-China territories, though a considerable Japanese army was still in the area. Measures had to be taken by the Allied Powers to control and disarm the Japanese and to liberate prisoners of war and civilian internees. Also, Cochin-China and Cambodia were in normal times major exporters of rice, and it was urgently necessary to restore production and trade for the benefit of deficit areas elsewhere in Asia, where the severance of supplies from Burma and Indo-China in 1942 had caused much suffering. The French were not able to carry out these tasks immediately, and the duty fell on their allies.

6. At an earlier stage, in 1942, Indo-China had been regarded as falling within the China Theatre of operations, but when South-East Asia Command was formed in 1943 it was agreed that both Commands might operate there. At Potsdam in July, 1945, a precise line of demarcation was defined: south of latitude 16°N., South-East Asia Command was responsible, and north of that line the Chinese (Document No. 1). Thus a precedent for the partitioning of Indo-China was established.

7. The French Government were anxious to restore their position in Indo-China without delay. A French Military Mission had been formed at S.E.A.C. headquarters, and arrangements had been made for training French civil administrators against the time when the territory should be reoccupied; some of these officers attended the British Civil Affairs Staff Centre at Wimbledon. In August, 1945, General Leclerc was appointed Commander-in-Chief of the French forces in the S.E.A.C. area under the overall command of the Supreme Commander, S.E.A.C., and Vice-Admiral Thierry d'Argenlieu was named as High Commissioner and Governor-General; but as French forces were not likely to reach Indo-China for some

weeks the Chiefs of Staff decided to send a British force there, and on 13 August Admiral Mountbatten, Supreme Commander, S.E.A.C., was directed to send a force to Saigon which would be replaced by French troops as soon as possible. Major-General D. D. Gracey was thereupon appointed Commander of Allied Land Forces and Head of a Control Commission in Indo-China.

8. It was necessary to define the respective spheres of authority of French and British, and at Admiral Mountbatten's suggestion a Civil Affairs Agreement was negotiated in Europe between British and French authorities. The agreement recognised that the aim of the British forces in Indo-China was to enforce the surrender and disarmament of Japanese forces and the liberation of prisoners of war and civilian internees. The British forces were to exercise such authority as might be necessary for these purposes, but would not assume otherwise any administrative responsibility. They were not to occupy the whole area south of 16°N., but only key areas essential for their purposes; and even in key areas would deal with the civil population through the French authorities. Thus the French position was carefully safeguarded.

9. British forces reached Saigon by air on 13 September. They secured vital points in the city but were too few to control even the whole of the town or key areas elsewhere; maintenance of order had for the time being to be left to the Japanese forces. It was quickly found that the political situation, about which information had been limited, was complex and explosive. Immediately after the Japanese capitulation, the Viet Minh had occupied the principal towns in northern Viet-Nam, and on 23 August the Emperor Bao Dai had abdicated. On the 29th of the month a Provisional Government had been proclaimed, in Hanoi, the northern capital, and H.M. Bao Dai had accepted the position of Supreme Political Adviser to the new régime; on 2 September the independence of Viet-Nam and the establishment of the Democratic Republic of Viet-Nam were announced. The new Republic was dominated by the Communists and Ho Chi Minh was President. The Democratic Republic claimed sovereignty over the south as well as the north, and in Saigon a Communist-controlled Provisional Executive Committee for South Viet-Nam was set up. In practice, however, there was no government in Saigon or anywhere else in southern Viet-Nam, and looting and attacks on French nationals were common occurrences.

10. In pursuance of his task of ensuring the safety of Allied prisoners of war and civilian internees who had now been released, and also because his own small force was in a precarious position, General Gracey on 21 September issued a proclamation (Document No. 2) declaring his determination to enforce order in all Indo-China south of 16°N. This step was not part of the duty prescribed by the Chiefs of Staff or by the Civil Affairs agreement with the French, but was in his judgment forced on him by circumstances. His force of 1,600 officers and men was, however, inadequate for the purpose of restoring peace, and he agreed to the issue of arms to released French troops and French civilians who, on 23 September, with his sanction seized the government buildings in Saigon which the Provisional Executive Committee had occupied. The French forces were not well disciplined and their conduct impelled General Gracey to confine them to barracks; the public buildings remained in French hands. The Viet-Nameese dissidents were equally

uncontrollable, and retaliated by slaughtering many French and Eurasians. Some days of street fighting followed, and though by the end of the month the situation had improved, armed clashes still occurred.

11. General Gracey's proclamation and his intention to extend his control outside the key areas aroused some concern at S.E.A.C. headquarters, but the Chiefs of Staff took the view that since French forces were not yet available in any number, it was necessary to take steps to maintain order outside the key areas provided that the discharge of General Gracey's primary responsibilities was not prejudiced. The proclamation and the events of 23 September also evoked a protest from the Democratic Republic. On 26 September the Foreign Minister in Hanoi sent a telegram to London, addressed to the Prime Minister, complaining that a violation of Viet-Nameese national rights had thus been committed (Document No. 3).

12. Attempts were made by General Gracey to mediate between the French and the dissidents and on 2 October he arranged a truce, followed by talks. His efforts proved abortive: the truce was promptly broken by dissident elements who opened fire on British troops in Saigon, and General Gracey found it necessary to take action against armed bands, to carry out searches for arms, and to prevent looting. These measures were confined to Saigon; outside the city, guerilla warfare went on between the dissidents and such French forces as had reached the country and amongst rival Viet-Nameese organisations as well. The situation was described by the Foreign Secretary in a statement on 24 October (Document No. 4).

13. By late October, however, General Leclerc, who had reached Saigon on 8 October, had sufficient force at his disposal to begin the work of reoccupying the areas outside Saigon; the participation of British forces in pacification came to an end; and on 1 January, 1946, when nearly 30,000 French troops were available, the French assumed full responsibility except in certain limited areas where Japanese surrendered personnel were concentrated. On 28 January General Gracey left the country, though two British battalions remained in charge of the Japanese troops. During the course of their operations, the British force had incurred casualties of 40 killed, of whom 3 were European soldiers and 37 Indian (Document No. 5).

14. British action was, as agreed at Potsdam, confined to the south of Indo-China. In the north, the Chinese were in occupation and there, under Chinese patronage, the Viet Minh established a firm grip on much of the country. Laos also fell almost entirely within the Chinese sphere; but a minor part was played by the British in Cambodia. A British officer, sent there to take charge of the Japanese troops in the country, found that after the displacement of the French officials in March, effective power had fallen into the hands of Son Ngoc Thanh, a man of partly Viet-Nameese race, whom the Japanese had installed as Prime Minister. His anti-European attitude caused the British officer in charge to recommend his arrest; and in October, 1945, he was arrested and removed from the country by General Leclerc.^(*)

^(*) Son Ngoc Thanh was allowed to return to Cambodia in 1951, but he promptly joined the Khmer Issarak militants in western Cambodia where he has continued to maintain resistance to the Government.

2. Events leading to the Geneva Conference on Indo-China

15. French policy, as laid down by the Committee for National Liberation and proclaimed by the Provisional Government of France in February–March, 1945, aimed at a federation of the five Indo-China territories in which the effective authority would be vested in a Governor-General aided by a Council of State nominated by him; a Federal Assembly was to be established, but its powers were to be narrowly limited. Such a policy failed to satisfy the nationalists in any part of the area, though Cambodia and Laos proved less intractable than Viet-Nam. In Cambodia a *modus vivendi* of 7 January, 1946, recognised the Kingdom as an autonomous unit of the proposed Federation, with a Commissioner in place of the former Chief Resident, but in practice the essence of authority remained with the Commissioner and his assistants, and the Khmer Issarak, who acknowledged Son Ngoc Thanh as their leader, resisted the return of the French by force of arms, though they lacked sufficient popular support to endanger the régime. In Laos, once the Chinese forces occupying the country under the Potsdam arrangements had withdrawn early in 1946, the French quickly re-established their position, though not without meeting resistance; a *modus vivendi* of 27 August, 1946, united the territory under the sovereignty of the King of Luang Prabang as part of the Federation, and the Lao Issara leaders who had set up a rival Government-in-exile in Thailand were unable to influence the situation.

16. Viet-Nam presented greater problems. By an agreement of 28 February, 1946, the Chinese occupying Viet-Nam north of latitude 16°N. withdrew, so opening the way for the entry of French administrators and forces; but as the Chinese had prevented the French from entering earlier, the Democratic Republic had secured control of the area. Negotiations led to an agreement of 6 March, 1946, by which the Viet Minh undertook not to oppose the entry of French forces while the French Government recognised the Democratic Republic as a free State with its own government, legislature, army and finances, forming part of the Indo-Chinese Federation and the French Union; a referendum was to decide whether Cochinchina should be united with Annam and Tongking as one State; French forces were to be replaced by Viet-Nameese over a period of five years; and further negotiations on details were to be entered into.

17. Following this, on 18 March, Ho Chi Minh as President of the Democratic Republic sent a message to Mr. Attlee asking for diplomatic recognition of Viet-Nam as a free State (Document No. 6); but the United Kingdom view was that the constitutional status of the Indo-China countries was still uncertain (Document No. 7).

18. Though it had been agreed on 6 March to enter into further discussions, it was soon evident that there was no real basis for agreement between the Viet Minh, intent on complete independence for all Viet-Nam under a Communist régime, and the French, determined to retrieve something of their former position. A conference at Fontainebleau in July–August led to no result. On 14 September, however, Ho Chi Minh signed a *modus vivendi* relating mainly to economic and cultural matters but also including an undertaking by both parties to put an end to acts of hostility, for sporadic clashes between French and Viet Minh elements were going on throughout

the country. But despite this agreement, conflicts continued, and on 23 November a French bombardment of the port of Haiphong, whence Viet Minh forces had refused to withdraw, inflicted heavy casualties on the Viet-Nameese population. On the night of 19 December the Viet Minh launched a general attack on French posts and French-occupied houses in Hanoi, the capital of northern Viet-Nam, and from that moment a state of general civil war prevailed.

19. The French authorities sought to find a rallying-point for non-Communist nationalism in Viet-Nam, in the same way that the Kings of Laos and Cambodia served as foci for moderate nationalism in their countries. They therefore turned to the ex-Emperor Bao Dai, now living in Hong Kong. Prolonged negotiations ensued, for the ex-Emperor was determined to secure both the unification of all Viet-Nam including Cochinchina and a reality of independence for the country. Finally, an exchange of letters on 8 March, 1949, between the ex-Emperor and President Auriol, usually known as the Elysée Agreement, provided that France would agree to the merger of Cochinchina in Viet-Nam if the inhabitants of the colony so desired, and that H.M. Bao Dai should be head of an Associate State within the French Union. Defence and foreign relations were, however, to remain under French control, and French Union forces were to retain bases in Viet-Nam and have right of free passage. There were also to be restrictions on judicial autonomy in the interests of French nationals and citizens of the French Union. Elections were then held in Cochinchina for a territorial assembly which on 23 April resolved to adhere to Viet-Nam, and on 22 May the French Assembly approved the decision. H.M. Bao Dai then on 14 June assumed his duties as Head of State though not as titular Emperor.

20. As a corollary of the Elysée Agreement on Viet-Nam, new agreements were made with Cambodia and Laos. On 19 July, 1949, a Franco-Laotian Convention recognised Laos as an independent State and Laos affirmed adherence to the French Union as an Associate State, though restrictions on complete autonomy similar to those adopted in the case of Viet-Nam were agreed to. A parallel agreement with Cambodia was made on 8 November. The proposal for an Indo-Chinese Federation was now abandoned, but at a Conference held in Pau in 1950 the three States agreed to co-ordinate their policies in matters of common interest such as currency and customs dues.

21. Meanwhile war between French Union forces and the Viet Minh continued, and during 1949 the prospects of the latter were improved by the Communist victory in China. By the end of the year the Chinese Communists had extended their authority to the borders of Indo-China, and from that time onwards the Viet Minh benefited from Chinese assistance; what had been a guerilla army was during 1950 transformed with the aid of Chinese training and equipment into a well-organised military instrument.

22. To strengthen H.M. Bao Dai's position, international recognition of Viet-Nam as an independent State was desired by the French, but it was by no means clear, in view of the restrictions contained in the Elysée Agreement, that Viet-Nam was in international law truly independent. However, on 29 January, 1950, the French Assembly ratified the Elysée Agreement and

the agreements with Cambodia and Laos, the British Government on 7 February extended recognition to the three States.

23. British recognition was couched in cautious terms. Viet-Nam, Cambodia and Laos were recognised as "Associate States within the French Union". The Consul-General at Saigon was, however, granted the rank of Minister, and soon afterwards was accredited to the courts of Cambodia and Laos (Document No. 8).

24. On the same day, 7 February, the United States extended recognition to the three States as "independent States within the French Union", and other non-Communist Governments soon took similar action. Any advantage so gained for the new régime in Viet-Nam was, however, offset by the fact that already, on 18 January, the Communist Government in China had extended recognition to the Democratic Republic of Viet-Nam; on the 31st of the month the Soviet Union followed this example, and the remaining members of the Communist *bloc* also granted recognition.

25. The new status of the three States made it possible for the United States to give economic and military aid in the conflict with the Viet Minh. In May, 1950, it was announced that economic aid would be granted to the three States, and on 23 December an agreement on defence and mutual assistance was signed between American, French and Associate States representatives. In the following year, staff talks were held in Singapore between British, American and French military representatives (Document No. 9); and the support of the Western Powers for French policy in Indo-China was affirmed by a NATO Council resolution in 1952 (Document No. 10).

26. The recognition of the Associate States and the approval of French policy by H.M. Government did not go unchallenged in the United Kingdom. Thus on 4 April, 1950, severe criticisms of French policy and gloomy prognostications for the future were voiced by some members in the House of Commons, though these views were rebutted from the Treasury bench (Document No. 11).

27. Developments in Indo-China tended, however, to justify the gloomy view taken in the House. In the years after 1949 the military situation turned to the disadvantage of the French Union forces, who held the principal towns and lines of communication in Viet-Nam but could exercise little control elsewhere. H.M. Bao Dai failed to rally moderate nationalist opinion; it was felt in Viet-Nameese political circles that the country still lacked true independence, and though many ardent nationalists, including Ngo Dinh Diem, had abandoned the Viet Minh because of its excessive and increasing dependence on the Communist faction, there were still many others who regarded Ho Chi Minh, despite his Communist principles, as the true representative of Viet-Nameese nationalism. In Cambodia, too, the Khmer Issarak remained active in the jungle, and the Viet Minh had a good deal of support amongst the Viet-Nameese minority in that country. King Norodom Sihanouk, moreover, was gravely dissatisfied with the constitutional position and pressed the French for further concessions. In 1953, therefore, a series of agreements transferred nearly all governmental powers to the Cambodian Government, though French Union forces remained responsible

for operations against the Khmer Issarak and the Viet Minh in Cambodia. In Laos, the Convention of 1949 had satisfied most of the Lao Issara leaders, who returned from Thailand and took their place in the political life of their country; but a small group led by Prince Souphanouvong made their way to Viet-Nam where they joined the Viet Minh and established in August, 1950, a resistance Government for Laos. Late in 1952, Viet Minh forces, in the guise of volunteers supporting a Laotian liberation army, crossed the frontier, and in 1953 a Viet Minh invasion nearly reached the royal capital, Luang Prabang. Later in the year the Viet Minh reached the Mekong near Thakhek and occupied that town for a few weeks; and though they were unable to consolidate in the Mekong valley, they and their Laotian allies, now known as the Pathet Lao or Laotian Nation, held much of the interior of the country, so that Prince Souphanouvong was able to establish his headquarters in the north-eastern province of Sam Neua where, on 19 April, 1953, he declared that his Resistance Government was the rightful government of Laos.

28. The deterioration in the military position and the heavy and prolonged strain on French Union forces led to a demand by some sections of opinion in France for a negotiated settlement, and hopes for a peaceful solution were raised by Ho Chi Minh's statements in an interview with a Swedish journalist in November, 1953, in which he declared his readiness to discuss any French proposal and expressed admiration for the French people whose own independence, he asserted, was endangered by American imperialism (Document No. 12).

3. The Geneva Conference on Indo-China, 1954⁽³⁾

29. The two centres of disturbance to peace in Asia at this time were Indo-China and Korea. The position was debated at the meeting of the Foreign Ministers of France, the United Kingdom, the Soviet Union and the United States held in Berlin from 25 January to 18 February, 1954, and on the last-mentioned date the Ministers issued a statement proposing a conference of representatives of the United States, France, the United Kingdom, the Soviet Union, the Chinese People's Republic, the Republic of Korea and the People's Democratic Republic of Korea, to meet on 26 April in Geneva, to discuss the Korean question; at this conference the problem of Indo-China should also be discussed between representatives of the United States, France, the United Kingdom, the Soviet Union, the Chinese People's Republic, and other interested States. It was carefully specified in the statement that membership of the conference should not imply diplomatic recognition in any case where it had not already been accorded (Document No. 13).

30. In the succeeding weeks the need for a solution of Indo-China's problems was rendered the more urgent by the military situation in northern Viet-Nam, where from mid-March onwards a French Union force of 12

⁽³⁾ Documents relating to the discussion of Korea and Indo-China at the Geneva Conference, 27 April-15 June, 1954, "Miscellaneous No. 16 (1954)", Cmd. 9186. Further documents relating to the above, 16 June-21 July, 1954, "Miscellaneous No. 20 (1954)", Cmd. 9239.

battalions and ancillary units was beleaguered by the Viet Minh at Dien Bien Phu. In some Western quarters the possibility of employing force on the French behalf was seriously considered. Speaking to the Overseas Press Club of America on 29 March, Mr. Dulles said that the extension of Communism in South-East Asia ought to be resisted by united action, even at the risk of open war (Document No. 14). The French Government shortly afterwards asked whether American air-support could be given at Dien Bien Phu, and Mr. Dulles proposed a coalition of interested countries to block any further Communist advance in South-East Asia. On the British side there was concern lest such measures should prejudice the prospects of a peaceful settlement at the forthcoming Geneva Conference, and the matter was discussed in London with Mr. Dulles on 12 and 13 April. At the conclusion of these discussions a statement was issued indicating that both countries were willing to examine the possibility of establishing a system of collective defence for South-East Asia, but also expressing the hope that the Geneva Conference would lead to the restoration of peace in Indo-China (Document No. 15). After further talks later in the month, Mr. Eden prepared a paper, which was approved by the Cabinet, setting out the attitude of Her Majesty's Government: this paper (Document No. 16) made it clear that the United Kingdom would not commit itself to any undertaking about military action in Indo-China in advance of the Conference. These views were communicated to Mr. Dulles in Geneva on 25 April.

31. At Geneva, two Conferences were in effect held. One, on Korea, achieved little; the other, on Indo-China, resulted in agreements which at the time seemed to offer a prospect of peace. Before formal business could begin, however, certain procedural questions had to be settled. One such question related to the occupancy of the chair, and the decision was taken that the chair should be occupied on alternate days by the Foreign Ministers of the United Kingdom and of the Soviet Union. The circumstances under which the Conference met made it almost inevitable that they should assume a prominent role. The very convening of the Conference was largely due to the initiative and persuasions of the United Kingdom and Soviet Governments, and at some stages in its proceedings its continuance was ensured only by the co-operation of the British and Soviet delegations and their resistance to pressure from their associates to suspend the Conference—a step which might have resulted in the intensification and widening of hostilities in Indo-China. In addition, as some Governments represented at Geneva were not recognised by others, the United Kingdom and the Soviet Union acted in some degree as intermediaries between the opposing groups. Apart from these factors, it was not practicable for the chair to be taken by the leaders of all the delegations in turn, and, since the Conference comprised two opposing groups, it was impossible for the chair to be monopolised by the leader of any one delegation. So the United Kingdom and the Soviet Union, regarded generally as the less extreme members of their respective groups, provided the chairman at alternate sessions. By so becoming the Co-Chairmen of the Geneva Conference, the United Kingdom and Soviet Foreign Ministers came ultimately to be regarded as having incurred a greater degree of responsibility for the affairs of Indo-China than did most member States of the Conference.

32. The adoption of the Co-Chairmanship principle did not, however, completely solve problems of procedure. At the first formal session of the Conference, held on 8 May, Pham Van Dong, for the Democratic Republic of Viet-Nam, demanded that the Khmer and Pathet Lao Resistance Governments be allowed to take part in the proceedings on the ground that they had liberated vast areas of their national territory and had taken steps to establish democratic principles and to raise living standards (Document No. 17). This demand was resisted by M. Sam Sary, for Cambodia, who denied that a Free Government of Free Cambodia really existed or that it controlled any large area (Document No. 18); and M. Phoui Sananikone, for Laos, declared that the so-called Pathet Lao represented "absolutely nothing" (Document No. 19). In the end, private talks between Mr. Eden and M. Molotov resolved the impasse, and the Communist *bloc* abandoned the claim for representation of their Khmer and Pathet Lao associates. In consequence, neither the Free Khmer nor the Pathet Lao were signatories of the cease-fire agreements ultimately arrived at; in the cases of both Cambodia and Laos, the Viet Minh command signed.

33. On the day that the Conference on Indo-China held its first plenary session, on 8 May, the Viet Minh forces finally extinguished the resistance of the French Union troops at Dien Bien Phu; it was evident that further resistance to the Viet Minh by the French was not likely to bring final victory, and the question was on what terms a settlement could be reached. M. Bidault, for France, proposed the withdrawal of Viet Minh forces from Cambodia and Laos, and in Viet-Nam the regroupment of opposing forces in prescribed areas, these measures to be supervised by an international commission in each State (Document No. 20). M. Pham Van Dong, for the Democratic Republic, demanded French recognition of the sovereignty and independence of Viet-Nam, Cambodia and Laos, the withdrawal of all foreign troops from the three States, and the holding of general elections in each State under the supervision of local committees; in advancing these demands, he made accusations about the designs of the French and Americans (Document No. 21) which Mr. Eden refuted. Mr. Eden also recommended M. Bidault's proposals to the Conference as a sensible solution (Document No. 22). The delegation of non-Communist Viet-Nam wanted recognition of the unity of the country under H.M. Bao Dai as Head of State; general elections should be held, under the supervision of the United Nations (Document No. 23).

34. These and other rival plans were considered both in formal sessions of the Conference and in private talks, and in the end on 20 July three cease-fire agreements were signed.

35. The Agreement on the Cessation of Hostilities in Cambodia was signed on behalf of the Commander-in-Chief of the Cambodian Army and by the Vice-Minister of National Defence of the Democratic Republic of Viet-Nam who signed on behalf of the Khmer Resistance Forces and the Viet-Nameese Military Units in Cambodia. The agreement provided for the complete cessation of hostilities throughout the country. French and other foreign troops and all foreign persons working with the Viet Minh forces were to withdraw from the country within ninety days. The Khmer Resistance Forces were to be immediately demobilised, but the Cambodian

Government undertook not to engage in reprisals against them or to discriminate against them in any way. Control and supervision of the execution of the Agreement were to be exercised by an International Commission composed of representatives of India (chairman), Canada and Poland, with power to set up fixed and mobile inspection teams. The belligerent parties were to form a Joint Commission to facilitate the operation of the military clauses of the Agreement. The International Commission was to report to the members of the Geneva Conference any obstruction of its work. It was to work in close co-operation with the parallel Commissions in Laos and Viet-Nam, and might, after consulting those Commissions and with due regard to the situation in those two countries, progressively reduce its activities (Document No. 24).

36. On 21 July, the Royal Government of Cambodia made a Declaration (Document No. 25), promising to integrate all citizens into the national community and to allow all Cambodian citizens freedom of voting in general elections. A further Declaration of the same date (Document No. 26) affirmed that the Government of Cambodia would not engage in any aggressive policy or enter into any military alliance not in conformity with the principles of the United Nations Charter⁽⁶⁾ or allow the establishment of any foreign bases in the country unless Cambodia's security were threatened, or seek, except for purposes of defence, any foreign military aid during the period between the cessation of hostilities in Viet-Nam and the final settlement of that country's political problems.

37. In the Agreement on the Cessation of Hostilities in Laos, signed on behalf of the Commander-in-Chief of the French Union forces in Indo-China and by the Democratic Republic's Vice-Minister of National Defence on behalf of the Pathet Lao fighting units and the People's Army of Viet-Nam, it was provided that after the proclamation of the cease-fire no foreign troops should enter the country, though the French High Command might provide a training-mission for the Laotian National Army to a limit of 1,500 men; no new military bases were to be established, but the French forces might maintain bases at Seno and in the Vientiane area with a total maximum strength of 3,500 men. Except for such supplies as might be needed for defence, the introduction into Laos of military equipment was prohibited. Both French and Viet Minh forces were to leave the country within 120 days. Pending a political settlement, the Pathet Lao forces were to move into the provinces of Phong Saly and Sam Neua, and should be allowed freedom of movement along a corridor connecting these provinces. Neither party was to engage in reprisals or discrimination against those who had opposed it during the period of hostilities. As in Cambodia, control and supervision of the execution of the Agreement were entrusted to an International Commission of India (chairman), Canada and Poland, with powers and obligations of a parallel character (Document No. 27).

38. The Laotian Government, like that of Cambodia, issued on 21 July two Declarations. One (Document No. 28) undertook to integrate all citizens into the national community and promised special representation in the Royal Administration of Phong Saly and Sam Neua of Laotian nationals who had not supported the Royal forces during the hostilities, this special representation

(6) "Treaty Series No. 67 (1946)", Cmd. 7015.

to apply in the interval between the cessation of hostilities and the holding of general elections. The other Declaration (Document No. 29) was couched in terms similar to the second Declaration by the Cambodian Government.

39. The Agreement on Viet-Nam was signed on behalf of the Commanders-in-Chief of the French Union forces and the People's Army of Viet-Nam. It provided that a demarcation line should be drawn, roughly at the 17th parallel of North latitude, with a 5-km. demilitarised zone on either side; the Viet Minh forces were to regroup north of the line and the French Union forces south of it. These movements were to be completed within 300 days. Pending general elections which were to bring about the reunification of the country, civil administration in each zone was to be in the hands of the party whose forces were regrouped there. Each party undertook to refrain from reprisals and discrimination, and to allow democratic freedom. During the period allowed for the movement of troops, civilians wishing to transfer their residence from one zone to another might do so. Troop reinforcements were not to be introduced into the country, though the rotation of units would be allowed. No military equipment or supplies were to be imported except for purposes of replacement, and the arrival of any war material was to be reported to the International Commission. As in Cambodia and Laos, the Commission was to be provided by Canada, India and Poland, and was to exercise the same powers and incur the same obligations as the parallel Commissions in those States (Document No. 30).

40. Annexed to the Agreement were two Declarations by the Government of the French Republic, dated 21 July; one of these (Document No. 31) affirmed the readiness of the French Republic to withdraw its forces from the three States, and the other (Document No. 32) undertook to respect their independence, sovereignty, unity and territorial integrity.

41. These Agreements and Declarations were placed before the Conference on 21 July, and were taken note of in the Final Declaration of the Conference (Document No. 33). This Final Declaration, in contrast to the three Agreements, was not a formal instrument in the usual treaty form. It was not signed and appears to have the character properly of a statement of intention or policy on the part of those member States of the Conference who approved it. It expressed satisfaction at the ending of hostilities; noted that the demarcation line in Viet-Nam was provisional only and was not to be regarded as a political or territorial boundary; declared that general elections should be held in Viet-Nam in July 1956 under international supervision and that consultations on this matter would be held by the authorities in the two zones from 20 July, 1955, onwards; and stated that members of the Conference agreed to consult together on any matter referred to them by the International Commissions.

42. The terms of the Geneva settlement did not go unchallenged. Cambodia, at the concluding session on 21 July, made a reservation in respect of her claims to territory in South Viet-Nam (Document No. 34). The United States did not join in the Final Declaration though it made a Declaration of its own (Document No. 35) in which it was affirmed that the United States would not seek to disturb the settlement by use of force. More important, the representative of H.M. Bao Dai's Government expressed strong

disapproval of the whole basis of the settlement in his country. There was amongst the Viet-Nameese other than the Viet Minh and its adherents a natural disapproval of the way in which the settlement had been reached. The Agreement had been signed by the French, and not by the Government of Viet-Nam, and in committing themselves to its terms the French appeared to be denying the country's independence and sovereignty which in their own Declaration they undertook to respect. In addition, there was resentment at the partitioning of Viet-Nam.

43. Viet-Nam had been partitioned before. Apart from divisions which had occurred in earlier centuries, the country had been split into two zones by the Potsdam arrangements in 1945; indeed, the partition of 1954 repeated, except for the difference of one degree of latitude, the partition of 1945, and was in fact the consequence of that partition, for it was the occupation of northern Viet-Nam by Chinese forces that enabled the Viet Minh to consolidate their grip on that part of the country to such a degree that it proved impossible to dislodge them. But partition was none the less abhorrent to Viet-Nameese nationalists, and when rumours that it was contemplated first circulated, H.M. Bao Dai's Government published a strong protest (Document No. 36). At a restricted session of the Geneva Conference on 18 July, the Viet-Nameese Delegate dissociated himself from discussion of draft documents embodying the principle of partition; and in the concluding session on the 21st of the month, he wanted the inclusion in the Final Declaration of terms indicating his Government's reservation, though the Chairman, Mr. Eden, rejected this suggestion. Thus the Government of Viet-Nam was not a party to the Agreement on the Cessation of Hostilities nor did it join in the Final Declaration of the Conference (Document No. 37).

4. The Co-Chairmanship of the Geneva Conference, 1954-61

I. CHARACTER OF THE CO-CHAIRMANSHIP

44. When the Geneva Conference on Indo-China ended on 21 July, 1954, it had by no means arrived at a final settlement of the problems of Cambodia, Laos and Viet-Nam, but had only approved certain measures which it was hoped would soon produce a peaceful settlement. International machinery to assist in reaching this end was provided in the form of the three International Commissions for Supervision and Control, provided by India, Canada and Poland. But while entrusting important duties to these three States, none of which was a member of the Conference, the Conference members did not entirely absolve themselves from future responsibility, for in the Final Declaration of the Conference it was provided that members of the Conference should consult together on any matters referred to them by the Commissions, and in the several Agreements on the Cessation of Hostilities the Commissions were directed to inform Conference members of any difficulties which they might encounter in the discharge of their tasks, and the parties to the Agreements were authorised to inform Conference members of any failure to execute Commission recommendations. On the other hand, the Conference devised no standing machinery through which member States might discharge their responsibility.

45. Apart from issues arising from the military and political terms of the Agreements, financial problems arose. The Final Declaration does not refer to this matter, but in the concluding session of the Conference Mr. Eden, in the Chair, said:

“Certain costs arise from the decisions which the Conference has taken. It is suggested that it should be left here to your Chairmen as their parting gift to try to put before you some proposal in respect of those costs. I only wish to add in that connection that, as this Conference is peculiar in not having any Secretariat in the usual sense of the term, the two Chairmen, with considerable reluctance, are prepared to undertake this highly invidious task. The costs to which I refer are not our own but those of the International Commission.”

This proposal met no objection.

46. The member States of the Conference thus accepted two continuing liabilities: to be apprised of difficulties which might arise in the execution of the terms of settlement in Indo-China and to consider some proposal about the Commissions' expenditure. Though nothing was laid down about the manner in which the first of these two responsibilities was to be discharged, initiative in relation to the second devolved on the Co-Chairmen. It was also agreed at the final session of the Conference that the two Chairmen should convey to the Governments of Canada, India and Poland the request that they undertake the task of supervision through the International Commissions. Of the two tasks thus undertaken by the Co-Chairmen, the latter was speedily performed, but the other involved prolonged negotiations.

47. It was not till 1956 that the Co-Chairmen achieved an agreement on finance amongst the numerous interested parties and meanwhile the Commissions led a hand-to-mouth existence. It was agreed in 1956 that the three Supervisory Powers—Canada, India and Poland—should bear the cost of the pay and allowances of the personnel whom they themselves provided, while other costs would be borne partly by a common pool established by the United Kingdom, the Soviet Union, France and China, and partly by the signatories of the Agreements. The allocation of contributions amongst the several governments and the need to induce governments to pay their shares imposed a heavy and continuing administrative burden on the Co-Chairmen.

48. It appears to have been thought at Geneva in 1954 that the work of the three Commissions would be quickly completed. In the case of Viet-Nam, as paragraph 7 of the Final Declaration shows, it was expected that general elections, leading to the reunification of the country, would be held in two years' time; and paragraph 3 noted that in Laos general elections would be held in 1955, the implication being that these would constitute the political settlement referred to in Article 14 of the Cease-Fire Agreement. But in both cases the expectation was disappointed. In consequence the work of the Commissions in Viet-Nam and Laos acquired a long-term instead of a short-term character. The case of Cambodia was different: the Khmer opposition had little substance and when, under the Commission's supervision, the invading Viet-Nameese Communist forces were withdrawn, the domestic political situation settled down, but the Commission remained in being because the Cambodian Government valued its presence as a protection against allegedly aggressive neighbours. Owing to all these circumstances, the

Commissions were unable to complete their work, and the financial tasks incurred by the Co-Chairmen continued.

49. The Co-Chairmanship thus survived as the only residual machinery of the Geneva Conference, and the Co-Chairmen found that in consequence yet other tasks were imposed on them. The Commissions were required to report to members of the Conference on their problems; they also adopted the practice of making periodical reports on their work generally, though these were not required under the terms of the Geneva instruments. Between 1954 and 1961, eleven Interim Reports emanated from the Commission in Viet-Nam,⁽⁷⁾ seven from the Commission in Cambodia,⁽⁸⁾ and four from the Commission in Laos,⁽⁹⁾ apart from special reports on particular problems.

50. The Geneva instruments, however, prescribed no channel through which Commission reports should be transmitted to member States; and when the Commissions in Viet-Nam and Laos compiled their first Interim Reports, they submitted them through the Government of India to the Co-Chairmen (Document No. 38), who agreed to publish them simultaneously in all the capitals concerned (Document No. 39).⁽¹⁰⁾ The Co-Chairmen did not act in this matter by virtue of any authority conferred on them by the Agreements or the Final Declaration; there is nothing in these instruments to indicate that the Co-Chairmen occupied a position differing in any way from that of the Foreign Ministers of other Conference Powers; but as organisers of Commission finances the Co-Chairmen were the only surviving machinery of the Conference and their action in forming a channel for the transmission of reports was taken as a matter of practical convenience. The effect was, however, to place the Co-Chairmen in the position of acting as intermediaries between the Commissions and Conference members. This had a particular importance in respect of special reports by the Commissions and appeals by parties to the Agreements. The failure to reach a political settlement in Laos and Viet-Nam perpetuated a state of tension and constituted a threat to peace; accusations and counter-accusations of breaches of the Geneva Agreements were frequently exchanged, and the Commissions referred such matters to the members of the Conference as directed in paragraph 13 of

(7) First and second reports: " Viet-Nam No. 1 (1955) ", Cmd. 9461.

Third report: " Viet-Nam No. 2 (1955) ", Cmd. 9499.

Fourth report: " Viet-Nam No. 3 (1955) ", Cmd. 9654.

Fifth report: " Viet-Nam No. 1 (1956) ", Cmd. 9706.

Sixth report: " Viet-Nam No. 1 (1957) ", Cmd. 31.

Seventh report: " Viet-Nam No. 2 (1957) ", Cmd. 335.

Eighth report: " Viet-Nam No. 1 (1958) ", Cmd. 509.

Ninth report: " Viet-Nam No. 1 (1959) ", Cmd. 726.

Tenth report: " Viet-Nam No. 1 (1960) ", Cmd. 1040.

Eleventh report: " Viet-Nam No. 1 (1961) ", Cmd. 1551.

(8) First report: " Cambodia No. 1 (1955) ", Cmd. 9458.

Second report: " Cambodia No. 2 (1955) ", Cmd. 9534.

Third report: " Cambodia No. 3 (1955) ", Cmd. 9579.

Fourth report: " Cambodia No. 1 (1956) ", Cmd. 9671.

Fifth report: Cambodia No. 1 (1957) ", Cmd. 253.

Sixth report: " Cambodia No. 1 (1958) ", Cmd. 526.

Seventh report: " Cambodia No. 1 (1959) ", Cmd. 887.

(9) First report: " Laos No. 1 (1955) ", Cmd. 9445.

Second report: " Laos No. 2 (1955) ", Cmd. 9360.

Third report: " Laos No. 1 (1957) ", Cmd. 314.

Fourth report: Laos No. 1 (1958) ", Cmd. 541.

(10) This agreement referred to the particular reports in question. Not all subsequent reports have been circulated and published by both Co-Chairmen.

the Final Declaration. In practice, the Commissions reported to the Co-Chairmen, and since co-ordinated action could not easily be achieved amongst all the members without the extreme step of reconvening the Conference, the Co-Chairmen took the initiative in trying to resolve the difficulties which arose, for the very good reason that there was no one else to do so. The Co-Chairmen thus unavoidably acquired an authority above that of other members of the Conference in the political as well as in the financial sphere; and so long as the political problems endured, so did the political work in which the Co-Chairmen were involved.

51. The Co-Chairmen thus became the channel through which the Commissions reported to the Conference members. On occasion they acted also as a channel for communication between the Commissions and the local Governments. At times they served as a medium of communication between opposing interests within and without the affected countries. Yet their authority rested on no clear foundation. Indeed, the Agreements and the Final Declaration are oblivious of their very existence; and though they became virtually the executive arm of the Conference, there was no sanction for their activities except the practical needs of the situation.

52. Her Majesty's Government were uneasy about the situation which thus developed. When the Commissions were unable to resolve difficulties, action had to be taken for fear of dangerous repercussions; and since on practical grounds the nine member States of the Conference could not be speedily brought together or even readily induced to agree by other means, the Co-Chairmen, who were the first recipients of reports and complaints and who were, through their financial management, to some extent a superior authority to the Commissions, could not avoid action. There was at times pressure from other quarters than the Commissions. Thus political interests in the United Kingdom at times called on Her Majesty's Government to use the Co-Chairmanship as a means of securing compliance with particular interpretations of the terms adopted at Geneva. In an endeavour to clarify the situation, the status of the Co-Chairmen was defined by Her Majesty's Government in a foreword to the Fourth Interim Report of the Commission in Viet-Nam: it was pointed out that the Agreements and the Final Declaration imposed no special responsibilities on the Co-Chairmen, and it was affirmed that the obligations and responsibilities of Her Majesty's Government were neither more nor less than those of other Powers adhering to the Final Declaration; the fact that for practical reasons the Co-Chairmen had acted as a channel of communication did not confer additional responsibility on them or in any way derogate from the responsibilities of other Conference members (Document No. 40).⁽¹¹⁾ In practice, however, the force of circumstances impelled the Co-Chairmen, however reluctantly, to assume a degree of responsibility for which, it is true, there was no formal sanction.

53. The prolonged continuance of tension in Indo-China which placed the Co-Chairmen in this anomalous situation also affected the occupancy of the office. Originally the Co-Chairmanship was very much a personal task

⁽¹¹⁾ This doctrine was restated and amplified in a communication made to the Soviet Foreign Ministry by H.M. Ambassador at Moscow on 20 February, 1965. " Viet-Nam No. 3 (1965) ", Cmnd. 2756, *Recent Exchanges Concerning Attempts to Promote a Negotiated Settlement of the Conflict in Viet-Nam*, August 1965, Document No. 6.

of Mr. Eden and M. Molotov, but the failure to achieve a settlement in Viet-Nam and Laos altered the position: the work of the Co-Chairmen acquired an indefinite life and the task could manifestly be discharged only by a Minister in office. The Co-Chairmanship ceased to bear a personal aspect. The point arose in 1955 at the Summit Conference in Geneva, when Sir Anthony Eden, now Prime Minister, remarked to M. Molotov that this was the last occasion on which he would act as Co-Chairman; he doubted, indeed, whether it was strictly in order for him to do so on this occasion, as Mr. Macmillan had succeeded him at the Foreign Office and it was really for the latter to undertake the task. M. Molotov agreed (Document No. 41). A year later, when a change took place in the occupancy of the Foreign Ministry of the Soviet Union, the Soviet Government delivered a Note to the British Embassy in Moscow announcing formally that M. Shepilov, the new Foreign Minister, would now act as Co-Chairman (Document No. 42). The Co-Chairmanship thus came to attach to the office and not to the man.

II. POLITICAL ACTION BY THE CO-CHAIRMEN

(a) *Viet-Nam*

54. It is not possible to describe in short compass all the occasions on which the Co-Chairmen were involved in the political problems of Viet-Nam: a few cases only can be cited as illustrative of the type of situation which arose and the action taken.

55. The Agreement had provided for free movement of civilians wishing to transfer their residence from one zone to the other during the period while the regroupment of forces was going on. Complaints were made that the Democratic Republic of Viet-Nam was obstructing the movement of would-be refugees and that in consequence of the delays thus caused many who wished to leave North Viet-Nam would be unable to do so within the time allowed: questions were asked in the House of Commons on the subject (Document No. 43) and the matter was reported in the Commission's Third Interim Report, along with a note by the Canadian Acting Commissioner asking for the matter to be brought to the attention of the Conference members (Document No. 44). The British Co-Chairman on 14 May, 1955, suggested to his Soviet colleague that the signatories of the Agreement be invited to allow free movement until the Commission could certify that the provision had been fully carried out (Document No. 45). The Soviet Co-Chairman, however, held that any step of this character would be an undue interference in the Commission's work, but he also stated that the Democratic Republic had agreed to a month's extension of the period allowed for evacuation (Document No. 46). The British Co-Chairman conveyed these exchanges to the Commission which took the matter up with the Democratic Republic, and a confirmation was received that the extension of time would be granted. This is a case in which the Co-Chairmen acted as intermediaries between the Commission and one of the parties whose activities the Commission was supervising.

56. The Co-Chairmen were also involved in the situation created by the reduction of French authority in Viet-Nam. The French Government, in pursuance of its Declaration in 1954, gradually withdrew its forces from

Viet-Nam, and was in consequence no longer in a position to execute any obligations under the Agreement; yet the Government in South Viet-Nam declined to regard itself as bound by the Agreement. When it was learnt that the French High Command would cease to exist after 15 April, 1956, the International Commission was concerned about its own position, since it would be in the situation of having to supervise an agreement which in its view would cease to have any legal basis (Document No. 47). The Co-Chairmen were therefore requested to take measures to enable the Commission to carry out its duties. The Government in South Viet-Nam assured the Commission that it would co-operate on the practical plane, but it refused to make any formal or public announcement to that effect, and the Commission did not find this a pleasing prospect (Document No. 48).

57. H.M. Ambassador in Saigon in December, 1955, drew attention to the Commission's views but in reply on 3 April, 1956, the Viet-Nameese Foreign Minister adhered to the position that, while willing to co-operate with the Commission, his Government did not regard the Geneva Agreement as binding on it (Document No. 49).

58. The matter was discussed by the Co-Chairmen, and on 8 May they despatched a message to the two Governments in Viet-Nam, one to the Commission, and one to the French Government, expressing the importance which they attached to the proper execution of the Geneva terms, appealing to all concerned to keep the peace, and requesting the Commission to carry on its work despite the difficulties created by the dissolution of the French High Command (Document No. 50). The Commission in reply gave an assurance of its readiness to continue its efforts to preserve the peace (Document No. 51). In this instance the Co-Chairmen were able to co-operate in smoothing the path of the International Commission.

59. A still more troublesome problem arose from the Geneva understanding that Viet-Nam would be reunited as one State after country-wide elections in 1956. Article 14 of the Agreement referred to "general elections which will bring about the unification of Viet-Nam" and paragraph 7 of the Final Declaration noted that internationally-supervised general elections would be held in July, 1956, and that consultations on the matter would be held between the authorities of the two zones from 20 July, 1955, onwards. The Government in the southern zone had from the first declined to regard itself as legally bound by these or any other of the terms arrived at in 1954; and when in October, 1955, a referendum deposed H.M. Bao Dai and established the Republic of Viet-Nam with Ngo Dinh Diem, lately Prime Minister, as President, this attitude was maintained with equal vigour. The Democratic Republic, whose leaders were confident that country-wide elections would give them a clear victory and so enable them to extend their control over the whole of Viet-Nam, pressed for the commencement of the talks due to start in July, 1955 (Document No. 52), and the Government of India, in discharge of its responsibilities as a Supervisory Power, requested the Co-Chairmen to take some initiative in the matter (Document No. 53). Her Majesty's Government accepted the principle that elections should be held under a supervisory commission (Document No. 54), though fully realising the limitations of its own influence in South Viet-Nam.

60. The Republic of Viet-Nam, however, maintained its position; it expressed its desire for peace and for reunification, but denied that free elections were possible under a Communist régime such as existed in North Viet-Nam (Document No. 55). The Democratic Republic then addressed the Government in the South, asking for the appointment of representatives to commence pre-electoral discussions and a copy of this message was sent to the Co-Chairmen (Document No. 56). But the South Viet-Nameese Government adhered to its attitude and firmly denied that it was bound by the Geneva Agreement (Document No. 57), while the Democratic Republic continued its pressure on the Co-Chairmen (Document No. 58), with the support of the Chinese Government (Document No. 59).

61. The Co-Chairmen transmitted the various messages which they had received to their fellow members of the Conference and asked for comments (Document No. 60). In response, both the Democratic Republic and the Chinese People's Republic sent replies condemning the conduct of the Government in South Viet-Nam (Documents Nos. 61 and 62). Exchanges of views between the Co-Chairmen followed, in which the Soviet Co-Chairman expressed a desire for the convening of a new conference on Viet-Nam (Document No. 63), but Her Majesty's Government preferred a discussion at Co-Chairman level (Document No. 64). After a further Exchange of Notes, it was agreed that discussions should be held on this and other problems between Lord Reading, Minister of State, representing the British Co-Chairman, and M. Gromyko, representing the Soviet Co-Chairman (Documents Nos. 65, 66 and 67).

62. Talks were held accordingly in April, 1956, which led to the despatch of the messages urging the various parties to keep the peace and the Commission to continue its work (paragraph 58 above), but otherwise produced little result. Indeed, since the Government in South Viet-Nam adhered unflinchingly to the position that it was not a party to the Geneva Agreement or Final Declaration and therefore under no obligation to discuss elections and to the view that in any case it was unrealistic to think that any elections held in Communist North Viet-Nam could be free, there was nothing that could be done. And, as was stated in the House of Lords on 25 June, 1957, there was no reason to foresee "any impending change in the totalitarian conditions in the North which would lead them to expect the Viet-Nameese Government to modify this view" (Document No. 68).

63. Another area of disagreement in which the Co-Chairmen were called upon to act was the execution of the provisions in the Agreement prohibiting discrimination against former opponents. This was a perennial source of dispute. Thus in its Sixth Interim Report submitted in 1956, the Commission referred to the large number of complaints made by North Viet-Nam under this head and drew attention to its inability to send mobile teams of investigation owing to the refusal of the authorities in the South to co-operate. On 11 April, 1957, the matter was referred to the Co-Chairmen (Document No. 69); the Soviet Co-Chairman proposed a joint message to the Government in Saigon calling on it to observe the relevant Article of the Agreement (Document No. 70), but the British Co-Chairman held that the Commission had not in fact accused the Government of the Republic of Viet-Nam of violating Article 14 (c) of the Agreement but only

of not facilitating enquiries into alleged breaches thereof. The Government of the Republic of Viet-Nam had, it was stated, given an assurance that there had been no discrimination and had in its turn accused the Democratic Republic of seeking by its complaints to disguise the activities of its subversive agents and to distract attention from its own oppressive behaviour in North Viet-Nam. Her Majesty's Government would therefore do no more than acknowledge receipt of the Commission's message (Document No. 71).

64. Thus for some years after 1954 the Co-Chairmen were engaged in troublesome political issues arising from the situation in Viet-Nam, of which the above are examples; towards the end of the 1950s, however, they were even more engaged in the problem of Laos.

(b) Laos

65. The Agreement on the Cessation of Hostilities in Laos had provided, in Article 14, that "pending a political settlement, the fighting units of Pathet Lao . . . shall move into the Provinces of Phong Saly and Sam Neua", and the Government of Laos in its Declaration of 21 July, 1954, had promised special representation of the Pathet Lao in the administration of these two provinces pending general elections. Paragraph 3 of the Final Declaration had noted that these elections would be held in 1955.

66. The Pathet Lao, however, construed these provisions as entitling it to the exclusive control of the two provinces and declined to allow the restoration of normal administration in them. With the encouragement of the International Commission, the Laotian Government and the Pathet Lao negotiated, but without reaching agreement, and though elections were held in 1955, they did not extend to Sam Neua and Phong Saly. The Pathet Lao claim to control of the provinces, moreover, was incompatible with the presence in them of detachments of Government troops who had been stationed there prior to the cease-fire; and armed clashes occurred.

67. The International Commission by a majority vote, Poland dissenting, adopted on 7 January, 1956, a resolution supporting the Government's claims and resolving to place the matter before the Co-Chairmen (Document No. 72). The issue was discussed by the Co-Chairmen's representatives, at the same time as they took the Viet-Nameese issue into consideration (paragraph 61 above), but they failed to reach agreement and on 16 July talks were postponed pending the outcome of new negotiations between the two parties in Laos. In August a provisional agreement was reached between the Laotian Government and the Pathet Lao, and no further action by the Co-Chairmen was needed for a time thereafter.

68. It was not, however, till the end of 1957 that any agreement of an apparently durable nature was reached in Laos. Then by a series of instruments it was agreed that the two provinces should be transferred to the Royal Government, with a number of Pathet Lao adherents holding administrative offices in them; that the Pathet Lao forces to a limit of 1,500 should be integrated into the Laotian Army and the remaining 7,500 be demobilised; and that two Pathet Lao leaders, Prince Souphanouvong

and Phagna Phoumi Vongvichit, should be given office in a Government of National Union. To enable Pathet Lao adherents to vote, supplementary elections were held in May, 1958.

69. On 20 March, 1958, the Laotian Prime Minister addressed the Commission, saying that the Geneva Agreement had now been fully executed, and asking for the termination of the Commission (Document No. 73) with effect from the date of the supplementary elections; and on 15 May he reported to the Commission that the elections had been held (Document No. 74). The Canadian delegate on the Commission proposed that the Commission dissolve itself (Document No. 75) but the work of the Commission in Laos was bound up with that of the parallel Commissions in Cambodia and Viet-Nam, for the Laotian Declaration of 21 July, 1954, undertook not to seek foreign military aid, except for defence, until there was a final settlement in Viet-Nam; and one of the Commission's duties was to watch imports of military material. The Polish member therefore opposed the Canadian proposal. The Indian member also saw difficulties, since apart from the consideration advanced by the Polish member, the Geneva Agreement made no provision for dissolving any of the three Commissions; he was, however, ready to accept a reduction of the Commission's personnel.

70. After much debate, the Commission on 19 July, 1958, adopted, the Polish member dissenting, a resolution to adjourn *sine die*; it might, according to the terms of the resolution, be reconvened in accordance with normal procedures, though no definition of normal procedures was given. This resolution was submitted through the Government of India to the Co-Chairmen who acknowledged its receipt on 31 January, 1959 (Document No. 76). In their acknowledgement, the Co-Chairmen noted that the adjournment did not affect the legal status of the Commission or its competence to carry out its duties.

71. The settlement in Laos and the adjournment of the Commission did not, however, relieve the Co-Chairmen of their labours in respect of Laos. The situation there rapidly deteriorated. On the one hand, the Pathet Lao, supported by the Democratic Republic of Viet-Nam and Communist China, asserted that the Laotian Government were taking repressive measures against former Pathet Lao adherents, contrary to the Geneva terms, and on the other hand the Laotian Government complained that the Neo Lao Hak Sat, the political arm of the Pathet Lao, was engaging in intimidation and terrorism and also that North Viet-Nameese forces were encroaching on Laotian territory in support of the Pathet Lao. During 1959, the situation very much worsened. The Pathet Lao troops refused to accept integration into the national Army on the terms arranged, deserted, and took to the hills with their arms, and a state of civil war ensued. Prince Souphanouvong and other Pathet Lao leaders were placed under arrest, from which they escaped in May 1960. The Laotian Government appealed to the United Nations Secretary-General, and on 7 September, 1959, the Security Council appointed a sub-committee to examine the situation on the ground; in its report, issued on 4 November, the sub-committee found that from documents placed before it by the Laotian Government, it would appear that dissidents in Laos were receiving support from North Viet-Nam though it was not clearly established whether North Viet-Nameese regular troops had crossed the border.

72. Against this background, the Communist Powers called for a reassembling of the International Commission. The Soviet Government, supporting allegations that the Laotian Government had violated the Geneva Agreement, advocated this course; but Her Majesty's Government held that a reconvening of the Commission contrary to the will of the Government of Laos would be an infringement of that country's sovereignty which the Geneva Powers had undertaken to respect. In regard to Chinese assertions that the United States had introduced large numbers of military personnel and arms into Laos, Her Majesty's Government held the allegation to be unfounded (Document No. 77). The Democratic Republic of Viet-Nam also demanded that the Commission resume its functions (Document No. 78), and the Chinese Government did the same (Document No. 79). Pressure from the Communist *bloc* continued (Documents Nos. 80-82) but in a Note of 8 June, delivered in Moscow on the 9th, Her Majesty's Government rebutted the various charges levelled against the Government of Laos and furthermore urged the Soviet Government to use their influence with the authorities in North Viet-Nam to induce them to exercise restraint in their attitude towards Laos (Document No. 83). The Soviet Government adhered to its position (Document No. 84) and also expressed disapproval of the Laotian appeal to the United Nations, whereas Her Majesty's Government expressed support for this action (Documents Nos. 85, 86). Her Majesty's Government also rebutted a Chinese allegation that a proposal then on foot in Laos to bring the arrested Pathet Lao leaders to trial would be a breach of the Geneva settlement (Document No. 87).

73. During 1960 the situation in Laos was rendered more complex by the revolt in August of part of the national Army led by Captain Kong Lae, who disapproved the increasingly right-wing complexion of the Government and the acceptance of American aid: he demanded a neutralist Government which would come to terms with the Pathet Lao. A confused situation ensued, with rival Governments claiming authority, and with both the neutralist forces and the Pathet Lao receiving military supplies from North Viet-Nam and from Soviet Russia and the Government forces receiving supplies from the United States. It was clear that the conflict could easily assume international dimensions and that decisive action must be taken to avert this danger. The outcome was the convening of the Geneva Conference on Laos.

5. The Geneva Conference on Laos, 1961-62⁽¹²⁾

74. On 15 December, 1961, Mr. Nehru, Prime Minister of India, addressed the Co-Chairmen, drawing their attention to the gravity of the situation in Laos and proposing that the International Commission which had adjourned *sine die* in 1958 should be reconvened (Document No. 88). On the 19th of the month the Foreign Secretary stated in the House of Lords that if the Laotian Government were agreeable to this proposal, he would approach the Soviet Co-Chairman; meanwhile, he would express to the Soviet Government his concern at the situation and suggest that a stop be put to the supply of assistance from outside the country to those in rebellion against the legal Government (Document No. 89). The Soviet Co-Chairman

(12) "Laos No. 1 (1962)", Cmnd. 1828.

had also received Mr. Nehru's note, and on 22 December he addressed Her Majesty's Government, asserting that the troubles in Laos arose from the intervention of the United States and other members of the South-East Asian Treaty Organisation; he regarded the neutralist leader Prince Souvanna Phouma, as the rightful Prime Minister of Laos; and proposed that a conference of interested Powers be convened to review the position; and that meanwhile the International Commission should resume its work (Document No. 90).

75. The plea for the convening of a conference was also advanced by Prince Norodom Sihanouk of Cambodia, who, having abdicated the throne in 1955 so as to lead his country's political life, had in 1960 assumed the functions of Head of State though not the designation of King (Document No. 91). His message was acknowledged by Mr. Macmillan, the Prime Minister, on 13 January, 1961, with the suggestion that the most urgently needed step was to bring warfare to an end by reviving the International Commission (Document No. 92). The proposal for a conference met approval from most other interested parties, and on 20 January Mr. Khrushchev in a letter to the Prime Minister stated that his Government was ready to undertake, with Her Majesty's Government, the steps needed to convene a conference and to reactivate the Commission (Document No. 93). In this message, the Soviet leader maintained the position that the neutralist leader, Prince Souvanna Phouma, was the rightful Premier of Laos and the Government which he claimed to lead the only rightful Government.

76. On 21 January, H.M. Ambassador in Moscow replied to the points raised in the Soviet note of 22 December. He emphasised that the immediate need was to bring hostilities in Laos to an end by reviving the International Commission, but pointed out that the consent and co-operation of all parties in the country would be needed; and to circumvent the difficulty created by the existence of rival Governments recognised by different Powers, he suggested that the proposal to revive the Commission be submitted to the King of Laos, whom all parties recognised, or professed to recognise, as the Head of State (Document No. 94). This solution of the problem did not meet the approval of the Soviet Government, who on 18 February insisted that executive authority in Laos was vested in Prince Souvanna Phouma's Government; they proposed that the Commission meet forthwith, but in New Delhi and not in Laos, and that it should draft instructions to be issued to it by the Co-Chairmen (Document No. 95). The effect of such a measure would, however, be that the achievement of a cease-fire would be delayed and this Her Majesty's Government could not accept. In response, Her Majesty's Government on 23 March reiterated its conviction that the first steps should be the recall of the Commission to Laos and the arrangement of an armistice; such measures ought, it was held, to precede a conference (Document No. 96). The Soviet Government, on the other hand, still held to the view expressed in its communication of 18 February (Document No. 97).

77. Not till nearly the end of April could agreement be reached. Then, on the 24th of the month, the Co-Chairmen issued messages appealing to the three parties in Laos to cease hostilities, inviting the Commission to reassemble, and proposing to the interested Powers the holding of a conference (Documents Nos. 98-100).

78. On 11 May, the International Commission reported from Laos that an effective cease-fire was now in operation (Document No. 101), and so an essential prerequisite, from the Western point of view, of the opening of the Conference was provided.

79. The Conference which thus assembled at Geneva on 16 May, 1961, was strictly not a continuation or revival of the Conference of 1954. In that year representatives of nine Governments—Cambodia, China, France, Laos, the Soviet Union, the United Kingdom, the United States, Viet-Nam, and the Democratic Republic of Viet-Nam—attended; in 1961, as suggested by Prince Sihanouk in his message of 1 January, the three Supervisory Powers—India, Canada and Poland—attended, and also Burma and Thailand as interested neighbours of Laos, making fourteen members in all. Also, whereas in 1954 the Conference considered the affairs of all the countries constituting Indo-China, in 1961 only the Kingdom of Laos was on the agenda.

80. Prince Sihanouk was invited, and agreed, to open the Conference as a tribute to his initiative. Thereafter the procedure of 1954 was followed, and the leaders of the United Kingdom and Soviet delegations, usually Mr. Malcolm MacDonald and M. Pushkin respectively†, once more acted as Chairmen in alternate sessions. The Co-Chairmen played a more active part in the proceedings than they had in 1954. It was they who took the initiative in resolving procedural difficulties; in effect they drew up the programme of the Conference; and where agreement proved impossible in the full Conference they held private discussions outside the formal sessions, after which each presented the problem and the possible solution on which they had agreed to their associates; they also held discussions at times with the neutral delegations. The Conference in general, too, was to a great extent organised and managed by the United Kingdom and Soviet delegations: thus there were United Kingdom and Soviet Co-Secretaries, Co-Chairmen of the Financial Committee, and Co-Chairmen of the Drafting Committee.

81. At the outset a procedural difficulty arose. The Soviet delegation demanded the admission to the Conference on equal terms of representatives of all three Laotian groups, namely, Prince Souvanna Phouma's Government, which was recognised only by the Communist countries, Prince Boun Oum's Government, which was recognised by the Western Powers and their associates, and the Neo Lao Hak Sat or Pathet Lao party led by Prince Souphanouvong. Both the United Kingdom and the United States were reluctant to accept representation of the Neo Lao Hak Sat on equal terms with the other two; and Prince Boun Oum's Government declined to concur in a step which would prejudice its claim to be the only lawful Government. Ultimately a compromise was reached: delegates representing the three groups were regarded as attending on behalf of the three political parties in Laos and not on behalf of any Government.

82. Difficulty also arose from the continuance of acts of hostility in Laos. The Western Powers had agreed to attend the Conference provided that a cease-fire had been previously established, and when the Conference assembled general fighting had come to an end; but isolated military incidents still occurred, arising from the absence of any firm cease-fire line and the presence of pockets of troops and sympathisers of each side behind the other's

† The titular leaders of the two delegations, Lord Home and Mr. Gromyko, only attended certain sessions.

front. A determined attack by the Pathet Lao on a base at Ban Padong, held by Meo tribesmen in support of Prince Boun Oum, on 6 June forced the Meo to evacuate the place, and the United States, supported by other Western delegations, refused to continue participation in the Conference until this breach of the cease-fire was brought to an end. This further delayed the conduct of business.

83. It was evident that, whatever might be agreed by other participants in the Conference, there could be no lasting settlement in Laos unless the three contesting parties could be brought to agreement; this was necessary both for the future peace of Laos and also for the sake of organising proper representation of Laos at the Conference. The Co-Chairmen used their influence to induce the parties to come to an agreement and to form a Government of National Union; and, after a meeting at Zurich, Prince Boun Oum, Prince Souvanna Phouma, and Prince Souphanouvong issued on 22 June a communiqué agreeing to establish a provisional Government of National Union which would send a single delegation to the Conference, and which would pursue a neutral foreign policy (Document No. 102). In October, after a further meeting held at Ban Hip Heup in Laos, the three parties agreed that Prince Souvanna Phouma be named as Premier, but further progress was impeded by disagreement on the personnel of his Cabinet. The work of the Conference was thus still held up; and despite the agreement at Zurich to implement the cease-fire, armed clashes still occurred. On 2 December, therefore, the Co-Chairmen addressed the three Princes, urging them to arrive at a speedy execution of their previous agreements (Document No. 103); and a further message, pointing out that their failure to agree was impeding the work of the Conference, was sent on the 18th of the month (Document No. 104). The Princes still failed to agree on the allocation of portfolios in the new Government, however, and on 6 January, 1962, yet another message was despatched by the Co-Chairmen, suggesting that they all three come to Geneva (Document No. 105). This proposal was accepted, but disagreement continued.

84. Conflicts in Laos still occurred, and on 6 May the Pathet Lao forces occupied the town of Nam Tha, in north-western Laos, near the Thai border. This was not only a serious breach of the cease-fire: it also presented a threat to Thailand's security; and on 11 May President Kennedy announced the despatch of United States armed forces to Thailand; a Royal Air Force squadron was also sent, and Australia and New Zealand too sent contingents.

85. Negotiations between the three Princes were resumed on 7 June in Laos, and on the 12th they at last agreed on the composition of the new Provisional Government of National Unity, which took office on the 23rd. A united Laotian delegation was then sent to Geneva, where on 23 July the Conference issued a Declaration on the Neutrality of Laos (Document No. 106) and adopted a Protocol containing provisions affecting the role of the Co-Chairmen and the International Commission (Document No. 107).

86. The Conference Declaration approved a statement of neutrality previously issued on 9 July by the Laotian Government, and affirmed the intention of the Conference members to respect the sovereignty, independence, neutrality and unity of Laos; members agreed to consult together in event of any threat to the independence or unity of the Kingdom. The Protocol defined the term "*Commission*" in the same terms as had been adopted in

1954, and the Commission's duties were prescribed in terms similar to those laid down in the Agreement on the Cessation of Hostilities of 1954, with a few minor variations such as a directive to submit periodical reports and also to inform the Co-Chairmen of important matters. The status of the Commission was, however, altered, for it was stated in Article 14 that "The Commission functions as a single organ of the International Conference for the Settlement of the Laotian Question, 1961-62", and so the Commission became, what it had not formerly been, an instrument of the Conference.

87. The Protocol also regularised the position of the Co-Chairmen, whose designation and functions had not been even mentioned in the Agreement and the Final Declaration of 1954. The Co-Chairmen were defined as the Foreign Ministers of the United Kingdom and the Soviet Union. They were empowered to receive reports from the Commission, and the Commission was required to report to them any violations of the Protocol, all significant steps which it took in pursuance of the Protocol, and also other important information which might assist the Co-Chairmen in discharging their duties. The Co-Chairmen were empowered to make recommendations to the Commission exercising general guidance. The Co-Chairmen were to exercise supervision over the observance of the Protocol and the Declaration on the Neutrality of Laos;⁽¹³⁾ and were to circulate Commission reports to members of the Conference and to keep them constantly informed. They might also at any time, should the Laotian Government so request, and must in any case within three years, make a recommendation to the Conference members on the termination of the Commission.

88. In this way the Co-Chairmen received, for the first time, a formal sanction for their exercise of authority, and incurred an express duty of "supervision" over the observance of the agreement reached by the Conference. Thus the functions of the Co-Chairmen, which had developed in a haphazard manner in response to the needs of the situation, were defined and sanctioned. To a considerable extent, the Protocol formalised practices already in use, but in doing so the Protocol strengthened the Co-Chairmen's authority. The sanction given in 1962 to existing practices applied only in the case of Laos, but the fact that the Co-Chairmen's functions were formalised in regard to Laos tended to strengthen their less formal exercise of parallel functions elsewhere, in Viet-Nam and Cambodia. The common view of their status was expressed in April, 1963, by the Foreign Minister of North Viet-Nam, who spoke to H.M. Consul-General in Hanoi of "the United Kingdom's responsibility as one of the Chairmen of the Geneva Conference to see that the terms of the Geneva Conference were carried out and a solution found to the present situation in South Viet-Nam". The Co-Chairmen's responsibility in Viet-Nam and Cambodia is commonly regarded as no less than their responsibility in Laos, even though in the former cases it rests on no formal foundation.

89. The instruments adopted at Geneva in 1962 differed in one basic respect from those of 1954. In contrast to the Final Declaration of 1954, the Declaration on the Neutrality of Laos and the Protocol were both formal instruments, signed on behalf of the participating Governments.

(13) "Treaty Series No. 27 (1963)", Cmnd. 2025.

6. The Role of the Co-Chairmen since the Geneva Conference on Laos

(a) Finance

90. After the conclusion of the Conference on Laos, the work of the Co-Chairmen continued in much the manner as before. Finance was still a major problem. The Protocol defined the proportions in which Governments were to contribute to the budget of the International Commission in Laos, but it omitted reference to the accounting procedure to be employed; it also omitted reference to the Co-Chairmen's functions in respect of finance. But despite this last omission, much effort was put by the Co-Chairmen into placing the Commission's finances on a systematic basis. At one stage the Co-Chairmen deputed representatives of their Governments in Vientiane to examine the Commission's estimates for the first year after the signature of the Protocol, and their findings were discussed in Moscow before an overall agreement on procedure was communicated to the other Geneva Powers together with a request for outstanding contributions. In the cases of Viet-Nam and Cambodia also, the Co-Chairmen continued to be the channel through which the contributing Governments maintained the two Commissions. This work, unobtrusive and laborious, was essential to the continued activities of the three Commissions, and in so far as the Commissions have contributed to peace in the Indo-China countries, this aspect of the Co-Chairmen's work has been from 1954 onwards of major value.⁽¹⁴⁾

(b) Laos

91. On the political plane, on the other hand, the outcome of the Co-Chairmen's work proved less happy. Speaking in the House of Lords on 25 July, 1962, the Foreign Secretary expressed the hope that Laos would henceforth be able to survive as a neutral State, on which neither East nor West would impose its will (Document No. 108), but these hopes were soon frustrated, while at the same time the situation in Viet-Nam deteriorated and in addition difficulties arose in respect of Cambodia.

92. In Laos the Government of National Union failed to operate as an effective Government. The three rival elements, right-wing, neutralist, and left-wing, were unable to co-operate, each maintained its own armed forces in being, and each sought to retain exclusive control of the areas in which it was strong. Relations amongst the three groups were worsened by the assassination on 12 February, 1963, of a senior neutralist officer at the instigation, it was believed, of the new Foreign Minister, Quinim Pholsena, who was thought to favour the leftist faction amongst the neutralists; and tension increased when on 1 April Quinim was himself murdered. Military incidents occurred with increasing frequency, and despite a series of talks amongst the several political leaders no real basis for agreement was found, and by the beginning of 1964 the country had reverted to its former condition of general civil war, with rival forces receiving military aid from external sources. The situation was made the worse by an attempt of a group of right-wing officers to overthrow the Premier, Prince Souvanna Phouma, in a *coup* of 19 April, 1964, though the refusal of the Western Powers to give

⁽¹⁴⁾ Certain Governments are still in arrears with their contributions.

them any support forced them to abandon their scheme. In general, during 1964 a situation arose which was as menacing to international peace as that which prevailed in 1960.

(c) *Viet-Nam*

93. In Viet-Nam, too, a dangerous situation arose. After it became evident that the Government of Viet-Nam would not agree to country-wide elections leading to the reunification of the country as envisaged by the 1954 Geneva settlement to which that Government had not been a party, the Communists in the north turned their attention to attempts to destroy the southern Government by force. In December, 1960, in pursuance of a resolution adopted at the congress of the Lao Dong (Communist) Party of North Viet-Nam three months earlier, a National Front for the Liberation of South Viet-Nam was formed, and from that time onwards acts of terrorism directed especially against village and town officials increased rapidly. During 1961 some 2,000 village officials were assassinated by the Viet Cong or Viet-Nameese Communists; villagers were threatened with savage reprisals if they should co-operate with the Government; and young men were taken away to be indoctrinated and to undergo training as anti-Government guerillas. In Communist propaganda, these developments were represented as a spontaneous rising against an unpopular Government, but in the view of Her Majesty's Government this was very far from being the case. The Government's opinion of the matter was stated in the House of Commons on 19 February, 1962, in response to opposition criticisms (Document No. 109). What was happening in South Viet-Nam was, in their view, "a calculated Communist take-over bid", directed from North Viet-Nam (Document No. 110).

94. Unfortunately, the Government of Viet-Nam was itself far from stable. President Ngo Dinh Diem ruled in an arbitrary manner through an autocratic system of government in which members of his family played a very important part, and he thus lacked the popular support which might have enabled him to cope with the Viet Cong attack. He enjoyed Western support: in October 1961, the American General Maxwell Taylor recommended, after a visit to Viet-Nam, that his Government give all possible assistance short of direct military action; and Her Majesty's Government sent a small mission under a former Malayan Civil Servant, Mr. R. G. K. Thompson, to advise on the civil and administrative aspects of the Viet-Nameese efforts against the guerillas. The Government's lack of general support was, however, made further manifest during 1963 when Buddhist resentment against rule by the Roman Catholic Ngo family expressed itself in serious rioting; and on 1 November, 1963, a group of service officers effected a *coup* in which President Diem perished. Thereafter South Viet-Nam failed to find a stable Government, four Cabinets dominated by different military groups rose and fell with regrettable frequency.

95. American aid, in the form of advisory military personnel and material, was continued, and United States naval craft were present in neighbouring waters. On 2 August, 1964, North Viet-Nameese torpedo-boats attacked the United States destroyer *Maddox* in the Gulf of Tongking, but air-support from a carrier led to the defeat of the torpedo-boats, one of

which was believed to have been sunk. Despite a warning on 3 August by President Johnson that American forces would, if again attacked, take all necessary measures not only to repel the attacking force but also to destroy it, further hostile action against United States ships in international waters was reported on 4 August, and in retaliation American forces took air action against gunboats and bases in North Viet-Nam.

96. The military situation in South Viet-Nam showed no improvement, however, and in February, 1965, air action was begun by the United States against Communist installations in North Viet-Nam as well as against Viet Cong personnel in the South, while during the ensuing months the numbers of American forces in South Viet-Nam were considerably augmented. In general, a state of warfare prevailed throughout South Viet-Nam.

(d) Cambodia

97. In the case of Cambodia, difficulties arose from her strained relations with her neighbours, Thailand and South Viet-Nam. Cambodia, once covering a wide area in what are now South Viet-Nam and Thailand, had in earlier times suffered extensive losses of territory at the hands of her neighbours, and it is possible that, but for French intervention during the 19th century, the Kingdom would have been entirely absorbed by them. There remained a large Khmer population in South Viet-Nam, at times said by the Cambodian Government to suffer oppression at Viet-Nameese hands; and there was a Viet-Nameese minority in Cambodia whose loyalty to the Kingdom was suspect. Cambodia, moreover, regarded some of South Viet-Nam as rightfully her territory, and disagreement arose particularly about certain islands off the coast at the junction of the two countries. South Viet-Nam complained that Viet Cong guerillas were given harbourage in Cambodia, and Cambodia complained that Viet-Nameese forces in pursuit of guerillas encroached over her frontiers. Relations between Cambodia and South Viet-Nam were thus at best distant, and at times very seriously strained. In respect of Thailand, Cambodians bore in mind the fact that, as late as 1940, the French had been compelled to surrender to the Thai large areas of territory in the west and north of Cambodia, though these had been retroceded after the Pacific War, and fears of Thai aggression were often voiced. In addition, the Cambodian Government suspected the Thai of encouraging Cambodian dissidents, and of seeking to overthrow Prince Sihanouk's Government because of its strictly neutralist policy. In 1961, Cambodia's diplomatic relations with Thailand were broken off, and in 1963 relations with South Viet-Nam were severed.

98. The Cambodian Government therefore sought security through an international guarantee of her neutrality and territorial integrity on the lines of the guarantee given to Laos in 1962.

99. Thus in general the situation in the three Indo-China countries contained grave dangers of international strife, and the two Co-Chairmen of the Geneva Conference found their tasks increasingly troublesome; and the greater the tension the more difficult it was for the Co-Chairmen, as in fact spokesmen for two differing points of view, to reach agreement.

(e) Political action by the Co-Chairmen

100. Disagreement between the Co-Chairmen in regard to Viet-Nam arose, for example, from a Special Report submitted by the International Commission in June, 1962.⁽¹⁵⁾ The Commission, the Polish member dissenting, stated that both North and South Viet-Nam had committed breaches of the 1954 Agreement, and though by no means uncritical of the attitude of South Viet-Nam, accused the People's Army of North Viet-Nam (PAVN) of giving support in men and material to the guerillas in South Viet-Nam. The Commission therefore requested the Co-Chairmen to induce both parties to respect the Agreement of 1954 (Document No. 111), but this led to no effective result.

101. Again, early in 1963 the Government of the Democratic Republic sent to the Co-Chairmen a message accusing the United States of using chemical warfare in South Viet-Nam (Document No. 112) and the Soviet Co-Chairman thereupon proposed a joint message to the Commission which assumed the justice of the complaint, but the British Co-Chairman was unable to accept the assumption and also held that as the Commission had the matter under action it would be both unnecessary and undesirable for the Co-Chairmen to intervene (Documents Nos. 113-116).

102. The naval incident of August, 1964, also led to a difference of opinion between the Co-Chairmen. The Soviet Government supported a complaint by North Viet-Nam to the Co-Chairmen, but Her Majesty's Government both in exchanges with the Soviet Union and in the Security Council held that the United States had only exercised a legitimate right of self-defence (Document No. 117).

103. In general, the Co-Chairmen were unable to establish any real degree of co-operation in respect of events in Viet-Nam, and to a great extent the Co-Chairmanship had, by the beginning of 1965, become inoperative on the political plane. Thus on 20 February Her Majesty's Government proposed a joint message to the Geneva Powers and the Supervisory Powers, asking for their views on the best way to attain a peaceful settlement; but in response the Soviet Government proposed a message of a different character, denouncing the United States as the source of Viet-Nam's troubles, which Her Majesty's Government could not accept (Document No. 118).

104. In the case of Laos, where the Co-Chairmen exercised specific and legally sanctioned authority under the Protocol of 1962, the Co-Chairmen were even more active than in the case of Viet-Nam. Apart from the existence of a recognised basis for their functions, the situation in Laos differed from that in Viet-Nam in that the Soviet Union had diplomatic representation in Vientiane whereas it had not in Saigon, and the United Kingdom was also represented in Vientiane but not in Hanoi; though from the end of 1954 the British Government maintained a Consulate-General in Hanoi, there was properly no diplomatic representation there since Her Majesty's Government recognised the Government of the Republic of Viet-Nam, in Saigon, as the only Government in Viet-Nam. In Laos, the British and Soviet Ambassadors on a number of occasions acted jointly as representatives of the Co-Chairmen, and by working together could

⁽¹⁵⁾ " Viet-Nam No. 1 (1962) ", Cmnd. 1755.

at times act as conciliators amongst the competing political groups within the country, whereas in Viet-Nam the Co-Chairmen necessarily co-operated at long range and were unable to play so active a part.

105. When Quinim Pholsena was assassinated in April, 1963, the Co-Chairmen agreed on a joint message of sympathy to the Laotian Government and an appeal to the parties in Laos to take measures to prevent such occurrences (Document No. 119). The gravity of the Laotian situation also caused the British Co-Chairman to propose sending a message of guidance to the International Commission and advice to the Laotian Government, in pursuance of the authority entrusted to the Co-Chairmen by the Protocol (Document No. 120), but his Soviet colleague in response sent a draft (Document No. 121) containing allegations that the United States was the cause of the trouble; this Soviet move blocked the proposed action (Documents Nos. 122, 123). Again a few weeks later the Co-Chairmen were unable to agree on a Soviet draft message to the Laotian Government proposing the formation of a mixed police force, drawn from all three political groups, for Vientiane and also condemning the Commission's majority decision to send representatives to the scene of hostilities (Document No. 124). The British Co-Chairman held that the proposal about a police force would contravene the undertaking given at Geneva to refrain from interference in Laotian domestic affairs, and also that the Commission's action had been justified (Document No. 125).

106. Again in May, 1963, when Prince Souphanouvong sent the Co-Chairmen a message criticising both the United States and the majority in the International Commission, the Soviet Government proposed a message in terms supporting the allegations (Document No. 126). At this point the Co-Chairmen received a message from the Laotian Premier, Prince Souvanna Phouma, objecting to the terms of Prince Souphanouvong's message (Document No. 127) and a Special Report from the International Commission referring to the dangerous situation which had arisen in the field (Document No. 128). On this occasion the Co-Chairmen were able to agree on a reply to Prince Souvanna Phouma, appealing to all concerned to observe the Geneva Agreement (Document No. 129).

107. In response to the Co-Chairmen's message, Prince Souvanna Phouma on 18 June declared that the conduct of the Neo Lao Hak Sat was rendering agreement between the parties impossible (Document No. 130), and in a further letter of the 20th he registered a protest against that party's deliberate violations of the Geneva Agreement (Document No. 131). The British Co-Chairman then invited his Soviet colleague to use his influence to bring the Communist side to a more reasonable frame of mind (Document No. 132), and in a draft message handed over in Moscow on 15 June he urged the several Laotian parties to establish a unified administration and to refrain from obstructing the work of the International Commission (Document No. 133). He also proposed a message to the Geneva Powers on similar lines (Document No. 134). The Soviet Co-Chairman, however, wanted a message in which the United States, the S.E.A.T.O. Powers and the Laotian right wing would stand equally condemned (Document No. 135), but this the British Co-Chairman could not accept (Document No. 136).

108. Further disagreement arose between the Co-Chairmen from a complaint by the Democratic Republic of Viet-Nam that the United States was violating the Geneva Agreements of 1962 by supplying military material to the anti-Communist elements in Laos. The Soviet Co-Chairman proposed the issue of a message supporting this complaint (Document No. 137), whereas the British Co-Chairman held that the Neo Lao Hak Sat was itself at fault (Document No. 138).

109. Yet again differences of opinion arose from the transfer of the military base at Seno from French hands to the Laotians. Prince Souphanouvong complained that the base had been transferred without prior consideration of the matter by the coalition Government, with the result that it had passed into right-wing hands; the Soviet Co-Chairman supported his view that the base should be occupied by units drawn from all three military groups in Laos and wished to address the Laotian Premier accordingly (Documents Nos. 139-141), but the British view was that the transfer had been effected in accordance with the Geneva Protocol and that any difficulty that had ensued was due to the failure of the three parties in Laos to agree (Document No. 142).

110. The problems arising in Laos were the subject of a statement in the House of Commons by the Lord Privy Seal on 2 July, 1963 (Document No. 143).

111. On the issues referred to above and on others the two Co-Chairmen failed to act in unison. When, however, the military *coup* was attempted in Vientiane in April, 1964, the Co-Chairmen joined in condemning it (Document No. 144). In the confused situation which ensued on this incident, a number of proposals for a solution of the problems of Laos were put forward from different quarters. Some Governments, including the French and Cambodian, the Soviet and the Chinese, were in favour of convening yet another international conference, while the Polish Government suggested consultations amongst the Foreign Ministers of the Control Commission Governments and the Co-Chairmen, though this proposal appears to have found little favour in the eyes of other Communist Powers and was soon abandoned. Her Majesty's Government looked for an immediate solution in meetings to be held in Vientiane between the diplomatic missions of the Geneva Powers (Documents Nos. 145, 146). Meetings were accordingly held in Vientiane during June on the invitation of H.M. Chargé d'Affaires, though China, Cambodia, France, the Soviet Union, the Democratic Republic of Viet-Nam and Burma were not represented. The United States, Thailand, South Viet-Nam, Canada and, with some reservations, India accepted the invitation (Document No. 147). These meetings resulted in a series of recommendations designed to strengthen the International Commission (Document No. 148) and the Indian representative, while dissociating himself from these recommendations on the grounds that they encroached on the sphere of the Commission and that, in any case, India was herself a member of the Commission, nevertheless subscribed to a communiqué urging the Co-Chairmen to do all in their power to bring about an immediate cease-fire.

112. In practice, however, there seemed to be little that the Co-Chairmen could do. The Neo Lao Hak Sat showed no signs of responding to any

appeals, whether made publicly or privately, and the Soviet Government appeared to become increasingly resentful of the infructuous burden which the Co-Chairmanship in Laos involved. In July, 1964, there seemed to be a distinct possibility that the Soviet Co-Chairman might abandon his office (Document No. 149), and in the House of Commons concern was expressed at the prospect by both sides of the House (Document No. 150).

113. In a visit to Moscow, the Foreign Secretary, Mr. Butler, informed the Soviet leaders of the British Government's hope for the continuance of a method of co-operation which had over a period of ten years helped to prevent the conflict in Laos from spreading abroad (Documents Nos. 151, 152).

114. In the case of Cambodia, as so often in the cases of Viet-Nam and Laos, the Co-Chairmen tended to pursue different lines. Prince Sihanouk wanted to secure an international guarantee of his country's neutrality through the holding of a conference, and in 1962 after frontier incidents on the Viet-Nameese and Thai borders had occurred he proposed a reconvening of the conference that had just concluded its labours in respect of Laos, but Her Majesty's Government thought that it would be easier to reach a settlement by direct negotiations between Cambodia and her neighbours (Document No. 153), and the United States took a similar line. Cambodia, however, supported by the Soviet Union, adhered to the demand for a conference, and on 14 December, 1963, announced the withdrawal of the personnel of her Embassies in London and Washington, though without severing diplomatic relations.

115. As bilateral negotiations seemed unlikely to take place, Her Majesty's Government stated in December, 1963, that it supported the principle of convening a conference (Documents Nos. 154, 155). But it was apparent that unless there were general agreement amongst the interested Powers on the desirability of holding such an assembly, no conference could be held. Neither Her Majesty's Government nor the Soviet Government as Co-Chairmen had the authority severally or jointly to require attendance at a conference; they could do no more than issue invitations, a step which would be useless unless the governments so invited were agreeable. Until, therefore, Cambodia's relations with her neighbours in Thailand and South Viet-Nam were put on a better footing, no proposal for a conference was likely to lead to a constructive result.

116. However, the British Co-Chairman prepared drafts of documents on Cambodian neutrality which were submitted to the Soviet Co-Chairman and to the Cambodian Government (Document No. 156). Exchanges of views, without agreement, continued, the British view being that the first step must be to reach agreement on the tasks to be achieved by a conference (Document No. 157).

117. Meanwhile frontier incidents occurred, and Prince Sihanouk continued to press for a conference (Documents Nos. 158-160). The British Co-Chairman, while desirous of organising a conference, still saw more hope in direct negotiations between Cambodia and other Powers (Document No. 161), but Prince Sihanouk thought that the United Kingdom was seeking to avoid the holding of a conference (Document No. 162). A good

deal of irritation was engendered in Cambodia, where in March, 1964, a mob attacked and wrecked the British and American Embassies in Phnom Penh. In a broadcast statement expressing regret for this outrage Prince Sihanouk stated that the incident reflected "the legitimate exasperation of Cambodian youth at the repeated humiliations inflicted on their country by the Anglo-Saxon Powers".

118. The British position was clearly stated by the Secretary of State in March, 1964, in an exchange of views with the Soviet Co-Chairman and in a message to Prince Sihanouk. He pointed out that it would serve no purpose to issue invitations to a conference unless all the governments concerned were willing to attend, and that therefore the best course would be for the Cambodian Government to discuss its differences with other interested Powers, so as to arrive at a preliminary agreement which a conference could endorse (Documents Nos. 163-165).

119. Discussions on this basis amongst the Powers continued during the remaining months of the year, and in the early months of 1965 appeared to be approaching a useful conclusion.⁽¹⁶⁾

7. The Situation in 1965

120. The year 1965 opened with a state of violent conflict in South Viet-Nam involving an increasing number of troops from both Communist North Viet-Nam and the United States; with Laos in a condition of utter confusion; and with Cambodia at loggerheads with her neighbours and with the Western Powers. The policy of Her Majesty's Government aimed at restoring peace and good relations in the Indo-China area, but the Government had no sympathy for the solution propounded by the Communist Powers, namely, that the United States should unconditionally withdraw from the area.

121. None of the Communist Powers gave any support for the suggestion, which Her Majesty's Government inclined to favour, of a conference on Viet-Nam or, indeed, for negotiations in any serious form on any of the Indo-China problems. No doubt, with the military situation in Viet-Nam apparently developing in their favour, as seemed to be the case in the early months of 1965, they hoped to achieve their ends by direct action in preference to accepting a conference from which a compromise could emerge. The situation was explained by the Foreign Secretary in the House of Commons on 1 April (Document No. 166).

122. In an endeavour to resolve the impasse, Her Majesty's Government in April sent the Right Hon. Mr. Gordon Walker to the East; though he was not able to visit Hanoi or Peking, he was successful in visiting other capital cities and in easing the way for the convening of a conference on Cambodia, though not on Viet-Nam (Document No. 167).

123. The position was considered by the South-East Asia Treaty Organisation, which on 5 May issued a communiqué affirming its view that the defeat of the Communist attack on South Viet-Nam was essential to the

⁽¹⁶⁾ Recent Diplomatic Exchanges concerning the Proposal for an International Conference on the Neutrality and Territorial Integrity of Cambodia. "Cambodia No. 1 (1965)", Cmnd. 2678.

security of South-East Asia as a whole, and welcoming the American determination to support South Viet-Nam and at the same time to enter into negotiations provided these were unconditional. In regard to Laos, the S.E.A.T.O. Council condemned the presence of North Viet-Nameese forces in that country and the use of Laotian territory as a channel for sending men and material to the Viet Cong (Document No. 168). The S.E.A.T.O. point of view was supported by a statement by the Prime Minister on 13 May, in which he expressed regret that the Communist Powers showed no readiness to accept a settlement on any but their own terms (Document No. 169).

124. The Commonwealth Heads of Government, too, considered the situation at their meeting in June. They issued a communiqué expressing their concern at the position in Viet-Nam, and resolved to send a Commonwealth Mission to make contact with the Governments concerned (Document No. 170). A message was then sent to the Governments of South Viet-Nam, North Viet-Nam, the Soviet Union, China, and the United States, announcing that the Mission would comprise the Heads of Government of the United Kingdom, Ghana, Nigeria, and Trinidad and Tobago (Document No. 171). Pending the departure of the Mission to the field, the belligerent parties were urged to limit their military action (Document No. 172). It was stressed that the Commonwealth was in no way committed to either side in the conflict and was, indeed, divided in opinion on some matters; but it was also asserted that there was complete unanimity on the need for a peaceful solution (Document No. 173). These approaches elicited, however, no favourable response from the Communist side; and a visit to Hanoi in July by a Minister, Mr. H. Davies, was equally unproductive.

125. In general, the British Government aimed at the convening of another conference, leading to a settlement which would assure both South and North Viet-Nam against aggression, without binding South Viet-Nam to any military alliance; the future relations between the North and the South should be left for the free decision of the peoples of both zones. This was also the policy of the United States, whose troops would be withdrawn from Viet-Nam should the South be firmly assured against attack. Speaking at Oxford on 16 June, the Foreign Secretary pointed out that this reasonable plan for the future was rejected by the Communist Powers; but, despite their refusal, it would, he said, be the continued policy of the British Government to seek a solution by means of a conference (Document No. 174).

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Extract from the Report to the Combined Chiefs of Staff by the Supreme Allied Commander, South-East Asia, 30 June, 1947

At the Potsdam Conference, the Combined Chiefs of Staff had allotted to S.E.A.C. that part of French Indo-China lying south of 16° North, and by this arbitrary division the northern half of the country was occupied by Chinese forces. My specific instructions from the Chiefs of Staff were to secure control of the Supreme Headquarters of the Japanese Expeditionary Forces of the Southern Regions: the Headquarters of Field-Marshal Count Terauchi, which was now located in Saigon. The Chiefs of Staff laid down, however, that my forces were not to occupy more of French Indo-China than would be necessary to ensure this control; and that they should be withdrawn as soon as their military task—the round-up and disarming of the Japanese, and the Recovery of Allied Prisoners of War and Internees—was completed. I was told that French forces, with Civil officials, would be responsible for the administration of the country, Civil administration being carried out by the French even in the key areas in which my forces would be operating.

20. This policy was agreed in the documents that General Leclerc, representing the French Government, presented to General MacArthur at Tokyo; but while willing to comply with the terms of General Order No. 1, the French authorities asserted their sovereignty over French Indo-China, and reserved the right to take whatever measures they might consider necessary—while keeping the Allied Powers informed. This attitude was supported by His Majesty's Government in an agreement made with the French Government concerning French Indo-China.

21. As soon as the staging-post at Bangkok was secured, forces had been flown into French Indo-China, control of Field-Marshal Terauchi's Headquarters established, and the S.A.C.S.E.A. Commission set up. The Commission, under Major-General Gracey, had been formed at Rangoon, where the Field-Marshal's representatives had attended, so as to be able to transmit my orders to Japanese Supreme Headquarters: on the 15th September, the day following its establishment in Saigon, the Commission held its first plenary session with Field-Marshal Terauchi. Reassuring leaflets had been dropped over Saigon before the initial fly-in. I had decided to bring in 20 Indian Division; with a Naval Port Party, a staging-post, and two R.A.F. Tactical Squadrons, with Air H.Q. established in Saigon. On the 13th September the fly-in of a brigade of 20 Indian Division had begun, and our troops had taken over the guarding of the airfield on the same day.

22. The day before the S.A.C.S.E.A. Commission was set up, the Chiefs of Staff had telegraphed that my authority, responsibility, and activities in French Indo-China were strictly limited and temporary. This policy would have been welcome if French forces had been on hand for supporting French responsibilities: but adequate French forces, which had been promised to me at Potsdam, were not yet available. The only French resources I could make immediately available to General Leclerc were some 1,000 troops of the

5th Colonial Infantry Regiment (Régiment d'Infanterie Coloniale) in Ceylon, and certain French warships, including the battleship *Richelieu*. The 9th and 3rd Colonial Infantry Divisions (Divisions d'Infanterie Coloniale) had been detailed for French Indo-China; but they were both still in Europe, and inadequately equipped. The 1st Far East Brigade (Brigade d'Extrême-Orient), which was in Madagascar, was also destined for French Indo-China; but General Leclerc did not wish it to be phased in until after the arrival of the 9th Division d'Infanterie Coloniale—which was not to be until the first week in November. For the next six weeks, therefore, the only troops available to the French authorities outside the key areas in Southern French Indo-China, would be the 1,000 troops of the 5th Régiment d'Infanterie Coloniale, and a force of some 500 French released prisoners of war and local inhabitants.

23. On the 19th September, I signalled the Chiefs of Staff, urging them to speed up the arrival of French reinforcements: for two days previously the Annamite Independence Movement in French Indo-China (Viet Minh) had announced that Bao Dai, Emperor of Annam, had abdicated in August; and that the Annamite administration which had been set up at Hanoi (in Northern French Indo-China) was now the independent Republic of Viet-Nam. A strong Independence Movement had existed in French Indo-China before the war, and had been a continual source of difficulty to the French authorities. During the occupation, this movement had been fostered by the Japanese; and the situation had been aggravated by the fact that the French administration of the country had been in the hands of representatives of the puppet Government at Vichy. The spectacle of France's betrayal had greatly undermined French prestige in her colony: particularly in view of the fact that the Vichy administration in French Indo-China had at all times collaborated openly with the enemy. In March 1945, when the collapse of Germany, and the Vichy régime, seemed imminent, the Japanese had decided to assume complete control: this had caused resistance from the French Army in French Indo-China, small elements of which had fought their way out into China—the remainder, however, had been placed in prisoners of war camps, and French civilians had been either interned or placed under severe restrictions. With the defeat of Japan, the Annamite Independence Movement had at once set up an administration at Hanoi, which was now under Chinese occupation; and it was this administration of the Viet Minh party that was now declared an independent Republic.

24. Outside the key areas, the Viet Minh were in complete control in Southern French Indo-China. The French Government had offered the Annamites the attainment of self-government by stages; but the latter had declared their intention of achieving immediate independence—if necessary, by force. On the 2nd September, before the arrival of S.E.A.C. forces, a serious riot had taken place, which had only been prevented from assuming grave proportions by the courageous action of released British and Australian prisoners of war, who were unarmed, and of the few Repatriation of Allied Prisoners of War and Internees Control officers who had already been flown in. On the 17th September, the day on which the independence of the Viet-Nam Republic was declared, the Viet Minh closed the markets in Saigon and a boycott of all French employers was enforced. Sporadic fighting took place in the town; but this was mainly unpolitical, and was engaged in by hooligans

profiting from the prevailing atmosphere of unrest. The seriousness of the situation, however, lay in the fact that no legal writ ran; and that the Viet Minh party (who claimed to be in control) were taking no steps to see that order was maintained.

25. On the 21st September, Major-General Gracey posted a proclamation in all relevant languages, in Saigon and the adjoining port of Cholon, stating that it was his firm intention to ensure with strict impartiality that the transition from war to peace conditions should be carried out, throughout Southern French Indo-China, with the minimum of dislocation to public services, legitimate business and trade; and with the least interference with the normal peaceful activities and vocations of the people. Calling on all citizens to co-operate to the fullest extent, the proclamation warned all wrong-doers (and especially looters and saboteurs of public and private property) that they would be summarily shot. No demonstrations or processions would be permitted; no public meetings would take place; no arms of any kind, including sticks, staves, bamboo spears, etc, would be carried—except by British and Allied troops and by such other military and police as had been specially authorised to do so.

26. While appreciating that the military situation in Saigon was grave, with only a small Allied force available and the river not yet open, I felt that this proclamation—addressed as it was, to the whole of the Southern French Indo-China, and not merely to the key points—was contrary to the policy of His Majesty's Government; and since proclamations of this nature may well appear to be initiated by Government policy, I warned Major-General Gracey that he should take care to confine operations of British/Indian troops to those limited tasks which he had been set. At the same time, I approved the military measures which he proposed to take: these consisted in the first place of bringing home more strictly to Field-Marshal Terauchi his personal responsibility for ensuring that the Japanese obeyed their orders; Major-General Gracey further proposed to employ Japanese troops for keeping the northern approaches to Saigon clear, moving British/Indian troops out to the approaches—and finally, he proposed to extend and consolidate his perimeter as soon as the remainder of 20 Indian Division arrived. (The categorical orders to Field-Marshal Terauchi had the desired effect; and in the future the Japanese were to fulfil their obligations satisfactorily.)

27. After consultation with General Slim and with General Leclerc (who, with his staff, was still at my Headquarters), and in view of further reports from Major-General Gracey at Saigon, I telegraphed to the Chiefs of Staff on the 24th September that I considered that Major-General Gracey, in issuing his proclamation, had acted with courage and determination in an extremely difficult situation; with as yet inadequate forces. In my opinion, if the riots he feared had developed, the safety of the small British/Indian force and of the French population might have been compromised, since the river and port were not yet open. I informed the Chiefs of Staff that, as I saw it, two courses were now open:—

- (a) to implement the proclamation and to retain responsibility for civil and military administration throughout Southern French Indo-China;
- (b) to limit my responsibility solely to the control of the Japanese Supreme Headquarters.

28. I pointed out that the first course, which would include my directly controlling all French forces and Civil Affairs until such time as General Leclerc advised me that he could take over, would entail the potential employment of British and French troops throughout Southern French Indo-China, to maintain order in support of the French Government. This course, which in practice would require a full British/Indian Division to implement it, was not in accordance with my present instructions. The second course, by which the High Commissioner of the French Republic—or, in his absence, the senior Commander of the French forces, acting as his delegate—would have to be instructed by the French Government to exercise civil and military authority outside the key areas, would entail the reaffirmation by General Leclerc in the name of the French Republic of the proclamation already issued; since in my opinion it would be dangerous now to revoke it.

29. General Leclerc, however, while welcoming and supporting Major-General Gracey's proclamation (even though only one brigade of 20 Indian Division was as yet available for implementing it) was not prepared to reaffirm the proclamation in the name of the French Republic, until the 9th Division d'Infanterie Coloniale had arrived and he had ample forces at his disposal. I asked the Chiefs of Staff for a policy ruling, as to which of the two courses I had outlined was to be adopted: recommending, for my part, that the second course should be put into effect at the earliest date by which the French Government was prepared to take over. Any British forces which might subsequently remain in French Indo-China, I suggested, should not be under French command, and should have the sole duty of maintaining control of Field-Marshal Terauchi's Headquarters.

30. In the meantime, on the 23rd September, Major-General Gracey had agreed with the French that they should carry out a *coup d'état*; and with his permission, they seized control of the administration of Saigon and the French Government was installed. Considerable fighting took place in the city that night; but British/Indian troops had taken over the security of all important positions. On the 24th, the Annamites staged a determined assault on the power station, while unsuccessful attempts were also made to sabotage the radio and the water supply. On the 26th, Lieut.-Colonel P. Dewey, of the U.S. Office of Strategic Services, was shot dead while motoring through the outskirts of Saigon, and his body removed by the Annamites. It was clear that the whole military position was deteriorating, and might well prove beyond the capacity of the only brigade of 20 Indian Division that had as yet arrived.

31. On the 28th September, when the situation in Saigon appeared very serious, I called a meeting with Major-General Gracey and Colonel Cédille at Singapore, in the presence of the Secretary of State for War: at which I made it clear to Colonel Cédille that I considered it vitally important that negotiations between the French and the Annamites should start as soon as possible. I requested him to meet the Viet Minh representatives; and he informed me that, with Major-General Gracey's concurrence, he had for three days been trying to do so. At this meeting, the Secretary of State confirmed my impression that it was the policy of His Majesty's Government not to interfere in the internal affairs of French Indo-China.

32. On the 1st October, I received a telegram from the Chiefs of Staff, altering my instructions and informing me that I was to use British/Indian troops to give assistance to the French throughout the interior of Southern French Indo-China, so long as this did not prejudice my primary responsibility for Saigon. I passed these instructions on to Major-General Gracey, while impressing on him that British/Indian troops were still to be used only in a preventive role and not in an offensive one. On the same day, Major-General Gracey and Mr. H. N. Brain (a member of my political staff whom I sent to French Indo-China, until a permanent Political Adviser to Major-General Gracey arrived from England) held a first meeting with representatives of the Viet Minh party, and stated British policy. The Viet Minh agreed to a cease-fire order, which the British undertook to ensure that the French carried out. Meetings between the French and the Annamites were held on the 3rd and the 6th October; but on this day the armistice was broken by the Annamites, who opened fire on British/Indian troops in Saigon. Two days later, 20 Indian Division H.Q. was established at Saigon and H.Q. Allied Land Forces, French Indo-China (A.L.F.F.I.C.); and in the next ten days the remainder of the Division arrived.

33. On the 9th October, Major-General Gracey, General Leclerc, and Colonel Cédille met me at Rangoon to discuss the situation; and I again urged the importance of further negotiations with the Annamites. During our meeting, news was received that the Annamites had again broken the armistice; and as it seemed clear that the Viet Minh spokesmen were incapable of ensuring that agreements into which they entered would be honoured, I ordered that strong action should be taken by the British/Indian forces to secure further key-points, and to widen and consolidate the perimeter of these areas. At the same time, I insisted that further attempts to negotiate must continue.

34. At this stage, difficulties began to arise in Cambodia; where a puppet Prime Minister, who had been put in power by the Japanese when they superseded the Vichy authorities in 1945, was still in control. The establishment of the Annamite régime in Cochinchina, Annam and Tonkin, had had repercussions in Cambodia; and early in September R.A.P.W.I. Control teams and small detachments of French and British Intelligence officers in Cambodia had already reported that a British commander and staff would be required in Phnom-Penh (the capital), to ensure that the Japanese troops there really complied with the surrender terms. Moreover, these officers had advised that French or British troops, or both, should be introduced: and accordingly, a small French detachment had been sent in, followed by a British commander with a small staff. The British commander (Lieut.-Colonel E. D. Murray) was appointed Commander of Allied forces in Cambodia; and was ordered to ensure that the Japanese behaved correctly. He was also ordered to arrange for their speedy concentration, prior to their removal to Cochinchina for disarming; and was to check all arms, ammunition, equipment, and stores in Cambodia, while assisting the local police and armed forces to maintain public order.

35. Shortly after his arrival, Lieut.-Colonel Murray had recommended that the Prime Minister should be arrested, if Cambodia was not to be embroiled in serious civil disturbances. It was vital that there should be no

trouble there; for it was from Cambodia that supplies of fresh food were coming to Saigon and Cholon, since these were not obtainable in Cochinchina owing to the Annamite food blockade. On the 8th October, General Leclerc arrived in Saigon; and a few days later, at Major-General Gracey's request, he flew to Phnom-Penh, personally arrested the Prime Minister, and flew back with him to Saigon on the same day. This neatly planned and executed manoeuvre had been carried out without compromising the position of the King of Cambodia (who was antagonistic to his Prime Minister, but had not been able to interfere): his neutrality in the *coup d'état* had been preserved, for a day had been chosen when he was away on a pilgrimage. As a result of General Leclerc's prompt action, the situation in Cambodia was re-established; and the Japanese officers in the area began to co-operate in fulfilling their task of maintaining public order.

36. The arrival of General Leclerc in French Indo-China raised the question of when Vice-Admiral d'Argenlieu, the High Commissioner-designate, should go there. The latter had visited me at Kandy in the first week of September, and I had asked him then not to go until General Leclerc had got to French Indo-China and reported that the time was propitious. This General Leclerc did shortly after his own arrival; and on the 30th October Vice-Admiral d'Argenlieu arrived at Saigon to take up his appointment of High Commissioner for French Indo-China, and nominal Commander of the French forces in the theatre—in this respect under the operational command of Major-General Gracey.

No. 2

Proclamation issued by General D. D. Gracey, Saigon, 21 September, 1945

1. With the unconditional surrender to the Allied Nations by all Japanese Forces signed in the name of the Emperor of Japan at Tokyo on 2nd September, 1945, the Supreme Allied Commander of all Allied Forces in South-East Asia Command, Admiral Lord Louis Mountbatten, G.C.V.O., K.C.B., D.S.O., has delegated to me, General D. D. Gracey, C.B., C.B.E., M.C., the Command of all British, French and Japanese forces and all police forces and armed bodies in French Indo-China south of 16° latitude with orders to ensure law and order in this area.

2. Let it be known to all that it is my firm intention to ensure with strict impartiality that this period of transition from war to peace conditions is carried out peaceably with the minimum dislocation to all public and utility services, legitimate business and trade, and with the least interference with the normal peaceful activities and vocations of the people.

3. I call on all citizens in the name of the Supreme Allied Commander to co-operate to the fullest extent to achieve the above object and hereby warn all wrongdoers especially looters and saboteurs of public and private property and those also carrying out similar criminal activities, that they will be summarily shot.

4. The following orders will come into immediate effect.
 - A. No demonstrations or processions will be permitted.
 - B. No public meetings will take place.
 - C. No arms of any description, including sticks, staves, bamboo spears, etc., will be carried except by British and Allied troops and such other forces and police which have been specially authorised by me.
 - D. The curfew already imposed on my orders by the Japanese authorities between 21.30 and 05.30 hours in Saigon and Cholon will be continued and strictly enforced.

No. 3

**Telegram from the Foreign Minister of the Democratic Republic of Viet-Nam
to the Prime Minister, 26 September, 1945**

Foreign Minister of Viet-Nam Republic to Premier Attlee, London.

The release of French prisoners of war with arms and ammunitions leading to the French attack against Saigon and the arrests of members of the Peoples Committee constitutes a great violation of our national rights and is an offense to our national dignity, a non-fulfilment of the mission placed on Commander British Forces in South Indo-China by the United Nations, a failure in the carrying out of the Atlantic Charter⁽¹⁾ and non-observation of attitude of neutrality by the British Disarmament Forces. We therefore lodge a most emphatic protest against such smoke-screening of French aggression and express earnest hope that you would interfere on basis full respect for the independence of Viet-Nam Republic.

No. 4

**Statement made by the Foreign Secretary in the House of Commons,
24 October, 1945**

In Indo-China as in Java the Japanese followed a policy of encouraging the growth of nationalism and with Japanese backing and arms nationalist groups were able in August last to establish what has become known as the Viet-Nam Republic, comprising the coastal territories of Tonkin, Annam and Cochin China.

After the Japanese general surrender, responsibility for disarming and controlling all Japanese forces and for releasing and evacuating Allied prisoners of war and internees in Southern Indo-China up to the boundary between South-East Asia Command and the China Theatre, which for operational purposes had been established along the parallel of 16° N., devolved on forces under Admiral Mountbatten's command.

Unfortunately, in fulfilling the primary task entrusted to him, the British Force Commander in Indo-China, General Gracey, found himself obliged to contend with continual looting and attacks by Annamite armed bands on

⁽¹⁾ "Treaty Series No. 5 (1942)", Cmd. 6388.

French civilians and property and with conflicts between these bands and the French forces under his command. On General Gracey's advice, the senior French officer agreed to meet Annamite representatives and arrangements were made for a truce to run from the 2nd October. In face of the evident inability of the Annamite leaders to exercise effective control over their own armed forces, General Gracey warned them on the 8th October that should their forces break the truce he would have no option but to take whatever steps might be necessary to ensure the proper execution of his task. There has been sporadic fighting involving British forces in the outskirts of Saigon.

As stated by the Prime Minister in reply to a question on the situation in Java on the 17th October His Majesty's Government do not desire to be unnecessarily involved in the administration or in the political affairs of non-British territories, and their object is to withdraw British troops as soon as circumstances permit. As the House is no doubt aware, the French Government, in a declaration of policy issued on the 24th March last, promised a wide measure of autonomy to Indo-China, and I should like to take this opportunity of informing the House that this liberal attitude on the part of the French Government has been reflected in the very conciliatory manner in which the local French representatives have dealt with the Annamite leaders. There has also been close and friendly co-operation between the British and French Commanders. In the meanwhile, every effort is being made to expedite the movement of French troops to Saigon in sufficient numbers to enable them to take over from the British forces.

No. 5

Extract from the Proceedings of the House of Commons, 28 January, 1946

FRENCH INDO-CHINA (BRITISH FORCES)

25. *Mr. Driberg* asked the Secretary of State for Foreign Affairs if he will make a statement on the withdrawal of British forces from French Indo-China and on the casualties so far suffered by British, Indian, Allied and Annamese personnel during the operations there; and if he will give an assurance that before the British forces were withdrawn guarantees of the future independence of these territories were given by the French Government.

Mr. Noel-Baker: As my right hon. Friend, the Secretary of State for War, said in answer to a Question on 24th January, two brigades and the divisional headquarters will have been withdrawn from Indo-China by 31st January; the third and last brigade will be withdrawn within the next few weeks. Allied casualties during the period from mid-October, when the truce was broken, up to 13th January, were 126 killed and 424 wounded. Of the killed, 3 were British and 37 were Indian. I have no precise information about the casualties suffered by the Annamites and Tonkinese who have opposed our troops; it has been estimated that about 2,700 have been killed. British troops went to Indo-China after the surrender of Japan. They have been engaged on a purely military task, and their presence has had nothing to do with the political or constitutional problems of the country.

Mr. Driberg: But will my right hon. Friend bear in mind that part of their directive was to maintain law and order until the French Civil Government could return, and is he aware that the previous French administration there was extremely oppressive and corrupt, and 95 per cent. pro-Vichy?

Mr. Noel-Baker: Perhaps my hon. Friend has seen the declaration made by the French Government on 24th March—before Japan surrendered. He will see it does promise a great political advance and an internal system founded on freedom of speech and liberty.

No. 6

Telegram from Ho Chi Minh to the Prime Minister, 18 March, 1946

I beg to inform your Excellency that on 6th March, 1946, a preliminary agreement has been signed between representatives of France and Viet-Nam. In this agreement France recognises the Democratic Republic of Viet-Nam as a free State. Friendly and sincere negotiations began immediately after the signature of the agreement. On behalf of the Viet-Nam people and Government I respectfully request the Government of Great Britain to recognise the Democratic Republic of Viet-Nam as a free State. We are firmly convinced that acknowledgement by your Government of our Republic will be an important step towards the materialisation of Atlantic and San Francisco⁽¹⁾ charters and will be highly contributive to the maintenance of world security while it will open a new era of co-operation between the British Commonwealth and our nation. Respectfully.

No. 7

**Extract from the Proceedings of the House of Commons,
2 December, 1946**

VIET-NAM (BRITISH REPRESENTATION)

Mr. Wyatt asked the Secretary of State for Foreign Affairs whether any diplomatic representative has yet been appointed to the Republic of Viet-Nam.

Mr. Mayhew: No, Sir. The negotiations provided for under the preliminary agreement signed at Hanoi on 6th March between the French and Viet-Nam representatives were terminated in September last, in France, by a *modus vivendi*, which leaves the question of the diplomatic relations of the Viet-Nam with foreign states, and the future constitutional status of Indo-China still unsettled. It is understood that these matters will be the subject of further negotiations early in the New Year. In these circumstances, His Majesty's Consul-General at Saigon continues to be responsible for British Consular representation throughout Indo-China, with a consul, resident at Hanoi, under his superintendence.

(1) "Treaty Series No. 67 (1946)", Cmd. 7015.

**Note delivered by H.M. Ambassador at Paris to the Ministry of
Foreign Affairs, 7 February, 1950**

In their note of the 25th November, 1949, to His Majesty's Embassy, the Ministry of Foreign Affairs stated that the French Government would appreciate recognition as early as possible of the Government of His Majesty Bao Dai in Viet-Nam by His Majesty's Government in the United Kingdom.

2. The Ministry of Foreign Affairs stated moreover that the status of the Kingdoms of Laos and Cambodia under the Franco-Laotian and Franco-Cambodian treaties of the 19th July, 1949, and the 8th November, 1949, respectively was very similar to that of Viet-Nam, in particular in so far as concerned their relations with foreign States.

3. His Majesty's Government in the United Kingdom have noted with pleasure the transfer of certain powers to the Government of Viet-Nam which took place at Saigon on 30th December, 1949, and the ratification of 2nd February, 1950, by the French Government of the agreement between President Auriol and His Majesty Bao Dai of the 8th March, 1949, and of the Franco-Laotian and Franco-Cambodian treaties referred to above. They also note that it is the intention of the French Government to transfer further powers to the Governments of Viet-Nam, Laos and Cambodia after an inter-State conference to be held in the near future.

4. His Majesty's Government in the United Kingdom have accordingly decided to recognise the status of Viet-Nam, Laos and Cambodia as Associate States within the French Union and to recognise the Governments of His Majesty Bao Dai, His Majesty Sisavang Vong and His Majesty Norodom Sihanouk as the Governments of these states. His Majesty's Consul-General at Saigon has been granted the personal rank of Minister.

No. 9

**Extract from the Proceedings of the House of Commons,
20 June, 1951**

STAFF TALKS, SINGAPORE

48. *Air Commodore Harvey* asked the Minister of Defence if he will make a statement on the recent staff talks which took place in Singapore.

Mr. Shinwell: The talks took place in Singapore from 15th to 19th May and enabled the British Commanders-in-Chief in the Far East to have an exchange of views on defence problems in South-East Asia with military representatives of the United States of America and France. General de Lattre de Tassigny was the head of the French Delegation and Vice-Admiral Struble, United States Navy, was the head of the United States Delegation. Military observers from Australia and New Zealand attended the discussions.

Governments were in no sense committed by these talks. They were, however, most useful and a report, which has been prepared as a result of them, is being studied.

Air Commodore Harvey : Is the right hon. Gentleman satisfied that the representatives from Australia and New Zealand were given full facilities to state their point of view at this conference?

Mr. Shinwell : They were not formally brought into the consultations, but they are being informed of what transpired.

Commander Noble : Can the right hon. Gentleman say whether any such meeting has ever taken place before?

Mr. Shinwell : I could not say.

No. 10

Resolution of the North Atlantic Council, 17 December, 1952

The North Atlantic Council recognises that resistance to direct or indirect aggression in any part of the world is an essential contribution to the common security of the free world. Having been informed at its meeting in Paris on the 16th December of the latest developments in the military and political situation in Indo-China.

Expresses its wholehearted admiration for the valiant and long continued struggle by the French forces and the armies of the Associated States against Communist aggression.

Acknowledges that the resistance of the free nations in South-East Asia, as in Korea, is in fullest harmony with the aims and ideals of the Atlantic community.

And therefore agrees that the campaign waged by the French Union forces in Indo-China deserves continuing support from the N.A.T.O. Governments.

No. 11

Extract from the Proceedings of the House of Commons, 14 April, 1950

Mr. Driberg (Maldon) : There is, I gather, a prospect that we shall, shortly after the Easter Recess, have a further foreign affairs Debate devoted to the subject of Asia and the Far East, and South-East Asia in particular. I hope it is the case; certainly it ought to be, because it may well be argued that that part of the world at the present time is more important than Europe. Since that is probably to be so, I shall try during this brief period tonight to devote myself to what is in some ways the most tragic and is now potentially the most dangerous of the secondary conflicts that arose after the end of the war in the Far East in 1945, with particular reference to the recent recognition by His Majesty's Government of the régime of Bao Dai in Indo-China.

We were involved in this, as in Indonesia and in some other parts of South-East Asia, partly because it was our troops who, under the direction of

the Supreme Allied Commander, went in to liberate prisoners of war. From the moment of our arrival there this problem—a problem, as in Burma and Indonesia, of emergent nationalism—was handled, I am afraid, with less than wisdom by the French, especially by the French locally in Saigon. I regret to have to say this about our allies and neighbours, for whom we have so warm a regard, but it is none the less true that it was the French who, at a moment of great tension in Saigon, double-crossed the British Commander on the spot and started the shooting war.

It is the French who have obstinately refused to realise that, of all the imperialist régimes in Asia, theirs in Indo-China is the most hated and the most deservedly hated—corrupt and backward as it was, and administered by men 90 per cent of whom sided with Vichy during the war and the occupation. It is the French who not long ago restored the Emperor Bao Dai, apparently at the instigation of the Americans, a man of whom one may say, in pity rather than with opprobrium, that he is “a reed shaken by the wind”, a man who as late as 7th March, 1945, was speaking in terms of moving affection of the French and saying of France that her destiny was “intimately tied to that of our country”; but who, just four days later, when the Japanese forces had brushed aside the Vichy administration, proclaimed that the Empire of Annam had denounced the Franco-Annamite protectorate and would “collaborate with all its strength with Japan”.

This is, then, the puppet Emperor whom we have just recognised. On 13th March my hon. Friend the Minister of State said that the Foreign Secretary was

“satisfied that the status of this régime justifies the action taken”.—
[OFFICIAL REPORT, 13th March, 1950; Vol. 472, c. 747.]

That is, of course, the main point at issue. If the Foreign Secretary is really so satisfied, he must be one of the very few people in this country or in Asia who are. I will just quote one opinion from among many that could be cited from responsible commentators, the editorial in the *Manchester Guardian* which said:

“It can hardly be denied that Viet-Nam at least does not satisfy the legal conditions on the fulfilment of which the recognition of a new régime is normally made to rest.”

The *Manchester Guardian* further added that

“the recognition of Bao Dai may have done lasting harm to East-West understanding”.

I believe and fear that that may be true, although I hope that it is not.

No doubt this decision was regarded as a conventional move in the cold war against Communism. If so, it was a singularly inept move. It was obviously calculated, as we now see, first, to drive Ho Chi Minh, the Nationalist leader, more closely into alliance with the victorious Chinese Communists, whose help he would not have welcomed so eagerly if there had been a wise and progressive policy during the last five years. Secondly, it was calculated to strengthen still further Ho Chi Minh's influence with the mass of the Annamese people; for, let me emphasise, the overwhelming majority of the

people, although they are not pro-Communist, are bitterly and intransigently anti-French.

The testimony of every impartial observer on the spot—of Indian diplomatic representatives, of every responsible correspondent from the West, from *The Times* and the *Observer* and the *New York Herald-Tribune* and from French Conservative newspapers themselves—is that Bao Dai would not last for a single day if the French forces were withdrawn. It is the opinion of these people on the spot that we have recognised a Government which controls less than one-third of its nominal territory, and is supported by far fewer than one-third of the people who live there.

In fact, Bao Dai can hardly get anyone to join his Government, or to stay in it. He cannot even persuade his pre-war Prime Minister, Ngo Dinh Diem, to join it—Ngo Dinh Diem who is the outstanding leader of the 2 million Catholics in Viet-Nam. That is an interesting point: hon. Members should not, if I may say so, run away with the idea that this is a simple conflict of the Communists versus the rest. The Viet-Nam Catholics, too, like the rest of the people, are overwhelmingly in support of the movement and the administration led by Ho Chi Minh; or, at the very least—and this applies to the three bishops there, since the Vatican recognition—they are “neutral against” Bao Dai. As I have said, Ngo Dinh Diem, the former Prime Minister, refused a year ago to enter the Cabinet, and is still steadily refusing to do so. Less than two weeks ago three Ministers in Bao Dai’s Government resigned, and as recently as 30th March—last Thursday—the Prime Minister, unable to fill these vacancies issued a most extraordinary decree, taking power to “requisition” potential Ministers or civil servants for the public service. So unpopular in the country and in Saigon itself is this régime, which can indeed be said to be regarded by the overwhelming majority of the people as a kind of quisling régime.

I would like to refer my hon. Friend to an extremely interesting and, I think, fair and objective article last Saturday in the European edition of the *New York Herald Tribune*, which, I have no doubt, he studies as devoutly as the rest of us, by their Saigon correspondent. He says:

“During the past month I have spent here I have often had occasion to compare this régime to the ill-fated Chiang Kai-shek Government in China. The conclusion is nearly inescapable that, in all but one respect, the Bao Dai Government is probably weaker than Chiang’s was, say, at the close of 1947 when the latter had perhaps already lost the Chinese civil war. It has less popular support, less tradition of authority, a lower percentage of the nation’s good men working for it, and less heart for the struggle. . . . The only respect in which Bao Dai’s Government is clearly stronger is that it is protected by French troops and guided by French administrators. But this strength is probably also a fatal weakness—it seems most unlikely that Bao Dai can ever be popular while French troops are on Viet-Nameese soil.”

That is the situation and that, by all reputable and impartial testimony, is the régime which we have now recognised in a manner strangely incongruous with our very sensible recognition of the Chinese Communist régime. At least that was a recognition of an existing fact, which this is not.

Meanwhile, the economic reconstruction and welfare of this unhappy country are neglected—except, indeed, in that very large section of it controlled by Ho Chi Minh, who has set up what appears to be quite an advanced and flourishing Socialist welfare state. The Emperor is tiger-hunting at his mountain reserve 300 miles away from Saigon. The French demand more practical assistance from ourselves and the Americans, since it is estimated that it would take them half a million men and \$165 million to secure victory, and the French have already, unfortunately, lost 30,000 men killed in this colonial war and are spending £150 million a year upon it. The State Department wonders how many dollars it can send. Our friends in the Commonwealth in Asia are aghast and dismayed by our folly in recognising Bao Dai. Ho Chi Minh has arms factories on the outskirts of Saigon; he can shell American warships in Saigon harbour; and thousands of his supporters can demonstrate in the very streets of Saigon itself. Not that this is any token of freedom of speech, for they get shot down and killed when they do so; but it shows how far Bao Dai is from having any kind of popular support even in the cities, where his régime is said to be strongest.

This, in fact, is the hottest sector of the cold war. This is not primarily a war between the French and the Nationalists or the Communists. It is a war between the Americans and the Russians, and we ought not to get drawn into it any further, I hope my hon. Friend can, at least, assure us that no British troops will in any circumstances be sent to Indo-China. I suppose I cannot ask him to unrecognise a régime that we have so recently recognised; but I hope, at least, that the Foreign Office may be beginning to learn from this perilous and bloody fiasco in Saigon that the whole of our policy in Asia needs re-thinking out integrally, anew, afresh, and that it was the most lamentable of errors to allow ourselves to be deceived by our just admiration and affection for our French allies into recognising this gimcrack, bogus, cellophane-wrapped gang of their financiers' feeblest stooges.

Mr. Wyatt (Birmingham, Aston): I do not want to detain the House for more than two or three minutes because I know the Minister will want to make a full reply to the remarkable case unfolded by my hon. Friend the Member for Maldon (Mr. Driberg), a case which was at any rate wholly convincing on the recognition of Bao Dai being a mistake as far as ordinary international practice is concerned. I think it was also a very bad mistake from our point of view, because our record in that part of the world has been so very excellent since the end of the war. It is because we have clearly stood by nationalist movements in South-East Asia that Britain's prestige in South-East Asia today is higher than ever before, and it is because of that reason that we, more than any other Western Power, are able to exercise a democratic influence in South-East Asia.

Everyone in South-East Asia knows that the Bao Dai régime is not a régime which has any sort of control over the country it purports to rule. Everybody knows that it is the tail-end of a very long, sordid French imperialist adventure which should never have been started but which has been running since the end of the war. It was a pity to endorse that kind of adventure in Indo-China when we did not endorse the Dutch adventure in Indonesia. In fact, our record in Indonesia was quite the opposite of this sort of thing and it makes many millions of people in South-East Asia

wonder if we have really been sincere about our treatment of them since the end of the war.

Nor is it the best way of stopping Communism. I do not share my hon. Friend's view that Ho Chi Minh may not be quite as bad as the French paint him. I believe he is a Communist and he is probably in close contact with the Chinese Communists. I think it is going to be extremely difficult from now on in Indo-China because of his connection with the Chinese Communists. But to set up a puppet régime in the country to oppose him is really to play the Russian game. This is the sort of thing the Russians have done behind what we call the Iron Curtain—the anti-democratic practice of setting up a régime against the will of the people there.

Now we have made this mistake, the only thing we can do is to make the best of a bad job. I think our best course now, having done this, would be to press the French to make it a genuine independence because we have undertaken the recognition of a country which is not independent. Of course, it is not independent; it does not even begin to be independent. It does not control either its Army or a great part of its own domestic legislation; nor does it control its foreign affairs. If we have been gulled by the French into recognising this country, we had better see it becomes independent. I hope the Foreign Office will use our considerable influence in that part of the world to see that it really does become independent.

They might begin by suggesting to the French that the head of the new State should be allowed to live in the Governor's House, at present occupied, I believe, by the French Governor. If, in this process of increasing independence the Bao Dai Government were to fall, that would be just too bad. If the Bao Dai régime is so weak and so lacks popular support that it cannot stand up without French support, then some time it must fall, because the French cannot keep their troops there indefinitely: they cannot afford to. We will not stop Communism in that part of the world by propping up this backward-looking régime, when everyone else in that area is going in a different direction.

This miserable story of French Indo-China is the great illustration of the correctness of our attitude towards Burma. These people who say that the situation in Burma is not satisfactory forget that if we had done the same as the French in Indo-China the situation in Burma today would be one hundred times worse. We are now being called upon to endorse a French mistake in Indo-China. If we are to be pilloried for our decision in South-East Asia, we have the right to insist that the French conform to our sort of policy in South-East Asia.

The Minister of State (Mr. Younger): My hon. Friend the Member for Maldon (Mr. Driberg) has indeed painted an exceedingly black picture of what is going on in Indo-China. I expected he would, and of course all of us are worried about the situation there. Indeed, we are worried about the situation not only there, but in many parts of South-East Asia. I would not dissent from my hon. Friend when he says—I cannot remember his exact words—that this is perhaps, of all the areas in South-East Asia, the most critical.

Therefore, I make no complaint about his having shown what we all feel—a serious sense of anxiety about what is happening. Nevertheless, I think that, particularly at the end of his remarks he used rather intemperate language. He was only painting one side of the picture. After all, in any area where there are civil disorders involving violence, by picking out suitable examples, one can always make it appear that what is in fact going on only in limited areas and to a limited extent is quite general. My hon. Friend omitted the other side of the picture.

As regards the future development, that is to say, the possibility of rapid establishment of the régime which is now in force there, and of which the head is the Emperor Bao Dai, there are, of course, varied opinions. Only one side of those opinions was referred to by my hon. Friend, but I can assure him that there have been many responsible and well-informed persons visiting Indo-China and inquiring into the situation there who do not by any means share the entirely uniformly gloomy point of view he takes. Representatives of ours, representatives of the United States and other persons with no other interest but that of discovering what is the truth, have come back painting, if not an optimistic picture, a very much less pessimistic picture than that painted by my hon. Friend.

Mr. Wyatt : Recently ?

Mr. Younger : Yes, very recently indeed.

Mr. Driberg : If my hon. Friend is referring to Dr. Jessup, does he recall that when Dr. Jessup talked the Siamese into recognition the Siamese Foreign Minister resigned ?

Mr. Younger : I am not going to speak of Dr. Jessup's relations with Siam. He is only one of the persons who took a very much more balanced view of the situation than is apparently taken by my hon. Friend. My hon. Friend said in one part of his speech that we appeared to have recognised this régime—again, I am not quoting his exact words—on grounds quite contrary to normal international practice. I maintain exactly the reverse, and the first point I want to make is that on the grounds of the status which we are satisfied that this régime does in fact enjoy and of the extent of the control which it in fact exercises, it was normal international practice—I put it no higher than that—to grant recognition.

The fact is that Viet-Nam was recognised as an associate State of the French Union by us early this year. That was as a result primarily of an agreement between President Auriol and Bao Dai in March, 1949, and of subsequent agreements in December, 1949. I would point out that similar agreements granting similar status were entered into in respect not only of Viet-Nam but of the other States, Laos and Cambodia. In neither of those cases, so far as I am aware, has there been any criticism. Of course, one can distinguish between those States and the State of Viet-Nam on the ground that there is civil trouble going on in Viet-Nam; but from the point of view of their status and of the degree of independence which they enjoy, there can, I think, be no substantial distinction made. Therefore, so far as their status is concerned, I think we are quite justified in having accorded recognition.

There were very long negotiations preceding the grant of recognition, and the States are now independent members of the French Union. If I have time, I will say a word on what that implies. It does not imply Dominion status in our sense of the word, but it implies a very great advance upon their previous position as French Protectorates which were internationally recognised as such. We have recognised their new status, and I think that we are doing no more than is implied by the term. We are not by any means alone in this. I think that there are now 19 States, including ourselves, who have granted recognition and among them are many members of the British Commonwealth.

Mr. A. Fenner Brockway (Eton and Slough) : What about India ?

Mr. Younger : It was said that our Asian friends were aghast. That is intemperate language. They have not themselves recognised the State, but is the hon. Gentleman aware that when the admission of the Indo-Chinese régime to the Economic Commission for Asia and the Far East came up at Singapore the line taken by our Indian friends was extremely moderate ? It is true that they wished to have both parties—the Viet Minh and the Bao Dai régimes—accepted, but they did not suggest on that occasion that the régime of Viet-Nam was not worthy of being admitted to the Economic Commission. That hardly suggests the extreme view attributed to them in that matter by my hon. Friend.

As regards the factual position, I do not know where my hon. Friend gets the figure that only one-third of the country is under the Bao Dai régime. My information is that it controls a great deal more than that. It is quite clear that this is the only settled form of régime at all. Although there may be considerable areas, largely in the less inhabited parts of the country, which are within the control of Viet Minh, we are quite unable to say it is a largely developed welfare state. We do not know of any State in existence. We know that there are areas where a guerrilla organisation exists with presumably some kind of civil organisation which enables life to go on.

But supposing we wished to consider the recognition of Viet Minh, we have no knowledge of where we should find it, of what sort of administration it possesses, and it has, as far as we know, no capital city. For that reason, if for no other, I am on safe ground in saying that although there may be an area not controlled by Bao Dai, he has no other rival who has any claim whatever to recognition.

Mr. Wyatt : Would the régime stand up if the French withdrew ?

Mr. Younger : I do not quarrel with the remark of my hon. Friend the Member for Aston (Mr. Wyatt) that we should press the French to develop the present state of considerable independence into a state of full independence. We believe that the French fully recognise this, and as far as our recognition can be taken to endorse one form of policy against another—and I am not suggesting that it should, since it is a question of recognition of fact—it is an endorsement of recent French action in granting this very great advance in constitutional independence. We should like to see that process developed as rapidly as possible.

**Interview between Ho Chi Minh and Mr. S. Löfgren, published
in Stockholm, 29 November, 1953**

Question 1 : A debate recently held in the French National Assembly has shown a desire by a large number of French politicians to reach a settlement of the conflict in Indo-China through direct negotiations with your Government. Can it be thought that this wish, which to an even greater extent is shared by the entire French nation, receives a good reception from you and your Government?

Answer 1 : The war has been forced upon us by the French Government. The people of Viet-Nam, who were compelled to resort to arms, have during the past seven, eight years fought heroically to defend their national freedom and the right to live in peace. If the French colonialists continue their war of reconquest, the people of Viet-Nam are determined to pursue their patriotic war to a victorious conclusion. But if the French Government has learnt a lesson from these years of war and wishes to bring about an armistice and solve the Viet-Nam problem through negotiations, the Democratic Republic of Viet-Nam's people and Government are ready to discuss the French proposal.

Question 2 : Are there at present any prospects of a cease-fire or an armistice? On what conditions?

Answer 2 : The French Government must cease hostilities. The armistice will then become a reality. The basis for such an armistice is that the French Government really respects Viet-Nam's independence.

Question 3 : Could you eventually accept a country which stands internationally neutral as mediator for a meeting with representatives of the opposing side?

Question 4 : Could Sweden carry out such a task?

Answers 3 and 4 : If any neutral countries wish to see an end to the war in Viet-Nam and try to achieve negotiations, they are welcome. But negotiations regarding an armistice are essentially a question between the Governments of France and the Democratic Republic of Viet-Nam.

Question 5 : If so, could you agree to a conference which enabled you to end the present hostilities?

Answer 5 : The war has caused our people many hardships. It has also caused much suffering for the people of France. This is the reason why the French people oppose the war in Viet-Nam. I have always felt great sympathy and admiration for the people of France and the partisans of peace in France. It is not only the independence of Viet-Nam which is to-day exposed to severe attacks. The independence of France is also seriously threatened. On the one side American imperialism drives the French colonialists to continue and extend the war of reconquest in Viet-Nam with the object of making France weaker and weaker and overtaking her place in Viet-Nam. On the other side American imperialism forces France to sign the European defence pact which means the rebirth of German militarism.

The struggle of the French people for independence, democracy and peace and an end to the war in Viet-Nam forms one of the important factors in the endeavour to solve the Viet-Nam problem.

No. 13

Agreement between the Foreign Ministers of the United States, France, the United Kingdom and the Soviet Union, Berlin, 18 February, 1954⁽¹⁾

A meeting of the Foreign Ministers of the United States, France, the United Kingdom and the Soviet Union, Mr. John Foster Dulles, M. Georges Bidault, Mr. Anthony Eden and M. Vyacheslav Molotov, took place in Berlin between January 25 and February 18, 1954. They reached the following agreements:

- (a) The Foreign Ministers of the United States, France, the United Kingdom and the Union of Soviet Socialist Republics, meeting in Berlin,

Considering that the establishment, by peaceful means, of a united and independent Korea would be an important factor in reducing international tension and in restoring peace in other parts of Asia,

Propose that a conference of representatives of the United States, France, the United Kingdom, the Union of Soviet Socialist Republics, the Chinese People's Republic, the Republic of Korea, the People's Democratic Republic of Korea and the other countries the armed forces of which participated in the hostilities in Korea, and which desire to attend, shall meet in Geneva on April 26 for the purpose of reaching a peaceful settlement of the Korean question,

Agree that the problem of restoring peace in Indo-China will also be discussed at the conference, to which representatives of the United States, France, the United Kingdom, the Union of Soviet Socialist Republics, the Chinese People's Republic and other interested States will be invited.

It is understood that neither the invitation to, nor the holding of, the above-mentioned Conference shall be deemed to imply diplomatic recognition in any case where it has not already been accorded.

- (b) The Governments of the United States of America, of France, of the United Kingdom, and of the Union of Soviet Socialist Republics,

Convinced that the solution of international controversies necessary for the establishment of a lasting peace would be considerably aided by an agreement on disarmament, or at least on a substantial reduction of armaments,

Will subsequently hold an exchange of views to promote a successful solution of this problem as provided for in paragraph 6 of the United Nations Resolution of November 28, 1953.

The four ministers have had a full exchange of views on the German question, on the problems of European security and on the Austrian question but they were unable to reach agreement upon these matters.

(1) Documents relating to the Meeting of Foreign Ministers of France, the United Kingdom, the Soviet Union and the United States of America, Berlin January 25-February 18, 1954. "Miscellaneous No. 5 (1954)", Cmd. 9080.

**Statement by Mr. Dulles to the Overseas Press Club of America,
29 March, 1954**

The United States has shown in many ways its sympathy for the gallant struggle being waged in Indo-China by French forces and those of the Associated States. Congress has enabled us to provide material aid to the established governments and their peoples; also our diplomacy has sought to deter Communist China from open aggression in that area.

President Eisenhower in his address of April 16, 1953, explained that a Korean armistice would be a fraud if it merely released aggressive armies for attack elsewhere. I said last September that if Red China sent its own army into Indo-China that would result in grave consequences which might not be confined to Indo-China.

Recent statements have been designed to impress upon potential aggressors that aggression might lead to action at places, and by means of free world choosing, so that aggression would cost more than it could gain.

The Chinese Communists have in fact avoided the direct use of their own Red Armies in open aggression against Indo-China. They have, however, largely stepped up their support of the aggression in that area, indeed they promote that aggression by all means short of open invasion.

Under all the circumstances it seems desirable to clarify farther the United States position.

Under the conditions of to-day, the imposition on South-East Asia of the political system of Communist Russia and its Chinese Communist ally by whatever means would be a grave threat to the whole free community. The United States feels that that possibility should not be passively accepted but should be met by united action. This might involve serious risks but these risks are far less than those that will face us a few years from now if we dare not be resolute to-day.

The free nations want peace, however peace is not had merely by wanting it. Peace has to be worked for and planned for, sometimes it is necessary to take risks to win peace just as it is necessary in war to take risks to win victory. The chances for peace are usually bettered by letting a potential aggressor know in advance where his aggression could lead him.

Communiqué issued by Mr. Dulles and Mr. Eden, London, 13 April, 1954

At the conclusion of their meetings in London on April 12 and 13, during which they discussed a number of matters of common concern, Mr. Foster Dulles and Mr. Anthony Eden, issued the following statement:

"We have had a full exchange of views with reference to South-East Asia. We deplore the fact that on the eve of the Geneva Conference the Communist forces in Indo-China are increasingly developing their activities into a large-scale war against the forces of the French Union.

They seek to overthrow the lawful and friendly Government of Viet-Nam which we recognise and they have invaded Laos and Cambodia. We realise that these activities not only threaten those now directly involved, but also endanger the peace and security of the entire area of South-East Asia and the Western Pacific, where our two nations and other friendly and allied nations have vital interests.

Accordingly we are ready to take part, with the other countries principally concerned, in an examination of the possibility of establishing a collective defence, within the framework of the Charter of the United Nations, to assure the peace, security and freedom of South-East Asia and the Western Pacific.

It is our hope that the Geneva Conference will lead to the restoration of peace in Indo-China. We believe that the prospect of establishing a unity of defensive purpose throughout South-East Asia and the Western Pacific will contribute to an honourable peace in Indo-China."

No. 16

Indo-China : Attitude of Her Majesty's Government—paper prepared by the Foreign Secretary, April, 1954

1. We do not regard the London Communiqué as committing us to join in immediate discussions on the possibility of Allied intervention in the Indo-China war.

2. We are not prepared to give any undertakings now, in advance of Geneva, concerning United Kingdom military action in Indo-China.

3. But we shall give all possible diplomatic support to the French Delegation at Geneva in efforts to reach an honourable settlement.

4. We can give an assurance now that if a settlement is reached at Geneva we shall join in guaranteeing that settlement and in setting up a collective defence in South-East Asia, as foreshadowed in the London Communiqué, to make that joint guarantee effective.

5. We hope that any Geneva settlement will make it possible for the joint guarantee to apply to at least the greater part of Indo-China.

6. If no such settlement is reached we shall be prepared at that time to consider with our Allies the action to be taken jointly in the situation then existing.

7. But we cannot give any assurance now about possible action on the part of the United Kingdom in the event of failure to reach agreement at Geneva for a cessation of hostilities in Indo-China.

8. We shall be ready to join with the United States Government now in studying measures to ensure the defence of Siam and the rest of South-East Asia, including Malaya, in the event of all or part of Indo-China being lost.

**Extract from Speech by M. Pham Van Dong, Head of Delegation of
the Democratic People's Republic of Viet-Nam,
Geneva, 8 May, 1954⁽¹⁾**

The peoples of Indo-China, the people of Viet-Nam as well as the peoples of Khmer and Pathet Lao, are greatly concerned about the question of the cessation of hostilities and the re-establishment of peace in Indo-China. For a long time, the peoples of Khmer and Pathet Lao, closely tied with the people of Viet-Nam, fought for peace, independence and democracy. In the course of this struggle, the peoples of Khmer and Lao established the Government of resistance of Khmer and that of Lao. Under the leadership of these Governments of resistance of the peoples of Khmer and Pathet Lao, the peoples of Khmer and Pathet Lao have liberated vast areas of their national territory. The Governments of resistance have exerted all their efforts in creating a democratic Power and in raising the living standard of the population in liberated areas. That is why the Government of resistance of Khmer, as well as that of Pathet Lao, enjoy the support and warm affection of the population in liberated areas, and they enjoy great prestige and influence among the population of both countries.

These Governments represent the great majority of the peoples of Khmer and Lao, the aspirations of whom they symbolise. Therefore, the presence of the official representatives of these Governments is necessary at this Conference, the task of which is the settlement of the problem of cessation of hostilities and of the re-establishment of peace in Indo-China. The peoples of the Governments of resistance of Khmer and Pathet Lao, as well as the people and the Government of the Democratic Republic of Viet-Nam, are bent upon using negotiations in order to put an end to the war and to re-establish peace in Indo-China, and at the same time to achieve their national rights which are independence, unity and democracy.

In the second part of March of this year, the Ministers for Foreign Affairs of the Governments of resistance of Khmer and Pathet Lao declared that they support the resolution of the Berlin Conference regarding the Geneva Conference. In conformity with the aforesaid, the delegation of the Democratic Republic of Viet-Nam is convinced that the presence of the official representatives of the Governments of resistance of Khmer and Pathet Lao, who will bring to the attention of the Conference the aspirations and proposals of the peoples they represent, instead of being an obstacle will be a guarantee of the success of our Conference.

**Extract from a Speech by M. Sam Sary, Head of the Delegation of
Cambodia, Geneva, 8 May, 1954⁽¹⁾**

If there is a Free Government of Free Khmer, we do not know of that Government, and I would submit that it has been created for a particular purpose. The representative of the Democratic Republic of Viet-Nam has

⁽¹⁾ Documents relating to the discussion of Korea and Indo-China at the Geneva Conference. "Miscellaneous No. 16 (1954)", Cmd. 9186.

said that the peoples of Free Khmer have liberated vast territories and improved the standard of life of the populations inhabiting those territories. I would like to say, Mr. President, that I do not know anything about these territories. There have been territories occupied for a few days by these forces previous to the arrival of the regular troops of Cambodia. When these troops arrived, the occupying forces took flight and took refuge in the mountains.

But what is the position with regard to the so-called Free Khmer Government? In the first place it has no territory. I showed in the first part of my statement that such territory as it can be said to have is very small, is elastic, varying in size, and doubtful with regard to its future. In other words, it is not clearly demarcated territory of a state. Secondly, as regards regular troops, I have already said that the troops of the Free Khmer movement are not regular troops at all. They are more in the nature of bandits, partly under the control of Viet Minh. They are engaged in pillage and they are not regular troops at all. Thirdly, as regards the regularity of the Government, as I said in the first part of my statement, there is no Government here. If there is anything that can be called a Government at all it existed only since 3 April, and it consists of only two or three persons; in other words, a body invented and created by our enemy. . . . What is it that the so-called Free Khmer represent? They represent only themselves.

No. 19

Extract from a Speech by M. Phoui Sananikone, Head of the Delegation of Laos, Geneva, 8 May, 1954⁽¹⁾

The proposal of the Democratic People's Republic of Viet-Nam that we should invite Khmer and Pathet Lao to take part in the Conference, I must say, surprised me very much. If I may, I would like briefly to say what Pathet Lao is. The transformation of the Kingdom of Laos into an independent democratic State has been completed, and it was completed with the participation of all the citizens of Laos. The movement Lao Issarak in Pathet Lao existed until 1949. The members of that movement desired to await certain guarantees before giving their approval to the reorganisation, the conversion of the Kingdom into the new State. These guarantees were given in 1949 and they satisfied the members of the Lao Issarak movement. The movement, therefore, dissolved itself voluntarily, and its participants returned to the free territory of Laos at the time when, with the French Government, the agreement was signed setting up the free Laos. The representatives of Lao Issarak were consulted and they were present at the time of the setting up of the free State. . . .

When in April, 1953, there was an invasion of Laos by these foreign regular forces, the Government and people of Laos learned with great surprise of this so-called Government of Pathet Lao under the leadership of Prince Souphanouvong. The Prince left Laos when he was only of school age, and he took part in the Lao Issarak movement in 1946. He was excluded from

⁽¹⁾ Documents relating to the discussion of Korea and Indo-China at the Geneva Conference. "Miscellaneous No. 16 (1954)", Cmd. 9186.

it in May, 1949, because of his complete dependence upon foreign elements and Powers.

As I have already said, the movement was dissolved in 1949, and its members returned to Laos and rallied to the Government. Prince Souphanouvong, however, remained abroad where he formed links with Viet Minh. He is not entitled in any way to say he represents Free Laos. He has no mandate from Laos. He cannot in any way represent the aspirations of the people of Laos, who simply do not know him. . . .

This so-called Pathet Lao represents absolutely nothing. It would be almost comic to recognise him as representing anybody. If that were done, all local leaders and party leaders and leaders of movements in all countries would consider they had the right to form Governments and represent States.

No. 20

Proposal by M. Bidault, Geneva, 8 May, 1954⁽¹⁾

I. Viet-Nam

1. All regular units to be assembled in assembly areas to be defined by the Conference on the basis of proposals by the Commanders-in-Chief.
2. All elements not belonging to either the army or the police forces to be disbanded.
3. All prisoners of war and civil internees to be released immediately.
4. Execution of the above provisions to be supervised by international commissions.
5. Hostilities to cease as soon as the agreement is signed.

The assembly of troops and disarmament of forces as above provided to begin not later than x days (the number to be fixed by the Conference) after the signature of the agreement.

II. Cambodia and Laos

1. All regular and irregular Viet Minh forces which have entered the country to be evacuated.
2. All elements which do not belong to either the army or the police forces to be disarmed.
3. All prisoners of war and civil internees to be released immediately.
4. Execution of the above provisions to be supervised by international commissions.

III. These agreements shall be guaranteed by the States participating in the Geneva Conference. In the event of any violation thereof there shall be an immediate consultation between the guarantor States for the purpose of taking appropriate measures either individually or collectively.

⁽¹⁾ Documents relating to the discussion of Korea and Indo-China at the Geneva Conference. "Miscellaneous No. 16 (1954)", Cmd. 9186.

Extract from a Speech by M. Pham Van Dong, Head of Delegation of the Democratic People's Republic of Viet-Nam, Geneva, 10 May, 1954⁽¹⁾

No person of good faith can deny the fact that almost a century has elapsed since the time when France seized the countries of Indo-China and established their colonial domination; that in the course of the Second World War the French authorities in Indo-China surrendered to the Japanese, that after the capitulation of the Japanese people, the people of Viet-Nam rose in rebellion, seized the power, and established the Democratic Republic of Viet-Nam.

But France signed treaties with this Democratic Republic of Viet-Nam, treaties which were subsequently violated by the colonisers who wanted to wage the war for the reconquest of our country, that the resistance of the peoples of Viet, Khmer and Lao is becoming more and more victorious; that for the last few years this war has been carried out due to the intervention of the American imperialists; and that at present the advocates of this war, in agreement with the American interventionists, are seeking by all means to prolong and extend this war.

Extract from a Speech by Mr. Eden, Geneva, 10 May, 1954⁽¹⁾

I listened with close attention to the speech of the representative of the Democratic Republic of Viet-Nam. No doubt we shall all have comments to make upon his detailed proposals later. Meanwhile. I have one or two observations I must make. I am prepared to credit him with believing all he said about the national aspirations of those he represents, but I must tell him that in what he said about the United States he has painted a picture which no one who knows that country—its people or its Government—can possibly recognise. It is a picture which distorts American history and its long and generous tradition. It is a travesty of the truth to suggest that the United States threatens the liberty and independence of other nations. It is true that the United States is strong, but they have used their strength to support the independence of free countries and the welfare of all people. At least this statement cannot be challenged: "No one in the world has been enslaved by the United States."

The representatives of the Governments of Laos and Cambodia who have just spoken have dealt with many of the claims in the speech of the representative of the Democratic Republic of Viet-Nam, and I thought that in what those spokesmen said (and they represent Governments which have been recognised by more than thirty states) I thought that what they said was, in effect a reply in respect to some of the charges made against the endeavours of France and her contributions in Indo-China. . . .

Now it seems to me that the proposals which M. Bidault laid before us the other day are a constructive effort to try to meet what is admittedly a most difficult situation. He has himself explained that they constitute merely

⁽¹⁾ Documents relating to the discussion of Korea and Indo-China at the Geneva Conference. "Miscellaneous No. 16 (1954)", Cmnd. 9186.

an outline. Many details will have to be settled by negotiation. But there can be little doubt that the principle of an armistice on specific conditions, with provision for control and enforcement, is the right practical and first step. Whichever side in the Indo-China struggle we happen to champion all of us around this table must face certain facts: There is no clear, recognisable battlefield in Indo-China. There is no existing line on which the opposing forces can simply remain standing. Therefore, a simple cease-fire would be quite impracticable and could not possibly lead to a peaceful solution.

There must be arrangements to separate the opposing forces and to withdraw them into distinct and clearly-defined zones. There must also be agreed measures to ensure that the armistice is respected, and that there can be no misunderstanding about its provisions.

I hope, therefore, that the Conference will be ready to make an immediate study of these proposals and to work upon them.

No. 23

Proposals by the Delegation of the State of Viet-Nam for the Restoration of Peace throughout the National Territory, Geneva, 12 May, 1954⁽¹⁾

The Berlin Conference recommended the restoration of peace in Indo-China. Such restoration implies:

- (A) a military settlement, to put an end to hostilities, and
- (B) a political settlement, to establish peace on real and lasting foundations.

A. Military settlement

1. The Delegation of the State of Viet-Nam declares itself ready to consider any working document submitted for this purpose to the Conference, provided such document represents a serious, positive effort, made in good faith and is calculated to lead to a satisfactory military settlement.

2. It must include adequate guarantees for the ensurance of a real and lasting peace and the prevention of any possibility of further aggression.

3. It must not involve any division, whether direct or indirect, definitive or temporary, *de facto* or *de jure*, of the national territory.

4. It must provide for International Supervision of the cease-fire terms.

B. Political settlement

As regards the relations between the State of Viet-Nam and France:

Such relations must be regulated on the basis of the joint Franco-Viet-Nam Declaration of April 28, 1954, which provides for the signature of two fundamental treaties: the first of these treaties recognises the complete independence of the State of Viet-Nam and its full and entire sovereignty;

⁽¹⁾ Documents relating to the discussion of Korea and Indo-China at the Geneva Conference. "Miscellaneous No. 16 (1954)", Cmd. 9186.

the second establishes a Franco-Viet-Nam association within the French Union based on equality.

As regards the internal political settlement of Viet-Nam:

1. By reason of the political and territorial unity of Viet-Nam, recognition must be accorded to the principle that the only State entitled to represent Viet-Nam legally is the State of which His Majesty Bao Dai, Head of State, is the embodiment. In this State alone are vested the powers deriving from the internal and external sovereignty of Viet-Nam.

2. Recognition must be accorded to the principle of a single army for the whole territory. That army is the national army under the control and responsibility of the State of Viet-Nam.

The status of the soldiers of Viet Minh within the framework of the legal army of the State of Viet-Nam shall be regulated in conformity with the above-mentioned principle and in accordance with methods to be determined.

Application of the aforesaid regulation shall be carried out under International Supervision.

3. Within the framework and under the authority of the State of Viet-Nam, free elections shall be held throughout the territory, as soon as the Security Council determines that the authority of the State is established throughout the territory and that the conditions of freedom are fulfilled. International Supervision must be exercised under the auspices of the United Nations so as to ensure the freedom and genuineness of the elections.

4. A representative Government shall be formed under the aegis of His Majesty Bao Dai, Head of the State of Viet-Nam, after the elections and in accordance with their results.

5. The State of Viet-Nam shall undertake to refrain from any prosecution of persons who collaborated with the Viet Minh during the hostilities.

6. The political and territorial integrity of the State of Viet-Nam shall be guaranteed internationally.

7. Assistance shall be furnished by the United Nations towards the development of the national resources of Viet-Nam and raising the standard of living in the country.

No. 24

Extracts from the Agreement on the Cessation of Hostilities in Cambodia, Geneva, 20 July, 1954⁽¹⁾

Article 4

1. The withdrawal outside the territory of Cambodia shall apply to—
- (a) the armed forces and military combatant personnel of the French Union;
 - (b) the combatant formations of all types which have entered the territory of Cambodia from other countries or regions of the peninsula;

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. "Miscellaneous No. 20 (1954)", Cmd. 9239.

(c) all the foreign elements (or Cambodians not natives of Cambodia) in the military formations of any kind or holding supervisory functions in all political or military, administrative, economic, financial or social bodies, having worked in liaison with the Viet-Nam military units.

2. The withdrawals of the forces and elements referred to in the foregoing paragraphs must be completed within 90 days reckoning from the entry into force of the present Agreement.

Article 5

The two parties shall undertake that within 30 days after the cease-fire order has been proclaimed, the Khmer Resistance Forces shall be demobilised on the spot; simultaneously the troops of the Royal Khmer Army shall abstain from taking any hostile action against the Khmer Resistance Forces.

Article 11

An International Commission shall be responsible for control and supervision of the application of the provisions of the Agreement on the cessation of hostilities in Cambodia. It shall be composed of representatives of the following States: Canada, India and Poland. It shall be presided over by the representative of India. Its headquarters shall be at Phnom-Penh.

Article 12

The International Commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned States. . . .

Article 13

The International Commission shall be responsible for supervising the execution by the parties of the provisions of the present Agreement. For this purpose it shall fulfil the functions of control, observation, inspection and investigation connected with the implementation of the provisions of the Agreement on the cessation of hostilities, and shall in particular:

- (a) control the withdrawal of foreign forces in accordance with the provisions of the Agreement on the cessation of hostilities and see that frontiers are respected;
- (b) control the release of prisoners of war and civilian internees;
- (c) supervise, at ports and airfields and along all the frontiers of Cambodia, the application of the Cambodian Declaration concerning the introduction into Cambodia of military personnel and war materials on grounds of foreign assistance.

Article 14

A Joint Commission shall be set up to facilitate the implementation of the clauses relating to the withdrawal of foreign forces. . . .

Article 15

The Joint Commission shall be composed of an equal number of representatives of the Commands of the parties concerned.

Article 20

The recommendations of the International Commission shall be adopted by a majority vote, subject to the provisions of Article 21. If the votes are equally divided, the Chairman's vote shall be decisive.

The International Commission may make recommendations concerning amendments and additions which should be made to the provisions of the Agreement on the cessation of hostilities in Cambodia, in order to ensure more effective execution of the said Agreement. These recommendations shall be adopted unanimously.

Article 21

On questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, and in particular:

- (a) refusal by foreign armed forces to effect the movements provided for in the withdrawal plan,
- (b) violation or threat of violation of the country's integrity by foreign armed forces,

the decisions of the International Commission must be unanimous.

Article 22

If one of the parties refuses to put a recommendation of the International Commission into effect, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in Article 21, it shall transmit a majority report and one or more minority reports to members of the Conference.

The International Commission shall inform the members of the Conference of all cases in which its work is being hindered.

Article 24

The International Commission for Supervision and Control in Cambodia shall act in close co-operation with the International Commissions in Viet-Nam and Laos.

The Secretaries-General of these three Commissions shall be responsible for co-ordinating their work and for relations between them.

Article 25

The International Commission for Supervision and Control in Cambodia, may, after consultation with the International Commissions in Viet-Nam and Laos, and having regard to the development of the situation in Viet-Nam and in Laos, progressively reduce its activities. Such a decision must be adopted unanimously.

Declaration by the Royal Government of Cambodia, 21 July, 1954⁽¹⁾

(Reference : Article 3 of the Final Declaration)

The Royal Government of Cambodia,

In the desire to ensure harmony and agreement among the peoples of the Kingdom,

Declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the Constitution of the Kingdom provides;

Affirms that all Cambodian citizens may freely participate as electors or candidates in general elections by secret ballot.

Declaration by the Royal Government of Cambodia, 21 July, 1954⁽¹⁾

(Reference : Articles 4 and 5 of the Final Declaration)

The Royal Government of Cambodia is resolved never to take part in an aggressive policy and never to permit the territory of Cambodia to be utilised in the service of such a policy.

The Royal Government of Cambodia will not join in any agreement with other States, if this agreement carries for Cambodia the obligation to enter into a military alliance not in conformity with the principles of the Charter of the United Nations, or, as long as its security is not threatened, the obligation to establish bases on Cambodian territory for the military forces of foreign Powers.

The Royal Government of Cambodia is resolved to settle its international disputes by peaceful means, in such a manner as not to endanger peace, international security and justice.

During the period which will elapse between the date of the cessation of hostilities in Viet-Nam and that of the final settlement of political problems in this country, the Royal Government of Cambodia will not solicit foreign aid in war material, personnel or instructors except for the purpose of the effective defence of the territory.

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. " Miscellaneous No. 20 (1954) ", Cmd. 9239.

**Extracts from the Agreement on the Cessation of Hostilities in Laos,
Geneva, 20 July, 1954⁽¹⁾**

Article 6

With effect from the proclamation of the cease-fire the introduction into Laos of any reinforcements of troops or military personnel from outside Laotian territory is prohibited.

Nevertheless, the French High Command may leave a specified number of French military personnel required for the training of the Laotian National Army in the territory of Laos; the strength of such personnel shall not exceed one thousand five hundred (1,500) officers and non-commissioned officers.

Article 7

Upon the entry into force of the present Agreement, the establishment of new military bases is prohibited throughout the territory of Laos.

Article 8

The High Command of the French forces shall maintain in the territory of Laos the personnel required for the maintenance of two French military establishments, the first at Seno and the second in the Mekong valley, either in the province of Vientiane or downstream from Vientiane.

The effectives maintained in these military establishments shall not exceed a total of three thousand five hundred (3,500) men.

Article 9

Upon the entry into force of the present Agreement and in accordance with the declaration made at the Geneva Conference by the Royal Government of Laos on July 20, 1954, the introduction into Laos of armaments, munitions and military equipment of all kinds is prohibited, with the exception of a specified quantity of armaments in categories specified as necessary for the defence of Laos.

Article 10

The new armaments and military personnel permitted to enter Laos in accordance with the terms of Article 9 above shall enter Laos at the following points only: Luang-Prabang, Xieng-Khouang, Vientiane, Seno, Paksé, Savannakhet and Tchépone.

Article 13

The foreign forces shall be transferred outside Laotian territory as follows:—

(1) French Forces

The French forces shall be moved out of Laos by road (along routes laid down by the Joint Commission in Laos) and also by air and inland waterway;

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. "Miscellaneous No. 20 (1954)", Cmd. 9239.

(2) Viet-Nameese People's Volunteer Forces

These forces shall be moved out of Laos by land, along routes and in accordance with a schedule to be determined by the Joint Commission in Laos in accordance with the principle of simultaneous withdrawal of foreign forces.

Article 14

Pending a political settlement, the fighting units of "Pathet Lao", concentrated in the provisional assembly areas, shall move into the Provinces of Phongsaly and Sam-Neua, except for any military personnel who wish to be demobilised where they are. They shall be free to move between these two Provinces in a corridor along the frontier between Laos and Viet-Nam bounded on the south by the line Sop Kin, Na Mi, Sop Sang, Muong Son.

Concentration shall be completed within one hundred and twenty (120) days from the date of entry into force of the present Agreement.

Article 15

Each party undertakes to refrain from any reprisals or discrimination against persons or organisations for their activities during the hostilities and also undertakes to guarantee their democratic freedoms.

No. 28

Declaration by the Royal Government of Laos, 21 July, 1954⁽¹⁾

(Reference : Article 3 of the Final Declaration)

The Royal Government of Laos,

In the desire to ensure harmony and agreement among the peoples of the Kingdom,

Declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the Constitution of the Kingdom provides;

Affirms that all Laotian citizens may freely participate as electors or candidates in general elections by secret ballot;

Announces, furthermore, that it will promulgate measures to provide for special representation in the Royal Administration of the provinces of Phang Saly and Sam Neua during the interval between the cessation of hostilities and the general elections of the interests of Laotian nationals who did not support the Royal forces during hostilities.

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. "Miscellaneous No. 20 (1954)", Cmd. 9239.

Declaration by the Royal Government of Laos, 21 July, 1954⁽¹⁾

The Royal Government of Laos is resolved never to pursue a policy of aggression and will never permit the territory of Laos to be used in furtherance of such a policy.

The Royal Government of Laos will never join in any agreement with other States if this agreement includes the obligation for the Royal Government of Laos to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or with the principles of the agreement on the cessation of hostilities or, unless its security is threatened, the obligation to establish bases on Laotian territory for military forces of foreign Powers.

The Royal Government of Laos is resolved to settle its international disputes by peaceful means so that international peace and security and justice are not endangered.

During the period between the cessation of hostilities in Viet-Nam and the final settlement of that country's political problems, the Royal Government of Laos will not request foreign aid, whether in war material, in personnel or in instructors, except for the purpose of its effective territorial defence and to the extent defined by the agreement on the cessation of hostilities.

No. 30

Extracts from the Agreement on the Cessation of Hostilities in Viet-Nam, Geneva, 20 July, 1954⁽¹⁾

Article 1

A provisional military demarcation line shall be fixed, on either side of which the forces of the two parties shall be regrouped after their withdrawal, the forces of the People's Army of Viet-Nam to the north of the line and the forces of the French Union to the south.

The provisional military demarcation line is fixed as shown on the map attached (see Map No. 1).

It is also agreed that a demilitarised zone shall be established on either side of the demarcation line, to a width of not more than 5 kms. from it, to act as a buffer zone and avoid any incidents which might result in the resumption of hostilities.

Article 2

The period within which the movement of all forces of either party into its regrouping zone on either side of the provisional military demarcation line shall be completed shall not exceed three hundred (300) days from the date of the present Agreement's entry into force.

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. "Miscellaneous No. 20 (1954)", Cmd. 9239.

Article 14

Political and administrative measures in the two regrouping zones, on either side of the provisional military demarcation line:

- (a) Pending the general elections which will bring about the unification of Viet-Nam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present Agreement.
- (b) Any territory controlled by one party which is transferred to the other party by the regrouping plan shall continue to be administered by the former party until such date as all the troops who are to be transferred have completely left that territory so as to free the zone assigned to the party in question. From then on, such territory shall be regarded as transferred to the other party, who shall assume responsibility for it.

Steps shall be taken to ensure that there is no break in the transfer of responsibilities. For this purpose, adequate notice shall be given by the withdrawing party to the other party, which shall make the necessary arrangements, in particular by sending administrative and police detachments to prepare for the assumption of administrative responsibility. The length of such notice shall be determined by the Trung Gia Military Commission. The transfer shall be effected in successive stages for the various territorial sectors.

The transfer of the civil administration of Hanoi and Haiphong to the authorities of the Democratic Republic of Viet-Nam shall be completed within the respective time-limits laid down in Article 15 for military movements.

- (c) Each party undertakes to refrain from any reprisals or discrimination against persons or organisations on account of their activities during the hostilities and to guarantee their democratic liberties.
- (d) From the date of entry into force of the present Agreement until the movement of troops is completed, any civilians residing in a district controlled by one party who wish to go and live in the zone assigned to the other party shall be permitted and helped to do so by the authorities in that district.

Article 15

The disengagement of the combatants, and the withdrawals and transfers of military forces, equipment and supplies shall take place in accordance with the following principles:

- (a) The withdrawals and transfers of the military forces, equipment and supplies of the two parties shall be completed within three hundred (300) days, as laid down in Article 2 of the present Agreement;
- (b) Within either territory successive withdrawals shall be made by sectors, portions of sectors or provinces. Transfers from one regrouping zone to another shall be made in successive monthly instalments proportionate to the number of troops to be transferred;

- (c) The two parties shall undertake to carry out all troop withdrawals and transfers in accordance with the aims of the present Agreement, shall permit no hostile act and shall take no step whatsoever which might hamper such withdrawals and transfers. They shall assist one another as far as this is possible.

Article 16

With effect from the date of entry into force of the present Agreement, the introduction into Viet-Nam of any troop reinforcements and additional military personnel is prohibited.

It is understood, however, that the rotation of units and groups of personnel, the arrival in Viet-Nam of individual personnel on a temporary duty basis and the return to Viet-Nam of the individual personnel after short periods of leave or temporary duty outside Viet-Nam shall be permitted under the conditions laid down below:

- (a) Rotation of units (defined in paragraph (c) of this Article) and groups of personnel shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in Article 1 of the present Agreement during the withdrawal period provided for in Article 2.

However, under the heading of individual personnel not more than fifty (50) men, including officers, shall during any one month be permitted to enter that part of the country north of the provisional military demarcation line on a temporary duty basis or to return there after short periods of leave or temporary duty outside Viet-Nam.

- (b) "Rotation" is defined as the replacement of units or groups of personnel by other units of the same échelon or by personnel who are arriving in Viet-Nam territory to do their overseas service there;
- (c) The units rotated shall never be larger than a battalion—or the corresponding échelon for air and naval forces;
- (d) Rotation shall be conducted on a man-for-man basis, provided, however, that in any one quarter neither party shall introduce more than fifteen thousand five hundred (15,500) members of its armed forces into Viet-Nam under the rotation policy.
- (e) Rotation units (defined in paragraph (c) of this Article) and groups of personnel, and the individual personnel mentioned in this Article, shall enter and leave Viet-Nam only through the entry points enumerated in Article 20 below;
- (f) Each party shall notify the Joint Commission and the International Commission at least two days in advance of any arrivals or departures of units, groups of personnel and individual personnel in or from Viet-Nam. Reports on the arrivals or departures of units, groups of personnel and individual personnel in or from Viet-Nam shall be submitted daily to the Joint Commission and the International Commission.

All the above-mentioned notifications and reports shall indicate the places and dates of arrival or departure and the number of persons arriving or departing;

- (g) The International Commission, through its Inspection Teams, shall supervise and inspect the rotation of units and groups of personnel and the arrival and departure of individual personnel as authorised above, at the points of entry enumerated in Article 20 below.

Article 17

(a) With effect from the date of entry into force of the present Agreement, the introduction into Viet-Nam of any reinforcements in the form of all types of arms, munitions and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines and jet weapons and armoured vehicles, is prohibited.

(b) It is understood, however, that war material, arms and munitions which have been destroyed, damaged, worn out or used up after the cessation of hostilities may be replaced on the basis of piece-for-piece of the same type and with similar characteristics. Such replacements of war material, arms and ammunitions shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in Article 1 of the present Agreement, during the withdrawal period provided for in Article 2.

Naval craft may perform transport operations between the regrouping zones.

(c) The war material, arms and munitions for replacement purposes provided for in paragraph (b) of this Article, shall be introduced into Viet-Nam only through the points of entry enumerated in Article 20 below. War material, arms and munitions to be replaced shall be shipped from Viet-Nam only through the points of entry enumerated in Article 20 below.

(d) Apart from the replacements permitted within the limits laid down in paragraph (b) of this Article, the introduction of war material, arms and munitions of all types in the form of unassembled parts for subsequent assembly is prohibited.

(e) Each party shall notify the Joint Commission and the International Commission at least two days in advance of any arrivals or departures which may take place of war material, arms and munitions of all types.

In order to justify the requests for the introduction into Viet-Nam of arms, munitions and other war material (as defined in paragraph (a) of this Article) for replacement purposes, a report concerning each incoming shipment shall be submitted to the Joint Commission and the International Commission. Such reports shall indicate the use made of the items so replaced.

(f) The International Commission, through its Inspection Teams, shall supervise and inspect the replacements permitted in the circumstances laid down in this Article, at the points of entry enumerated in Article 20 below.

Article 18

With effect from the date of entry into force of the present Agreement, the establishment of new military bases is prohibited throughout Viet-Nam territory.

Article 19

With effect from the date of entry into force of the present Agreement, no military base under the control of a foreign State may be established in the re-grouping zone of either party; the two parties shall ensure that the zones assigned to them do not adhere to any military alliance and are not used for the resumption of hostilities or to further an aggressive policy.

No. 31

Declaration by the Government of the French Republic, 21 July, 1954⁽¹⁾

The Government of the French Republic declares that it is ready to withdraw its troops from the territory of Cambodia, Laos and Viet-Nam, at the request of the Governments concerned and within a period which shall be fixed by agreement between the parties, except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

No. 32

Declaration by the Government of the French Republic, 21 July, 1954⁽¹⁾

For the settlement of all the problems connected with the re-establishment and consolidation of peace in Cambodia, Laos and Viet-Nam, the French Government will proceed from the principle of respect for the independence and sovereignty, the unity and territorial integrity of Cambodia, Laos and Viet-Nam.

No. 33

Final Declaration of the Geneva Conference, 21 July, 1954⁽¹⁾

Final Declaration, dated the 21st July, 1954, of the Geneva Conference on the problem of restoring peace in Indo-China, in which the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Viet-Nam, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America took part.

1. The Conference takes note of the agreements⁽¹⁾ ending hostilities in Cambodia, Laos and Viet-Nam and organising international control and the supervision of the execution of the provisions of these agreements.

2. The Conference expresses satisfaction at the ending of hostilities in Cambodia, Laos and Viet-Nam; the Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos and Viet-Nam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. "Miscellaneous No. 20 (1954)", Cmd. 9239.

3. The Conference takes note of the declarations made by the Governments of Cambodia and of Laos of their intention to adopt measures permitting all citizens to take their place in the national community, in particular by participating in the next general elections, which, in conformity with the constitution of each of these countries, shall take place in the course of the year 1955, by secret ballot and in conditions of respect for fundamental freedoms.

4. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam prohibiting the introduction into Viet-Nam of foreign troops and military personnel as well as of all kinds of arms and munitions. The Conference also takes note of the declarations made by the Governments of Cambodia and Laos of their resolution not to request foreign aid, whether in war material, in personnel or in instructors except for the purpose of the effective defence of their territory and, in the case of Laos, to the extent defined by the agreements on the cessation of hostilities in Laos.

5. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam to the effect that no military base under the control of a foreign State may be established in the regrouping zones of the two parties, the latter having the obligation to see that the zones allotted to them shall not constitute part of any military alliance and shall not be utilised for the resumption of hostilities or in the service of an aggressive policy. The Conference also takes note of the declarations of the Governments of Cambodia and Laos to the effect that they will not join in any agreement with other States if this agreement includes the obligation to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or, in the case of Laos, with the principles of the agreement on the cessation of hostilities in Laos or, so long as their security is not threatened, the obligation to establish bases on Cambodian or Laotian territory for the military forces of foreign Powers.

6. The Conference recognises that the essential purpose of the agreement relating to Viet-Nam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. The Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Viet-Nam.

7. The Conference declares that, so far as Viet-Nam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Viet-Nameese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to ensure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, general elections shall be held in July, 1956, under the supervision of an international commission composed of representatives of the member States of the International Supervisory Commission, referred to in the agreement on the cessation of hostilities.

Consultations will be held on this subject between the competent representative authorities of the two zones from 20 July, 1955, onwards.

8. The provisions of the agreements on the cessation of hostilities intended to ensure the protection of individuals and of property must be most strictly applied and must, in particular, allow everyone in Viet-Nam to decide freely in which zone he wishes to live.

9. The competent representative authorities of the Northern and Southern zones of Viet-Nam, as well as the authorities of Laos and Cambodia, must not permit any individual or collective reprisals against persons who have collaborated in any way with one of the parties during the war, or against members of such persons' families.

10. The Conference takes note of the declaration of the Government of the French Republic to the effect that it is ready to withdraw its troops from the territory of Cambodia, Laos and Viet-Nam, at the request of the Governments concerned and within periods which shall be fixed by agreement between the parties except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

11. The Conference takes note of the declaration of the French Government to the effect that for the settlement of all the problems connected with the re-establishment and consolidation of peace in Cambodia, Laos and Viet-Nam, the French Government will proceed from the principle of respect for the independence and sovereignty, unity and territorial integrity of Cambodia, Laos and Viet-Nam.

12. In their relations with Cambodia, Laos and Viet-Nam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned States, and to refrain from any interference in their internal affairs.

13. The members of the Conference agree to consult one another on any question which may be referred to them by the International Supervisory Commission, in order to study such measures as may prove necessary to ensure that the agreements on the cessation of hostilities in Cambodia, Laos and Viet-Nam are respected.

No. 34

Statement by the Representative of Cambodia at the final Session of the Geneva Conference, 21 July, 1954⁽¹⁾

Mr. Tep Phan (Cambodia): Paragraphs 7, 11 and 12 of the final Declaration stipulate respect for the territorial integrity of Viet-Nam. The Cambodian Delegation asks the Conference to consider that this provision does not imply the abandonment of such legitimate rights and interests as Cambodia might assert with regard to certain regions of South Viet-Nam, about which Cambodia has made express reservations, in particular at the time of the signature of the Franco-Khmer Treaty of November 8, 1949, on relations between Cambodia and France and at the time the French law

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. "Miscellaneous No. 20 (1954)", Cmd. 9239.

which linked Cochin-China to Viet-Nam was passed. Faithful to the ideal of peace, and to the international principle of non-interference, Cambodia has no intention of interfering in the internal affairs of the State of Viet-Nam and associates herself fully with the principle of respect for its integrity, provided certain adjustments and regularisations be arrived at with regard to the borders between this State and Cambodia, borders which so far have been fixed by a mere unilateral act of France.

No. 35

**Declaration by the Representative of the United States,
Geneva, 21 July, 1954⁽¹⁾**

The Government of the United States being resolved to devote its efforts to the strengthening of peace in accordance with the principles and purposes of the United Nations,

Takes note of the Agreements concluded at Geneva on July 20 and 21, 1954 between the (a) Franco-Laotian Command and the Command of the People's Army of Viet-Nam; (b) the Royal Khmer Army Command and the Command of the People's Army of Viet-Nam; (c) Franco-Viet-Nameese Command and the Command of the People's Army of Viet-Nam, and of paragraphs 1 to 12 inclusive of the Declaration presented to the Geneva Conference on July 21, 1954.

Declares with regard to the aforesaid Agreements and paragraphs (i) it will refrain from the threat or the use of force to disturb them, in accordance with Article 2 (4) of the Charter of the United Nations dealing with the obligation of Members to refrain in their international relations from the threat or use of force; and (ii) it would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security.

In connection with this statement in the Declaration concerning free elections in Viet-Nam, my Government wishes to make clear its position which it has expressed in a Declaration made in Washington on June 29, 1954, as follows:

"In the case of nations now divided against their will, we shall continue to seek to achieve unity through free elections, supervised by the United Nations to ensure that they are conducted fairly."

With respect to the statement made by the Representative of the State of Viet-Nam, the United States reiterates its traditional position that peoples are entitled to determine their own future and that it will not join in an arrangement which would hinder this. Nothing in its declaration just made is intended to or does indicate any departure from this traditional position.

We share the hope that the agreement will permit Cambodia, Laos and Viet-Nam to play their part in full independence and sovereignty, in the peaceful community of nations, and will enable the peoples of that area to determine their own future.

⁽¹⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. "Miscellaneous No. 20 (1954)", Cmd. 9239.

Communiqué issued by the Government of Viet-Nam, 25 April, 1954⁽¹⁾

With regard to Viet-Nameese unity, it is known that various plans have been drawn up which would entail a partition of Viet-Nam. Such solutions may offer certain specious advantages of a diplomatic nature, but their adoption would present extremely grave disadvantages and dangers for the future. . . . Viet-Nam would never be prepared to consider the possibility of negotiations in which France, violating the basic principles of the French Union from which her authority is derived, were to negotiate with those who are in rebellion against the Viet-Nameese nation or with hostile Powers, thereby disregarding or sacrificing her partner.

Whatever may happen, neither the Head of the State nor the Viet-Nameese Government will consider themselves bound by decisions which by running counter to national independence and unity would violate the rights of peoples and reward aggression, contrary to the principles of the United Nations Charter and to democratic ideals.

Statements by M. Tran Van Do, the Representative of the Government of Viet-Nam at the Geneva Conference, July, 1954⁽²⁾

(a) Statement on 18 July, 1954

The Viet-Nameese Delegate said that he must categorically dissociate himself from any discussion on either the French or the Soviet draft of the proposed final conference resolution on the grounds that he could not accept the principle of partition on which the cease-fire in Viet-Nam was to be based. He reserved the right to make known the views of his Government at a subsequent session. The Viet-Nameese Delegation formally protested against partition and therefore rejected both French and Soviet drafts.

(b) Statement on 21 July, 1954

As regards the Final Declaration of the Conference, the Viet-Nameese Delegation requests the Conference to incorporate in this Declaration after Article 10 the following text:

“The Conference takes note of the Declaration of the Government of the State of Viet-Nam undertaking:

to make and support every effort to re-establish a real and lasting peace in Viet-Nam;

not to use force to resist procedures for carrying the cease-fire into effect, in spite of the objections and reservations that the State of Viet-Nam has expressed.”

⁽¹⁾ Translation of text published in *Le Monde*, 27 April, 1954.

⁽²⁾ Further Documents relating to the Discussion of Indo-China at the Geneva Conference. “Miscellaneous No. 20 (1954)”, Cmd. 9239.

**Letter from the High Commissioner for India to the Foreign Secretary,
London, 28 January, 1955**

In response to the request made to the Government of India by the Chairmen of the International Commissions for Supervision and Control in Viet-Nam and Cambodia, I have the honour to forward to you the reports, with three spare copies, on the work of the Commissions for the period commencing August 11, 1954, and ending on December 10, 1954. Copies of the reports will be similarly delivered to the Co-Chairman of the Geneva Conference, Monsieur V. M. Molotov, today.

The Chairmen of the Commissions have also requested that they be informed by the Co-Chairmen of the Geneva Conference of the date on which the reports or a summary thereof can be released to the Press. The Chairmen of the Commissions would be grateful also to have instructions of the Co-Chairmen regarding supply of the reports to the Governments who had participated in the Geneva Conference.

**Letter from the Foreign Secretary to the High Commissioner for India,
London, 25 February, 1955**

I have the honour to inform Your Excellency, as promised in my Note of the 2nd of February, of the reply agreed by the two Co-Chairmen of the Geneva Conference to the questions raised in your Note of the 28th of January about the reports of the International Supervisory Commissions for Viet-Nam and Cambodia. M. Molotov and I are of the opinion that these reports should not be published, either in full or in summary, until copies have been received by all members of the Geneva Conference. Their distribution to the remaining members of the Conference could either be done by the two Chairmen (in which case further copies of the report will be required) or by the Chairmen of the Commissions direct, whichever the Indian Government consider more appropriate. When copies of the reports have been received by all members of the Geneva Conference, the two Chairmen consider that the reports should be published simultaneously in all the capitals concerned and they will themselves notify the members of the Geneva Conference and the Supervisory Powers of the date on which publication can be effected. I should be grateful if the Chairmen of the International Supervisory Commissions might be informed by the Indian Government of the views of the Co-Chairmen of the Geneva Conference on this subject. The procedure proposed would, of course, also apply to the report of the International Supervisory Commission in Laos, which has not yet been received.

Foreword to the Fourth Interim Report of the International Commission for Supervision and Control in Viet-Nam, December, 1955

The first three Interim Reports of the International Commission for Supervision and Control in Viet-Nam, covering the period from August 11, 1954, to April 10, 1955, were published as "Viet-Nam No. 1 (1955)," Cmd. 9461 (containing the first two Reports) and "Viet-Nam No. 2 (1955)," Cmd. 9499. The present White Paper contains the text of the Fourth Report. This was received at the Foreign Office on October 21, 1955, and, in accordance with the procedure described in the Foreword to Cmd. 9461, is now published after the distribution of copies to all members of the Geneva Conference.

2. The passages in the Commission's Fourth Interim Report, particularly the Canadian Commissioner's amendment to paragraphs 24 to 34 of Chapter V, dealing with the implementation of Articles XIV(c) and XIV(d) of the Agreement on the Cessation of Hostilities in Viet-Nam (see "Miscellaneous No. 20 (1954)," Cmd. 9239, page 27 *et seq.*) and the inadequate co-operation received by the Commission from the competent civil and military authorities in both zones of Viet-Nam, have caused Her Majesty's Government considerable concern. They accordingly proposed to the Soviet Government that Her Majesty's Government and the Soviet Government, as representing the two Co-Chairmen of the Geneva Conference of 1954, should send a message about this Report to members of the Conference and to the three Supervisory Powers.

3. In this connection, and in view of numerous public references to the rôle of the two Co-Chairmen of the Geneva Conference, Her Majesty's Government consider it desirable to place on record their view of the position. There is no reference in the Agreements on the Cessation of Hostilities in Cambodia, Laos and Viet-Nam or in the Final Declaration of the Geneva Conference on July, 21, 1954 ("Miscellaneous No. 20 (1954)," Cmd. 9239) to the Co-Chairmen as such or to any special responsibilities devolving upon Her Majesty's Government and the Soviet Government by virtue of the fact that Sir Anthony Eden and M. Molotov had acted as Chairmen at alternate sessions of the Geneva Conference on Indo-China. In the view of Her Majesty's Government their obligations and responsibilities and those of the Soviet Government are neither more nor less than those of the other Powers adhering to the Final Declaration of the Geneva Conference. For reasons of practical convenience, however, it has become customary for Her Majesty's Government and the Soviet Government to act as a channel of communication between the International Supervisory Commissions and the Geneva Powers, to co-ordinate arrangements for the distribution and publication of the Commissions' reports and to initiate proposals for financing the work of the Commissions. On occasions, of which this is one, Her Majesty's Government, the Soviet Government or other Powers have also employed this channel as a convenient means of bringing their views on matters concerning the implementation of the Geneva Agreements to the attention of members of the Geneva Conference as a whole. The existence of these informal arrangements does not, of course, in any way affect the position and

obligations under the Geneva Agreements of Her Majesty's Government and the Soviet Government or derogate in any way from the responsibilities of members of the Geneva Conference as a whole in regard to the Geneva Agreements, under Article 13 of the Final Declaration of the Conference.

No. 41

Extract from a Message from the Prime Minister, Geneva, 24 July, 1955

The pressure in the Conference was such that it was not possible to arrange a meeting with M. Molotov until late yesterday evening, when the Foreign Secretary and I called upon Marshal Bulganin and M. Khrushchev. Molotov was there and Indo-China was our chief business. . . .

2. I had also to make clear to them that this would be the last occasion on which I should act as Co-Chairman. Indeed, I was not quite certain whether it was strictly in order for me to do so on this occasion. Mr. Macmillan had succeeded me in the Foreign Office and it was really for him to undertake the task. If we had been beaten in the election, my duties would have been taken over some time ago. M. Molotov laughed at this and agreed with the point I was making.

No. 42

Letter from H.M. Embassy, Moscow, to the Foreign Office, 15 July, 1956

This is to let you know that, in a Note dated June 12, the Ministry of Foreign Affairs have informed us that Shepilov, the new Foreign Minister, will now act as one of the Co-Chairmen of the Geneva Conference.

2. We are sending copies of this letter to the Chanceries at Saigon, Hanoi, Vientiane, Phnom Penh, Peking, Warsaw, Paris and Washington, and to the Offices of the High Commissioners in New Delhi, Ottawa and Singapore.

No. 43

Extract from the Proceedings of the House of Commons, 4 May, 1955

VIET-NAM

(GENEVA AGREEMENT)

76. *Mr. H. Fraser* asked the Secretary of State for Foreign Affairs what further progress he has to report in the movement of refugees from north to south of Viet-Nam; and whether he will give an assurance that Her Majesty's Government is offering all proper and normal assistance to Mr. Diem towards the fulfilment of the Geneva Agreement.

78. *Major Beamish* asked the Secretary of State for Foreign Affairs whether he is aware that, as a result of the failure of the Government of North Viet-Nam to comply with its obligations arising from the Geneva Agreements,

large numbers of refugees have not been able to move south; and what steps Her Majesty's Government are taking to ensure that a satisfactory solution is found to this problem.

Mr. Slater asked the Secretary of State for Foreign Affairs if he will make a statement on the extent to which North and South Viet-Nam are observing the provisions of the Geneva Agreement; if he is aware that the border between the two countries is to be closed in the near future; and, in view of the fact that this action will affect the liberties of the citizens of the countries, what action he proposes to take in order that the provisions of the Geneva Agreement shall be fully observed.

Lord John Hope : As hon. Members will be aware from the first and second interim reports of the International Supervisory Commission for Viet-Nam, which were published yesterday as Cmd. 9461, the Commission have been giving close attention to the provisions of the Geneva Agreements requiring the Viet-Nam authorities to permit and assist the movement of would-be refugees. In a public statement on 29th March, the Commission explained that they were awaiting reports from three special mobile teams sent out to investigate the position, before deciding whether the movement of refugees could in fact be completed within the time limit fixed by the agreement. It is expected that the third Interim Report of the Commission will be received by the Foreign Office this afternoon and this will help us to decide what further action should be taken on a matter which is justifiably causing grave concern.

No 44

Letter to the Foreign Secretary from the Chairman of the International Commission for Supervision and Control in Viet-Nam, Hanoi, 25 April, 1955

I have the honour to forward herewith five copies in English and five in French of the Third Interim Report of the International Commission for Supervision and Control in Viet-Nam on the progress of implementation of the Agreement on the Cessation of Hostilities in Viet-Nam during the period 11th February to 10th April, 1955.

2. Twelve spare copies (English) of the Report are enclosed for distribution to members of the Geneva Conference as decided by the Co-Chairmen on the First Interim Report.

3. While the Indian and Polish Delegates on the Commission consider that the Third Interim Report should be submitted in the same way as the two previous Interim Reports,⁽¹⁾ the Canadian Delegate on the Commission is of the view that the attention of the Co-Chairmen should be specifically drawn to certain aspects of the Report—copy of a note by the Canadian Delegation on this subject is attached.

(¹) " Viet-Nam No. 1 (1955)," Cmd. 9461.

Enclosure

The Acting Commissioner, Canadian Delegation, to the Chairman of the International Commission for Supervision and Control in Viet-Nam

Dear Mr. Desai,

Hanoi, April 25, 1955.

With reference to the Commission discussion of last Saturday on the subject of the draft Third Interim Report, I attach a copy of the proposed Canadian Note in its final form.

Yours very truly,

S. F. RAE.

Note by the Canadian Delegation

April 25, 1955.

The attention of the Co-Chairmen of the Geneva Conference is drawn to paragraphs 11 and 19 of the Third Interim Report concerning the implementation of Article 14 (d) in the zone under the control of the P.A.V.N. High Command.

2. These paragraphs indicate that progress in the implementation of Article 14 (d)⁽¹⁾ will continue to be unsatisfactory unless administrative arrangements and transport facilities are urgently improved, that the delay in respect of Article 14 (d), which has a specific time-limit within which the implementation must be completed, has been a matter of serious concern to the Commission, and that it is not possible to state at this stage that Article 14 (d) will be implemented in full within the time-limit laid down.

3. In view of the short time remaining before the end of the 300-day period, and the record to date, the Canadian Delegation requests that the question of the implementation of Article 14 (d) be referred to the members of the Geneva Conference, in accordance with paragraph 13 of the Final Declaration.

No. 45

**Aide-mémoire delivered to M. Molotov by the Prime Minister,
London, 14 May, 1955**

Her Majesty's Government have already informed the Soviet Government of the grave concern with which they have read paragraph 11 of the Third Interim Report of the International Supervisory Commission for Viet-Nam, in which it is written that "it is not possible to state at this stage that Article 14 (d) will be implemented in full within the time limit laid down." They have suggested to the Soviet Government that as representing the two Co-Chairmen of the Geneva Conference they should jointly propose to all parties to the Agreement on the cessation of hostilities in Viet-Nam that the provisions of Article 14 (d) should continue to be implemented until such time as the International Supervisory Commission for Viet-Nam should by a unanimous vote agree that the Article has been implemented in full.

(1) "Miscellaneous No. 20 (1954)," Cmd. 9239, page 30.

British public opinion attaches great importance to the due execution of the Article in question, which in the opinion of Her Majesty's Government is an integral part of the political settlement agreed at Geneva. Since the Commission have been unable to say that the Article will have been fully implemented when the time limit for the movement of refugees from North Viet-Nam expires on May 18, the best and simplest solution would seem to be to extend the time limit in accordance with the suggestion made to the Soviet Government. Her Majesty's Government very much hope that the Soviet Government will agree to join with them in recommending this solution.

In making this proposal Her Majesty's Government have been prompted by the obligations which arise out of the Chairmanship of the Conference, as well as by the interest in the matter shown by British public opinion.

No. 46

**Note delivered by the Foreign Ministry of the Soviet Union to H.M. Embassy,
Moscow, 18 May, 1955**

Concerning the proposal of the British Government about an approach by the two Chairmen of the Geneva Conference to the members of the Conference on the question of the implementation of Article 14(d) of the Agreement on Cessation of Hostilities in Viet-Nam, the Soviet Government do not consider this necessary since the International Supervisory Commission for Viet-Nam is not raising the question of any measures on the part of the two Chairmen of the Geneva Conference on this occasion. In these conditions the actions of the two Chairmen proposed by the British Government would mean interference by them in the function of the International Supervisory Commission for Viet-Nam, which, in the opinion of the Soviet Government could but not exert a negative influence on the work of that Commission.

The Soviet Government express their confidence that the International Commission, with the participation of the parties to the agreement, will be able to settle the above-mentioned question with due observance of the interests of the parties without changing the clauses of the Agreement on the Cessation of Hostilities in Viet-Nam.

At the same time, according to the information of the Soviet Government, the Government of the Democratic Republic of Viet-Nam agree to continue for roughly one month the evacuation of Viet-Nameese who wish to choose the south as their permanent place of residence.

No. 47

**Note delivered by the Government of India to the Co-Chairmen of
the Geneva Conference, 23 March, 1956**

The Government of India have learnt from the Chairman of the Viet-Nam Commission that an agreement has been reached between the French and the South Viet-Nameese authorities on the evacuation of the French Expeditionary Corps from the Viet-Nam territories. Although it is learnt that the French authorities are awaiting the approval of the French Government, the Commission has been informed that there would be no French High Command in the Viet-Nam after the 15th of April.

2. It will be recalled that a representative of the Commander-in-Chief of the French Union Forces signed the agreement pertaining to Viet-Nam and Laos, assumed responsibility for the execution of the agreement and pledged the co-operation of the Franco-Viet-Nameese Command with the International Supervisory Commission to help administer it. Neither the French authorities nor the Viet-Nam authorities have made any proposals as to the manner in which the Commission could continue to supervise the Cease-fire Agreement after the withdrawal of the French High Command. Although the South Viet-Nameese authorities have promised to give practical co-operation and to take over the responsibility for the security of the Commission from the 1st April onwards, they are not prepared to assume the legal obligations of the French High Command, as successors of the French Power in South Viet-Nam.

3. In the circumstances, the Commission views with serious concern the prospect of having to supervise an agreement which will cease to have any legal basis since one party to the agreement—the French High Command—will have disappeared. It is clear that the Commission will be unable to hold the South Viet-Nam accountable, unless it accepts the full residuary obligations undertaken by the French High Command.

4. The Commission, therefore, desires that the two Co-Chairmen should consider the situation as early as possible and, in any case, before the 15th of April, 1956, with a view to resolve the legal lacuna and to enable the Commission to discharge the functions entrusted to it by the Geneva Conference on Indo-China.

5. A similar approach is being made to Mr. Molotov the Co-Chairman, through the Indian Embassy in Moscow.

No. 48

Extract from the Fourth Interim Report of the International Commission for Supervision and Control in Viet-Nam, 1955

As civil and military administration in the zone south of the provisional demarcation line has been passing into the hands of the Government of the State of Viet-Nam, which has not signed and is according to its repeated public declarations opposed to both the Geneva Agreement and the Final Declaration, further continuance of the Commission's activities and the effective discharge of its responsibilities are in serious jeopardy as the Commission, established under Article 44 of the Agreement, can only draw its authority from the Agreement itself and has no other sanction. We would like to add in this connection that during our discussions with the Government of the State of Viet-Nam, we have been told that it will give full protection and practical co-operation to the Commission as an International Peace Commission but will not make a formal or public declaration to that effect in view of the position taken up by it with reference to the Geneva Agreement and the Final Declaration. It is obvious that the International Commission which has, in the discharge of its responsibilities under the Agreement, to undertake various tasks which, in effect, result in the curtailment of the sovereignty of both Administrations in the North and in the South, cannot

carry on its activities in the face of the declared opposition of the Government of the State of Viet-Nam to the Geneva Agreement merely on the basis of a personal or practical understanding which can be revoked at any time. In any case, any *ad hoc* arrangement outside the Agreement, however effective, naturally amounts to revocation of the Agreement and the Commission cannot be a party to any such arrangement.

Another point arising out of the political developments is the uncertainty regarding the duration of the Commission's activities. Article 14 (a) of the Agreement which specifies political and administrative measures in the two regrouping zones on either side of the provisional military demarcation line refers to the conduct of civil administration in each regrouping zone "pending the general elections which will bring about the unification of Viet-Nam." The various tasks with which the Commission is entrusted under the Agreement have to be carried on as long as these provisional arrangements for civil administration, north and south of the provisional demarcation line, continue. The Commission can wind up its activities only after political problems arising out of the regrouping, south and north of the provisional demarcation line, are settled. The programme for the settlement of political problems is outlined in the Final Declaration of the Geneva Powers but as this cannot be carried out in view of the categorical opposition of the Government of the State of Viet-Nam, both to the Agreement and the Final Declaration, the Commission is faced with the prospect of continuing its activities indefinitely and, as pointed out above, so far as the zone under control of the State of Viet-Nam is concerned, without any sanction for its working.

No. 49

Note delivered by the Government of Viet-Nam to H.M. Ambassador, Saigon, 3 April, 1956

In his letter of December 21, 1955, Her Britannic Majesty's Ambassador Saigon informed us, in accordance with Your Excellency's instructions, of the concern you felt on examining the fourth interim report of the International Control Commission which notes that the opening clauses of the Geneva Agreements have not been satisfactorily carried out in Viet-Nam.

We did not deem it appropriate to reply to this letter since, not being a signatory of these Agreements, the Government of Viet-Nam has declared on several occasions that it does not consider itself as bound by their provisions.

However, on the eve of the withdrawal of the French expeditionary corps, we believe it useful to recall the permanent principles of policy of the Government of the Republic of Viet-Nam.

This policy continues to be based on the defence of full and complete sovereignty of Viet-Nam and on the maintenance of peace to which the Government and people of Viet-Nam are profoundly attached. It is therefore in the light of this dual principle that problems concerning Viet-Nam will be resolved.

1. *The withdrawal of the French Expeditionary Corps*

To protect its sovereignty and in the interests of peace the Republic of Viet-Nam consider that it cannot accept the presence on its territory of any foreign troops nor the granting of any military base. It does not, moreover, see the necessity of joining any military alliance.

By virtue of this principle the Government of Viet-Nam has decided, in agreement with French Government, that the French expeditionary corps be withdrawn.

The departure of French troops, which has as an immediate consequence the reduction of the military potential below the 17th parallel, can only prove in the most striking manner the Viet-Nameese Government's desire for peace.

2. *The demarcation line*

True to this same policy of peace, the Government of Republic of Viet-Nam will not have recourse to violence to resolve its problems and will uphold existing conditions of the present state of peace (*Maintiendra les données de fait de l'état actuel de paix*). It will not seek to violate the demarcation line and the demilitarised zone, as they have resulted from the situation of facts existing at the present time in Viet-Nam.

As it has declared on many occasions, the Government of the Republic of Viet-Nam will seek unification of the country on which it has set its heart by all peaceful means, in particular by means of truly free and democratic elections when conditions of freedom have been really established.

3. *The International Control Commission*

The Government of the Republic of Viet-Nam consider the International Control Commission to be an organisation working for peace. Because of their common peaceful objectives the Government of Viet-Nam will continue to extend effective co-operation to the Commission, will ensure security of its members and will, to the fullest extent possible, facilitate the accomplishment of its mission of peace, although the Government of Viet-Nam still consider the Geneva Agreements as *res inter alios acta*.

I hope that the above statement, in making clear to Your Excellency the policy which my Government intends to pursue will enable you, should you deem it appropriate, to give the necessary assurances to the Powers interested in the situation in Viet-Nam.

No. 50

Messages despatched by the Co-Chairmen of the Geneva Conference to the two Governments in Viet-Nam, the International Commission, and the French Government, 8 May, 1956

(a) *To the two Governments of Viet-Nam*

Acting with the authority of the Governments of the United Kingdom and the Soviet Union, the Minister of State for Foreign Affairs of Great Britain, Lord Reading, and the First Deputy Foreign Minister of the U.S.S.R., M. A. A. Gromyko, have met in London, as representatives of the two Co-Chairmen of the Geneva Conference on Indo-China, and have made a

thorough examination of the problems relating to the fulfilment of the Geneva Agreements in Viet-Nam. They have also exchanged views on the proposal to convene a further conference of members of the original Geneva Conference and of the Supervisory Powers to discuss these problems.

2. In the course of these talks they expressed their concern about the present situation in relation to the fulfilment of the Geneva Agreements in Viet-Nam, where the implementation of the political provisions of the Geneva Agreements has not yet begun. In particular, consultations have not taken place about the preparation and holding of free, nation-wide elections in Viet-Nam under the supervision of an International Commission with a view to the re-establishment of the national unity of Viet-Nam. There is thus at present a threat to the fulfilment of this important provision of the Geneva Agreements, although both sides in Viet-Nam have accepted the principle of national reunification by means of free general elections.

3. Pending the holding of free general elections for the reunification of Viet-Nam, the two Co-Chairmen attach great importance to the maintenance of the cease-fire under the continued supervision of the International Commission for Viet-Nam. They recognise that the dissolution of the French Union High Command has increased the difficulties of the International Supervisory Commission in Viet-Nam in carrying out the functions specified in the Geneva Agreements, which are the basis for the Commission's activities, and that these difficulties must be overcome. The Co-Chairmen are confident that the authorities in both parts of Viet-Nam will show effective co-operation and that these difficulties will in practice be removed.

4. Prompted by their desire to strengthen peace in Indo-China on the basis of the principles and provisions of the Geneva Agreements, the Co-Chairmen strongly urge the authorities of the Democratic Republic of Viet-Nam and those of the Republic of Viet-Nam to make every effort to implement the Geneva Agreements on Viet-Nam, to prevent any future violation of the military provisions of these agreements and also to ensure the implementation of the political provisions and principles embodied in the Final Declaration of the Geneva Conference. To this end the authorities of both parts of Viet-Nam are invited to transmit to the Co-Chairmen as soon as possible, either jointly or separately, their views about the time required for the opening of consultations on the organisation of nation-wide elections in Viet-Nam and the time required for the holding of elections as a means of achieving the unification of Viet-Nam.

5. Having noted with appreciation the valuable work performed by the International Supervisory Commission for Viet-Nam, the Co-Chairmen strongly urge the authorities in both parts of Viet-Nam to give the Commission all possible assistance in future in the exercise of their functions as defined by the Geneva Agreements on Viet-Nam.

6. The Co-Chairmen will continue to consult together about the situation in Vietnam and, if necessary in the light of that situation, they will also discuss the measures which should be taken to ensure the fulfilment of the Geneva Agreements on Viet-Nam, including the proposal to convene a new conference of the Members of the original Geneva Conference and of the States represented in the International Commissions in Indo-China.

(b) To the International Commission

Acting with the authority of the Governments of the United Kingdom and the Soviet Union, the Minister of State for Foreign Affairs of Great Britain, Lord Reading, and the First Deputy Foreign Minister of the U.S.S.R., Mr. A. A. Gromyko, have met in London as representatives of the two Co-Chairmen of the Geneva Conference on Indo-China in order to discuss the present situation in relation to the fulfilment of the Geneva Agreements on Viet-Nam. They have received the message from the International Supervisory Commission dated 2 May and also the separate note of the same date from the Canadian Member of the Commission.

2. The Co-Chairmen record their appreciation of the valuable contribution made by the International Supervisory Commission for Viet-Nam towards the fulfilment of the Geneva Agreements in Viet-Nam. The Co-Chairmen hope that the International Supervisory Commission will persevere in their efforts to maintain and strengthen peace in Viet-Nam on the basis of the fulfilment of the Geneva Agreements on Viet-Nam with a view to the reunification of the country through the holding of free nation-wide elections in Viet-Nam under the supervision of an International Commission.

3. Pending the holding of free general elections for the reunification of Viet-Nam, the two Co-Chairmen attach great importance to the maintenance of the cease-fire under the continued supervision of the International Commission for Viet-Nam. They recognise that the dissolution of the French Union High Command has increased the difficulties of the International Supervisory Commission in Viet-Nam in carrying out the functions specified in the Geneva Agreements, which are the basis for the Commission's activities, and that these difficulties must be overcome. The Co-Chairmen are confident that the authorities in both parts of Viet-Nam will show effective co-operation and that these difficulties will in practice be removed. The Co-Chairmen have strongly urged the authorities in both parts of Viet-Nam to give the Commission all possible assistance in the exercise of their functions.

4. If, however, the Commission encounter any obstacles or difficulties in their activities that cannot be resolved on the spot, the Co-Chairmen would be grateful to be informed, so that they may consider whether any further measures are required to facilitate the work of the Commission.

5. The Co-Chairmen will inform the remaining members of the Geneva Conference of this appeal to the International Commission.

(c) To the French Government

The two Co-Chairmen of the Geneva Conference on Indo-China have made a thorough examination of the problems relating to the fulfilment of the Geneva Agreements in Viet-Nam. They have noted the announcement made by the French Government that the French Union High Command in Viet-Nam will be dissolved on 28 April as a result of the withdrawal of French armed forces from Viet-Nam under Article 10 of the Final Declaration.

2. They recognise that the dissolution of the French Union High Command has created problems for the International Supervisory Commission that require serious attention. They are, however, confident that

the authorities in both parts of Viet-Nam will show effective co-operation and that these problems will in practice be resolved. They are sending messages to this effect to the competent authorities in both parts of Viet-Nam and to the International Commission.

3. The two Co-Chairmen believe, however, that the continued good offices of the French Government could be very valuable while the practical problems already mentioned are being resolved. They accordingly have the honour to invite the French Government to discuss this question with the authorities of South Viet-Nam with a view to reaching an arrangement that will facilitate the tasks of the International Supervisory Commission and of the Joint Commission in Viet-Nam.

4. The two Co-Chairmen also ask that, until the arrangements envisaged above are put into effect, the French Government should preserve the *status quo*.

No. 51

Reply of the International Commission for Supervision and Control in Viet-Nam to No. 50 above, Hanoi, 29 May, 1956

The International Commission for Supervision and Control in Viet-Nam have the honour to acknowledge the communication dated 8th May, 1956, from the Co-Chairmen of the Geneva Conference and the copy of the message sent by the Co-Chairmen to the Government of the Democratic Republic of Viet-Nam and to the French Government.

2. The International Commission note that the Co-Chairmen have received the Commission's message dated 2nd May, 1956, and also the separate note of the same date from the Canadian member of the Commission.

3. The International Commission for Supervision and Control is grateful to the Co-Chairmen for their appreciation of the work performed by the Commission.

4. The International Commission for Supervision and Control in Viet-Nam notes and places on record that the Co-Chairmen have communicated to the Commission that:

- “(a) pending the holding of free general elections for the reunification of Viet-Nam, the two Co-Chairmen attach great importance to the maintenance of the cease-fire under the continued supervision of the International Commission for Viet-Nam;
- (b) they recognise that the dissolution of the French Union High Command has increased the difficulties of the International Supervisory Commission in Viet-Nam in carrying out the functions specified in the Geneva Agreements, which are the basis for the Commission's activities;
- (c) these difficulties must be overcome; and
- (d) the Co-Chairmen are confident that the authorities in both parts of Viet-Nam will show effective co-operation and that these difficulties will in practice be removed.”

5. The International Supervisory Commission in Viet-Nam notes and records that "prompted by their desire to strengthen peace in Indo-China on the basis of the principles and provisions of the Geneva Agreements, the Co-Chairmen should urge the authorities of the Democratic Republic of Viet-Nam and those of the Republic of Viet-Nam:

- (1) to make every effort to implement the Geneva Agreements on Viet-Nam;
- (2) to prevent any future violation of the military provisions of these Agreements;
- (3) and also to ensure the implementation of the political provisions and principle embodied in the Final Declaration of the Geneva Conference".

6. The International Commission further notes and accepts that "to this end the authorities of both parts of Viet-Nam are invited to transmit to the Co-Chairmen as soon as possible, either jointly or separately, their views about the time required for the opening of consultations on the organisation of nation-wide elections in Viet-Nam and the time required for the holding of elections as a means of achieving the unification of Viet-Nam".

7. The International Commission further notes with appreciation that "the Co-Chairmen strongly urge the authorities in both parts of Viet-Nam to give the Commission all possible assistance in future, in the exercise of their functions as defined by the Geneva Agreements on Viet-Nam".

8. The International Commission hopes that the authorities in both parts of Viet-Nam will respond fully to the urgent appeal of the Co-Chairmen.

9. The International Commission for Supervision and Control in Viet-Nam notes that the Co-Chairmen have informed the French Government that "they recognised that the dissolution of the French Union High Command has created problems for International Supervisory Commission that require serious attention" and have invited the French Government "to discuss this question with the authorities of South Viet-Nam with a view to reaching an arrangement that will facilitate the work of the International Supervisory Commission and of the Joint Commission in Viet-Nam" and that the two Co-Chairmen have asked "that until the arrangements envisaged above, are put into effect, the French Government should preserve the *status quo*".

10. The International Commission for Supervision and Control in Viet-Nam will, as requested by the Co-Chairmen, "persevere in their efforts to maintain and strengthen peace in Viet-Nam on the basis of the fulfilment of the Geneva Agreements on Viet-Nam with a view to the reunification of the country through the holding of free nation-wide elections in Viet-Nam under the supervision of an International Commission".

11. The International Commission for Supervision and Control in Viet-Nam notes with appreciation that "if the Commission encountered any obstacles or difficulties in their activities that cannot be resolved on the spot, the Co-Chairmen would be grateful to be informed so that they may consider whether any further measures are required to facilitate the work of the Commission".

12. The International Commission for Supervision and Control in Viet-Nam is forwarding a copy of this message to the French authorities in South Viet-Nam and also to the authorities of the Democratic Republic of Viet-Nam and the Republic of Viet-Nam and will continue dealing with the parties concerned on the basis of the *status quo* "until the arrangements that will facilitate the work of the International Supervisory Commission and of the Joint Commission in Viet-Nam" envisaged in the Co-Chairmen's message to the French Government "are put into effect".

No. 52

Statement by the Government of the Democratic Republic of Viet-Nam on its readiness to hold the Consultative Conference with the Competent Representative Authorities in South Viet-Nam to prepare for the carrying out of General Elections to realise the Unity of Viet-Nam, 7 June, 1955

After 300 days of implementing the Agreement on the Cessation of Hostilities, the withdrawals and transfers of the military forces have been completed, the whole territory of North Viet-Nam has been entirely liberated.

This is a great success in the implementation of the Geneva Agreements with a view to consolidating peace, realising unity and achieving independence and democracy throughout Viet-Nam. As was said in the Final Declaration of the Geneva Conference, this success has resulted in "creating the necessary basis for the achievement in the near future of a political settlement in Viet-Nam"—that is for the realisation of the unity of Viet-Nam by means of free general elections.

The point 7 of the Final Declaration of the Geneva Conference stipulates very clearly that:

"General elections shall be held in July, 1956, under the supervision of an international commission composed of the representatives of the member States of the International Supervisory Commission, referred to in the Agreement on the Cessation of Hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones from 20 July, 1955, onwards."

Article 14(a) of the Agreement on the Cessation of Hostilities also stipulates that:

"Pending the general elections which will bring about the unification of Viet-Nam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present Agreement."

Thus the Agreement on the Cessation of Hostilities in Viet-Nam and the Final Declaration of the Geneva Conference have clearly laid down the principle of realising the unification of Viet-Nam by means of free general elections, fixed the date for the holding of the Consultative Conference and the date of the general elections, and have also laid down clearly the responsibility of each party in this matter.

Up to now, in the withdrawals and transfers of the military forces, as well as in other questions, the Government of the Democratic Republic of Viet-Nam has loyally implemented the Geneva Agreement. From now on, in the organisation of the free general elections in order to achieve the unity of Viet-Nam, as well as in other questions, the Government of the Democratic Republic of Viet-Nam is resolved to continue to implement loyally the Geneva Agreement. The Government of the Democratic Republic of Viet-Nam declares its readiness to hold the Consultative Conference with the competent representative authorities in South Viet-Nam from July 20, 1955, onwards in order to discuss the organisation of free general elections throughout the country in July 1956.

The French Government has manifested its desire to implement the Geneva Agreements. On May 17 of this year, on the occasion of the completion of the withdrawals and transfers of the military forces, the representative of the High Command of the French Union Forces, and the representative of the High Command of the Viet-Nam People's Army, solemnly issued the following joint statement:

“Resolved to continue to assume their responsibility in the full implementation of the provisions of the Geneva Agreement and of the Final Declaration of the Nine Powers, both parties affirm once again their determination to respect and to implement scrupulously the clauses and provisions of these conventions, in order to consolidate peace and to realise the unity of Viet-Nam by means of general elections. The Government of the Democratic Republic of Viet-Nam welcomes and takes note of this statement.

To execute strictly the Geneva Agreements with a view to realising the unity of Viet-Nam by means of free general elections is the profound desire and the iron will of the Viet-Nameese people, of all social strata and of all patriotic political circles in North as in South Viet-Nam. This is also the wish of the French people and of peace-loving peoples throughout the world. The peoples of the world will warmly support the realisation of the unification of Viet-Nam because this will result in the consolidation of peace in Viet-Nam and contribute to the consolidation of peace in Southeast Asia and throughout the world.

Viet-Nam and the Viet-Nameese nation constitute a single entity from all points of view: history, geography, culture, language, habits and customs. Through centuries of work and struggle, the Viet-Nameese people have built up the unity of their country. The August Revolution which marked the end of a phase of struggle of nearly a century against colonial rule, founded the united, independent and democratic Republic of Viet-Nam. It was in order to safeguard unity, independence and democracy that the Viet-Nameese people have fought most heroically for the last eight to nine years and obtained brilliant successes at Dien Bien Phu and at the Geneva Conference. The participating countries to the Geneva Conference confirmed that: ‘The military demarcation line should not in any way be interpreted as constituting a political or territorial boundary’ and ‘undertake to respect the sovereignty, the independence, the unity and territorial integrity of Cambodia, Laos and Viet-Nam and to refrain from any interference in their internal affairs’.

To realise the unity of their country by means of free general elections within the framework of the Geneva Agreements is the sacred national right of the Viet-Nameese people. The entire Viet-Nameese people are firmly resolved to unite closely and to fight determinedly for the realisation of this sacred right.

Viet-Nam is one. The Viet-Nameese nation is one. No force can divide them. Whoever tries to partition Viet-Nam is the enemy of the Viet-Nameese people and will surely be defeated. All the Viet-Nameese who are for peace, unity, independence, democracy, regardless of social strata, political affiliations or religious belief, should unite in the fight for a common aim; they will surely be victorious.

In their struggle for unification, the Viet-Nameese people maintain constant vigilance and are on their guard against any manoeuvres of the American imperialists aimed at partitioning Viet-Nam. They are ready to unite and to fight against such manoeuvres and to smash them.

With the warm approval and support of the peoples throughout the world, the Viet-Nameese people, in their monolithic unity and with their determination to fight, will certainly ensure the strict implementation of the Geneva Agreement and the realisation of the unity of Viet-Nam by means of free general elections."

No. 53

Aide-Mémoire to the Co-Chairmen of the Geneva Conference from the Government of India, New Delhi, 14 June, 1955

The military phase of the implementation of the Geneva Agreement on the Cessation of Hostilities in Viet-Nam having been concluded, it remains now to give attention to the question of general elections which will bring about the unification of Viet-Nam.

2. Paragraph 7 of the Final Declaration of the Geneva Conference mentions that "so far as Viet-Nam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity shall permit the Viet-Nameese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot". According to the time schedule fixed in this paragraph consultations are to be held from July, 1955, onwards between the competent representative authorities of the two zones on the subject of holding general elections in July, 1956.

3. Under Article 14 (a) of the Geneva Agreement on the Cessation of Hostilities in Viet-Nam, "pending the general elections which will bring about the unification of Viet-Nam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present Agreement". Accordingly, the civil administration in North Viet-Nam was, pending the general elections, to be with the Democratic Republic of Viet-Nam and in South Viet-Nam with the

French Union. Subsequently, however, the French Union transferred their sovereign authority in the southern zone to the State of Viet-Nam. The representative authorities of the two zones between whom consultations are to be held are, therefore, the Democratic Republic of Viet-Nam which is responsible for civil administration in North Viet-Nam and, in virtue of Article 27, the State of Viet-Nam which has taken over the civil administration in South Viet-Nam from the French authorities.

4. The date on which these consultations are to commence (20th July, 1955) is not far off, and if paragraph 7 of the Final Declaration of the Geneva Powers is to be implemented, expeditious steps have to be taken to ensure that such consultations do take place on and from the appointed date. The implementation of paragraph 7 of the Declaration must be a matter of vital interest to those who subscribed to the Final Declaration at Geneva. It is also of interest to Canada, Poland and India who as supervisory countries on the International Commission are associated with the implementation of the Geneva Agreement, particularly as non-implementation of paragraph 7 of the Geneva Declaration involves the risk of reversion to a state of war between the parties through breakdown of the main structure of the Geneva settlement.

5. Having regard to the relations between the parties and the circumstances prevailing in Viet-Nam, it appears to the Government of India that consultations may not take place without some initiative being taken by the two Co-Chairmen. The Government of India, therefore, feel that the Co-Chairmen should request the authorities in charge of the Democratic Republic of Viet-Nam and the State of Viet-Nam to start consultations. To facilitate such consultations they may further offer the parties the services of the three Delegates on the International Supervisory Commission in Viet-Nam. The Delegates will act not as members of the Commission but as individuals representing their respective Governments and their task will be to assist the parties:

- (i) to convene a conference of competent representative authorities of the two sides for inter-zonal consultations and to assist in the preparation and approval of the agenda; and
- (ii) to elect a Chairman either from among themselves or from outside to preside over the deliberations of the consultative conference.

The Delegates from the Supervisory Commission will withdraw from the conference after the agenda has been settled and a Chairman has been chosen to preside over the deliberations.

6. The Chairman agreed upon by the parties will act both as conciliator and as technical expert on the essentials of a free general election by secret ballot and will assist the parties to come to agreed conclusions as regards the principles and procedure which would ensure free and fair general elections by secret ballot. The agreed modalities of the elections can thereafter be worked out and adopted by the authorities in each of the two zones as the law in force for the time being to regulate the elections. Thereafter, the Electoral Commission, envisaged in paragraph 7 of the Geneva Declaration, will be set up to supervise the elections in accordance with the agreed principles and procedure.

7. The Government of India would request the two Co-Chairmen to address the authorities in charge of the Democratic Republic of Viet-Nam and the State of Viet-Nam on the lines indicated in paragraphs 5 and 6 above. They are informing the Governments of Canada and Poland that they are making this request with an expression of their hope that the Governments of Canada and Poland would agree with the procedure outlined herein.

No. 54

**Extract from the Proceedings of the House of Commons,
15 June, 1955**

Mr. Nutting : Now I turn to the issues in Indo-China which were raised by the hon. Gentleman the Member for Woolwich, East. I would like to give the House a short account of the tasks and achievements of the International Commission. In Viet-Nam the major purposes of the agreement on the cessation of hostilities in Viet-Nam was the disengagement, concentration and withdrawal by stages north and south of the military demarcation line of the opposing forces of Viet Minh and French Union. This was completed without incident and according to the provisions of the agreement a month ago, and it was no small achievement. The supervision of this extremely complicated process—for there was no front line and the opposing forces were mixed up with one another all over the country—was the major task of the Commission in Viet-Nam and its execution reflects considerable credit upon the Commission.

The feature of the agreement which has attracted most attention in this country has been the provision for the free movement of refugees between north and south or *vice versa*. Here, although the Commission has been able to reduce, and on occasion to expose, Viet Minh violations or evasions of the agreement, it has not been able altogether to prevent them. Nevertheless, many thousands of refugees have left North Viet-Nam with the aid of the Commission who would undoubtedly never have got away without it.

In Laos the tasks of the Commission have been complicated by disagreement about the interpretation of those provisions of the agreement concerning the authority of the Royal Government of Laos over the two northern provinces of that country. The Foreign Secretary referred to this in his opening speech. For some time, too, the Commission was also handicapped by transport difficulties, but these have since been alleviated by the supply of additional helicopters.

Although these two difficulties have prevented the Commission from doing all that it might otherwise have done, it has nevertheless accomplished much valuable work. We hope that it will eventually be able to secure compliance by the Viet Minh and Pathet Lao with the provisions of the agreement relating to the two northern provinces.

In Cambodia the task of the Commission has been the easiest of the three, and, so far as military withdrawals are concerned, these are already completed.

I now come to the question of elections in Viet-Nam about which the hon. Gentleman had some comments to make. The Final Declaration of the Geneva Conference on Indo-China provides that the general elections to be held in Viet-Nam in July, 1956, shall be supervised by an international commission composed of representatives of the member States of the present International Supervisory Commission in Viet-Nam, namely, India, Canada and Poland. This electoral supervisory commission has not yet been set up, and agreement has still to be reached on its functions and terms of reference. However, in reply to the direct question put to me by the hon. Gentleman, we are proceeding on the assumption that elections will take place as laid down in the Geneva Agreement in July, 1956. .

As the House knows, our policy is to do all we can to uphold the authority and prestige of the international supervisory commissions in Indo-China and to support them in their efforts to make the Geneva Agreements work. They can do no more. Their task in doing that has been by no means an easy one, nor for that matter has ours; but, by and large, I hope the House will agree, and give them credit for it, that they have done all and more than they could be expected to do in seeing that the Geneva settlement is carried out. But what they cannot do, and are not called upon to do, under the Geneva Agreement is to intervene in the internal situation and internal affairs of the State of Indo-China. All they can do is to ensure that elections take place. The International Supervisory Commission should not and cannot try to win the elections for whichever side we should like to win.

Mr. Mayhew : What steps are the Government taking, first, to get the supervisory commission set up immediately, and, second, and most important, to ensure that there is a real will on the southern side to reach agreement on the electoral law for elections next year?

Mr. Nutting : We cannot order the Government of South Viet-Nam about. With regard to getting the supervisory commission going, the hon. Gentleman will know that under the Geneva Agreements the two parties in Viet-Nam, the Viet Minh and the Government of South Viet-Nam, must agree on the powers and functions of the supervisory commission which is to supervise the elections. It is upon that that we are stuck at the moment, but we shall certainly do all we can to lever that along and get agreement so that the supervisory commission can take up its duties.

Mr. Mayhew : The right hon. Gentleman says that he has no power to order the South Viet-Nam Government about. That is the crux of the problem. The French signed the agreement before the South Viet-Nam Government became independent. Now that Government is independent. If the Western Powers seek refuge in saying that it is independent and cannot be influenced, the Geneva Agreements will fall.

Mr. Nutting : I am not saying that we cannot influence it; I am saying that we cannot order it about. We shall use all our influence to get the South Viet-Nam Government to agree upon the early establishment of the supervisory commission, but, as I say, to be fair, it does not rest with them alone. The Viet Minh have to be brought to agree to the authority as well.

Declaration broadcast by M. Ngo Dinh Diem, Saigon, 16 July, 1955

The National Government time and time again has emphasised the price it has paid for the defence of the unity of the country, and of true democracy.

We have not signed the Geneva Agreements.

We are not bound in any way by these agreements, signed against the will of the Viet-Nameese people.

Our policy is a policy for peace. But nothing will lead us astray of our goal, the unity of our country, a unity in freedom and not in slavery. Serving the cause of our nation, more than ever we will struggle for the reunification of our homeland.

We do not reject the principle of free elections as peaceful and democratic means to achieve that unity. However, if elections constitute one of the bases of true democracy, they will be meaningful only at the condition that they are absolutely free.

Now, faced with a régime of oppression as practised by the Viet Minh, we remain sceptical concerning the possibility of fulfilling the conditions of free elections in the North.

We shall not miss any opportunity which would permit the unification of our homeland in freedom, but it is out of the question for us to consider any proposal from the Viet Minh if proof is not given us that they put the superior interests of the national community above those of Communism; if they do not give up terrorism and totalitarian methods; if they do not cease violating their obligations, as they have done by preventing our countrymen of the North from going South, by attacking recently still another, together with the Communist Pathet Lao, the friendly state of Laos.

The mission falls to us Nationalists to accomplish the reunification of our country, in conditions that are most democratic and most effective, to guarantee our independence.

The free world is with us, of this we are certain.

I am confident that I am a faithful interpreter of our state of mind, when I affirm solemnly our will to resist Communism.

To those who live above the 17th Parallel I ask to have confidence. With the agreement and the backing of the free world, the National Government will bring you independence in freedom.

**Letter to the Head of State and Prime Minister of the State of Viet-Nam
from the Government of the Democratic Republic of Viet-Nam,
Hanoi, 19 July, 1955**

After so many years of war the Geneva Agreements established peace in the countries of Indo-China on the basis of respect for the independence, sovereignty, unity and territorial integrity of the three countries: Viet-Nam, Cambodia, and Laos.

With regard to Viet-Nam the Geneva Agreements contain clauses which refer to the termination of hostilities and also to a political settlement with the aim of strengthening peace and establishing the unity of the country by means of general free elections.

Paragraph 7 of the final declaration of the Geneva Conference affirms that "general elections will be carried out during July, 1956, under the control of an International Commission consisting of representatives of the States which are members of the International Commission for Supervision and Control provided for by the agreement on the termination of hostilities. Consultations will take place on this between the competent representative authorities of both zones beginning on 20 July, 1955."

Clause 14A of the agreement on the termination of hostilities in Viet-Nam also affirms that "until the holding of general elections which will bring about the unity of Viet-Nam the civil administration in each regrouping zone will be provided by the side whose armed forces are to be regrouped there in accordance with the provisions of the present Agreement".

Thus the agreement on the termination of hostilities in Viet-Nam and the final declaration of the Geneva Conference lay down precisely the principle for the unification of Viet-Nam by means of general free elections, lay down a time for the opening of a consultative conference and a time for the holding of general elections and concretely define the responsibility of each side in this question.

Up to the present the Government of the Democratic Republic of Viet-Nam has carried out the Geneva Agreements honourably with regard to the termination of hostilities, the regrouping and transfer of armed forces and also with regard to all the other questions.

Now the armed forces of both sides have been regrouped in the two zones of North and South and thereby there has been made "the necessary beginning for the bringing about in the near future of a political settlement in Viet-Nam".

The Government of the Democratic Republic of Viet-Nam will henceforth also continue to carry out the Geneva Agreements and considers that the interested Governments should apply their efforts to observing the Geneva Agreements, bringing about the unification of Viet-Nam and strengthening peace in Indo-China.

Therefore on 6 July, 1955, the Government of the Democratic Republic of Viet-Nam made a declaration to the effect that it was ready to take part in a consultative conference jointly with the competent representative authorities of South Viet-Nam in order to prepare general elections for the purpose of unifying the country. A consequence of this declaration was that the delegation of the Viet-Nam People's Army, which is a member of the Central Mixed Commission, raised before the delegation of the armed forces of the French Union the question of preparing a meeting of the representatives of the competent authorities of both zones.

The opening within the time laid down of a consultative conference of representatives of the appropriate competent authorities of both zones, North and South, is of very great importance and is of interest not only for the

future unification of our country but also for the honourable fulfilment of the Geneva Agreements and for strengthening peace in Indo-China and in all the world.

Following the declaration of the Government of the Democratic Republic of Viet-Nam of 6 July, 1955, Saigon radio on 16 July, 1955, broadcast a statement "on the position of the Government of the State of Viet-Nam on the question of general elections for the purpose of unifying national territory". In this statement there is mention of general elections and unification but there is not a single word about another very important and practical question, namely, the question of a meeting of representatives of the appropriate competent authorities of both zones, the question of a consultative conference for the purpose of discussing general elections and the unification of the country in accordance with the Geneva Agreements. Furthermore, facts are quoted in this statement which do not correspond to reality and which are incapable of creating a favourable atmosphere during the work of a consultative conference.

Our compatriots in the North and in the South, without distinction of class, faith and political adherence, are striving for the unification of our country and awaiting the opening in the immediate future of a consultative conference and its complete success. The countries which bear the responsibility for carrying out the Geneva Agreements, and in general all the peace-loving countries of the world, desire the calling of this consultative conference, desire that it should lead to good results and that unification of Viet-Nam should be brought about.

The Government of the Democratic Republic of Viet-Nam proposes that you should appoint representatives who, jointly with our representatives, will take part in the work of the consultative conference beginning on 20 July, 1955, in accordance with the Geneva Agreements, at one of the points on Viet-Nam territory which will be selected by general agreement, in order to discuss the question of the unification of our fatherland by means of holding general and free elections throughout the country.

On behalf of and on the instructions of the President and Prime Minister of the Democratic Republic of Viet-Nam.

No. 57

Statement by the Government of Viet-Nam, Saigon, 12 August, 1955

In a radio broadcast on 16 July, the Government of Viet-Nam clearly defined its attitude to the problem of territorial unification. The Government does not consider itself in any way bound by the Geneva Agreements, of which it was not a signatory. The Government reiterates that, putting the nation's interest first under all circumstances, it is determined to attain the avowed aim of its policy—the unity of the country in peace and freedom. Through its delegation at the Geneva Conference in 1954 the Viet-Nam Government affirmed that it sought to realise the aspirations of the Viet-Name people by every means which the independence and sovereignty solemnly granted by France to the State of Viet-Nam had made possible. The Government's policy is unchanged about partition. The Government

wants the people of the whole country to be able to live without fear, completely free of all dictatorship and all oppression. Serving the cause of true democracy the Viet-Nam Government considers the principle of really free elections to be a peaceful and democratic institution, but the conditions of freedom, of life and of the vote must first be satisfied. Nothing constructive from this point of view will be achieved so long as the Communist régime in the North does not allow each Viet-Name citizen to exercise democratic liberties and the fundamental rights of man.

No. 58

**Message to the Co-Chairmen of the Geneva Conference on Indo-China
from M. Pham Van Dong, Hanoi, 17 August, 1955**

I have the honour to send this letter to you, the two Chairmen of the Geneva Conference, in order to inform you of the serious position which at the present time threatens the carrying out of the political settlement in Viet-Nam in accordance with the Geneva Agreements and particularly on the question of the summoning of a consultative conference between the competent representative authorities of the northern and southern zones with the aim of discussing the prospects of free general elections for the unification of Viet-Nam, and in order to set out to you our position in connection with this serious situation.

After an eight or nine-year period of agonising war, the Geneva Conference restored peace in Indo-China on the basis of respect for the principles of independence, sovereignty, unity and territorial integrity of Viet-Nam, Cambodia and Laos.

Paragraph 2 of the Final Declaration of the Conference clearly says :

“ . . . It (the Conference) expresses the conviction that the execution of the provisions set out in the present Declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos and Viet-Nam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.”

In connection with Viet-Nam, paragraph 6 of the Final Declaration quite clearly points out :

“ . . . The essential purpose of the agreement relating to Viet-Nam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. It expresses its conviction that the execution of the provisions set out in the present Declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Viet-Nam.”

And paragraph 7 :

“ The conference declares that so far as Viet-Nam is concerned the settlement of political problems effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit

the Viet-Nameese people to enjoy the fundamental freedoms, guaranteed by democratic institutions, established as a result of free general elections by a secret ballot . . . general elections shall be held in July, 1956, under the supervision of an international commission composed of representatives of the member States of the International Supervisory and Control Commission referred to in the agreement on the cessation of hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones, from 20 July, 1955, onwards."

In connection with the responsibility of those governments on which lies the obligation to carry out the Geneva Agreements, Article 14 of the Agreement on the cessation of hostilities in Viet-Nam points out:

"Pending the general elections, which will bring about the unification of Viet-Nam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present Agreement."

And Article 27:

"The signatories of the present Agreement and their successors in their functions shall be responsible for ensuring the observance and enforcement of the terms and provisions thereof."

In this way the Geneva Agreements (the Agreements on the ending of hostilities in Cambodia, Laos and Viet-Nam and the Final Declaration) precisely laid down measures which should be taken for the cessation of hostilities and for the settlement of political questions with the aim of the restoration and strengthening of peace in Indo-China in a durable and lasting manner.

Thanks to the efforts of the interested parties and to the co-operation of the International Supervisory and Control Commission, good results were achieved during the first 300 days of the carrying out of the Agreements, operations for the regrouping and transfer of troops were concluded.

This is a significant success in the carrying out of the Geneva Agreements, which thus creates "the necessary basis for the achievement in the near future of a political settlement in Viet-Nam".

With the aim of achieving a political settlement in Viet-Nam the Government of the Democratic Republic of Viet-Nam stated on 6 July, 1955, that they were "ready to open a consultative conference with the competent representative authorities of South Viet-Nam for the discussion of the question of the preparation for general elections with the aim of the unification of Viet-Nam".

After the statement of the Government of the Democratic Republic of Viet-Nam on 6 July, 1955, Saigon radio transmitted on 16 July, 1955, a statement of the position of the Government of South Viet-Nam in connection with the question of general elections with the aim of unification of the national territory; according to this statement the South Viet-Nam authorities repudiate the Geneva Agreements and do not devote one word to the question of a consultative conference on the subject of a discussion of the prospects of holding free general elections with the aim of the unification of Viet-Nam in accordance with the provisions of the Geneva Agreements.

On 19 July, 1955, the President and Prime Minister of the Democratic Republic of Viet-Nam sent a letter to the Government of South Viet-Nam in which the following is clearly stated:

“The Government of the Democratic Republic of Viet-Nam propose that you should name your representatives for the holding, together with our representatives, of a consultative conference beginning from 20 July, 1955, in accordance with the provisions of the Geneva Agreement, in any place on the territory of Viet-Nam chosen by joint agreement, for the purpose of a discussion of the question of the unification of our motherland by means of free general elections throughout the country.”

The position and the conduct of the Government of the Democratic Republic of Viet-Nam fully correspond to the interests and the innermost wishes of the entire Viet-Nameese people and are warmly welcomed and fully supported by it.

On 9 August, 1955 the South Viet-Nam authorities, not replying officially to the letter of the Government of the Democratic Republic of Viet-Nam of 19 July, published, as on the previous occasion through Saigon Radio, another statement which is in no way different from the statement of 16 July in the sense that it continues to repudiate the Geneva Agreements and refuses all consultations for a discussion of the question of free general elections with the purpose of the unification of Viet-Nam by peaceful means.

The Government of the Democratic Republic of Viet-Nam consider that the carrying out of the Geneva Agreements and the political settlement in Viet-Nam is subject to a serious threat as a result of the conduct of the South Viet-Nam authorities.

A consultative conference between the competent representatives of the northern and southern zones should, in accordance with the Geneva Agreements, have begun on 20 July, 1955 but it did not in fact take place. Herein lies the seriousness of the situation in the field of the strengthening of peace and of the bringing about of the unity of Viet-Nam and at the same time this is one of the factors contributing to an increase of tension in Indo-China and South-East Asia.

Therefore the Government of the Democratic Republic of Viet-Nam is sending this letter to the two Chairmen of the Geneva Conference with a statement of its position and with a request for their intervention.

1. The Government of the Democratic Republic of Viet-Nam have always implemented and will continue fully and strictly to implement the Geneva Agreements. The Government of the Democratic Republic of Viet-Nam are fully resolved to demand from all the interested parties full and strict implementation of the Geneva Agreements.

The Government of the Democratic Republic of Viet-Nam consider that the political question in Viet-Nam should be settled in accordance with the provisions of the Geneva Agreements, that is, there should open a consultative conference between the competent representative authorities of both zones for a discussion of the question of free general elections with the aim of unifying Viet-Nam and thus strengthening peace in Viet-Nam and Indo-China which will contribute to the strengthening of peace throughout the world.

2. The Government of the Democratic Republic of Viet-Nam consider that the French Government and the Government of South Viet-Nam should acknowledge the responsibility (soglasitsa s otvetstvennostiu) which they bear for the carrying out of the Geneva Agreements both in connection with the ending of hostilities and in connection with a political settlement.

The Government of the Democratic Republic of Viet-Nam ask the two Chairmen of the Geneva Conference to take all the necessary measures in order to guarantee the observance of the Geneva Agreements, the settlement of the political question in Viet-Nam and the immediate summoning of a consultative conference between the competent representative authorities of the northern and southern zones for a discussion of the question of the unification of Viet-Nam by means of free general elections throughout the country.

This is not only in the interests and according to the wishes of the entire Viet-Nameese people, but also corresponds to the wishes of all freedom-loving people throughout the world.

The Government of the Democratic Republic of Viet-Nam hope that in accordance with the spirit of the recent Geneva Conference of the four Great Powers, all that was signed and recognised at last year's Geneva Conference will be fully respected and observed.

I have the honour, Mr. Chairmen, to ask you to accept the assurance of my highest esteem.

No. 59

**Letter to the Foreign Secretary from Mr. Chou En-lai, Peking,
31 October, 1955**

The Government of the People's Republic of China has received the letter of 17 August, 1955, of the Vice-Premier and the Foreign Minister, Pham van dong, of the Democratic Republic of Viet-Nam addressed to the two Chairmen of the Geneva Conference on the Indo-China question which the two Chairmen have distributed.

One of the fundamental provisions of the Geneva Agreement is that Viet-Nam should hold free general elections in July, 1956, and that the competent authorities of the two zones in Viet-Nam should start consultations on this subject on 20 July, 1955. In order to implement this, the fundamental provisions of the Geneva Agreement, the Democratic Republic of Viet-Nam has made many efforts, and proposed that the two sides immediately despatch representatives to hold a consultative conference. However, the Ngo Dinh Diem Government in South Viet-Nam still refuse to hold a consultative conference which should have begun more than three months ago. Furthermore, this flagrant violation of the Geneva Agreement by the Ngo Dinh Diem Government has received the open support of the United States. This makes it impossible to implement even now this fundamental provision of the Geneva Agreement, and places the entire Geneva Agreement in danger of being wrecked.

It should be pointed out that the assertion that the Geneva Agreement does not bind the Ngo Dinh Diem Government is untenable. When France

signed the Geneva Agreement, it signed also on behalf of the southern part of Viet-Nam. The Geneva Agreement also clearly stipulates that the signatories of the agreement and their successors in their functions shall be responsible for ensuring the observance and enforcement of the terms and provisions thereof. Just as Prime Minister Nehru has pointed out, to enjoy the benefits brought about by the agreement while attempting to reject other aspects of the agreement, is intolerable. Even the United States could not evade the obligations stipulated in the Geneva Agreement. The United States has openly declared that it will not disturb the implementation of the Geneva Agreement. The present line of action adopted by the United States in supporting the Ngo Dinh Diem Government to refuse to hold consultations on the general elections is completely contrary to its own declaration.

As for the question of the so-called conditions of freedom for the general elections in Viet-Nam, that is precisely a matter to be established through consultations by the two sides in Viet-Nam. The Geneva Agreement further stipulates explicitly that Viet-Nam general elections should be held under the supervision of the International Commission. There is, therefore, no justification whatsoever to use the conditions of freedom for elections as a pretext to obstruct the holding of consultations between the two sides in Viet-Nam concerning its general elections.

The Government of the People's Republic of China fully supports the stand adopted in the letter of 17 August, 1955, of the Government of the Democratic Republic of Viet-Nam to the two Chairmen of the Geneva Conference and the request which it has made. The Government of the People's Republic of China holds that the two Chairmen of the Geneva Conference should speedily adopt all necessary measures so that the Geneva Agreement will be respected and, first of all, that the consultative conference concerning general elections will be held immediately between the competent authorities of two zones in Viet-Nam.

I am sending a letter with the same contents to Mr. V. M. Molotov, Minister for Foreign Affairs of the Soviet Union, the other Chairman of the Geneva Conference.

Please accept the assurance of my highest consideration.

No. 60

Message from the Co-Chairmen of the Geneva Conference to Members of the Geneva Conference, 20 December, 1955

Mr. Molotov and Mr. Macmillan, in their capacity as Co-Chairmen of the Geneva Conference on Indo-China, met in Geneva on 14 November, 1955, to discuss the implementation in Viet-Nam of the agreements reached by the Geneva Conference of 1954. They had before them:

- (a) A communication addressed to the two Co-Chairmen on 17 August by Mr. Pham Van Dong;
- (b) A communication addressed to Mr. Macmillan on 7 October by Mr. Mau;
- (c) A communication addressed to the two Co-Chairmen on 31 October by Mr. Chou En-lai;

- (d) The fourth interim report of the International Supervisory Commission for Viet-Nam;
- (e) Communications received by the two Co-Chairmen from the Government of India in September.

These documents have already been communicated to members of the Conference.

From these documents and in particular from the fourth interim report of the International Supervisory and Control Commission, the two Co-Chairmen have noted with concern that the implementation in Viet-Nam of certain provisions of the Geneva Agreements is unsatisfactory. The two Co-Chairmen regard the work of the International Supervisory and Control Commission in Viet-Nam as an important contribution to the preservation of peace in South-East Asia and deplore any obstruction of the Commission's activities.

The two Co-Chairmen would be grateful to receive the comments of other members of the Geneva Conference and of the States exercising supervision and control in Indo-China together with any suggestions for improving the implementation in Viet-Nam of the Geneva Agreements.

No. 61

Letter to the Co-Chairmen of the Geneva Conference from M. Pham Van Dong, Prime Minister of the Democratic Republic of Viet-Nam, Hanoi, 14 February, 1956

In the Note of 21 December, 1955, which you were so good as to transmit to me, after stating the fact that several provisions of the Geneva Agreements had not been fully implemented, you ask the countries participating in the Geneva Conference of 1954 on Indo-China and the member countries of the International Supervisory Control Commission to make proposals which could guarantee the implementation of the above mentioned Agreements. I have the honour to set out for you in this note the position of the Government of the Democratic Republic of Viet-Nam in connection with the measures which it is necessary to take for the implementation of the Geneva Agreements.

It should be recalled that the Geneva Conference on Indo-China, which met in July, 1954, restored peace in Indo-China on the basis of the recognition of the national rights of the peoples of Indo-China. This Conference was concluded by the signature of Agreements on cease fires in Viet-Nam, Cambodia and Laos and approved a final declaration determining the principle of the settlement of political problems in Indo-China on the basis of respect for the sovereignty, independence, unity and territorial integrity of the countries in Indo-China. The Geneva Conference not only laid the foundations for a firm and lasting peace in Indo-China but also promoted a lessening of international tension in Asia and throughout the world.

It was precisely in this spirit that the Government of the Democratic Republic of Viet-Nam in so far as it was directly concerned, constantly

guaranteed a precise loyal implementation of the Geneva Agreements concerning the regrouping and withdrawal of troops to the north of the 17th Parallel, the non-import of new weapons, ammunition and new military personnel from abroad and also by not setting up foreign military bases, not participating in any military *bloc* with a foreign Power, not using repression in respect of individuals who had collaborated with the other side, by guaranteeing democratic rights and freedoms and by closely collaborating with the International Supervisory and Control Commission. Finally, with the aim of achieving political settlement, the Government of the Democratic Republic of Viet-Nam, made numerous realistic concrete proposals for the consultation between representatives of the two zones for discussion of the question of free general elections in July, 1956, in accordance with the provisions of the Geneva Agreements.

This constructive and consistent conduct of the Government of the Democratic Republic of Viet-Nam has been warmly encouraged by the whole Viet Minh people and has met with the support of all peace-loving peoples of the world.

Quite different is the conduct of the Government of South Viet-Nam, which has stated its opposition to the Geneva Agreements, a number of extremely important articles of which it has refused to implement.

The military articles of the Geneva Agreements were thus breached: new armaments and ammunition as well as new foreign military personnel are being imported into South Viet-Nam; foreign military bases are being set up; a virtual military alliance with one foreign State is being created, an attempt is being made to participate in a military *bloc*.

The articles concerning democratic rights and freedoms have also been breached: systematic repression is being employed against individuals who took part in the resistance movement; freedoms of the individual, of opinion, and of speech have been liquidated. Concentration camps are being set up.

Finally in the matter of the settlement of the political problem the Government of South Viet-Nam systematically rejects proposals made by the Government of the Democratic Republic of Viet-Nam directed towards the restoration of normal relations between North and South for the opening of consultations towards discussion of the question of free general elections in July, 1956, in accordance with the Geneva Agreements. Furthermore the Government of South Viet-Nam, after the holding of the so-called "referendum" of 23 October, 1955, is now organising separate elections with the clear purpose of creating a separate State in South Viet-Nam which completely contradicts the letter and the spirit of the Geneva Agreements, which lay down that the military demarcation line is temporary and will in no way bear a political or territorial character and that the institutions of Viet-Nam would be set up as a result of free general elections.

It should be added that the International Supervisory Control Commission which up to this very day has made a positive contribution towards the implementation of the Geneva Agreements not only suffered on 20 July, 1955, an attack on its place of residence in Saigon but also met with protests against the transfer to Saigon of its staff headquarters on the part of the Government of South Viet-Nam, which is systematically hindering the activity of the Commission.

In order to justify its refusal to implement the Geneva Agreements the Government of South Viet-Nam alleges that it is not connected with these Agreements in so far as it did not sign them. It is quite obvious that such an excuse is devoid of any foundation. The Government of the French Republic carried on negotiations and signed agreements directly on its own behalf and on behalf of the South Viet-Nam authorities. The Government of South Viet-Nam itself does indirectly recognise the Geneva Agreements in so far as the civil Administration in South Viet-Nam was handed over to it on its demand.

It is quite clear that the Government of South Viet-Nam intends to turn South Viet-Nam into a separate State with a dictatorial régime and into a foreign military base to draw it into a military alliance and all this with the aim of preparing a new war in Indo-China. Proof of this are the harsh statements of the military leaders of the Government of South Viet-Nam who called on troops to prepare for a "campaign to the North".

In these conditions the Government of the Democratic Republic of Viet-Nam considers that a serious threat is hanging over our country: the implementation of the Geneva Agreements is being sabotaged, the lawful strivings of the national rights of the peoples of Viet-Nam recognised by these Agreements are not being respected; peace in Indo-China is threatened.

Those responsible for such a position are the Government of South Viet-Nam and simultaneously the French Government which signed the Geneva Agreements.

Taking into account the seriousness of the position, the Government of the Democratic Republic of Viet-Nam true to the policy of peaceful negotiations for the settlement of all differences, a policy which led to the conclusion of the Geneva Agreements, propose the summoning of a new Geneva Conference on Indo-China with the participation of the three member countries of the International Supervisory and Control Commission, who with their knowledge of the situation in Viet-Nam can make a significant contribution to the Conference. This new Geneva Conference on Indo-China would have the task of studying and with general agreement of instituting measures guaranteeing the implementation of the Geneva Agreements, especially the settlement of the political question of achieving the national unity of Viet-Nam by means of free general elections.

The Government of the Democratic Republic of Viet-Nam considers that the responsibility for the establishment of a firm and lasting peace in Viet-Nam on the basis of a full implementation of the Geneva Agreements, lies on the countries who participated in the Geneva Conference on Indo-China.

From all this it follows that the summoning of a new Geneva Conference on Indo-China with the participation of the member States of the International Supervisory Control Commission is extremely and urgently necessary.

In insisting on summoning of a new Geneva Conference the Government of the Democratic Republic of Viet-Nam is untiringly working in the direction of a *rapprochement* between North and South Viet-Nam.

Be so good as to accept, Mr. Chairmen, the assurance of my high esteem.

**Letter to the Foreign Secretary from Mr. Chou En-lai, Peking,
25 January, 1956**

The Government of the People's Republic of China has received the letter of 21 December, 1955, from the Co-Chairmen of the Geneva Conference on Indo-China. The Chinese Government strongly condemn the continued disregard of the Geneva Agreements by the Ngo Dinh Diem Government in South Viet-Nam. The Ngo Dinh Diem Government has, up to now, refused to hold consultations with the Government of the Democratic Republic of Viet-Nam on free general elections for Viet-Nam, and refused to undertake to give the International Commission in Viet-Nam full protection, assistance and co-operation. Although the International Commission in Viet-Nam, under the Chairmanship of the Indian representative, made every effort, no result has been achieved in bringing about consultations between the southern and northern zones of Viet-Nam on elections. Furthermore, the work of the International Commission in Viet-Nam has been subjected to flagrant obstruction and disruption by the Ngo Dinh Diem Government.

In view of the above mentioned serious violations of the Geneva Agreements and of the fact that Geneva Agreements specifically provide for the holding of general elections in Viet-Nam in July, 1956, the Chinese Government deems it necessary that another Geneva Conference on Indo-China be convened by the Co-Chairmen of the Geneva Conference, to discuss the question of implementation of the Geneva Agreements in Viet-Nam. The Chinese Government also holds that the three member countries of the International Commission in Viet-Nam—India, Poland and Canada—should be invited to take part in this conference.

I have sent a letter of the same contents to the other Chairman of the Geneva Conference, the Minister for Foreign Affairs of the Union of Soviet Socialist Republics, Mr. V. M. Molotov.

**Note delivered by the Foreign Ministry of the Soviet Union to
H.M. Embassy, Moscow, 18 February, 1956**

The Ministry of Foreign Affairs of the U.S.S.R. present their compliments to the British Embassy and have the honour to communicate the following.

The Soviet Government have received from the Governments of the Chinese People's Republic and the Democratic Republic of Viet-Nam their replies to the message of the two Chairmen of the Geneva Conference on Indo-China of 21 December, 1955, on the question of the unsatisfactory implementation of certain provisions of the Geneva Agreements on Viet-Nam. The Governments of the Chinese People's Republic and the Democratic Republic of Viet-Nam have made a proposal for the summoning of a new conference, with the participation of the member countries of the Geneva Conference on Indo-China and the member countries of the International

Supervisory and Control Commissions in Indo-China, for consideration of the question of measures to implement the Geneva Agreements on Viet-Nam.

The position regarding the implementation of the Geneva Agreements on Viet-Nam continues to remain unsatisfactory. The South Viet-Nam authorities refuse to start the consultations provided for by the Geneva Agreements, concerning the holding in July, 1956, of general elections in Viet-Nam, a fact to which attention is drawn in the fourth report of the International Supervisory and Control Commission in Viet-Nam. The work of the International Commission in Viet-Nam is meeting constant obstruction on the part of the South Viet-Nam authorities. Furthermore, the South Viet-Nam authorities have already announced their decision to hold separate elections in the territory of South Viet-Nam and to carry out other measures aimed at the division of Viet-Nam and, in this way, at the frustration of the Geneva Agreements on Viet-Nam.

In the opinion of the Soviet Government, the non-implementation of the Geneva Agreements on Viet-Nam would have extremely serious consequences both for peace in Indo-China and for peace throughout the world.

Taking into account the seriousness of the position which has arisen in Indo-China and the fact that the measures previously taken by the two Chairmen to improve it have not yielded positive results, the Soviet Government share the opinion of the Governments of the Chinese People's Republic and the Democratic Republic of Viet-Nam about the expediency of summoning a new conference on Viet-Nam.

It seems expedient to the Soviet Government that the two Chairmen should support the proposal for the summoning of this conference and should address an appropriate message on the question to the member countries of the Geneva Conference on Indo-China and to the member countries of the International Commissions in Indo-China.

The Ministry enclose a draft of such a message from the two Chairmen.

The Ministry would be grateful to the Embassy for an early expression of the point of view of the British Government on this question.

(Enclosure)

Draft of a message which Soviet Government propose should be circulated by the Co-Chairmen to members of the Geneva Conference on Indo-China and the Supervisory Powers

The two Chairmen of the Geneva Conference on Indo-China have received replies from the Governments of the Chinese People's Republic and the Democratic Republic of Viet-Nam to their message of 21 December, 1955, on the question of the unsatisfactory implementation of certain provisions of the Geneva Agreements on Viet-Nam. The Governments of the Chinese People's Republic and the Democratic Republic of Viet-Nam have made a proposal for the summoning of a new conference, with the participation of the member countries of the Geneva Conference on Indo-China and the member countries of the international commissions in Indo-China, for discussion of the question of measures to implement the Geneva Agreements on Viet-Nam.

Taking into account the fact that the position with regard to the implementation of the Geneva Agreements on Viet-Nam continues to remain unsatisfactory, to which attention is drawn in the fourth report of the International Commission in Viet-Nam, and proceeding from paragraph 13 of the final declaration of the Geneva Conference, the two Chairmen believe that the summoning of a new conference with a participation as set out above will promote the implementation of the Geneva Agreements in Viet-Nam.

The two Chairmen would be grateful to receive the views on this question of the other participants to the Geneva Conference and of the countries carrying out supervision and control in Indo-China.

No. 64

Note delivered by H.M. Embassy, Moscow, to the Foreign Ministry of the Soviet Union, 9 March, 1956

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the U.S.S.R. and with reference to the Ministry's Note No. 27/2E of 18 February, 1956, have the honour to state that they have been instructed to communicate the following:

Her Majesty's Government had already given careful consideration to the proposal originally put forward by the Chinese Government for a meeting of members of the Geneva Conference on Indo-China, together with the three supervisory Powers. Her Majesty's Government agree that steps should be taken to facilitate the operations of the International Supervisory Commission. Her Majesty's Government are not however convinced that a conference of this kind would necessarily provide the quickest or most satisfactory means of reaching agreement.

Her Majesty's Government would accordingly regard it as premature for the Co-Chairmen to propose such a conference. Instead, they suggest that Her Majesty's Government and the Soviet Government should first seek further clarification of the views of the other countries concerned. It might then be appropriate that the two Co-Chairmen should meet to discuss the situation. Such a meeting would be in conformity with the views of the Government of India, which holds the chairmanship of the International Commission. In the light of this meeting it should then be possible to ascertain whether a sufficient measure of agreement exists, either to make a further conference profitable, or to permit of understanding being reached by other means.

No. 65

Note delivered by the Foreign Ministry of the Soviet Union to H.M. Embassy, Moscow, 30 March, 1956

The Ministry of Foreign Affairs of the U.S.S.R. present their compliments to the British Embassy and with reference to the Embassy's Note No. 141 of 9 March, 1956, have the honour to communicate the following.

In their Note of 18 February, 1956, the Soviet Government pointed out that the position in connection with the implementation of the Geneva

Agreements on Viet-Nam continued to remain unsatisfactory. The South Viet-Nam authorities are sabotaging the task of the national unification of the country by means of free general elections under the control of the International Commission, which, as is known, is the basic provision of that part of the Geneva Agreement concerning the political settlement in Viet-Nam. In connection with this they refuse to conduct consultations for the preparation of the elections provided for by the Geneva Agreements, and ignore all the proposals made by the Democratic Republic of Viet-Nam which are directed towards the implementation of this provision of the Geneva Agreements. The South Viet-Nam authorities also are openly breaching the military articles of the Geneva Agreement on Viet-Nam. In particular, as is pointed out in the Note of the Government of the Democratic Republic of Viet-Nam of 14 February, 1956, new armaments, ammunition and foreign military personnel are being imported into South Viet-Nam, foreign military bases are being set up, attempts are being made to include South Viet-Nam in a military *bloc*. The Articles of the Geneva Agreements concerning democratic rights and freedoms are also being breached in South Viet-Nam: systematic repression is employed against individuals, taking part in the movement for the national unification of Viet-Nam, and freedom of speech and of the Press is being breached.

As is known, serious concern has repeatedly been expressed in the reports of the International Supervisory and Control Commission in Viet-Nam concerning the implementation of the Geneva Agreements, in view of the position adopted by the South Viet-Nam authorities. The South Viet-Nam authorities attempt to claim that they are allegedly not obliged to respect the Geneva Agreements, in so far as they did not sign them and do not consider themselves as the successors of France in connection with her obligation under the Agreements. The lack of foundation of these arguments was convincingly shown in the letter of the Government of India of 21 February, 1956, sent to the two Chairmen of the Geneva Conference, as the Government of India justly point out in their letter, the South Viet-Nam authorities "benefit from the Geneva Agreements in the defence afforded by the Cease-fire Agreements and also by the work of the International Supervisory Commission" and at the same time refuse to implement the provisions of the agreement concerning the unification of the country by means of the holding of free elections.

The lack of foundation of the allegation of the South Viet-Nam authorities also springs from the provisions of Article 27 of the Agreement for the cessation of hostilities in Viet-Nam, which lays down that both the French Government, which signed these Agreements, and those authorities which might be the successors of their functions in Viet-Nam, are obliged to guarantee the implementation of the articles and the provisions of the Geneva Agreements. To this one may add that only as a result of the Geneva Conference and the Geneva Agreements, which proclaimed the independence of Viet-Nam, and also as a result of the implementation by the Democratic Republic of Viet-Nam and by France of the appropriate articles of these Agreements, did the South Viet-Nam authorities have the opportunity to function in the temporary zone of regrouping of the forces of the French Union. The present threatening position in South Viet-Nam would, of course, never have arisen unless there had been interference on

the part of a certain Power, which took part in the Geneva Conference and which, although it did not sign the Geneva Agreement on Viet-Nam, nevertheless assumed the obligation not only to refrain from a breach of the Geneva Agreement but also to consider any breach of the above mentioned Agreements as presenting a serious threat to international peace and security. The actions of the South Viet-Nam authorities aimed at the frustration of general elections in July, 1956, in South Viet-Nam are openly supported, armaments are supplied, preparation is carried on of military cadres for the so-called "campaign of the north" with the aim of starting a new war in Indo-China, there are encouraged such actions on the part of the South Viet-Nam authorities aimed at the division of the country as separate elections to the Constituents Assembly, conducted by the South Viet-Nam authorities in March, and others. Already in 1955, as a result of the November meeting of the two Chairmen in Geneva, full agreement was reached that the implementation in Viet-Nam of certain provisions of the Geneva Agreements was unsatisfactory and it was precisely on this basis that the joint message of the two Chairmen was sent on 21 December, 1955, to the Governments of the appropriate countries.

The Soviet Government consider as before that the Geneva Agreements, which put an end to the long and bloody war in Indo-China, should be fully implemented. The Soviet Government attaches a specially important significance to the implementation of such a principal provision of the Geneva Agreement as the restoration of the national unity of Viet-Nam by means of free general democratic elections under the control of the International Commission in Viet-Nam. In the opinion of the Soviet Government, all the States participating in the Geneva Conference should consider it their obligation to assist in every way a settlement of the Indo-China problem in accordance with the hopes of the peoples and in the interests of peace.

Proceeding from the necessity of taking urgent measures to avert a possible frustration of the Geneva Agreements in Viet-Nam, which is pregnant with serious consequences for peace in this area, the Soviet Government support the proposal of the Chinese People's Republic, the Democratic Republic of Viet-Nam and the People's Republic of Poland concerning the summoning of a new conference on Indo-China which the participation of the countries participating in the Geneva Conference on Indo-China and of the member countries of the international commissions in Indo-China. The summoning of such a conference would, in the opinion of the Soviet Government, be the most expedient and effective means of settling the position in Viet-Nam.

However, taking into account the point of view of the British Government and also the proposal of the Indian Government, as expressed in their letter of 21 February, the Soviet Government do not object to the preliminary discussion by the Chairmen of the Geneva Conference on Indo-China of the question of possible measures to guarantee the implementation of the Geneva Agreements in Viet-Nam, including the question of summoning a new conference, bearing in mind that this will help them more quickly to reach agreement concerning the summoning of the above mentioned conference.

The Soviet Government consider that such a meeting could be held in London within the next few days, in as much as any postponement of the discussion of this question makes more difficult the implementation of the Geneva Agreements. In this connection the Soviet Government also takes into account the wish of the Government of India that, in connection with the intention of the French Government to change their position in relation to the Geneva Agreements the meeting of the two Chairmen to solve the deadlock which has arisen should take place as soon as possible. Taking note of the proposal of the British Government, expressed by Ambassador Sir William Hayter in conversation with V. M. Molotov on 9 March, the Soviet Government authorise the First Deputy Minister of Foreign Affairs of the U.S.S.R., A. A. Gromyko, to take part in the discussion of the questions mentioned above on behalf of the Minister of Foreign Affairs of the U.S.S.R. as one of the Chairmen of the Geneva Conference on Indo-China. The Ministry would be grateful to the Embassy for a statement of the opinion of the British Government on this question.

No. 66

Note delivered by H.M. Embassy, Moscow, to the Foreign Ministry of the Soviet Union on 5 April, 1956

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs and, with reference to the Ministry's Note No. 56/2E of 30 March, have the honour to state that they have been instructed to communicate the following.

Her Majesty's Principal Secretary of State for Foreign Affairs accepts in principle the proposal of the Soviet Government that there should be very early discussions between the two Co-Chairmen of the Geneva Conference on Indo-China. Mr. Lloyd notes that the Soviet Government have authorised Mr. Gromyko to take part in these discussions on behalf of Mr. Molotov and for his part he proposes to authorise Lord Reading, Minister of State for Foreign Affairs, to represent him in such discussions in his capacity as one of the Co-Chairmen of the Geneva Conference. Mr. Lloyd proposes that the first meeting between Lord Reading and Mr. Gromyko should take place on 11 April and he hopes that the Soviet Government will agree that detailed arrangements about the exact time and place of the meeting can best be made direct between Lord Reading and Mr. Gromyko.

In accepting the proposal of the Soviet Government, Mr. Lloyd in no way accepts the various statements and arguments in the Ministry's Note under reference, a detailed reply to which will shortly be sent.

Lord Reading will wish to raise with Mr. Gromyko the problem of Laos as well as that of Viet-Nam. A Note will very shortly be addressed to the Soviet Government setting out the aspects of the Laotian situation which, in Mr. Lloyd's view, it is essential to discuss.

Her Majesty's Embassy will be grateful to the Ministry of Foreign Affairs for an early reply to the foregoing.

Note delivered by H.M. Embassy, Moscow, to the Foreign Ministry of the Soviet Union, 9 April, 1956

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the U.S.S.R. and have the honour to refer to the Embassy's Note No. 237 of 5 April, in which it was stated that a detailed reply would be sent to the Ministry's Note No. 56/2E of 30 March. This Note has been given careful consideration by Her Majesty's Government, who have instructed the Embassy to communicate the following.

Her Majesty's Government wish to make clear that they do not accept the analysis of the present situation in Viet-Nam contained in the Note from the Ministry of Foreign Affairs of the U.S.S.R. and consider it desirable to place on record the following comments on certain of the allegations in that Note.

In the first place, Her Majesty's Government do not accept the statement in that Note that:

"The South Viet-Nam authorities also are openly breaching the military articles of the Geneva Agreement on Viet-Nam. In particular, as is pointed out in the Note of the Government of the Democratic Republic of Viet-Nam of the 14th of February, 1956, new armaments, ammunition and foreign military personnel are being imported into South Viet-Nam, foreign military bases are being set up, attempts are being made to include South Viet-Nam in a military *bloc*."

No particulars are given of these charges either by the Soviet Government or by the Viet Minh and, if any evidence exists to support them, Her Majesty's Government can only express their surprise that this has not been submitted to the International Supervisory Commission which, by the terms of Article 36 of the Agreement on the cessation of hostilities in Viet-Nam, is responsible for supervising the proper execution by the parties of the provisions of the Agreement. The Soviet Government are no doubt aware that similar accusations by the Viet Minh High Command have already been investigated by the International Commission and, as explained in the Commission's fourth and fifth interim reports, shown to be without foundation.

Nor can Her Majesty's Government attach any credence to the charge of preparation of "military cadres for the so-called campaign to the North with the aim of starting a new war in Indo-China". In this connection Her Majesty's Government consider that a comparison of military developments in North and South Viet-Nam provides the best guide to the attitude and intentions of the authorities in the two zones. At the time of the Agreement on the cessation of hostilities the forces at the disposal of the French Union High Command in Viet-Nam amounted to approximately 350,000 men. Since then over 100,000 French troops have been withdrawn and there will soon be none left, while the Viet-Nameese army itself has been reduced by 20,000 men. In North Viet-Nam, however, there has been no such reduction in military strength since the conclusion of the Agreement on the cessation of hostilities. On the contrary, the Viet Minh army has been so greatly strengthened by

the embodiment and re-equipment of irregular forces that, instead of the seven Viet Minh divisions in existence in July, 1954, there are now no less than 20. This striking contrast between massive military expansion in the North and the withdrawal and reduction of military forces in the South speaks for itself.

The views of Her Majesty's Government on the holding of elections in Viet-Nam of the kind envisaged in Article 7 of the final declaration of the Geneva Conference on Indo-China are well-known and have repeatedly been stated, both in public and to the Governments concerned. Her Majesty's Government have always regarded it as desirable that these elections should be held and have advised the Government of the Republic of Viet-Nam to enter into consultations with the Viet Minh authorities in order to ensure that all the necessary conditions obtain for a free expression of the national will as a preliminary to holding free general elections by secret ballot. Nevertheless, Her Majesty's Government do not agree that the Government of the Republic of Viet-Nam were legally obliged to follow this course. Without examining in detail the arguments in the Note from the Ministry of Foreign Affairs of the U.S.S.R., it may be recalled that, at the final session of the Geneva Conference on Indo-China on the 21st of July, 1954, the Viet-Nameese delegate formally protested "against the hasty conclusion of the Armistice Agreement by the French and Viet Minh High Commands only", against various provisions of the Armistice Agreement and "against the fact that the French High Command was pleased to take the right, without a preliminary agreement of the delegation of the State of Viet-Nam, to set the date of future elections". He concluded by saying that "the Government of the State of Viet-Nam wished the Conference to take note of the fact that it reserves its full freedom of action in order to safeguard the sacred right of the Viet-Nameese people to territorial unity, national independence and freedom".

The Geneva Agreements of July, 1954, embodied a settlement devised by the members of the Conference in the hope that it would bring to an end the fighting in Indo-China and enable the peoples of Cambodia, Laos and Viet-Nam to work out their own destiny in conditions of peace and independence. Except in Cambodia, this settlement has been only partially successful. In Viet-Nam its principal military provisions have on the whole been implemented but no substantial progress has been made towards the fulfilment of the political provisions. Her Majesty's Government regret this. They continue to hope that it will be possible to bring about the eventual unification of Viet-Nam on the basis of free elections as envisaged in the final declaration of the Geneva Conference of 1954. On the other hand they regard it as of paramount importance in the meantime to preserve the peace between North and South in Viet-Nam. Her Majesty's Government trust that their discussions with the Government of the U.S.S.R. will contribute in the first place towards the achievement of this objective and secondly towards the eventual achievement of a political settlement in Viet-Nam.

Extract from the Proceedings of the House of Lords, 25 June, 1957

NORTH AND SOUTH VIET-NAM

Viscount Stansgate asked Her Majesty's Government whether they will explain the present position in North and South Viet-Nam, and what prospect there is of free elections and unification as promised in the Geneva Agreement to which this country was a party.

The Joint Parliamentary Under-Secretary of State for Foreign Affairs (The Earl of Gosford): The present division of Viet-Nam into two parts on either side of the 17th Parallel dates from the agreements reached at the Geneva Conference of 1954. In the North authority is vested in the so-called Government of the Democratic Republic of Viet-Nam resident in Hanoi. The South is administered from Saigon by the Government of the Republic of Viet-Nam of which Ngo Dinh Diem is President. Her Majesty's Government recognise the Government of the Republic of Viet-Nam as the sole Government entitled to represent the State of Viet-Nam in international affairs.

In the Final Declaration of the Geneva Conference it was envisaged that the political reunification of the country would take place as a result of free general elections by secret ballot to be held in July, 1956. This was against the wish of the Government of the Republic of Viet-Nam who are not a signatory of the Geneva Agreements. Accordingly the delegate of the State of Viet-Nam at the Conference formally protested

“against the fact that the French High Command was pleased to take the right, without a preliminary agreement of the delegation of the State of Viet-Nam, to set the date of future elections.”

However, on 6 April, 1956, the Government of the Republic of Viet-Nam issued a statement in which, amongst other things, it declared that

“it will aim at the reunification of the country, which is dear to its heart, by all peaceful means, in particular through really free and democratic elections, when all the conditions for freedom of vote have really been secured.”

Following the talks between Lord Reading and Mr. Gromyko in London the two Co-Chairmen of the Geneva Conference (the United Kingdom and Russia) addressed a message to the authorities in both parts of Viet-Nam on 8 May, 1956, which contained the following statement:

“Prompted by their desire to strengthen peace in Indo-China on the basis of the principles and provisions of the Geneva Agreement, the Co-Chairmen strongly urge the authorities of the Democratic Republic of Viet-Nam and those of the Republic of Viet-Nam to make every effort to implement the Geneva Agreements on Viet-Nam, to prevent any future violation of the military provisions of these agreements and also to ensure the implementation of the political provisions and principles embodied in the Final Declaration of the Geneva Conference.”

My right honourable friend the Foreign Secretary stated in another place on 17 April, 1957:

"That it is still the policy of Her Majesty's Government that the reunification of Viet-Nam through genuinely democratic procedures should take place. Of course these procedures must be agreed by the parties concerned."

Her Majesty's Government understand that the Government of Viet-Nam consider that the absence of all freedom in the Northern territories makes it impracticable for the time being to deal with the preparatory problems involved in any question of all-Viet-Nam elections. Her Majesty's Government are not aware of any impending change in the totalitarian conditions in the North which would lead them to expect the Viet-Nameese Government to modify this view.

No. 69

Letter to the Co-Chairmen of the Geneva Conference from the International Commission for Supervision and Control in Viet-Nam, Hanoi, 11 April, 1957

The International Commission for Supervision and Control in Viet-Nam presents its compliments to the Co-Chairmen of the Geneva Conference on Indo-China and has the honour to refer to their message dated 8 May, 1956, to the International Commission for Supervision and Control in Viet-Nam, and in particular to paragraph 2 of that message in which the Commission was asked by the Co-Chairmen to inform them in case the Commission encountered any difficulties in their activities which could not be resolved on the spot.

2. In the Sixth Interim Report, the Commission had informed the Co-Chairmen of its difficulties in the supervision of the implementation by the parties of the provisions of Article 14 (c). Those difficulties have persisted and increased as the Commission has not received the necessary assistance and co-operation from the Government of the Republic of Viet-Nam and has, therefore, not been able to supervise the implementation of Article 14 (c) in accordance with the Geneva Agreement. In spite of the efforts of the Commission, replies were not received from the Government of the Republic of Viet-Nam in the majority of pending cases referred to it alleging reprisal or discrimination under Article 14 (c) and involving a large number of persons. The Government of the Republic of Viet-Nam not only declined to give concurrence to the deployment of eight Mobile Teams decided upon by the Commission but also refused to permit the deployment of two Mobile Teams for which concurrence had already been given by them.

3. On 17 November, 1956, the Commission received a communication from the Government of the Republic of Viet-Nam stating their views regarding the applicability of Article 14 (c). The attached correspondence mentioned in the Appendices below describes the stand taken by the Government of the Republic of Viet-Nam and the views of the Commission on this question.

4. It will be seen from the correspondence mentioned above that the Commission has unanimously decided not to accept the views of the

Government of the Republic of Viet-Nam on the applicability of Article 14 (c). The Government of the Republic of Viet-Nam, however, have not accepted the unanimous views of the Commission as expressed in the Commission's letters of 3 December, 1956, and 17 January, 1957, and have decided not to give any more replies to the complaints under the Article and not to permit investigations of such complaints through the machinery of Mobile Teams as laid down in the Agreement. The Commission is, therefore, no longer able to supervise the implementation of this Article by the Government of the Republic of Viet-Nam and settle the large number of complaints pending before the Commission under this Article.

5. As desired by the Co-Chairmen of the Geneva Conference in their message dated 8 May, 1956, to the International Commission for Supervision and Control in Viet-Nam, the Commission wishes to bring to the notice of the Co-Chairmen this serious difficulty in the Commission's activities regarding Article 14 (c) which it is not able to resolve on the spot.

6. The Commission would, therefore, be grateful if the Co-Chairmen could kindly give their early consideration to this matter and advise the Commission regarding its future course of action. The Commission is determined to perform its duties with respect to Article 14 (c), as indeed with respect to all other Articles of the Cease-Fire Agreement, but in view of the difficulties mentioned above, the Commission is not able to take any effective action in cases under this Article unless these difficulties are resolved.

7. The International Commission for Supervision and Control in Viet-Nam takes this opportunity to renew the assurances of its highest esteem to the Co-Chairmen of the Geneva Conference on Indo-China.

No. 70

**Note delivered by the Foreign Ministry of the Soviet Union to H.M. Embassy,
Moscow, 27 May, 1957**

The Ministry of Foreign Affairs of the U.S.S.R. presents its compliments to the British Embassy and has the honour to state the following.

The Soviet Government has received from the International Supervisory Commission in Viet-Nam its message of 11 April, 1957, in which the Commission reports the non-fulfilment by South Viet-Nam of Article 14 (c) of the Agreement on ceasing hostilities in Viet-Nam, which guarantees the democratic freedoms of the population of both zones of Viet-Nam, and requests the two Chairmen to issue instructions for subsequent work.

In this connection the Soviet Government considers it expedient for the Soviet Government and the British Government, representing the two Chairmen of the Geneva Conference on Indo-China, to send a letter to the South Viet-Nameese Government, proposing that it should observe strictly the clauses of Article 14 (c) of the Agreement on ceasing hostilities in Viet-Nam and should co-operate with the International Commission, as well as a reply to the International Supervisory Commission's letter, containing a report on the measures taken by them and a recommendation that it should continue the required thorough control of the carrying out of the said Article 14 (c) by the parties in Viet-Nam.

The Soviet Government is instructing Ya. A. Malik, U.S.S.R. Ambassador to Great Britain, who will represent the Soviet Chairman of the Geneva Conference on Indo-China, to get into contact with the representative who will be empowered by the British Government for an exchange of opinions in order to co-ordinate the above-mentioned documents.

The Ministry will be grateful to the Embassy for an early intimation of the British Government's opinion regarding the aforesaid.

No. 71

Note delivered by H.M. Embassy, Moscow, to the Foreign Ministry of the Soviet Union, 25 July, 1957

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the U.S.S.R. and with reference to the Ministry's Note No. 51/2E of the 27th of May, concerning the message of the 11th of April from the International Supervisory Commission in Viet-Nam, have the honour to state the following.

In their Note the Ministry describe the message from the International Supervisory Commission in Viet-Nam as reporting the non-fulfilment by South Viet-Nam of Article 14 (c) of the Cease-fire Agreement. Her Majesty's Government are unable to agree that this is an accurate description. The International Commission has not accused the Government of the Republic of Viet-Nam of violating Article 14 (c). The situation reported in the Commission's message of the 11th of April is that the Government of the Republic of Viet-Nam have refused to continue to facilitate enquiries into complaints received by the Commission of alleged breaches of Article 14 (c). Her Majesty's Government have no reason to believe that the attitude of the Government of the Republic of Viet-Nam towards Article 14 (c) itself has undergone any change. Indeed, Her Majesty's Government have recently received a communication from the Government of the Republic of Viet-Nam in which it is categorically reaffirmed that "no reprisal or discrimination has been carried out in South Viet-Nam against persons or organisations by reason of their activities during the period preceding the cease-fire". The same communication emphasises that democratic liberties and equality of treatment are formally guaranteed by the Constitution of the Republic of Viet-Nam to all citizens.

The attitude of the Government of the Republic of Viet-Nam towards this question has been repeatedly made clear in the past and is reaffirmed in the communication referred to above. The Government of the Republic of Viet-Nam contend that the North Viet-Nameese authorities have consistently abused Article 14 (c) by sending to the International Commission large numbers of unjustified complaints which seem principally intended to screen the subversive activities of Viet Minh agents. The Government of the Republic of Viet-Nam have also stated that they consider that these complaints are designed to distract attention from the bloody reprisals carried out against the civil population of North Viet-Nam in connection with the land reform programme and the inhuman repression of the recent risings at Thanh-Hoa and Nghe-An.

In the light of the repeatedly and firmly stated attitude of the Government of the Republic of Viet-Nam, Her Majesty's Government consider that the action proposed by the Soviet Government in the Ministry's Note under reference would be both inappropriate and ineffective. They therefore propose that the reply to the International Commission's message of the 11th of April should take the form of a simple acknowledgement that the message has been received and studied.

No. 72

Resolution adopted by the International Commission for Supervision and Control in Laos at its 163rd Meeting on Saturday, 7 January, 1956

The International Commission for Supervision and Control in Laos,

I. Considering that the sovereignty, independence, unity and territorial integrity of Laos were recognised in the Geneva settlement;

II. Recalling its unanimous resolution of 3 December, 1954, by which it recommended that representatives of the Royal Government and of the Fighting Units of the Pathet Lao should examine together the means which should be adopted to attain the political settlement envisaged in Article 14 of the Geneva Agreement, including the re-establishment of the Royal Administration in the provinces of Sam Neua and Phong Saly;

III. Considering that on 15 June, 1955, the Commission unanimously addressed a letter to the Royal Government recognising its right to the actual administration of these two provinces and at the same time realising that in view of the conditions prevailing there it would be difficult to establish the Royal Administration without the political settlement;

IV. Recalling that in that same letter the Commission expressed the hope that the talks between the Parties would be renewed without delay and that all efforts would be made to pursue them until a political settlement was reached;

V. Observing that these discussions, in the course of which the Chairman of the Commission, acting in a mediatory role, put forward an informal scheme of settlement, have not yet led to an agreement;

VI. Considering that general elections, in which the Pathet Lao did not participate, were held on 25 December, 1955, and understanding that these elections do not preclude the possibility of Pathet Lao participating in such future elections as may be agreed to by the Royal Government;

VII. Considering that, without the Royal Government's administration in the two northern provinces, it would be impossible to obtain full integration of the Fighting Units of the Pathet Lao into the national community as envisaged in the Geneva settlement;

- (1) Expresses regret that the efforts hitherto made to bring about a settlement have so far produced no result;
- (2) Reiterates that the intention of the Geneva Agreement is to preserve the unity of Laos;

- (3) Reiterates the sovereign right of the Royal Government to establish its administration in the two northern provinces, and that this right is undisputed;
- (4) Expresses concern at the difficult situation which has arisen as a result of the failure of the negotiations;
- (5) Recommends to the Parties:
 - (i) To observe strictly the recommendations contained in the Commission's Resolution of 9 December, 1955, for effective cessation of hostilities;
 - (ii) That without further delay the Royal Administration should be re-established in the provinces of Sam Neua and Phong Saly and the Royal Government should concurrently take necessary measures to bring about the integration of Pathet Lao fully and "without discrimination into the national community";
 - (iii) That within 28 days from the passage of this Resolution the representatives of the Royal Laotian Government and of the Fighting Units of the Pathet Lao should enter into consultations to carry out the recommendations in (ii) above and reach a political settlement as envisaged in Article 14 of the Geneva Agreement, the Royal Government acting in these respects in conformity with its declaration at Geneva of 21 July, 1954;
 - (iv) That the Parties should indicate their acceptance of this Resolution by 18 January, 1956, keeping in view the provisions of Article 36 of the Geneva Agreement;
- (6) Decides to report fully to the Co-Chairmen of the Geneva Conference on Indo-China on the present situation in Laos in relation to the Geneva Agreement for such consideration as they may wish to give.

No. 73

Letter from the Prime Minister of the Royal Government of Laos to the Chairman of the International Commission for Supervision and Control in Laos, Vientiane, 20 March, 1958

I have the honour to bring to the kind notice of Your Excellency that in its session of 13th of this month, the Cabinet Council has decided to ask for the winding up of the International Commission for Supervision and Control in Laos with effect from the date of supplementary elections (4 May, 1958). The Royal Government considers in fact that the supplementary elections of 4 May, 1958, constitute the last phase of the implementation of the Geneva Agreements of 20 July, 1954, on the cessation of hostilities in Laos.

While thanking Your Excellency for the distinguished services rendered to Laos by the International Commission for Supervision and Control, I should be grateful if Your Excellency could kindly bring the decision of the Royal Government to the esteemed notice of Their Excellencies the Co-Chairmen of the Geneva Conference.

I avail myself of this opportunity to renew to you, Mr. Chairman, the assurances of my high consideration.

**Letter from the Prime Minister of the Royal Government of Laos to the
Chairman of the International Commission for Supervision and Control
in Laos, Vientiane, 15 May, 1958**

I have the honour to inform you that the Supplementary General Elections for which polling was held on 4 May, 1958, are now over. All the results of the polling booths distributed in various provinces of the Kingdom have been received by the Royal Government.

These electoral operations have enabled the Laotian citizens who were not siding with the Government forces during the hostilities to be integrated into the national community by their participation.

They were carried out without any noticeable incidents according to the principles governing normally the practice of democratic liberties.

According to the law in force in the Kingdom the litigious questions which could arise on the occasion of the elections are within the competence of the National Assembly.

**Canadian Resolution in the International Commission for Supervision and
Control in Laos, Vientiane, 19 July, 1958**

The International Commission for Supervision and Control in Laos,

Recalling that the Commission was established by the terms of the Agreement on the cessation of Hostilities in Laos (The Cease-fire Agreement), signed at Geneva on 20 July, 1954, for the purpose of supervising the execution of the provisions of the Agreement;

Recalling the various agreements reached between the Royal Government and the Fighting Units of the Pathet Lao, and, in particular, the "Agreements on the Establishment of the Royal Administration in the Provinces of Sam Neua and Phongsaly" and the "Military Agreement on the Integration of the Forces of the Fighting Units of the Pathet Lao into the National Army", both signed on 12 November, 1957;

Considering that, in implementation of the above-mentioned agreements, the whole of the national territory of Laos has been placed under the authority of the Royal Government, and the Fighting Units of the Pathet Lao have been integrated into the Laotian National Army and into the national community;

Considering that the political settlement envisaged in Article 14 of the Geneva Agreements has been achieved;

Considering that the Commission should not impose itself on a sovereign and independent Laos against its wishes;

Considering that in his letter of 20 March Prime Minister Souvanna Phouma informed the Chairman of the Commission that the Royal Government considered that the Supplementary elections on 4 May would constitute

the final act of the Geneva Agreements for Laos, and that at its meeting on 13 March the Government had decided to request the withdrawal of the Commission from Laos, with effect from 4 May;

Resolves to dissolve itself immediately and inform the members of the Geneva Conference accordingly.

ANNEXURE

Canadian Statement

It is the view of the Canadian Government that, for the reasons set forth below, the International Commission in Laos has completed its task and should now dissolve itself.

It is almost four years since, in the summer of 1954, agreement was reached at the Geneva Conference on the terms and methods to put an end to the tragic fighting which has, for many years, ravaged Indo-China. There has been some difference of opinion as to whether there was, in fact, *one* Geneva settlement or three. Certainly, before the Geneva Conference, the three States of Indo-China were interdependent. It is also true that the three Cease-fire Agreements for Indo-China have certain elements of interdependence. On the other hand, it is equally certain that there resulted from the Geneva Conference, international recognition of three distinct sovereign States of Viet-Nam, Cambodia and Laos, and that for each of these States the Conference produced a separate Cease-fire Agreement, under the terms of which three separate International Commissions for Supervision and Control were established.

There has also been some difference of opinion on whether the Commission is competent to put an end to its own existence. The wording of Article 39 of the Cease-fire Agreement for Laos, which is identical to Article 46 of the Viet-Nam Agreement and Article 25 of the Cambodia Agreement, leaves no doubt that each Commission separately has the power, by a unanimous vote of its members, to reduce its own activities without reference to anybody or authority other than the remaining Commissions. The natural meaning of the words "reduce its activities" in Article 39, is in my Government's view amply wide enough to include an eventual reduction of activities to nothing. A reduction of activities to nothing must logically involve the reduction to nothing of both the Commission's personnel and the means required to carry out such activities, that is, it must logically involve the Commission's disappearance.

No. 76

Extract from the Proceedings of the House of Commons, 24 February, 1959

LAOS (CONTROL COMMISSION)

Mr. Warbey asked the Secretary of State for Foreign Affairs if he will publish in the OFFICIAL REPORT the text of his recent messages to the International Commission for Laos and to the Indian Government concerning the duties, functions and powers of the Commission under the Geneva Agreement.

Mr. R. Allan : Yes. The text of the reply from the Co-Chairmen to the International Commission of Supervision and Control in Laos delivered to the Indian Government in New Delhi on 31 January, 1959, is as follows:

“The two Co-Chairmen of the Geneva Conference on Indo-China have the honour to acknowledge the receipt, through the good offices of the Government of India, of a Communication of the 22nd of July from the Chairman of the International Commission for Supervision and Control in Laos. The two Co-Chairmen note that a resolution ‘That the Commission in Laos be adjourned *sine die* and may be reconvened in accordance with normal procedures’, was adopted by the Commission, by a majority vote, on the 19th of July.

The Co-Chairmen wish to take this opportunity of expressing their appreciation of the noteworthy role of the International Commission for Supervision and Control in Laos in carrying out the arrangements made at the Geneva Conference and in particular to express their gratitude for the valuable contribution of the Government of India whose representatives have presided over the Commission since its establishment.

The Co-Chairmen have agreed that copies of the Communication of the 22nd of July from the Indian Chairman and of this reply be transmitted to the other members of the Geneva Conference and to the Governments of Canada and of the Polish People's Republic.”

The text of the communication from the Co-Chairmen of the Geneva Conference on Indo-China to the Government of India of 31 January, 1959, is as follows:

“Acting with the authority of the Governments of the United Kingdom and the Soviet Union the Minister of State for Foreign Affairs of Great Britain, A. Noble, and the Ambassador Extraordinary and Plenipotentiary of the U.S.S.R. in the United Kingdom, Y. A. Malik, have met in London as representatives of the two Co-Chairmen of the Geneva Conference on Indo-China in order to exchange views on problems relating to future activities of the International Commission for Supervision and Control in Laos.

They have studied the *Aide-Mémoires* of the Government of India of 3rd May and 13th May, 1958, and noted its continuous concern for the fulfilment of the Geneva Agreements which are the foundation of peace and security in Indo-China.

During this period the Co-Chairmen were informed by the Chairman of the International Commission for Supervision and Control in Laos, that on 19th July, 1958, the Commission by a majority vote adopted a resolution ‘that the Commission in Laos be adjourned *sine die* and may be reconvened in accordance with normal procedures’.

The two Co-Chairmen took notice of the clarification of the Indian Government that this resolution does not affect the legal status of the Commission and does not reduce the competence of the Commission in implementing the tasks and functions assigned to it by the Geneva Agreements. The Co-Chairmen agreed that the resolution of the Commission of 19th July, 1958, was a procedural decision taken to adjourn *sine die* and having no connection with the question of dissolution of the Commission. They were agreed that no question of

abrogating any of the articles of the Agreement on the Cessation of Hostilities in Laos relating to the International Commission, in particular Article 39, was involved.

The Co-Chairmen wish to express their gratitude for the valuable contribution of the Government of India, whose representatives preside over the International Commissions for Supervision and Control in Indo-China, to the successful activities of the above mentioned Commissions and they hope that in future it will also actively contribute to their activities in the interests of peace in Indo-China."

No. 77

Extract from the Proceedings of the House of Commons, 8 June, 1959

74. *Mr. Warbey* asked the Secretary of State for Foreign Affairs if he will now publish the texts of the recent exchange of Notes with the Soviet Government regarding the implementation of the Geneva Agreements in Laos.

Mr. Profumo : During the past four months we have received a number of communications on the question of Laos from the Soviet Government, making accusations against the Royal Laotian Government and calling for the return of the International Commission which adjourned *sine die* last July. Discussions between my right hon. and learned Friend and the Soviet Foreign Minister have also taken place during the last few days in Geneva.

We have investigated all the accusations against the Laotian Government with great care and have concluded that they have not violated in any respect the Geneva Agreements, as alleged by the Soviet Government. We have also carefully studied the legal position, having regard in particular to the undertaking given in paragraph 12 in the Final Declaration of the Geneva Conference to respect the sovereignty and independence of Laos, and have concluded that, if, as they do, the Government of Laos oppose the return of the International Commission, their wishes should be respected.

At the present moment when my right hon. and learned Friend is still in the process of discussing this matter with the Soviet Foreign Minister, I cannot say any more. Nor can I make any comment on the most recent developments in Laos. But my right hon. and learned Friend is about to send a reply to the Soviet Note of 30th May and this will be published after it has been delivered. Meanwhile, however, it may help to place the matter in its proper perspective if I circulate in the OFFICIAL REPORT our Note to the Soviet Government of 7th April. We had been waiting to receive Soviet reactions to it but, as they have now published their Note of 30th of May, which makes no reference to ours, I consider we should now publish it.

Following is the information :

NOTE TO THE SOVIET GOVERNMENT DELIVERED BY H.M. EMBASSY IN
MOSCOW ON 7 APRIL

"The British Embassy, etc., refer to the Soviet Government's Note No. 22/2E of 26 February, and their Note No. 36/2E of 21 March, regarding the International Commission for Supervision and Control in Laos. Her Majesty's Government have studied the Soviet Government's suggestion

that the Co-Chairmen should pronounce in favour of a rapid renewal of the practical work of the International Commission for Laos and have also noted the communications dated 4 February and 4 March from Pham Van Dong. The following are their views.

2. As the Soviet Government is aware from the talks between representatives of the Co-Chairmen at which the Co-Chairmen's messages to the Chairman of the International Commission and to the Indian Government of 31 January were agreed, the United Kingdom Government consider that, with the achievement in May, 1958, of the political settlement envisaged in Article 14 of the Agreement on the Cessation of Hostilities in Laos, the International Commission for Laos has completed the task laid upon it at Geneva. Moreover the Royal Laotian Government has expressed its opposition to the return of the International Commission. In these circumstances, an attempt to re-establish the Commission in Laos, without the concurrence of the Royal Laotian Government, would in the view of Her Majesty's Government be inconsistent with the Geneva Settlement—in particular, paragraph 12 of the Final Declaration.

3. No arguments have been brought to the attention of the United Kingdom Government which in their opinion would warrant the reconvening of the International Commission at this time. The United Kingdom Government are, therefore, unable to agree with the suggestion made by the Soviet Government.

4. Her Majesty's Government have also studied the letter of the Minister of Foreign Affairs of the Chinese People's Republic, dated the 19th of February, concerning this question. This letter contained statements which appeared to be inaccurate regarding the position of the Royal Laotian Government and of the United States Government of whom Her Majesty's Government therefore made inquiries. Her Majesty's Government wish now to propose that the attached draft communication to the Chinese Government which contains clarification of the position of the two Governments should now be dispatched by the Co-Chairmen. They hope that this draft reply will be acceptable to the Soviet Government."

DRAFT REPLY FROM HER MAJESTY'S GOVERNMENT AND THE SOVIET GOVERNMENT TO THE CHINESE FOREIGN MINISTER'S LETTER OF 19 FEBRUARY

"Your Excellency,

The Co-Chairmen of the Geneva Conference on Indo-China have carefully considered Your Excellency's letter of 19 February on the subject of the declaration, dated 11 February, of the Royal Laotian Government and the related statement by the Press officer of the State Department of the United States on the question of the Geneva Agreements.

2. With regard to the declaration by the Royal Laotian Government, it would seem that the Chinese Government have not taken account of the communiqué issued by the Prime Minister of the Royal Laotian Government on 17 February, from which it is clear that the Royal Laotian Government have not repudiated the Geneva Agreements. The Co-Chairmen understand

that, on the contrary, the Laotian Government wished to make it clear that they have scrupulously observed the Geneva Agreements of which most of the provisions regarding Laos have been completely fulfilled and that they intend to continue to abide by the obligations assumed by the Government of Laos under the Agreements.

3. With regard to the United States comment, the Co-Chairmen understand that the statement made by the Press officer of the State Department was in the following terms:

‘Obviously the Laos Government considers the provisions of the Geneva Agreement applicable to Laos have been complied with.

We (United States Government) respect that determination. Further, we consider the Prime Minister’s statement as a re-affirmation by the Laos Government of its ideal of peace and adherence to the principles of friendly relationships with its neighbours as expressed in the Charter of the United Nations.

Laos is a small nation that poses no threat to anyone and we hope it will be allowed to work out its own problems and develop its progress without outside interference.’

4. The Co-Chairmen are informed that the allegation that the United States Government has been introducing large numbers of military personnel and arms into Laos is inaccurate and unfounded.

5. With regard to the position of the Co-Chairmen in the matter, it appears that the Chinese Government have slightly misread the texts of the communications from the Co-Chairmen dated 31 January, 1959, to the Indian Government and to the Chairman of the International Commission for Supervision and Control in Laos. The Co-Chairmen were concerned in these communications with noting the Commission’s decision of 19 July, 1958, to adjourn *sine die* and with placing on record their understanding of it. The Co-Chairmen did not express the view that the International Commission should continue its activities, as is suggested in Your Excellency’s letter of 19 February.

6. The Co-Chairmen agree with the view of the Chinese Government that there should be no unilateral repudiation of the Geneva Agreements, but are satisfied that no action of the kind is in question here.

I avail etc.”

No. 78

**Letter to the Co-Chairmen of the Geneva Conference, from M. Pham
Van Dong, Hanoi, 4 February, 1959**

I have the honour to call your attention to the situation which has arisen in Laos at the present time, and which is developing in a direction unfavourable for peace in Laos and also in Viet-Nam and Indo-China.

Over the last few years, thanks to the active co-operation of the International Commission for Supervision and Control in Laos, and thanks to the goodwill of the forces of Pathet Lao and the Royal Government of

Laos, the execution of the Geneva Agreements in Laos—in spite of numerous difficulties—has produced significant results in preserving peace and guaranteeing the national unity of Laos.

After these first successes had been achieved, the basic problem lay in guaranteeing the corresponding and exact execution of the Geneva Agreements on Laos, and also of the concrete agreements between Pathet Lao and the Royal Government of Laos. On the other hand peace in Indo-China is indivisible, and to an equal extent concerns Viet-Nam, Laos and Cambodia. In consequence of this the execution of the Geneva Agreement on Laos cannot be separated from the execution of the Geneva Agreement in two other countries, and especially in Viet-Nam. For the reasons mentioned above it is absolutely necessary to preserve the presence and work of the International Commission for Supervision and Control in Laos. I expressed such an opinion in our note sent to you on the 29th of May, 1958, when the Royal Government of Laos, under the pressure of the imperialists of the U.S.A., put forward a demand for a temporary cessation of the work of the International Commission for Supervision and Control. In fact the development of the situation in Laos since that time has proved that our fears were well grounded.

Recently the imperialists of the U.S.A. have increased their interference and activity in Laos, particularly in the military sphere; many officers of the U.S.A. and a large number of military personnel have been taken to Laos for work in Laotian military units and in disguised police organisations; the services of the American military aid have imported into Laos a large quantity of new arms and equipment and have accelerated the expansion and construction of many military bases, aerodromes and strategical roads which link Laos with Southern Viet-Nam.

In carrying out the conspiracy of the American imperialists in Indo-China and in South-East Asia, the authorities of Southern Viet-Nam, with the participation of the Royal Government of Laos, are directing a large number of military personnel into Laos secretly and using the territory of Laos to carry out espionage activities and sabotage against the Democratic Republic of Viet-Nam.

Since Pathet Lao has been included in the Laotian association the Royal Government of Laos has been increasing its repression, persecution and discriminatory measures against former members of Pathet Lao, that is against former participants in the Resistance, which contradicts Article 15 of the Geneva Agreement on Laos.

Urged on, supported and encouraged by the imperialists of the U.S.A. and other foreign Powers, who were pursuing a certain aim, the Kingdom of Laos has increased the concentration of its forces along the Viet-Nam/Laos frontier, and has repeatedly violated the air space and territory of the Democratic Republic of Viet-Nam, creating, in this way, an uneasy situation in the frontier zone between the two countries. In spite of the fact that the Governments of the Democratic Republic of Viet-Nam have sent several notes of protest against such activities, and proposals for regulating all the disputed questions by means of peace talks, such violations are still continuing and recently caused tension in the region of Huong Lap. The territory on which the village of Huong Lap is situated has always belonged

to the Democratic Republic of Viet-Nam. The incidents caused by the Kingdom of Laos in this region have the object of creating tension on the Viet-Nam/Laos frontier, an artificial "tension" which would serve as a pretext for the establishment in Laos of a militarist and dictatorial régime, which could be used as a weapon for undermining the Geneva Agreements on Laos and preparing conditions for drawing this country into the aggressive military SEATO bloc. It is quite evident that "the question of Khyong Lap" is an action of the imperialists of the U.S.A. and their agents in Laos which was prepared and planned beforehand.

The actions mentioned above are a serious violation of Articles 6, 7, 9 and 15 of the Agreement on the cessation of military activities in Laos and points four and five of the Final Declaration of the Geneva Conference. All these violations pursue the object of transforming Laos into a military base of the U.S.A. and a weapon for undermining the peace and unification of Viet-Nam.

In the interests of peace in Viet-Nam and Laos the Government of the Democratic Republic of Viet-Nam, as a country which signed the Geneva Agreement on Laos, and which in so doing took upon itself the duty of guaranteeing their exact execution, has the honour to draw your attention to the position which has arisen in Laos, and requests you, as the two Chairmen of the Geneva Agreements on Indo-China, in full responsibility, to turn your attention to the exact and full execution of the Agreements, signed at this Conference, to take such necessary and decisive measures as the situation demands, and firstly to exert influence on the International Commission for Supervision and Control in Laos in order that it should renew its activity with the object of conducting investigations into the above-mentioned violations, to guarantee the exact execution of the Geneva Agreements.

May I take this opportunity of assuring you, Gentlemen, of my extremely high respects.

No. 79

Letter to the Foreign Secretary from Mr. Chen Yi, Peking, 25 May, 1959

Your Excellency, I have the honour to draw your attention to my letter to you dated 19 February, 1959, on the unilateral tearing-up of the Geneva Agreements by the Kingdom of Laos. Since then the situation in Laos, instead of making any improvement, has been deteriorating. Recently, owing to the actions of the Royal Laotian Government designed to exterminate the former Pathet Lao fighting units, the situation has grown even more serious.

In complete disregard of the Geneva Agreements and the various Agreements concluded between the Royal Laotian Government and the former Pathet Lao fighting units in December, 1956, and November, 1957, the Phoui Sananikone Government issued order on 11 May, 1959, to disarm two battalions of the former Pathet Lao fighting units. At the same time, the army and police of the Royal Laotian Government surrounded the residence of the leaders of the Neo Lao Haksat Party and the former Pathet Lao fighting units, placing them under close surveillance and house arrest. These are the gravest violations of the Geneva Agreements. It is under the

direct instigation and support of the United States that the Royal Laotian Government has taken its present measures against the Neo Lao Haksat Party and the former Pathet Lao Fighting Units. These actions are rekindling the flames of war which were extinguished for several years, they are posing a serious threat to the peace of Indo-China and greatly aggravating the tension in South-East Asia.

As a participant in the 1954 Geneva Conference and a guarantor for the Geneva Agreements, the People's Republic of China naturally cannot look on with indifference at this. Mr. Pham Van Dong, Minister for Foreign Affairs of the Democratic Republic of Viet-Nam, has formally requested the Co-Chairmen of the 1954 Geneva Conference to adopt urgent and effective measures to ensure that the Geneva Agreements on Laos be respected and thoroughly implemented. I deem this request to be entirely proper and reasonable. I likewise consider that at this critical moment the United Kingdom and the Soviet Union, as participants in the 1954 Geneva Conference, and particularly as the Co-Chairmen of the Conference, should adopt measures at once to stop these serious actions of the Royal Laotian Government in violation of the Geneva Agreements so as to uphold the Geneva Agreements and peace in Indo-China, and instruct the International Commission for Supervision and Control in Laos to meet and resume its activities at once.

A letter of similar contents is being forwarded to His Excellency Andrei Gromyko, Minister for Foreign Affairs of the U.S.S.R.

I avail myself of this opportunity to express to you the assurances of my highest consideration.

No. 80

Message to the Chairman of the International Commission for Supervision and Control in Laos from M. Pham Van Dong, Hanoi, 1 June, 1959

Following my telegram of 17 May relative to the alarming situation in Laos and to the necessity of the resumption of the activity of the International Commission for Supervision and Control, I have the honour to inform you that the development of the events in that country during these last few days have confirmed the apprehensions of our Government; in fact since 11 May the situation has not ceased from aggravating. Under the orders of the Phoui Sananikone Government the Royal troops have begun large-scale attacks against the second battalion of the fighting units of the ex-Pathet Lao. Violent fighting has taken place in the region of Xieng Khohang near the frontier of the Democratic Republic of Viet-Nam, in particular during the days of 28 and 29 May, and is continuing at the moment when I write these lines to you. The Phoui Sananikone Government should bear the entire responsibility of this dangerous situation which it has created itself on the instigation of foreign Powers. Our Government considers that with a view to circumscribing and extinguishing promptly this new source of war, which is setting fire to and threatening peace in Indo-China, the immediate resumption of the activity of the International Commission in Laos, which has the mission of assuring the implementation of the Geneva Agreements

and the safeguarding of peace in this part of the world, proves to be an imperative and pressing necessity. In consequence I take leave to insist for a rapid decision of the International Commission in this direction. Any delay might seriously aggravate the situation.

No. 81

**Note delivered by the Foreign Ministry of the Soviet Union to
H.M. Embassy, Moscow, 2 June, 1959**

The Ministry of Foreign Affairs of the U.S.S.R. present their compliments to the Embassy of Great Britain and have the honour to transmit a letter of the Minister of Foreign Affairs of the Democratic Republic of Viet-Nam, Pham Van Dong, to the two Chairmen of the Geneva Conference on Indo-China.

In this letter Mr. Pham Van Dong draws the attention of the two Chairmen to the serious aggravation of the situation in Laos which has come about as a result of the violation of the Geneva and Vientiane agreements by the Government of Laos headed by Mr. Phoui Sananikone. As is pointed out in the letter, the Government of the Democratic Republic of Viet-Nam, as a neighbour of Laos, is gravely alarmed by the dangerous direction in which the situation in Laos is developing as a result of the military and police measures which the Government headed by Mr. Phoui Sananikone is applying against former members of the armed forces of Pathet Lao. These measures are in direct contradiction to the spirit and the letter of the Geneva agreements on Laos. They tend to undermine the national unity of Laos and consequently the cause of peace in Indo-China, and represent a constantly growing threat to the security of the Democratic Republic of Viet-Nam.

In protesting vigorously against violations of the Geneva and Vientiane agreements by the Government of Laos, the Government of the Democratic Republic of Viet-Nam warns that the present Government of Laos must bear full responsibility for the consequences of any actions it undertakes which may lead to clashes and bloodshed and worsen even further the position in the region of Laos.

In its desire to reduce tension in Laos and thereby avert more serious events there, the Government of the Democratic Republic of Viet-Nam strongly requests the two Chairmen to take urgent and effective measures for the immediate resumption of the activity of the International Commission for Observation and Control in Laos with the object of investigating the violation of the Geneva Agreements by the Government of Laos.

The actions of the Government headed by Mr. Phoui Sananikone which are in conflict with the Geneva Agreements also provoke profound anxiety in other Asian countries; this is borne out, in particular, by the declaration of the Government of the Chinese People's Republic of the 18th May of this year.

The Soviet Government completely shares the point of view of the Government of the Democratic Republic of Viet-Nam and the Government of the Chinese People's Republic regarding the serious threat to peace and security in Indo-China with which the actions of the Government of Laos,

which violate the Geneva and Vientiane Agreements, are fraught. In connection with this, the Soviet Government is of the opinion that the two Chairmen should take immediate measures to ensure the unswerving observance of the Geneva Agreements on Laos. The Soviet Government is convinced that the resumption of the work of the International Commission for Observation and Control in Laos would be one of the most effective measures for promoting the necessary execution of the Geneva Agreements on Laos.

Proceeding from this, the Soviet Government proposes that the two Chairmen should send a joint message to the Government of Laos urging it to observe the Geneva Agreements and resume its co-operation with the International Commission on Laos in order that the Commission may continue its work in the near future.

The Soviet Government hopes that the draft of an appeal from the two Chairmen which is being sent together with this Note will be acceptable to the Government of Great Britain.

The Ministry would be grateful to the Embassy for the early communication of the opinion of the Government of Great Britain on what is set out above.

No. 82

**Letter to the Foreign Secretary from M. Adam Rapacki, Warsaw,
6 June, 1959**

In accordance with the decisions of the Geneva Conference, Poland undertook the task of participating in the International Commission for Control and Supervision in Indo-China. The Government of the Polish People's Republic, deeply concerned with the cause of peace in Indo-China, have done their best to contribute to a lessening of tension and to stabilising peace in this part of the world. At present, in view of the situation created in Laos as a result of a manifest violation of the provisions of the Geneva Agreement by the Government of the Kingdom of Laos, I wish to present to you, Sir, as the Co-President of the Geneva Conference, the position of the Polish Government in this question.

It is known that Poland, as member of the International Commission for Control and Supervision in Laos, has opposed the suspension of activities of that Commission. This attitude has been frequently expressed by Poland's representative in the Commission. In her appreciation of the situation in Laos, Poland took the view that the tasks before the Commission have not been fully realised and that—for this very reason—a continuation of her activities was indispensable. Clearly, if this view had been accepted the present situation would have never arisen. The Commission would have been able to promote a solution of the existing controversial problems in a way corresponding to the interests of Laos, as well as to contribute to a stabilisation of peaceful relations in the area. Having closely examined the course of events in Laos after the suspension of the activities of the Commission one is compelled to state that the developments in that country have caused an increased tension in the Indo-Chinese region. In a breach of agreements concluded between the Laotian Government and the Pathet

Lao, democratic freedoms in Laos have been abolished and democratic parties and leaders have become the object of reprisals. Recently, the Laotian Government has taken up arms against military units of the former Pathet Lao.

Realising Poland's responsibility as member of the International Commission for Control and Supervision in Indo-China, the Government of the Polish People's Republic, through their representative in the Laotian Commission, have proposed several times to call this Commission back to life. However, as it is known, Poland's efforts in this respect remained fruitless. In view of a continuous deterioration of the situation in Laos, bringing with it the menace of a civil war, which could degenerate into a new conflict in Indo-China, I appeal to the Co-Presidents of the Geneva Conference to take all necessary steps permitting the reactivation of the International Commission for Control and Supervision in Laos.

The renewal of activities of the International Commission for Control and Supervision in Laos and the application by the Government of the Kingdom of Laos of the provisions of the Geneva Agreements will undoubtedly contribute to a lessening of tension in this region thus furthering the cause of peace.

I avail myself of this opportunity to extend to you, Sir, the assurances of my highest consideration.

No. 83

Note handed by Mr. Selwyn Lloyd to M. Gromyko, 9 June, 1959

Her Majesty's Government in the United Kingdom have the honour to refer to the Note addressed by the Soviet Government on 30 May to Her Majesty's Embassy at Moscow, on the subject of Laos.

Her Majesty's Government consider that the confidential talks which have taken place since 1954 between the Co-Chairmen about various questions concerning the maintenance of peace in Indo-China have been of value. They recall that the latest round of talks, concerning the question of Laos itself, ended in full agreement when the Co-Chairmen despatched letters to the Indian Government and to the Chairman of the Commission on 31 January.

Since then, however, Notes were delivered by the Soviet Government to Her Majesty's Government on 26 February and 31 March, in which serious charges were made against the Laotian Government and which called for the reconvening of the International Commission for Laos. The contents of these Notes were made known to the Press. Nevertheless Her Majesty's Government sent a reasoned reply on 7 April enclosing the draft of a suggested reply from the Co-Chairmen to the Chinese Government's letter of 19 February. In this reply of 7 April it was explained in detail that in the view of Her Majesty's Government the Laotian Government had not committed the violations of the Geneva settlement with which the Soviet and Chinese Governments had charged them and it was made clear that Her Majesty's Government could not support the return of the International Commission against the wishes of the Laotian Government. The contents of

these communications were not published, since Her Majesty's Government were expecting to receive the reactions of the Soviet Government and did not wish to prejudice the possibility of holding private discussions between the Co-Chairmen. However despite the fact that the Soviet Embassy in London were asked on 5 May to obtain the views of the Soviet Government on the Note addressed to them on 7 April none has been received and the Soviet Government's latest communications, of 29 April and 30 May, have merely reiterated the call for the reconvening of the International Commission against the wishes of the Laotian Government, and made new charges against that Government, without in any way referring to the fact that the charges made against them previously by the Soviet Union had been shown in the United Kingdom Note of 7 April to be unfounded.

Her Majesty's Government have examined very carefully the new charges made by the Soviet and Chinese Governments against the Laotian Government but are unable to see any possible grounds for maintaining that the Laotian Government's actions in regard to the integration of the two ex-Pathet Lao battalions have in any way constituted a violation of the Geneva Agreement (or the Agreements between the Laotian Government and the Pathet Lao of November, 1957). Their information is that the facts are as follows.

The Geneva Agreement provided that the Pathet Lao forces were to re-group in the two northern provinces pending a political settlement. Subsequent to the Geneva Agreement the Laotian Government entered into political and military agreements with the Pathet Lao in November, 1957. The broad terms of these were that a Government of National Union was to be formed, that the Pathet Lao, now termed Neo Lao Hak Sat, was to be recognised as a political party, and that the Pathet Lao troops and their equipment were to be taken over by the Laotian Government, which would integrate 1,500 of them into the regular Laotian Army. It was further provided in the military agreement that the International Commission should be present at and witness the execution of certain stages in this process. Pursuant to all this, the N.L.H.S. registered its new statutes and two of its members became Ministers in the Government of National Union on 19 November, 1957. Supplementary elections were held on 4 May, 1958, and the Commission recorded its view that the holding of these elections completed the political settlement envisaged in Article 14 of the Geneva Agreement. In March, 1958, the Commission, acting unanimously, informed the Co-Chairmen that the terms of the 1957 military agreement had been fully implemented with the complete integration of former Pathet Lao military personnel into the Laotian National Army. This is set out in unequivocal terms in paragraphs 8-15 of the fourth interim report of the Commission.

After the integration had thus been completed certain practical difficulties arose. According to the military agreement the Pathet Lao were entitled to have a proportion of officers and N.C.Os. in accordance with the establishment of the Laotian Army. This would have given them about 40 to 45 officers. The Neo Lao Hak Sat were not satisfied with this. Although there was no obligation on the Government to take into account the views of the Neo Lao Hak Sat, they wished to reach a mutually satisfactory arrangement and lengthy negotiations took place.

Eventually in March and April this year the Government laid down very generous conditions on which the battalions were to be integrated. These included provision for more than 100 Pathet Lao officers. The senior Colonel of the battalion (Colonel Singkapo) had already been offered integration and had refused and was not therefore included. On instructions from Prince Souphannouvong, however, the battalions refused to comply with the Government's orders on the grounds that Colonel Singkapo was not included and that the provisions for back pay were not good enough. The Government then gave them the choice between complying and being disarmed or demobilised. Prince Souphannouvong is then reported to have given the Laotian Army a letter recommending acceptance and one battalion complied and was integrated on 18 May. The other battalion broke out of its camp and moved towards North Viet-Nam. The Government have nevertheless continued to attempt to persuade them to accept integration without resorting to the use of force. According to the latest information available to Her Majesty's Government, there is no longer any contact between this battalion and Government troops.

The above facts do not in any way indicate that the Laotian Government are in breach of the Geneva Agreement but rather show that they have been genuinely attempting to give practical effect to the Agreements with the Pathet Lao of November, 1957; and that because their authority was challenged by one of the ex-Pathet Lao battalions they took measures to enforce order in their own country. They have acted with studious moderation in the face of grave provocation.

As regards the International Commission the attention of the Soviet Government is drawn to paragraph 2 of the United Kingdom Note of 7 April. As is pointed out in that Note Her Majesty's Government consider that any attempt to re-establish the International Commission for Laos without the concurrence of the Royal Laotian Government would be inconsistent with the duty resting on all members of the Geneva Conference to respect the sovereignty and territorial integrity of Laos and to refrain from any interference in Laos's internal affairs. Her Majesty's Government must therefore once again disagree with the Soviet Government's suggestion that the Co-Chairmen should call for the reconvening of the International Commission. Nor can they agree with the terms of the draft communication from the Co-Chairmen to the Government of Laos, enclosed with the Soviet Government's Note.

Nothing in the actions of the Laotian Government has created a threat to the peace and security of Indo-China. In view of the facts set out in paragraph 5 above it is moreover illogical and untrue to say that the actions of the Laotian Government tend to undermine the unity of Laos. Her Majesty's Government are convinced that provided all concerned act in all respects strictly in accordance with the Geneva Settlement and refrain from interference in the internal affairs of Laos as laid down in paragraph 12 of the Final Declaration of the Geneva Conference the present difficulties will be solved peacefully. In particular they believe that a reduction of tension will be facilitated if the Soviet Government will use their influence with the North Viet-Nam authorities to induce them to exercise restraint in all their statements and actions related to this situation which is essentially within the jurisdiction of the Laotian Government.

Her Majesty's Government are willing to pursue discussion of this matter either between the Co-Chairmen or between their representatives should the Soviet Government agree, after having obtained further and fuller information from their own sources as to the actual situation in Laos, that such discussions would be useful.

No. 84

Statement issued by the Soviet Government, Moscow, 15 September, 1959

On 7 September, 1959, the representatives of the Western Powers in the Security Council took illegal measures aimed at covering up their intervention in the affairs of Laos with the flag of the United Nations Organisation. These actions are shown by the fact that 10 members of the Security Council, contrary to the United Nations Charter and in violation of the Geneva Agreements on Laos, voted for the formation of a sub-committee composed of Argentina, Italy, Japan and Tunisia, which is instructed to study the statements on Laos made in the Security Council, to receive new statements and documents and to make such investigations as it considers necessary and report to the Security Council as soon as possible. The Soviet Government cannot overlook these actions inasmuch as they are fraught with serious consequences and are clearly designed to constitute obstacles in the way of the favourable development of recent measures for the relaxation of international tension. The discussion of the question of the formation of the sub-committee in the Security Council and the voting of 10 members of the Council for the draft of the said resolution is a clear violation of the United Nations Charter and the rules of procedure of the Security Council.

Moreover, their tabling of this question for the consideration of the Security Council is illegal. As is well known, on 4 September, 1959, the Foreign Minister of Laos sent a telegram to the Secretary-General of the United Nations containing an unfounded statement that units of the Viet-Nam Democratic Republic had allegedly carried out operations against garrisons of the Laotian Army. Despite the fact that not a single member of the Security Council asked that this question should be submitted to the consideration of the Security Council, nevertheless, with active assistance on the part of the Secretary-General of the United Nations, Dag Hammarskjöld, the Italian representative, the Chairman of the Security Council for September, summoned a meeting of the Council and tabled for its consideration a draft resolution on the formation of a sub-committee, submitted by the representatives of the United States, United Kingdom and France.

One cannot but notice that, in trying to achieve their improper end the representatives of the Western Powers, contrary to the United Nations Charter, the established practice that has grown up, tried to show that the proposals contained in the draft resolution of the United States, Great Britain and France were procedural in character and did not require for their adoption the unanimity of the permanent members of the Security Council. However, this position of the Western Powers is groundless. It is easy to be sure of this by turning to the United Nations Charter. According to the Charter all questions which can be considered in the Security Council are divided into two groups, substantive questions and procedural questions. For decisions

to be taken on the first group of questions it is necessary for not less than seven members of the Security Council, including all the permanent members, to cast their vote for these decisions. In deciding questions of the second group, it is necessary that not less than seven votes of any members of the Security Council should be cast in favour. Should disputes arise to which group this or that question should be referred, then that dispute is decided by vote and for the adoption of a decision that such a question be counted procedural there must be unanimity of all the permanent members of the Security Council. Such an order of voting in the Security Council is quite clearly laid down in the United Nations Charter and the Declaration of 7 June, 1945, published in the names of the U.S.S.R., United States, Great Britain and China and accepted by all the founder members of the United Nations. The Governments of the United States, Great Britain and France, in initiating the draft resolution on the formation of the sub-committee, as also the Governments of Italy, Japan, Argentina, Panama, Canada and Tunisia in voting for this resolution, took no account either of the United Nations Charter or the Declaration in declaring as accepted a resolution against which one of the permanent members of the Security Council has voted.

In the past, in the course of the Security Council's work, it has more than once happened that analogous draft resolutions about the formation of investigatory organs have been submitted for consideration. In all these instances, the principle of the unanimity of all the permanent members of the Security Council was applied in voting on such drafts. Thus, for example, in 1946, when the Security Council considered the Greek question, there was a proposal to establish a commission and instruct it to investigate the facts relative to incidents on the northern frontiers of Greece. This proposal was not adopted by the Security Council inasmuch as one of the permanent members of the Council voted against. Is not this example a complete analogy with the Laos question? It would be possible to adduce similar cases that have occurred in the Security Council as, for example, when the Indonesian (1947), Czechoslovak (1948), Chinese (1950) and other questions were considered. Both the provisions of the Charter and the Declaration, and the practice of the Security Council show that, in including the Laos question on the agenda of the Security Council and voting for the resolution on the formation of the sub-committee, the Western Powers have manifestly embarked on the path of infringing the United Nations Charter, which is fraught with serious consequences for peace and security. By this step the Western Powers are still further undermining the foundations on which the organisation of the United Nations is based. It goes without saying that inasmuch as in the consideration of this question grave infringements of the United Nations Charter were committed, the aforesaid draft resolution cannot be considered as adopted by the Security Council.

These actions of the Western Powers in the Security Council are an expression of the attempts of certain circles in these countries to poison the international atmosphere at a time when symptoms of a relaxation of international tensions are clearly showing themselves, when all humanity lives in hope of an end to the "cold war", linking this hope with the forthcoming exchange of visits between the Heads of the Soviet and United States Governments. The provocative submission at this time of the Laos slander for discussion by the Security Council shows that the tendency that is

appearing towards improvement of relations between the U.S.S.R. and United States, and is favourably influencing the international climate, is not at all to the taste of certain influential political circles in the West. Afraid of a further thaw in the international atmosphere, they are taking all possible steps to hinder the effort of the peoples to come nearer to one another and abolish both the "cold" and "hot" wars from international relations. In no other way is it possible to explain the unalterable fact that the Laotian "complaint" was submitted for discussion in the Security Council and the representatives of the Western Powers embarked on outright disregard of the United Nations Charter and disruption of the Geneva Agreements on Laos.

The Geneva Agreements on Laos provide for exhaustive measures for the re-establishment and maintenance of peace in that country, and the guaranteeing of its peaceful and democratic development. They oblige Laos never to take part in the conduct of an aggressive policy and not to allow the use of Laotian territory in the interests of such a policy. In accordance with these agreements it is forbidden to admit into Laos from outside foreign military personnel, as also to import armaments, ammunition and military materials with the exception of a defined quantity of armaments of determined categories essential for the defence of Laos. Moreover, the import of this armament into the country must be done under the control of the International Commission on Laos. The Geneva Agreements also oblige the Government of Laos to include without discrimination participants of the Pathet-Lao movement into the national community and guarantee their equal and unhindered enjoyment of civic rights. The agreement on the operation of the International Commission for Supervision and Control in Laos, composed of representatives of India, Poland and Canada, which is an integral part of the Geneva Agreements on Laos, renders superfluous the "concern" to send to Laos some other observers unless this "concern" pursues provocative ends. If the Western Powers really desire the settlement of the recently aggravated situation in Laos, why should the International Commission (relying in its activity at the Geneva Agreements, to which these Western Powers were parties) not be instructed urgently to renew its activities and, in co-operation with the Government of Laos, work out measures for the swiftest possible normalisation of the situation in that country? However, this obvious and extremely effective way of liquidating the focus of tension that has developed in Laos, obviously does not answer the aims of the aforesaid political circles in the West, inasmuch as the Laos slander was dragged before such an international forum as the United Nations Security Council and a resolution illegally pushed through on the establishment of a sub-committee on Laos. These actions undermine the agreement on the International Commission for Supervision and Control in Laos and strikes a heavy blow both at the Geneva Agreements on Laos and at the whole system of Geneva Agreements on Indo-China.

The Soviet Government cannot but note that the responsibility for this lies wholly and in full on the Governments of the United States, Great Britain and France, who initiated the said resolution, and that this can lead to far-reaching consequences for peace and security in Indo-China. In this connection it is impossible to overlook the warlike statements of Americans generals and SEATO statesmen about their readiness to use without delay the armed forces of the SEATO countries and, above all, the armed forces of the United

States for a broad military intervention in Laos. The actions of the Western Powers leave no room for doubt that by this step of theirs they wish simultaneously to relieve the Government of Phui Sananikone of responsibility for the situation which has developed in Laos, and deceive international public opinion by way of a noisy pother about his provocative intentions regarding an alleged invasion of Laos by troops of the Viet-Nam Democratic Republic. It is impossible not to note the improper role which the State Department is playing in this connection, having recourse to its standard device, in declaring the recent events in Laos to be the consequences of "external Communist intervention". But this device is not new, the State Department uses it every time that it needs to cover up the active interference of the United States in the internal affairs of other countries. As regards Laos, this intervention is taking place by the despatch to the country of American military advisers and instructors, the import of arms, various military materials and so on.

But whatever interventions are launched by the Government of Phui Sananikone and his protectors the fact is inescapable that his Government refused to fulfil the Geneva, and thereafter the Vientiane, Agreements on Laos, it has used armed force against the warriors of the former military forces of Pathet-Lao, which had to be absorbed into the regular army of Laos, it has arrested Prince Souphanouvong and other leaders of the Patriotic Party of Laos, and is using terror and repressions against the former members of the Pathet-Lao movement in an effort to stifle the democratic forces who are calling for Laos to conduct a policy of peace and neutrality and the inclusion of participants of the national-liberation struggle in the social life of Laos. And if now Laos has been plunged into a state of national dissolution, and popular indignation at the actions of the Government of Phui Sananikone has taken the form of armed actions, then the blame for this lies wholly and in full with the Government of Phui Sananikone and with those whom he is pushing into violation of the Geneva Agreements.

Surely this is confirmed by the fact that the demands made by the patriotic forces of Laos come down to the demand that the Government of Phui Sananikone should return to the path of the observance and realisation of the Geneva and Vientiane Agreements. The Soviet Government is convinced that the tension which has arisen in the region of Laos can and must be settled only on the basis and within the framework of the Geneva Agreements which are the foundation of peace and security in Indo-China. It expresses its profound regret that the Western Powers have not forborne to use the Security Council to undermine these agreements and encourage actions aimed at their liquidation. The Soviet Government considers it its urgent duty to come out in defence of the Geneva Agreements on Indo-China inasmuch as their annulment would signify the destruction of the only juridical basis for the maintenance of peace in Viet-Nam, Laos and Cambodia.

In this connection the Soviet Government fully understands and shares the concern and alarm which has been shown about the situation which has developed in Laos by the Government of the Democratic Republic of Viet-Nam, the Kingdom of Cambodia, the Chinese People's Republic, the Republic of India and other States which are interested in the maintenance and strengthening of peace and security. With the aim of settling the Laos

question and normalising the situation in this region the Soviet Government considers it essential that a conference should be summoned urgently composed of the countries which took part in the Geneva Conference of 1954 on the question of Indo-China, to consider the situation that has developed in Laos. In the opinion of the Soviet Government the International Commission for Supervision and Control in Laos will have to report to the said conference on the results of the work it has done and its recommendations on measures for the normalisation of the situation in Laos. The Soviet Government expresses the hope that this proposal will be supported by the Governments of the countries parties to the Geneva Agreements on Indo-China.

No. 85

**Note delivered by H.M. Ambassador at Moscow to the Soviet Government,
21 September, 1959**

The United Kingdom Government have carefully considered the Soviet Government's statement of 15 September about the situation in Laos. In that statement the Soviet Government made certain proposals for dealing with the situation which has developed in Laos. As regards those proposals the United Kingdom Government do not propose to comment in substance at the present time. The Security Council of the United Nations is seized of the question and has established a Sub-Committee to make enquiries and to report to it. Once that report has been received, it will be easier to decide how the matter should be dealt with and the Security Council will no doubt at that stage consider any proposals which may be put forward.

Meanwhile, however, the United Kingdom Government cannot let pass without comment some of the statements made by the Soviet Government which are both legally and factually incorrect.

- (a) Article 29 of the United Nations Charter, which is in the section headed "Procedure", lays down that the Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions. The decision to set up a Sub-Committee of the Security Council was taken under this Article. The Soviet Government are therefore incorrect in saying that the unanimity rule ought to apply in this case. As regards the San Francisco Declaration, part I, paragraph 2, of the Declaration states that the Council will, by the vote of any seven of its members, "establish such bodies and agencies as it deems necessary for the performance of its functions". There can consequently be no doubt that the Sub-Committee, with terms of reference as defined in the Resolution of the Security Council of which the Soviet Union complain, was correctly established by a procedural decision. A study of the record of what was said in the Security Council by the United Kingdom representative during the consideration of the Corfu Channel Case in 1947 and the Czechoslovak Question in 1948 will show that the United Kingdom representative has in the past cogently and consistently argued on the same lines as those followed by Sir Pierson Dixon in the Security Council on 7 September. Her Majesty's Government greatly regret that the Soviet representative found it necessary to cast the only dissenting vote.

- (b) The United Kingdom Government's decision to join in proposing the establishment of a Sub-Committee to make enquiries into the facts in regard to Laos was entirely consistent with the views expressed to the Soviet Government in discussion between the two Governments, as representatives of the Co-Chairmen of the Geneva Conference of 1954, during the period immediately before the Laotian Government's decision to appeal to the United Nations. As the Soviet Government will recall, the United Kingdom Government had proposed that the two Governments should request the Secretary-General of the United Nations to send a fact-finder to Laos. They had hoped that this would be in accordance with the wishes of the Soviet Government who had been maintaining, as one of the principal reasons why the International Commission should return to Laos, that it was necessary for the Co-Chairmen to receive an impartial statement of the facts. Unfortunately, however, the Soviet Government did not accept this proposal. It is also to be regretted that they should have opposed the the Security Council's desire to establish the facts by the appointment of a Sub-Committee. The United Kingdom Government do not understand how the Soviet Government can maintain that the Laotian Government had no right to appeal to the United Nations or that a discussion of the question in the Security Council was a violation of the United Nations Charter. Every member of the United Nations has the right to refer its case to the Security Council, if it considers that its independence and territorial integrity are threatened by interference from outside.
- (c) The United Kingdom Government take exception to the Soviet Government's suggestion that their action in putting forward the resolution of the Security Council is an attempt to poison the international atmosphere at the present time. In the view of Her Majesty's Government the Laotian Government in their communications to the United Nations made out a *prima facie* case that North Viet-Nam is interfering in their affairs in contravention of Paragraph 12 of the Final Declaration of the Geneva Conference. In the United Kingdom Government's view they would have been failing in their duty as members of the Security Council if they had not supported the inclusion of an item on the agenda. Having taken this position the Security Council could hardly have done less, as a first step, than to assure itself that it was in possession of the necessary facts.
- (d) The United Kingdom Government have always shared the Soviet Government's desire to see that the Geneva Settlement is fully observed. In their notes of 7 April and 9 June the United Kingdom Government have set out at length the facts of what occurred in Laos during that period and have shown in detail how the Soviet accusations against the Laotian Government of violations of the Geneva Agreements were unjustified. Since then the situation has grown worse. At the end of June and at the beginning of July the propaganda of the North Viet-Nameese authorities began to speak of the existence of civil war in Laos. No fighting, however, was taking place. Between 16 July and the end of the month however it became clear that the Pathet Lao, with the support and assistance of the North

Viet-Nameese authorities, had decided to try to create the "Civil War" of which they had been talking. It is these actions on the part of the Pathet Lao and the North Viet-Nameese authorities which have created the present situation in Laos and not the Laotian Government, who, as they have repeatedly stated, only desire to be left alone in peace.

No. 86

Note given to the Soviet Ambassador in London on 9 November, 1959

Her Majesty's Principal Secretary of State for Foreign Affairs presents his compliments to His Excellency the Soviet Ambassador, and has the honour to refer to the Note delivered to the Soviet Government on 21st September by Her Majesty's Embassy in Moscow concerning the Soviet Government's proposal for a new Geneva Conference on Laos. In that Note it was stated that the United Kingdom Government did not propose to comment in substance at that time; that the Security Council was seized of the question and had established a sub-committee to make inquiries and to report to it; and that once that report had been received the Security Council would no doubt consider any proposals which might be put forward.

The United Kingdom Government have now received the report of the Security Council Sub-Committee, and they therefore wish to explain to the Soviet Government their attitude towards the Soviet Government's proposal for a new Geneva Conference to which the International Commission for Supervision and Control for Laos would report. They wish first to stress that the United Kingdom Government wish to co-operate with the Soviet Government in maintaining the Geneva Settlement. There is, however, more than one way of doing this, and the United Kingdom Government are unable to agree with the Soviet proposal for the following reasons:

- (a) An integral part of the Soviet proposal seems to be that the International Commission should re-convene. As the United Kingdom Government have repeatedly explained to the Soviet Government, they are not willing to try to impose the International Commission on the Laotian Government who are unwilling to agree that it should re-convene. The United Kingdom Government do not consider that the International Commission is indispensable to the maintenance of the Geneva Settlement. What is essential is that both sides should observe their obligations under that Settlement.
- (b) The matters about which the Laotian Government complain, *i.e.*, interference by North Viet-Nam in Laotian affairs and encouragement by North Viet-Nam of the rebellion in Laos, though they are, it is true, in violation of the Geneva Settlement, are also contrary to the United Nations Charter. In these circumstances, Laos has exercised its undoubted right to bring the question before the United Nations and the United Nations is seized of it. In the United Kingdom Government's view, there is no reason why the United Nations should not deal with it or why it should abdicate its competence in favour of a new Geneva Conference.

- (c) United Nations action will not in any way undermine the Geneva Settlement. In the United Kingdom Government's view, both sides should observe their obligations under that Settlement. They consider that United Nations action to deal with the problem of Laos should contribute to those obligations being observed and will, therefore, rather than undermining the Geneva Settlement, assist in seeing that it is maintained.

There would be no problem in Laos if the North Viet-Nameese authorities were to cease their encouragement and assistance to the Pathet Lao rebels and if the latter were to end the rebellion and to act in accordance with Laotian law. The United Kingdom Government hope that all concerned, including the Soviet Government, will use their influence to see that the Geneva Settlement is observed and, in particular, that the rebellion is brought to an end. This would make a far more certain contribution to peace than the holding of a new Geneva Conference.

No. 87

United Kingdom reply to the Chinese Note of 31 October, 1959

I have the honour to refer to Your Excellency's Note of 31st October about the situation in Laos and to inform you that Her Majesty's Government in the United Kingdom are unable to agree that the United Kingdom and Soviet Governments should take action, as suggested, in regard to the proposed trial of the leaders of the Neo Lao Hak Sat. This is a matter for the Laotian authorities in which it would not be proper for other Governments to intervene.

2. The Chinese People's Government suggests that the holding of such a trial would be a violation of the Geneva and Vientiane Agreements by the Government of Laos. Nothing in those Agreements however precludes the Laotian authorities from prosecuting members of the Neo Lao Hak Sat in the Laotian courts for offences against Laotian law subsequent to the signature of the Cease-Fire Agreement. Nor does the Cease-Fire Agreement or the Vientiane Agreement absolve the members of the Neo Lao Hak Sat from the obligation to act in accordance with the laws of Laos. On the contrary, Article 9 of the political Agreement signed at Vientiane on 2nd November, 1957, gives to the Neo Lao Hak Sat the same responsibilities, as well as the same rights and liberties as to other political parties in Laos and makes those rights and liberties dependent on the statutes of the Neo Lao Hak Sat being in accordance with Laotian law. It is for the Laotian courts to determine whether the Neo Lao Hak Sat leaders have broken the law. Any action by the Co-Chairmen or the International Commission to intervene between the Laotian courts and the members of the Neo Lao Hak Sat would constitute interference in the internal affairs of Laos and would be contrary to paragraph 12 of the Final Declaration of the Geneva Conference.

3. In their Note, the Chinese People's Government also state that the Government of Laos have continually violated and have renounced the Geneva Settlement. Her Majesty's Government regret that they are unable

to accept this statement. I wish especially to draw to your attention to the statement made to the Press by the Laotian Prime Minister in Paris on 31st October. After explaining that the Laotian Government had not in any way violated the Geneva Settlement, he stated categorically: "We shall do nothing contrary to the provisions of the Geneva Settlement".

4. Her Majesty's Government are anxious to do everything possible to ensure that the Geneva Settlement in regard to Laos is maintained. They are unable, however, as they have frequently stated, to agree to try to impose the International Commission on the Laotian Government who are unwilling to accept its return. Nevertheless they consider that peaceful conditions in Laos will be re-established if all concerned act wholly in accordance with their obligations under the Geneva Settlement. Her Majesty's Government hope that the Chinese People's Government will join Her Majesty's Government in using their influence to this end, in particular by urging on the North Viet-Nameese authorities the importance of acting in accordance with paragraph 12 of the Final Declaration of the Geneva Conference.

No. 88

Message from the Prime Minister of India to the Co-Chairman of the Geneva Conference, 14 December, 1960

I have viewed with great concern recent developments in Laos which have resulted in the beginnings of a civil war. If this internal conflict continues, the civil war may well spread and endanger the peace of Indo-China as a whole. It also appears that there has been delivery of arms and war material from external sources to both sides in this conflict. This is a dangerous development which can only lead to very serious consequences.

During the past several weeks, we have received a series of reports suggesting that the Prime Minister of Laos, Prince Souvanna Phouma, had been attempting to bring about a coalition of the various parties in the country. In the last few days it was obvious that he had failed in this effort. On December 10, information was received that, faced with an imminent armed conflict, the Prime Minister and some other Ministers of his Cabinet had left Laos for Phnom Penh in Cambodia. General Sounthone has since declared that civil, military and administrative authority had been delegated to him by Prime Minister Souvanna Phouma before his departure. Some members of the Laotian National Assembly, on the other hand, are reported to have set up a Government headed by Prince Boun Oum, with General Phoumi Nosavan as the Minister of Defence.

On the 12th of this month, I received a message from Mr. Pham Van Dong, Prime Minister of the Democratic Republic of Viet-Nam, alleging interference by way of supplying arms and ammunition to one of the sides in the present conflict in Laos and appealing to the Government of India, presumably in our capacity as Chairman of Laos Commission, to take necessary measures to safeguard peace under the Geneva Agreements.

Reports have reached us also that arms have been and are continuing to be delivered by aircraft in Vientiane. It appears, therefore, the arms have

been delivered from external sources to both parties in the conflict. Press reports also state that fighting is going on in the city of Vientiane.

In Your Excellency's capacity as one of the Chairmen of the Geneva Conference, I am drawing your urgent attention to this grave situation in Laos, which, if it is allowed to continue or deteriorate, will nullify all that was achieved as a result of the Geneva Agreements, and may have far-reaching repercussions even in the other States of Indo-China. As you are aware, the International Commission for Supervision and Control in Laos, of which India is Chairman, was adjourned some considerable time ago. Ever since then, there has been a progressive deterioration of the situation in Laos. It has become urgently necessary to take some effective steps to control this situation and stop the fighting, and I trust that the two Co-Chairmen of the Geneva Conference will advise what steps can be taken now for this purpose. One such step that might help in resolving this danger of a major conflict in Laos would be to re-convene the International Commission for Supervision and Control in Laos. I feel that such a step would exercise a stabilising influence and lead to a reduction of the tensions that prevail in Laos. An attempt by the parties to the conflict to seek a military solution cannot, in the opinion of the Government of India, ensure any durable peace either within Laos or in Indo-China as a whole, and external help in the shape of arms can only aggravate this conflict.

Please accept, Your Excellency, the expression of my highest consideration.

No. 89

**Statement by the Foreign Secretary in the House of Lords,
19 December, 1960**

The struggle which has been going on in Laos for the last two years as a result of the Pathet Lao insurrection has reached a climax. A fierce battle has been fought for the capital of the country, Vientiane, between the Royal Laotian Army on the one hand and the Communist Pathet Lao and certain troops led by Captain Kong Lae on the other. The army have now got the upper hand and have captured Vientiane. I know that the House will join me in deploring the serious loss of life and in expressing sympathy to the numerous civilians who have been wounded or rendered homeless.

While the fighting was going on the Laotian Parliament met and withdrew their confidence from the Prime Minister, Prince Souvanna Phouma, who had already left the country and taken refuge in Cambodia. I understand that the King of Laos has designated Prince Boun Oum to form a provisional administration and that the normal constitutional procedures for the formation of a new Government have been set in motion. It has been the policy of Her Majesty's Government ever since the rebellion of Captain Kong Lae's troops in August of this year to try and encourage the Laotians to form a Government of national union. I think this is more desirable now than ever before if we are to prevent a repetition of the recent disastrous fighting and I am instructing Her Majesty's Ambassador in Vientiane to make strong representations to the effect that we hope that early steps will be taken to form a broadly based Government and include in it all those who are willing to co-operate.

Now that the fighting for Vientiane is over the main task must be to restore law and order as soon as possible. Mr. Nehru has suggested that this might be made easier by the return of the International Commission. Clearly the Commission could only function with the co-operation both of the Laotian Government and the rebels. The House will remember that when the Commission was previously operating in Laos it was hampered in many ways by the rebels from carrying out its tasks and that after its departure recent Governments of Laos were unwilling to countenance its return. Whether the new Government will accept the Commission I do not know, but I have instructed our Ambassador to pass on to them Mr. Nehru's suggestion and if they agree with it I will approach the Soviet Co-Chairman, Mr. Gromyko, accordingly. In the meantime I have instructed Her Majesty's Ambassador in Moscow to express to Mr. Gromyko my serious concern at the situation which is developing and my hope that he will share my view that steps should be taken to put a stop to the supply of assistance from outside the country to those who are in rebellion against the legal Government.

No. 90

**Note delivered by the Soviet Government to H.M. Embassy, Moscow,
22 December, 1960**

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics presents its respects to the British Embassy in Moscow and has the honour to communicate the following.

The Soviet Government, representing one of the Chairmen of the Geneva Conference on Indo-China, has received from the Prime Minister of India a letter in which he draws attention to the recent events in Laos leading, as is indicated in the letter, to the onset there of a civil war which might spread and threaten peace throughout Indo-China.

Expressing his disquiet in this connection, Mr. Jawaharlal Nehru asks that the most serious attention be given to the grave situation in Laos which, in his belief, "if it should continue or deteriorate, will nullify all that has been achieved as a result of the Geneva Agreements and might have far-reaching consequences even in other countries of Indo-China". He rightly considers it urgently necessary to take measures to put an end to the hostilities in Laos and he expresses the hope that the two Chairmen of the Geneva Conference on Indo-China will indicate precisely what steps can be taken to this end. In particular, he expresses himself in favour of summoning the International Commission for Supervision and Control in Laos as a first step in this direction which, in his opinion, would have a stabilising influence on the position in Laos and would lead to a reduction of the tension existing there.

The Soviet Government entirely shares the concern of the Government of India regarding the dangerous situation which has arisen in the area of Laos and which seriously threatens peace in South-East Asia. In its statement of September 22, 1960, concerning the events in Laos and in its Note of December 13 to the Government of the United States on the same subject, the Soviet Government drew attention both to the cause of the situation which has arisen in Laos and to the grave consequences to which a further sharpening of the situation in Laos might lead.

The cause is the crude intervention in the internal affairs of Laos of the United States and certain other participants in the SEATO military *bloc* who, on the one hand, are providing broad military, material and technical, and financial assistance to the rebels of General Phoumi Nosavan who have come out against the legal Government of Laos headed by Prime Minister Souvanna Phouma and, on the other hand, have organised a blockade of Laos. As the British Government is undoubtedly aware, the national Government of Laos and its Prime Minister, Prince Souvanna Phouma, have more than once addressed to the United States Government demands that an end be put to the military aid given to the rebels, but the United States Government has totally ignored these just demands.

In accordance with generally accepted international norms only the lawful Government of Laos has the right to apply for aid of any sort to other States and to receive such aid from them. In the light of this, the actions of the United States Government in affording active military, material and technical, and financial aid to the rebels, even going so far as the actual participation of servicemen of the United States and their Allies in the military operations of the rebels against the lawful Government of Laos, are nothing less than a flagrant infringement of international law and of the Geneva Agreements on Laos, which envisage as an obligation of the participants in the Geneva Conference of 1954 that they refrain from interfering in the internal affairs of Laos.

The Soviet Government assumes that the British Government is aware that the national Laotian Government headed by Prince Souvanna Phouma has announced that it is continuing its activity, that it is the legal Government of Laos and that it regards the formation of the "Government" headed by Boun Oum as an anti-constitutional act. As the Prime Minister, Prince Souvanna Phouma, has explained, any decisions by the group of Deputies of the National Assembly, and by the King, who were prisoners of the rebels cannot have legal force. Thus, the Government of Prince Souvanna Phouma remains the lawful national Government of Laos around which all the genuinely patriotic forces of the country are now rallying for the struggle against the rebellion and aggression. From this it follows that there is an obligation on peace-loving countries to give support to the above-indicated lawful Government of Laos.

In the opinion of the Soviet Government it is necessary for the purpose of settling the Laotian question and normalising the position in this area that a conference composed of the countries which participated in the 1954 Geneva Agreement on the question of Indo-China be convoked to review the position that has been created in Laos, and also that the International Commission for Supervision and Control in Laos should resume its activity.

Having in mind, however, that the summoning of the proposed conference will require a certain time, whereas the situation demands the taking of immediate steps, the Soviet Government considers it necessary that the two Chairmen should call upon all the countries which participated in the Geneva Conference on Indo-China to condemn foreign intervention in the internal affairs of Laos—as represented by various forms of aid to the rebels who have come out against the lawful Laotian Government—and to do their utmost to facilitate the restoration of normal conditions in Laos for the functioning of that Government.

The Soviet Government also considers that the two Chairmen should send a communication to the Government of the United States calling on it to take part in the efforts of the two Chairmen to normalise the position in Laos and, with this aim in view, to assist in putting an end to the giving of foreign aid to the rebels of General Phoumi Nosavan, to recall the American servicemen from his forces, to withdraw American military material, and also to bring due influence to bear on the other States which have, jointly with the United States, placed their servicemen and armaments at the disposal of the rebel, General Nosavan.

In connection with the proposal of the Prime Minister of India, Mr. Nehru, that as a first step towards stabilisation of the situation in Laos, the International Commission for Supervision and Control in that country should resume its work, the Soviet Government would like to recall that it has consistently stood, and continues to stand, for a resumption of the activity of the Commission in question in the interests of strict supervision of the Geneva Agreements on Laos.

As is known, the Soviet Government in its *aide-mémoire* of December 14, 1958, to the British Government, in the Notes of the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics of February 26, March 31 and May 30 of 1959, and of April 18, 1960, in the statement of the Minister for Foreign Affairs of the Union of Soviet Socialist Republics of August 18, 1959, concerning the situation in Laos, and in other documents, has constantly expressed itself in favour of the resumption of the work of the International Commission on Laos. Unfortunately, however, these proposals by the Soviet Government did not meet with the necessary understanding and support on the part of the British Chairman.

The events of the last two years, over the course of which the Commission was deprived of the possibility of working in Laos, have shown that, as Mr. Nehru justifiably states in his letter, the position in that country has progressively deteriorated. These events have vividly demonstrated to whom and for what purpose a suspension of the activity of the International Commission for Laos was necessary. It was necessary to certain circles in the United States, so as not to allow into Laos a commission which was a hindrance to foreigners unceremoniously lording it in that country and which hindered them from installing in Laos Governments to their taste and from removing Laotian Governments which strove to lead Laos along the path of peace, neutrality and national unity.

In the opinion of the Soviet Government the two Chairmen should recommend to the Commission that it establish contact with the Government of Prince Souvanna Phouma with the object of agreeing with him practical steps relating to the resumption of its own activity.

Having regard to the acuteness of the situation in Laos, the Soviet Government would be grateful to the British Government for the earliest possible communication of the latter's opinion on the foregoing.

**Letter from Prince Sihanouk of Cambodia to the Prime Minister and
and other Heads of Governments, Phnom Penh, 1 January, 1961**

Le Cambodge a pour règle politique la non-ingérence dans les affaires intérieures des autres Etats et a toujours scrupuleusement respecté cet impératif de sa neutralité. Il ne saurait pour autant demeurer indifférent devant la situation créée a ses frontières par la guerre civile qui fait rage au Laos et menace à tout instant de se transformer en conflit international.

Je me permettrai, en ma qualité de Chef d'un Etat directement soumis aux conséquences des derniers événements du Laos, d'exposer à Votre Excellence les problèmes posés au Cambodge par l'évolution tragique de la crise laotienne, et les moyens que je crois susceptibles d'être utilisés pour aider à leur solution.

1. La conséquence la plus directe et la plus visible de la guerre civile au Laos est l'afflux de réfugiés laotiens dans notre Pays, réfugiés qui viennent s'ajouter aux sud-vietnamiens ayant trouvé asile au Cambodge depuis plusieurs années et dont le nombre ne cesse de croître.

Or, le Cambodge, pays pauvre qui travaille durement pour sortir de son état de sous-développement, n'est pas en mesure de subvenir aux besoins d'un nombre supérieur de réfugiés inactifs sans compromettre gravement son Plan Quinquennal et son avenir même.

2. Plusieurs dirigeants éminents des Pays amis, ceux du camp occidental comme ceux du camp socialiste, m'ont fait part de leurs appréhensions devant les événements graves qui se déroulaient au Laos, événements qui, depuis lors, se sont transformés en épreuve de force entre les partis en présence. De plus les puissances occidentales et socialistes s'accusent aujourd'hui réciproquement d'ingérences dans les affaires intérieures laotiennes, de soutien armé clandestin aux groupes rebelles, de participation effective à la guerre civile. Ce nouveau motif d'antagonisme entre les deux Blocs rivaux contribue à augmenter la tension internationale et à éloigner la détente que les peuples appellent de tous leurs vœux.

3. Enfin le Cambodge estime de son devoir d'élever sa voix pour prendre la défense du Peuple frère du Laos dont l'existence est gravement menacée. Il serait conforme à la Charte des Nations Unies, dans sa lettre et dans son esprit, comme au respect du droit des Peuples à choisir leur régime et leur politique, de permettre au Peuple Lao d'exprimer sa volonté par des élections libres, en dehors des pressions et des influences étrangères.

Aucune Nation et aucun Peuple au monde ne peut demeurer insensible devant les souffrances d'un Peuple pacifique qui a recouvré son indépendance depuis quelques années et souhaite que lui soit reconnu le droit souverain de décider de son avenir.

On doit reconnaître que le Laos est aujourd'hui dans une impasse et que la force n'est pas à même de résoudre le problème posé assez artificiellement par une division de ce malheureux Pays en plusieurs clans rivaux.

Les conflits d'intérêts idéologiques étrangers, voire les ingérences étrangères, dans le problème actuel du Laos nous conduisent à penser qu'il serait souhaitable et urgent de réunir en une conférence tous les Pays qui ont

manifesté leur intérêt à l'avenir du Laos et du Peuple Lao. Cette conférence aurait pour but—étant formellement exclue une partition du territoire lao—de déterminer les moyens susceptibles de ramener la paix au Laos et de donner la possibilité au Peuple Lao d'exprimer clairement et librement son choix de la voie politique qu'il souhaite suivre.

Une telle Conférence pourrait, je pense, rassembler:

Les signataires des Accords de Genève de 1954, c'est-à-dire la France, la Grande Bretagne, l'Union des Républiques Socialistes Soviétiques, la République Populaire de Chine, la République Démocratique du Vietnam, le Royaume du Cambodge et le Royaume du Laos.

Les Nations ayant participé à la Commission Internationale de Surveillance et de Contrôle desdits Accords de Genève, en l'occurrence, la République Indienne, la République Populaire de Pologne, le Canada.

Il est en effet évident que la situation actuelle au Laos découle directement de la situation créée en Indochine par les Accords de Genève de 1954. Mais il est non moins évident que les signataires des Accords de Genève et les garants du respect de ces Accords ne peuvent être tenus pour seuls responsables de la guerre civile lao.

Je pense qu'il est indispensable qu'à cette Conférence projetée participent également les Nations ayant une frontière commune avec le Laos, soit: la Thaïlande, la République du Vietnam, l'Union de Birmanie. Enfin les Etats-Unis d'Amérique qui n'ont cessé de manifester leur intérêt pour le Royaume du Laos doivent impérativement être sollicités pour siéger de plein droit à cette Conférence.

C'est dans un but totalement désintéressée que je me permets de présenter ce projet de "table ronde" à Votre Excellence en lui demandant de bien vouloir me faire connaître son point de vue à ce sujet, ses objections, ses critiques ou ses suggestions éventuelles, et la suite qu'Elle estime devoir lui réserver.

Je me garderai bien de préjuger de l'avenir de ce projet mais je pense que toute Nation qui refuserait la confrontation proposée perdrait une grande partie de son prestige moral et la confiance que lui accordent les petites nations afro-asiatiques.

Enfin, qu'il me soit permis de préciser qu'une telle Conférence devrait se réunir en territoire internationalement reconnue comme neutre. La Suisse répond certes à ces conditions mais son éloignement du cœur du problème rend souhaitable un choix portant sur une Nation asiatique également neutre.

Je prie Votre Excellence d'agréer les assurances de ma très haute considération.

[Translation of Document No. 91]

(Letter from Prince Sihanouk of Cambodia to the Prime Minister and other Heads of Governments, Phnom Penh, 1 January, 1961)

Cambodia considers non-interference in the internal affairs of other States to be a political rule and has always scrupulously respected this principle of her neutrality. Cambodia could not as such remain indifferent to the situation created on her frontiers by the civil war which is raging

in Laos and which threatens at any moment to be transformed into an international conflict.

I will therefore take the liberty, in my capacity as Head of a State directly affected by the consequences of the recent events in Laos, to set out for Your Excellency the problems created in Cambodia by the tragic evolution of the Laotian crisis, and the means which I believe might be used to assist in the solution of these problems.

1. The most direct and most obvious consequence of the civil war in Laos is the influx of Laotian refugees into our country, refugees who come to join the South Viet-Nameese who have found asylum in Cambodia for several years and whose number continues to grow.

As you know, Cambodia, a poor country which is working hard to leave its state of underdevelopment, is not in a position to contribute towards the needs of an increasing number of unemployed refugees without greatly compromising her Five-year Plan and even her future.

2. Several eminent leaders of friendly countries, those of the Western camp as well as those of the Socialist camp, have spoken to me about their apprehensions in view of the grave events which have taken place in Laos, events which have subsequently been transformed into a trial of strength between the parties facing each other. Furthermore, the Western and Socialist Powers are to-day making reciprocal accusations against each other of interference in the internal affairs of Laos, of armed and clandestine support for the rebel groups, of effective participation in the civil war. This new motive of antagonism between the two rival *blocs* is contributing to an increase in international tension and to making more remote the *détente* which people are calling for with their every wish.

3. Finally, Cambodia considers it her duty to raise her voice to assume the defence of the brotherly people of Laos whose existence is gravely threatened. It would be in conformity with the Charter of the United Nations, in its letter and in its spirit, as it would be in conformity with respect for the right of peoples to choose their régime and their political system, to allow the Laotian people to express their will through free elections, outside foreign pressures and influences.

4. No nation and no people in the world can remain insensible to the sufferings of a peaceful people which recovered its independence several years ago and desires that their sovereign right to decide their future should be recognised.

One must recognise that Laos is to-day in an *impasse* and that force cannot be used to solve the problem which has been fairly artificially set by a division of this unhappy country into several rival clans.

The conflicts of foreign ideological interests, that is to say, foreign interference, in the present problem of Laos leads us to think that it would be desirable and urgent to call a conference of all countries which have manifested their interest in the future of Laos and of the Laotian people. This conference would have as its aim—if we formally exclude a partition of Laotian territory—to determine the means by which peace might be brought back to Laos and to give the Laotian people the possibility to express

clearly and freely their choice of political system which they would like to follow.

Such a conference could, I think, include:

The signatories of the Geneva Agreements of 1954, that is to say, France, Great Britain, the Union of Soviet Socialist Republics, the People's Republic of China, the Democratic Republic of Viet-Nam, the Kingdom of Cambodia and the Kingdom of Laos.

The nations which have participated in the International Commission of Inspection and Control of the said Geneva Agreements, namely, the Republic of India, the Peoples Republic of Poland, Canada.

Indeed, it is evident that the present situation in Laos flows directly from the situation created in Indo-China by the Geneva Agreements of 1954. But it is none the less evident that the signatories of the Geneva Agreements and the guarantors of respect for these agreements cannot alone be held responsible for the Laotian civil war.

I think that it is indispensable that the nations which have a common frontier with Laos should likewise take part in this projected conference, namely: Thailand, the Republic of Viet-Nam, the Union of Burma. Finally, the United States of America which have not ceased to manifest their interest for the Kingdom of Laos should be invited without question to take a seat at this conference in their full right.

It is for a totally disinterested purpose that I have taken the liberty to present this "Round Table" proposal to Your Excellency, at the same time asking you to be so good as to let me know what your point of view on this subject, your objections, your criticisms or your suggestions may be, and the further action which you consider should be taken as regards this proposal.

I will take good care not to prejudice the future of this proposal but I think that any nation which could refuse the confrontation proposed would lose a great part of its moral prestige and the confidence which the small Afro-Asian nations give to such a nation.

Finally, may I be permitted to make the point that such a conference should take place in a territory which is internationally recognised as neutral. Switzerland certainly meets these conditions, but her remoteness from the heart of the problem makes it desirable to choose an Asian nation which is equally neutral.

I beg Your Excellency to accept the assurances of my very high consideration.

No. 92

**Reply by the Prime Minister to Prince Sihanouk,
London, 13 January, 1961**

I am most grateful for the personal message which Your Royal Highness has sent me about Laos. I particularly value your views on this matter which so closely affects your country, and I am convinced like Your Royal Highness that we must seek to resolve this problem by negotiation in order to avoid further conflict.

I have studied most carefully the proposal for the convening of a special conference, and I find it of great interest. I have also been reflecting carefully on the proposal which you made at the recent Assembly of the United Nations for a neutral zone in Laos and Cambodia. I feel sure that any conference convened to deal with Laos would wish to give the full attention to this proposal which it undoubtedly deserves. The trouble is that it would take a considerable time to arrange such a conference and to reach any measure of agreement in it, while in the meantime fighting and bloodshed in Laos would continue with the risk of increased intervention. I feel sure that the first thing must be to try and put a stop to the fighting, and the only method of doing this which appears to have the support of all parties is Mr. Nehru's proposal for the immediate return of the International Commission. I hope that you also feel that this should be our first step. I am working very hard to get general agreement on this course at present and I very much hope that the British Foreign Secretary will shortly be able to invite the Soviet Foreign Minister to join him in asking the Prime Minister of India to take the necessary steps. I should personally prefer to wait and see how the Commission gets on with its task before reaching any final conclusions about the holding and nature of a conference.

If at a later stage we feel that the time is ripe for a conference, I will certainly let you know.

No. 93

**Letter to the Prime Minister from Mr. Khrushchev,
Moscow, 20 January, 1961**

On 10 January the Prime Minister of India, Mr. Nehru, sent me a communication on the Laos question. According to the Government of India, a similar communication was sent also to the Government of Great Britain, as the alternate Chairman of the Geneva Conference of 1954.

2. Sharing the concern expressed in Mr. Nehru's letter about the dangerous development of events in Laos, I have decided to address this communication to you, since in my opinion the matter brooks no delay.

3. The continuing intervention of the Government of the United States in the affairs of Laos, this small peace-loving country, 10,000 kilometres away from the United States, renders the situation in this area extremely dangerous.

4. Rudely trampling upon the decisions of the 1954 Geneva Conference and the will of the Laotian people, the United States, unceremoniously interfering in the internal affairs of Laos, want to overthrow the lawful Government headed by Prince Souvanna Phouma, which has proclaimed that it will conduct a policy of neutrality, friendly co-operation with all States and non-participation in aggressive military blocs. The Government of the United States has organised a revolt against the lawful Government of Laos, and has openly taken the side of the anti-Government Boun Oum-Nosavan group, which has used the King and the deputies of the Laotian National Assembly, whom it holds captive, in order to proclaim itself

“the Government of Laos”. The illegality of this measure is quite obvious, and Governments who value the interests of peace justly regard it as one more step exacerbating the crisis in Laos.

5. The United States on an ever-increasing scale are supplying the rebels with arms and ammunition. American military advisers are directing the Boun Oum-Novasan units' operations against the troops of the lawful Government of Laos, headed by Prime Minister Souvanna Phouma. American aircraft are being used to bombard and shoot up Government troops.

6. The Eisenhower Government has concentrated huge military forces in the South-East Asia area. In the South China Sea, according to reports received, there are three aircraft-carriers, about 30 destroyers, more than 10 submarines and other vessels of the United States 7th Fleet. A considerable number of aircraft of the United States air striking force and a group of American landing troops in this area have been put in a state of readiness for action. American military officials openly state that they are taking every measure to prepare military units, including units equipped with nuclear weapons, for participation in operations in Laos. The Commander of the armed forces of the United States in the Pacific Ocean area, Admiral Harry Feld, announced the other day that the air, sea and land forces under his command in the Western Pacific are prepared for any action whatever in Laos.

Thus the Eisenhower Government, which virtually organised the intervention against Laos, has now undertaken new steps to fan still higher the flames of the military conflagration there. The actions of the Eisenhower Government which have been referred to have constituted a serious danger for the peace and security of the peoples of the countries of South-East Asia, and also for peace throughout the world. The menacing course of events in Laos arouses understandable concern and alarm on the part of the peace-loving States of Asia.

7. The Soviet Government, in its capacity as one of the chairmen of the Geneva Conference and as a participant in the 1954 Geneva Agreement, shares the concern of the peace-loving States of Asia in connection with the crisis in Laos provoked by the United States and for its part in taking steps with the object of regulating the situation in Laos and of restoring peace and tranquillity in this area. In this connection I should like to recall the Soviet Government's Note of December 22, 1960, to your Government, in which we propose to convene a conference of the States which participated in the Geneva Conference of 1954 to review the position which has arisen in in Laos and also to re-activate the International Commission for supervision and control in Laos.

8. This attitude of the Soviet Union finds wide understanding and support on the part of the Governments of the peace-loving States of Asia.

9. The communications of the Prime Minister of India, Mr. Nehru, dated 10 January of this year, and of the head of the State of Cambodia, Norodom Sihanouk, and also declarations of the Governments of Indonesia, the Chinese People's Republic and the Democratic Republic of Viet-Nam bear witness to this.

10. We recently received a communication from the head of the State of Cambodia, Prince Norodom Sihanouk, in which Prince Sihanouk proposes,

with the aim of restoring peace in Laos, to convene immediately on the territory of one of the neutral States of Asia, a conference of all the interested countries, namely: the States taking part in the Geneva Conference of 1954, including the United States, the member-States of the International Commission for Supervision and Control in Laos (India, Poland, Canada) and also the countries neighbouring on Laos (Burma, Thailand). This proposal finds support from the lawful Laotian Government of Souvanna Phouma, the Government of the Viet-Nam Democratic Republic, the Government of the Chinese People's Republic, referred to in the letter of the Chinese People's Republic dated 16 January of this year, addressed to Great Britain and the Soviet Union as the two Chairmen of the 1954 Geneva Conference. This proposal is also supported by the Governments of many other States. The Soviet Government considers that the proposal of the head of the State of Cambodia, Prince Norodom Sihanouk, ensures in present conditions a real road to the settlement of the conflict in Laos and expresses its support of this proposal.

11. The Soviet Government also favours the reactivation of the Laos International Commission and urges that its activity should be effective with the object of the rapid liquidation of the dangerous seat of the conflagration and settlement of the situation inside the country. Nevertheless it cannot be ignored that the situation in Laos at the present time differs from that which existed in the period of the Geneva Conference of 1954. The Soviet Government considers that also for reasons connected with reactivation of the International Commission it is necessary to convene urgently a conference of the interested parties on Laos.

I should like to remind you, Mr. Prime Minister, that the delegations of the Soviet Union and Great Britain collaborated successfully during the Geneva Conference of 1954, which facilitated a positive outcome of this conference and restored peace in Indo-China. We should like to hope that the Governments of the Soviet Union and Great Britain, as the two Chairmen of the Geneva Conference of 1954, will continue collaboration with the object of settling the questions which have arisen in Laos, vitally important for the cause of peace. The Soviet Government assumes that the proposal for immediately convening the above-mentioned conference for the regulation of the situation in Laos will find understanding and support on your part.

12. The Government of the Soviet Union, on its part, is ready to undertake together with the Government of Great Britain all the necessary steps to convene such a conference in the shortest possible time and to reactivate the International Commission on Laos and to combine its efforts with the efforts of all States interested in regulating the situation in Laos, taking into account the national interests of the Laotian people and the interests of ensuring peace and tranquillity in Laos and in all South-East Asia.

13. I should be grateful to you, Mr. Prime Minister, for a speedy reply on this question which is vitally important for the cause of universal peace.

Proposed Joint Message from the Co-Chairmen of the Geneva Conference to the Prime Minister of India submitted to the Soviet Government by Her Majesty's Ambassador at Moscow, 21 January, 1961

The Co-Chairmen of the Geneva Conference of 1954 have studied your Excellency's letter of 15 December in which you suggested to the Co-Chairmen that the International Commission for Laos should be reconvened. They share your concern at the present dangerous situation in Laos.

2. In these circumstances the two Co-Chairmen are agreed in requesting you to appoint a representative to go to Laos as soon as possible on an exploratory mission to propose to the King of Laos that the International Commission should reconvene with the duties set out below and to ascertain, in accordance with the constitutional processes of Laos, whether this proposal would be acceptable. The duties would be:

- (a) to ascertain the facts of the present situation and to contribute to the restoration of peace in Laos; and
- (b) to recommend to the Co-Chairmen and to the Governments represented on the International Commission whether the International Commission can usefully function in order to help to maintain sovereignty, independence, unity and territorial integrity of Laos and prevent any interference in the internal affairs of Laos, as envisaged in paragraph 12 of the Final Declaration of the Geneva Conference.

3. The two Co-Chairmen are sending a copy of this message to the Governments of Canada and Poland, and are expressing the hope that, if the answer to the above approach is affirmative, they will immediately name representatives to the International Commission which will then convene.

Statement made to H.M. Ambassador at Moscow on 18 February, 1961

In connection with the views of the British Government on Laos, expressed by you on 21 January, I am instructed by the Soviet Government to state the following.

The Soviet Government shares the British Government's view that the serious aggravation of the situation in Laos, which would pose a threat to the peace and security of the peoples of South-East Asia, insistently demands that urgent measures should be taken for the peaceful settlement of the Laotian question on the basis of the 1954 Geneva Agreement. As is well known the Soviet Government's position on this question has been set out in detail in a number of official documents, in particular in the Soviet Government's Note of 22 December, 1960, to the British Government and in the personal message of 20 January from N. S. Khrushchev, Chairman of the Council of Ministers of the Union of Soviet Socialist Republics, to Mr Macmillan, Prime Minister of Great Britain.

In this connection one cannot but note that the British Government, as follows from your oral statement of 21 January, emphasises only one aspect of the complex measures, implementation of which is necessary for the restoration of peace in Laos, namely, the reactivation of the International Commission for Supervision and Control in Laos. The Soviet Government welcomed the British Government's readiness to concur with the reactivation of the International Commission, on which, as the British Government knows, we have been insisting over the past two years.

The Soviet Government has repeatedly indicated that the systematic violation of the Geneva Agreements and, in particular, the cessation of the activity of the International Commission in 1958, could lead to serious consequences. The present development of events in Laos fully confirms the correctness of the Soviet point of view.

These events have shown clearly that the cessation of the activity of the International Commission was necessary to certain circles in the former United States Government in order to exercise their sway over Laos and set up there Governments convenient to themselves.

There is no doubt that, had the Soviet proposals concerning the reactivation of the International Commission been supported by the British Government and been put into effect in good time, we should not now be facing the present dangerous situation in Laos.

The Soviet Government, as before, is in favour of the reactivation of the International Commission for Supervision and Control in Laos. And, as before, we consider that it can make a valuable contribution to the normalisation of the situation in Laos; but we are aware that the commission will be in a position to do this only if it has a firm basis in international law for its work. For those functions which the commission fulfilled previously, such a basis existed and exists in the Geneva Agreements on Laos, the implementation of which the commission was called upon to control.

However the business of the International Commission in Laos should now be the task of regularising the present situation, as the British side justly notes. And that means in the first instance the cessation of the fighting which is taking place there and the achievement of a peaceful settlement, under which the unity and integrity of Laos will be respected and an end will be put to interference in its internal affairs.

The question arises, how is a basis for the activity of the commission to be created which would answer to the conditions which have arisen in Laos, and would allow it to pursue the task of normalising the situation in the country with full effectiveness?

The Soviet Government sees a solution in the summoning without delay of an international conference on the settlement of the Laotian question. This conference would work out the necessary measures for the normalising of the situation in Laos on the basis of the Geneva Agreements, and additional instructions for the work of the commission which are called for by the new situation in Laos, and in accordance with which the commission would be invested with appropriate powers for its successful activity. At the same time the Soviet Government is agreeable to the conference consisting either of those States which participated in the 1954 Geneva Conference or to the

expanded composition proposed by the Cambodian Head of State, Prince Norodom Sihanouk.

The readiness of a number of countries, in particular the Soviet Union, the Chinese People's Republic, Cambodia, Poland, the Democratic Republic of Viet-Nam, and India to take part in the above-indicated conference and the positive attitude in principle towards it on the part of France and Britain create a real possibility of convoking it in the nearest future.

If the idea of the summoning without delay of such a conference is actively supported by the British Chairman of the Geneva Conference, then the two Chairmen could address themselves to the interested countries who have not yet expressed a positive attitude to the proposal for holding a conference on Laos with an appropriate joint appeal. I have been charged with handing to you the draft of such an appeal.

As concerns the draft message of the two Chairmen to the Government of India handed over by you, it has been attentively studied by us. The Soviet Government gives due appreciation to the striving of the British side to overcome the difficulties brought into being by the present situation in Laos and, for its part, favours the resumption of the activity of the International Commission for Control and Supervision in Laos. At the same time, in the opinion of the Soviet Government, certain propositions in the draft put forward by the British side require clarification.

It is well known that the King of Laos, as Supreme Head of State, does not according to the Constitution wield any functions of the executive authority, in co-operation with which the International Commission for Supervision and Control in Laos must conduct its activity. In Laos this executive authority, recognised both by the Laotian people and on the international plane, is the Government of Laos, headed by Prince Souvanna Phouma. This lawful Laotian Government has already expressed its agreement to the resumption of the work of the International Commission in Laos. In addition to this the fact cannot be overlooked that the King of Laos is at the present time in effect a prisoner of the rebels.

It is striking that the draft proposed by the British side envisages only the studying of the question of the appropriateness or inappropriateness of the renewal of the activity of the International Commission. Yet in the opinion of the Soviet Government, the point which should be made is that of the earliest possible resumption of the work of this commission.

The Soviet Government considers it necessary that concrete measures be taken within a short time towards the summoning of the International Commission.

With this aim we propose that the two Chairmen approach the Government of India requesting them to take steps to summon the International Commission for Supervision and Control, in Delhi or in another acceptable place. The Commission would be able to consider the position which has arisen in Laos and then report its recommendations to the two Chairmen, concerning its tasks and those powers needed to enable it to carry out useful work in Laos directed towards the preservation and strengthening of the sovereignty, independence, unity and territorial integrity of Laos and to the prevention of any interference in the internal affairs of Laos as stipulated in Article 12 of the final declaration of the Geneva Conference.

**Note handed by H.M. Ambassador at Moscow to the Soviet Government
on 23 March, 1961**

Her Majesty's Government have studied the Soviet *aide-mémoire* about Laos communicated to Sir Frank Roberts on 18 February. In considering this they have also had in mind the proposals which have been made by various other Governments towards a solution of the Laotian problem. In particular, there is the suggestion of His Royal Highness Prince Sihanouk of Cambodia for the holding of an international conference of 14 nations, and the request of His Majesty the King of Laos that an international commission of neutral nations should be sent to Laos to bring about an end to the fighting and to assist in working out a national settlement. Her Majesty's Government have also been made aware by the United States Government of the exchange of views which has taken place between the United States and the Soviet Governments.

Her Majesty's Government now wish to make the following proposals. An essential prerequisite for the successful execution of the proposals which follow is that there should be an immediate cessation of all active military operations in Laos. To this end the two Co-Chairmen should make an immediate request for a *de facto* cease-fire. If this can be accomplished Her Majesty's Government would agree to the suggestion of the Soviet Government that a message from the Co-Chairmen should be sent to the Prime Minister of India asking Mr. Nehru to summon the International Commission for Supervision and Control in Laos to meet in New Delhi as soon as possible. The task of the Commission at this stage would be to verify the effectiveness of the cease-fire and report thereon to the Co-Chairmen.

Her Majesty's Government are also willing to accept the suggestion of the Soviet Government that an international conference should be convened to consider a settlement of the Laotian problem. To this end, they believe that the Geneva Conference should be recalled by the Co-Chairmen, and they strongly endorse the suggestion made by His Royal Highness Prince Sihanouk of Cambodia that certain other nations should join the conference and take part in its deliberations as full members. Her Majesty's Government suggest that this conference should meet as soon as the International Commission can report that the cease-fire is effective. They very much hope that this could be brought about without delay, say within a period of two weeks.

Finally Her Majesty's Government consider that the question of a neutral Laotian Government of national unity will have to be resolved as soon as possible before an international conference can reach any decisions. Her Majesty's Government cannot recognise the so-called "Government of Prince Souvanna Phouma" as being competent to represent Laos at an international conference. They therefore hope that the various parties in Laos will immediately resume the discussions which were started in Phnom Penh with a view to agreeing on a national Government which could represent Laos at the proposed conference. If no Government of national unity has been formed by the time the international conference convenes, it is clear

that the Laotian Government cannot be represented as such and that the conference will have to address itself, as its first task, to helping the parties of Laos to reach agreement on this point.

No. 97

Aide-mémoire delivered to H.M. Embassy, Moscow, by the Soviet Government, 1 April, 1961

1. The British Government's *aide-mémoire* on the Laotian question handed over by British Ambassador Sir Frank Roberts on 23 March, 1961, has been carefully studied by the Government of the Soviet Union.

2. The Soviet Government has invariably stood and stands for the principle that Laos should be a neutral, united, independent and peaceful State in accordance with the Geneva Agreement; and it has long insisted on calling an appropriate international conference without delay, considering this the most effective means to solve the problem of Laos in the interests of guaranteeing the independence and unity of this country, and in the interests of consolidating general peace. In connection with this the Soviet Government notes with satisfaction that the British Government now expresses agreement with calling an international conference to settle the Laotian problem with the participation of the countries which participated in the 1954 Geneva Agreement and also of certain other States in accordance with the proposal of the Head of State of Cambodia, Prince Norodom Sihanouk. The Soviet Government considers it necessary to agree definitely now on the date and place of such a conference and on its side proposes that it should be held at the beginning of April in Phnom Penh.

3. The Soviet Government like the British Government considers the most rapid cessation of military operations in Laos desirable. In a statement on the Soviet side which was made to the British Ambassador in Moscow on 18 February this year, it was pointed out that in the opinion of the Soviet Government, the task in Laos is "in the first place the cessation of military operations which are being conducted there and the attainment of a peaceful settlement in which the unity and integrity of Laos will be respected and an end will be put to interference in its internal affairs". Therefore the Soviet Government takes a positive attitude to the proposal that the Co-Chairmen of the Geneva Conference should call for a cease-fire in Laos. In this connection the interested sides in Laos must, of course, hold talks on questions connected with the cease-fire.

4. The Soviet Government also agrees to convening of the International Commission for Supervision and Control in Laos. The International Commission on Laos should as soon as possible hold a session in Delhi and present its report to the Co-Chairmen of the Geneva Conference. Of course, the renewal of the activity of the Commission should in no way delay the calling of the above-mentioned international conference on Laos.

5. The British Government's *aide-mémoire* speaks of the necessity of solving "the question of a neutral Government of national unity in Laos". The question of the Government of Laos is, naturally, an internal affair of the

Laotians themselves. The Soviet Government in common with the Governments of many other States of Europe and Asia maintains, as is well known, that in Laos there exists the legal Government of His Highness Prince Souvanna Phouma, which adheres to the platform of strict neutrality and of the restoration of the unity of internal forces and which enjoys the support of the majority of the population of the country. Rebellion against this Government, which was raised by a group of conspirators relying on military support from outside, was organised precisely with the object of destroying the neutrality of Laos in international affairs.

6. Of course the Soviet Government would regard sympathetically the holding of talks between various political groupings in Laos on measures to consolidate the national unity of the country. If the necessary agreement has not been reached amongst the participants in the talks by the time the international conference on Laos is held, the Soviet Government does not exclude, as the British Government also proposes, that the conference should set before it as one of its tasks helping the Laotians to reach agreement.

7. In conclusion Soviet Government considers it necessary to draw to attention of British Government that settlement of problem of Laos on basis of guaranteeing peace, independence and neutrality of this country demands maintenance of international situation favourable for solution of such a task. Naturally threats of interference in Laotian affairs by military SEATO bloc and tactic of sabre-rattling, employed recently by certain Powers, not only does not facilitate this, but can seriously complicate whole matter of settling Laotian problem.

8. Soviet Government expresses the hope that the British Government will consider proposals set out in this *aide-mémoire* acceptable. In their preparation Soviet Government took account of views of British Government, and was guided by sincere wish for most rapid restoration of peace in Laos and for securing independence and neutrality of this State.

No. 98

**Message from the Co-Chairmen appealing for a Cease-fire,
24 April, 1961**

The Co-Chairmen of the Geneva Conference on Indo-China, represented by the Governments of the Soviet Union and Great Britain, are following with great concern the situation which has developed in Laos.

They proceed from the fact that if this situation is not changed the position in Laos may become a serious threat to peace and security in South-East Asia. They note at the same time that real conditions exist for normalising the situation in Laos in accordance with the national interests of the Laotian people, on the basis of the Geneva Agreements of 1954. The Co-Chairmen have in view the understanding already reached that an international conference to settle the Laotian problem is to be called in Geneva on 12 May this year.

The Co-Chairmen call on all military authorities, parties and organisations in Laos to cease fire before the convening of the international conference on

Laos, and they call on appropriate representatives to enter into negotiations for concluding an agreement on questions connected with the cease-fire.

The Co-Chairmen call on the people of Laos to co-operate with the International Commission for Supervision and Control in Laos and to render it assistance, when it arrives in the country on their instructions, in exercising supervision and control over the cease-fire.

No. 99

Message from the Co-Chairmen requesting the Recall of the International Commission in Laos, 24 April, 1961

The Co-Chairmen of the Geneva Conference on Indo-China, represented by the Governments of the Soviet Union and Great Britain, are following with great concern the situation which has developed in Laos.

They note that real conditions exist for normalising the situation in Laos in accordance with the national interests of the Laotian people on the basis of the Geneva Agreements of 1954. They have in view the understanding already reached that an international conference for settling the Laotian problem is to be called in Geneva on 12 May this year.

The Co-Chairmen have addressed to all military authorities, parties and organisations in Laos a call for a cease-fire and for the carrying out by appropriate representatives of negotiations for concluding an agreement on questions connected with the cease-fire.

The Co-Chairmen propose to the Government of India that it should convene in Delhi the International Commission for Supervision and Control in Laos. They have in view that the Commission will discuss the question of the tasks and functions which should be allotted to it after the cease-fire in Laos, and will present an appropriate report to the Co-Chairmen who will consider the Commission's report and give it directions on going to Laos to carry out the work of controlling the cease-fire.

The Co-Chairmen in their message on the cease-fire in Laos called upon the population of Laos to co-operate with the International Commission for Supervision and Control in Laos, when it arrives in the country on their instructions, and to render it assistance in exercising supervision and control over the cease-fire.

The Co-Chairmen are sending a copy of this message to the other two members of the International Commission for Supervision and Control in Laos—the Governments of the Polish People's Republic and of Canada.

No. 100

Message from the Co-Chairmen inviting Participants to an International Conference, 24 April, 1961

The Co-Chairmen of the Geneva Conference on Indo-China, represented by the Governments of the Soviet Union and Great Britain, have examined the situation which has developed in Laos and taken note that at present there exist real conditions for the normalisation of the situation in that country.

They have in view that the Governments of Burma, Cambodia, Canada, the Chinese People's Republic, the Democratic Republic of Viet-Nam, France, India, Laos, the Polish People's Republic, the Republic of Viet-Nam, Thailand, the Union of Soviet Socialist Republics, the United Kingdom and the United States, have expressed agreement to participate in an international conference, which would have the character of the Geneva Conference of 1954 with the broader membership proposed by the Head of State of Cambodia, Prince Norodom Sihanouk, for the settlement of the Laotian problem.

The Co-Chairmen have addressed to all military authorities, parties and organisations in Laos a call for a cease-fire and for the carrying out by appropriate representatives of negotiations for concluding an agreement on questions connected with the cease-fire and have also sent to the Government of India a message with a request to convene in Delhi the International Commission for Supervision and Control in Laos.

The Co-Chairmen express the hope that the Government of . . . will send its delegation to the International Conference on the Laotian question, which will be held in Geneva and will begin its work on 12 May this year. They have in view that the participating countries will be represented at the conference by Ministers of Foreign Affairs.

No. 101

**Message to the Co-Chairmen of the Geneva Conference from the
International Commission for Supervision and Control in Laos,
Vientiane, 11 May, 1961**

On the afternoon of last Saturday the 6th May, 1961, the International Commission for Supervision and Control in Laos received a message from the Co-Chairmen of the Geneva Conference of 1954 in which the Co-Chairmen asked the Commission to report from time to time on effectiveness of cease-fire among parties to the recent hostilities in Laos.

Within 24 hours of receipt of this message from the Co-Chairmen, and in spite of many practical difficulties, the Commission left for Laos and arrived in that country on the evening of 8 May. Since then the Commission has faced many difficulties of transport and communications but have now been able to establish friendly contact with all the principal parties in Laos. They are now in a position to send an immediate report to the Co-Chairmen. The principal parties to recent hostilities in Laos had ordered their troops to observe cease-fire from 8 a.m. (local time) on 3 May, 1961. It is the unanimous conviction of the Commission that since these orders were issued by parties, there has been a general and demonstrable cessation of hostilities. There have been some complaints of local breach of the cease-fire, but the Commission have not received any formal written complaints from any side. On the contrary, the Commission have been given unequivocal assurance from each side that it is determined to maintain the cease-fire except when provoked or in self-defence. The parties have not yet signed a formal agreement for cease-fire but military teams of all of them are in regular contact with each other and it is hoped that a document on questions relating to cease-fire will be entered into shortly by all parties. But irrespective of such

a formal agreement, the Commission are satisfied that a general *de facto* cease-fire exists and such breaches as have been informally complained of are either due to misunderstanding or to factors such as the terrain, the nature of disposition of forces, both regular and irregular, of all parties. Moreover, the Commission have every hope that the parties will accept their suggestion that pending formal cease-fire agreement, there should be renewed orders on all troops of all commands to observe the cease-fire except when provoked. The Commission will send a further report to the Co-Chairmen as soon as result of current military negotiations among parties are known.

In their immediate task the Commission received help and co-operation of many authorities and Governments. French Embassy in Vientiane helped the Commission to a considerable extent by making available its channel of communication.

No. 102

**Joint Communiqué of the Three Princes on the Problem of achieving National Concord by the Formation of a Government of National Union
Zürich, 22 June, 1961**

As agreed between them on 18 June last, the three Princes, Souvanna Phouma, Boun Oum and Souphanouvong, being the high representatives of the three parties in Laos, met at Zurich on 19 June and thereafter to discuss the problem of achieving national concord by the formation of a Government of National Union. The three Princes discussed successively the political programme of the provisional Government of National Union and its immediate tasks.

With regard to these two matters, the Princes agreed as follows:

I. POLITICAL PROGRAMME

The Kingdom of Laos is resolved to follow the path of peace and neutrality in conformity with the interests and aspirations of the Laotian people and with the Geneva Agreements of 1954, in order to build a peaceful, neutral, independent, democratic, unified and prosperous Laos. A provisional Government of National Union will be formed, which will give effect to this policy of peace and neutrality, by carrying out the following political programme:

Domestic policy :

(1) To implement the cease-fire agreement concluded between the three parties concerned in Laos and to see that peace is restored in the country.

(2) To give full effect to democratic freedoms for the benefit of the people and to abrogate all provisions contrary to such freedoms; to bring back into force the law on the democratic freedoms of citizens and the electoral law approved by the National Assembly in 1957.

(3) To preserve the unity, neutrality, independence and sovereignty of the nation.

(4) To ensure justice and peace for all citizens of the Kingdom with a view to appeasement and national concord without discrimination as to origin or political allegiance.

(5) To bring about the unification of the armed forces of the three parties in a single National Army in accordance with a programme agreed between the parties.

(6) To develop agriculture, industry and crafts, to provide means of communication and transport, to promote culture and to concentrate attention on improving the standard of living of the people.

Foreign policy :

(1) Resolutely to apply the five principles of peaceful co-existence in foreign relations, to establish friendly relations and to develop diplomatic relations with all countries, the neighbouring countries first and foremost, on the basis of equality and the sovereignty of Laos.

(2) Not to join in any alliance or military coalition and not to allow the establishment of any foreign military base on Laotian territory, it being understood that a special study will be made of what is provided in the Geneva Agreements of 1954; not to allow any country to use Laotian territory for military purposes; and not to recognise the protection of any alliance or military coalition.

(3) Not to allow any foreign interference in the internal affairs of Laos in any form whatsoever; to require the withdrawal from Laos of all foreign troops and military personnel, and not to allow any foreign troops or military personnel to be introduced into Laos.

(4) To accept direct and unconditional aid from all countries that wish to help Laos build up an independent and autonomous national economy on the basis of respect for Laotian sovereignty.

(5) To respect the treaties and agreements signed in conformity with the interests of the Laotian people and of the policy of peace and neutrality of the Kingdom, in particular the Geneva Agreements of 1954, and to abrogate all treaties and agreements which are contrary to those principles.

II. IMMEDIATE TASKS

The provisional Government of National Union will carry out the following immediate tasks:

(1) Formation of a Government delegation to take part in the International Conference on the settlement of the Laotian question.

(2) Implementation of the cease-fire and restoration of peace throughout the country.

(3) Fulfilment of the undertakings entered into on behalf of Laos at the International Conference on the settlement of the Laotian question and faithful execution of the agreements concluded between the three parties concerned in Laos.

(4) Release of all political prisoners and detainees.

(5) Holding of general elections to the National Assembly for the formation of the definitive Government.

(6) During the transitional period, the administrative organs set up during the hostilities will be provisionally left in being.

As regards the formation of the Government of National Union the three Princes agreed on the following principles:

(1) The Government of National Union will include representatives of the three parties and will be provisional.

(2) It will be formed in accordance with a special procedure by direct designation and nomination by His Majesty the King, without reference to the National Assembly.

Exchanges of views on this matter will be continued between the three Princes at further meetings, in order to achieve national reconciliation as soon as possible.

No. 103

Message from the Co-Chairmen of the Geneva Conference on Laos to the Three Princes, delivered on 2 December, 1961

Some progress is evident in the peaceful settlement of the Laotian question since the cease-fire was agreed between the three political forces in Laos and the International Conference at Geneva was convened. At present the States participating in the Geneva Conference are close to reaching agreement on questions relating to the international aspects of the settlement of the Laotian problem.

2. The political programme and other decisions which were adopted at the meeting of the high representatives of the three political forces in Zurich on 22 June and which lay down the basis for a truly united, independent, neutral and peaceful Laos, were warmly greeted in Laos and in other countries and especially by the participants in the Geneva Conference. Equally warmly received were the agreement about the basic principles for the formation of a provisional Government of National Unity which the high leaders of three political forces in Laos reached in Ban Hin Heup on October 8, and their agreement to present Prince Souvanna Phouma to His Majesty the King with a view to his designation as Prime Minister of that Government.

3. Unfortunately the important decisions approved in Zurich and Ban Hin Heup have not yet been carried out. Moreover, as the International Commission for Supervision and Control in Laos informs us, the recent political and military situation in the country has considerably deteriorated, a development fraught with serious consequences for a peaceful settlement of the Laotian question. So far no provisional Government of National Unity has been formed.

4. The International Commission reports that in a number of areas in Laos hostilities have recurred and have involved Xieng Khouang. The Conference learned of this with the greatest regret.

5. Being concerned about the worsening of the military and political situation in Laos, and guided by the desire to ensure a speedy and peaceful settlement of the Laotian question, the two Co-Chairmen address this message to the high representatives of the three political forces and express the hope that at the earliest possible moment they will do their utmost to implement

promptly the agreements reached in Zurich and Ban Hin Heup to form a Government of National Unity, and to send a united Laotian delegation to the International Conference at Geneva representing that Government.

6. The two Co-Chairmen also urge the high representatives of the three political forces to take all appropriate measures to assure the strict observance of the cease-fire agreement and the avoidance by all parties of any action that may provoke serious conflicts and endanger a peaceful settlement in Laos.

No. 104

Message from the Co-Chairmen of the Geneva Conference on Laos to the Three Princes, 18 December, 1961

The International Conference for the Settlement of the Laotian Question has largely completed its work. Important agreements have been worked out on questions connected with the international aspects of the settlement of the Laotian problem, guaranteeing the creation of the conditions necessary for the existence of a united, independent, neutral and peaceful Laos. If there were now in Geneva a united Laotian Delegation authorised by a Government of National Unity of Laos to take part in the final stage of the Conference and sign the agreements proposed here, and if the statement of the Laotian Government on neutrality were prepared, then the Declaration on the Neutrality of Laos and the Protocol to that Declaration could probably be finally completed and signed within a few days.

The International Conference through the Co-Chairmen makes an urgent appeal to the high leaders of the three political forces in Laos to form a Government of National Unity as soon as possible and to send a united delegation representing that Government to Geneva without delay. The Conference has taken note of the intention of the three Princes to meet within a few days and urges them to agree during this meeting on the constitution of a Government of National Unity in accordance with the Zurich and Ban Hin Heup agreements.

The Conference hopes that this appeal will be accorded the full attention of the high leaders of the three political forces in Laos.

No. 105

Message from the Co-Chairmen of the Geneva Conference on Laos to the Three Princes, 6 January, 1962

In its message to the high leaders of the three political forces in Laos, dated 18 December, the International Conference on the settlement of the Laotian question reported that it had largely completed its work, but that for final completion of its affairs and for its documents to be signed it would be necessary for a united, plenipotentiary Laotian delegation to be present in Geneva. The Conference appealed to the high leaders of the three political forces to hasten the formation of a Government of National Unity and to send to Geneva by 3 January a united Laotian Delegation.

The International Conference of the 14 States expected that this appeal, which was motivated by concern for the hastening of a peaceful settlement in Laos, would be heard and correctly understood by all the high leaders of the three political forces. However, these hopes have not been fulfilled; no Government of National Unity has been formed and no united Laotian delegation has been appointed to come to the Conference in Geneva. This very fact is delaying the completion of the work of the Geneva Conference and the settlement of the Laotian question. The important decisions on the international aspects of the Laotian question, which thanks to the persistent efforts of its participants have been agreed at the Geneva Conference, might come to nothing.

In these circumstances the International Conference appeals to the three Princes who lead the three political forces in Laos, and requests them to leave for Geneva as soon as possible, in order, in co-operation with the representatives of the other member countries of the Conference, to discuss the situation which has arisen. At the same time the arrival in Geneva of the high leaders of the three political forces could be used for the completion of the negotiations on the problem of the formation of a Government of National Unity of Laos, which are, of course, related to the internal affairs of Laos.

No. 106

Declaration on the Neutrality of Laos, Geneva, 23 July, 1962

The Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the People's Republic of China, the Democratic Republic of Viet-Nam, the Republic of France, the Republic of India, the Polish People's Republic, the Republic of Viet-Nam, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, whose representatives took part in the International Conference on the Settlement of the Laotian Question, 1961-1962;

Welcoming the presentation of the statement of neutrality by the Royal Government of Laos of July 9, 1962, and taking note of this statement, which is, with the concurrence of the Royal Government of Laos, incorporated in the present Declaration as an integral part thereof, and the text of which is as follows:

The Royal Government of Laos,

Being resolved to follow the path of peace and neutrality in conformity with the interests and aspirations of the Laotian people, as well as the principles of the Joint Communiqué of Zurich dated June 22, 1961, and of the Geneva Agreements of 1954, in order to build a peaceful, neutral, independent, democratic, unified and prosperous Laos.

Solemnly declares that:

(1) It will resolutely apply the five principles of peaceful co-existence in foreign relations, and will develop friendly relations and establish diplomatic relations with all countries, the neighbouring countries first and foremost, on the basis of equality and of respect for the independence and sovereignty of Laos;

(2) It is the will of the Laotian people to protect and ensure respect for the sovereignty, independence, neutrality, unity, and territorial integrity of Laos;

(3) It will not resort to the use or threat of force in any way which might impair the peace of other countries, and will not interfere in the internal affairs of other countries;

(4) It will not enter into any military alliance or into any agreement, whether military or otherwise, which is inconsistent with the neutrality of the Kingdom of Laos; it will not allow the establishment of any foreign military bases on Laotian territory, nor allow any country to use Laotian territory for military purposes or for the purposes of interference in the internal affairs of other countries, nor recognise the protection of any alliance or military coalition, including SEATO;

(5) It will not allow any foreign interference in the internal affairs of the Kingdom of Laos in any form whatsoever;

(6) Subject to the provisions of Article 5 of the Protocol, it will require the withdrawal from Laos of all foreign troops and military personnel, and will not allow any foreign troops or military personnel to be introduced into Laos;

(7) It will accept direct and unconditional aid from all countries that wish to help the Kingdom of Laos build up an independent and autonomous national economy on the basis of respect for the sovereignty of Laos;

(8) It will respect the treaties and agreements signed in conformity with the interests of the Laotian people and of the policy of peace and neutrality of the Kingdom, in particular the Geneva Agreements of 1962, and will abrogate all treaties and agreements which are contrary to those principles.

This statement of neutrality by the Royal Government of Laos shall be promulgated constitutionally and shall have the force of law.

The Kingdom of Laos appeals to all the States participating in the International Conference on the Settlement of the Laotian Question, and to all other States, to recognise the sovereignty, independence, neutrality, unity, and territorial integrity of Laos, to conform to these principles in all respects, and to refrain from any action inconsistent therewith.

Confirming the principles of respect for the sovereignty, independence, unity and territorial integrity of the Kingdom of Laos and non-interference in its internal affairs which are embodied in the Geneva Agreements of 1954;

Emphasising the principle of respect for the neutrality of the Kingdom of Laos;

Agreeing that the above-mentioned principles constitute a basis for the peaceful settlement of the Laotian question;

Profoundly convinced that the independence and neutrality of the Kingdom of Laos will assist the peaceful democratic development of the Kingdom of Laos and the achievement of national accord and unity in that country, as well as the strengthening of peace and security in South-East Asia:

1. Solemnly declare, in accordance with the will of the Government and people of the Kingdom of Laos, as expressed in the statement of neutrality

by the Royal Government of Laos of 9 July, 1962, that they recognise and will respect and observe in every way the sovereignty, independence, neutrality, unity and territorial integrity of the Kingdom of Laos.

2. Undertake, in particular, that

- (a) they will not commit or participate in any way in any act which might directly or indirectly impair the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos;
- (b) they will not resort to the use or threat of force or any other measure which might impair the peace of the Kingdom of Laos;
- (c) they will refrain from all direct or indirect interference in the internal affairs of the Kingdom of Laos;
- (d) they will not attach conditions of a political nature to any assistance which they may offer or which the Kingdom of Laos may seek;
- (e) they will not bring the Kingdom of Laos in any way into any military alliance or any other agreement, whether military or otherwise, which is inconsistent with her neutrality, nor invite or encourage her to enter into any such alliance or to conclude any such agreement;
- (f) they will respect the wish of the Kingdom of Laos not to recognise the protection of any alliance or military coalition, including SEATO;
- (g) they will not introduce into the Kingdom of Laos foreign troops or military personnel in any form whatsoever, nor will they in any way facilitate or connive at the introduction of any foreign troops or military personnel;
- (h) they will not establish nor will they in any way facilitate or connive at the establishment in the Kingdom of Laos of any foreign military base, foreign strong point or other foreign installation of any kind;
- (i) they will not use the territory of the Kingdom of Laos for interference in the internal affairs of other countries;
- (j) they will not use the territory of any country, including their own, for interference in the internal affairs of the Kingdom of Laos.

3. Appeal to all other States to recognise, respect and observe in every way the sovereignty, independence and neutrality, and also the unity and territorial integrity, of the Kingdom of Laos and to refrain from any action inconsistent with these principles or with other provisions of the present Declaration.

4. Undertake, in the event of a violation or threat of violation of the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos, to consult jointly with the Royal Government of Laos and among themselves in order to consider measures which might prove to be necessary to ensure the observance of these principles and the other provisions of the present Declaration.

5. The present Declaration shall enter into force on signature and together with the statement of neutrality by the Royal Government of Laos of July 9, 1962 shall be regarded as constituting an international agreement. The present Declaration shall be deposited in the archives of the Governments of the United Kingdom and the Union of Soviet Socialist Republics, which shall furnish certified copies thereof to the other signatory States and to all the other States of the world.

In witness whereof, the undersigned Plenipotentiaries have signed the present Declaration.

Done in two copies in Geneva this twenty-third day of July one thousand nine hundred and sixty-two in the English, Chinese, French, Laotian and Russian languages, each text being equally authoritative.

No. 107

**Protocol to the Declaration on the Neutrality of Laos,
Geneva, 23 July, 1962**

The Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the People's Republic of China, the Democratic Republic of Viet-Nam, the Republic of France, the Republic of India, the Kingdom of Laos, the Polish People's Republic, the Republic of Viet-Nam, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America;

Having regard to the Declaration on the Neutrality of Laos of July 23, 1962;

Have agreed as follows:

ARTICLE 1

For the purposes of this Protocol

- (a) the term "foreign military personnel" shall include members of foreign military missions, foreign military advisers, experts, instructors, consultants, technicians, observers and any other foreign military persons, including those serving in any armed forces in Laos, and foreign civilians connected with the supply, maintenance, storing and utilisation of war materials;
- (b) the term "the Commission" shall mean the International Commission for Supervision and Control in Laos set up by virtue of the Geneva Agreements of 1954 and composed of the representatives of Canada, India and Poland, with the representative of India as Chairman;
- (c) the term "the Co-Chairmen" shall mean the Co-Chairmen of the International Conference for the Settlement of the Laotian Question, 1961-1962, and their successors in the offices of Her Britannic Majesty's Principal Secretary of State for Foreign Affairs and Minister for Foreign Affairs of the Union of Soviet Socialist Republics respectively;
- (d) the term "the members of the Conference" shall mean the Governments of countries which took part in the International Conference for the Settlement of the Laotian Question, 1961-1962.

ARTICLE 2

All foreign regular and irregular troops, foreign para-military formations and foreign military personnel shall be withdrawn from Laos in the shortest time possible and in any case the withdrawal shall be completed not later than thirty days after the Commission has notified the Royal Government of Laos that in accordance with Articles 3 and 10 of this Protocol its inspection

teams are present at all points of withdrawal from Laos. These points shall be determined by the Royal Government of Laos in accordance with Article 3 within thirty days after the entry into force of this Protocol. The inspection teams shall be present at these points and the Commission shall notify the Royal Government of Laos thereof within fifteen days after the points have been determined.

ARTICLE 3

The withdrawal of foreign regular and irregular troops, foreign para-military formations and foreign military personnel shall take place only along such routes and through such points as shall be determined by the Royal Government of Laos in consultation with the Commission. The Commission shall be notified in advance of the point and time of all such withdrawals.

ARTICLE 4

The introduction of foreign regular and irregular troops, foreign para-military formations and foreign military personnel into Laos is prohibited.

ARTICLE 5

Note is taken that the French and Laotian Governments will conclude as soon as possible an arrangement to transfer the French military installations in Laos to the Royal Government of Laos.

If the Laotian Government considers it necessary, the French Government may as an exception leave in Laos for a limited period of time a precisely limited number of French military instructors for the purpose of training the armed forces of Laos.

The French and Laotian Governments shall inform the members of the Conference, through the Co-Chairmen, of their agreement on the question of the transfer of the French military installations in Laos and of the employment of French military instructors by the Laotian Government.

ARTICLE 6

The introduction into Laos of armaments, munitions and war material generally, except such quantities of conventional armaments as the Royal Government of Laos may consider necessary for the national defence of Laos, is prohibited.

ARTICLE 7

All foreign military persons and civilians captured or interned during the course of hostilities in Laos shall be released within thirty days after the entry into force of this Protocol and handed over by the Royal Government of Laos to the representatives of the Governments of the countries of which they are nationals in order that they may proceed to the destination of their choice.

ARTICLE 8

The Co-Chairmen shall periodically receive reports from the Commission. In addition the Commission shall immediately report to the Co-Chairmen any violations or threats of violations of this Protocol, all significant steps which it takes in pursuance of this Protocol, and also any other important information

which may assist the Co-Chairmen in carrying out their functions. The Commission may at any time seek help from the Co-Chairmen in the performance of its duties, and the Co-Chairmen may at any time make recommendations to the Commission exercising general guidance.

The Co-Chairmen shall circulate the reports and any other important information from the Commission to the members of the Conference.

The Co-Chairmen shall exercise supervision over the observance of this Protocol and the Declaration on the Neutrality of Laos.

The Co-Chairmen will keep the members of the Conference constantly informed and when appropriate will consult with them.

ARTICLE 9

The Commission shall, with the concurrence of the Royal Government of Laos, supervise and control the cease-fire in Laos.

The Commission shall exercise these functions in full co-operation with the Royal Government of Laos and within the framework of the Cease-Fire Agreement or cease-fire arrangements made by the three political forces in Laos, or the Royal Government of Laos. It is understood that responsibility for the execution of the cease-fire shall rest with the three parties concerned and with the Royal Government of Laos after its formation.

ARTICLE 10

The Commission shall supervise and control the withdrawal of foreign regular and irregular troops, foreign para-military formations and foreign military personnel. Inspection teams sent by the Commission for these purposes shall be present for the period of the withdrawal at all points of withdrawal from Laos determined by the Royal Government of Laos in consultation with the Commission in accordance with Article 3 of this Protocol.

ARTICLE 11

The Commission shall investigate cases where there are reasonable grounds for considering that a violation of the provisions of Article 4 of this Protocol has occurred.

It is understood that in the exercise of this function the Commission is acting with the concurrence of the Royal Government of Laos. It shall carry out its investigations in full co-operation with the Royal Government of Laos and shall immediately inform the Co-Chairmen of any violations or threats of violations of Article 4, and also of all significant steps which it takes in pursuance of this Article in accordance with Article 8.

ARTICLE 12

The Commission shall assist the Royal Government of Laos in cases where the Royal Government of Laos considers that a violation of Article 6 of this Protocol may have taken place. This assistance will be rendered at the request of the Royal Government of Laos and in full co-operation with it.

ARTICLE 13

The Commission shall exercise its functions under this Protocol in close co-operation with the Royal Government of Laos. It is understood that the Royal Government of Laos at all levels will render the Commission all possible assistance in the performance by the Commission of these functions and also will take all necessary measures to ensure the security of the Commission and its inspection teams during their activities in Laos.

ARTICLE 14

The Commission functions as a single organ of the International Conference for the Settlement of the Laotian Question, 1961-1962. The members of the Commission will work harmoniously and in co-operation with each other with the aim of solving all questions within the terms of reference of the Commission.

Decisions of the Commission on questions relating to violations of Articles 2, 3, 4 and 6 of this Protocol or of the cease-fire referred to in Article 9, conclusions on major questions sent to the Co-Chairmen and all recommendations by the Commission shall be adopted unanimously. On other questions, including procedural questions, and also questions relating to the initiation and carrying out of investigations (Article 15), decisions of the Commission shall be adopted by a majority vote.

ARTICLE 15

In the exercise of its specific functions which are laid down in the relevant articles of this Protocol the Commission shall conduct investigations (directly or by sending inspection teams), when there are reasonable grounds for considering that a violation has occurred. These investigations shall be carried out at the request of the Royal Government of Laos or on the initiative of the Commission, which is acting with the concurrence of the Royal Government of Laos.

In the latter case decisions on initiating and carrying out such investigations shall be taken in the Commission by majority vote.

The Commission shall submit agreed reports on investigations in which differences which may emerge between members of the Commission on particular questions may be expressed.

The conclusions and recommendations of the Commission resulting from investigations shall be adopted unanimously.

ARTICLE 16

For the exercise of its functions the Commission shall, as necessary, set up inspection teams, on which the three member States of the Commission shall be equally represented. Each member State of the Commission shall ensure the presence of its own representatives both on the Commission and on the inspection teams, and shall promptly replace them in the event of their being unable to perform their duties.

It is understood that the dispatch of inspection teams to carry out various specific tasks takes place with the concurrence of the Royal Government of

Laos. The points to which the Commission and its inspection teams go for the purposes of investigation and their length of stay at those points shall be determined in relation to the requirements of the particular investigation.

ARTICLE 17

The Commission shall have at its disposal the means of communication and transport required for the performance of its duties. These as a rule will be provided to the Commission by the Royal Government of Laos for payment on mutually acceptable terms, and those which the Royal Government of Laos cannot provide will be acquired by the Commission from other sources. It is understood that the means of communication and transport will be under the administrative control of the Commission.

ARTICLE 18

The cost of the operations of the Commission shall be borne by the members of the Conference in accordance with the provisions of this Article.

- (a) The Governments of Canada, India and Poland shall pay the personal salaries and allowances of their nationals who are members of their delegations to the Commission and its subsidiary organs.
- (b) The primary responsibility for the provision of accommodation for the Commission and its subsidiary organs shall rest with the Royal Government of Laos, which shall also provide such other local services as may be appropriate. The Commission shall charge to the Fund referred to in sub-paragraph (c) below any local expenses not borne by the Royal Government of Laos.
- (c) All other capital or running expenses incurred by the Commission in the exercise of its functions shall be met from a Fund to which all the members of the Conference shall contribute in the following proportions:

The Governments of the People's Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America shall contribute 17·6 per cent each.

The Governments of Burma, Cambodia, the Democratic Republic of Viet-Nam, Laos, the Republic of Viet-Nam and Thailand shall contribute 1·5 per cent each.

The Governments of Canada, India and Poland as members of the Commission shall contribute 1 per cent each.

ARTICLE 19

The Co-Chairmen shall at any time, if the Royal Government of Laos so requests, and in any case not later than three years after the entry into force of this Protocol, present a report with appropriate recommendations on the question of the termination of the Commission to the members of the Conference for their consideration. Before making such a report the Co-Chairmen shall hold consultations with the Royal Government of Laos and the Commission.

ARTICLE 20

This Protocol shall enter into force on signature.

It shall be deposited in the archives of the Governments of the United Kingdom and the Union of Soviet Socialist Republics, which shall furnish certified copies thereof to the other signatory States and to all other States of the world.

In witness whereof, the undersigned Plenipotentiaries have signed this Protocol.

Done in two copies in Geneva this Twenty-third day of July One thousand nine hundred and sixty-two in the English, Chinese, French, Laotian and Russian languages, each text being equally authoritative.

No. 108

Statement by the Foreign Secretary in the House of Lords, 25 July, 1962

"I believe that we can welcome this both in substance and in form. In substance because it represents a real agreement between East and West, and in this particular case both the East and the West, who were in danger of meeting in a clash of rivalries in this area, have decided that the will of neither will prevail and that they will live with neutrality. We may welcome it in form because it demonstrates that by patient negotiation and with the will to do so, we can arrive at sensible solutions to our problems. . . . I cannot say whether the Laotians will have the skill to make this settlement a reality on the ground—I profoundly hope so; but they will want assistance. Communist doctrine and practice has so shaken confidence that time alone will prove whether they have not failed in this matter. . . . If I have had a complaint against the Communists, it is that they have talked co-existence but never practised it. Here is an area in which it can be practised and where it will have the chance of proof. But 14 nations have in this conference sunk their national selfish aims for the greater international good."

Lord Home went on to pay a tribute to the work done at the conference by the British Co-Chairman, Mr. Malcolm MacDonald, saying that both he and Mr. Pushkin, the Soviet Co-Chairman, "have done good work for their respective countries in this matter, but if we single out Mr. MacDonald I am sure that the 13 other countries will not begrudge us our pride, because I am certain that when the history of this conference comes to be written, his personal contribution will be found and judged to have been decisive."

No. 109

Extract from the Proceedings of the House of Commons, 19 February, 1962

SOUTH VIET-NAM

Mr. Davies: I want to raise tonight with the Government in about 15 minutes, as far as I can concertina it into a few notes and headings, the entire question of British policy in South Viet-Nam. There is not the slightest doubt that the British people as a whole have no idea what is taking place there and that the British Government are either giving very little information to the House or, in some cases, are giving information which is not quite

accurate. In some cases it is far from accurate. In every other country in the world the newspapers make the population aware of the type of situation now existing in South-East Asia. For example, one can pick up French or American newspapers and international magazines and read about it.

The situation is, in a way, more dangerous than Berlin. Yet, nothing much is done about it and the House of Commons gets very little opportunity of debating it in full. The British people might be committed to another Korea and British boys might have to die there because of an American policy which—I weigh my words carefully—this Government have not the courage to check. Only this week-end President Kennedy's brother, the United States Attorney-General, made a speech at Bandung University. Some years ago I mentioned another famous speech delivered at this University. Mr. Kennedy said this to the students:

“The United States of America will not side with Indonesia. You are crazy to think America might oppose the Dutch.”

I point out that the Indonesians do not want the Americans to oppose the Dutch. What the Indonesians need is justice and the possibility of the Dutch and the Indonesians co-operating——

Mr. Speaker : Order. I do not understand the Ministerial responsibility for the activities of the Americans or the Dutch, or the Indonesians.

Mr. Davies : The responsibility arises because we are Co-Chairman of the International Supervisory Commission which is responsible for Indo-China, I was only giving an example of the American policy in the area. I will now apply it to South Viet-Nam. We are not asking—nor are the Indonesians—that the Americans should interfere in South Viet-Nam or elsewhere. We have the responsibility under the 1954 Geneva Agreement as Co-Chairman to try to maintain peace in this area. The Government have a responsibility as Co-Chairman of the International Supervisory Commission.

What do the Government consider their responsibility is ? Is it only to receive reports of the Commission ? What action do the Government take upon the reports of the Commission ? Since 1954 the House has been presented with eleven Reports of the Commission. In this period I have had the good fortune to visit all round this area at least three times. Each time I have been to this part of South-East Asia, from Laos right down to the arc of South-East Asia, I have found that the position has deteriorated and within the Viet-Nam area nothing seems to have been done under the 1954 Agreement to try to bring about peace and understanding.

Far from bringing peace, I draw attention to the comments in the Eleventh Report of the Commission, which is now in the Vote Office, which the Foreign Office possesses and which the Minister's advisers have studied. The Report talks continuously of American intervention in South Viet-Nam and about the American Aircraft Carrier *Core* bringing war materials to the Saigon River, lying alongside the Rue Catinat almost opposite the Majestic Hotel. Yet the International Supervisory Commission was not given an opportunity to go in to investigate. The trouble with this Commission's reports is that we receive them twelve months late and it often happens that the deterioration which has taken place in the interim makes it too late for the House of Commons to be made aware of the full facts.

When Sir Anthony Eden, as he then was, was in the House of Commons, he did a magnificent job of work to obtain the 1954 Geneva Agreement, and hon. Members on both sides who understood the problems appreciated the strength with which he carried out that task in an endeavour to secure world peace. In his book, he asked the Americans not to be too emotional about the position. On page 113 of his book, "Full Circle", he refers to the problem of South-East Asia and Viet-Nam and, after speaking of the great efforts of the then Foreign Secretary to bring the people together in that area, he wrote:

"Meanwhile Mr. Robertson (United States Assistant Secretary of State) whose approach to these questions is so emotional as to be impervious to argument or indeed facts, was keeping up a sort of 'theme song' to the effect that there were in Indo-China some 300,000 men who were anxious to fight against Viet-Minh and were looking to us for support and encouragement. I said that if they were so anxious to fight I could not understand why they did not do so. The Americans had put in nine times more supplies of material than the Chinese and plenty must be available for their use. I had no faith in this eagerness for the Viet-Nameese to fight for Bao Dai."

Yes, their recognition for Bao Dai was forced through the House of Commons and some hon. Members fought hard against it. Some of us pointed out that he was another puppet in South-East Asia, and, of course, we were later proved right—but at the cost of many lives.

The British Government, as Co-Chairman—as I have said—have received Notes. So have the Soviet Government. They were sent from North Viet-Nam and, prior to the latest Note, earlier ones were received. I claim that quietly, sometimes by inspired Questions by hon. Gentlemen opposite, references to these Notes have been made in Written Answers, in passing, so that the Notes would be on the record. I have taken the trouble to read these Notes that were sent to the Soviet Government and ourselves, as Co-Chairmen, and I learn that it was suggested that the Soviet Union should write a letter to North Viet-Nam, to General Giap, saying that the entire blame for the position in South Viet-Nam could be placed with them.

What is the truth about this? I have looked into masses of newspaper and magazine reports from all over the world, and I have with me the *Economist*, the *United States News and World Report* and the *Scotsman*. Last week, the *Scotsman* ran an article which stated:

"Washington, Tuesday. The Republican Party's National Committee to-day accused President Kennedy of being 'less than candid' about American military involvement in South Viet-Nam."

It goes on to state that there are 4,000 United States troops in the area engaged in fighting against guerillas.

To-day the *United States News and World Report* states:

"The United States is stepping up the tempo of the war against the Communists in South-East Asia. Men in battle-gear are being employed in South Viet-Nam in increasing numbers. Other Americans in uniform are up front in Laos, but United States participation so far may be only the beginning. American soldiers are being shot at and are shooting back."

All the ingredients are there for another Korea. Robert P. Martin, of the staff of the *United States News and World Report*, flew into these Saigon headquarters of this embattled country and sent this dispatch. He says: 'The curtain of secrecy and restriction imposed by the United States Embassy makes it impossible to report fully on the extent of United States interference'."

There is a report in this week's *Economist*. I do not know what kind of head this correspondent from Saigon has, or whether he has failed to learn from the facts of life in the Far East, but on page 625 of the issue of 17th February we find:

"In South Viet-Nam, a country of perhaps 2,500 villages and about 1,200 hamlets, the country must be reconquered hamlet by hamlet, village by village, area by area. It cannot, at best, be done under five years, but it is possible, and a start has already been made simply because there is no social reason why the villager should prefer the Viet Cong."

The Viet Cong is more or less the liberation front that is fighting for independence.

The Minister was kind enough to send me a copy of the *aide-mémoire* given to the Russian authorities last Friday, and I am grateful to him. It states:

"Her Majesty's Government reject the Soviet contention that the United States military assistance to South Viet-Nam is aimed at turning South Viet-Nam into a strategic bridgehead."

What are the figures. It is almost impossible to count the military equipment there. The United States is taking no chances. It now has in that area between 4,000 and 5,000 uniformed Americans, and the number may reach 7,000 by the summer. Yet the *aide-mémoire* to the Soviet Union seems to say that there is none there. Whoever is giving this information to the Foreign Secretary knows that it is not true, and those of us who have seen the area know that it is not the truth and that it is misleading the British public. The Government should tell the United States of America that the British people will not have another Korea on their hands in this area.

I wrote about, and voted against, the establishment of S.E.A.T.O., and I was right. On 17th September, 1954, Walter Lippmann wrote in the *New York Herald-Tribune*

"Our latest treaty,"—

that was S.E.A.T.O.—⁽¹⁾

"which was signed in Manila last week is not just one more in a series of collective pacts. It marks a new venture. It is the first formal instrument in modern times which is designed to license international intervention in internal affairs."

The British Government know full well that what is taking place at the moment in South-East Asia and Saigon—and even in Laos—is intervention in those internal affairs. Will Western man never learn?

⁽¹⁾ "Treaty Series No. 63 (1957)", Cmnd. 265.

The British diplomatic service has much more knowledge of this state of affairs. It has much more knowledge in its thumb about Oriental affairs than there seems to be in the entire head of American Intelligence. There is a duty to speak up and let the British people know the truth. I believe that as soon as possible they should try to recall the Geneva Conference so that we may know fully what is taking place.

I would point out that we have heard very little of Mr. R. G. K. Thompson's Mission to South Viet-Nam. It was to cost £116,000, but when I looked at the Supplementary Estimates I found that £30,000 had been spent in two months on the Thompson Mission. What is its purpose? Is it not breaking the 1954 Geneva Agreement? It is even being said that this is an annual commitment. Does that mean that we are keeping the Thompson Mission there for years and years. In the Eleventh Report, it is stated that there have been 37 contraventions of Articles 16 and 17 by South Viet-Nam. I have read of the transfer of three minesweepers of the United States Navy to South Viet-Nam and considerable quantities of war material from the Federation of Malaya which have taken place, but that there was no opportunity to investigate this. I understand that there are four newly-constructed airfields there at Ban Don, Madrak, Gia Vuc and Choudron.

Britain will not tolerate another Korea. We owe it to the British people that we get ourselves clear of trying to set up any more patterns of Imperialism, Western or any other kind, and I hope that this Government will do its best to allow these people to fashion out their own kind of democracy and not interfere in their internal affairs. The South Viet-Nam régime would not be able to keep going were it not for the military and economic aid given to it. Our boys lost their lives for Syngman Rhee and other puppets in South-East Asia. Let no British lives be lost in this intervention here. Let the British Government speak up and stop it.

The Joint Under-Secretary of State for Foreign Affairs (Mr. Peter Thomas): First, I should like to agree with the hon. Member for Leek (Mr. Harold Davies) on the gravity of the situation in South Viet-Nam. Of course, it is a dangerous and grave situation, and we have never tried to conceal the fact. What I do suggest is that the hon. Gentleman in his speech has concealed the real reasons why this danger has arisen.

Since the division of Viet-Nam into two halves by the 1954 agreement, two totally different and irreconcilable régimes have grown up in the North and the South. These two halves are mutually antagonistic, and the danger that exists is exactly what one would expect to exist when a Communist State deliberately embarks on a policy of trying to seize a non-Communist State by subversion, intimidation and force. And that is exactly what North Viet-Nam is trying to do. The rebellion in South Viet-Nam is by no means just a spontaneous, popular uprising against an unpopular Government, as the hon. Gentleman and others of his hon. Friends have tried to suggest. It is, in fact, a carefully engineered Communist take-over bid.

Over a long period, there has been a steady infiltration of trained military and political organisers from North Viet-Nam into the South. In the main, they come through Laos and they come by sea. An organisation known as "The National Front for the Liberation of South Viet-Nam" has been set up by the North in South Viet-Nam. Captured documents show that this has at its disposal an elaborate military and political machine whose avowed purpose

is to set up a provisional Government in the South which would lead to the reunification of Viet-Nam under Communist domination. There is abundant evidence that the rebellion has been fomented, organised, in part supplied and wholly directed from the North. The principal weapons of this movement are terror and intimidation.

During 1961, about 2,000 village officials were assassinated by the Viet Cong, to which the hon. Member has referred as "more or less a liberation front". Others have been tortured. The terrorists raid and carry out propaganda in villages and threaten the inhabitants with brutal reprisals if they co-operate in any way with the Government. They carry off young men for training as guerillas, and they have smothered the whole countryside with a blanket of fear and murder. Is it, therefore, surprising that, in these circumstances, the South Viet-Nameese should have appealed to their friends for assistance?

The United States, as we all know, has responded with a substantial programme of military aid. In consequence, the hon. Member accuses America of responsibility for the increase in tension. In our view, United States aid is not the cause of tension, but a reaction to it. The threat to peace in Viet-Nam arises from the North Viet-Nameese campaign of terror and insurgency. It must be absolutely clear that before there can be any settlement in Viet-Nam, this kind of thing must be stopped.

The hon. Member apparently accuses the United States of upsetting the Geneva Agreement and said that our responsibility is, therefore, linked. I remind the hon. Member that at the time of the settlement, the United States, although not a party to the agreement, said in its unilateral declaration that it would view any renewal of aggression in violation of the agreements with grave concern and as seriously threatening international peace and security. In his letter to President Diem of 14th December, President Kennedy made it clear that if the Communist authorities in North Viet-Nam would stop their campaign to destroy the Republic of Viet-Nam, the steps that the United States was taking to assist the South Viet-Nameese in their defence efforts would no longer be necessary.

As regards United States military measures, the United States Government have announced that their military personnel in South Viet-Nam do not include combat forces. They are there to train and advise the South Viet-Nameese forces and to assist them with specialists and equipment.

Mr. Harold Davies: If the hon. Member believes that, he will believe anything. Already, eight have lost their lives there, two of them leading Commando raids. The tenth report and the ninth and eighth reports of the International Supervisory Commission made these accusations long before this position developed.

Mr. Thomas: The Tenth Report does not refer to American activity in Viet-Nam. I suggest that the increase in American activity has been brought about by this increase in Viet Cong activity and, therefore, it is a necessary measure. That is why a general was sent to South Viet-Nam by the Americans. Of course, we deplore the events which made these far-reaching measures necessary, and so just as much does the United States Government. The alternative, however, is a forcible take-over of South Viet-Nam by the Communists from the North and that simply is not acceptable.

The hon. Member referred to the British Advisory (Thompson) Mission. As the House was informed in October, this was established at the request of the South Viet-Nameese to provide advice and assistance in respect of administrative and political matters. This is not a military mission. Sometimes one hears Mr. Thompson referred to as a brigadier, but he is not, never has been and is unlikely ever to become a brigadier. All members of the mission are civilians and former members of the Malayan Civil Service. The task of Mr. Thompson, who heads the mission, is to advise the South Viet-Nameese Government, when asked, on all administrative matters, including those connected with internal security.

In view of the dire circumstances in which the South Viet-Nameese Government find themselves, it is clearly not unreasonable for us to respond in this way to its appeal for help. Moreover, I assure the hon. Member that there is no question of the existence of the mission violating any of the provisions of the Geneva settlement. As to the financial estimates which the hon. Member mentioned, they contain provision not only for the salaries of the four officers and supporting staff, but also for initial accommodation expenses, fares and an element for the training of police and security personnel.

The hon. Member has charged Her Majesty's Government with deliberately avoiding their responsibilities as Co-Chairman in taking no action in respect of North Viet-Nameese complaints about the South Viet-Nameese and about alleged American violations of the settlement. This is to misunderstand the role of the Co-Chairmen and the functions of the Commission. It is the Commission's task to investigate breaches of the agreement. The Commission may, if it wishes, report to the Co-Chairmen and seek their advice. So far, it has not done this. It would be improper for the Government to prejudice any actions which the Commission might see fit to take. In any case, the Co-Chairmen under the Geneva settlement are not given any specific executive role.

The hon. Gentleman mentioned that we receive reports. We receive reports purely in order to pass them on to the members of the Conference.

The hon. Gentleman also mentioned the number of complaints against the South Viet-Nameese contained in the reports of the Commission. We should not be misled into drawing wrong conclusions because of the number of these complaints from the North against the South. It was only in July, 1961, that the Commission decided that it was competent to deal with complaints about North Viet-Nameese subversion. This is the nub of the problem. We are still awaiting the Commission's report on this aspect.

Meanwhile, I would suggest, the Government have not been inactive as Co-Chairmen. We have already expressed our concern about the situation in Viet-Nam to the Soviet Co-Chairman. In a Note of 3rd November we suggested to the Soviet Government that they should join with us in addressing an appeal to the North Viet-Nameese to call off their campaign in South Viet-Nam. This appeal went unanswered.

On 10th January, the Soviet Embassy delivered an *aide-mémoire* at the Foreign Office. It merely repeated Soviet accusations against the United States for their alleged intervention in South Viet-Nam. The Government replied to this *aide-mémoire* on 16th February. Copies of this exchange of

Notes have been placed in the Library of the House, and, as the hon. Gentleman said, I sent him a copy. I should like to thank the hon. Gentleman for his courtesy in giving me notice in advance of some of the points that he would be making.

We have repeated our appeal for restraint, and it is our hope that those countries or persons who have any influence with the North Viet-Nameese should warn them of the dangers of the situation and persuade them to desist from their present aggressive policy.

What of the future? The hon. Gentleman, as I understand it, suggests that we should recall the Geneva Powers and that a further international conference should be held, presumably to establish a united and neutral Viet-Nam. This is at present totally unrealistic. The situation is not like that in Laos. As I said, the two States of Viet-Nam, born out of the Geneva settlement, have different and irreconcilable régimes. By rights they should have been reunited through free and fair elections, but it is clear that conditions for this do not exist. The North Viet-Nameese people would certainly not be able to express their will freely.

Mr. Harold Davies: Oh, come off it.

Mr. Thomas: I am not, of course, suggesting that there could never be a negotiated settlement for Viet-Nam. We are always prepared to take up any peaceful means of solving a dispute. I think our activities over Laos show that. But, I repeat, terrorism must be stopped before there can be any chance of arriving at an equitable settlement of the problems of this unhappy and divided country.

What we want to see in South Viet-Nam is the restoration of peaceful conditions as quickly as possible. Communist attempts to reunite the country by force are intolerable, and we believe that the Government and people of South Viet-Nam should receive all reasonable support in their efforts to defeat such attempts.

No. 110

Extract from the Proceedings of the House of Commons, 26 March, 1963

15. *Mr. Brockway* asked the Lord Privy Seal what action has been taken by the representative of Her Majesty's Government, as Co-Chairman of the Geneva Conference on Viet-Nam, following the recent worsening of the situation in South Viet-Nam.

16. *Mr. Harold Davies* asked the Lord Privy Seal what action he will now take, as Co-Chairman of the Geneva Conference on Viet-Nam, in view of the recent developments in Viet-Nam and the deterioration in the situation there.

Mr. P. Thomas: As the House is aware, we have had exchanges of Notes with the Soviet Government. These rest with a Soviet *aide-mémoire* of 17th March, which again urges that the United States should be called upon to cease interfering in South Viet-Nam. This ignores the United Kingdom proposal that the Soviet Government should deal with the root cause of the trouble by exercising restraint upon the North Viet-Nameese. As there is

clearly no agreement between the two Co-Chairmen on the facts of the situation, we must now await a report from the International Control Commission.

Mr. Brockway : Is not this a very serious situation for the whole of South-East Asia, particularly in relation to Laos nearby? Will the hon. Gentleman answer these questions? First, what are British commitments in Viet-Nam at present? Second, in addition to communications with Russia has there been any communication sent to America regarding the military aid which America is offering to South Viet-Nam? Third, will the Government consider recalling the Geneva Conference so that this very grave situation can be discussed in the spirit of the earlier conference at Geneva?

Mr. Thomas : As I said when the matter was last discussed in the House, it is, obviously, a serious situation. I gave the reasons why Her Majesty's Government think that it is serious. In answer to the questions which the hon. Member has put: first, there is no British commitment in South Viet-Nam. Second, we have had no communication with America in our position as Co-Chairman, although, of course, we are in communication with America on these and all matters which affect us. Third, it would hardly be possible to agree on a policy when there is no agreement at all as to the nature of the situation. Therefore, I think that we should await the report from the International Control Commission before any question of recalling the Geneva Conference arises.

Mr. Harold Davies : Since the Minister has said that there is no commitment by the British Government in South Viet-Nam, can he go further and say that that implies that there is no commitment under the South-East Asia Treaty Organisation in Viet-Nam, and will he assure the House that we shall not interfere in the internal affairs of Viet-Nam? I endorse the supplementary questions put by my hon. Friend the Member for Eton and Slough (Mr. Brockway). Will the Minister please approach the American Government to see whether we can, at least in the transition period, bring about a standstill in the movement of troops and military equipment into South Viet-Nam?

Mr. Thomas : When I said that there was no British commitment in South Viet-Nam, I was not talking about our obligations under Article 4 of the Manila Treaty.

Mr. Davies : That was misleading.

Mr. Thomas : Whether or not Britain would be required to give assistance under that Article would depend upon the situation at the time. Clearly, I cannot give a categorical assurance at the moment. On the other matter which the hon. Gentleman has raised, the United States has said that if the North Viet-Nameese will stop their campaign to destroy the Republic of Viet-Nam the steps which the United States is taking to assist the South Viet-Nameese in their defence efforts will no longer be necessary.

Mr. Mayhew : Is the hon. Gentleman aware that this country has serious commitments and responsibilities in South Viet-Nam, and is he aware that, although, no doubt, the interference of North Viet-Nam is contrary to all principles of co-existence and is a main cause of the crisis there, it is

nevertheless the fact that the Americans are being provoked, it seems, beyond the brink of what is sensible in their aid to South Viet-Nam now, and will he urge on the Americans that they should not go beyond operational military training of troops at the most and should not in any circumstances take part in operations themselves as servicemen?

Mr. Thomas : I think that the Americans are fully aware of what their responsibilities in that area are. They are there assisting at the moment by reason of a call which came from the South Viet-Nam Government. If the campaign which is being conducted by the North Viet-Nameese were to cease, the American intervention would no longer be required.

Mr. Ridsdale : Is my hon. Friend aware that some of us think that the Americans are doing a great deal to help against very serious Communist penetration in South-East Asia in what they are doing in South Viet-Nam?

Mr. Thomas : It is quite clear that what is taking place in South Viet-Nam now is a calculated Communist take-over bid.

Mr. S. Silverman : Will the hon. Gentleman tell the House what, in the opinion of Her Majesty's Government, the oppressed and impoverished people of this country are to do while great Powers thousands of miles away play with their fortunes and their future for ideological considerations of their own?

Mr. Thomas : As I have said, I cannot agree with the view frequently expressed in some quarters of the House that what is happening in South Viet-Nam is the action of an oppressed rebel minority. In fact, it is quite clearly directed and assisted from North Viet-Nam.

No. 111

**Special Report to the Co-Chairmen of the Geneva Conference by the
International Commission for Supervision and Control in Viet-Nam,
Saigon, 2 June, 1962**

The International Commission for Supervision and Control in Viet-Nam presents its compliments to the Co-Chairmen of the Geneva Conference on Indo-China and has the honour to refer to paragraph 2 of their message of 8th May, 1956, in which the Co-Chairmen asked the Commission to inform them in case the Commission encountered any difficulties in its activities which could not be resolved on the spot and simultaneously had urged both the Parties in Viet-Nam to extend to the Commission all possible co-operation and assistance. The International Commission had assured the Co-Chairmen in its message of 27th May, 1956, that it would continue to persevere in its efforts to maintain and strengthen peace in Viet-Nam and affirmed its determination to perform its duties within the framework of the Geneva Agreement.

2. The International Commission has, from time to time, submitted to the Co-Chairmen Interim Reports giving a *résumé* of its activities as well as a brief review of the progress made by the two Parties in the implementation

of the provisions of the Agreement. In these reports, apart from other things, the Commission had pointed out its difficulties, particularly with regard to the tendency of the Parties to refuse to accept and implement the Commission's recommendations and decisions and their persistence in maintaining their own stand in certain cases. The Co-Chairmen were also informed about the difficulties which the Commission's Fixed Teams were experiencing with regard to the performance of their mandatory tasks of control and inspection in terms of their responsibilities under Articles 35 and 36 (d) of the Agreement.

3. In its 11th Interim Report, which covered the period from 1st February, 1960, to 28th February, 1961 the Commission had mentioned that, in spite of certain difficulties and the lurking dangers in Viet-Nam, the active presence of the Commission and its work had helped in preserving peace.

4. Since the presentation of the 11th Interim Report, the situation in Viet-Nam has shown signs of rapid deterioration. The Commission is obliged to make this Special Report to the Co-Chairmen with regard to the serious allegations of aggression and subversion on the part of the Democratic Republic of Viet-Nam against the Republic of Viet-Nam and the serious charges of violation of Articles 16, 17 and 19 of the Geneva Agreement by the Republic of Viet-Nam, in receiving military aid from the United States of America.

The Polish Delegation dissents from the views expressed in this Special Report. The Statement of the Polish Delegation is forwarded herewith.

5. Reference is invited to paragraph 24 of the 10th Interim Report and paragraph 32 of the 11th Interim Report, in which mention was made of the concern which the Republic of Viet-Nam has been expressing over the problem of subversion in South Viet-Nam. Mention was also made in paragraph 61 of the 11th Interim Report to the complaints, which the Commission had received from the Government of the Republic of Viet-Nam, accusing the Government of the Democratic Republic of Viet-Nam of aggression in the Kontum and Pleiku provinces during October, 1960. Complaints of this nature continued to increase during 1961. In June, 1961, the Commission made known its stand regarding its competence to entertain and examine complaints of this nature in terms of specific Articles of the Geneva Agreement.

6. The Commission also received several complaints from the High Command of the People's Army of Viet-Nam making serious allegations with regard to the increased introduction of United States military personnel into South Viet-Nam, along with substantial quantities of war material, in contravention of Articles 16 and 17. All these allegations were forwarded to the South Viet-Nameese Mission for comments. The Party in most cases denied these allegations. But the Commission was not in a position to make a precise assessment as to the correctness or otherwise of these allegations, as the Commissions Teams at most points of entry have not been able to carry out effective inspections and controls. However, the South Viet-Nameese Mission did state in July, 1961, that whatever American aid its Government was receiving was meant to fight Communist subversion in South Viet-Nam,

and in support of this contention it had also referred to the text of the communiqué published after the visit of the United States Vice-President Johnson to Saigon, in May, 1961.

7. While the Commission continued to function in this difficult atmosphere, a communication was received on 9th September, 1961, from the Liaison Mission of the Republic of Viet-Nam, alleging that the People's Army of Viet-Nam forces had launched another action in the Kontum region on 1st September, 1961. The letter containing these allegations was forwarded to the Liaison Mission of the People's Army of Viet-Nam High Command for its comments. In its reply under its letter No. 492/CT/I/B dated 11th December, 1961 the Mission stated that "the People's Army of Viet-Nam High Command will resolutely reject all decisions taken by the International Commission relating to the so-called 'subversive activities' in South Viet-Nam, a question which has no relevance to the Geneva Agreement." It further informed the Commission that "henceforth the Mission would find itself constrained to resolutely reject all possible requests for comments of this kind."

8. In the meanwhile, in early October, 1961, the Secretariat of State for Foreign Affairs of the Republic of Viet-Nam alleged that Colonel Hoang Thuy Nam, the Chief of the Viet-Nameese Mission in charge of relations with the International Commission, had been kidnapped. Later, the Secretary of State for Foreign Affairs informed the Commission of the murder of Colonel Nam. The complicity of the authorities in the North in the kidnapping and murder of Colonel Nam was alleged. Reference is invited to the Commission's message No. IC/ADM/V-5/61/4097 dated 9th November, 1961, in this regard. Since the allegations were of a serious nature, the Commission requested the South Viet-Nameese Mission to furnish *prima facie* evidence to support their charge of the complicity of the Northern Party in this incident. The Commission received detailed communications from the Mission on 24th October, 1961, and 16th November, 1961, with a large number of documents and photographs, in support of their contention. The Mission also stated that the "Government of the Republic of Viet-Nam is confident that the case of Colonel Hoang Thuy Nam should be taken, not as an isolated case, but as part of the extensive plan of subversion and terrorism deliberately decided by the Hanoi authorities, a plan which, with this assassination enters a new phase of execution and is designed for seizing power in South Viet-Nam." In November, 1961, the Commission considered these letters containing numerous allegations, and referred them to its Legal Committee for examination "with a view to determining whether the allegations and evidence therein *prima facie* attract any provisions of the Geneva Agreement."

9. The Legal Committee has made a careful examination of the various allegations and the evidence produced to support them, in the form of documents and other material evidence, and has made the following report, with the Polish Member dissenting:

"We have studied the Agreement on the Cessation of Hostilities in Viet-Nam, the South Viet-Nameese Mission's letter No. 4660/PDVN/CT/TD/2 dated the 24th October, 1961, and No. 5078/PDVN/CT/TD/2 dated the 16th November, 1961, and related

references from the Commission together with the evidentiary material made available by the South Viet-Nameese Mission in connection therewith, and reached the following conclusions:

- (1) The Agreement on the Cessation of Hostilities in Viet-Nam proceeds on the principle of the complete cessation of all hostilities in Viet-Nam, respect by either Party of the Zone assigned to the other, and the inescapable responsibility of the Parties for the fulfilment of the obligations resulting therefrom.

Article 10 of the Agreement states expressly the obligation of the two Parties to order and *enforce* the *complete* cessation of all hostilities in Viet-Nam.

Article 19 of the Agreement casts the obligation on the two Parties to ensure that the Zones assigned to them are not used for the resumption of hostilities or to further an aggressive policy.

Article 24 of the Agreement proceeds on the principle of the inviolability of the Demilitarised Zone and the territories assigned to the two Parties and states expressly that the armed forces of each Party shall respect the territory under the military control of the other Party and shall commit no act and undertake no operation against the other Party.

Article 27 of the Agreement affirms expressly the responsibility of the Commanders of the Forces of the two Parties of ensuring full compliance with all the provisions of the Agreement by *all elements* and military personnel under their Command.

It follows that the using of one Zone for the organisation or the carrying out of any hostile activities in the other Zone, violations by members of the Armed Forces of one Party of the territory of the other Party, or the commission by any element under the control of one Party of any act directed against the other Party, would be contrary to the fundamental provisions of the Agreement which enjoin mutual respect for the territories assigned to the two Parties.

- (2) Having examined the complaints and the supporting material sent by the South Viet-Nameese Mission, the Committee has come to the conclusion that in specific instances there is evidence to show that armed and unarmed personnel, arms, munitions and other supplies have been sent from the Zone in the North to the Zone in the South with the object of supporting, organising and carrying out hostile activities, including armed attacks, directed against the Armed Forces and Administration of the Zone in the South. These acts are in violation of Articles 10, 19, 24 and 27 of the Agreement on the Cessation of Hostilities in Viet-Nam.
- (3) In examining the complaints and the supporting material, in particular documentary material sent by the South Viet-Nameese Mission, the Committee has come to the further conclusion that there is evidence to show that the People's Army of Viet-Nam has allowed the Zone in the North to be used for inciting, encouraging and supporting hostile activities in the Zone in the

South, aimed at the overthrow of the Administration in the South. The use of the Zone in the North for such activities is in violation of Articles 19, 24 and 27 of the Agreement on the Cessation of Hostilities in Viet-Nam.

- (4) The Committee considers that further investigation is necessary to reach a final conclusion as to whether the kidnapping and murder of Colonel Nam, late Chief of the South Viet-Nameese Mission, was a part of the activities referred to in sub-paragraphs (2) and (3) above and prohibited under Articles 19, 24 and 27 of the Agreement. The South Viet-Nameese Mission has furnished *prima facie* evidence to warrant such a full investigation of the case by the Commission.

2. We shall submit in due course a full report setting out in detail the complaints made by the South Viet-Nameese Mission, the evidence forwarded in relation to these complaints, and our specific observations thereon."

10. The Commission accepts the conclusions reached by the Legal Committee that there is sufficient evidence to show beyond reasonable doubt that the People's Army of Viet-Nam has violated Articles 10, 19, 24 and 27 in specific instances. The Polish Delegation dissents from these conclusions. On the basis of the fuller report, that is being prepared by the Legal Committee covering all the allegations and incidents, the Commission will take action as appropriate in each individual case.

11. Concurrently with the developments referred to in paragraphs 7 and 8 above, and subsequently, the Commission received communications from the People's Army of Viet-Nam High Command and its Liaison Mission alleging direct military intervention in South Viet-Nam by the Government of the United States of America, and ever-increasing import of war material and introduction of military personnel in violation of the Geneva Agreement. The allegations, amongst others, were:

- (a) the conclusion of a bilateral military Agreement between President Ngo Dinh Diem and United States Ambassador Nolting;
- (b) the gradual introduction of about 5,000 United States military personnel into South Viet-Nam, "which will soon be increased to 8,000";
- (c) the arrival of four aircraft carriers—*Core*, *Breton*, *Princetown* and *Croaton*—on different occasions, bringing in helicopters, other aircraft, military equipment and military personnel;
- (d) the introduction by the United States of America of approximately four companies of helicopters, many jet fighters, fighters/fighter bombers and transport planes, along with military vehicles and other stores;
- (e) the visits of a large number of high United States military experts and dignitaries to Saigon for inspection and guidance, particularly those of General Maxwell Taylor, Admiral H. Felt and General Lemnitzer;
- (f) the establishment of a United States Military Assistance Command, with a four-star General, Paul D. Harkins, as its Chief.

12. Since December, 1961, the Commission's Teams in South Viet-Nam have been persistently denied the right to control and inspect, which are part of the mandatory tasks. Thus, these Teams, though they were able to observe the steady and continuous arrival of war material, including aircraft carriers with helicopters on board, were unable, in view of the denial of controls, to determine precisely the quantum and nature of war material unloaded and introduced into South Viet-Nam.

13. On the other hand, the Commission received a communication from Liaison Mission of the Republic of Viet-Nam dated 9th December, 1961, stating that:

"In the face of the aggression, directed by the so-called 'Democratic Republic of Viet-Nam' against the Republic of Viet-Nam, in flagrant violation of the Geneva Agreement, the Government of the Republic of Viet-Nam has requested the Government of the United States of America to intensify the aid in personnel and material which the latter was already granting to Viet-Nam. The right of 'self-defence' being a legitimate and inherent attribute of sovereignty, the Government of the Republic of Viet-Nam found itself constrained to exercise this right and request for increased aid, since North Viet-Nam continues to violate the Geneva Agreement and to do injury to life and property of the free people of Viet-Nam.

These measures can end as soon as the North Viet-Nam authorities will have ceased the acts of aggression and will have begun to respect the Geneva Agreement."

14. The Commission considered this communication from the Government of the Republic of Viet-Nam and drew the attention of the South Viet-Nameese Mission to the provisions of Articles 16 and 17 of the Geneva Agreement and the procedures laid down thereunder by the International Commission for the import of war material and the introduction of military personnel, and to the obligations resulting therefrom. The Commission also informed the Mission that its complaints regarding allegations of subversion and aggression by the North were under active examination of the Commission separately.

15. In the light of the stand of the Commission as stated in paragraph 14 above, the numerous allegations received from the People's Army of Viet-Nam High Command have been receiving the attention of the Commission with a view to the strict implementation of Articles 16 and 17 of the Agreement and the procedures laid down thereunder.

16. A summary of the allegations made by the People's Army of Viet-Nam High Command, from December, 1961, up to 5th May, 1962, would place the number of military personnel and the quantum of important war materials introduced into South Viet-Nam at approximately 5,000 personnel ("which are likely to increase to 8,000 shortly"), 157 helicopters, 10 reconnaissance aircraft, 34 jet aircraft, 34 fighters/fighter bombers, 21 transport aircraft, 35 unspecified aircraft, 40 armoured and 20 scout cars, "numerous" armoured boats and amphibious craft, 3,000 tons and 1,350 cases of war material, and 7 warships (exclusive of 5 destroyers of the United States Seventh Fleet alleged to have come for training). Most of the letters containing the allegations, referred to in this paragraph and

paragraph 11 above, were sent to the Liaison Mission of the Republic of Viet-Nam for its early comments; but no satisfactory replies have been received. Also, in some cases the Southern Party has been asked to state reasons, if any, why violations of Article 17(e) relating to prior notification, as well as violations of Articles 16 and 17 governing the introduction of military personnel and war material themselves, should not be recorded against it.

17. As the Commission has been denied mandatory controls, as pointed out earlier in paragraph 12 above, it has not been able to make a precise assessment of the number of military personnel and the quantum of war material brought in. However, from 3rd December, 1961, up to 5th May, 1962, the Commission's Teams have controlled the entry of 72 military personnel, and observed but not controlled 173 military personnel, 62 helicopters, 6 reconnaissance aircraft, 5 jet aircraft, 57 fighters/fighter bombers, 25 transport aircraft, 26 unspecified types of aircraft, 102 jeeps, 8 tractors, eight 105-mm. howitzers, 3 armoured carriers (tracked), 29 armoured fighting vehicle trailers, 404 other trailers, and radar equipment and crates, 5 warships, 9 LSTs (including 4 visiting LSTs), 3 LCTs, 5 visiting aircraft carriers and spares of various kinds. In respect of some of the instances of import of war materials between 3rd December, 1961 and 16th January, 1962, violations under Article 17(e) as well as violation of Article 25, have been recorded against the Republic of Viet-Nam for its failure to notify arrivals and imports as required by the Geneva Agreement, and for not affording all possible assistance to the Commission's Teams in the performance of their tasks.

18. In regard to claims for credits made by the Southern Party in justification of certain imports, the Commission wishes to point out that in so far as major items of war material are concerned, except in a limited number of cases, there is no established credit in favour of the Republic of Viet-Nam. On the other hand, for some of these items, there is already a debit against it. In this context, it must be borne in mind that, even where credit exists, according to Article 17(b) of the Agreement, the Party can only import war material "piece-for-piece of the same type and with similar characteristics". However, controls not having been permitted, the Commission is not in a position to satisfy itself whether this essential requirement has in fact been fulfilled even in cases where credit exists.

19. As regards the allegation of the People's Army of Viet-Nam High Command that a United States Military Assistance Command has been set up in South Viet-Nam in violation of Article 19, the Commission requested the Party to furnish the following information:

- (i) whether such a United States Command has been set up;
- (ii) the basis on which it has been established;
- (iii) the purpose for which it has been constituted;
- (iv) its strength;
- (v) the scope of its activities.

The South Viet-Nameese Mission in its letter dated 15th March, 1962, has not furnished the necessary information required by the Commission, other than stating that this Military Assistance Command is not a military command in

the usual sense of the term, and that its only function is to supervise and manage the utilisation of American personnel and equipment. The Mission stated further that there was no military alliance between the United States of America and the Republic of Viet-Nam as no treaty of this nature had been ratified by either Government.

20. Taking all the facts into consideration, and basing itself on its own observations and authorised statements made in the United States of America and the Republic of Viet-Nam, the Commission concludes that the Republic of Viet-Nam has violated Articles 16 and 17 of the Geneva Agreement in receiving the increased military aid from the United States of America in the absence of any established credit in its favour. The Commission is also of the view that, though there may not be any formal military alliance between the Governments of the United States of America and the Republic of Viet-Nam, the establishment of a United States Military Assistance Command in South Viet-Nam, as well as the introduction of a large number of United States military personnel beyond the stated strength of the MAAG (Military Assistance Advisory Group), amounts to a factual military alliance, which is prohibited under Article 19 of the Geneva Agreement.

21. The Commission would also like to bring to the notice of the Co-Chairmen a recent and deliberate tendency on the part of both the Parties to deny or refuse controls to the Commission's Teams, thereby completely immobilising their activities and hindering the Commission in the proper discharge of its obligations to supervise the implementation of Articles 16 and 17 of the Geneva Agreement. During the last few months, there has been a near-complete breakdown so far as this important function of the Commission is concerned. The Commission considered the situation and addressed detailed communications to the two Parties recommending the resumption of normal controls immediately. (Copies of the letters sent to the two Parties are attached as Annexure I to this Report.⁽¹⁾) The Commission, however, regrets to inform the Co-Chairmen that there has been no improvement in this regard.

22. The International Commission wishes to draw the serious and earnest attention of the Co-Chairmen to the gravity of the situation that has developed in Viet-Nam in the last few months. Fundamental provisions of the Geneva Agreement have been violated by both Parties, resulting in ever-increasing tension and threat of resumption of open hostilities. In this situation, the role of the Commission for the maintenance of peace in Viet-Nam is being greatly hampered because of denial of co-operation by both the Parties. The Commission, therefore, earnestly recommends to the Co-Chairmen that, with a view to reducing tension and preserving peace in Viet-Nam, remedial action be taken, in the light of this Report, so as to ensure that the Parties—

- (a) respect the Zone assigned to the other Party;
- (b) observe strictly the provisions of Articles 16, 17 and 19 of the Geneva Agreement in respect of the import of war material and the introduction of military personnel;
- (c) commit no act and undertake no operation of a hostile nature against the other Party;

(¹) Not reproduced.

- (d) do not allow the Zones assigned to them to adhere to any military alliance and to be used for the resumption of hostilities or to further an aggressive policy;
- (e) co-operate with the International Commission in the fulfilment of its tasks of supervision and control of the implementation of the provisions of the Geneva Agreement.

23. The International Commission for Supervision and Control in Viet-Nam takes this opportunity to renew the assurances of its highest consideration to the Co-Chairmen of the Geneva Conference on Indo-China.

No. 112

Message from the Government of the Democratic Republic of Viet-Nam to the Co-Chairmen of the Geneva Conference, Hanoi, 25 February, 1963

Lord Home, Secretary of State for Foreign Affairs, United Kingdom of Great Britain and Northern Ireland, Co-Chairman of the Geneva Conference of 1954 on Indo-China, London.

2. No. 93/CD. I have the honour to bring to your esteemed attention an odious crime which has been committed by the American imperialists and the Ngo Dinh Diem Administration against the population of South Viet-Nam. On January 13, 1963, United States-Diemist aircraft spread chemical toxic substances on four communes of the districts of the Truc Giang and Ham Long in Ben Tre Province. Subsequently, from January 20 to 24, 1963, the same activity was practised in 16 communes of the districts of Giong Trom and Truc Giang in the same Province. The aforesaid chemical products spread on thousands of hectares affected numerous people and a large number of cattle and destroyed vegetation and crops over a large area. According to first reports, in the commune of Nhan Thanh in the district of Giong Trom alone, 198 people were poisoned, many of whom were women and children, and rice paddies and gardens were laid waste over a large area.

3. Since the unleashing of armed aggression under the form of an undeclared war in South Viet-Nam, the United States have already used toxic chemical products in many regions. They have therefore poisoned thousands of people and destroyed vegetation and crops in tens of thousands of hectares. In the present case, at the same time as in the intensification of mopping-up operations throughout South Viet-Nam, they have spread large quantities of toxic chemical products over a large and populous area, mainly in the Province of Ben Tre, in order to terrorise the inhabitants and force them to rejoin concentration camps camouflaged under the name "strategic hamlets".

4. The recent operation of spreading toxic chemical products in South Viet-Nam is a most inhuman act. It has unmasked the odious imperialist American aggressors, who use not merely bombs but also toxic chemical products as a means of warfare in order to massacre the South Viet-Nameese population. The American imperialist aggressors to-day have the effrontery to use means formerly utilised by the Hitlerite Fascists in order to destroy

millions of human lives, and which for tens of years have been severely censured by all progressive humanity and by international law. It is clear that the American imperialists have acted in violation of engagements undertaken by the United States Government with other countries in signing the Treaty of February 6, 1922,⁽¹⁾ and the protocol of June 17, 1925,⁽²⁾ about the prohibition of the employment in war of asphyxiating gases, toxic or similar ones, as well as all liquids or similar materials and bacteriological weapons. They have grossly violated the Geneva Agreements of 1954 on Viet-Nam, in the spirit and the letter. The Democratic Republic of Viet-Nam Government energetically condemns before world opinion the utilising by the American imperialists of chemical toxic products in the war of aggression which they are now waging in South Viet-Nam, and request the Co-Chairmen of the Geneva Conference of 1954 on Indo-China severely to condemn these odious crimes committed by the American imperialists and to intervene immediately with the United States Government in order to require it to cease its war of aggression in South Viet-Nam and to stop immediately the employment of toxic chemical products as reprisals on the South Viet-Nameese population.

5. The Democratic Republic of Viet-Nam Government also requests the Co-Chairmen to advise the International Control Commission in Viet-Nam to investigate immediately regions which have been the object of the spreading of chemical toxic products, and to require the Ngo Dinh Diem Administration urgently to apply measures to help the inhabitants of the aforesaid regions.

6. I avail myself of this opportunity, etc.

No. 113

Note addressed by the Government of the Soviet Union to the British Government, Moscow, 22 March, 1963

The Soviet Government as one of the Chairmen of the Geneva Conference of 1954 for Indo-China received a telegram from the Minister for Foreign Affairs of the Democratic Republic of Viet-Nam dated February 22, 1963, in which they were informed of new cases of the use by the United States of America and the Ngo Dinh Diem authorities of toxic chemical substances against the South Viet-Nameese population. In the telegram the attention of the Chairmen is drawn to the fact that, as a result of the use by the Americans and the Diem people of poisonous chemical substances in the Province of Byen Che in the course of military operations on the 13th of January and during the period January 20-24, 1963, substantial damage was inflicted on agriculture. Pointing out that the use of toxic chemical substances against the South Viet-Nameese population violates the spirit and the letter of the Geneva agreements of 1954 on Indo-China, and also the existing norms of international law prohibiting the use of poisonous chemical substances, the Government of the Democratic Republic of Viet-Nam appeals to the Chairmen to condemn the above-mentioned activities of the American military authorities in South Viet-Nam and to insist that the United States of America stop the aggressive war in this country and cease using poisonous

(1) The Treaty did not enter into force.

(2) "Treaty Series No. 24 (1930)", Cmd. 3604.

chemical substances for repressing the South Viet-Nameese population. At the same time the Government of the Democratic Republic of Viet-Nam asks the Co-Chairmen to recommend to the International Commission for Supervision and Control in Viet-Nam that they carry out without delay an investigation in the areas where poisonous chemical substances were used by the Americans and the Diem authorities, and to insist that the Ngo Dinh Diem Administration take urgent measures to aid the afflicted population. The Government of the Soviet Union considers that the appeal to the Co-Chairmen by the Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam deserves the most serious attention, in so far as the above-mentioned actions of the United States of America and the authorities of South Viet-Nam are not only contrary to the spirit and letter of the Geneva Agreements, but they flout the most elementary norms of international law and humanity and involve a further complication of the situation in South Viet-Nam and in all the South-East Asia area. The Soviet Government, guided by principles of humanity and wishing to alleviate the lot of the South Viet-Nameese population, considers that the two Chairmen must take immediate steps in accordance with the telegram of the Minister for Foreign Affairs of the Democratic Republic of Viet-Nam and in this connection proposes as a first step that a message be sent urgently to the International Commission for Control and Supervision in Viet-Nam in the name of the two Chairmen, recommending that an investigation be carried out immediately in the areas affected by toxic chemical substances. The Soviet side submits for the British Government's consideration the draft of an appropriate message from the two Co-Chairmen of the International Commission for Control and Supervision in Viet-Nam. The Ministry would be grateful to receive the reply of the British Government to the proposal of the Soviet Government set out above as soon as possible.

(Enclosure)

Draft Message from the Co-Chairmen of the Geneva Conference on Indo-China of 1954 to the Chairman of the International Commission for Supervision and Control in Viet-Nam

The Co-Chairmen of the Geneva Conference on Indo-China have received a telegram from the Minister for Foreign Affairs of the Democratic Republic of Viet-Nam dated February 22 of this year, in which he draws the attention of the Co-Chairmen to new cases of the use of poisonous chemical substances by the military command of the United States of America in South Viet-Nam and by the authorities of Ngo Dinh Diem against the South Viet-Nameese population and to the grave consequences resulting from these inhuman methods of waging war. Attaching great importance to the appeal of the Government of the Democratic Republic of Viet-Nam on this question, the Co-Chairmen call on the International Commission to carry out without delay an investigation in the areas described in the telegram from the Minister for Foreign Affairs of the Democratic Republic of Viet-Nam dated February 22 of this year. The Co-Chairmen would like to receive in the shortest possible time a detailed report from the Commission on the results of their investigations.

**Note addressed by H.M. Embassy, Moscow, to the Foreign Ministry
of the Soviet Union, 28th March, 1963**

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and have the honour to inform them that the proposal in their Note of March 22 for the despatch of a joint message to the Chairman of the International Commission for Supervision and Control in Viet-Nam has received the careful attention of Her Majesty's Government.

2. According to the understanding of Her Majesty's Government, however, the allegations reproduced in the Ministry's Note are already the subject of study by the International Commission. There would therefore appear to them to be no need for the Co-Chairmen to draw the allegations to the Commission's attention.

3. Since, moreover, the Geneva Agreements of 1954 provide a definite procedure for the investigation of complaints by the parties which fall within the scope of the Agreements, Her Majesty's Government would regard it as undesirable for either of the Co-Chairmen to express any opinion on the truth or the relevance of allegations made in respect of these Agreements, which the International Commission has not had full opportunity to consider. Her Majesty's Government could not therefore, in any case, subscribe to a message couched in the terms proposed by the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics. According to the information at present available to Her Majesty's Government, there is, in fact, no substance in the allegations reproduced in the Ministry's Note.

**Note addressed by the Government of the Soviet Union to H.M. Government,
23 April, 1963**

In their Note of March 22 of this year the Soviet Government approached Her Majesty's Government with a proposal to send a joint message to the Chairman of the International Commission for Supervision and Control in Viet-Nam requesting an investigation of the facts of the use of toxic chemical substances against the South Viet-Nameese population. These facts were set out in a message from the Minister for Foreign Affairs of the Democratic Republic of Viet-Nam, Mr. Ung Van Khiem, to the Co-Chairmen of the Geneva Conference of 1954.

In their answering Note Her Majesty's Government in essence refused to accept the proposal contained in the Soviet Note, stating that they did not see the necessity of drawing the attention of the Commission to the facts in question in so far as these facts were already the subject of study.

In reality, however, the situation is not as stated in the answering British Note.

According to the information available to the Soviet Government, the International Commission has still not begun an investigation of the facts

set out in the message of the Government of the Democratic Republic of Viet-Nam. At the same time, as is apparent from the reports of telegraphic agencies, the use of toxic chemical substances against the South Viet-Nameese people is continuing. According to a report from "United Press International" in Saigon of March 20 of this year, a representative of the American armed forces in South Viet-Nam stated that "there is no doubt that these chemical substances are effective", and the General Director of the Information Service of South Viet-Nam, Phan Van Tao, admitted at a Press conference in Saigon that there had been 15 occasions of spraying these substances from aeroplanes and manually from lorries.

The Government of the Democratic Republic of Viet-Nam on April 5 of this year once again reminded the Co-Chairmen and the International Commission of his call for the taking of effective measures towards the cessation of the use of toxic chemical substances against the South Viet-Nameese population.

Thus the necessity for an urgent investigation by the International Commission of these facts is becoming ever more obvious. The Soviet Government once again urges Her Majesty's Government to associate themselves with the proposal set out in the Note of the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics of March 22 of this year. It goes without saying that they would be ready to consider a British draft of a joint message from the Co-Chairmen to the International Commission.

No. 116

**Note addressed by H.M. Embassy, Moscow, to the Foreign Ministry of
the Soviet Union, 18 May, 1963**

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics, and have the honour to inform them that Her Majesty's Government have carefully reconsidered the Ministry's Note of 22 March of this year in the light of the observations contained in their further Note of 23 April.

2. In this Embassy's Note of 28 March it was pointed out that the Geneva Agreements of 1954 lay down a definite procedure for investigating complaints which fall within the scope of the Agreements. Her Majesty's Government still do not believe that a departure from this procedure is required. The Soviet Ministry of Foreign Affairs has contested the assertion contained in Her Majesty's Embassy's Note of 28 March that this procedure is already being actively applied by the International Control Commission. Her Majesty's Government have again made enquiries and have ascertained that their earlier information was correct and that the International Control Commission has, in fact, been in correspondence with the Government of the Republic of Viet-Nam in order to satisfy itself whether any action is indicated under the Geneva Agreement of 1954. It would therefore seem to Her Majesty's Government both unnecessary and undesirable for the Co-Chairmen to intervene with the Commission in this matter.

3. However, as the Soviet Government has released its views to the Press, Her Majesty's Government feel that they must also set out in this Note, for

similar release, their reasons for believing that the *prima facie* evidence available would not in any case justify an extraordinary intervention by the Co-Chairmen:

- (a) Her Majesty's Government have no evidence that chemical sprays have been used in counter-insurgency in Viet-Nam, other than common weed-killers such as are sold commercially and are widely used in the United Kingdom, the United States, the Soviet Union, and other countries employing scientific methods of agriculture. Even the most powerful of the weed-killers used is a compound which is freely available for commercial sale in the United States for use in fields and gardens. In the light of enquiries that they have made into the active components of these weed-killers, Her Majesty's Government cannot believe that they could, as alleged, cause poisoning or similar physical harm to persons or animals in the area over which it was sprayed.
- (b) According to the information available to Her Majesty's Government, moreover, the principal targets of such spraying in South Viet-Nam are the ambush cover used by terrorists along the verges of paths and canals, rather than, as had been alleged, areas of cultivation and settled habitation. It does not seem unreasonable to Her Majesty's Government that the authorities of the Government of the Republic of South Viet-Nam should use such chemical sprays for such purposes to allow the civil population to move about in peace and security.
- (c) The allegations reproduced in the Ministry's Note contain inaccuracies in regard to the areas where spraying has, in fact, taken place which wholly undermine the credibility of the information on which the allegations are based.
- (d) In their Note of 23 April the Ministry infer from the statement of a representative of the American Armed Forces that "there is no doubt that these chemical substances are effective", that the chemical substances to which he referred must in some way be noxious or poisonous to the population. It seems to Her Majesty's Government unjustifiable to draw such a conclusion, since the statement refers clearly to their effectiveness as weed-killers.

4. Her Majesty's Government suggest to the Soviet Government that the Co-Chairmen of the Geneva Conference of 1954 should not allow unsubstantiated allegations of the type to which the Ministry's Note refers to divert them from their main responsibilities and particularly from appropriate action on completed reports submitted to them by the International Control Commission.

5. On 2 June, 1962, the International Control Commission submitted a Report showing beyond reasonable doubt that the People's Army of North Viet-Nam had violated Articles 10, 19, 24 and 27 of the Cease-Fire Agreements and that the North Viet-Namese had been interfering illegally in the affairs of South Viet-Nam a long time before the Government of the Republic of Viet-Nam found it necessary to ask the United States Government for additional help in countering this interference. The Ministry will recall that the Governments of both the United States of America and the Republic of Viet-Nam have made publicly clear their view that it is only the continuance

of such interference that makes such help necessary. Her Majesty's Government have repeatedly invited the Soviet Government to join with them in an appeal to the North Viet-Nameese authorities to cease such intervention, and regret that the Soviet Government has declined to do so.

No. 117

**Statement on Viet-Nam issued by the Prime Minister,
London, 6 August, 1964**

The Prime Minister and the Foreign Secretary have reviewed the situation in South-East Asia. As regards the North Viet-Nameese attacks on United States Naval Forces, Her Majesty's Government made their position clear in the Security Council when they supported the action taken by the United States Government in accordance with the inherent right of self-defence recognised by Article 51 of the Charter of the United Nations. They share the desire of the President of the United States to avoid the risk of spreading conflict. Her Majesty's Government intend to play their full part in the Security Council and are determined to do what they can to assist in reducing the international tension that has inevitably resulted from these North Viet-Nameese attacks.

No. 118

Statement on Viet-Nam issued by the Foreign Office, 18 March, 1965

Her Majesty's Government have for some time been endeavouring, through confidential diplomatic consultations with interested Governments, to seek a basis on which negotiations might be initiated to bring to an end the fighting in Viet-Nam. One of the steps taken as part of this process was to propose to the Soviet Government on 20 February the despatch by Her Majesty's Government and the Soviet Government, as the two Co-Chairmen of the 1954 Geneva Conference on Indo-China, of a message to the members of that Conference and to the three International Control Commission Powers (India, Canada, Poland) in the following terms:

“The Co-Chairmen of the 1954 Geneva Conference on Indo-China, having noted with grave concern the dangerous state of international tension now existing in connection with Viet-Nam, request the Governments members of the 1954 Conference and the Governments represented on the International Control Commission to furnish the Co-Chairmen without delay with a statement of their views on the situation in Viet-Nam and, in particular, on the circumstances in which they consider that a peaceful settlement could be reached.”

After several reminders a reply was received from the Soviet Government on 15 March proposing a completely different joint message as follows:

“The Co-Chairmen of the Geneva Conference of 1954 on Indo-China, noting with deep anxiety the dangerous tension in Viet-Nam which has arisen as a result of the armed interference of the United

States of America in the affairs of the Viet-Nameese people, condemn the gross violation by the United States of America of the Geneva Agreements of 1954, call upon the Government of the United States of America immediately to cease aggressive acts against the Democratic Republic of Viet-Nam, completely to withdraw their troops and remove their equipment from South Viet-Nam and to grant to the Viet-Nameese people the possibility of deciding its fate for itself. The Co-Chairmen express the hope that all the countries which participated in the Agreements of 1954 will support this appeal and will demand from the United States of America strict observance of the Geneva Agreements.

The Co-Chairmen request the Governments of the countries which participated in the Geneva Agreement on Indo-China and the Governments represented in the International Control Commission immediately to communicate their considerations on the said question."

No. 119

Message from the Co-Chairmen of the Geneva Conference to the Prime Minister of Laos, 4 April, 1963

The Co-Chairmen of the International Conference on the Settlement of the Laotian Question have learned with the deepest regret of the assassination of M. Quinim Pholsena, the Foreign Minister of the Kingdom of Laos. The Co-Chairmen deeply deplore this crime. They are concerned at this recourse to violence. They would like to convey their deep sympathy to the Government of Laos upon the loss of this distinguished member of the Government of National Union.

The Co-Chairmen appeal to all parties in Laos to assist in such investigations and in taking such measures as may prove advisable to prevent actions which might endanger the peace of Laos and the execution of the Geneva Agreements.

No. 120

**Message from the Foreign Secretary to Mr. Gromyko,
London, 19 April, 1963**

I am sure that you must be as disturbed as I am about the situation in Laos. Over the last fortnight there have been reported many breaches of the cease-fire, the armed forces of the Neutralist Party have been under serious military attack, and grave accusations have been made both by the Prime Minister of Laos and by Governments who are parties to the Geneva Agreement on Laos about the presence of foreign military personnel. I feel that we in our capacity as Co-Chairmen should take active steps to safeguard the Geneva Agreement and to exercise supervision over the observance of the Declaration of the Neutrality of Laos and its Protocol.

2. I should be very glad to have your views on what we might do. My own suggestion is that we should give guidance to the International Control Commission and counsel to the Royal Government of Laos along the following lines.

3. I think we might inform the Chairman of the Control Commission that we fully support the efforts which he has been making to discharge, in this difficult situation, the obligations laid upon the Commission by the Geneva Agreement. We might invite him to report to us forthwith on the steps which he is taking to bring an end to the fighting and to restore the situation in Laos.

4. At the same time I think we should counsel the Government of Laos to co-operate particularly closely with the Commission in carrying out its task in accordance with its obligations under the Geneva Agreement. As regards the fighting which has broken out would you be prepared to join me in issuing a joint appeal for a truce to all three parties in Laos?

5. Finally ought we not to consult with the Laotian Government as to what could be done to strengthen their position? The lack of progress in reunifying the country and the recent breakdown of the cease-fire are matters of concern to all signatories of the Geneva Agreement. It seems to me that they have led to a situation where the arrangements in the Protocol for the stationing of Control Commission teams in various parts of Laos should be revived. Only those who do not intend to carry out their undertakings under the settlement can object to such a proposal and I suggest that we should put this forthwith to the Royal Government of Laos and the Chairman of the Commission.

6. If, as I hope, you will agree with me on these points, I suggest that we should instruct our Ambassadors in Vientiane to speak accordingly without delay to the Prime Minister of the Royal Government of Laos and the Chairman of the International Control Commission.

No. 121

**Message from Mr. Gromyko to the Foreign Secretary,
Moscow, 20 April, 1963**

I have studied attentively the letter about the position in Laos which your Ambassador in Moscow passed on to me. I share your concern and believe it would be desirable for the two Chairmen to send a joint message to the Coalition Government and the three political forces composing this Government, appealing to them to find ways to a peaceful settlement in strict accordance with the Geneva Agreements. Such an appeal from the two Chairmen could be passed without delay to the Coalition Government through our Ambassadors in Vientiane, and I would ask you to consider the attached draft of a joint message.

We have always considered that the role of the International Control Commission in Laos, which has acted and is acting in accordance with the Geneva Agreements, is a positive one. As is well known, the Commission has already visited various parts of the country, and it would be useful to receive information about the results of these journeys. Our draft message touches also on this question. Of course it goes without saying that the Commission could continue to carry out its functions in accordance with the Geneva Agreements without interfering in the internal affairs of Laos, since such interference might complicate the situation, whereas the basic task of the

Commission, especially in connection with the most recent events, demands that all interested parties and States, who are signatories to the Geneva Agreements, should not undertake anything which would contravene these Agreements, and should direct their efforts to the settlement of the Laos question on the basis of the Geneva Agreements.

(Enclosure)

Draft Message Proposed by Mr. Gromyko for Despatch by the Co-Chairmen of the Geneva Conference of 1961-62 to the Royal Laotian Government

The two Chairmen of the International Conference on the Settlement of the Laos Question express their serious concern in connection with the acts of political terror and the military clashes which have been taking place of late in Laos, and consider that these events constitute a threat to peace in that country and may lead to the undermining of the 1962 Geneva Agreements.

The two Chairmen proceed from the assumption that the internal problems of Laos should be settled by the Laotians themselves, and that the Geneva Agreements and the existence of the Coalition Government create favourable conditions for collaboration between all forces which support the building of a peaceful, independent and neutral Laos, and also for the removal of the lack of trust between the three political groups which has arisen in the past. For their part, all the States who are parties to the Geneva Agreements should, of course, execute strictly their obligations according to these agreements, thereby assisting the Coalition Government in the solution of internal problems in a spirit of peace and national unity.

The two Chairmen have received from certain States who are members of the Geneva Conference on Laos, statements in which alarm is expressed at the present development of the situation in Laos and in which facts are adduced which indicate a violation of the Geneva Agreements on Laos. In these statements it is reported, in particular, that military personnel of the United States have not been completely withdrawn from Laos and that the United States are continuing to give military aid to one of the political groupings in Laos. Arms and ammunition are being conveyed in American aircraft to detachments of diversionists operating in the rear of the national-patriotic forces. The statements further note that a considerable number of South Viet-Nameese and Chiang Kai-shekist officers have lately penetrated to the Plain of Jars and other points in the country. Attention is drawn to the fact that there continue to be American servicemen in Thailand, which increases tension and creates a threat to the security of Laos. In the statements referred to responsibility for the tense situation which has arisen in Laos is laid upon the Government of the United States and the political forces in Laos supported by it, whose actions are directed to the undermining of the Agreement concerning the Coalition Government and of the Geneva Agreements. The two Chairmen assume that in the situation which has arisen, the most important task of the Coalition Government is not to permit the unleashing of military operations in the country and to strive to secure national harmony. In this connection they appeal to representatives of the three political forces in Laos, which form part of the Coalition Government, to give orders to the armed forces under their control not to undertake any

actions which would be at variance with the Geneva Agreements, which envisage the development of Laos along the road of peace, independence and neutrality, and to direct their efforts to a peaceful settlement, by means of talks and in collaboration with the International Commission for Inspection and Control, of the dangerous situation which has arisen and thereby to guarantee the effective operation of the Coalition Government and national unity.

The two Chairmen expect in the near future to receive from the International Commission a report on the recent visits by its members to various areas of the country. They hope that the Government of Laos will, as it has done hitherto, give the International Commission the necessary assistance in the execution of its tasks as laid down by the Protocol to the Declaration of the Neutrality of Laos.

The two Chairmen express the hope that their appeal, which is dictated by the desire to contribute to normalisation of the situation in Laos and to implementation of the Geneva Agreements on the Settlement of the Laos Question, will meet with understanding and support from the three political forces in Laos which form part of the Coalition Government of National Unity, and also from all the Governments of countries which are members of the International Conference on Laos.

No. 122

**Message from the Foreign Secretary to Mr. Gromyko,
London, 21 April, 1963**

Thank you for your very prompt answer to the message which I sent you through our Ambassador. I should be glad to join you in sending the message which you propose to the Government of Laos and the three parties in Laos, provided that you can meet me on a couple of points.

In the first place, your third paragraph refers to certain accusations which have been made of interference in Laos and breaches of the Geneva Agreement. There have, of course, been many accusations on this point, but you have singled out only those which relate to the Americans and I do not feel that I could join in including these in a message to the Laotians. In the first place, I do not myself believe that they are correct, but in any event I am sure that it would be wrong to single out only those accusations which have been made against one party. This would show a lack of impartiality on the part of the Co-Chairmen. I suggest we ought not to pronounce on such matters until we know the views of the International Commission on the causes of the present state of affairs. I therefore hope that you will agree that we should omit from our message the whole of your third paragraph, from the words: "The two Chairmen have received from certain States . . ." down to the words, ". . . concerning the Coalition Government and of the Geneva Agreements." The third paragraph would then start, "The two Chairmen assume . . ."

My second point relates to the next paragraph where you suggest that we say that we "hope that the Government of Laos will, as it has done hitherto, give the International Commission the necessary assistance in the execution of its tasks, etc." I do not want to accuse the Laotian Government of

lack of co-operation, but I feel that it is really for the Commission itself to say whether it is receiving the full assistance which it requires, and I think it would be better not to raise this issue as between the Laotian Government and the Commission. I therefore suggest we omit the words "as it has done hitherto,".

If you can agree to these two amendments, our Ambassador in Vientiane will be ready to join with yours immediately in conveying our joint message to the Laotian Government and the three parties. Since the message makes mention of the Commission, I think that the Ambassadors should also give copies to the Chairman of the Commission, drawing his attention to the passages which concern that body.

I hope that we can act on this together very rapidly. If so, I feel sure that it will be of considerable help in the present situation.

No. 123

**Message from Mr. Gromyko to the Foreign Secretary,
Moscow, 23 April, 1963**

I have received your letter of 21 April. I regret that our draft of a message from the Co-Chairmen of the International Conference for the Settlement of the Laos Question for the Coalition Government of National Unity of Laos has not proved acceptable to you. It is not possible to agree to your proposal to exclude from the Soviet draft mention of the statements made by certain States in which responsibility for the tense situation which has arisen in Laos is laid upon the United States and the political forces in Laos supported by them. As regards your amendment to the penultimate paragraph, in which you propose to omit the words "as hitherto", this could be adopted. Nor have we any objection to our Ambassadors in Vientiane passing a copy of this message to the Chairman of the International Commission, drawing his attention to the passages which relate to the Commission.

Taking into account the appearance in the British Press of communications to the effect that correspondence is in progress between the Co-Chairmen of the Geneva Conference concerning the position in Laos, we, in order to avoid a one-sided treatment of the stated positions, are passing our draft of the message from the Co-Chairmen for publication.

No. 124

**Text of Draft Message Proposed by Mr. Gromyko on 6 May for Despatch
by the Co-Chairmen to the Prime Minister of Laos**

Mr. Prime Minister, in their message of 8 April the Co-Chairmen of the International Conference on the settlement of the Laotian Question, having expressed deep condolences on the murder of that outstanding member of the Government of National Unity—the Minister for Foreign Affairs, Quinim Pholsena, called on all sides in Laos to co-operate in taking measures to prevent actions which could place peace in that country and the carrying out of the Geneva Agreements under threat. Since then about a month has

passed. Nevertheless, the situation in Laos and its capital, Vientiane, as before remains abnormal and dangerous for the lives of members of the Coalition Government—supporters of the independence and neutrality of Laos.

2. The Minister of Internal Affairs of Laos, Pheng Phongsavan, informed the Co-Chairmen that he has at his disposal information on the preparation by hostile forces of new terrorist acts against various members of the Coalition Government. Serious anxiety is also aroused by a report that the Vientiane police, which is under the authority of General Nosovan, is carrying out searches in certain ministries and in fact imposing its control over governmental institutions. In a situation where the necessary guarantees of the security of members of the Government and the conditions for the normal activity of governmental institutions are absent, certain members of Coalition Government from Neo Lao Hak Sat and the Neutralists were forced, as is known, temporarily to leave Vientiane.

3. The Co-Chairmen think that immediate measures taken by the Coalition Government to assure security in Vientiane would be an important step towards re-establishing the normal activity of the Coalition Government and strengthening mutual trust between the three political forces. In this connection the creation of mixed police on the basis of the agreement already reached earlier between the three political forces, and the neutralisation of the capital would have great significance.

4. The Co-Chairmen are also concerned by a report that the representatives of India and Canada have been sent to the Plain of Jars in evasion of the Geneva Agreements. This step contradicts the principles on which the activity of the International Control Commission is based, and cannot be considered as other than an attempt at foreign interference in the internal affairs of Laos. The Co-Chairmen consider that the International Control Commission should carry out its observation and control activity in strict accordance with the provisions of the protocol to the declaration on the neutrality of Laos, *i.e.*, with the agreement of the Coalition Government, which represents the three political forces in the country.

5. The Co-Chairmen express the hope that relevant measures on your part, Mr. Prime Minister, will serve the cause of the normalisation of the situation in Vientiane and in the country as a whole.

No. 125

**Message from the Foreign Secretary to Mr. Gromyko,
London, 9 May, 1963**

I have studied the Soviet draft of a message from the Co-Chairmen to the Government of Laos which was handed to Sir Humphrey Trevelyan by Mr. Lapin on 6 May. I regret that I cannot agree with this proposal.

2. As regards the situation in Vientiane, I have no evidence for the allegations made about the preparation of hostile acts against the Coalition Government. I have received no communication from that Government about this nor from the International Control Commission. As I have pointed out previously in our exchanges, I do not believe that the Co-Chairmen ought to act on unfounded rumours; it was the intention of

the Geneva Agreements that the Commission should be responsible for investigating breaches of the Agreement and for reporting on them to the Co-Chairmen. That is still the proper procedure.

3. As regards the creation of a joint Police Force in Vientiane, I understand that the three parties in Laos have reached an agreement in principle about this between themselves. I do not therefore feel that there is a need for the Co-Chairmen to intervene. On repeated occasions in recent years the Soviet Government have emphasised that the Co-Chairmen should abstain from actions in Laos which could be construed as interference in the internal affairs of that country. It seems to me that the present Soviet proposal would be an outstanding example of such interference. I hope, however, that the Laotian Government will be able to reach agreement on integration of Police Forces throughout the country, and that all parties will co-operate in working for the integration of the Army and the Administration, in accordance with the Zurich Agreements. It is regrettable that the Neo Lao Hak Sat have so far repeatedly obstructed any steps towards a united Laos.

4. I also find it hard to understand the Soviet Government's suggestion that the Co-Chairmen should inform the Government of Laos that the International Control Commission should be withdrawn from the Plain of Jars. In view of the very dangerous situation recently existing in the Plain of Jars all parties in the area should have welcomed the presence of the Control Commission. The refusal of the Neo Lao Hak Sat to allow the Commission to visit areas under its control was a clear attempt to frustrate the proper working of the Geneva Agreement and the intentions of the members of the Geneva Conference on Laos. The Neutralist Party, however, was willing that the Commission should visit areas under its control. The Prime Minister of Laos, who had previously obtained the consent of the leaders of the Neo Lao Hak Sat and of the Right-wing parties therefore asked the Commission on behalf of the Government of Laos to go to the Plain of Jars. I cannot see what motive the Polish delegate can have had for opposing this. The Commission, in accordance with Article 14 of the Protocol of the Geneva Agreement on Laos, decided by a majority vote that they should proceed to the Plain of Jars. The refusal of the Polish Commissioner to accompany them is a direct violation of Article 16 of the Geneva Protocol, which obliges delegations to ensure the presence of their own representatives, both on the Commission and on the Inspection Teams. I am so informing the Polish Government through their Embassy in London and would be grateful if the Soviet Co-Chairman would consider taking similar action with the Government of Poland.

No. 126

Soviet Draft Message to the Geneva Conference Powers, 13 May, 1963

The Co-Chairmen of the International Conference for the Settlement of the Laotian Question have received a letter from the Chairman of the Central Committee of the Neo Lao Hak Sat, Prince Souphannouvong, dated May 5, 1963, in which he draws the attention of the Co-Chairmen to the situation in Laos which is extremely dangerous for peace, and which

creates a threat to the existence of the Coalition Government of National Unity and the carrying out of the Geneva Agreements of 1962.

The letter tells of the continuing foreign interference in the internal affairs of Laos. It notes, in particular, that the United States have not completely withdrawn their military personnel from Laos, and are continuing to give military assistance to the Savannakhet Group. American planes are delivering weapons and ammunition to elements of Nosavan's troops, including those moved into areas controlled by the Neo Lao Hak Sat and Neutralists. With the aim of intimidating the national-patriotic forces of Laos, the American Seventh Fleet is moving towards the Gulf of Siam and manoeuvres by troops of member countries of SEATO are being organised near the frontiers of Laos. The letter also adduces facts about the violation of the Geneva Agreements by South Viet-Nam and Thailand.

Prince Souphannouvong relates further that most recently elements of Nosavan's troops have captured a series of important points in the Province of Xieng Khouang and have violated the cease-fire line there.

The letter shows that the political terror, of which Minister for Foreign Affairs Quinim Pholsena was a victim, and also illegal arrests and the persecution of the supporters of an independent and neutral Laos have created an atmosphere in Vientiane such that normal functioning of the Coalition Government has in fact become impossible, and the lives of Ministers of the Neo Lao Hak Sat and the Neutralists have been placed under threat.

The attention of the Co-Chairmen is also drawn to the fact that on April 28, 1963, the Indian and Canadian representatives of the International Commission for Observation and Control decided to send to the Plain of Jars a Permanent Group of the International Control Commission, in contravention of Articles 14 and 16 of the Protocol to the Declaration on the Neutrality of Laos.

Prince Souphannouvong states that the Neo Lao Hak Sat for its part will continue strictly to fulfil the Geneva Agreements and insist on the continuation of talks between the three sides and expresses his readiness to solve Laos's urgent problems on the basis of agreement between them. Moreover, he suggests that steps should be taken to force the United States to remove completely its military personnel from Laos, including such American semi-military organisations as the Air America Company and United States Agency for International Development, to stop unilateral aid to the Savannakhet Group and to ensure the withdrawal of troops of this Group from areas under the control of the Neo Lao Hak Sat and the Neutralists. It is also proposed that the so-called Permanent Group of the International Control Commission should be recalled from the Plain of Jars. According great significance to Prince Souphannouvong's letter the Co-Chairmen appeal to all Governments of countries party to the Geneva Agreements of 1962 not to allow any infringement whatever of the obligations they have undertaken and to refrain from actions which could hinder the efforts of the Coalition Government to normalise the situation in the country and solve urgent questions which confront Laos.

The Co-Chairmen also appeal to the Prime Minister of the Coalition Government, Prince Souvanna Phouma, to take the necessary measures for

the prevention of foreign interference in Laotian affairs, for the removal of troops of the Savannakhet Group from the areas under the control of Neo Lao Hak Sat and the Neutralists, and also to ensure the reliable guarding of members of the Coalition Government, so as to guarantee their security and the normal functioning of the Government.

The Co-Chairmen, guided by the desire to aid a peaceful settlement in Laos and the fulfilment of the Geneva Agreements, express the hope that their appeal will be met by due understanding and support from the Coalition Government of Laos and also from all participants in the Geneva Conference on Laos.

No. 127

Message to the Co-Chairmen of the Geneva Conference from the Prime Minister of Laos, Vientiane, 18 May, 1963

Excellency, on May 5, 1963 Prince Souphannouvong, Vice-Premier of the Provisional Government of National Union and President of the Neo Lao Hak Sat addressed a lengthy protest to the Co-Chairmen of the Geneva Conference against the violations of the Geneva Agreements by the "American Imperialists and the Savannakhet Group". The procedure employed by the Vice-Premier gives rise to extreme reservation on my part because it oversteps the rules of Government hierarchy and solidarity and I raise in my turn a vigorous protest. I regret to have to declare that the allegations of the President of the Neo Lao Hak Sat especially those concerning the Neutralist forces, are insufficient and either without foundation or fabricated.

(1) Prince Souphannouvong refers to the arrest of Colonel Thanh and Lieutenant-Colonel Kongsy, officers of the Neutralist forces, of the assassination of H.E. Quinim Pholsena and of Police Colonel Khanty. I do not see why these questions of domestic nature are brought to the attention of the Co-Chairmen. I note, however, that Prince Souphannouvong omits to mention the assassination of Colonel Ketsana. It was this first outrage on a Neutralist officer which set off the whole most regrettable series of murders which followed.

(2) Prince Souphannouvong mentions that a series of arrests and illegal searches have been carried out in Vientiane by henchmen of the American Imperialists and by armed forces of the Savannakhet Group who have moreover engaged in acts of intimidation. Here again, I enter a formal denial. The Government of National Union has its seat in the capital. No manifestation of this kind, the importance of which excludes the possibility of it being carried out clandestinely, has been reported to me. The only search which has been made was that of the Directorate of Information where anti-Government pamphlets had been printed.

(3) At the present time, continues the President of the Neo Lao Hak Sat, the Savannakhet Group is pursuing its plan to arrest and assassinate numerous other patriots among whom are representatives of the Neo Lao Hak Sat. It will not escape Your Excellency that such assertions, lacking any proof, cannot be accepted. They are deliberate campaign against political opponents.

(4) Prince Souphannouvong has referred to a series of acts of provocation and military attacks in the Province of Xieng Khouang particularly in the region of Khang Khay in the Plain of Jars, perpetrated by elements of the Thai army introduced into the ranks of Konglae. I state most categorically that there are no troops under General Konglae's command except Neutralist and that it is the Pathet Lao who have used the dissidents of the Deuane Group and their associates deliberately to provoke the re-opening of hostilities in the areas referred to. I will recall the fact that I have requested Prince Souphannouvong to ask the International Control Commission to intervene with the object of observation and enquiry. My request has been rejected, moreover the recent firing on two helicopters of the International Control Commission by the Pathet Lao is a very clear proof that he (Prince Souphannouvong) does not wish to collaborate in any way.

(5) Prince Souphannouvong contests the correctness of the decision taken to send an International Control Commission team to the headquarters of General Konglae. In a letter 724/PC of April 23, 1963 which I addressed to His Excellency Mr. Avtar Singh, (Chairman of the International Control Commission in Vientiane), I asked for the despatch of a team of the Commission to the headquarters of General Konglae making it known at that time that the principle had been accepted by Prince Souphannouvong himself in the presence of Their Excellencies Mr. Avtar Singh and the Ambassadors of the Soviet Union and Great Britain.

(6) The Neo Lao Hak Sat called insistently for negotiations according to Prince Souphannouvong. Even now I still await a reply from Prince Souphannouvong to my request that he come to Luang Prabang to continue the discussions begun at Khang Khay, his security and that of his associates being assured by the offices of the International Control Commission. I do not wish even to mention on this occasion my numerous journeys to Khang Khay to attempt to resolve our differences. This is public knowledge. Such, Your Excellency, are the real facts. I am ready to agree to any enquiry which could help to clarify the views of the Co-Chairmen of the Geneva Conference. I am ready at any time to discuss with the Neo Lao Hak Sat all questions in dispute. The Neutralist Group desire peace, concord and strict neutrality for the Kingdom of Laos. It rests with the Neo Lao Hak Sat in their turn to make the necessary gestures. I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

No. 128

**Special Report to the Co-Chairmen of the Geneva Conference from the
International Commission for Supervision and Control in Laos,
Vientiane, 22 May, 1963**

The International Commission wishes to inform the Co-Chairmen that in the last few days the military situation in the area of the Plaine des Jarres has deteriorated considerably and seems to be worsening every day. The Commission feels gravely concerned about this situation, coupled with the fact that during this period the leaders have not been able to agree even on the basis and venue for further negotiations. It requests the Co-Chairmen to consider the desirability of issuing an immediate appeal to all concerned in

the Royal Government of National Union in Laos to order a cease-fire and to devise ways and means of restoring military and political stability in the country on the basis of the *status quo ante* of June 23, 1962, and to utilise the services of the Commission for this purpose on the basis of the Geneva Protocol.

No. 129

Message from the Co-Chairmen of the Geneva Conference to the Prime Minister of Laos, 29 May, 1963

The Co-Chairmen of the International Conference on Laos present their compliments to His Highness the Prime Minister of the Royal Government of Laos and acknowledge receipt of the message which he handed to their Ambassadors in Vientiane on May 17.

2. The Co-Chairmen have noted the statement of the Prime Minister of Laos that he is ready to agree to any inquiry which could help to clarify the views of the Co-Chairmen and that he is ready at any time to discuss with the Neo Lao Hak Sat all questions in dispute. The Co-Chairmen fully endorse the desire of the Neutralist Group in Laos, as expressed in the Prime Minister's message, for peace, concord and strict neutrality in the Kingdom of Laos. They request the Prime Minister to convey to all parties in Laos their appeal to them to come together without delay to reach agreement on this basis at whatever place in Laos the Prime Minister may propose; and which may be acceptable to the three parties, it being understood that he will make all necessary arrangements for the security of the representatives of all parties.

3. At the same time the Co-Chairmen express the earnest hope that all parties in Laos will afford to the International Control Commission for Supervision and Control, established by the Geneva Agreement, the fullest co-operation and facilities to enable it, in strict conformity with the Geneva Agreements and with the concurrence of the Coalition Government of Laos as provided in the said Agreements to supervise the settlement and carry out such enquiries as are necessary to inform the Co-Chairmen and the signatories of the Geneva Agreement of the true situation in Laos.

4. The Co-Chairmen have received a special report from the International Commission for Supervision and Control in Laos, of which they enclose a copy. They fully endorse the concern expressed in the report and the appeal which it contains to all concerned in the Royal Government of National Union. The Co-Chairmen of the Geneva Conference avail themselves, etc.

No. 130

Letter to the British Co-Chairman of the Geneva Conference from the Prime Minister of Laos, Vientiane, 18 June, 1963

I have the honour to refer to your message of May 29, copies of which I transmitted on receipt to the heads of the two other parties.

The delay in my reply to this message has been occasioned by my hope that Neo Lao Hak Sat would have put its injunctions into effect and we might

thus have been able to engage in negotiations aimed at ending the present grave situation in Laos.

But despite my efforts, witnessed by the exchange of telegrams with the head of this party, copies of which I attach,⁽¹⁾ no solution of this kind seems likely to come about.

The Neo Lao Hak Sat continue to impose unacceptable conditions for a meeting. They demand, as a preliminary, the settlement of precisely the questions which ought to be put on the agenda of our talks.

In the military field, the hostilities launched by this party far from abating have redoubled in intensity and are now spreading to other parts of the kingdom. For Your Excellency's information I attach, also in an annex,⁽¹⁾ a list of offensive actions taken by the Neo Lao Hak Sat since May 30.

Apart from the intensification of their military action, the Neo Lao Hak Sat seem to be applying themselves to terrorising the population. On the morning of June 13, men of this party savagely murdered the wife and three children of Major Tong who was carrying out the duties of civil administrator of a group of villages near Savannakhet. Three other children of the major were seriously wounded.

I do not wish to enlarge on the atrocity of such an act, the purpose of which was without doubt to influence administrators in such a way as to imbue them with the idea that they must side with the Pathet on pain of the severest reprisals.

In the present circumstances, it appears that the cease-fire agreements have been deliberately violated by the Neo Lao Hak Sat and that as a result there is a risk of the Geneva Accords being gravely compromised.

For my part, I have made every effort to end this explosive situation. In return, the Neo Lao Hak Sat have done nothing but put obstacles in my way.

This flagrant bad faith leaves me but little hope for the outcome of the numerous appeals which I have made and continue to make for the peaceful discussion of the problems which confront us.

It is for this reason that I beg Your Excellency to intervene once more with the Neo Lao Hak Sat so that they may agree to negotiations; these alone can save Laos from a war, the extent of which I dare not contemplate.

No. 131

**Letter to the British Co-Chairman of the Geneva Conference from the
Prime Minister of Laos, Vientiane, 20 June, 1963**

I have the honour to bring to your esteemed attention that the situation in the Plain of Jars, in the Provinces of Savannakhet and Thakhek, and most recently in the Province of Vientiane, is daily becoming more serious, because of the intensive and dangerous activities of the Pathet Lao and their allies.

Besides many violations of the cease-fire committed by the aforementioned troops, observers have noted the arrival in Pathet Lao zones of North Viet-Nameese combat units, fully equipped with their basic weapons, and therefore on a war footing.

⁽¹⁾ Not reproduced.

The General Staff of the Neutralist troops has noted that since the month of March, 1963, hundreds of lorries have brought troops, foodstuffs, and munitions to Nong Het, Ban Ban, Thene Phoune, (Xieng-Khouang), Khang Khay, Boung Bao (Highway 12—Nhommarath Sector) and Muong Phine. There can no longer be any doubt that North Viet-Nameese forces are massively assisting the Pathet Lao by reinforcing them along the whole front. All information agrees in this respect. Many Viet Minh units are operating in Laos.

I therefore protest in the strongest manner against these deliberate violations of the Geneva Agreement, for which the Pathet Lao and its Allies are entirely responsible. In order to enlighten Your Excellency further on the facts brought to your attention, I ask the International Commission to proceed, in conformity with its attributions under the Geneva Agreement and its Protocol, to an extended investigation. I hope that Prince Souphanouvong will be able to accept the mission of the International Control Commission, since he has always denied the presence of foreign troops in the Pathet Lao zone. It will be an opportunity to clarify this matter.

No. 132

**Message from the Foreign Secretary to Mr. Gromyko,
London, 4 July, 1963**

I am greatly concerned at the reply we have now received from the Prime Minister of Laos to the joint message which we sent him on May 29th. Prince Souvanna Phouma's letter shows how close we have come to a complete breakdown of the Geneva Agreement of last year, and reveals that at least one signatory of that agreement is completely disregarding its solemn obligations.

As I think you know, it has always been my belief that the three parties in Laos can only be reconciled if a considerable period of time is allowed during which there is not only a clear absence of interference in Laos by outside forces but also a most scrupulous avoidance by each of the three parties of any attempt to secure advantage over the others. Without these conditions the necessary mutual confidence will be impossible to achieve.

In practice, the 11 months since the Agreement was signed have been notable for a continuous stream of accusations and counter-accusations of bad faith. This has been all the more dangerous because the body which the members of the Conference had decided to set up to deal with such charges, the International Control Commission, has been wilfully prevented from investigating or assessing the accusations made. Meanwhile, it seems beyond doubt that constant attempts have been made to put pressure on the Neutralist party by bribes, threat, murder and military attacks, in breach both of the agreement between the parties and of the cease-fire. Nor can we fail to take very seriously the grave accusations annexed to the reply of the Laotian Prime Minister that gross interference in Laos, in breach of the Agreement, is being perpetrated by one of its signatories.

This is a serious situation. I fear that, unless steps are taken immediately to restore peace and unity inside Laos and to reassure international opinion that outside interference has ceased, we may find that the whole settlement

has crumbled and that we are faced with an even more dangerous situation than existed before its negotiation was begun more than two years ago. I believe that if the Geneva signatories and other members of the United Nations were made aware of the contents of the Prime Minister's letter and enclosures, without some indication that effective measures had already been taken to remedy the situation it portrays, they would be deeply shocked and would feel that some other urgent international action to keep the peace was required. I hope therefore that we can agree on some suitable action within the terms of the Geneva settlement before we give to a wider public the matters set out in Prince Souvanna Phouma's letter.

I am confident that those Governments with whom I, as British Co-Chairman, have been principally in contact, would regard the breakdown of the Geneva Agreements with dismay and that they have been doing their utmost, in good faith, to prevent it. I am also prepared to use all possible means to ensure that the genuine efforts of Prince Souvanna Phouma, as Laotian Prime Minister and leader of the Neutralist Party, to restore peace, unity and strict neutrality to the Kingdom of Laos, will not be obstructed by the Right-wing party in Laos, provided a similar spirit of co-operation is manifested by the Left-wing party. I very much hope that, as on so many occasions in the past, the wise counsel of the Soviet Government may convince the Governments with whom you, as Soviet Co-Chairman, have been principally in contact and the Neo Lao Hak Sat that a failure to return without delay to the spirit of the internal and international settlement in Laos involves risks which must at all costs be avoided.

I trust you will agree that what is most urgently required, if these risks are to be avoided, is an immediate end to further fighting, infiltration and harassment by any of the Laotian parties, and similarly immediate agreement on the practical arrangements for the meeting at the Plain of Jars between the Neutralists and the Neo Lao Hak Sat, to which they have both agreed. This should open the way to a meeting of the leaders of the three parties to arrange a more permanent settlement and a firm rejection by all concerned of any further attempt to dispute by force the settlement or the balance of forces inside the country on which it is based.

The latest news that I have received from Laos, following the recent visit of our two representatives in Laos to Khang Khay, gives me rather stronger grounds for hoping that talks between the Neutralists and the Neo Lao Hak Sat can be arranged and a truce established meanwhile. I believe it is our duty to help these developments forward with all the influence we can bring to bear, and I should be very ready to consider any suggestions you may have on practical measures we could take, as Co-Chairmen, to help in securing these ends.

No. 133

British Draft Message to the Prime Minister of Laos, 15 June, 1963

The Co-Chairmen of the Geneva Conference on Laos of 1962 present their compliments to His Highness the Prime Minister of Laos and have the honour to inform him that, conscious of their obligations under the Protocol to the Declaration on the Neutrality of Laos of 23 July, 1962, and after careful consideration of the various reports and communications they have

received and of the observations of their diplomatic representatives in the Kingdom of Laos, they have been obliged to reach the following conclusions.

- (a) The underlying cause of the recent troubles in Laos has been the absence of progress towards establishing a unified administration, police service and army to supersede the division of the country into virtually autonomous zones of contending influence. There has not even been a fully effective cease-fire.
- (b) This situation has been rendered more dangerous to the maintenance of peace by restrictions placed on the effective operation of the International Commission for Supervision and Control.
- (c) These two factors have led to a spirit of mistrust and to accusations and counter accusations without adequate opportunity for verification, discussion or the exercise of good offices. The principal sufferers have been the population of Laos whose just expectations for the establishment of a peaceful, neutral, independent, democratic, unified and prosperous Laos have been frustrated.

With due respect to the sovereignty of the Laotian Kingdom and having in mind the concern which must be felt in South-East Asia and the whole world over the continuance in Laos of a situation which could endanger world peace, the Co-Chairmen request the Prime Minister to convey to all parties in Laos, their most solemn appeal to them.

- (i) To observe an immediate and absolute cease-fire, and to work out further practical arrangements for supervision by the International Control Commission as provided in Article 9 of the Geneva Protocol.
- (ii) To arrange an immediate meeting to negotiate a return to the *status quo* of 23 June, 1962.
- (iii) Thereafter to join together without delay in the simultaneous establishment in the main cities of all provinces of Laos of the authority of the central administration, to which all administrative organs in the provinces should give exclusive obedience and loyalty.
- (iv) At the same time to place all existing military and para-military personnel and equipment under the direction of the Central Government with a view to their subsequent reduction in the shortest possible time to a level which will provide the Kingdom with unified national forces of appropriate dimensions.

No. 134

British Draft Message to the Geneva Conference Powers, 15 June, 1963

The Co-Chairmen of the Geneva Conference on Laos of 1962 present their compliments to the Governments signatory to the Declaration on the Neutrality of Laos and have the honour to inform them that, in addition to the Special Report of the International Commission for Supervision and Control in Laos of 22 May, 1963, already transmitted to them by the Co-Chairmen with the text of the Co-Chairmen's message to the Prime Minister of Laos of 29 May, 1963, the Co-Chairmen have also received three reports from the Chairmen of the Commission which were not unanimously adopted by that body.

The Co-Chairmen consider that they should circulate these reports to the Governments signatory to the Declaration on the Neutrality of Laos, together with the texts of three letters addressed to them by the Polish Commissioner and of a letter from the Chairman of the Commission, conveying the views of the various members of the Commission on the procedures followed in preparing the three reports. They are also transmitting the text of a separate message to them from the Chairman of the Commission on the subject of the "Air America" Company, to which the Polish Commissioner referred in his third letter. The Co-Chairmen themselves have been unable to reach agreement on the procedural points raised. The views of the Polish Commissioner are upheld in full by the Soviet Co-Chairman, whereas the British Co-Chairman considers that the Polish Commissioner's lack of co-operation with his colleagues and subsequent withdrawal from their deliberations, without regard to Polish obligations under paragraph 1 of Article 16 of the Protocol to the Geneva Agreement of 1962, left the Indian and Canadian Commissioners with no alternative to proceeding as they did in order to fulfil their own obligations under the Protocol and, in particular, its Article 8.

While leaving it to the Governments signatory to the Declaration on the Neutrality of Laos to form their own judgments on this procedural issue, the Co-Chairmen wish to submit to these Governments the following conclusions that they have drawn from the various reports and communications they have received and from the observations of their diplomatic representatives in the Kingdom of Laos:

- (a) The underlying cause of the recent troubles in Laos has been the absence of progress towards establishing a unified administration, police service and army to supersede the division of the country into virtually autonomous zones of contending influence. There has not even been a fully effective cease-fire.
- (b) The situation has been rendered more dangerous to the maintenance of peace by restrictions placed on the effective operation of the International Commission for Supervision and Control in accordance with the provisions of the Geneva Protocol.
- (c) These two factors have led to a spirit of mistrust and accusations and counter-accusations without adequate opportunity for verification, discussion or the exercise of good offices. The principal sufferers have been the population of Laos, whose just expectations for the establishment of a peaceful, neutral, independent, democratic, unified and prosperous Laos have been frustrated.

Deeply concerned at this state of affairs the Co-Chairmen invite the Governments signatory to the Declaration on the Neutrality of Laos to take note of the appeal which they have issued to all parties in Laos and of which a copy is attached.

Texts referred to are at Annexes.(¹)

(¹) Not reproduced.

Soviet Draft Message to the Geneva Conference Powers, 25 June, 1963

The Co-Chairmen consider it necessary to draw the attention of the Governments of all countries signatory to the Geneva Agreements to the fact that one of the political groupings in Laos, *i.e.*, the Savannaket group, as is made clear in messages from the Deputy Prime Minister, the Chairman of the Central Committee of Neo Lao Hak Sat, Prince Souphannouvong, has moved its troops into regions controlled by the National-Patriotic Forces, has unleashed open military operations, and in so doing has placed the country on the brink of a renewal of the civil war.

At the same time, as was noted in statements of the Government of the Democratic Republic of Viet-Nam and messages from Prince Souphannouvong, the United States of America, in breach of its obligations under the Geneva Agreements, are continuing to make illegal supplies of armaments, munitions and other war materials to the forces of Phoumi Nosavan and Kong Lae. These actions of the United States of America, which have aroused the legitimate alarm of a number of countries signatory to the Geneva Agreements, are complicating the situation in Laos and making a settlement of the questions in dispute by way of peaceful negotiations between the three political groupings more difficult.

The Co-Chairmen also share the concern of the member countries of the International Conference on Laos in connection with the massive military manoeuvres organised by the S.E.A.T.O. *bloc* directly on the frontiers of Laos. Such a demonstration of strength on the part of the S.E.A.T.O. *bloc*, a number of whose members, as is well known, put their signature to the Geneva Agreements of 1962, increases tension in Laos still further, and encourages those political forces in that country which are acting in such a way as to lead to a breakdown of the Geneva Agreements and a renewal of the civil war.

In the opinion of the Co-Chairmen, with the object of normalising the situation and creating favourable conditions for peaceful negotiations between the three political parties, it is necessary to put the following measures into effect:

- (i) The forces of the Savannaket group must immediately cease their military operations and leave the regions controlled by Neo Lao Hak Sat and the Neutralists;
- (ii) The Government of the United States of America must be required to cease illegal military supplies to Laos;
- (iii) Countries which are members of the S.E.A.T.O. *bloc* must refrain from any form of demonstration of military strength on the borders of Laos, including carrying out S.E.A.T.O. manoeuvres.

The Co-Chairmen express the hope that this appeal of theirs will meet with understanding and support from all countries signatory to the Geneva Agreements and that measures will be taken ensuring the establishment of peace and national concord in Laos on the basis of the Geneva Agreements.

**Message from the Foreign Secretary to Mr. Gromyko,
London, 27 June, 1963**

I was disappointed to see the alternative you have suggested to my two draft messages from the Co-Chairmen of the Geneva Conference on Laos, which Sir Humphrey Trevelyan handed to Mr. Lapin on June 15.

I do not feel that I could accept this as adequately consolidating the contents of my two drafts, nor as an appropriate response by the Co-Chairmen to the information they have received. Your draft would give the impression that the Co-Chairmen had only taken notice of what was said by one member of the International Control Commission and one absentee member of the Royal Laotian Government, ignoring the quite contrary views and reports of the majority of the Commission and of the Prime Minister of Laos.

Since we do not seem able to reach agreement, I suggest that the best thing is for us to submit the whole question to the judgment of the signatories of the Geneva Agreement and of public opinion in general. I am therefore arranging for our exchanges to be circulated to the Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the Republic of France, the Republic of India, the Kingdom of Laos, the Polish Peoples' Republic, the Republic of Viet-Nam, the Kingdom of Thailand and the United States of America. At the same time the texts of the correspondence will be made available to the Press.

No. 137

Soviet Draft Message to the Geneva Conference Powers, 3 June, 1963

The Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam has sent to the two Co-Chairmen of the Geneva Conference on Laos a statement in which it is pointed out that the United States of America, in violation of the Geneva Agreements of 1962, are supplying armaments, munitions and other war material for the armed forces of one of the political groupings in Laos.

2. It is emphasised in the statement that these American supplies of armaments and munitions are destined for use against another political group in Laos, in essence for renewing the civil war in the country. On May 12 of this year a representative of the State Department openly admitted that the United States in fact was supplying armaments, munitions and other war material to Laos.

3. In the statement of the Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam it is correctly noted that such actions of the United States constitute interference in the internal affairs of Laos and are a gross violation of the Geneva Agreements. In particular, Article 6 of the Protocol to the declaration on the Neutrality of Laos is being broken, in which "the introduction into Laos of armaments, munitions and war material generally, except such quantities of conventional armaments as the Royal Government of Laos may consider necessary for the national defence of Laos is prohibited".

4. Thus the Geneva Agreements clearly define that military supplies to Laos may take place only at the request and with the agreement of the Coalition Government which, as is well known, includes representatives of the three political forces of the country, who have proclaimed the principle of unanimity as the fundamental method of the functioning of the Coalition Government.

5. In the agreements signed by the leaders of the three political Powers of Laos of June 12, 1962, and February 10, 1963, it is stated that all questions relative to the conduct of the Ministries of National Defence, Internal and Foreign Affairs must be settled according to the principle of unanimity. The question of supplies to Laos is just such a question which demands the unanimous decision of the three political sides represented in the Coalition Government. It is generally known also that one of the political sides taking part in the Coalition Government—Neo Lao Hak Sat—emphatically has protested and protests against American military supplies to Laos. This means that there are no grounds for referring in this case to a request of the Coalition Government, as is done in the above-mentioned statement of the State Department of the United States, in so far as the question of applying to the United States for military aid, as is well known, was not considered in the Coalition Government and no decision on this question was taken by them.

6. Attaching great importance to the questions raised in the statement of the Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam, the two Co-Chairmen consider that in the circumstances of the present dangerous situation in Laos it is absolutely necessary that all signatories of the Geneva Agreements should fulfil the obligations they have taken on themselves to respect the peace, neutrality and independence of Laos and should not undermine the basis for the co-operation of the three political sides in the Coalition Government. The two Co-Chairmen express confidence that the United States Government will heed their appeal, dictated by concern for the implementation of the Geneva Agreements, and will stop illegal supplies of armaments, munitions and other war materials to Laos.

No. 138

**Message from the Foreign Secretary to Mr. Gromyko,
London, 6 June, 1963**

I have studied the draft message to the Governments represented at the Geneva Conference of 1962, which was handed to Sir Humphrey Trevelyan by Mr. Lapin on June 3, and I have received the messages on which the fears you express would appear to be based.⁽¹⁾

2. I believe that what you propose in your draft may be based on a misunderstanding of the procedure laid down in the Geneva Agreement on Laos of July 1962. That this procedure is not being properly followed seems to me, for the reasons explained below, clearly to be the fault of the party inside Laos led by His Highness Prince Souphannouvong.

⁽¹⁾ A communication to the Co-Chairmen by the Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam and two letters of similar content from His Highness Prince Souphannouvong, leader of the Neo Lao Hak Sat party in Laos.

3. The Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam complain that there have been arms introduced into Laos, contrary to the provisions of Article 6 of the Protocol to the Geneva Agreement. It is, however, clearly laid down in Article 12 that it is for the Royal Government of Laos to say, if it considers that Article 6 has been violated, in which case it is for the Royal Government to request the assistance of the International Control Commission. Since Prince Souphannouvong occupies an important position in the Royal Laotian Government and has repeatedly, over the last few weeks, been requested without avail by the Laotian Prime Minister to attend its meetings, I cannot consider it right for him to address complaints to the Co-Chairmen alleging lack of proper consultation within the Laotian Government.

4. As you know I have been urging repeatedly that the International Control Commission should be allowed to investigate the charges and counter-charges of violation of the Geneva Agreements which are now being made. It is however the Neo Lao Hak Sat led by Prince Souphannouvong which seems to have the major responsibility, abetted by the Polish member of the Commission, for preventing the Commission from exercising an effective role as was envisaged by the Protocol.

5. The Royal Government of Laos has not thought it necessary to inform the Co-Chairmen of what armaments, munitions and war material it has considered necessary to introduce into Laos, under the provisions of Article 6 of the Protocol, nor is it in any way obliged to do so. In these circumstances, I cannot agree that the Co-Chairmen ought to pass judgment on the legitimacy or illegitimacy of any single alleged import. This is particularly true since the restrictions placed on the freedom of movement of the International Control Commission in the areas controlled by the Neo Lao Hak Sat have made it impossible for it to determine what imports have been made into the country as a whole.

6. I suggest to Your Excellency that the only correct and constructive response which the Co-Chairmen can make to the communications they have received from the Ministry of Foreign Affairs of the Democratic Republic of Viet-Nam and to His Highness Prince Souphannouvong is to urge the latter to respond without delay to the appeal already made by the Co-Chairmen for a resumption of discussion between the members of the Royal Laotian Government, and immediate cease-fire and agreement on a return to the *status quo ante* of June 23, 1962, with full and effective co-operation with the International Control Commission.

7. It must be a cause of concern to the signatories of the Geneva Agreement that the Neo Lao Hak Sat has proved too dilatory in responding to this appeal and that there are alarming indications, unverifiable because of the obstruction of the movements of the International Control Commission by the Neo Lao Hak Sat, that the Pathet Lao may be contemplating a renewal of their aggressive attacks against the Neutralist forces in the Plain of Jars. Any such renewal of fighting would, of course, create a very grave situation and I trust that you will use all your great influence to prevent it occurring.

**Letter addressed by the Prime Minister of Laos to the French Ambassador,
Vientiane, 13 July, 1963**

"In the Franco/Lao communiqué of December 15, 1962, the two Governments declared their agreement for the transfer to the Laotian Government of the military installation at Seno.

2. In a letter of April 29, 1963, the French Ambassador informed the Laotian Government that on May 1 the French base at Seno would cease to exist.

3. In a letter of May 2, 1963, to the French Embassy the Laotian Government took note of this.

4. Consequently, and in order to apply Article 5 of the Geneva Protocol, I have the honour to inform you that General Bounthieng has been appointed to proceed to the take-over of the installations of Seno, on behalf of the Laotian State.

5. The French authorities may therefore immediately arrange with the mandatory, the practical measures required for the transfer agreed between the two Governments."

**Aide-Mémoire addressed by the French Embassy in London to the
Foreign Office, 23 July, 1963**

In pursuance of Article 5 of the Protocol to the Declaration on the Neutrality of Laos of July 1962 and following the Franco/Laotian communiqué of December 15, 1962, the French Ambassador at Vientiane officially informed the Head of the Laotian Government in a letter of April 29, that the French military base at Seno would cease to exist at midnight on April 30, 1963. This letter added that the French authorities were ready to maintain a detachment provisionally to ensure the upkeep and security of the installations pending the effective transfer of the base to the Laotian authorities. Prince Souvanna Phouma approved these proposals in a note of May 2.

2. The Head of the Vientiane Government has now decided to proceed to the take-over of the Seno base by the Laotian Army. This decision was made public by a communiqué from the Presidency of the Laotian Council dated July 9. It was also the subject of a letter addressed by the Prime Minister of Laos to the French Ambassador in Vientiane on July 13, of which the text is annexed to the present *aide-mémoire*.

3. In these circumstances, the retention of the French detachment for upkeep and security is no longer justified, and the French Government has decided to withdraw it.

4. A *démarche* in the same sense has been made to the Soviet Government.

**Soviet Draft Message to the Laotian and French Governments,
9 August, 1963**

The Co-Chairmen have received information from the French Government and from official Laotian representatives regarding the French military base at Seno, which is on Laotian territory and which, in accordance with the Geneva Agreements, is subject to handing over to the Coalition Government of Laos.

As is well-known, Article V of the Protocol to the Declaration on the Neutrality of Laos, states that the question of transferring the military base at Seno should be the subject of agreement between the French and Laotian Governments. The agreement between the Governments of Laos and France of December 1962 confirmed that the conditions for transferring the Seno base would be determined by means of negotiations between the Laotian and French Governments. There is, therefore, no doubt that the question of the Seno base should be considered by the Coalition Government of Laos with the participation of the three political forces included in the Government.

However, as we have been informed by the Chairman of the Neo Lao Hak Sat, Prince Souphannouvong, the question of the conditions for taking over the Seno base has not been discussed in the Coalition Government with the participation of the three political forces. Prince Souphannouvong justifiably points out also that in this case the principle of unanimity of the three political forces in the Coalition Government has been violated, since the question of a foreign military base on the territory of Laos is within the competence of the Ministries of Foreign Affairs and National Defense and consequently requires, in accordance with the provisions of the agreements between the three sides of June 12, 1962, and February 10, 1963, an agreed decision of all three sides represented in the Coalition Government.

Attaching great significance to the precise and strict fulfilment of the Geneva Agreements, the Co-Chairmen appeal to the Prime Minister, Prince Souvanna Phouma, to ensure that the question of the Seno base is considered in the Coalition Government in accordance with the Geneva Agreements and to ensure that the three sides adopt an agreed decision. The Co-Chairmen share the opinion of Prince Souphannouvong, that until the setting up of a united national army, the Seno base should be handed over to a garrison consisting of numerically equal military units representing the three political groups in Laos.

The Co-Chairmen express the hope that their message, which is motivated by a desire to facilitate the fulfilment of the Geneva Agreements and the normalisation of the situation in Laos, will find a proper understanding and support on the part of the leaders of the three political forces of the country and of the French Government.

Aide-Mémoire delivered by H.M. Ambassador at Moscow to the Soviet Foreign Ministry, 21 August, 1963

Her Majesty's Government have studied the proposal of the Soviet Government for a message to be sent to the Royal Government of Laos and to the Government of the French Republic concerning the handing over by the French Government to the Laotian Government of the former French military base in Seno, in accordance with the understanding reached between those two Governments as part of the Geneva Settlement of 1962. Her Majesty's Government would be reluctant to send any message of the kind proposed since it seems to them that the Soviet draft is based upon some misunderstanding of recent events connected with this matter.

The Soviet Government will recall that the French Government recently addressed an *aide-mémoire* to the Co-Chairmen of the Geneva Conference informing them of the understanding which they had reached with the Laotian Government in implementation of Article 5 of the Geneva Protocol to hand over the Seno base to the Royal Laotian Government.

The British Co-Chairman considers that the action of the French Government in this matter was in every way correct and in accordance with the terms of Article 5 of the Geneva Protocol. The difference of opinion which appears to have arisen in Laos with respect to this matter merely concerns the subsequent failure of the three parties in Laos to agree on the action to be taken in respect of the base. This is a matter for the Laotians themselves in which the British Co-Chairman would not wish to intervene, and proposes that the *aide-mémoire* of the French Government should be circulated by the Co-Chairmen in accordance with the same Article and under the standard procedure. He suggests that this should be done on August 23.

Extract from the Proceedings of the House of Commons, 2 July, 1963

Mr. Heath : I would now like to turn to the policy that we have pursued in South-East Asia. The House will probably agree that there the great majority of the population ask for nothing more than peace and an improvement in their standard of living. But the Chinese aim there appears to be to undermine and subvert the existing régimes, at the same time stopping short of declaring war. It may be that the House will think that the attack on India last autumn was an exception to these tactics, but there is a place in Chinese principles for the controlled use of overt military force. On this occasion, it may well prove to have been an error of judgment, for it did not achieve the object of forcing India to settle the frontier dispute, and it called forth a response from Britain and the United States which was prompt and which was warmly welcomed.

We have just been reviewing with the United States the question of how to make our assistance for the defence of the sub-continent effective for the long haul which lies ahead. Although this incident may have increased the anxiety of some countries in South-East Asia, the Western response to it has undoubtedly had a tonic effect.

As I have said, there has never been any Chinese military move against South-East Asia but the Burmese, the Cambodians, the Thais and all the others must constantly ask themselves whether this will come about.

Mr. Harold Wilson (Huyton): Hear, hear.

Mr. Heath: I am glad to have confirmation of this from the right hon. Gentleman.

This produces an atmosphere in which many may be persuaded that their future lies in throwing in their lot with the Chinese.

We must ask ourselves what are the real British interests in the area, the defence of which would justify the risks and burdens of trying to arrest this trend. It would be a serious blow to the whole free world if South-East Asia were to be allowed to slip into the Communist camp. The threat to members of the Commonwealth would be brought much closer. India would find herself more closely encompassed by China. The Communist threat would be on the doorstep of Australia and New Zealand, and Malaya would be closely menaced.

Our policy in South-East Asia is, therefore, clear. We must help the countries in the area to keep their independence. The main problem to-day is the attempt by the North Viet-Nameese Communists to take over as much as possible of former French Indo-China. For years now we have been trying to cope with a direct attempt to seize South Viet-Nam by the creation and support of an insurgent military movement.

There have been attempts by the Communist Party in Laos to seize power also by military means. The sharpest fighting is in Viet-Nam. The majority of the International Control Commission in Viet-Nam has reported that the Government of South Viet-Nam has had to face such a campaign of subversion and military insurrection directed from outside that they have sought the assistance of the United States in order to deal with it. The Americans have responded with aid, equipment and with men to train and advise the Viet-Nameese Army. Whereas a year ago the Communist insurgents pretty well had their own way in Viet-Nam, there is now an even battle. Indeed, in certain areas President Diem's Government have been able to push back the Viet Cong and to limit their freedom of action.

However, we are now faced again with a situation in Laos which threatens to be equally grave. So far, in spite of many breaches of the cease-fire, we have been able to keep an uneasy truce in that country ever since the Geneva Conference was called two years ago. But this success is now in danger. The Prime Minister of Laos has made every effort to remedy this situation and to make his Coalition Government work effectively. My noble Friend the Foreign Secretary has repeatedly sought to get the Soviet Co-Chairman to obtain co-operation from the North Viet-Nameese and the Pathet Lao. He has taken many initiatives in this field. The House can see copies of the correspondence, which is still continuing. But all this has been of no avail.

What, then, is the explanation? Is it that the Communists in Laos have found that to apply the Geneva Agreement honestly would seriously hamper their attempt to take over Laos and that, therefore, they have abandoned all thought of honouring the agreements? Have they decided, instead, to try to partition Laos and to run what would virtually be a separate Government in

their own zone ? Will they continue to try to incorporate into this, by force, the areas held by the neutralists, so that they become masters of the greater part of Laos ?

Would they then be content to sit still for a while, or might they even be so foolhardy as to try to push on into the Mekong Valley, hoping that nobody would come to the help of Prince Souvanna Phouma and his Government to prevent this ? If this is their line of thinking they would be most unwise to come to any such conclusions. My noble Friend has been seeking to convince the Soviet Government how dangerous such a development would be.

Her Majesty's Government will continue to make every effort to see that the three parties in Laos are brought together, so that a fresh attempt may be made to go back to the proposals agreed at Geneva and to implement that settlement honourably.

We have another source of anxiety in the threatening situation which appeared to be developing between Malaya and Indonesia—

Mr. H. Wilson : Before the right hon. Gentleman leaves the question of Laos, with the possible explanation that he has given, has not the most obvious one occurred to him, namely, that the Soviet Union—as much as Her Majesty's Government and Her Majesty's Opposition—want to see the three parts of the Laos Government working closely together, but that the Soviet Government, while trying to do that, find that their writ does not run in Laos ? Is not that the obvious explanation ?

Mr. Heath : I was dealing with the explanation of the action of the Pathet Lao—the Laotian Communists—and I suggest that this is their line of thinking. It may be, as the hon. Member suggests, that the efforts of the Soviet Co-Chairman have proved of no avail with the Pathet Lao in Laos, and that, therefore, their own influence in North Viet-Nam—and possibly even the influence of the Chinese—is a matter of speculation. But the point to which I was addressing myself was the question of what is the line of thought of the Pathet Lao in the present situation.

No. 144

Message from the Co-Chairmen of the Geneva Conference to the Leaders of the three Political Parties in Laos and to the Geneva Conference Powers, 1 May, 1964

The Co-Chairmen express serious concern in connection with the attempt made on 19 April this year to achieve a military *coup d'état* in Vientiane for the purpose of overthrowing the Coalition Government of Laos. The Co-Chairmen decisively condemn this act, which is designed to undermine the Geneva Agreements which provide for the creation of a peaceful, independent and neutral Laos. The Geneva Agreements create the necessary basis for the solution of unresolved internal political questions by means of the collaboration of the three political parties in Laos in the interests of national agreement and unity.

The Co-Chairmen hope that the leaders of the three political parties in Laos as well as the Governments of the States which took part in the Geneva Conference will strictly adhere to the Geneva Agreements and that in Laos all obstacles to the normal fulfilment of its functions by the Coalition Government will be removed, notably by the resumption of the tripartite negotiations begun at the Plain of Jars in which the Co-Chairmen hope that all three parties will do their utmost to seek early agreement. The Co-Chairmen also hope that the persons who have come out against the Geneva Agreements and the Coalition Government will immediately desist from their illegal activities.

The Co-Chairmen announce their full support for the Geneva Agreements and for the Government of National Union under Prince Souvanna Phouma, which is called upon to ensure the development of Laos along the path of peace and neutrality.

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No. 145

Foreign Office Statement on Laos, 21 May, 1964

On 16 May the Prime Minister of Laos, Prince Souvanna Phouma, addressed a letter protesting to the Co-Chairmen of the Geneva Conference against Pathet Lao attacks on Neutralist forces in the Plain of Jars. Her Majesty's Government have already expressed their serious concern at the dangerous situation created by these attacks which are in flagrant violation of the Geneva Agreements and have made representations to the Soviet and Chinese Governments on the subject. They are also supporting the Laotian Prime Minister's efforts to promote consultations in Vientiane, in accordance with Article 4 of the Declaration on the Neutrality of Laos of 1962, among representatives of the Geneva Powers and of the Royal Government of Laos. Her Majesty's Government earnestly hope that these efforts, in the spirit of the Geneva Agreements, to stop the fighting in Laos and to restore the situation there will meet with a positive response from all concerned. Meanwhile, Her Majesty's Government will continue to maintain the closest possible contact on this subject with the United States Government and our allies as well as with other members of the Geneva Conference.

No. 146

Statement by the Foreign Secretary in the House of Commons, 2 June, 1964

"On 21st May Her Majesty's Government received an oral communication from the Government of the Soviet Union proposing the re-convening of the international conference on the settlement of the Laotian question. In addition, Her Majesty's Government have received a number of proposals from other Governments concerning consultations on Laos, notably from the Governments of Cambodia, China, France and Poland. I have also had a telegram from Mr. Xuan Thuy in Hanoi proposing a conference.

Diplomatic exchanges on this question are still in progress but, as an interim reply, I have informed the Governments concerned that Her Majesty's Chargé d'Affaires at Vientiane has invited diplomatic representatives in that

capital of the Geneva Powers to consultations on measures required to restore the situation in Laos. These consultations started this morning.

I have also told those Governments that Her Majesty's Government hope to be able to give a further reply when progress has been made with these consultations and in the light of developments meanwhile."

No. 147

Invitations issued by Her Majesty's Chargé d'Affaires at Vientiane to Representatives of the Geneva Conference Powers, 26 May, 1964

Your Excellency, in my capacity as the Representative of the British Co-Chairman of the International Conference on the settlement of the Laotian Question at Geneva 1961-62, I have been instructed by my Government to arrange consultations in Vientiane between the representatives of the Signatory Powers at the Geneva Conference under Article 4 of the Declaration on the Neutrality of Laos which reads as follows:

"They (the States participating in the International Conference on the Settlement of the Laotian Question) undertake in the event of a violation or threat of violation of the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos, to consult jointly with the Royal Government of Laos and amongst themselves in order to consider measures which might prove to be necessary to ensure the observance of these principles and other provisions of the present declaration."

The objective of these consultations will be:

- (a) To assess the military situation.
- (b) To call for a cease-fire and the withdrawal of the Pathet Lao troops to the position they occupied before 16 May, 1964.
- (c) To discuss any recommendations which might be made by the Co-Chairmen to the International Commission for Supervision and Control in Laos under the terms of Article 8 of the Geneva protocol.
- (d) To discuss prior conditions under which an international conference might eventually be held.

The Prime Minister has already drawn the attention of representatives of the Co-Chairmen to Article 4 of the Declaration on the Neutrality of Laos in a letter dated 19 May, 1964. He subsequently indicated that he would welcome such consultations and would be grateful if you would let me know as soon as possible whether you will be able to do so. The time and place of the meeting will be notified in due course.

Highest considerations, etc.

No. 148

Recommendations by the Representatives of the Geneva Conference Powers, Vientiane, 29 June, 1964

The undersigned representatives of the signatories of the Geneva Accords meeting in Vientiane at the request of the Prime Minister of Laos have considered in relation to the work of the International Commission for Supervision and Control what recommendations might be made to the

Co-Chairmen under Article 8 of the Geneva Protocol. They have concluded that in view of the deteriorating situation in Laos resulting from renewed military attacks and the need to increase the effectiveness of the International Commission the recommendations listed below should be made to the Commission by the Co-Chairmen in accordance with their right under Article 8 of the Protocol at any time to make recommendations to the Commission exercising general guidance. It is their belief that action on these recommendations will result in satisfactory execution of the provisions of the Geneva Agreements of 1962.

A. RECOMMENDATIONS FOR ACTION TO DEAL WITH THE PRESENT CRISIS

1. In view of the obligations imposed by Articles 14 and 16 of the Geneva Protocol on member-States of the Commission to work in harmony and to ensure the continued presence of their representatives on the Commission, the Polish representatives should be urged to resume full participation in the work of the Commission forthwith, it being understood that during their absence the representatives of India and Canada have the right and indeed the obligation to carry out the Commission's duties.

2. In view of the deteriorating situation in Laos as confirmed from time to time by the Prime Minister's statements and as demonstrated by the military assessment made during the course of the consultations in Vientiane and in particular of the recent alleged violations by Pathet Lao/North Viet-Nameese forces of Articles 4, 6 and 9 of the Protocol and of paragraph 2 (i) of the Geneva Declaration, the Commission should as a matter of urgency:

- (a) make every effort to investigate these alleged violations;
- (b) take whatever steps are open to it to restore the situation; and
- (c) report to the Co-Chairmen under Article 8 on the situation in Laos, the action taken by the Commission and any other important information available to it.

3. The Commission should supervise and control the cease-fire and withdrawal of forces called for during the consultations in Vientiane. For this purpose, it should be given every assistance that it requires from all Royal Lao Government authorities, and from all military commanders and other persons exercising authority in any area of Laos which the Commission judges it necessary to visit for the purpose of verifying the cease-fire and withdrawal. The Commission should report to the Co-Chairmen on the action it takes in accordance with this Recommendation (drawing attention to any hindrance encountered in carrying out its duties), on the observance of the cease-fire and on the progress made with the withdrawal.

B. GENERAL RECOMMENDATIONS DESIGNED TO INCREASE THE EFFECTIVENESS OF THE COMMISSION

4. The Commission should appeal to the Royal Lao Government and to all others concerned expressing the view that all members of the Commission and their personnel should be provided with the security and immunity to which they are entitled under the Geneva Agreements and which are essential for the Commission's proper functioning.

5. While unanimity within the Commission is eminently desirable as a basis for effective action, the Commission should give priority to the more basic requirement that it should carry out its responsibilities under the Geneva Agreements and to that end should exercise the right of majority action provided by the Geneva Agreements, in the awareness that any inordinate delay serves only the interest of the party against which a complaint has been made.

6. Any request from the Prime Minister of the Royal Lao Government for the Commission to investigate or despatch a team under Article 15 should be treated as a request from the Royal Lao Government and should therefore be regarded as a mandatory request under this Article, to be acted on without prior decision by the Commission itself.

7. In order to avoid situations in which the Commission is confronted with a *fait accompli* by acts of aggression, and in accordance with its obligations under Article 8, the Commission should despatch teams or observers to areas where hostilities may be expected to break out. Such teams or observers might be sent on a "temporary but continuous basis" (as in the Plain of Jars) or might be "mobile" (like those sent to Paksane and Vang Vieng) depending on the needs of the situation.

8. In order better to fulfil its obligations to report to the Co-Chairmen as set out in Article 8, the Commission should:

- (a) make more frequent periodic reports covering its activities as a whole, perhaps quarterly;
- (b) bear in mind the importance of reporting quickly to the Co-Chairmen on any violations or threats of violation of the Protocol;
- (c) make interim reports, explaining the circumstances whenever there is any undue delay in the submission of a definitive report under (b), and in particular whenever it is not possible to complete such a definitive report within a few days of receipt of a report from a team or observer(s); and
- (d) report immediately whenever any request for action is received from the Royal Lao Government.

9. The Commission should make clear to those concerned that the failure of any party to an investigation or inspection to provide facilities and access to any team or body duly constituted by the Commission to undertake a function specified under the Protocol or Declaration is a violation of Article 13 of the Protocol; any failure to provide access is furthermore a violation of the statement of neutrality made by the Royal Lao Government on July 9, 1962 (and in particular paragraph 2 thereof), a statement which was incorporated as an integral part of the Geneva Declaration.

10. The Commission should call on the Neo Lao Hak Sat authorities for a declaration, parallel to those sent to the Commission by the Prime Minister and General Phoumi Nosavan on April 12, 1963, and April 24, 1963, respectively, according the Commission full freedom to travel anywhere within the areas controlled by the Neo Lao Hak Sat.

11. The Commission should urge the Royal Lao Government to complete the working out of detailed arrangements under the general cease-fire proclaimed on June 24, 1962, in order to facilitate the Commission's execution of its responsibilities under Article 9 of the Protocol.

Statement broadcast by Moscow Radio, 26 July, 1964

The Soviet Government has once again underlined the need to call a new international conference on Laos. It suggested once before that such a conference be held in June 1964, in Geneva. Unfortunately this proposal did not get the support of the United States and certain other States.

In its new statement, the Soviet Government underline that it, as one of the participants in the Geneva Agreement on Laos, cannot be content any longer with a situation where the Geneva Agreement on Laos is being undermined and a very dangerous situation is being created in that part of the world. The Soviet Government calls attention to the interference of the United States in the internal affairs of Laos, and in particular to the one-sided military aid that they give to the reactionary forces, and have brought an extreme aggravation to the internal political situation in the country. A danger has been created of absolutely undermining the Agreement that was signed at Geneva.

The Soviet Government suggests to all Governments of all countries who signed the Geneva Agreement on Laos the calling of an international conference in August of this year to discuss immediate measures to bring a peaceful settlement to Laos.

The Soviet Government underline that the negative stand taken towards the proposal by other States places the Soviet Government in a situation where it must once again look over the question of the possibility of the Union of Soviet Socialist Republics continuing on its function of Co-Chairman. It stresses that in conditions of crude and systematic undermining of the Geneva Agreement by certain States, the role of Co-Chairman loses all of its beneficial purpose and becomes fictitious.

Extract from the Proceedings of the House of Commons, 27 July, 1964

Mr. Brockway: Can the right hon. Gentleman confirm that he has received this week-end a message from Mr. Khrushchev, as one of the Co-Chairmen, in which he indicated that he may withdraw from the Co-Chairmanship and urged that there should be a 14-Power conference on this matter? When the right hon. Gentleman goes to Moscow, will he do his utmost to secure a resumption of the Geneva Conference, which alone can be a solution of these problems?

Mr. Butler: Yes, Sir. We had hoped that the Polish proposals, which I was discussing up to Saturday evening, would be a preliminary, perhaps, to a wider conference. It now appears that the Soviet Government have certain definite views about an immediate wider conference and it is precisely this problem which I shall be discussing tomorrow.

Mr. Gordon Walker: Will the Foreign Secretary press upon Mr. Khrushchev how grave it would be if Russia withdrew as Co-Chairman and that we have really a very great common interest in this part of the world with the Soviet Union?

Mr. Butler : I am grateful to the right hon. Gentleman for his sentiments. I certainly intend to press upon both Mr. Gromyko, who is my Co-Chairman, and Mr. Khrushchev, the importance of the Soviet Union not losing an interest in this area. We have hitherto had a wide measure of agreement with the Soviet Government on this area and it would be a great pity if it did not continue.

No. 151

Statement on Laos by the Foreign Secretary at his Press Conference in Moscow, 1 August, 1964

One of my major preoccupations in these talks has been the situation in Laos. For more than a decade Anglo-Soviet co-operation has helped to prevent the conflict in this small and distant country from spreading further. Twice, in 1954 and again in 1961, this Anglo-Soviet co-operation averted a real threat of war.

As I told both Mr. Khrushchev and Mr. Gromyko, we want this co-operation to continue—not in purely British interests, for we have none of our own in Laos—but for the sake of world peace. That is why I responded to the Soviet statement by proposing an invitation from the Co-Chairmen to a conference. When that proved unacceptable, I suggested that the Co-Chairmen should make arrangements for the three parties in Laos to meet in Europe (a meeting which we understand is acceptable to both Prince Souvanna Phouma and Prince Souphannouvong). Alternatively the Co-Chairmen would have asked the International Commission to do so.

It is my earnest hope that we shall soon find a way to continue our co-operation in this field. Meanwhile, as I explained to Mr. Gromyko, I feel I must make one more effort on my own to promote a conference on acceptable terms. I have accordingly asked the Governments represented on the International Commission in Laos—India, Canada and Poland—to try to arrange a meeting of the three parties in Laos. If the Laotians themselves could get together in the more tranquil atmosphere of Switzerland, perhaps they could agree on the terms for reconvening the Geneva Conference on the settlement of the Laotian question.

The Secretary of State then answered questions. Asked whether he thought the Russians would abandon the Co-Chairmanship he replied that the Russians were awaiting replies to their sign for a conference of the original Geneva Powers on Laos, and they would not take a decision on leaving the Co-Chairmanship until they got these replies. They had not made up their minds finally.

When asked whether he had sent a message to the member countries of the International Control Commission to ask for their help in convening a Laotian meeting the Secretary of State replied that from his contacts with the Indian and Polish Governments he knew that they were keen on helping to arrange this meeting. He had sent messages to the Governments of India, Canada and Poland asking them to try to arrange a meeting of the three Laotian parties. On being asked whether this meant that the Indians and Poles were keen but the Canadians not, the Secretary of State replied

that he had been in touch with the Canadian Government but he had been very busy and a reply had not reached him.

When asked whether this proposal was the same as the original Polish proposals, the Secretary of State explained the history of the two Polish proposals. He said he set hope on the idea of Prince Souvanna Phouma, after an approach by Prince Souphannouvong, that the Laotian parties should get together at a meeting to prepare an international conference. The idea was that such a meeting was to be the preliminary to a conference. Answering a question about the Polish Government changing its position as a result of the visit, the Secretary of State replied that we had no indication that the Polish Government had given up its idea of trying to hold a meeting. It could be that on his return to London there would be a further message from the Poles.

When asked what he thought the Russians expected to emerge from the holding of an unconditional conference, the Secretary of State replied that they would expect to achieve neutrality for Laos and that we were in agreement with the Russians. That was why we hope the Russians would not abandon the Co-Chairmanship. Neutrality was the only answer, that and the union of the three parties in Laos.

When asked whether the Chinese position had been discussed in connection with Laos the Secretary of State replied that it had been left to inference, and not discussion.

When asked whether the general success of his visit applied specifically to the Laotian question the Secretary of State replied that the Russians had taken up their position before his arrival and therefore it could not be said that the friendly atmosphere of the talks had been affected.

When asked whether the Russians had flatly rejected his proposals, the Secretary of State recalled that the Soviet Government thought the conference of the original Geneva Powers should be held without conditions, while other countries including ourselves, felt that a cease-fire and similar questions should be borne in mind and settled before a conference. That was why it was important for the three parties to meet first before the conference.

No. 152

Foreign Secretary's Moscow Visit : Communiqué issued on 1 August, 1964

At the invitation of the Government of the Union of Soviet Socialist Republics, Mr. R. A. Butler, Her Majesty's Principal Secretary of State for Foreign Affairs, accompanied by Sir Harold Caccia and official advisers from the Foreign Office, visited the Soviet Union from 27 July to 1 August.

During Mr. Butler's visit frank and friendly conversations took place with the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics, Mr. N. S. Khrushchev, and the Minister of Foreign Affairs, Mr. A. A. Gromyko.

The two sides reaffirmed their conviction that the preservation of peace in the nuclear age is the overriding interest of all countries irrespective of differences in their political and social systems. The common aim must therefore be patient and constructive negotiations, seeking peaceful and mutually acceptable solutions of contentious issues. Everything possible must be done to widen the area of agreement, and to find means of living in peace with such differences as continue to exist while pursuing the search for their solution. . . .

An exchange of views took place on the Laotian question. Both sides set out their position concerning their evaluation of the situation in Laos and of the situation which has arisen with regard to the fulfilment of the Geneva Agreements.

No. 153

**Message from the Prime Minister to Prince Sihanouk of Cambodia,
London, 2 September, 1962**

. . . As regards your proposal for an international conference, I am in full agreement that any difficulties between the Kingdom of Cambodia and her neighbours should be resolved by international negotiation. Clearly if international agreement is to be reached, there must be some procedure acceptable to all parties and particularly to those principally concerned, namely Cambodia, Thailand and South Viet-Nam. Her Majesty's Government would readily support any proposal agreed between those three parties and would willingly assist to forward such a solution in any way. I feel that it might be easier to reach a settlement by this means than by another conference of the 14 Powers.

No. 154

**Message from the Foreign Secretary to the Prime Minister of Cambodia,
London, 18 December, 1963**

As I said in my message of 4 December I have been giving your Government's proposal for the holding of a conference on Cambodian neutrality my urgent consideration and I am glad to say now that I can support your proposal in principle.

In my consultations with some of the Governments concerned, I have been made aware of serious difficulties. Nevertheless, I hope, with your assistance, that these difficulties can be overcome. In this delicate task it would clearly be of the greatest help if all Governments concerned would exercise the utmost restraint in the present situation.

I am now giving my attention to the question of what we should seek to achieve in a conference, and what results would be satisfactory to your Government and to others participating. I look forward to consulting you shortly over my preliminary conclusions based on the proposals your Government has put forward.

**Message from the Foreign Secretary to Mr. Gromyko,
London, 18 December, 1963**

I have been giving careful consideration to your Note of 11 December informing me of your Government's support for the proposal put forward by the Cambodian Government for a conference on Cambodian neutrality. Although I can support the proposal in principle, it still presents difficulties. I am, however, trying to achieve conditions which would make possible the holding of a conference with constructive results. To this end it is necessary that the Governments concerned should seek to create a better atmosphere by the avoidance of any further public controversy. I am sure you will agree that careful preparation of the work of a conference is essential in order to ensure that the results will satisfy the Cambodian Government and also be acceptable to other Governments including Cambodia's neighbours.

I am treating this matter as one of urgency and look forward to presenting some proposals to you for discussion shortly. In particular, I shall want to exchange views with you on the date and place for a conference.

I am instructing the British Ambassador at Phnom Penh to inform the Cambodian Government of the steps we are taking to meet their request.

Extract from the Proceedings of the House of Commons, 27 January, 1964

42. *Mr. Brockway* asked the Secretary of State for Foreign Affairs what further reply has been given to the request of the Government of Cambodia for the summoning of a conference representing the interested Governments to guarantee its neutral status.

Mr. R. A. Butler : After further consultations I have, as Co-Chairman, prepared drafts of documents on Cambodian neutrality such as a conference might agree to. I have put these to the Soviet Co-Chairman and to the Cambodian Government, and have invited comments from other Governments concerned. Prince Sihanouk has welcomed the drafts. The Soviet Government have meanwhile published their proposal that the Co-Chairmen should issue invitations for a Conference to meet at Geneva in April. We are considering our reply in the light of our attempts, through normal diplomatic channels, to prepare a generally acceptable basis for such a conference.

Mr. Brockway : Is the right hon. Gentleman aware that all of us will welcome that statement? Will he continue to do everything in the power of the Government to maintain the neutrality of Cambodia, which is so important for peace in South-East Asia?

Mr. Butler : Yes, Sir. The aim of Her Majesty's Government is to do our utmost, and, as Co-Chairman of the Conference with the Soviet representative, I will do my best to maintain Cambodian neutrality.

Aide-Mémoire delivered by H.M. Ambassador at Moscow to the Soviet Government, 28 January, 1964

Her Majesty's Government take note of the Soviet Government's proposal that the two Co-Chairmen should now send a message to the Governments which took part in the 1961-62 Conference on Laos proposing the convening in Geneva in April of a Conference on Cambodia. Her Majesty's Government would themselves have no objection to the place and composition of the proposed Conference. They are glad that the Soviet Government share the view that advance preparation is important and accordingly envisage a suitable interval for this purpose before an actual conference is held.

2. In these circumstances Her Majesty's Government consider it unnecessary for the two Co-Chairmen to attempt to decide on an actual date or to issue a formal invitation so far in advance. All the Governments concerned are well aware that a Conference may be required on this subject and consultations are actively proceeding with many of them.

3. Such a proceeding would, in the view of Her Majesty's Government, offer the definite advantage of permitting prior agreement to be reached on the draft texts of the proposed declarations and protocol concerning Cambodian neutrality. Until this is done Her Majesty's Government foresee difficulty in securing the agreement of all the Governments concerned to attend. Secondly, Her Majesty's Government consider that fixing the date of a Conference so far ahead might actually discourage some of the Governments concerned from continuing to seek agreement meanwhile.

4. Her Majesty's Government accordingly propose that the Co-Chairmen should defer their decision on sending a formal message to other Governments. Meanwhile the Co-Chairmen should actively pursue their informal discussions with a view to reaching agreement on the tasks to be achieved by the Conference. Her Majesty's Government consider that without such agreement beforehand among the parties principally concerned the Co-Chairmen would be unable to convene a representative and effective Conference which would be in the best interests of Indo-China and of the peace of South-East Asia.

Message to the Co-Chairmen of the Geneva Conference from Prince Sihanouk of Cambodia, Phnom Penh, 7 February, 1964

I have the misfortune to bring to your attention that regular forces of the Republic of Viet-Nam are continuing their incessant and murderous aggressions against Cambodia. The last example is the aerial bombardment of a peaceful Khmer village. Five of my compatriots, defenceless peasants, were killed and six others seriously wounded. Homes were destroyed and cattle slaughtered. This criminal and unjustifiable attack follows a long series of attacks, which are as many infringements of the most legitimate rights of nations. Our frontier population lives in anguish and demands effective protection.

2. Cambodia is at the very end of her patience and urgently demands the re-convening of the Geneva Conference. Failing this, we demand the immediate establishment at the expense of the United States which is responsible for the South Viet-Nameese war and the military operations, of fixed International Control Commission posts at sensitive (névralgiques) points on our frontier; thus in order to make known the truth about the alleged movements of South Viet-Nameese rebels in Khmer territory which serve as pretexts for these terrorist raids against our villages.

3. We request the Co-Chairmen to bring the present complaint to members of the Geneva Conference. A copy will similarly be addressed to the Secretary-General of the United Nations. Finally, I must emphasise that Cambodia cannot remain eternally passive in the face of these repeated aggressions and that if no international means is swiftly taken to bring them to an end, she will be obliged to modify her neutral status and have recourse to assistance pacts with certain big friendly Powers.

No. 159

Statement by the Government of Viet-Nam, Saigon, 12 February, 1964

On February the 4th last, the military command, having learnt of a concentration of Viet Cong elements at a place called On Dac, in Tay Ninh Province, which is to be found on the map at the reference XT 460/825, caused this concentration to be bombed.

On Dac is located 9 kilometres in a straight line from the Viet-Nameese/Cambodian border and is consequently some 12 kilometres from Mong.

Given the impossibility of verifying the allegations of the Cambodian authorities otherwise than on the ground, the Viet-Nameese authorities have let it be known that on this occasion, confident in their own good faith, they would be entirely willing to accept an on-the-spot enquiry by a mixed commission composed of representatives of the two Governments in order to determine and establish the true facts in this case.

The same authorities emphasise that just as the Viet-Nameese Government acted in good faith with regard to the incident in question, so they are now sincere in their wish that the fullest possible light should be thrown upon it.

No. 160

**Message from the Soviet Government to H.M. Government,
Moscow, 21 February, 1964**

The Soviet Government, in its capacity as Co-Chairman of the Geneva Conference of 1954 on Indo-China, has received a telegram from the Cambodian Head of State, Prince Norodom Sihanouk, dated 7 February, 1964. The telegram contains information concerning new provocations by the regular armed forces of South Viet-Nam against Cambodia, as a result of which members of the peaceful Cambodian population have been killed and wounded, and material damage has been caused.

Prince Sihanouk requests the Co-Chairmen to hasten their decision on the question of convening an international conference on Cambodia, and also to bring to the attention of the members of the Geneva Conference the Cambodian complaint, contained in his telegram about the aggressive actions of the South Viet-Nameese authorities.

The Soviet Government have already drawn the attention of the Government of Great Britain to the armed provocations of South Viet-Nam against neutral Cambodia and have suggested the adoption of appropriate measures in the name of the Co-Chairmen. Unfortunately, however, these proposals have not met with the support of the British Government. The position taken up by the English side cannot fail to spur on the South Viet-Nameese authorities to further violations of the Cambodian frontiers of Cambodia's sovereignty and of her territorial integrity.

Sharing the anxiety of the Cambodian Government, the Government of the Union of Soviet Socialist Republics support their request concerning urgent convening of the Geneva Conference and once more propose to the Government of Great Britain that urgent steps be taken to convene a conference on Cambodia in accordance with the proposals which the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics transmitted to the Embassy of Great Britain on 18 January, 1964.

The Soviet Government would also like to draw the attention of the Government of Great Britain to the fact that the draft agreements on Cambodia, setting out the English point of view, could be discussed at the international conference together with the drafts of other countries. The Soviet side sees no necessity to postpone the convening of the conference until consultations on the English draft agreements have been carried through.

In accordance with Prince Sihanouk's request, the Soviet Government proposes that the Co-Chairmen should circulate the text of his telegram to all the members of the Geneva Conference of 1954.

The Soviet Government hopes that the Government of Great Britain will agree with the considerations set out above and that they will communicate their reply in the shortest possible time.

No. 161

**Message from H.M. Government to the Soviet Government,
London, 27 February, 1964**

Her Majesty's Government have given careful consideration to the proposals in the Soviet Government's communication of 21 February, as they had already done in the case of Prince Sihanouk's telegram of 7 February to which the Soviet Government's communication refers.

Her Majesty's Government accept the Soviet Government's proposal to circulate Prince Sihanouk's communication to members of the Geneva Conference of 1954 on Indo-China. In view of the time which has elapsed since Prince Sihanouk's message was received, Her Majesty's Government consider that, in so doing, the Co-Chairmen should take account of subsequent developments, in particular the statement made by the Viet-Nameese Ministry of Foreign Affairs on 12 February. Her Majesty's Government accordingly

propose that, at the same time as the Co-Chairmen circulate Prince Sihanouk's telegram, they should also circulate the text of the statement by the Republic of Viet-Nam, the more so because not all members of the Geneva Conference are in diplomatic relations with the Republic of Viet-Nam. Circulation of both documents would thus ensure that the members of the Geneva Conference were aware of the views expressed by both the parties concerned in this extremely regrettable incident.

If this proposal is acceptable to the Soviet Government, Her Majesty's Government suggests that the Co-Chairmen might circulate both the documents forthwith.

Meanwhile, Her Majesty's Government have been informed by the Cambodian Government of Prince Sihanouk's proposal for direct negotiations among Cambodia, Thailand, the United States and the Republic of Viet-Nam. Her Majesty's Government welcome this proposal and hope it will lead to the speedy settlement of the differences between Cambodia and her neighbours including those arising from the general question of incidents on Cambodia's frontiers.

Meanwhile, Her Majesty's Government are continuing their efforts to facilitate the convening, on terms acceptable to all concerned of a Conference for the international re-affirmation of Cambodian neutrality. This is the aim towards which Her Majesty's Government have consistently directed their efforts and the object of all the careful preparatory work on which they are still engaged.

Her Majesty's Government have noted with regret the Soviet Government's suggestion that the inability of Her Majesty's Government to accept all the suggestions made to them in the past by the Soviet Government could in any way have contributed to the present state of tension on Cambodia's borders, a situation which Her Majesty's Government have throughout done their utmost to eliminate by the exercise of such influence as they possess with all the Governments concerned. Her Majesty's Government find this suggestion all the more surprising in view of the inability of the Soviet Government even to reply to the proposal made by Her Majesty's Government on 3 February (and since frequently repeated) for a reply from the Co-Chairmen to the message of 1 February from the Prime Minister of Laos, a country where armed conflict already exists and threatens to spread.

No. 162

**Communiqué issued by the Cambodian Government, Phnom Penh,
18 February, 1964**

According to information received from London a Foreign Office spokesman has declared that a memorandum has been sent by the British Government to the Soviet Foreign Minister suggesting that "the two Governments should put off a decision on the Russian proposal for an international conference on the neutrality of Cambodia at Geneva next April" so that "the British and Russian Governments can actively pursue their unofficial discussions with a view to reaching an agreement on the task to be accomplished by a conference which would have the aim of consolidating Cambodian neutrality".

Finally, it was explained that "Great Britain is in favour of a conference in principle". The Royal Cambodian Government cannot remain indifferent in the fact of this hypocritical sabotage of the international conference that has been asked for. It is quite clear that after giving her approval to the said conference and after addressing to all the Governments of the countries concerned—including Cambodia—a draft agreement that met all our *desiderata*, Great Britain has now made an incomprehensible *volte face*. This is in fact, clearly indicated by the steps she has taken to try and delay the conference and by her outrageous reservations (inqualifiable considerations) over her acceptance "in principle" of a conference to "consolidate" Cambodian neutrality. This statement by the Foreign Office spokesman is, moreover, on the same lines as the embarrassed declarations by the British Foreign Secretary, Mr. R. A. Butler on 5 February. The Royal Cambodian Government wishes once again to call the attention of the Western Powers to the meaning of the ultimatum issued by the Cambodian Head of State. Those countries that refuse to take part in the Geneva Conference or those that are seeking by every possible means to prevent its being held, must understand that Cambodia will adhere strictly to the line which has been fixed chronologically with an exactitude which no diversionary tactics will be able to alter.

No. 163

Statement issued by the Soviet Government, 21 March, 1964

The Soviet Co-Chairman of the Geneva Conference of 1954 on Indo-China received, on 17 March, a Note from the Ministry of Foreign Affairs of Cambodia containing a request from the Head of State, Prince Norodom Sihanouk, that measures should be taken for the urgent convening of an international conference on Cambodia. In connection with this, the Government of the U.S.S.R., confirming their proposals transmitted to the British Government on 18 January, expresses the hope that the British side will consider them again in the light of Prince Sihanouk's last communication and will give an urgent answer on this question.

No. 164

**Aide-Mémoire from H.M. Government to the Soviet Government,
London, 24 March, 1964**

Her Majesty's Government conveyed to the Soviet Government on 28 January, 1964, their initial reactions to the proposal earlier made by the Soviet Government that the two Co-Chairmen of the Geneva Conference on Indo-China should send a message to the Governments which took part in the 1961-62 conference on Laos about convening a conference on Cambodia in Geneva in April. In their earlier communication Her Majesty's Government while accepting the place and composition proposed for this conference by the Soviet Government, suggested that further action should be deferred in order that certain preparatory work should meanwhile be undertaken to facilitate the task of convening a representative and effective conference.

A number of efforts have since been made to this end, both by Her Majesty's Government and by other Governments concerned. Her Majesty's Government welcomed, in particular, Prince Sihanouk's proposal for a quadripartite meeting of representatives of Cambodia, Thailand, the United States and the Republic of Viet-Nam and thought it preferable not to propose further action concerning a Geneva Conference until it was clear whether or not this preliminary quadripartite meeting would be held.

Efforts to bring about either quadripartite negotiations or bilateral talks between Cambodia and the Republic of Viet-Nam have been protracted. In these circumstances, Her Majesty's Government understand the impatience manifested by the Soviet and Cambodian Governments and their desire to proceed immediately to the convocation of a Fourteen-Power Conference. The recent incident at Chantrea is obviously another matter calling for urgent settlement through negotiations.

But it remains essential to bear in mind the realities of the situation. Neither Her Majesty's Government nor the Soviet Government are parties to the disputes between Cambodia and her neighbours. Both Her Majesty's Government and the Soviet Government are already pledged to respect Cambodia's territorial integrity and, so far as Her Majesty's Government are concerned, determined to respect her neutrality. It would thus serve no useful purpose for Her Majesty's Government and the Soviet Government to issue invitations to an international conference without some assurance of the attendance of those Governments with whom Cambodia is actually in dispute and from whom she seeks undertakings concerning her neutrality and territorial integrity.

Her Majesty's Government have throughout endeavoured to secure such an assurance, but have had to recognise that, at least until there is some degree of preliminary agreement among the parties directly concerned, there is at present no prospect of persuading all the Governments involved to accept an invitation from the two Co-Chairmen to attend a Fourteen-Power Conference on Cambodia.

In these circumstances Her Majesty's Government consider that the most immediate contribution the two Co-Chairmen could make to reducing tension in the area and preparing for an international Conference would be to urge the Governments of Cambodia, Thailand, the United States and the Republic of Viet-Nam to initiate as soon as possible the quadripartite negotiations originally proposed by Prince Sihanouk.

No. 165

**Message from the Foreign Secretary to Prince Sihanouk of Cambodia,
London, 24 March, 1964**

I have received the two messages sent me by Your Royal Highness on 22 March and 23 March.

2. As I have explained to the Soviet Government, I do not think it would be helpful for the two Co-Chairmen to issue invitations to a Geneva conference at present.

3. To serve its purpose such a conference would have to be attended by all the Governments directly concerned and my enquiries have convinced me that certain Governments would not at present agree to do so.

4. A different situation would be created if the Governments of Cambodia, Thailand, the United States and the Republic of Viet-Nam would, as originally suggested by Your Royal Highness, agree to discuss their differences and arrive at a preliminary agreement. Once such an agreement had been reached I would foresee much less difficulty in convening an international conference to endorse it.

5. Meanwhile I hope Your Royal Highness will accept my best regards and my best wishes for your success.

No. 166

Extract from the Proceedings of the House of Commons, 1 April, 1965

The Secretary of State for Foreign Affairs (Mr. Michael Stewart): The House will remember that in 1954 there was in Viet-Nam a partial and limping settlement. I call it that because South Viet-Nam and the United States were not parties to it and because the free elections to which it referred and on which the reunification of Viet-Nam was to depend were not possible either in the Communist dominated North or in the disturbed South. There emerged what one might call a *de facto* settlement with Viet-Nam divided into North and South at the 17th parallel.

Yet even that limited settlement could have been helpful to both North and South. For a time both parts continued to endeavour to put themselves in order and to make economic and social progress. Those possibilities remained open until, in 1959, there was a call by the Government of North Viet-Nam for an intensification of the Viet Cong activities in the South and for full-scale guerilla warfare against the Government of South Viet-Nam. Not only did the Northern Government call for that; they then proceeded to help it with more weapons and military advice, as was made clear by the majority report of the International Control Commission in 1962.

Faced with that situation, South Viet-Nam appealed to the United States for help, and the United States responded. But it is important to notice that in 1959, when this pressure from the North began, and even as late as 1961—nearly two years later—there were still only 700 members of the United States Armed Forces in South Viet-Nam. I think it important to remind the House of this, because it cannot be claimed that the action taken by the North was the result of a considerable United States military presence in the South. The action from the North preceded the arrival of United States forces in any considerable degree in the South.

It was not until 1964, after United States vessels had been attacked in the Gulf of Tonkin, that the United States struck back at the territory of North Viet-Nam itself. In 1965, came the incidents where United States forces were attacked at Pleiku and Qui Nhon. The House knows the passage of events since then.

It might be argued—and in Communist quarters it is argued—that the whole problem could be solved if the United States simply withdrew its forces and left North Viet-Nam and the Viet Cong to deal with the whole situation. I suppose that it might be said that that solution has the merit of simplicity since it would leave nothing to negotiate or to confer about. But for the United States that would be, in the first place, a breach of its clear undertaking to South Viet-Nam. It would leave the problem of what would happen to the very many Viet-Nameese who do not wish to live under a Communist Government, and we should notice that when the *de facto* division between North and South occurred 1 million people moved down from the North to live in the South.

It would further be an admission that what is, in fact, the aggression from the North had succeeded. I assure the House that that event would be regarded with profound alarm by all the non-Communist countries in that part of the world. I have noticed from the very many letters which I have received about this matter, and which my hon. Friends and hon. Members opposite have sent to me from their constituents, that, although many of them ask urgently, and naturally, that Her Majesty's Government should do everything possible to get a peaceful solution, very few indeed ask for the complete and unconditional withdrawal of the United States forces.

I make that point because if we reject, as I think we should reject, that solution, we must ask: what is the position if United States forces remain in South Viet-Nam and are continually struck at and those strikes are aided and directed from the North and often carried out by people who have been sent down from the North for that purpose? It does not seem to me possible to ask the United States, in that situation, to say that its forces are to be struck at in that manner and that they are to be bound by the condition that they could never in any circumstances strike at the territory of North Viet-Nam from which the attacks on them are directed.

I put these points before the House because I believe that they are essential features in the situation, though unwelcome. It will follow from what I have said that many hon. Members will ask themselves, "If this is so, is there not grave danger that, with strike and counter-strike, there will be a continued escalation of the war with growing danger to the people of the world?" On that matter, we should notice this. As I have told the House, there was a period of nearly five years, from 1959 to 1964, between the time when the northern pressure and aggression on the South began and the time when the United States first struck at the territory of North Viet-Nam.

That is one piece of evidence to weigh. Another is the statement by Mr. Adlai Stevenson, on behalf of the United States Government, to the Secretary-General of the United Nations, that if there were "a prompt and assured cessation" of the aggression the United States would be prepared to withdraw its forces and co-operate in a programme of aid for South-East Asia.

More recently, President Johnson has expressed the matter thus:

"It is and it will remain the policy of the United States to furnish assistance to support South Viet-Nam for as long as is required to

bring Communist aggression and terrorism under control.' The military actions of the United States will be such, and only such, as serve that purpose—at the lowest possible cost in human life to our allies, to our own men, and to our adversaries, too."

I do not feel that that can be regarded as the language of a man or a nation eager to engage in a reckless escalation of the conflict. There is close and continuous consultation between London and Washington on this matter, and, of course, Her Majesty's Government form and express their own judgment of events as they occur, but I repeat, that on the evidence and the record, I think that it would be wrong to argue that the action of the United States is the action of a country engaged in a reckless escalation of the conflict.

I think that at this point I ought also to say something about methods of warfare. If this debate had occurred a few days earlier, I should have been expected to deal particularly with the use of gas. As the debate occurs when it does, I might perhaps refer more to the terrible incident in Saigon the other day. There is no doubt that cruelties have been committed by both North and South Viet-Nameese forces, apart from what might have been done on the battlefield, or against men in action.

In 1963, 2,000 unarmed civilians were killed by the Viet Cong, and nearly 2,800 in 1964. Recently, at the village of Kinh Mon, a policeman was murdered by the Viet Cong and his body cut into pieces. At the funeral, the Viet Cong exploded an anti-tank mine, killing one of the mourners, and wounding a score of others. At Pleiku, two bus loads of people, civilian men, women and children, were murdered as a pure act of terror by the Viet Cong. I am not going to continue the list. I mention these episodes only so that the House shall see the horror and cruelties of this war in proper perspective.

Surely one lesson that we must draw from every story of horror that can be produced by anyone from any quarter is the imperative need to try to reach a settlement of this dispute? On that matter, Great Britain had a special responsibility, as one of the two Co-Chairmen of the Geneva Conference on Viet-Nam of 1954, and accordingly, as far back as 20th February, we addressed to the Soviet Government, our fellow Co-Chairman, a proposal that we and they jointly should invite all the Powers concerned to state their views on this whole matter in the hope and expectation that out of that something like a basis for settlement could be secured. We deliberately made this a modest proposal, since it was known that the two Co-Chairmen did not view this matter in exactly the same light, and it was important, therefore, to search for what measure of agreement could be found.

We had the Soviet reply after about three weeks. It came immediately before Mr. Gromyko's visit here. It was simply a suggestion that we and the Soviet Union should issue a statement which was entirely a condemnation of the United States, and a demand for the withdrawal of its troops. It seemed to me that, apart from anything else, for us to have done that would have been a complete misunderstanding of the role of Co-Chairman. It is not for

Co-Chairmen as such, I think, to engage in propagandist statements. They should endeavour to reach statements on which they can agree, and which might help to promote a settlement.

But, unhappily, this attitude expressed in the Soviet reply is similar in tone and substance to the other comments from the Communist Powers concerned with the conflict. For example, on 7th March, Prince Sihanouk of Cambodia gave an account of the Indo-Chinese People's conference, and described the line taken by the Communist representatives from Viet-Nam who said, in effect:

"We absolutely refuse a conference on our country, we absolutely refuse a negotiated solution, we demand that the Americans leave without conditions."

Similarly, on 10th March, the Commander-in-Chief of North Viet-Nam said:

"The United States Government must stop at once its acts of provocation, sabotage and aggression against the Democratic Government of Viet-Nam, end the aggressive war in South Viet-Nam, withdraw United States troops and weapons from there and let the South Viet-Namese people settle their own affairs by themselves in accordance with the programme of the South Viet-Namese Liberation Front. The problem of peaceful reunification of Viet-Nam is the affair of the Viet-Namese people, it will be settled by the Viet-Nam Fatherland Front and the South Viet-Namese Liberation Front."

The House will notice in that statement not only that it is not thinking in terms of conference or negotiation at all, but that the affairs of Viet-Nam are subsequently to be settled exclusively by Communist organisations, and that by these proposals no non-Communist in Viet-Nam would have any chance of taking part in framing the future of his country.

On 12th March, the Chinese Government spoke in similar terms. When Mr. Gromyko was here my right hon. Friend the Prime Minister and I pressed him most earnestly on the question of what possible basis he saw for conference, negotiation, talk, call it what one will, about Viet-Nam, but he, too, stuck to the position that the first, and, indeed, only, essential, was unconditional withdrawal by the United States.

I think we should notice that this Communist attitude at the present time—and I stress "at the present time"—differs very markedly from the attitude over the question of Laos in 1961. The right hon. Gentleman the Leader of the Opposition told the House on 24th March, and later told television viewers, that he had on that occasion employed British diplomacy to bring the Russians and Americans together to make an honourable settlement, and I think that he was implying that we had only to imitate his course to get that result.

But it is important to notice that although in December, 1960, the Soviet Government themselves proposed a conference on Laos, it was five months after that that the conference was convened, and that it then took the conference 14 months to reach agreement. I in no way criticise what the right hon. Gentleman did then, certainly not, but he started with one substantial

advantage which is not present in this situation at the moment, namely, that the Communist side actually wanted and proposed a conference.

Mr. J. J. Mendelson (Penistone): My right hon. Friend has referred to what was said by the representative of Cambodia. Has he seen an agency report which has come out of New York, dated 31st March, of a statement by the former Foreign Minister of Cambodia, who is now the representative at the United Nations, about the recent conference in Cairo of non-aligned nations, that Cambodia and Yugoslavia had proposed to President Ho Chi Min the reconvening of the 1954 conference and said:

“President Ho Chi Min favourably responded to the initiative of the non-aligned countries stressing that his Government expect action and is ready to take part in a conference of the participants of the Geneva Agreement.”?

Mr. Stewart: My right hon. Friend will have noticed that I laid great stress on the words “at present” when I was describing the Communist attitude. I was about to lead to the point that there are these very recent reports. If there is a change there, as I shall show the House later, we have a changed situation but, in view of some suggestions that all that was needed was an initiative to bring the Powers round the table, I want to emphasise that until this very latest development the attitude of the other side has been, as expressed by the remarks which I have quoted, that it did not want a conference or anything else, and I was saying that in 1953 both sides wanted a conference and expressed their wish for one, but even so it was not until July, 1954, that agreement was reached at Geneva.

What we have had to struggle with during these last weeks is a situation where the repeated attitude of the Communist side was that it saw no need for negotiations or a conference at all. It has sometimes been suggested that this attitude of the Communist Powers can be blamed on us; that if we had been prepared to engage in phrases condemnatory of the United States, or to dissociate ourselves from its actions, we should have got a better response. But I think that we should notice what response others have been getting—France, India and Yugoslavia.

The French approach glanced at, but no result from it; the Indian ignored and the *People's Daily*, in Peking, saying on 22nd March of the Yugoslav initiative,

“The Tito clique serves America”

and going on to say that President Tito had no right to express opinions about Viet-Nam. However, having said that, I trust this will not discourage any nation or group of nations that feels it can help in bringing about such a settlement from any initiative that it may think wise. Later, I will say something of the action that we are taking.

Hon. Members will have seen the report of a further initiative by a group of non-aligned nations. Her Majesty's Government view this initiative with sympathy and are in earnest agreement with its aim of reaching a peaceful solution for the serious situation in Viet-Nam. The Communist attitude has been difficult indeed, impossible, so far, but I most earnestly hope and trust—and there are now some signs of more ground for hope than even a day ago—that this attitude is not final. In that situation we shall still

seek a settlement. Since our fellow Co-Chairman will not at present act with us, we intend, as I explained during my recent visit to the United States to act ourselves as Co-Chairman and to invite an expression of views from all the Powers concerned, and we shall endeavour to get from them by persistent enquiry what can be the basis for a settlement.

Similarly, as the House knows, Mr. Patrick Gordon Walker will be visiting capitals in the Far East, because we believe that approaches to try to break through the wall of resistance we have so far met should be made by a considerable variety of means, not merely by ordinary diplomatic exchanges but by inquiries of any kind that seem likely to prove fruitful.

I will mention another possibility. As far back as 2nd February we made another proposal to the Russians, this time in connection with our duties as Co-Chairmen for the conference on Laos. The proposal that we made was itself a limited one, simply that we should carry out the duty imposed on us as Co-Chairmen for Laos to make recommendations for the future of the International Control Commission for that country. Although that was a limited proposal it was a definite proposal and we await the Russian reply that could get talks started on one aspect of South-East Asia—talks which can be widened if there is willingness to widen them, to deal with the main anxiety facing us at the present time.

Hon. Members may have seen an article in this morning's Press pointing out that there are precedents for a conference starting with one limited objective and being widened to deal with a greater problem. It is natural and right that while we are engaged in these activities we should be in close consultation with our ally, the United States. It would not, I think, serve any useful purpose for us merely to strike attitudes without any regard to whether we were keeping in touch with our ally. That would be a neglect of our proper duty as Co-Chairmen.

It might be said that the United States Government should spell out more fully what was required as a satisfactory assurance by North Viet-Nam that it was prepared to cease attacks on the South, or that the United States should describe the exact process through which a cease-fire might be reached, or that it should describe more fully how it pictures the future of Viet-Nam, for all these things must at some time be part of the discussion.

It is difficult for the United States to do this so long as there is no indication from the other side of its preparedness to consider a settlement on any terms. If and when there is a clear indication to that effect, when the other side communicates in any form that it desires a cessation of hostilities, or considers there is room for negotiation, then the door would be open and there would be something which could be regarded as a basis for negotiation; and then the thoroughly sound proposition that this whole problem must have a political and not merely a military solution could become alive and real.

The various inquiries and initiatives that we are taking in the forms that I have mentioned, and in others that may appear to be fruitful in the future, are directed at getting that indication and opening that door, at making it possible to secure not merely a military but a satisfactory political settlement of this vexed and agonising and threatening question.

Extract from the Proceedings of the House of Lords, 13 May, 1965

Lord Walston : My Lords, it may be convenient if, with your Lordships' permission, I intervene at this stage to repeat a Statement which is being made in another place by my right honourable friend the Secretary of State for Foreign Affairs about the results of Mr. Gordon Walker's tour of South-East Asia from 14 April to 4 May. This tour had three main purposes. My right honourable friend wanted Mr. Gordon Walker to supplement the reports of our Ambassadors by providing him with a single, comprehensive account of the repercussions in South-East Asia of the Viet-Nam conflict. The Foreign Secretary also wanted him to explain, as his personal representative, British views to South-East Asian Governments and to explore further with them the prospects for a negotiated settlement.

Because the value to Her Majesty's Government of Mr. Gordon Walker's report depended on the frankness with which he recorded his personal impressions, it is not suitable for publication.

But I do want to say something about the other objectives of this tour. Explaining British policy to foreign Governments and seeking their concurrence is normally the function of our Ambassadors on the spot. But when a particular aspect of British foreign policy has excited as much controversy in Britain itself as our attitude towards Viet-Nam, it is occasionally useful to supplement the ordinary diplomatic exchanges by a visit from someone more intimately acquainted with the British political scene than any of our Ambassadors abroad are in a position to be.

I know that this aspect was particularly appreciated by many of the distinguished South-East Asian leaders with whom Mr. Gordon Walker had his discussions. I hope, too, that his visit may have helped to answer one complaint frequently reported by our Ambassadors in South-East Asian capitals. This is that, largely because of the workings of our Parliamentary system, so few British political leaders visit that important part of the world.

But, Mr. Gordon Walker's main achievement was in persuading certain friendly Governments to withdraw their objections to the proposal for a Conference on Cambodia. As the House will recall, the previous Government's efforts to promote such a conference in 1964 foundered on objections from Thailand and South Viet-Nam. These at least have now been overcome, thanks in large part to our decision to emphasise the importance we attach to this project by sending a special emissary to visit these and other Governments.

It was a disappointment that the Chinese and North Viet-Nameese refused to see Mr. Gordon Walker. I also regret that even the Soviet Government are so far only willing to contemplate negotiations on Cambodia rather than on Viet-Nam. But I earnestly believe that our inability to achieve an immediate and total solution of all the problems of South-East Asia should not deter us from tackling them one by one and trying to advance, step by step, towards that negotiated solution which remains our objective.

Lord Carrington : My Lords, I am most grateful to the noble Lord, Lord Walston, for repeating this Statement. I would agree with him that it

is important that responsible people should make visits of this kind, although there may be few who do it. The noble Lord, Lord Butler, and I myself were in South-East Asia last year; so visits of that kind certainly happen. As a general rule, I think it is better that they should be visits by Ministers who are responsible to Parliament, rather than by people, however distinguished, who are not in Parliament. I do not want to be ungenerous, but I am afraid that the truth is that once it was known that the Chinese and the North Viet-Nameese refused to see Mr. Gordon Walker, there really was little object in the visit; and I think that was known before he left. I am bound to say that I greatly doubt whether anything has been achieved which could not equally well have been done by our skilled Ambassadors on the spot. In the Statement we are told that the Thai and the South Viet-Nameese objections to a conference on Cambodia have been overcome. May I ask the noble Lord, Lord Walston, whether the Cambodian objections have been overcome? That seems rather important.

Lord Walston: My Lords, the answer to that last question is that so far they have not been overcome. We are still waiting with hope, but perhaps not with complete confidence, an answer from the Cambodian Government in which they agree to this conference which they themselves asked for in March and which the Russians, as Co-Chairmen, sponsored. We also sponsored it in exactly the same terms. But, at the moment, as I say, we are still awaiting a response from the Cambodian Government.

Lord Conesford: My Lords, may I ask one question, for enlightenment? I understood from the noble Lord, Lord Walston, that the report of Mr. Gordon Walker would not be suitable for publication, for reasons which I think I appreciate. But will his report be communicated to our Ambassadors concerned?

Lord Walston: My Lords, certainly all parts of the report which are in any way helpful and useful will be communicated to them.

No. 168

Extract from a Communiqué issued by the Council of the South-East Asia Treaty Organisation, Bangkok, 5 May, 1965

In its discussions of the international situation, the Council recognised that the problems in the Treaty Area are closely inter-related with those in other parts of the world. It expressed satisfaction that the Alliance, with member nations drawn from several geographical regions, provides valuable opportunities for exchanges of views on matters of both regional and world-wide importance.

The Council noted that the exercise of a policy of restraint by the SEATO Powers with the purpose of seeking the peaceful settlement of international disputes, together with the maintenance of their capability and readiness to take prompt defensive action if called upon, continues to serve as a stabilising factor in South-East Asia. It affirmed its belief that the rule of law should prevail and that international agreements should be honoured and steps be taken to make them operative.

Noting that member nations of the Alliance are pursuing policies which have promoted the well-being of their peoples, the Council agreed that greater economic co-operation among the member nations would be mutually beneficial. It undertook to seek means by which this could be achieved.

Republic of Viet-Nam

The Council considered at length the dangerous situation caused by the aggression against the Republic of Viet-Nam—an aggression organised, directed, supplied and supported by the Communist régime in North Viet-Nam in contravention of the basic obligations of international law and in flagrant violation of the Geneva Agreements of 1954 and 1962. The Council noted with grave concern the increasing infiltration of arms and combat personnel from North Viet-Nam into South Viet-Nam and the evidence that this infiltration includes members of the regular armed forces of North Viet-Nam.

The Council heard a report from a representative of the Government of the Republic of Viet-Nam who attended the closed sessions as an observer. The Council expressed the deep sympathy and strong friendship of the Member Governments and peoples for the Government and people of the Republic of Viet-Nam. It voiced admiration for the determined resistance of the Government and people of the Republic of Viet-Nam.

The Council noted that the Communists themselves have proclaimed their assault on the Republic of Viet-Nam to be a critical test of the tactic of infiltrating arms and trained men across national frontiers. It agreed that history shows that the tolerance of aggression increases the danger to free societies everywhere.

The Council reaffirmed its conclusion at Manila a year ago that the defeat of this Communist campaign is essential not only to the security of the Republic of Viet-Nam but to that of South-East Asia, and would provide convincing proof that Communist expansion by such tactics will not be permitted. Member Governments recognised that the state of affairs in Viet-Nam, as described above, constitutes a flagrant challenge to the essential purpose for which they had associated together under the Treaty: to resist aggression.

The Council recalled that its members also agreed at Manila that they should remain prepared, if necessary, to take further concrete steps within their respective capabilities in fulfilment of their obligations under the Treaty. Pursuant thereto, substantial assistance and reinforcement have been given during the past year by certain Member Governments in order to assist South Viet-Nam in resisting aggression from the North. The Member Governments agreed to continue and, consistent with their commitments elsewhere, to increase their assistance to South Viet-Nam.

At the same time, it was agreed that every effort should be made to promote a satisfactory and lasting settlement of the conflict that would ensure the right of the South Viet-Nameese people to pursue their future in peace and complete freedom from external interference. The Council welcomed and expressed warm support for the policy of the United States Government as outlined by President Johnson on 7 April, 1965, when he affirmed the determination of the United States to provide assistance to South Viet-Nam to defend its

independence, stated the readiness of the United States for unconditional discussion with the Governments concerned in the search for a peaceful settlement, and offered the prospect of enriching the hopes and existence of more than 100 million people by a programme of economic and social assistance in South-East Asia.

The Council stated that peace could be restored in South Viet-Nam if the Communist aggressors would honour the Agreements of 1954 and 1962. It declared it to be self-evident that, if the aggression were ended, the Governments and peoples of both South and North Viet-Nam could live in peace and devote their energies to economic and social progress.

The Council agreed that, until the Communist aggression is brought to an end, resolute defensive action must be continued.

Laos

The Council expressed concern that the Geneva Agreement of 1962 continues to be violated by the presence of North Viet-Nameese military forces and supplies in Laos, by the activities of the Pathet Lao, and by North Viet-Nameese use of the territory of Laos to send men and material to the Viet Cong in South Viet-Nam. It regretted that the International Control Commission is unable to act effectively to investigate violations in the Communist-held sections of the Kingdom where they occur. The Council expressed its support for the 1962 Geneva Agreement and for the efforts of the Government of National Union under the Prime Minister, Prince Souvanna Phouma, to preserve the sovereignty, independence, unity, territorial integrity and neutrality of Laos.

While appreciating the position stated in paragraphs 6 to 14 the Pakistan Delegation expressed to the Council their special concern over the consequences of the continuance of armed conflict in Viet-Nam and voiced the hope that determined efforts would also be made to restore peace in that area through negotiations on the basis of the existing Geneva Agreements.

Thailand

The Council noted with concern evidence of increasing Communist subversion from outside the country against Thailand notably in the north-eastern part of the country. It noted the announcement by a clandestine radio of the establishment of a "Thai Independence Movement" which urges the overthrow of the Government of Thailand and endorsement of the "Movement" by Radio Peking and Radio Hanoi. The Council also noted the statement of the Communist Chinese Foreign Minister that Thailand would be the next target and that there might be a guerilla war going in Thailand before the year is out. The Council Members expressed their determination to do whatever is necessary to assist their ally to meet this threat.

Malaysia

The Council also expressed grave concern at the situation arising from Indonesia's confrontation of Malaysia as constituting a serious threat to peace in the area of South-East Asia. Certain Member Governments noted that they had provided both military forces and other aid to assist in the

defence of Malaysia and it was recognised that the strength and determination of this support had contributed materially to the stability of the area. The Council expressed the hope that an honourable and secure settlement would be arrived at on a basis acceptable to the Asian nations concerned.

The Pakistan Delegation expressed its concern at the continuance of the Indonesian/Malaysian dispute and stressed the view that this dispute could be resolved by peaceful means, that efforts should be pursued towards that end and that nothing should be done further to aggravate the existing conflict.

Counter-subversion

The Council agreed that Communist subversion continued to be a serious threat to the Asian member nations. It agreed that measures envisaged, namely, material and other aid at the request of the countries affected, should be continued.

France

The French Observer indicated that, as he had not participated in preparing this communiqué, the French Government does not consider itself to be committed by it.

No. 169

Statement by the Prime Minister in the House of Commons, 13 May, 1965

Britain, the United States and their other allies in the South-East Asia Treaty Organisation reaffirmed on 5th May their purpose of seeking a peaceful settlement and their support for President Johnson's offer of unconditional discussions in the Viet-Nam conflict. But I am sorry to tell the House that I still have no indication that China, North Viet-Nam or the Soviet Union are yet prepared to consider a negotiated settlement on anything but their own unacceptable terms.

No. 170

Communiqué issued by the Commonwealth Prime Ministers' Meeting, London, 17 June, 1965

The Meeting of Commonwealth Heads of Government began their discussion of the international situation this afternoon by considering the position in Viet-Nam. They were deeply concerned by the increasing gravity of the situation and the urgency of re-establishing conditions in which the people of Viet-Nam may be able again to live in peace. They believed that the Commonwealth, united in their desire to promote peace in the world, might make a contribution to this end by an initiative designed to bring hostilities to a speedy conclusion. They therefore resolved that a Mission, composed of the leaders of some Commonwealth countries should, on their behalf, make contact with the Governments principally concerned with the problem of Viet-Nam in order to ascertain how far there may be common ground about the circumstances in which a conference might be held leading to the establishment of a just and lasting peace in Viet-Nam.

Message from the Heads of Government of the Commonwealth to the Governments of Viet-Nam, the Democratic Republic of Viet-Nam, the Soviet Union, the Chinese People's Republic and the United States, London, 19 June, 1965

The Heads of Government of the Commonwealth, meeting in London on 17 June, 1965, have expressed their deep concern at the increasing gravity of the situation in Viet-Nam and the urgency of re-establishing conditions in which the people of Viet-Nam may be able again to live in peace. They have therefore resolved that a Mission, composed of the Heads of Government of Britain, of Ghana, of Nigeria and of Trinidad and Tobago should, on their behalf, make contact with the Governments principally concerned with the problem of Viet-Nam in order to ascertain how far there may be common ground about the circumstances in which a conference might be held leading to the establishment of a just and lasting peace in Viet-Nam.

The Mission are prepared to visit the capitals concerned as soon as the necessary arrangements can be made and suggest that these visits might take place during July. They would accordingly be glad to know whether the Government of _____ would be prepared to receive them.

Statement issued on behalf of the Heads of Government of the United Kingdom, Ghana, Nigeria and Trinidad and Tobago, London, 19 June, 1965

“The Mission appointed by the Commonwealth Prime Ministers' Meeting is to explore the circumstances in which a conference might be held to end the fighting in Viet-Nam.

Meanwhile, in order to create the conditions in which the Mission can carry through its work, the Mission is appealing to all parties concerned to show the utmost restraint in military operations as a step towards the total cease-fire which the Mission hopes will be established at the earliest opportunity.

The Mission would wish to meet all the parties concerned.”

Statement issued on behalf of the Heads of Government of the United Kingdom, Ghana, Nigeria and Trinidad and Tobago, London, 24 June, 1965

Because of certain misunderstandings which have gained currency during the last few days, the Heads of Government of Britain, of Ghana, of Nigeria and of Trinidad and Tobago wish to clarify the basis on which they agreed to form a Mission in connection with the problem of Viet-Nam.

The Mission was appointed by the London meeting of the Heads of Government of the Commonwealth and on behalf of the Commonwealth as a whole.

The Commonwealth as such is in no way committed to either side of the conflict in Viet-Nam and has formed no collective view except on the urgency of re-establishing conditions in which the people of Viet-Nam may be able to live in peace. Although within the Commonwealth there is diversity of opinion on the Viet-Nam problem, there is complete unanimity as to the need to find a peaceful solution.

In the discharge of the task entrusted to it the Mission will be guided by the views of the Commonwealth as a whole and not by the views of any individual member of the Commonwealth.

It is in this context that the Commonwealth is satisfied that its Mission must make direct contact with all the Viet-Nameese parties to the dispute and reiterates that positive steps should be taken by all outside parties to exercise restraint in military operations while the Mission is carrying out its task.

No. 174

**Speech by the Foreign Secretary, the Right Hon. Michael Stewart, M.P.,
at the Oxford Union Society on 16 June, 1965**

Mr. Chairman, I am very glad indeed to be here at this "teach-in" tonight. It seems to me an excellent thing that students should have the opportunity of having access to news, information and comment from all over the world, that they should be able, in the light of that, to form their own opinions and to express those opinions freely. I am very glad that we have had and are to have more of these "teach-ins" in this country and in the United States. I look forward greatly to the day when in all countries, in China, in the Soviet Union, even in North Viet-Nam, students may have the same opportunity because I believe that when that day comes it will be easier to frame a peaceful and civilised world.

Now, my task tonight is to describe the way in which the British Government views this problem, the steps it has taken, the reasons for those steps, and the lines on which it believes an honourable and lasting solution can be found. In order to do that I must look briefly at past events but I want to move on from that to the most recent events and to say how I believe, given goodwill, events could move in the future.

But let me first cast this glance back to the past. In 1954 we got no full or firm settlement. The United States and South Viet-Nam were not parties to the agreements there signed. The agreements, however, provided, or attempted to provide for free elections in both North and South Viet-Nam but neither in the Communist-dominated North nor in the disturbed South was it possible to hold those elections, so that what you got in 1954 was at least a *de facto* settlement which divided Viet-Nam into North and South at the 17th Parallel. Once that division had occurred it is important to notice that one million people moved southwards out of the Communist-dominated North. There was very little traffic in the other direction. Similarly to-day

one of the anxieties of the Government of South Viet-Nam is the pouring in of refugees from the Viet Cong-dominated areas into the towns. There is very little traffic in the other direction, any more than there is any vast number of people trying to scramble over the Berlin Wall in an Easterly direction. Now, it is important to notice this because it shows that we cannot make the facile assumption that the ordinary citizen of Viet-Nam is anxious to be left under Communist rule. I accept that it is difficult in countries whose circumstances are so different from ours to say with certainty of any Government how fully or in what sense it represents its people but I assert merely, here the point is that it would be quite wrong to suppose that the people of Viet-Nam would like to see this conflict finished on any terms whatever, even if that means their living under a form of government which so many of them have shown in the most emphatic manner possible they do not want to live under.

But now, after that *de facto* settlement, as I've called it, for some five years, from 1954 to '59, the two parts of Viet-Nam lived, uneasily indeed, but at least in comparative peace, at least able to make some progress with their economy, at least providing some opportunity for the ordinary citizen to get on with his work and attend to his own affairs. That went on until 1959. Then, immediately after that, came the call of the Government of North Viet-Nam demanding that the Viet Cong activities in the South be stepped up to a full-scale attack on the Government of South Viet-Nam. Not only did it call for that attack, it proceeded to give help to the Viet Cong in men, in weapons, and in military direction, and for evidence of that we do not have to look to any partisan source. We can read the report of the International Control Commission for the year 1962, putting beyond doubt that that was what North Viet-Nam was doing.

Now, there was no need for that action. The two parts were living in comparative peace, they could have lived in greater peace. They could to-day, if that call had never been made, be living in much greater happiness and at a higher standard of life than they are living to-day. There was no need for this. It was deliberate decision by the Communist North to make an attack on its neighbour and it cannot be said that this could be excused by blaming it on a United States presence in the South. When this attack began there were only 700 American troops and civilian advisers in the South. It was not then the case that justification, such as it might have been, could have been pleaded. As the Communist attack increased, naturally the help given by the United States to South Viet-Nam grew but we should notice that it was not until 1964, five years after the attack started, that United States forces struck at the territory of North Viet-Nam and even then they did not do so until there had been an unprovoked attack on United States warships in international waters, the Gulf of Tonking.

It is as well to remember this sequence of events: five years during which North Viet-Nam was lending its support to the warfare in the South and before its own territory was struck at. If there are to be any accusations of recklessness, of conduct which might lead to escalation, it is more against the North, against North Viet-Nam that that finger must be pointed. And I should add now that we have information of a more serious development. It is now certain that there has been operating in the South, 200 miles south

of the border, a regular battalion of the North Viet-Nameese Army and probably several other units. If there is to be any judgment about the employment of United States forces, let them be made against the background of these facts.

Now, Mr. Chairman, I said I would make some review of past events and I did so in order to make clear that this complex problem cannot be solved by casual denunciation of the United States, nor can it be solved by the facile assumption that all you have to do is to give way to the Communist demands, because let's notice quite clearly what they are. The only proposal for settling this problem that has come from North Viet-Nam and her allies is that first, before any conferences or discussion, all United States troops shall leave, and secondly, that the affairs of Viet-Nam shall be settled in accordance with the principles of the Fatherland Front in the North and the Liberation Front in the South, that is to say, in accordance with the principles of the Communists and the Communists only. Now, that's the only proposal for solving the problem there is to the Communist side, that the Americans should leave at once and that Communists and Communists alone should determine the future of Viet-Nam.

It is no good Honourable Members disagreeing with me on this because North Viet-Nam itself makes no secret of this. This was plainly stated by General Giap. It was plainly stated by the Prime Minister of North Viet-Nam. It has been publicised in the Peking *People's Daily*. That is the Communist programme. I believe that if we were to say: we will surrender completely to this demand, you would have shown to all the world that a Communist aggression can succeed and you would have caused the very gravest alarm and concern to every non-Communist country in Asia. It is an error to suppose that all the peoples of the African and Asian Continents are in condemnation of the action of the United States. Many of them watch with painful anxiety what will happen if there were complete surrender to the Communist position. Now, that is why this is a complex problem, not to be solved by a casual surrender or by the easy condemnations of the United States. It was in that situation that the British Government formulated its policy as follows: we want to see a conference that will be accompanied with a cessation of the fighting and which will bring about a solution whereby the peoples of Viet-Nam will have a genuine freedom to determine the course of their own affairs. We have made this clear from the outset of the present phase of the whole matter to the United States Government, and in April of this year President Johnson made it clear too that he was prepared to enter into discussion without conditions. I think I know what the objection to the phrase "without conditions" is. The usual comment is: is he prepared to negotiate with the Viet Cong? I ask those who put that question to consider this: in the first stages of any discussion, you must surely begin with Governments as you began in Geneva. If—and this is one way out—we recalled the Geneva Conference of 1954 the Viet Cong would not be represented there, though it would be possible—and I do not see how it could be prevented—for the Government of North Viet Nam to include in its own delegation representatives of those whom it calls the Liberation Front in the South. And the further relationship between those men as citizens of South Viet-Nam and their Government could be considered at a later stage of the conference. But notice this: if it were possible for Mr. Gromyko and myself

as Co-Chairmen to recall that conference to-day, the United States is prepared to come and sit there. North Viet-Nam and China, in their present policies and frame of mind are not.

Let me remind the House, Mr. Chairman, of the various efforts we have made to get a conference. When Mr. Gromyko was over here in March for conversations, I put to him then, and I would say it again now, that I am ready for he and I as Co-Chairmen of the Geneva Conference to recall that conference in order to solve this problem. I put it to him in March—No. I took an opportunity to put it to him more recently—No. Failing that, we put forward the more limited proposal that at least we, as Co-Chairmen, could circularise all the interested Powers and ask for their views on how a settlement might be achieved to see if out of that some common basis could be secured. One would have thought that a modest enough proposal compromising no one. The British Government is now doing that single-handed because the Soviet Government is not prepared to act with us. We tried again: the only replies we have got so far from the Communist side are the reiteration of the conditions: Americans out at once and Communists only determine the future of Viet-Nam.

Trying yet another line, I urged—and this was in February—that we might get a conference on the kindred problem of Laos, at least in the hope that this might lead to some better understanding among the Powers interested in South-East Asia as a whole. I am still waiting for a reply to that request.

The history of possibility of a conference on Cambodia has been made plain by the Government in a recent White Paper. There again, it has been no unwillingness on the part of the British Government or the United States Government but that conference has not been held. Then there was the appeal of the 17 non-aligned nations, those nations not committed either to the Communist camp or any other. 17 of them put forward an appeal urging again discussions without any previous conditions. China described it as a manoeuvre of the Tito clique. The United States Government welcomed it, the British Government welcomed it, and since some of those non-aligned nations are also members of the Commonwealth we shall take the opportunity at the present Commonwealth Conference to see what further possibilities we could build on the appeal that they have made. I do not believe, therefore, that except in the minds of those who want a complete Communist victory and nothing else—and I do not expect to reconcile them—I do not believe it can be said by anyone else that we have been backward or laggard in trying to get a humane solution to this problem.

Looking finally to a possible future, may I say this: I see no reason in common sense or humanity why something like the following sequence of events should not proceed. First, a conference called under whatever auspices has most chance of success. With a cease-fire either to precede that conference or to be achieved at that conference whichever seems the more possible. Next, a settlement which will assure both North and South Viet-Nam against any form of aggression and that once so assured, South Viet-Nam should then be a country with no foreign troops or bases in it and tied to no military alliance. In that position, the citizens of South Viet-Nam would then be able to repair the ravages of war and in time move to a position where they would be able to make a genuine and free choice of their Government and

one would hope—if with less optimism in a Communist country—that some chance of free choice of their Government might appear in North Viet-Nam also. And the future relationship between North and South Viet-Nam could, in time, be a matter for the genuine free decisions of the people of both regions. And then we could have also a programme of economic aid and reconstruction, not under the control of any Great Power, but to be administered by the United Nations. The British Government would make a contribution to such a programme. The United States Government has already made its willingness clear to make a very generous contribution to a programme of that kind under United Nations administration.

When I came in, Mr. President, I got the impression—I may have been mistaken—that the previous speaker was saying that the British Government's policy was a wrong policy. What, I wonder, does he find wrong with the sequence of events I have just outlined? What reasonable objection could be made to that? And it is not the British Government, nor the Government of the United States which bars that sequence of events. For everything that I have said is not only what the British Government has made clear is its policy, it is supported by the Statements of policy of the United States Government. Indeed, it was made clear at an early stage in this phase of the dispute by Adlai Stevenson that once South Viet-Nam was firmly assured against aggression, United States troops would leave.

I say again: what is wrong with that sequence of events? Britain says yes to it, the United States says yes to it. At present—and I repeat “at present”—China, the Soviet Union and North Viet-Nam say no. But despite that refusal, it will be the continued policy of the British Government to seek to bring a conference about by every means that seems possible, for it is my firm conviction that something like the solution I have just outlined sooner or later must be achieved, and will be achieved—sooner or later. And why not sooner? In God's name why not now, before more lives are lost.

Previous British Publications concerning Indo-China

(a) Geneva Conference, 1954

Documents relating to the Discussion of Korea and Indo-China at the Geneva Conference, 27 April–15 June, 1954 (Cmd. 9186, June 1954).

Further Documents relating to the Discussion of Indo-China at the Geneva Conference, 16 June–21 July, 1954 (Cmd. 9239, August 1954).

(b) Cambodia

First Progress Report of the International Commission for Supervision and Control in Cambodia for the period ending 31 December, 1954 (Cmd. 9458, May 1955).

Second Progress Report of the International Commission for Supervision and Control in Cambodia for the period 1 January to 31 March, 1955 (Cmd. 9534, July 1955).

Third Interim Report of the International Commission for Supervision and Control in Cambodia for the period 1 April to 28 July, 1955 (Cmd. 9579, October 1955).

Fourth Interim Report of the International Commission for Supervision and Control in Cambodia for the period 1 April to 30 September, 1955 (Cmd. 9671, January 1956).

Fifth Interim Report of the International Commission for Supervision and Control in Cambodia for the period 1 October, 1955, to 31 December, 1956 (Cmd. 253, September 1957).

Sixth Interim Report of the International Commission for Supervision and Control in Cambodia for the period 1 January, 1957, to 31 December, 1957 (Cmd. 526, October 1958).

Seventh Interim Report of the International Commission for Supervision and Control in Cambodia for the period 1 January, 1958, to 31 December, 1958 (Cmd. 887, November 1959).

Recent Diplomatic Exchanges concerning the Proposal for an International Conference on the Neutrality and Territorial Integrity of Cambodia (Cmd. 2678, June 1965).

(c) Laos

First Interim Report of the International Commission for Supervision and Control in Laos, 11 August–31 December, 1954 (Cmd. 9445, May 1955).

Second Interim Report of the International Commission for Supervision and Control in Laos, 1 January–30 June, 1955 (Cmd. 9630, November 1955).

Third Interim Report of the International Commission for Supervision and Control in Laos, 1 July, 1955–16 May, 1957 (Cmd. 314, December 1957).

Fourth Interim Report of the International Commission for Supervision and Control in Laos, 17 May, 1957–31 May, 1958 (Cmd. 541, October 1958).

International Conference on the Settlement of the Laotian Question, Geneva, 12 May, 1961–23 July, 1962 (Cmd. 1828, October 1962).

(d) Viet-Nam

First and Second Interim Reports of the International Commission for Supervision and Control in Viet-Nam, 11 August, 1954–10 February, 1955 (Cmd. 9461, May 1955).

Third Interim Report of the International Commission for Supervision and Control in Viet-Nam, 11 February, to 10 April, 1955 (Cmd. 9499, June 1955).

Fourth Interim Report of the International Commission for Supervision and Control in Viet-Nam, 11 April, to 10 August, 1955 (Cmd. 9654, December 1955).

Fifth Interim Report of the International Commission for Supervision and Control in Viet-Nam, 11 August, to 10 December, 1955 (Cmd. 9706, March 1956).

Viet-Nam and the Geneva Agreements: Documents concerning the Discussions between Representatives of Her Majesty's Government and the Government of the Union of Soviet Socialist Republics held in London in April and May 1956 (Cmd. 9763, May 1956).

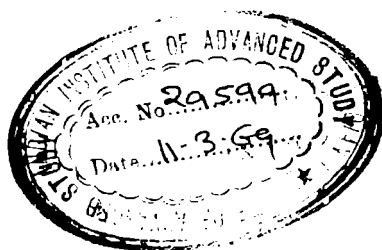
Sixth Interim Report of the International Commission for Supervision and Control in Viet-Nam, 11 December, 1955, to 31 July, 1956 (Cmd. 31, January 1957).

Seventh Interim Report of the International Commission for Supervision and Control in Viet-Nam, 1 August, 1956, to 30 April, 1957 (Cmd. 335, December 1957).

Eighth Interim Report of the International Commission for Supervision and Control in Viet-Nam, 1 May, 1957, to 30 April, 1958 (Cmd. 509, August 1958).

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- Ninth Interim Report
Viet-Nam, 1 May 1959 (Cmnd. 726, May 1959)
- Tenth Interim Report
Viet-Nam, 1 February 1960, to 31 January, 1960 (Cmnd. 1040, June 1960).
- Eleventh Interim Report
Viet-Nam, 1 February, 1960, to 28 February, 1961 (Cmnd. 1551, November 1961).
- International Commission for Supervision and Control in Viet-Nam: Special Report to the Co-Chairmen of the Geneva Conference on Indo-China, Saigon, 2 June, 1962 (Cmnd. 1755, June 1962).
- International Commission for Supervision and Control in Viet-Nam: Special Report to the Co-Chairmen of the Geneva Conference on Indo-China, Saigon, 13 February, 1965 (Cmnd. 2609, March 1965).
- International Commission for Supervision and Control in Viet-Nam: Special Report to the Co-Chairmen of the Geneva Conference on Indo-China, Saigon, 27 February, 1965 (Cmnd. 2634, April 1965).
- Recent Exchanges Concerning Attempts to Promote a Negotiated Settlement of the Conflict in Viet-Nam (Cmnd. 2756, August 1965).



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