



THIRD INTERIM REPORT

ON THE ACTIVITIES

OF THE

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN LAOS



(FOR THE PERIOD FROM 1st JULY 1955 to 16th MAY 1957)

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INTRODUCTION

Since the International Commission for Supervision and Control in Laos was established in August, 1954, it forwarded to the Co-Chairmen of the Geneva Conference on Indo-China two Interim Reports covering the activities of the Commission from its beginning to 30 June, 1955. These two reports were released to the public. During the last two years, the Commission kept the Co-Chairmen informed of important developments with respect to the relations between the Royal Laotian Government and the Fighting Units of the Pathet Lao through a series of special reports and letters. The present Third Interim Report will, it is hoped, when read in conjunction with the First and Second Interim Reports, give a comprehensive account of the Commission's activities for the period extending from 1 July, 1955 to 16 May, 1957.

During the period from June to November 1955, the Royal Laotian Government and the Fighting Units of the Pathet Lao—the two Parties to the Geneva Agreement who are referred to throughout this report as the Parties—pursued negotiations with a view to arriving at a political settlement in terms of Article 14 of the Geneva Agreement. These efforts, however, led only to incomplete results and hostilities continued, albeit on a small scale and in a sporadic manner, until April, 1956. A significant change was noticeable about the middle of 1956, when the two Parties met in Vientiane under the leadership of the Prime Minister of the Royal Laotian Government and the Chief of the Fighting Units of the Pathet Lao. Two Joint Declarations on agreed principles for settlement were signed in August, 1956, followed by a series of agreements. These accords were reached through negotiations conducted in an 'atmosphere of goodwill and understanding and by the end of December, 1956, a Joint Declaration was issued, signed by the Prime Minister of the Royal Laotian Government, Prince Souvanna Phouma and the Chief of the Pathet Lao, Prince Souphanouvong, outlining the steps for a final settlement.

Efforts to conclude the settlement continued in the early months of 1957. At the end of the period under review the Commission was hopeful that vigorous pursuit by the Parties of a solution to the outstanding problems would lead to a complete settlement.

The generally favourable atmosphere generated by the signing of agreements and the exchange of views between the Parties in a friendly atmosphere, had its effect on the military

(ii)

situation. For a period of nearly a year, calm, generally speaking, has been maintained throughout Laos. In so far as no full settlement has yet been reached, the possibilities of a deterioration of the situation cannot be entirely precluded.

In the present report the Commission, which did not participate in the negotiations between the Parties, has tried to indicate at some length the course of these developments of the last two years and the measures which it has taken from time to time to curb and control hostilities and to encourage the Parties to come to a settlement in fulfilment of Article 14 of the Geneva Agreement.

The Commission deeply regrets that on 9 April, 1957, due to an air accident three men lost their lives while in the service of the Commission. They were Lt. Col. Khushal Chand of the Indian Army, Mr. Roland Duthu, a French Civilian Pilot, and Sgt. Michel Gac, of the French Line of Communications in Indo-China.



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CHAPTER I

POLITICAL NEGOTIATIONS

Chronology of Important Events

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|-------------------------------------|--|
| 15 June 1955 | Commission addresses letters to the Parties calling for resumption of political negotiations (<i>vide</i> paragraph 70 of Second Interim Report). |
| 15 July 1955 to
5 September 1955 | Negotiations take place in Vientiane but make little progress. |
| 9 October 1955 | Conference at Rangoon opens between Prime Minister and Prince Souphanouvong. Joint communique issued on 13 October 1955. |
| End of October 1955 | Negotiations continue in Vientiane. |
| 3/4 November 1955 | Negotiations deadlock. |
| 25 December 1955 | Royal Laotian Government hold elections. Pathet Lao do not participate. |
| 7 January 1956 | Commission adopts resolution recommending ways and means to a settlement. |
| 22 February 1956 | Reconstituted government under Prime Minister Katay D. Sasorith fails to receive parliamentary support. |
| 21 March 1956 | Prince Souvanna Phouma forms new government and declares that he would give solution of Pathet Lao problem highest priority. |
| 13 April 1956 | Special report is sent to Co-Chairmen summarising difficulties in political and military fields. |
| April-May 1956 | Exchange of letters takes place between the Parties for reopening negotiations. |
| 2 August 1956 | Prince Souvanna Phouma, Prime Minister, leading delegation of the Royal Government, and Prince Souphanouvong, leading delegation of Pathet Lao meet at Vientiane for negotiations. |
| 5 & 10 August 1956 | Joint Declarations are issued indicating broadly a programme for final settlement of all the problems. |
| 24 September 1956 | Commission adopts resolution expressing satisfaction with Declarations. |
| 31 October 1956 | Agreement is signed for full implementation of cessation of hostilities. |
| 2 November 1956 | Agreement is signed for the implementation of policy of peace and neutrality. |
| 24 December 1956 | Agreement is signed on measures to guarantee civic rights and non-discrimination. |

- 28 December 1956 Joint Communiqué is issued indicating agreed measures for the settlement of outstanding problems.
- 21 February 1957 Agreement is signed on the modalities of elections.
- 16 May 1957 Commission adopts resolution for continuance of negotiations.

1. During the period under review, the International Commission continued to follow closely the efforts of the Royal Laotian Government and the Fighting Units of the Pathet Lao to reach a political settlement. The Commission offered its good offices at all stages and at times took the initiative for resolving the *impasse* between the Parties.

The Parties replied in the affirmative to the Commission's letter of 15 June 1955 (given in paragraph 70 of the Second Interim Report) calling for a resumption of the political negotiations and they started their second series of political talks in Vientiane on 15th July 1955. The Commission participated as observers in these talks which lasted until 5 September 1955 and included 11 formal meetings.

3. The Royal Laotian Government preferred to begin the negotiations by considering the question of the restoration of its administration in the northern provinces. The Pathet Lao believed that if agreement could be secured on the electoral question, all other aspects of the political settlement, including restoration and reintegration, would be easy of solution. The Royal Government agreed to taking up the electoral problem first and the following agenda was finally decided upon:

- (a) General Elections;
- (b) Establishment of Royal administration in the two northern provinces;
- (c) Integration of the Pathet Lao forces;
- (d) Democratic freedoms.

4. With regard to the electoral problems the Pathet Lao, basing themselves on Article 3 of the Final Declaration and Article 15 of the Geneva Agreement and on the basic principles of the Royal Constitution, proposed amendments to the existing electoral law of 1951. In their view, the electoral law having been adopted during the period of hostilities in Laos contained provisions which should be adapted to the new circumstances of post-Geneva Laos and should answer to democratic criteria provided for in the Geneva Agreement. Accordingly they proposed several reforms, the most important being the extension of voting rights to women on the same terms as men, the reduction of qualifying age for candidates from 30 to 25 and the formation of joint committees at all administrative levels to ensure free and fair elections.

5. The Royal Government maintained that the existing electoral law, being applicable to all Laotians, was not discriminatory against the Pathet Lao and that special conditions could not be envisaged for the latter. Further, they held that the only way to amend that law would be through action by the National Assembly after the election rather than before it. They also thought that the presumption of the Geneva Agreement was that the political settlement would take place within the framework of the electoral and constitutional laws then existing in Laos. They added that during June 1955 the National Assembly had postponed the date for the general elections from 28 August to 25 December 1955 (the last date on which balloting could be held under the electoral law) and it was hoped that this extra time would be sufficient to arrive at a political settlement. The Royal Government, nonetheless, agreed to several modifications in the procedure for elections. They did not, however, accept the Pathet Lao suggestion that there should be mixed control committees and that full and effective restoration of the Royal administration in the northern provinces should only be considered after the general elections.

6. The Pathet Lao repeating their earlier declaration "to classify the two provinces under the supreme authority of the Royal Government" suggested that the administration of these two provinces should be entrusted by the Royal Government to the Pathet Lao authorities, already functioning there, until after the general elections. The Pathet Lao maintained that the freedom and fairness of the elections would be best guaranteed by joint committees composed in equal proportion of the Pathet Lao and the other parties who would supervise the proceedings of the election at all levels. The Royal Government considered that these two proposals would leave the control over the conduct of the elections in the two provinces with the Pathet Lao and did not agree to either of them. The Government proposed that the restored administration in the northern provinces should be organised on a 50:50 basis, half the officials coming from the normal Royal Lao Government administration and half from the Pathet Lao.

7. The Commission, although of the view that the Geneva Agreement did not make it directly responsible to effect the political settlement and being anxious not to be involved in the internal affairs of the Kingdom, exhorted the Parties on 14 August 1955 to speed up the progress of the negotiations. Nevertheless, the talks failed to make further progress and were suspended on 5 September 1955 without even discussing the last two items on the agenda.

8. Meanwhile, a meeting was arranged between the Prime Minister of the Royal Government, Katay D. Sasorith and the leader of the Pathet Lao, Prince Souphanouvong for 30 September 1955 at Xieng Khouang. Prince Souphanouvong later insisted that the meeting should take place in "neutral" territory and it was finally arranged at Rangoon with the concurrence of the Government of Burma which

offered both the Parties and the Commission its full co-operation and hospitality. The Conference at Rangoon began on 9 October 1955 and lasted until 13 October 1955.

9. On the morning of 9 October 1955 before the commencement of the Conference at Rangoon, the Chairman of the Commission, in consultation with his colleagues, presented both the Parties with a personal and confidential letter together with an "Outline of Settlement", which it was thought might be used as a working document (Annexure 1). The Commission was not present at all the discussions between the Parties but was kept generally informed of the proceedings.

10. The Agenda was discussed first, the Royal Government Delegation taking the view that political questions should receive prior consideration while the Pathet Lao Delegation desired to take up the problem of the military settlement first. The Royal Government Delegation finally agreed to the following agenda :—

Item 1: Cessation of hostile acts;

Item 2: Reinstallation of Royal Administration in the provinces of Phong Saly and Sam Neua;

Item 3: General Elections;

Item 4: Future status of the Fighting Units of the Pathet Lao.

Item 1: Cessation of all hostile acts:

The agreement (Annexure 2) reached between the two Parties on 11 October 1955 is self-explanatory. The Commission expressed the hope to the Parties that the various time limits indicated in the agreement would be observed and that concrete steps would be taken at the appropriate stages for a satisfactory implementation of the agreement.

Item 2: Establishment of Royal Administration in the provinces of Phong Saly and Sam Neua.

The Royal Laotian Government proposed that its administration in the two northern provinces be restored on the basis of half of the important functionaries in each province being appointed by itself and the other half by the Pathet Lao. The Pathet Lao confirmed their declaration to place the administration of the provinces of Phong Saly and Sam Neua under the Royal authority, but considered that a Joint Consultative Council should be constituted for each province to study and implement the reorganisation of the administration in successive phases. Pending the Council's decisions the Royal Laotian Government should entrust the administration to the Pathet Lao functionaries in service at that time, and the supervision of elections should be made the responsibility of joint committees of all parties in order to guarantee that the elections might be properly held. These proposals were unacceptable to the Royal Laotian Government, which considered that it would not provide guarantees that the organisation and supervision of the election would take place in a proper manner.

Item 3: Elections :

The two Parties agreed on the following:

- (i) setting up of new electoral rolls;
- (ii) election to be direct and by secret ballot;
- (iii) right of eligibility for former adjutants of the Fighting Units of the Pathet Lao and former functionaries of Pathet Lao;
- (iv) equivalence of Pathet Lao education certificates with those of the Royal Laotian Government;
- (v) general guarantees of democratic freedoms and assurances against reprisals and discriminatory measures.

The following differences, however, continued from the Rangoon Conference and from the previous period:

- (i) reduction of age of eligibility for candidates to 25 years;
- (ii) right of vote for women;
- (iii) prolongation of the duration of the electoral campaign;
- (iv) the time limit for the nomination of the Pathet Lao candidates and the possibility of their nomination all over the country;
- (v) the scope of the function of the joint advisory committees of all parties.

Item 4: Future Status of the Fighting Units of the Pathet Lao :

This item was not discussed, both sides agreeing to take it up at Vientiane at a later date.

At the close of the Rangoon Conference on 13 October, the Parties agreed that further discussion of outstanding points and the drafting of appropriate agreements would be carried on by the Parties in Vientiane, and that the Prime Minister and Prince Souphanouvong would meet again, if necessary.

11. The Parties met at Vientiane after some initial delay at the end of October 1955, but it soon became apparent that the difficulties encountered at Rangoon were of a fundamental nature and could not be resolved. The Pathet Lao stated that they could not take part in the 1955 elections unless solution to the various problems raised by them had been found while the Royal Government maintained that they could not meet all the Pathet Lao demands and insisted on the restoration of the Royal Administration in the two northern provinces before elections. As the Parties could not agree on a common basis for further discussion, the negotiations were discontinued.

12. The Royal Government held "general elections" on 25 December 1955. The Pathet Lao did not participate in them. The Commission was not asked to play any part in the elections and it did

not adopt any official attitude towards them. During the months of December 1955/January 1956, the Commission received several letters from both the Parties concerning the course of political negotiations so far held, as also the Pathet Lao's complaint that the elections held were illegal and invalid. At the request of both the Parties, the Commission forwarded these letters on 25 November 1955 to the Co-Chairmen. Limited comments on the attitude of the three Delegations on the question of elections were later made available to the Co-Chairmen. The Canadian Delegation held the view that these were not contrary to the Geneva Agreement and that the Royal Lao Government had tried their utmost to reach a political settlement with the Pathet Lao beforehand and were bound by their own Constitution to hold elections some time in 1955. The Polish Delegation considered that the elections were not held in conformity with the Geneva Agreement, and that the Commission had taken no part in them and had made no comments. The Indian Delegation took the view that the Royal Lao Government had freedom to hold elections whenever they wished under their own law, but as no political settlement had been reached with the Pathet Lao and as they did not participate in the elections, these elections were not of the type contemplated in the Geneva Agreement.

13. All these developments indicated that the situation was far from satisfactory and that the tension between the Parties was mounting. All the Delegations were aware of the situation but differed considerably as to the best course of action to be followed in the circumstances. As early as 14 December 1955, the Canadian Delegation had moved a resolution entitled "Restoration of the Royal Administration of the two provinces of Phong Saly and Sam Neua", taking the view that such a resolution was of primary importance and would help stabilise the situation. The Polish Delegation, however, was of the opinion that the primary concern of the Commission was the maintenance of the cessation of hostilities and that in so far as the political problem had been referred to the Co-Chairman by the Parties themselves, the Commission should desist from any action until the views of the Co-Chairmen were known. As a result of intense discussion, the Chairman tabled an alternative draft (Annexure 3) which was eventually adopted on 7 January, 1956 with Canadian and Indian support. The final resolution recommended re-establishment without delay of the Royal Administration in the northern provinces concurrently with the necessary measures of integration of the Pathet Lao without discrimination and requested the Parties to open negotiations to achieve these ends, and thus, a political settlement. The Polish Delegation did not take part in the detailed discussion of the text as their reservations were of a fundamental nature. The resolution was later forwarded by the Commission to the Co-Chairmen by a letter dated 15 February, 1956: this letter gives the views of the three Delegations on the resolution as also the reaction of the Parties to it (Annexure 4).

14. Meanwhile, following the installation of a new Government headed by Prime Minister Prince Souvanna Phouma and the declaration (Annexure 5) of the Prime Minister about its policy towards the settlement of the political problem with the Pathet Lao, a series of letters was exchanged between the Prime Minister and Prince Souphanouvong, leader of the Pathet Lao, with a view to reopening negotiations. On 22 April, a letter (Annexure 6) was addressed by Prince Souphanouvong to the Prime Minister, suggesting that direct political negotiations should be reopened in the near future for full implementation of the Geneva Agreement and on the principles of peace, independence, democracy and unity of the country. There was some delay as to the basis on which these negotiations should proceed, as also about the place of meeting. However, by the end of July, partly as a result of various informal contacts between the Commission and the Parties, the Pathet Lao Delegation, led by Prince Souphanouvong, arrived in Vientiane and a fresh series of negotiations was opened. In co-operation with the Royal Government the Commission took special care for the stay and security of Prince Souphanouvong. The talks between the Pathet Lao and the Royal Government Delegation, led by the Prime Minister, Prince Souvanna Phouma, commenced on 1 August 1956 and continued till 10 August. The Commission did not attend the talks. The Parties stated that the negotiations were proceeding in an "atmosphere of entire cordiality and good mutual understanding". As a result of the efforts of the two Parties, two Joint Declarations (Annexures 7 and 8) were signed giving in broad terms a programme for a final settlement in respect of all the problems which concerned both the Parties. In these Declarations it was agreed between the Parties that the country would continue to base its foreign policy on peace and neutrality and good relations with all the countries, especially with the neighbouring ones. The principle of peaceful co-existence was stressed. It was agreed also that Laos would not adhere to any military alliance and would not allow any country to establish military bases except in so far as authorized in the Geneva Agreement. These Joint Declarations also stipulated that there should be effective cease-fire, full guarantee of democratic liberties to all citizens and civic rights and guarantees to members of the Pathet Lao and allied organizations against discrimination. Both the Parties agreed that there would be supplementary general elections in which both men and women would be able to participate by free and secret ballot and that there would be a Government of National Unity with the participation of the representatives of the Pathet Lao Forces. Both sides also agreed that the administration of the provinces of Phong Saly and Sam Neua, as well as the Pathet Lao Fighting Units, would come under the authority of the Royal Government and would be re-organized in accordance with the national pattern. The Parties set up two Mixed Committees—Political and Military—to discuss and decide how the various problems indicated in the Joint Declarations should be implemented. On the initiative of the Polish Delegation, the Commission adopted on 24 September 1956 a resolution on the Joint Declarations of the Royal Government and the Fighting Units of the Pathet Lao. In this resolution it noted with satisfaction the

outcome of the discussions concerning the political settlement and considered that the Joint Declarations formed a suitable basis for final agreement in respect of all outstanding matters in conformity with the Geneva Agreement (Annexure 9).

15. The Political and Military Committees' commenced their work on 25 September 1956, that is, about 6 weeks after the signing of the Joint Declarations on August 5 and 10. This delay was to some extent due to the unavoidable absence of important personalities from Vientiane. However, on 31 October 1956, the Mixed Military Committee signed an agreement for full implementation of the cessation of hostilities (Annexure 10). The Parties agreed to issue a common order to the troops of both sides to remain in their respective positions and cease forthwith all actions which might lead to the renewal of hostilities. Two Mixed Mobile Teams were created to supervise the strict application of this order. As a result of these efforts, the Military situation in the two northern provinces improved considerably from August onwards and neither Party wished to initiate investigation of minor incidents which might have occurred in conditions where the opposing forces were close to each other. In these circumstances the Commission considered, shortly after the August Declarations, that the pending investigations should also be suspended.

16. On 2 November, another agreement for the implementation of the policy of peace and neutrality, was signed (Annexure 11). After emphasizing the importance of such a policy for Laos, the Parties agreed that diplomatic relations should be established with the least possible delay with neighbouring countries and with all others who desired such relationship. It was also agreed that from the beginning of 1957 the Government would ask assistance from all the countries which were willing to extend such aid without any conditions. The Commission transmitted both these agreements to the Co-Chairmen. The Commission hoped that the negotiations would bring about a complete solution consistent with the Geneva Agreement and noted with satisfaction the progress which these documents marked.

17. By the end of October, it was evident that progress on important matters which remained to be settled could only be achieved by a further meeting between the two Princes. The Prime Minister returned to Laos from abroad by the end of October and a new meeting between the two Princes was arranged at the Prime Minister's invitation which was promptly accepted by Prince Souphanouvong. On 7 November, 1956 Prince Souphanouvong arrived at Vientiane. With the opening of this series of meetings, the political negotiations between the Parties entered a new phase and the work of the Mixed Political Committee proceeded with greater speed. Thus on 24 December 1956, an agreement (Annexure 12) was signed on the measures to guarantee civic rights and non-discrimination to the members of the Pathet Lao, to the people connected with the Pathet Lao and the former resistance fighters in the whole country, as well

as on the measures to be taken to integrate the cadres of the Pathet Lao and the former resistance members in the administrative and technical services in the Kingdom at all levels.

18. From 7 November onwards the two Princes discussed the various aspects of the problem several times, but, because of certain unforeseen factors, their efforts did not reach any conclusion until 28 December when a Joint Declaration was issued (Annexure 13). This Declaration expressed satisfaction of both the Parties at the deepening cordiality and complete mutual understanding established between them. It underlined that on the remaining problems of democratic liberties, supplementary general elections, administration of the two northern provinces and military integration, agreement in 'principle had been reached and detailed discussion on their implementation had taken place between the two Parties, who expected to reach agreement on the modalities of such implementation in the near future. The Declaration provided that a Government of National Unity with adequate representation of the Pathet Lao would be formed before the supplementary general elections which were to be held by "equal, direct, free and secret ballot, with equal rights to both sexes, and in circumstances guaranteeing justice and precluding fraud—this in accordance with the spirit of the Constitution of the Kingdom." Both the Parties agreed that such a Government would also build up Laos on the basis of a suitable political programme as a peaceful, democratic, united, independent and prosperous country. The Joint Declaration stated that immediately after the formation of the Government of National Unity, the administration of the two provinces of Phong Saly and Sam Neua, as well as the Fighting Units of the Pathet Lao, would be placed under the authority of this Government and would be reorganized in accordance with the national pattern; also the Pathet Lao Movement would be transformed under the name of "Neo Lao Haksat" as a political party working within the framework of the existing laws of the country.

19. On 29 December, the Commission received a letter signed jointly by the Prime Minister and Prince Souphanouvong forwarding the Joint Declaration of 28 December. The joint letter stated that the "signing of this joint communique constitutes an important step in the working in sincere co-operation between the Royal Government and the Pathet Lao Forces, with a view to reaching quickly the final settlement of the Laotian problem in conformity with the Geneva Agreements." The letter concluded by requesting the Commission "to inform the Co-Chairmen of the Geneva Conference and assure them that once the general supplementary elections will have been held in the conditions and circumstances mentioned in the Joint Declaration, the political settlement as foreseen in Article 14 of the Geneva Agreement will be realised. Suitable notification will be addressed to the International Commission and the Co-Presidents of the Geneva Conference as soon as the arrangements foreseen in the Joint

Declaration are fully implemented." This joint letter is reproduced as Annexure 14. The Commission transmitted all these documents to the Co-Chairmen in a letter of 11 January 1957, indicating that the Parties were optimistic of reaching a final settlement and of holding supplementary elections without much delay.

20. On 31 December, 1956 Prince Souphanouvong left Vientiane, agreeing to return to the capital in two or three weeks' time in order to continue and complete the negotiations. He arrived at Vientiane on 4 February 1957, and the negotiations, on the basis of 28 December agreement, were immediately undertaken between the two Parties. No substantial progress was reported to the Commission except that on 21 February 1957, the two Parties signed an agreement on the modalities of elections (Annexure 15). On 1 March 1957, the Assembly passed a revised electoral law which is understood to be generally in conformity with the agreement of 21 February 1957. On 8 April, the mixed political committee published a communique (Annexure 16) in which they stated that "The Committee acknowledged the need for making efforts in order to implement concretely the agreements signed already, and at the same time acknowledged that the question of guarantee of democratic freedoms for the People under discussion since some time could also be settled by an agreement. Finally, the Committee started discussions on the political programme of the National Union Government and jointly saw the need for steering the discussions towards a complete agreement." In spite of this declaration, it was clear to the Commission by the end of April that the Parties had encountered difficulties of various kinds. The Polish Delegation began discussion on these, and the Commission felt it necessary to encourage the Parties further to come to a speedy solution and accordingly on 16 May 1957, it adopted the following resolution:—

The International Commission for Supervision and Control in Laos.

CONSIDERING that it has become advisable, in view of developments and circumstances, to review the question of the final settlement in Laos,

NOTES with concern and regret from its study of the situation that the Parties have encountered difficulties of various kinds, so that they have not been able to achieve a final political settlement as foreseen in the Geneva Agreement together with the Final Declaration and the Declaration of the Royal Government of 20 July 1954;

DECLARES its conviction that a political settlement should be achieved as a result of full and free discussion between the Parties and that in these negotiations the International Commission continues to adhere to the policy that the Parties should remain free to discuss and determine between them what is most equitable and acceptable;

RECALLS that it noted with satisfaction the Common Declarations of August 5 and 10, 1956, and that subsequently it addressed three letters to the Co-Chairmen forwarding the various agreements signed between the Parties (viz., on 31 October 1956, 2 November

1956, 24 December 1956 and the Common Declaration of 28 December 1956). In its letter of 11 January 1957 to the Co-Chairmen the Commission described briefly their background and indicated the progress towards a settlement which in the view of both the parties these agreements marked. This letter concluded by expressing strongly the hope that "these measures which the Parties affirm as representing 'a great step forward towards the final solution of the Laotian Problem in conformity with the Geneva Agreement' will soon lead to a final settlement of the Laotian problem", and pledged the Commission's willingness to "continue to assist, in so far as it lies in its power, the Parties to attain a settlement satisfactory to both and in conformity with the Geneva Agreement";

NOTES that the Agreements so far signed and the terms of negotiations, so far as they are known to the Commission, are not contrary to the Geneva Agreement and the resolutions adopted by the Commission, including that of 7 January 1956;

CONSIDERS IMPORTANT the implementation of the Agreements necessary for the political settlement;

RECOMMENDS to the Parties that the negotiations now in progress between them should be continued with the utmost vigour in an atmosphere of existing goodwill and mutual understanding until a final settlement on all outstanding points is reached with the least possible delay;

URGES that the machinery of the Joint Political and Military Committees established by consent between the Royal Government and a Pathet Lao should be utilized to the maximum extent possible;

CALLS UPON the Parties to observe scrupulously the cease-fire; to ensure that no hostile actions or provocations should be taken or given, that force should not be resorted to and that the peace should be firmly maintained, so that the Geneva Agreement is fully observed and a proper atmosphere for a political settlement is maintained.

CHAPTER II

MILITARY SITUATION IN PROVINCES OF SAM NEUA AND PHONG SALY

1. Until April, 1956, the military situation in the two northern provinces of Sam Neua and Phong Saly continued to be unsatisfactory. Numerous clashes occurred between the troops of the Royal Government and the Fighting Units of Pathet Lao. In their attempt to consolidate scattered posts in the northern provinces, the Laotian National Army extended its control in the intervening territory and in the process created new posts in the perimeter and had, on occasions, attacked the Pathet Lao. What was considered consolidation by the Royal Laotian Government was viewed as expansion and attack by the Pathet Lao and the latter had, from time to time, harassed or attacked Royal Laotian Government positions. Complaints were therefore received from the Royal Laotian Government regarding Pathet Lao encirclement and attacks and from the Pathet Lao of expansion of Royal Laotian Government forces and attacks. In this situation which was viewed strategically as a whole by both the Royal Laotian Government and the Pathet Lao, clashes occurred, particularly in places where the opposing forces were near each other.

The tension generated by this unsatisfactory situation showed signs of abatement once the Parties started preliminary exchange of letters for political talks. As soon as these talks opened, the Parties reaffirmed their desire to maintain complete peace and strict cease-fire. As a result, tension lessened and a relatively satisfactory state of calm was reached by August, 1956, at which time general hostilities ceased. From that time the Commission received no official requests for investigation from either side, and the Parties decided to deal themselves with all problems of a military nature in the Joint Military Committee. Towards the end of the period under review, however, there was some indication that in areas where Pathet Lao and Royal Laotian Government forces were in close proximity, tension had not completely disappeared and that in some instances military incidents took place. The need for vigilance therefore continues.

Sam Neua Province

2. The situation in the areas around Muong Peun and Houei Thao in the province of Sam Neua in the second half of 1955 continued to deteriorate. At the beginning of July the team at Muong Peun reported that the Laotian National Army forces had been reinforced both in men and material by several paradrops. At the same time complaints were received from the Laotian National Army and the sub-team at Houei Thao indicating increasing tension at the place. There were indications of increased activities by both sides in these areas. Several complaints from the Fighting Units of Pathet Lao were received by the Commission alleging receipt of reinforcement by the

Laotian National Army into the province of Sam Neua and the expansion of the territory under their military control and that it was because of attacks by these troops that the Pathet Lao forces were obliged to open fire in self-defence. At the same time the Royal Government lodged complaints with the International Commission alleging that the Pathet Lao were surrounding their positions and trying to drive them out. During July, owing to the lack of a Pathet Lao Liaison Officer and the non-availability of helicopters from the French Liaison Mission it was not possible to carry out investigations in the areas affected.

3. In July 1955 the International Commission unanimously agreed to send communications to both the Parties asking them to respect the cease-fire and stop the sending of further reinforcement to Muong Peun and Houei Thao areas.

4. In spite of these communications there was further worsening of the military situation between August and October 1955, particularly in the areas east and south of Muong Peun. Clashes continued to take place on an increasing scale with each party maintaining completely opposite views with regard to the interpretation of Articles 14 and 19 of the Geneva Agreement. These different points of view have been explained in Chapter III of the Commission's Second Interim Report. From complaints received at this time it appeared that the Laotian National Army were attempting to consolidate their control over the area around Muong Peun while the Pathet Lao were determined to prevent this. Only one investigation was carried out by the Commission's team during this period in the vicinity of Pakha and Houei Nha which lie to the north of Muong Peun and west of Sam Neua. This investigation showed that the forces of both parties came into contact in the vicinity of these Laotian National Army posts and that when the Laotian National Army troops ran short of ammunition and supplies, they withdrew from them. Later, they reoccupied both of these places.

Second Cease-Fire Agreement

5. The cease-fire which according to the Rangoon Agreement was to be effective from 11 October, 1955 did not materialise. A second cease-fire agreement was entered into by the two Parties effective from mid-night 7/8 November, 1955. This too failed to produce the desired result particularly in the Muong Peun sector.

6. Both Parties continued to report violations of the cease-fire agreement to the Commission. Owing to irregular availability of helicopters at that time, which restricted the movement of teams, conclusive investigations into all these complaints could not be carried out. The Pathet Lao Liaison Officers apparently did not have adequate authority and this fact also contributed to the difficulties of investigation. However, one investigation was completed during November in the area of Ban Nakeng, a post south east of Muong Peun. This

investigation showed that Ban Nakeng had first been occupied by the Laotian National Army on 1 June 1955 and that the Pathet Lao unsuccessfully attacked it during September and October 1955.

Situation at Houei Thao

7. During the period July to October 1955, the situation in Houei Thao caused serious concern. The main reason was that the only water-points available for Laotian National Army troops lay outside the limits of territory held by the Laotian National Army. Clashes occurred when Laotian National Army troops attempted to draw water from these points. The Laotian National Army alleged that the Pathet Lao had laid mines around water points as a result of which several casualties were suffered by the Laotian National Army troops when drawing water. There was considerable exchange of fire between both the Parties in which mortars and small arms were used. The safety of the sub-team at Houei Thao was in danger. To restore calm, a conference was held at Sam Neua on 13 October, 1955 under the auspices of the fixed team there and attended by representatives of both the Parties. An agreement (Annexure 17) was reached and cease-fire was ordered in Houei Thao area effective from 18 October, 1955.

8. The Sam Neua agreement had a salutary effect on the situation at Houei Thao though minor complaints of its violation continued to be received from both sides. The Laotian National Army complained that the firing and mining was directed against water parties, while the Pathet Lao complained of firing and violation of the Sam Neua agreement by the Laotian National Army. The Commission ordered investigation into these incidents and found that both sides had violated the Sam Neua agreement. The Commission issued fresh exhortations to both the Parties to implement this agreement fully.

9. In spite of this the exchange of fire continued and the Laotian National Army water parties came under fire on two or three occasions. During the exchange of fire between the two Parties the Commission team was subjected to great difficulties and inconveniences and there was considerable danger from mortar and small arm fire. This was caused by the fact that the team at Houei Thao is situated in the middle of the Laotian National Army positions. On five occasions during the period 1 December, 1955 to 16 January, 1956, the members of the team carrying the Commission's flag came under fire from the posts and areas held by the Pathet Lao. The last incident was of a serious nature and the Commission remonstrated with the Pathet Lao about these occurrences. The Pathet Lao replied "that our soldiers have never fired at the International Commission....., that the Houei Thao sector is a place where the limits are not quite precise, that the armed groups of the Royal Government infiltrate very often into our area and that during the exchange of fire it is quite possible that the soldiers of the Royal Army fire at the International Commission in order to throw the blame thereafter on the Fighting Units of the Pathet Lao." The Commission did not take any decision on this argument.

nor was it able to investigate these incidents long after their occurrence. Fortunately, however, with the improvement in the general situation, similar incidents were not repeated.

10. Owing to the constant danger to the safety of team members, the Commission considered withdrawing the team but decided that discretion in this matter should be left to the team itself. The team decided however to stay on at Houei Thao.

11. On 17 January, 1956, the Commission sent letters to both the Parties exhorting them to implement the cease-fire agreement fully and to direct the local Commanders at Houei Thao to observe cease-fire from 20 January, 1956.

12. On 21 January, 1956 the firing increased in intensity. At 15-00 hours when the team was engaged in the repairing of its bunker with the Commission's white flag prominently being displayed, five well-grouped shots were fired from the direction of the Pathet Lao post on to the area where the team was working. One shot wounded an Indian signalman belonging to the team. The Commission felt that it was impossible to mistake the identity of the team or its members, and the International Commission could only presume that someone from the Pathet Lao side must have fired the shots.

13. A helicopter sent from Sam Neua to evacuate this casualty was unable to do so owing to the heavy firing from both sides. The casualty was later evacuated by helicopter during a lull period in firing.

14. From 22 January onwards there was comparative calm but intermittent firing and mine explosions continued. Certain Laotian National Army casualties wounded by mine explosions were evacuated in the Commission's helicopter.

15. During March intermittent fire continued to take place and there was tension between both the Parties at Houei Thao.

16. On 1 April, 1956, three Laotian National Army soldiers, apparently under the influence of alcohol and having become excited over the delay in the evacuation of Laotian National Army casualties, threatened with weapons in their hands the International Commission members. Due to the hostile attitude of these three soldiers, lives of the Houei Thao sub-team members were endangered. Because of this, a member of the team with his interpreter, who had previously been badly treated at Houei Thao in another incident, felt compelled to leave the place until the situation could be put right through the intervention of the International Commission. With the departure of this officer in such circumstances, the team at Houei Thao ceased to have any official status and their work practically came to a standstill.

17. The Military Committee carried out an on-the-spot investigation into this matter. The Commission wrote a letter to the Royal Government about the incident, demanding guarantee for the safety of

the team members and hoping that they would take suitable action to punish those found guilty. A number of letters were exchanged between the Royal Government and the Commission in which the Royal Government expressed regret for the incident and stated that an enquiry would be held; however, no definite assurance guaranteeing the safety of the team was given. In this situation it was not possible for the member of the team who had left Houei Thao to return there until such time as the Royal Government categorically satisfied all the demands of the Commission in these matters.

18. Although the team at Houei Thao, in the absence of one member, could not be regarded as a team as defined in the Geneva Agreement, reports were received by the Commission from the remaining members that several incidents of firing continued between the Parties during the third week of April. It was also reported by these members of the team that the Pathet Lao had occupied a new position near Houei Thao village and that once, when they were collecting supplies paradropped for the Laotian National Army, they were fired upon from the direction of Pathet Lao positions. While the team was not officially complete, the Commission's flag was displayed. These reports could not be acted upon because of lack of official status of the team. It was evident that all steps should be taken to bring about necessary conditions for return of the member who had left. Therefore, on 17 April, 1956 the Commission urged both the Parties once again to respect the cease-fire and restore calm and on 21 April, 1956, the Commission met the representatives of the Royal Government and the Pathet Lao in Vientiane and a statement was handed out to them regarding the conditions at Houei Thao. It was stated that the Commission viewed with concern the grave situation at Houei Thao and the importance of enforcing a strict cease-fire immediately. After these measures had been taken, the member who had left Houei Thao felt sufficiently reassured to return there with his interpreter. They did so on 22 April, 1956.

19. Intermittent firing continued on 22 April, 1956 and some shots hit the team bunker. The Commission decided to ask the Chairman of the Military Committee to communicate with both sides; to express to the Pathet Lao its serious concern about the shooting at team members and the team bunker; and to emphasize to both sides its anxiety over the breach of cease-fire.

20. In May and June minor violations of the cease-fire agreement continued to be made by both the parties.

21. Investigations into the alleged construction of the new post was inconclusive as the team could not reach a unanimous conclusion. The investigation regarding water points was not completed.

22. On 8 May, 1956 the Canadian Delegation tabled a draft resolution on the situation at Houei Thao with a view to warning both the parties to observe cease-fire and in particular the Pathet Lao who were, in their view, responsible for hostile acts. The resolution was

discussed at length in the Commission and was opposed by the Polish Delegation as in their opinion it was biased and one-sided. After considerable discussion, and on the suggestion of the Chairman, it was decided that the best course would be for both the Parties to meet at a conference with a view to solving various problems arising out of the situation at Houei Thao.

23. For a period of nine months, between June 1956 and March 1957, the general situation at Houei Thao remained calm except for occasional exchange of fire. Instances of Laotian National Army soldiers being injured by mine explosions when collecting firewood outside the limits of their posts continued to be reported. From the latter part of March, 1957 to mid-May, 1957, there were several exchanges of fire between the Pathet Lao and the Royal Government soldiers in a variety of circumstances, such as breaches of the Sam Neua Agreement, difficulties of water parties, firewood collecting parties and retrieving of Laotian National Army supplies which had been paradropped for the garrison at Houei Thao and which fell on the Pathet Lao side. The sub-team at Houei Thao exercised close supervision and succeeded in preventing any outbreaks of serious proportions.

Situation at Muong Peun

24. The first incident of firing after the cease-fire agreement of 19 November, 1955. This was soon followed by several others especially in the areas south and east of Muong Peun. In spite of the difficulties of investigation already mentioned, the Commission undertook to investigate the Royal Government complaints alleging Pathet Lao movement and mining at Ban Papek, Ban Nanong and attack at Ba Na Say in the area east of Muong Peun. At the same time the Pathet Lao alleged that the Royal Government had not desisted from intensifying the despatch of reinforcement and from attacking the Pathet Lao troops occupying the posts of Pakha, Kohay, Nakeng, Nanong and Nam Oun. The results of the investigation into the Royal Laotian Government complaint showed:

(a) There were general patrol activities by both sides near the areas regarding which allegations have been made e.g. Ban Nanong, Tik Nok Ngoua and Ban Na Sam.

(b) The post of Ban Na Sam was held by the Laotian National Army on 19 November, 1956.

(c) On the 25 November, the day of the investigation, the posts of Ban Papek and Ban Nanong were held by the Laotian National Army.

(d) Other points in the allegation could neither be proved nor disproved.

The investigation into the Pathet Lao complaint was not completed.

25. During November and December 1955 further allegations were made of incidents taking place in areas around Muong Peun and the situation worsened. On 5 December the Laotian National Army Commander at Muong Peun alleged to the Commission's team that three Laotian National Army posts were being attacked by about 1300 Pathet Lao troops. At the same time the Pathet Lao alleged that Laotian National Army were attacking Pathet Lao posts in this sector and that a battalion of Laotian National Army troops from Xieng Khouang was being used for this purpose. The Commission realising the gravity of the situation asked both sides for an immediate cease-fire. Investigations into the complaints and counter complaints were ordered. As a result of this action calm was restored, though temporarily. The investigating team tried its best during its proceedings to obtain Pathet Lao witnesses in order to arrive at a balanced and objective conclusion of the matter. The efforts of the team were of no avail and no Pathet Lao witnesses were made available. In view of this the findings and conclusions of the team had of necessity to be based on the evidence obtained from the Laotian National Army soldiers stationed at the posts concerned and from the inhabitants of the villages Ban Pakha and Ban Nakong. From the evidence available it would appear that:

- 1(a) the Pathet Lao complaints alleging attacks by the Laotian National Army on their positions in this area had no foundation;
- 1(b) the Laotian National Army positions in the area mentioned above were first attacked by the Pathet Lao on 5 December, 1955, but later as a result of counter-attacks the original positions were restored.
2. From the evidence available the Commission considered that most of the Laotian National Army posts in these areas were established in the period June/July 1955. The attacks on these posts by the Pathet Lao and the subsequent counter-attack by the Royal Laotian Government resulting in the withdrawal of the Pathet Lao from them, were all violations of the Geneva Agreement.

26. During January 1956 the Commission received a complaint from the Laotian National Army that the Pathet Lao had over-run their posts at Ban Houei Saye. The Pathet Lao also complained of Laotian National Army attacks on Houei Saye and Nanong and the seizure by Laotian National Army troops of Nasahong and Nasala on 28 and 29 January. On 30 January 1956 the team at Muong Peun decided to proceed to Ban Houei Saye for investigation. As the helicopter carrying the team was about to land, it was fired upon and some bullets hit it narrowly missing the occupants. The team had to return without starting the investigation. On 3rd February 1956 the team again attempted to go to Ban Houei Saye, but the helicopter was damaged while landing. Later the team recorded some evidence of witnesses produced by the Laotian National Army Commander at Muong Peun.

The team was unable to complete the investigations due to the inability of the Laotian National Army to assure the security of the team and also due to the non-availability of a Pathet Lao Liaison Officer whose return to Muong Peun from Sam Neua was objected to by the Laotian National Army authorities.

27. On 26th February, 1956 when returning from Sam Neua to Muong Peun, one of the Commission's helicopters was fired upon, the pilot sustaining minor injuries.

28. From March onwards the situation showed improvement although complaints and counter complaints of alleged attacks on posts and ambushes were received from both sides. As both the Parties agreed on 5th August 1956 to settle all incidents and misunderstandings between themselves without recourse to fighting, the Commission did not proceed with investigations already ordered.

Situation in Phong Saly

29. The situation in the province of Phong Saly was comparatively quiet. A few complaints were received regarding minor incidents of firing from both the Parties.

30. On 17th February, 1956 a complaint was received from the Royal Laotian Government about a Pathet Lao attack in the vicinity of Boun Neua. The team on investigation reported that it could not be proved which party had started firing. Both parties were asked to desist from mining and patrol activities in the area and to respect the territory which was under the control of the other party.

31. At the same time the Commission received complaints from the Pathet Lao alleging activities of Chinese Kuomintang troops in certain districts of the Phong Saly Province. This complaint alleged that these troops were allowed by the Royal Government to establish themselves in the province of Phong Saly with the purpose of creating troubles in the regroupment zone of the Pathet Lao Forces. The Commission team in Phong Saly was ordered to start investigating into this complaint. The investigation was not completed.

32. Two complaints were received on 22 December, 1955 and 10 March, 1956, from the Royal Laotian Government alleging that some Vietnamese troops were present in the province of Phong Saly. The first complaint was not investigated due to the inability of the Pathet Lao to ensure security arrangements and to adverse weather conditions. The team investigated the second complaint and reported that there was no evidence of the presence of Vietnamese troops.

33. During May, 1956, three complaints from the Pathet Lao were received alleging attacks by Laotian National Army troops on the Pathet Lao posts and reprisals against the population. As the situation improved steadily no investigation was undertaken on those complaints.

Position since August 1956

34. Since August, 1956, very few complaints were received only from the local Commanders, by the Commission's teams. In informal discussion at Vientiane, both the Parties indicated that those need not be investigated in view of the general improvement in the situation and of the understanding between the Parties that all problems of military nature which caused friction between them should be dealt with in the Mixed Military Committee. Early in May, the Royal Lao-tian Government sent a list of hostile acts alleged to have been committed by the Pathet Lao during March-May 1957, but stated that this was for the information of the Commission and that these incidents and the other aspects of the military situation were being studied by the Joint Military Committee. Similarly, the Commission was informally advised that the Prime Minister had been given a list by the Pathet Lao of alleged violations of the cease-fire by the Royal Lao-tian Government.



CHAPTER III

MILITARY NEGOTIATIONS

1. This chapter should be read in continuation of the chapter dealing with the Military Situation in the provinces of Sam Neua and Phong Saly and in conjunction with the chapter dealing with the Political Negotiations. The military negotiations conducted during the initial 9 months of the period under review failed to produce satisfactory results. Since the spring of 1956 with the recommencement of the political negotiations and the signing of the August Declarations, the situation improved considerably and as far as the knowledge of the Commission goes all hostile acts ceased altogether.

2. As mentioned in the Second Interim Report the two parties opened military talks on 27th June, 1955 in Vientiane. The Military Committee which had been charged to assist the Parties informally, met the representative of the two Parties on 15th July, 1955 and learnt that both Parties had agreed in principle to—

- (a) an immediate cease-fire,
- (b) stoppage of further reinforcements by either side,
- (c) separation of the two forces.

The main differences between the Parties continued to be on the method of separation of the forces and the areas to be placed under control of each Party.

Proposal of Military Committee July, 1955.

3. In the last week of July 1955, the Commission considered the proposals prepared by the Military Committee for effective cessation of hostilities in Sam Neua province. These proposals were based on the principle of immediate cease-fire, no reinforcement and stand fast at the present positions. These proposals were to be executed in two phases :—

- (a) Phase I envisaged the immediate measures for stopping further clashes where the opposing forces were in close proximity.
- (b) Phase II dealt with a long term plan for the separation of the forces based on the principle of concentration of Laotian National Army troops in the province of Sam Neua in an area bordering on Xieng Khoung province extending upto and including the bulk of existing Laotian National Army positions.

The Commission authorised the Military Committee informally to discuss this plan with the two Parties.

4. On 28 July, 1955, the Military Committee presented a progress report on the military talks and reported that both Parties were inclined to favour a regroupment zone in the province of Sam Neua for the

concentration of Laotian National Army troops. There were differences, however, on the areas to be occupied. The Royal Government asked for an area covering about half the province. The Pathet Lao on the other hand basing their estimate on the areas they considered were held by the troops of the Laotian National Army, proposed to allot them an area of about 30 by 15 kilometers. After a consideration of both these views, it was proposed to demarcate a regroupment zone for the troops of the Laotian National Army. The Commission authorised the Military Committee to continue talks with the two Parties for that purpose. It was, however, emphasized that it would be preferable for the Parties to find a solution themselves and the Military Committee should intervene only if the Parties failed to reach an agreement.

5. The talks continued between the two Parties. By the middle of August, 1955, they appeared to have reached a deadlock, but after some time were found to have made progress. The Pathet Lao seemed to have agreed to let the Royal Government retain its northern post of Pathi along with the use of a corridor to it from the main regroupment area, although they were not willing to let the Royal Government retain its control of Pakha, situated very near the town of Sam Neua, the capital of the province. The Royal Government, on the other hand, were prepared to make some concession on the eastern side of the main regroupment area provided they were able to retain Pathi, Pakha and Houei Nha with the 6 kilometer safety zone around them. These three Laotian National Army posts were to be enclosed in a Laotian National Army area and joined to the main regroupment area by a corridor.

Further suggestions by Military Committee August, 1955

6. By the end of August, 1955, the talks were hindered by the allegations and counter-allegations of attacks in Sam Neua province. At this stage the Military Committee made the following suggestions to the Parties :—

(a) The demilitarised zone around the Pathi post should be worked along with a corridor to it from Muong Peun.

(b) With respect to the post of Pakha and Houei Nha, the decision would be taken after investigation into the Royal Government's complaint that these posts had been recently captured by the Pathet Lao (See Chapter II, para. 4).

(c) The two Parties should come to an agreement on the demarcation line on the eastern side of the proposed Laotian National Army regroupment area with a neutral belt of 2 kilometers. No armed troops were to be permitted inside the neutral belt.

(d) In Muong Peun sector, there should be a Laotian National Army zone 6 kilometers to the east and north of Muong Peun.

7. After further discussion, Pathet Lao agreed to the Royal Government's retaining the posts of both Pathi and Houei Nha. The Military Committee was authorised to convey to the two Parties its proposal for a demarcation line. By the end of September, 1955, it was

found that the Parties had reached a substantial degree of agreement on the proposals of the Military Committee though some differences continued to exist. The differences were :

(a) Extent of neutral zone around the three northern posts of Pakha, Pathi and Houei Nha.

(b) Extent of corridor from Muong Peun to the three northern posts.

(c) The Royal Government did not agree to the Pathet Lao proposal that the three villages of Ban Sophet, Ban Kehay and Ban Nakeng on the eastern demarcation line should be included in the Pathet Lao area.

Rangoon cease-fire agreement, 11th October, 1955

8. Whilst these talks were continuing, the Rangoon Conference took place and the Parties signed the Rangoon cease-fire agreement on 11 October, 1955. Almost at the same time the Commission's team at Sam Neua was able to get the Commanders of Houei Thao and Sam Neua Sector to come to a local cease-fire agreement on 13 October, 1955.

Joint Minutes of 28th October, 1955

9. In October, 1955, the two Parties met at Vientiane as decided in the Rangoon Conference and after discussion signed the Joint Minutes of 28th October, 1955 (Annexure 18) indicating the similarity and divergence of the points of view of the two Parties regarding the limits of regroupment zone for the Royal Government's troops in the province of Sam Neua. These minutes were to serve as a document to the Joint Military Committee in subsequent talks.

10. During November and December, 1955, no substantial progress was made due to serious differences in the points of view of the two Parties. The Royal Government stated that there had been no definite agreement as a result of the pre-Rangoon talks and that there was nothing binding in the Joint Minutes of 28th October, 1955. They wanted the demarcation line to be extended to include a very much larger area for the Royal Laotian Government troops than had been indicated in the Joint Minutes. This demand was based on Article 3 of the Rangoon Agreement. The Pathet Lao, on the other hand, maintained that further negotiations should be based on the position reached in the talks before the Rangoon Agreement and on the agreement itself. In support of this view they cited Article 5 of the Rangoon Agreement and argued that this article had taken cognisance of the pre-Rangoon talks and laid down specially that the Joint Committee would carry on from where the pre-Rangoon talks had left off and complete the task of the separation of the forces of the two Parties. Meanwhile, the military situation had deteriorated considerably. In view of the tense military situation in Sam Neua on 9th December, the Commission unanimously adopted a resolution on the effective cessation of hostilities which was to be accepted by 18 December, 1955 by the two Parties.

11. Both Parties replied to the Commission by the prescribed date. In their first replies both Parties were generally prepared to accept the resolution, although each made a number of observations about the contents and either gave their own interpretation of what the Resolution was intended to mean or made suggestions for amending the Resolution. The Commission did not consider it desirable to alter the Resolution in any way or to interpret its clauses in a manner to suit either one or the other Party. In accordance with this view, the two Parties were informed that the Resolution would stand as it was and they were requested again to accept the Resolution in its entirety as it stood. The Pathet Lao replied on 31st December, 1955 accepting the Resolution *in toto*. The Royal Government replied on 6th January, 1956, accepting the Resolution, but again reiterated their point of view regarding the interpretation of the different documents (The Rangoon Agreement and the Minutes of 28th October, 1955) which had been mentioned in the Resolution. The Commission on receipt of these replies of the two Parties authorised the Military Committee to meet the representatives of the two Parties and take further action towards implementing the Resolution.

12. On 10th January, 1956, the Military Committee met the two Parties and requested them to submit their proposals duly marked on appropriate maps showing the demarcation line and the neutral zones.

13. The maps received from the Pathet Lao tallied with the positions taken by them in the Joint Minutes of 28th October, 1955. The maps received from the Royal Government differed from the view expressed in the Joint Minutes on the subject of demarcation line and involved the demanding of a larger area for Royal Laotian Government troops.

Final Plan of Military Committee

14. After hearing the points of view of both Parties, the Military Committee prepared a final plan for the implementation of the resolution of the International Commission dated 9th December, 1955. In this plan, in so far as the exact details of the demarcation line were concerned, the proposals given in the plan had the approval of the Polish and Indian members of the Military Committee, while the Canadian member reserved his position. The following were the basic guiding concepts of the proposals :—

(a) There should be a demarcation line separating the forces and that line, being continuous, could not permit of two or three posts being separated from the main post of any one side.

(b) There should be a demilitarised zone 2 kilometers in width on either side of the demarcation line.

(c) The corridor between the 3 Laotian National Army posts in the north and the main Laotian National Army area in the south should run along a track connecting Muong Peun and Ban Houei Nha.

(d) The proposal closely followed such portions of the demarcation line on which there had been some similarity of views in the Joint Minutes of 28th October, 1955.

(e) The demarcation line should not be regarded in any way as a permanent boundary dividing the Kingdom of Laos and that it was purely a military measure in that it separated the armed forces of the two Parties pending a political settlement.

(f) The proposal had to be treated as a complete whole and accepted as such.

(g) The present proposal related only to the province of Sam Neua. The demarcation line for Phongsaly being less urgent, would be considered and settled after the situation in Sam Neua was satisfactorily established.

Maps showing these proposals were also prepared.

Examination of Plan by Commissions

15. During subsequent discussions in the Commission, the Canadian Delegation explained their position as to why the proposal submitted by the Military Committee was not acceptable to them. They stated that the proposal was rather on the strict side as far as the Royal Laotian Government were concerned. There was a general discussion on this and it transpired that the Canadian Delegation mainly wanted some modifications on the eastern side of the demarcation line and corridor. It was, however, felt that in case of lack of unanimity, the Commission would have to present the proposals to the two Parties as they stood. In the light of the discussions, the Chairman tabled a draft resolution containing the Commission's proposals for the implementation of the plan as prepared by the Military Committee. This document presented the following features :—

(a) The resolution laying down the general principles for the effective separation of the troops of the two Parties.

(b) The annexure giving the demarcation line, demilitarised zone and the corridor.

The proposal should be accepted or rejected in full.

16. The Canadian Delegation doubted the wisdom of a demarcation line being put to the Parties as a formal Commission's recommendation specially if that recommendation was made under Article 36 of the Geneva Agreement under which, according to them, only a cease-fire recommendation could be made. They also found themselves rather out of sympathy with the tone of the resolution and they feared that this action of the Commission might tend to formalise the present *de facto* partition of Laos.

17. There was further discussion on this resolution by the Commission and efforts were made to find common view-point so as to have unanimity. Action on this resolution was deferred because of later developments and the prospects of restarting of the political negotiations.

Starting of Joint Military Talks, September, 1956

18. As a result of the political talks, a Joint Declaration was issued on 5 August, 1956. The Joint Declaration stated that the two Parties agreed to cease all hostile acts in the two provinces of Sam Neua and Phong Saly. Pending the complete settlement of all questions concerning the two Parties, the troops of each side will remain in their present positions. They also agreed not to undertake any provocative or encroaching activities and not to increase their strength in the two provinces in men as well as in armaments. The two Parties agreed to set up a Joint Military Commission entrusted with the working out of the detailed implementation of the agreement already reached.

19. The Joint Military Committee began its talks on 25th September, 1956 in Vientiane and on 31st October, 1956 concluded an agreement the terms of which are given in Annexure 10. The procedure for dealing with all military incidents outlined in this agreement is still continuing.



CHAPTER IV

PETITIONS, COMPLAINTS AND INVESTIGATIONS

1. During the period under review 397 complaints and petitions were received by the Commission from both sides. Of these 204 came from the Royal Government and 193 from the Pathet Lao. Details of these petitions and complaints showing their nature are tabulated in Annexure 19.

2. The Commission ordered 40 investigations during the period. Six investigations were carried over from the period of the Second Interim Report. The investigations were ordered taking into account the seriousness of the complaints. In a few cases investigations were ordered directly on receipt of team reports. Most of these reports were later followed up by complaints from the Party concerned.

3. Out of the 46 investigations ordered during this period or carried over from the previous period 20 were completed, one was cancelled and 25 remained pending. After the signing of the August 1956 Declarations by the two Parties, pending investigations were suspended. Details of the complaints ordered for investigation and the results arrived at are given in Annexure 20.

4. Complaints of a military nature :—230 complaints of a military nature were received during the period under review. Most of these complaints alleged attacks, reinforcements and threatening troop movements and firing by the two Parties. Of these 113 were received from the Royal Laotian Government and 117 from the Pathet Lao. These complaints mainly related to military incidents in the provinces of Phong Saly and Sam Neua.

5. Mine laying :—The Commission received 32 complaints of alleged mine laying activities or casualties resulting from mine explosions. Of these 30 came from the Royal Government and 2 from the Pathet Lao.

6. Democratic Freedom :—37 complaints were received from the Royal Government and 27 from the Pathet Lao alleging violation of Article 15 of the Geneva Agreement or denial of democratic freedom to individuals by the other Party. These complaints also alleged arrests, looting of provisions from villages, thefts and carrying away of property and harassment to individuals.

7. Forced Recruitment :—Two complaints were received from the Royal Government alleging forced recruitment by the Pathet Lao of some individuals into military service. These complaints referred mainly

to incidents which occurred about the time of the signing of the Geneva Agreement or earlier. Out of investigations ordered including one ordered earlier than the period of this report, only one complaint could be fully investigated. Results of the investigation are indicated at serial 1 of Annexure 20.

8. Petitions and letters of protest.—44 petitions purporting to come from a large number of individuals or groups of persons were received during this period; these came mainly from areas under the control of the Pathet Lao.

In addition, a large number of letters were also received from the provinces of Vientiane and Pakse expressing dissatisfaction about the attitude of the Royal Government towards the political talks and protesting on various grounds to the holding of elections in December, 1955. No action was taken on these letters as they were mostly of a general nature and in most cases the subject matter had already been discussed by the Commission in some form or the other. These letters have not been reflected in the figures given in para. 1 above nor have they been included in Annexure 19.



CHAPTER V

PROHIBITION OF INTRODUCTION OF FRESH TROOPS, MILITARY PERSONNEL, ARMAMENTS AND AMMUNITIONS

1. The Commission continued its efforts throughout the period of this report to carry out its task of checking the entry of fresh military personnel and war material as laid down in Chapter II and Chapter VI of the Geneva Agreement. Article 9 of the Geneva Agreement states that "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 20 July 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 defence of Laos", and in Article 27 (c) the International Commission is charged to "supervise, at ports and airfields and along all the frontiers of Laos, the implementation of the provisions regulating the introduction into Laos of military personnel and war materials". Article 26 gives the location of fixed teams of the Commission and asks the Commission to set up mobile inspection teams in certain circumstances. The combined operation of these articles led to several complicated results. It was evident that complete supervision and control of the land border of Laos of about 4000 K.M. was quite beyond the resources in men and material at the disposal of the Commission. It was doubted therefore if such a sealing of the border in order to prevent unauthorised importation of foreign troops and military equipment was indeed contemplated in the Geneva Agreement. Specific complaints could be investigated generally after lapse of time and usual difficulties concerning transport, weather, interpreters, witnesses, etc., continued to surround these and other investigations of the Commission.

2. As mentioned in the Second Interim Report Instructions had been issued to the Commission's teams regarding checking of Royal Laotian Government military convoys coming into the country. These instructions were amended in the light of the experience gained and fresh instructions were issued in October 1955. The Commission's teams at Pakse and Savannakhet had been checking such convoys as were reported to them by the Royal Laotian Government. Reports of their check have been examined and collated by the Commission.

3. The Royal Government had been requested by the Commission to submit a detailed statement of armaments and military equipment for the Royal Laotian Government Army to be introduced into Laos during the year 1956 as well as monthly forecasts in order that the actual check carried out by the teams could be compared. These forecasts, however, were not sent by the Royal Government during the period under review and their attention was drawn to this in the Commission's letter dated 7 June, 1956 (Annexure 21).

4. In another letter (Annexure 22) dated the same day, the Commission stated that in March 1956 the Commission's team at Pakse reported difficulties it had experienced in the checking of convoys. The information given to the team was inaccurate and not susceptible to checking. The Commission drew the attention of the Royal Government to this and requested the strict adherence to the procedure drawn up previously to avoid recurrence of such incidents.

5. On 7 July 1955 the Royal Government requested the Commission to supervise the introduction of personnel and war equipment by the Pathet Lao in the provinces of Sam Neua and Phongsaly saying that they had reasons to believe that the Pathet Lao had been receiving such reinforcements. The Royal Laotian Government also expressed concern that the Commission should restrict itself to the checking of war material imported by the Royal Laotian Government while it took no action to carry out similar checks in the case of Pathet Lao.

6. The Commission in its reply dated 26 July 1955 (Annexure 23) informed the Royal Government that under the Geneva Agreement the Pathet Lao were denied the right to import war materials and therefore the question of their consulting the International Commission in advance or submitting the data did not arise. If, however, the Commission had reasons to believe that war materials were being imported by the Pathet Lao, the specific cases would be investigated.

7. In the same letter, which was sent to both Parties, the Commission asked for such concrete suggestions as the Parties themselves might make to improve the system of investigating complaints in connection with import of arms from outside Laos. The Royal Laotian Government replied making some suggestions, but no reply was received from the Fighting Units of Pathet Lao. The Commission considered the Royal Laotian Government suggestions but did not find them feasible in the circumstances.

8. In November 1955 the Commission's team at Sam Neua investigated the Royal Government's complaint, which had been lodged in June 1955, regarding reported import of war materials from Vietnam into the province of Sam Neua, which they later alleged in August 1955 were stored in the village of Ban That. Due to non-availability of a helicopter and of a Pathet Lao Liaison Officer at various times the investigation of this complaint was delayed. The team stated that no depot of arms, ammunition or equipment was found in the village or in the area surrounding the village.

9. Nine complaints were also received alleging the presence of Viet Minh troops in Phongsaly and Sam Neua provinces. Four of these investigations were carried out and the Commission found no proof as to the presence of Viet Minh troops in these areas. Due to investigations

of higher priority, combined with other administrative reasons, long delays occurred in the carrying out of the investigations. One investigation was cancelled and the remaining four were incomplete on 31st July 1956 and then suspended by the Commission after the signing of the August Declarations.

10. The Royal Laotian Government was informed in the letter of 26 July 1955 (Annexure 23) that the Commission was unable physically to control the entire northern boundary of Laos. The Canadian Delegation takes the view that this letter meant that, although importations by the Royal Laotian Government were supervised at points specified in the Geneva Agreement, the only method of checking for possible importation of military personnel and equipment by the Pathet Lao from North Vietnam was the investigation of complaints registered by the Royal Laotian Government. Of necessity these complaints were made after the importation was alleged to have occurred. Further, in the opinion of the Canadian Delegation, the results of such investigations as were completed in this sphere could not be regarded as conclusive because of the delays experienced, due principally to lack of helicopters, and lack of Pathet Lao Liaison Officers or security arrangements. Difficulties of weather and outstanding investigations bearing a higher priority serial number also contributed to delays in investigations in this sphere. The other two Delegations think that the Commission's letter of 26th July, 1955 is self explanatory.



CHAPTER VI

PRISONERS OF WAR AND CIVILIAN INTERNEES

1. With the passage of time the problem has inevitably lost its importance and only minor developments came to the notice of the Commission during the period under review.

2. A request to the Commission for information about a Roman Catholic priest, alleged to have been a civilian internee, was forwarded in September, 1955 to the Pathet Lao. They replied that the priest was released before the cease-fire. The Commission disposed of the request by conveying the information in suitable terms.

3. The Commission received a complaint forwarded by the Royal Government on 14 November 1955 requesting information about a Laotian officer alleged to have been taken prisoner by the Pathet Lao before the cease-fire. The complaint was forwarded to the Pathet Lao with a request for the necessary information.

4. The Royal Government in November, 1955 drew the attention of the Commission to an earlier complaint made by the Franco-Laotian Delegation in the Joint Commission to the People's Volunteers of Vietnam/Pathet Lao (PVV/PL) Delegation about ten Laotian officers alleged to have been taken prisoner by PVV/PL Forces before the cease-fire, mentioning by names two Laotian medical officers who were reported to be still detained in the Sam Neua region by the Pathet Lao. The Commission's team at Sam Neua was directed to investigate the case of the two medical officers, but due to various reasons the investigation was not concluded. The Commission also wrote a letter to the Pathet Lao on 11 February, 1956 forwarding this complaint to them and requesting information.

5. In a joint reply to the Commission's letter of 11 February, 1956 and the Commission's earlier enquiry of the case mentioned in paragraph 3, the Pathet Lao stated on 16 March, 1956 that the "Fighting Units of Pathet Lao have implemented the Geneva Agreement strictly and fully and released all the prisoners of war of the opposite side". Taking note of this letter the Commission on 9 June, 1956 informed the Royal Government of this reply and also wrote the Pathet Lao that this appeared to be rather of a general nature and asked for precise information on the case mentioned in paragraph 3. No further communication from either side has since been received.

6. On 12th April, 1956 the French Liaison Mission sent a complaint asking for information about a French officer alleged to have been wounded and fallen into the hands of PVV/PL forces in 1953

during the course of the withdrawal of his unit. The Commission forwarded this complaint to the Pathet Lao asking for information. No reply to this request has been received.

7. Since April, 1956 no new complaints have been received from either side. Since June, 1956 the problem of Prisoners of War and Civilian Internees has not been the subject of the Commission's consideration.



CHAPTER VII

GRAVES COMMISSION

1. As stated in the Second Interim Report, the work of the Graves Commission practically came to a stop about the middle of May 1955 before any field work had been undertaken. The difficulty was over the questions of distribution of exhumation teams and of the re-groupment of cemeteries (inscription or citation on graves and building of cemeteries of dead PVV soldiers) under the terms of the Graves Convention of 10th February, 1955. The People's Volunteers of Vietnam/Pathet Lao (PVV/PL) Delegation had on 12 May, 1955 expressed the wish to consult their High Commands at Hanoi and Sam Neua.

2. In the absence of an agreement between the parties the Commission felt that the time available before the expiry of the existing Convention on 10 August, 1955 might be inadequate for completing all the work in this field and that, unless this date were extended, a fresh Convention would be necessary. Consequently, the Commission directed the Military Committee to explain its views to the Delegations to the Graves Co-ordinating Committee. This meeting took place at Savannakhet on 28 June, 1955, at which the Chairman of the Military Committee expressed the Commission's concern at the lack of progress and recommended :—

- (a) that the validity of the Convention of 10 February be extended or a new Convention drawn up;
- (b) that a period of one week, excluding travelling time, would be adequate for the PVV/PL Delegation for consultation with their High Commands.

It was made clear to the Parties that these alone were responsible for coming to a suitable agreement and for carrying it out.

3. At this meeting, the PVV/PL Delegation reiterated their view first expressed on 12th May, 1955 that they consult their High Commands before giving their final views on points at issue. The Franco-Laotian Delegation considered that the departure of the other Delegation would amount to a repudiation of the Graves Convention and to a *de facto* dissolution of the Graves Co-ordinating Committee.

4. The Commission considered these views and informed the Royal Laotian Government in a letter dated 17 June, 1955 that though the proposed departure of the entire PVV/PL Delegation to their respective High Commands for consultations was not perhaps necessary, this could not as such be interpreted as repudiation of the Convention. It requested the French Liaison Mission to make early transport arrangements for the departure of the PVV/PL Delegation.

5. On 5th July, 1955, the French Liaison Mission accepted under protest the ruling of the International Commission and stated that the Franco-Laotian Delegation would be available until 10th August, 1955 to resume work. It accepted the request for the travel arrangements. The entire Delegation was finally transported to Hanoi in two groups, the first of 23 persons (including the PVV/PL representatives on the Graves Commission) on 21st July and the second of 22 persons on 30th July, 1955, i.e. about 2½ months from the date of the original request.

6. In the circumstances the PVV/PL Delegation were unable to join the Graves Committee by 10 August 1955, the date on which its activities were to terminate under Part III of the Convention, nor was any request received at this stage for an extension of the date; the Franco-Laotian Delegation announced on 1 August, 1955 the dissolution of the Committee and informed the Commission accordingly.

7. The Commission received a letter on 22 August, 1955, from the High Command of the PVV in Hanoi requesting the Commission to compel the Franco-Laotian party to respect the Graves Convention and the provisions of Article 18 of the Geneva Agreement. The Pathet Lao High Command also sent a letter in similar terms to the Commission on 27 August, 1955.

8. While the Commission could not force the parties to conclude a new Convention, it could nevertheless ask them to negotiate such an agreement. In a letter dated 29 September, 1955 addressed to the PVV/PL Delegation, the Commission gave its views fully on the stand taken by the two parties. The Commission concluded that before the Convention expired, the parties had reached complete agreement on :—

- (a) the exact number of graves to be dealt with in each Province;
- (b) the number of Franco-Laotian Burial Teams in the provinces of Phongsaly and Sam Neua and the number of PVV/PL Teams in the other ten provinces;
- (c) the composition of the burial teams;
- (d) the dress of the personnel of the burial teams.

The Commission indicated that differences existed regarding :—

- (a) the interpretation of the term "eventual regroupment into cemeteries" in the Graves Convention of 10 February, 1955 (Appendix L of Second Interim Report);
- (b) the distribution of burial teams ; and
- (c) the time limit for the completion of the work of the Graves Committee.

9. In the same letter the Commission regretted that the parties, in spite of the considerable measure of agreement existing among themselves, could not implement the Graves Convention, and therefore

Article 18 of the Geneva Agreement. It enquired whether the parties proposed to enter into a new agreement or to revive the former one. A copy of this letter was forwarded to the Royal Laotian Government and to the High Command of the French Union Forces.

10. In answer to the Commission's letter the PAVN side replied on 25 October, 1955 stating that the PVV/PL were "always ready to send their Delegation to resume the mission suspended till now". The Commission decided, however, to wait for an indication of the attitude of the other side. No further progress between the parties has been made during the period under review.



CHAPTER VIII

CO-OPERATION OF THE PARTIES AND OF THE FRENCH LIAISON MISSION

1. The Commission's day-to-day work and the fulfilment of its duties under the Geneva Agreement depends to a large extent on the co-operation given to it by the Parties and the French-Liaison Mission—the latter having undertaken, on behalf of the Royal Laotian Government in terms of Article 26 of the Geneva Agreement the necessary administrative arrangements for board, lodging, transport and other multifarious needs of the delegations consisting of 250 officers and men, both civil and military, distributed in more than ten different places in the country. It is self-evident but must be stated that the attitudes of the Parties both towards the Commission as well as to each other was related to the prevailing political and military situations. Changes in these situations have been described in the earlier Chapters, particularly in Chapters I to V

(a) Co-operation of the Royal Laotian Government with the Commission :

2. During the first part of the period under review, *i.e.*, until March/April, 1956, the co-operation of the Royal Laotian Government with the Commission continued to be generally good. The degree of co-operation improved further after April, 1956, and by the end of the period under review, there were few difficulties.

3. In the earlier period, several incidents occurred at Houei Thao which caused the Commission anxiety from the time to time. At this place, which is situated two miles away from Sam Neua, the Royal Government post is surrounded by Pathet Lao posts and the Commission team as well as the confronting forces live in extremely uncomfortable conditions which tend to render the atmosphere particularly tense when military incidents take place. Between the period of October 1955 and April 1956, some soldiers of the Royal Laotian Government behaved badly on three occasions and there were some instances of actual threatening and manhandling of the members of the team. The Commission remonstrated with the Royal Laotian Government about these incidents and, generally, speaking, measures asked of them were taken. (In this connection *see* paragraph 16 of Chapter IV).

4. Another respect in which the Commission considered that there was room for greater co-operation was in the standard of correspondence and the speed with which some of the letters of the Commission were attended to. Some of the letters received in 1955 were unfortunately couched in immoderate and unrestrained terms and in other instances some important letters were not replied to at all, *e.g.*, the letter of 7 June, 1956, asking for advance information of planned importation of arms, ammunition etc. (See paragraph 3 of Chapter V).

The Commission can well understand the chagrin which may have been felt by the Royal Laotian Government about the delays which sometimes inevitably occurred in attending to some of their requests, but evidently these difficulties could not be removed by acrimonious correspondence or comments.

5. The Commission fully understand that in Vientiane where accommodation is extremely limited, the Royal Laotian Government should feel dissatisfied that a number of buildings, particularly those meant to be used as premises for schools, are being occupied continuously by the Commission for the last three years. However, it was not clear to the Commission how the Royal Laotian Government could from time to time make requests for vacating particular buildings without offering any alternative accommodation. Such requests were received several times during the period under review. The problem was later alleviated in consultation with the Prime Minister who made 30 rooms available in a new Hotel in Vientiane, thus enabling the Commission to release three buildings and also several rooms in an older hotel. At Muong Peun Laotian National Army authorities are understood to have finally agreed to make a less unhealthy site available for the Commission's team thereafter several representations had been made to the Government; it is doubtful, however, whether the move can be carried out in the near future because of the imminence of the monsoon

6. Except for a few investigations of incidents alleged to have taken place a long time ago, the Royal Laotian Government was able to supply interpreters and witnesses without much difficulty. Their respect for the immunities and privileges of Commission's officials has also been a source of satisfaction. In one instance a postal bag belonging to the Commission was inadvertently opened by a Laotian National Army post office and a letter of one of the delegations was lost. The Commission on its part has extended courtesies and good offices to the Royal Laotian Government whenever possible and at times, arranged transport for high Governmental dignitaries and delegations in Commission's aircraft. Mutually satisfactory security arrangements were worked out between the Parties, whenever necessary with the closest co-operation between the Royal Laotian Government and the Commission.

7. The Polish Delegation feels that the co-operation extended by the Royal Government to the Commission was hurt by the withholding of the answer to the Commission's letter of 7 June, 1956 demanding a detailed statement of armament and military equipment to be introduced into Laos as well as the monthly forecast of these imports, thus making impossible the executing by the Commission of one of the important provisions of the Geneva Agreement. The Canadian Delegation does not consider that this omission in effect impaired execution of the relevant articles of the Geneva Agreement.

(b) Co-operation of the Fighting Units of Pathet Lao with the Commission :

8. During the first part of the period under review, *i.e.*, until March/April, 1956, the co-operation of the Pathet Lao with the Commission showed in the last months of this period some improvement. The degree of co-operation improved further after April, 1956, and by the end of the period under review, there were few difficulties.

9. In 1955 and the early part of 1956, there were some incidents about which the Commission had to write in strong terms to the High Command of the Fighting Units of Pathet Lao. It had been made clear to the Pathet Lao that, for pursuing investigations, the Commission took the view that advance notice to the Pathet Lao High Command was not necessary nor always practicable; that all that was required in this respect was for an interpreter of the Pathet Lao side or whenever possible a Pathet Lao Liaison officer to be made available to the Commission; difficulties were, however, encountered in some instances when investigations were undertaken without prior notice to the Pathet Lao. Interpreters and Liaison officers were also not always available, the Pathet Lao stating that they had not the necessary number of French or English-speaking interpreters. Their absence often led to difficulties. As a result of various efforts, the situation with regard to interpreters improved.

10. In one instance, when the Commission's team went to a village for investigation, they were tied up and examination of witnesses was rendered impossible. When this incident was brought to the notice of the Pathet Lao High Command, they offered apologies, but stated that since the team went without advance information, the team members should have tried to solve the local difficulties by a "policy of persuasion rather than by outburst of anger". Similar incidents involving the French crew of the Commission's helicopters also occurred; in some cases the crew were denied freedom of movement from a few hours to two days and were treated with great discourtesy. When these incidents were brought to the attention of the Pathet Lao, they replied that since there was nothing to show that the crew were working on behalf of the Commission the Pathet Lao were not sure if they had not come with hostile intentions. On several occasions, the Commission's aircraft or helicopters were fired at by unknown elements from areas normally held by the Pathet Lao side. Once again, the Pathet Lao suggested in defence that they could not identify these aircraft as belonging to the Commission. After the helicopters had been marked, these incidents were considerably reduced and totally eliminated when they flew on specific business of the Commission.

11. A major difficulty that Commission experienced from the Pathet Lao side was related to the non-availability of witnesses for investigation. It was extremely difficult for the Commission's teams to search for witnesses because the Pathet Lao local authorities often took the view that the areas in which these witnesses might be residing were

unsafe and that the Commission members should not proceed at their own risk since the Pathet Lao did not wish any untoward incident to happen to the Commission members which might bring discredit to the Pathet Lao. Besides, since the Pathet Lao were responsible for the security of the teams, they stated that they would have to make necessary arrangements before the team could move around. On two or three occasions when the team members proceeded to pursue witnesses on their own, their freedom of movement was either denied or very strictly limited. The Commission brought all these instances to the notice of the Pathet Lao High Command. The Pathet Lao in some cases gave suitable apologies and in others adhered to their point of view that unless advance information for investigation was given they could not completely ensure that these difficulties would never occur again.

12. The Commission thought that there was scope for improvement in co-operation on the speed with which some of the letter of the Commission were attended to. In some instances, no reply was received from the Pathet Lao on Commission's communications.

13. The Pathet Lao co-operation over the local supply of food, service and lodging arrangement of the teams situated in Phongsaly and Sam Neua provinces has been entirely satisfactory. The Commission on its part have offered the Pathet Lao all reasonable facilities, particularly as regards transport.

14. The Canadian Delegation considers that, although the general situation improved in the latter half of the period under review, the difference of view between the Commission and the Pathet Lao regarding freedom of movement of Commission teams without prior notice is a basic one, and that the Pathet Lao attitude on this point, together with their restrictions upon the movement of Commission personnel, on the grounds of security, constitutes a continuing impediment to the proper functioning of the Commission. The Polish Delegation makes the observation that in the Vietnam Commission prior notice to the Parties about any investigation of the Commission's teams is, on security grounds, an established rule.

(c) Co-operation of the French Liaison Mission:

15. Throughout the period under review, the services rendered by the French Liaison Mission in difficult circumstances continued to be generally good. However, there were times when the Commission faced hardships in respect of these services.

16. Since September, 1956, the financial arrangements with the French authorities have given some anxiety to the Commission. Until this time the French Government had been advancing money to the Liaison Mission for meeting all expenses, but in the autumn of 1956, the Commission was informed that, following a vote in the French National Assembly, no further advances would be forthcoming and that the Commission should first settle all the outstanding claims of the French Liaison Mission (See paragraph 23 of Chapter IX for further

details). Since the past accounts had not by that time either been submitted or audited, this created considerable difficulty which could only be solved after the Geneva Powers agreed to make advances to the French Liaison Mission for meeting expenses. However, the French Treasury could not authorise automatic utilisation by the French Liaison Mission of these advances and as a result severe supply difficulties occurred both at the end of 1956 and early in 1957. A system of accounting has been worked out and it is hoped that these complications will be avoided in the future.

17. The Commission depends entirely on the French Liaison Mission for the supply of all types of transport including helicopters. In conditions prevailing in Laos the provision of modern transport is always difficult, and not infrequently aircraft arrangements for the northern teams undertaken by the French did not meet the needs of the Commission. There was a period when neither helicopters nor other aircraft were available in adequate numbers with the result that the supply to the northern teams became uncertain and unsatisfactory and consequently the Commission personnel in these places faced considerable difficulties.

18. Prior to April, 1956, after which date no investigation was ordered, one of the factors which at times handicapped the investigations was the absence of helicopters and other aircraft. Since the same helicopters were being used for other purposes also, the Commission could not guarantee their security unless they were to be used exclusively for the Commission and were marked suitably. After most detailed discussions with the French authorities, a new arrangement was arrived at which safeguarded, to a large extent, both the security of these machines and their crew as also the interest of the Commission. At the end of the period under review this arrangement seemed to be working relatively satisfactorily.

19. The French supply and procurement organisation has on the whole worked satisfactorily, although at times there have been difficulties of transport through Saigon. The Commission personnel experienced, at times and because of limited local resources, acute hardship in their living conditions. The efforts of the French Liaison Mission to remove some of these difficulties should be fully recognised.

CHAPTER IX

ORGANISATION AND FINANCE

1. *Changes of Heads of Delegations.*—Mr. Aleksander Malecki, the acting Polish Commissioner, left for Warsaw on 23 July, 1955, and was succeeded by Commissioner Janusz Zambrowicz on 4 August, 1955. Mr. Janusz Zambrowicz left Vientiane on 21 February, 1956 and was replaced by Acting Commissioner Mr. E. Kulaga from Hanoi the following day. Commissioner Jan Balicki assumed charge as head of the Polish Delegation on 4 April, 1956. Mr. Balicki was succeeded by Commissioner Marek Thee on 2 November, 1956.

2. Commissioner Leon Mayrand, the Head of the Canadian Delegation, left Laos on 28 September, 1955 and was succeeded on the following day by Commissioner Paul A. Bridle, who in turn was replaced by Commissioner P.G.R. Campbell on 18th October, 1956.

3. *Fixed and Mobile Teams.*—The teams of the Commission continued to function and for practical purpose the distinction between fixed and mobile teams lost its importance. On 15 June, 1955, a sub-team from Sam Neua was established at Houei Thao. In pursuance of the decision of the Commission mentioned in the Second Interim Report, the team at Tchepone was temporarily stationed at Xieng Khouang on 1 July, 1955 and moved to Muong Peun on 15 July, 1955 where it has been operating since then as sub-team Muong Peun.

4. On 30 September, 1956, the Commission had, technically speaking, fixed teams at the following places, in addition to the mobile team at Luang Prabang and the sub-teams at Muong Peun and Houei Thao, both in the Sam Neua province :—

Phongsaly
Sam Neua
Pakse
Savannakhet
Xieng Khouang
Vientiane

5. A Signals Detachment continued to be maintained at Boun Neua in the province of Phongsaly. On 16 July, 1955, another Signals Detachment was established at Plaine des Jarres (Xieng Khouang province) with a view to providing a link between Sam Neua, Xieng Khouang and Vientiane.

6. While the teams at Pakse, Savannakhet, Vientiane, Xieng Khouang and Luang Prabang presented few administrative problems, the maintenance of the teams in the northern provinces, particularly those at Phongsaly, Muong Peun and Houei Thao, has been, because of their location, a constant source of anxiety for the Commission.

7. *Air Transport.*—The only modern mode of conveyance in the mountainous areas of this country, chiefly in the north, is the helicopter. The French Liaison Mission had agreed to place two helicopters entirely and one in reserve at the disposal of the Commission, but all these were grounded on 11 June, 1955 due to suspected technical defects. The loan of a helicopter from the Vietnam Commission gave temporary relief and some of the helicopters were brought back into service irregularly between July and November, 1955, but the difficulties, some of which have been described in Chapter VIII, continued.

8. The Military Committee directed to study this problem made the following recommendations :—

- (a) A minimum of three helicopters were to be maintained in serviceable condition at Boun Neua/Phongsaly, at Sam Neua and at Muong Peun;
- (b) The helicopters were to bear distinctive 'IC' markings;
- (c) No helicopter flight was to be undertaken except under the express authority of the team controlling it. The routes to be followed by the helicopters were to be marked on a map and approved by the controlling team.

These recommendations were accepted in full by both sides at informal meetings and finally the French Liaison Mission was formally informed of these recommendations on 5 July, 1956. These proposals were generally accepted by the French Liaison Mission.

9. *Supplies to the Northern Teams.*—The supply position of the northern teams was particularly bad during the period from November 1955 to April 1956, owing largely to irregular and uncertain availability of suitable types of aircraft. The Commission drew the attention of the French Liaison Mission on 24 December, 1955 and again on 8 February, 1956 to the seriousness of the situation. By the end of February it received as assurance from the French Liaison Mission that all steps would be taken to improve supplies. Other factors like inclement weather, local lack of spare parts and repair facilities also hindered the maintenance of the teams in the northern provinces. In particular, the continuance of hostilities in the region increased the supply difficulties to the teams at Houei Thao and Muong Peun.

Efforts were made by the Commission and the French Liaison Mission and a fair measure of success achieved in building up a 3-month reserve store of food and supplies at the airheads of Boun Neua and Sam Neua before the onset of rains for later distribution to the teams as and when the helicopters were available.

10. *Accommodation.*—The question of accommodation at some of the team sites and in Vientiane created a few problems during 1956. Maintenance and sanitary arrangements in many cases were of a poor standard.

At Houei Thao the team lives in crude dug-outs, bunkers and tents. Steps have recently been taken to improve these bunkers as also to replace worn-out and dilapidated tents at this place as well as at Muong Peun and Boun Neua. Eventually, it is hoped to build bamboo huts in these two last places.

11. *Medical Assistance.*—The rate of sickness among the Commission's personnel was fairly high although there was no outbreak of epidemic or any widespread serious illness. The Commission's doctors visited the team sites several times and made such sanitary arrangements as were possible in the local conditions. On medical advice, it has been decided to change the site of the team at Muong Peun to a better location. The Commission's doctors were of course primarily concerned with the welfare of the Commission's personnel; at times when obvious cases of sickness outside the Commission came to their attention and there was no other form of assistance available, they treated these patients with the resources at their disposal. The co-operation of the doctors of the hospital at Vientiane has been commendable.

12. *Air accidents.*—A serious accident occurred on 14 March 1956 during paradropping of supplies for Sam Neua team by a Dakota belonging to a local commercial airline employed by the French Liaison Mission for the Commission, when a heavy drum of fuel crashed into three houses in the middle of Sam Neua town as the parachute failed to open, killing two civilians and injuring four others. The Dakota was thereupon fired at and a strong feeling of resentment prevailed among the population. The Commission asked its team to enquire into the details of the accident and gave assurance to the local people of payment of suitable compensation, offered condolences and approved an advance of compensation of 10,000 kips to each of the two widows of the deceased. The question of final indemnities is under consideration. This incident happened when the Dakota was using the dropping zone close to Sam Neua which had been in use since mid-December, 1955.

13. Immediately after this accident clear instructions were issued to the French Liaison Mission not to use the dropping zone near the Sam Neua town but to use the alternative and more secure zone near Sam Neua airport. On 9th March, 1956, however, the dropping zone near Sam Neua town was again used without the Commission's concurrence. The parachute failed to open and as a result the team's cook-house was damaged. Investigation disclosed that this dropping zone (near Sam Neua town) was used though it was not marked and the team had also waved large white flags to prevent the paradrop. The Fixed Team at Sam Neua informed the International Commission that they had arranged with the Pathet Lao to produce smoke at the new dropping zone for easy recognition in future.

14. On 9 April, 1957, the courier aircraft (Dragonfly) flying from Vientiane to Sam Neua crashed while attempting to land at Sam Neua airport with the result that all the three persons in it were killed. They were Lt. Col. Khushal Chand, MVC (Indian Army), Pilot Roland Duthu

of Lao Air Service and Sgt. Michel Gac of French Air Force Line of Communications in Indo-China. The Commission rendered respect to the memory of these men who died in the service of the Commission. As soon as necessary details become available, the question of suitable compensation to the families of these three men will be discussed.

15. *Evacuation of casualties.*—During the period under review the Commission received many requests from the Royal Government, including some forwarded by the French Liaison Mission, for the evacuation by means of the Commission's helicopters of the sick and the wounded of the Laotian National Army from its posts in the northern areas to areas under the control of the Royal Government. The Commission allowed such evacuations as far as possible from places which lay along the normal routes of helicopters and when these were available. While doing so, the Commission made it clear that it did not undertake this task as a continuing obligation, but was acting purely on humanitarian grounds.

16. Evacuation of casualties was carried on in this manner until certain factors created problems which became acute during the second quarter of 1956 when the number of requests for casualty evacuation increased. These were: objections taken by the Pathet Lao to the existing procedure for evacuation; firing at helicopters while flying over the territory of the two northern provinces; and demands from the French Liaison Mission for adequate guarantees for the security of their crews.

17. The matter was discussed at great length in the Commission and later with the Parties informally. An agreement was about to be arrived at when the political situation changed and with it the attitude of the Parties towards each other. The procedure at present followed is that the Pathet Lao is notified in each case and their agreement obtained when evacuation of Laotian National Army casualties by air over the area militarily held by Pathet Lao is involved. In recent months most cases of the evacuation of casualties have been settled by consultation between the Parties, with the Commission permitting its helicopters to be used in special and suitable circumstances.

18. *Finances, Accounts and Audit.*—The bulk of the Commission's expenses is met by contribution, in equal shares, from the four contributing powers viz., Peoples Republic of China, France, United Kingdom and Union of Soviet Socialist Republics. The balance is met by the Parties to the Geneva Agreement for Laos (Democratic Republic of Viet Nam and France) and the three Supervisory Powers (Canada, India and Poland).

19. When this Commission was established in 1954, the representatives of the Supervisory Powers met in Delhi and decided that they would continue to bear the cost of pay and allowances of their delegations in Laos but that all other charges should be met from such fund or funds as the Geneva Powers might decide to set up. At the same time, it was agreed that the Commission personnel should be entitled to obtain, free

of cost, board, lodging, services, transport, medical assistances, amenities etc., while serving in Indo-China. Transport cost from their home countries to Indo-China was also to be met from the funds made available by the Geneva Powers.

20. The obligations of the Royal Government, in terms of Article 26 of the Geneva Agreement, for providing various kinds of facilities and services to the Commission were accepted by the French authorities, who decided to establish a Liaison Mission for maintaining contact with the Commission and for administering these facilities and amenities.

21. Early in 1956, the Co-Chairman of the Geneva Conference informed the Government of India that such expenses as were not met by the Supervisory Powers themselves were to be divided into two categories; the first, called 'Common Pool expenses', were to cover major items of expenditure like food, transport etc., while the second, designated 'Local Expenses', included items such as scheduled transport, board etc. The 'Common Pool' expenses were to be met by the four contributing powers (Peoples Republic of China, France, United Kingdom and Union of Soviet Socialist Republics) and the 'Local Expenses' by the Parties to the Agreement (Democratic Republic of Viet Nam and France). At the same time the Co-Chairmen requested the Government of India to undertake auditing of expenses already incurred. The Government of India accepted this request and in the autumn of 1956, an Audit Organisation was set up with headquarters in Viet Nam, for checking the accounts of the three Commissions. The principles of audit then had to be finalised before the various spending authorities could be asked to submit accounts, the main issue being whether detailed auditing of accounts submitted by Governmental authorities should be undertaken or whether the Audit organisation should accept certified accounts of these authorities. It was only in September, 1956 that the Government of India, in consultation with the Co-Chairmen, agreed to accept certificates of audit, and the various authorities were thereupon asked to recast their accounts under new classification for the entire period, since August 1954. The time absorbed in this process was long but by the beginning of 1957, accounts from several authorities were made available. Responsibility for obtaining credit and money from the contributing powers and for settlement of claims at governmental level continued to rest with the Government of India.

22. For 'Local Expenses', the cost was to be met in terms of the Co-Chairmen's decision on 50:50 basis by France and Democratic Republic of Viet Nam as Parties to the Agreement. Since, however, their successors in this respect were the Royal Laotian Government and the Pathet Lao, the question arose whether 'Local Expenses' should be charged to the successors. After some discussion, the Government of France agreed to meet the 'Local Expenses' on behalf of the Royal Laotian Government and Democratic Republic of Viet Nam continued to accept their obligations on behalf of Pathet Lao.

23. Until August, 1956, the French Liaison Mission advanced money for meeting practically all the expenses of the Commission incurred in Laos although their legitimate share, in the light of the clarification given by the Co-Chairmen later, was only 25 per cent. of the 'Common Pool' expenses and 50 per cent of the 'Local Expenses'. They therefore claimed that the Government of France had spent much more than they were liable to and asked for the settlement of their past claims. In December, 1956, the French National Assembly voted not to allow further sums for the expenses of the Commissions in Indo-China. While it was admitted in principle that the French Liaison Mission might be entitled to a considerable amount of re-imbursement, the precise figure could not be worked out in the absence of detailed accounts from the various authorities. Yet, at the same time, the Commission had no alternative but to depend on the French Liaison Mission to operate the services for which they had undertaken obligations. In the circumstances, the Government of India made a reference to the Co-Chairmen who agreed to make advances to the French Liaison Mission on account of current expenses, making it clear at the same time that as far as the past claims were concerned, they could be settled only after the accounts had been submitted and audited. On the basis of this decision, the Commission paid several advances to the French Liaison Mission between September and December, 1956. However, the French Liaison Mission was unable to utilise this money locally because it appeared that under regulations no such agency could incur expenditure without specific budget allotment. Thus a crisis arose in the last quarter of 1956 and the first quarter of 1957 because, while on the one hand the Commission was ready to make advances, the French Liaison Mission could not utilise this money which had to be, under the existing rules, returned to the French Treasury who set off the first advances against the past claims. After much detailed discussion and negotiations it was expected that satisfactory arrangements would be arrived at.

24. Further in March 1957, the French Government stated that the expenses of the helicopters should be met in full from the Commission's funds. Previously the French authorities had charged the 'Common Pool' for fuel, ration of the crew and restoration of the flying hours of these helicopters. The new French suggestion was that the wages of the crew and all other expenses should also be met by the 'Common Pool', substantially increasing the monthly expenditure under this category. The Commission considered that this proposal should be referred to the Co-Chairmen.

25. The direct expenses made by the Commission are insignificant. The Secretary-General is authorised to incur all expenses on behalf of the Commission although if any extraordinary items of expenditure are involved, the Secretary-General is expected to obtain, formally or informally, the approval of the Commission. So far as it lies in the power of the Commission and the Secretary-General, various measures of economy have been vigorously applied. As would be seen from the complicated system of contributions of accounting no periodical budget forecast was possible. This difficulty was all the greater because there was no certainty at any time as to the duration of the Commission's stay in Laos.

As it was, make-shift arrangements were made and have continued. This has resulted on one hand in discomfort and hardship for the Commission personnel and on the other in the need to replace worn-out and dilapidated equipment, tentage, transport, utensils, etc. The greatest difficulty has been in the supply of transport, water, electricity and other reasonable amenities of life. The need for these is felt all the more because of lack of local supplies and climatic conditions.

P. G. R. CAMPBELL

Delegate of Canada

S. SEN

*Delegate of India
& Chairman*

MAREK THEE

Delegate of Poland



LIST OF ANNEXURES

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3	7 January, 1956, resolution of the Commission.	6, I, 13	62
4	Commission's letter to the Co-Chairmen dated 15 February, 1956.	6, I, 13	64
5	Declaration on 20 March, 1956, of Prime Minister, Prince Souvanna Phouma (Original in French).	7, I, 14	72
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11	Agreement of 2 November, 1956 (Original in French).	8, I, 16	89
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14	Letter dated 29 December, 1956, signed jointly by the Prime Minister and Prince Souphanouvong (Original in French).	10, I, 19	105
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19	Table of petitions and complaints received from Parties.	27, IV, 1 28, IV, 8 sub-para 2	132
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21	Commission's letter No. 8/(3)-ICL/56/1488 of 7 June, 1956.	29, V, 3	141
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ANNEXURE 1

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL
IN LAOS

Personal and Confidential

No. PS(L)101Y135(585)55.

Rangoon, the 8th October, 1955.

Dear Mr. Prime Minister/Your Highness :

The Commission is glad that the Parties are meeting in Rangoon at the highest level to discuss the political settlement as envisaged in the Geneva Agreement. It is my understanding that the Parties would welcome our assistance in reaching an agreement and I have, with this purpose in view, drawn up an outline of settlement which might provide an adequate basis for discussion between the Parties. In formulating this outline I have been guided by the principle that the settlement is to be based on the provisions of the Geneva Agreement and other related documents, which provide for the Royal Administration of the northern provinces, national elections, democratic freedoms, guarantee against reprisals and victimisation and integration of the 'Pathet Lao' into the national community.

It is realized, of course, that the outline includes several matters on which, strictly speaking, the Commission is neither required nor authorised by the Geneva Agreement to give any views. However, the long discussions between the two Parties which the members of the Commission had the privilege of attending have led them to believe that a working paper of the type attached to this letter will assist the Parties considerably in coming to a settlement. The three members of the Commission have, however, felt that it would be best to assist the Parties in this field in an informal manner and therefore agreed to let the Chairman present the attached informal suggestions.

It is evident that the plan forms an integral whole and attempts to seek a fair, informal and objective solution of a large number of interdependent problems. It is not possible to select only particular aspects of this plan and treat them as views of the Commission without taking into consideration the interdependence of different parts. Although from the nature of the problem this must be so, it does not exclude discussion between the Parties on any point which is not fully to their liking. It follows also that if the Parties succeed in arriving at a solution on their own and without any assistance from the present suggestions, such a solution would be wholly valid and acceptable to the Commission. It is equally true that the present suggestions cannot be made effective unless both the Parties accept them. In other words, the papers now forwarded to the Parties may be considered as working documents on which a settlement may be reached.

In drawing up the present outline the Commissioners had several discussions and started with the assumption that both the Parties desire settlement, that our interpretation of the electoral law as given in the attached papers is correct, and that the facts made available to us from time to time by both the Delegations do not require any modification. If any of these hypotheses is found to be incorrect, necessary modification must be made. The outline is presented to the Parties for their consideration by the Chairman after full consultation with his colleagues who consider that it (the outline) represents no more than an attempt to offer a solution, in the broadest possible outline, of the problems which divide the Parties.

One of these problems relates to the future of the 'Pathet Lao' forces after a political settlement has been reached. The Commissioners are of the view that while this question will have to be settled by the Parties before the integration of the 'Pathet Lao' in the national community becomes fully effective, there has not been adequate discussion on this subject between them. In the circumstances, the Commissioners felt that as far as this particular problem is concerned, they should be content with merely bringing it to the attention of the Parties and leaving it to them to decide whether and if so at what stage and in what phases the absorption of these elements of 'Pathet Lao' forces who wish to continue in the forces of the National Army could best be brought about. The Commission, however, expresses its readiness to assist the Parties in this respect should an occasion arise and should any assistance be desired by them.

I take this opportunity of renewing to you the assurances of my highest consideration.

Yours sincerely,
SAMAR SEN,

*H. E. The Prime Minister,
Royal Government of Laos*

H. H. PRINCE SOUPHANOUVONG.



APPENDIX TO ANNEXURE 1

An Outline of Settlement

CHAPTER I

ESTABLISHMENT OF ROYAL ADMINISTRATION IN THE TWO NORTHERN PROVINCES

D.—Signifies the date on which political settlement is reached and signed.

E.—the Election Day, 25th December, 1955.

First Phase: D to 31st October, 1955.

1. Establishment of Royal Administration with governors and with sufficient staff for the fulfilment of the duties in connection with the elections and the preparations therefor in the provinces of Sam Neua and Phonsaly.

(Comment: The rest of the administrative structure to remain as it is at this stage. The symbolic measures suggested above will create goodwill to mark conclusion of political settlement).

2. Establishment of Pathet Lao Advisory Groups—one each for the two provinces. (For ordinary functions of these groups, see below).
3. The Groups are required to examine the structure of present administration with the help of existing data and details and recommend changes for the future.

Second Phase: From 1st November to 12th November, 1955.

1. All the existing functionaries should be issued with letters of appointment by Royal authorities. This will safeguard their position in law.
2. At the request of the provincial governors, the Advisory Groups should recommend a scheme showing exactly who should be changed and replaced by RLG nominee. (For this purpose, the 50:50 formula may be adopted). The implementation of this process should begin and be completed to a point where the election procedure in all the provinces can be considered uniform and in accordance with the legal provisions.
3. The Groups should also recommend as to what is to be done for people found surplus—alternative appointment, compensation etc.
4. Announcement of nominations by the provincial governors. Preparation of election lists.

Third Phase: From 12th November, 1955 to 10th January, 1956:

Election campaign begins and electoral process is completed.

Final Phase: From 10th January till 31st March, 1956:

Elections over the changes suggested by the Advisory Groups are fully implemented and the normal laws apply throughout Laos.

Other Consideration:

1. If the scheme is to succeed, it has to be supplemented by a scheme for integration in the National Community of Pathet Lao forces with all its aspects. Apart from such integration as may have taken place before election, the rest is to be done after the election.
2. If on any point in the scheme outlined above difficulties continue, the assistance of International Commission can be considered.
3. The Scheme follows the concept that the establishment of Royal Administration should go hand in hand with the electoral preparations.
4. The Scheme has been so drawn up that the establishment of Royal administration before the election should be made primarily with a view to ensuring a uniform system of elections throughout Laos.

P. L. Advisory Groups (Functions):

1. To ensure that no disciplinary action is taken without its advice. If as a result of disciplinary action, a PL man loses his job, he is to be substituted by another PL man.
2. To advise on the working out of the details of scheme as indicated in the outline of the scheme.
3. To advise generally on the changes in the administrative structure and problems related thereto.



CHAPTER II

ELECTIONS

The position of the parties has been explained at great length during the political talks held at Vientiane. It appears to us that the Geneva Agreement does not contemplate change in the Constitution and that the changes in the Electoral Law need be considered only when its provisions are discriminatory to any opposition parties such as Pathet Lao. It also appears to us that with some of the modifications the Royal Government are prepared to accept, no major modification will appear necessary. Whether minor modifications need be introduced or whether they could be settled by stretching a point here and there is a matter of discussion between the two parties.

Meanwhile, the question of devising a system for ensuring free and fair practical election is important and to this end, the following suggestions may be considered :—

(1) A political party which has headquarters, a party programme and candidates for at least six provinces in the country can be considered a national party ;

(2) Advisory Committees consisting of one representative each of the national parties should be established at all stages from provinces downwards. These bodies will select their own chairman and devise their own procedure. Decisions will be taken by not less than two-thirds majority. Their main function would be to advise the Chief Electoral Officer in the area in which they operate and in the field over which they have control. If any of the subordinate committees cannot persuade the official concerned to give the remedy which the two-thirds majority recommends, such a committee should appeal to the Provincial Advisory Committee ;

(3) If the Provincial Committee endorses the opinion of any subordinate committee and still cannot persuade the Chaokhoueng to give necessary relief, it will be open to such a Provincial Committee to refer the matter to the International Commission. Such references can also be made by the Royal Government ;

(4) After the International Commission has examined the problem, it might recommend, in consultation with the representative of the Royal Government, such measures as will not involve change in law but will guarantee fair and free election. The Royal Government will undertake to put into force such recommendations ;

(5) The Advisory Committee can nominate one of its members to be present at the polling booth with the supervisory team consisting of Tasseng, Samien and two others to ensure that the voting is fair and free ;

(6) The Commission's team will have the authority to be present at any or all polling booths for similar purposes. If they find that any practice inconsistent with fair and free election is being indulged in, they should assist the supervisory team in removing these defects. The Commission's team will also be able to listen to such complaints as the local public may make on the spot. If the Commission's team remains dissatisfied with action taken, it should immediately inform the Commission ;

(7) After the count has been completed, the results are to be recorded in a separate sheet of paper, to be prepared in duplicate, and be signed by all the members of the supervisory team and by such members of the Advisory Committee as may be readily available. The ballot papers, together with these reports containing results of any polling booth, should be sent to Chaokhoueng in sealed covers. The duplicate copy will be sent to the Commission's team at each provincial centre ;

(8) The Commission sitting at the provincial headquarters consisting of the Chaokhoueng President of the Tribunal and the primary inspector will open the voting papers from each voting station in the presence of the International Commission's team which will also be at headquarters. After the count has been taken, final results will be declared as provided under the law ;

(9) The Commission's team, either at the provincial headquarters or in the field, will have detailed instructions on their activities and will be free to send reports to the Commission. Similarly, the executive instructions from Royal Government to Chaokhouengs will be adopted to take into consideration the above arrangement and to make sure that the elections are in fact fair and free ;

(10) Each election booth may have a pen which may be closed at 6 O'clock in the evening but the actual voting may be continued even after 6 if some people have not by that hour, completed voting ;

(11) The Royal Government will undertake to inform the voters of their rights and safeguards in matters of election.



CHAPTER III

DEMOCRATIC FREEDOMS AND GUARANTEES AGAINST REPRISALS AND VICTIMISATIONS

A Royal declaration containing the following elements may be issued :—

- (a) expressing satisfaction at the political settlement;
- (b) calling on all Laotians to play their part in full freedom and without any fear of victimisation or reprisals ;
- (c) emphasizing that both laws of the land and Geneva Agreement guarantee these rights and the Royal Government is determined to see that they are respected ;
- (d) that in its determination to see that the rights of the citizens in this field are fully guaranteed, apart from the ordinary jurisdiction of the Law courts, the Government agreed at Geneva to the International Commission's supervision to the full application of Article 15. So long as the Commission remains on the Laotian soil, Government will gladly accept such supervision.



CHAPTER IV

SOME COMMENTS AND INTERPRETATION OF THE ELECTORAL LAW (Law No. 99 of 5th April, 1951)

Article 1: Under the present arrangement, this date is fixed for 25th December, 1955.

Articles 3 and 4: Phoban is the Village Council or the Headman.

The classifications in Article 3 do not have much meaning but probably they had some when the Law was originally formulated. At the moment it is our understanding that except for people classified under 1, 2 and 3 of Article 4, all are eligible to vote.

Article 6: It is our understanding that as a result of the political talks, the Government will accept a certificate of literacy issued by Pathet Lao authorities for Pathet Lao candidates as "equivalent certificates" under point 1 of Article 6.

Article 7: Describes those who are not eligible to stand as candidates.

Article 9: 'Five per cent of the votes' relate to 5 per cent of valid votes cast.

Article 10: According to present calculation, the date is 11th October 1955.

Article 12: The Royal Government has given assurance that no Pathet Lao candidate who *prima facie* qualifies under Article 6, will be rejected.

Article 13: According to present calculation, the date is 12th November, 1955. The report to be prepared by Chaokhouang simply means a list of candidates who have qualified under Article 3.

Article 14: The date is now 17th November, 1955. It is our understanding that a general notification of planned election meetings would be adequate.

Article 15: We are not quite clear how this Article applies. If the attached table is merely illustrative, it should follow that the number of deputies can well be changed from election to election. We have, however, been informed that there has not been any significant rise or fall of population in any of the provinces and, therefore, the present table is still valid.

Articles 17, 18, 19 and 20: Will not apply to the present election.

Article 22: Says that the lists of voters are to be prepared by various functionaries whereas Article 3 says that the Phobans should prepare the electoral roll. So, we presume that the other officers mentioned in this Article are to act only in a supervisory capacity. According to present intention, 25th November is the date under this Article.

Article 23: This date should, at present, be 10th December, 1955.

Article 24: We presume that Tasseng cannot refuse to issue a certificate to any voter whose name appears in the list.

Article 25: We presume that there is no difference between voting paper and ballot paper. (Here the executive instructions and the terms of Article do not seem to be entirely consistent.)

Article 26 : We understand that this rule of 'first come first vote' will be strictly enforced. We also understand that the identification papers will be presented to the voting bureau and that the President of the bureau or one of his assistants will issue the ballot paper and the envelope.

Article 27 : We presume that the supervisory team and the body mentioned in Article 21 are one and the same.

Article 28 : The words "in public" simply mean 'in public view'.

Article 29 : "Balance of voters" simply means that all the votes cast should be accounted for.

Article 31 : It is our understanding that this commission will consist of President of the Tribunal, the Chaokhouang and the primary Inspector of the province.

Article 33 : According to present arrangement, 10th January, 1956 is the date.

PRESENT TIME-TABLE

11th October, 1955 :	Last date for nomination (Article 10)
12th November, 1955 :	Announcement of nomination (Article 13)
17th November, 1955 :	Electoral campaign begins (Article 14)
25th November, 1955 :	Electoral list published (Article 22)
10th December, 1955 :	Last date for appeal and decision against electoral list (Article 23)
25th December, 1955 :	Election (Article 1)
10th January, 1956 :	Last date for objections regarding elections (Article 33)

ANNEXURE 2

ACCORD SUR LA CESSATION DE TOUS ACTES HOSTILES DANES LES PROVINCES DE SAMNEUA ET PHONGSALY

Entre la Délégation du Gouvernement Royal du Laos présidée par S. E. KATAY D. SASORITH, Premier Ministre,

et la Délégation du "Pathet Lao" présidée par S. A. le Prince SOUPHA-NOUVONG,

Il a été convenu d' un commun accord ce qui suit :

Article 1er.—Les deux parties prennent acte de la Déclaration Commune du 9 Mars 1955 sur la cessation de tous actes hostiles dans les deux provinces de Samneua et Phonigsaly, et s'engagent à ordonner at à assurer l'exécution immédiate de toutes les clauses de ladite déclaration.

Article 2.—Les deux parties s'engagent à donner à leurs troupes respectives tous ordres nécessaires pour que la cessation de tous, actes hostiles ait lieu effectivement et simultanément dix jours après la date de la signature du présent accord.

Article 3.— Afin d'éviter tout incident ou toute opération de surprise, les deux parties conviennent de créer entre les forces an présence une zone neutre continue répondant aux conditions suivantes :

- 1/- ayant une étendue suffisante et des limites bien concrètement démarquées,
- 2/- empiétant également sur les zones respectives des deux forces en présence,
- 3/- dans laquelle la circulation est interdite a toute personne armée on en uniforme.

Article 4.—Les deux parties s'engagent à ne pas renforcer les effectifs et les moyens militaires actuellement existants dans les provinces de Samneua et Phongsalý.

Article 5.—Les deux parties conviennent be créer up Comité Militaire Mixte formé de trois représentants de chacun des deux Etats-Majors et ayant les attributions suivantes :

1/- se substituer à la Conférence Militaire Mixte actuelle, laquelle lui passera, pour continuation et conclusion, tous less résultats de ses travaux dans leur présent état d'avancement,

2/- réaliser les dispositions du présent accord et assurer leur application avec l'aide et sous le contrôle et la surveillance de la Commission Internationale de Contrôle.

Ce Comité Militaire Mixte tiendra sa première réunion à Vientiane le plus tôt possible et au plus tard le 31 Octobre 1955./.

FAIT A RANGOON, le 11 Octobre 1955.

*Le President de la Delegation,
du Government Royal du Laos,*
S. E. KATAY, D. SASORITH.

*Le President de la Delegation,
du "Pathet Lao".*
Signe: S. A. le Prince
SOUPHANOUVONG.

POUR COPIE CONFORME

Unofficial English Translation

AGREEMENT ON THE CESSATION OF ALL HOSTILE ACTS IN THE PROVINCES OF SAM NEUA AND PHONG SALY

The following has been agreed upon between the delegation of the Royal Government of Laos, presided by H. E. KATAY D. SASORITH, Prime Minister, and the delegation of the 'Pathet Lao', presided by H.H. Prince Souphanouvong :—

Art 1 : The two parties take note of the common Declaration of 9th March 1955, relating to the cessation of all hostile acts in the two provinces of Sam Neua and Phong Saly, and agree to order and to ensure the immediate implementation of all the clauses of the said declaration.

Art 2 : The two parties agree to issue to their respective troops necessary orders so that the cessation of all hostile acts takes place effectively and simultaneously ten days after the date of signing of the present agreement.

Art 3 : With the object of avoiding any incident or unexpected operation, the two parties agree to create between the forces, facing each other, a continuous neutral zone answering the following conditions :—

- (1) Having sufficient area and very concretely demarcated limits ;
- (2) Infringing equally on the respective zones of the two forces facing each other ;
- (3) In which the movement is prohibited to any person who is armed or is in uniform.

Art 4 : The two parties pledge themselves not to reinforce strength and military means which are existing at the moment in the provinces of Sam Neua and Phong Saly.

Art 5 : The two parties are agreed to set up a Joint Military Committee consisting of three representatives from each of the two Chiefs of Staff, and having the following powers :—

- (i) To substitute in the present Joint Military Conference which will pass on to him for continuation and conclusion all the results of its present state of progress ;
- (ii) To realize the provisions of the present agreement and to ensure their implementation with the assistance and under the control and supervision of the International Commission.

This Joint Military Committee shall hold its meeting as early as possible and at the latest by 31st October, 1955, in Vientiane.

DONE AT RANGOON, 11 October, 1955.

*President of the Delegation of the
Royal Government of Laos.*

*President of the 'Pathet Lao'
Delegation.*

Sd / H. E. KATAY, D. SASORITH.

H. H. Prince

SOUPHANOUVONG.

RESOLUTION ADOPTED BY THE INTERNATIONAL COMMISSION FOR
SUPERVISION AND CONTROL IN LAOS AT ITS 163RD MEETING ON
SATURDAY, 7TH JANUARY 1956.

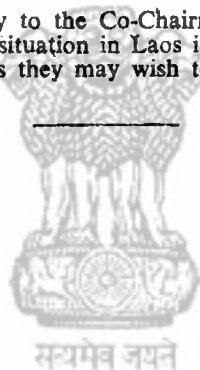
The International Commission for Supervision and Control in Laos,

- I. **Considering** that the sovereignty, independence, unity and territorial integrity of Laos were recognised in the Geneva Settlement ;
- II. **Recalling** its unanimous resolution of December 3, 1953 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 June 15, 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 realizing 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 25th 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 July 21, 1954 ;
- (iv) That the Parties should indicate their acceptance of this Resolution by 18th 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.



ANNEXURE 4

INTERNATIONAL COMMISSION FOR SUPERVISION & CONTROL IN LAOS

No. PS(L)139(40)/56

Vientiane, 15th February, 1956.

Sir,

On 7th January, 1956, the Commission adopted the attached resolution (Appendix A) with the support of the Canadian and Indian delegations and abstention of the Polish delegation.

In dissociating itself from the resolution, the Polish delegation pointed out that inasmuch as the Parties had referred the problem of political settlement to the Co-Chairmen, the Commission's competence in this field was doubtful. It was more so as the Geneva Agreement does not specifically vest the Commission with any powers in this respect and therefore any approach to this problem by the Commission should be in the nature of good offices for which the Commissioners must be unanimously agreed. The Polish representative was also of the view that since the cessation of hostilities was the primary concern of the Commission and since the military situation was far from satisfactory, it was the duty of the Commission to attend to it urgently and solve it rather than intervene in another field in an untimely and unsatisfactory manner. In the opinion of the Polish delegation the resolution was therefore likely further to complicate a difficult situation rather than help its solution.

The Indian representative agreed with the Polish view that the cessation of military hostilities must continue to receive its prior and most urgent consideration, and the Indian delegation did not feel that the present resolution was in the least intended to reduce or affect adversely the Commission's efforts for a satisfactory military situation. In the Indian view the two resolutions were supplementary to each other and that it would be desirable to take action in both the fields if a lasting solution to the Laotian problem is to be found. It was also argued that the resolution did not give any political award—which indeed would have been beyond the competence of the Commission—but was merely an extension of the various attempts, informal or otherwise, made by the Commission to induce the Parties to negotiate. The Indian delegation attached great importance to "keeping the doors open" and felt that because of the prevailing tension, the resolution should be passed quickly in order to prevent either Party from taking up a position from which further progress would be increasingly difficult.

The Canadian delegation regretted that their own resolution recommending that the Royal Administration be re-established forthwith in the two northern provinces of Sam Neua and Phong Saly did not find favour with the other delegations. In their view this ought to have taken place before the end of 1955, and it was partly to this end that they had introduced their resolution. In the circumstances, however, they welcomed the compromise resolution put forward by the Chairman. While it felt somewhat short of what Canadian delegation felt was required under the circumstances and although it contained some features which they felt might possibly lead to misunderstanding, they were nevertheless prepared to support it as a sound and constructive move to meet the situation caused by the breakdown of the political talks. The Canadian representative explained that he did not feel that passage of the resolution would in any way mean that the military situation, in the absence of a political settlement, did not command the constant attention and best efforts of the Commission. He did feel, however, that a resolution of the type put forward by the Chairman was urgently needed and should be passed without delay; it was imperative that the basic objective of this resolution be reached quickly.

In the circumstances the resolution was adopted as already indicated, with 2 votes and Polish abstention. The Polish delegation did not take part in the detailed discussion on the text as their reservations were of a fundamental nature.

As will be seen from the text, the Parties were requested to indicate their acceptance by the 18 January. The Royal Government accepted the resolution on 17th January, but the Pathet Lao have not accepted it. On 25 January the Pathet Lao sent a communication to the Commission acknowledging its receipt and making certain observations. The communications in this connection are attached as Appendices B, C and D. In the light of paragraph 5(iv) of the resolution, the Commission is forwarding this report; a further report pursuant to the last paragraph of the resolution will be forwarded very shortly.

A similar letter has been addressed to the Rt. Hon. Selwyn Lloyd, M.P.

I take this opportunity, Sir, to renew to you assurances of our highest consideration at all times.

(Sd.) S. SEN,
Chairman

1. The Rt. Hon. Selwyn Lloyd, M. P.,
Her Britannic Majesty's Principal
Secretary of State for Foreign Affairs,
LONDON.
2. His Excellency M. V. Molotov,
First Deputy Prime Minister &
Minister for Foreign Affairs of
the Union of the Soviet Socialist Republics,
MOSCOW.



APPENDIX A

Secret

**INTERNATIONAL COMMISSION FOR SUPERVISION & CONTROL IN
LAOS**

No. F. 3/(6)-ICL/56/DSG

Vientiane, 7th January 1956.

The International Commission for Supervision and Control in Laos presents its compliments to the Royal Government of Laos and has the honour to transmit the attached copy of the Resolution adopted by the Commission at its 163rd meeting held on Saturday, the 7th of January, 1956 (Annexure III).

The Royal Government of Laos is requested to inform the International Commission of its acceptance of this Resolution as early as possible, and in no event later than 18th January, 1956.

The International Commission avails itself of this opportunity to renew to the Royal Government of Laos the assurances of its highest consideration.

(Sd.) S. SINHA,

(Seal of the International Commission of Laos)

The Royal Government of Laos,
C/o. The Permanent Secretariat of the
Political Mission of the Royal Govern-
ment of Laos,
VIENTIANE.

NOTE.—(An identical letter has been addressed to the High Command of the Fighting Units of Pathet Lao, c/o The Liaison Mission of the High Command of the Fighting Units of Pathet Lao, Vientiane).

APPENDIX B

ROYAUME DU LAOS PRESIDENCE DU CONSEIL DES MINISTRES

No. 18/P.MP

Vientiane, le 17 Janvier 1956.

NOTE VERBALE

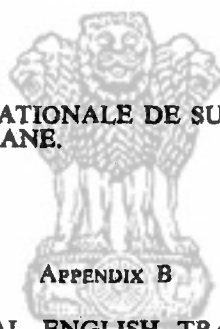
Le Gouvernement Royal présente ses compliments à la Commission Internationale de Surveillance et de Contrôle au Laos et a l'honneur d'accuser réception de la Note Verbale No. F. 3(6) 112/56/DSG en date du 7 Janvier 1956 transmettant un exemplaire de la Résolution adoptée par la Commission en sa 163^e réunion tenue le samedi 7 Janvier 1956.

Le Gouvernement Royal a décidé au Conseil de Cabinet tenu le 12 Janvier 1956. d'accepter entièrement les termes de la dite Recommandation.

Le Gouvernement Royal saisit cette occasion pour renouveler à la Commission Internationale de Surveillance et de Contrôle au Laos, les assurances de sa haute considération.

SIGNE : ILLISIBLE

LA COMMISSION INTERNATIONALE DE SURVEILLANCE ET DE CONTROLE AU LAOS, VIENTIANE.



APPENDIX B

UNOFFICIAL ENGLISH TRANSLATION

Note Verbale No. 18/SP/MP, dated 17 Jan. 56, from the Royal Laotian Government, addressed to the International Commission, states:—

"The Royal Government presents its compliments to the International Commission for Supervision and Control in Laos and has the honour to acknowledge receipt of the Note Verbale No. F. 3(6)112/56/DSG, dated 7 Jan. 56, forwarding a copy of the Resolution adopted by the Commission at its 163rd meeting held on Saturday 7 January 1956.

The Royal Government, at a Cabinet meeting held on 12 January 1956, decided to accept in full the terms of the said Recommendation.

The Royal Government avails itself of this opportunity to renew to the International Commission for Supervision and Control in Laos the assurances of its high consideration."

APPENDIX C

TELEGRAMME

No. 8/UCPL URGENT.

Samneua, le 25 Janvier 1956

Le Prince Souphanouvong représentant des Forces PATHET LAO
A Son Excellence le Président de la Commission Internationale à VIEN-
TIANE

(aux bons soins de la délégation politique Pathet Lao à Vientiane)

Monsieur le Président,

Au nom des Forces Pathet Lao J'ai l'honneur de présenter mes compliments à la Commission Internationale et de lui faire savoir que nous accusons réception de sa recommandation en date du 7 Janvier 1956.

Nous voudrions vous exposer les points de vue des Forces Pathet Lao comme suit :

(1) Les articles 14 et 19 des Accords de cessation des hostilités au Pays-Lao stipulent clairement que les provinces de Samneua et de Phongsaly sont des provinces de rassemblement des Forces Pathet Lao dans l'attente du règlement politique, mais les troupes royales ont attaqué ces deux provinces et occupent actuellement quelques dizaines de positions dans le territoire de ces deux provinces. La conférence consultative politique entre les deux parties et la conférence de Rangoon ont décidé la cessation des actes hostiles et la Commission Internationale elle-même a recommandé plusieurs fois aux deux parties de cesser le feu et de procéder à la séparation des forces mais la partie adverse non contente de ne pas les mettre à exécution s'est encore servie de la force armée pour attaquer les forces Pathet Lao sur une envergure sans cesse accrue.

(2) Le point 3 de la déclaration finale de la Conférence de Genève fixe l'organisation d'élections générales libres dans le courant de l'année 1955 avec participation des forces Pathet Lao et des anciens résistants, mais à ce jour de telles élections n'ont pas encore eu lieu.

Ces violations des Accords de Genève ont rendu la situation très grave. Les Forces Pathet Lao ont envoyé maintes lettres aux Co-Présidents de la Conférence de Genève et à la Commission Internationale demandant leur intervention pour faire respecter les provisions des Accords de Genève.

(3) Les Forces Pathet Lao ont toujours respecté les Accords de Genève et sont fermement décidés à continuer d'appliquer scrupuleusement les accords de Genève.

(4) Les Forces Pathet Lao demandent instamment à la Commission Internationale d'adopter une attitude énergique pour obliger la Partie royale à respecter les Accords de Genève comme les Forces Pathet Lao.

Nous saisissons cette occasion pour prier Mr. le Président et la Commission Internationale de vouloir bien agréer nos salutations respectueuses.

Le prince Souphanouvong,

Représentants des Forces Pathet Lao.

POUR EXPEDITION CONFORME

transmise à Monsieur le Président de la Commission

Internationale

à VIENTIANE

No. 2/PL.

Vientiane, le 28 Janvier, 1956

P. la Délégation Politique

du PATHET LAO

Signé THAO PHOUN

POUR COPIE CONFORME

APPENDIX C

UNOFFICIAL ENGLISH TRANSLATION

Urgent telegram No. 8/UCPL, dated 25 January 1956, from Prince Souphanouvong, Representative of the Pathet Lao Forces, addressed to H.E. the Chairman of the International Commission at Vientiane c/o The Political Delegation of the Pathet Lao, and forwarded under No. 2/PL, dated 28 January 1956 by the Political Delegation of the PL, states :—

"In the name of the Pathet Lao Forces, I have the honour of presenting my compliments to the International Commission and of informing it that we have received its recommendation of 7 January 1956.

"We wish to set forth the view points of the Pathet Lao Forces as follows :—

- (1) Articles 14 and 19 of the Agreement for the cessation of hostilities in the Lao country clearly stipulate that the province of Sam Neua and Phongsaly are the provinces of regroupment for the Pathet Lao Forces, pending a political settlement, but Royal troops have attacked the two provinces and have actually occupied some half a score places in the area of these two provinces. The Consultative Political Conference and the Conference at Rangoon decided on the cessation of hostile acts and the International Commission itself, on several occasions, recommended to both Parties to cease fire and to proceed to the separation of forces, but the other side, not pleased with having not implemented the agreement, has further employed its armed strength to attack the Pathet Lao Forces on an ever wider scale without cease.
- (2) The third point of the Final Declaration of the Geneva Conference laid down the holding of free general elections in the course of the year 1955 with the participation of Pathet Lao Forces and the ex-combatants, but to-date, these elections have not still been held.

The infringements of the Geneva Agreement have produced a very grave situation. The Pathet Lao Forces have sent many letters to the Co-Chairmen of the Geneva Conference and to the International Commission asking for their intervention to enforce the provisions of the Geneva Agreement.

- (3) The Pathet Lao Forces have always respected the Geneva Agreement and are firmly decided to continue with the scrupulous implementation of the Geneva Agreement.
- (4) The Pathet Lao Forces request the International Commission to adopt forthwith a strong attitude to make the Royal side respect the Geneva Agreement even as the Pathet Lao Forces.

We take this opportunity to beg you Mr. Chairman, and the International Commission to kindly accept our respectful greetings."



APPENDIX D

INTERNATIONAL COMMISSION FOR SUPERVISION
AND CONTROL IN LAOS

No. 8/(1)-ICL/56/521

Vientiane, the 15th February, 1956.

The International Commission presents its compliments to the High Command of the Fighting Units of Pathet Lao and has the honour to refer to its resolution of 7 January 1956, which the Parties were requested to accept by 18 January.

2. The International Commission has considered the telegram No. 8/UCPL of 25 January from H. H. Prince Souphanouvong. This telegram simply acknowledges the receipt of the resolution and taking into account its contents, the International Commission can only conclude that the High Command of the Fighting Units of Pathet Lao have not accepted the resolution. The Commission sees no alternative to informing the Co-Chairmen of the Geneva Conference forthwith of the background to the passage of the resolution of January 7 and of the response which it has met from the two Parties.

3. The Royal Laotian Government have accepted the resolution in full.

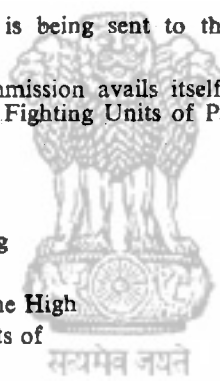
4. A copy of this letter is being sent to the Royal Laotian Government for their information.

5. The International Commission avails itself of this opportunity to renew to the High Command of the Fighting Units of Pathet Lao the assurances of its highest consideration.

SEAL

S. S.

High Command of the Fighting
Units of Pathet Lao,
C/O The Liaison Mission of the High
Command of the Fighting Units of
Pathet Lao, VIENTIANE.



Lao Presse 21/3/56

S. A. LE PRINCE SOUVANNA PHOUMA a présenté son
Gouvernement devant l'Assemblée Nationale.

VIENTIANE (ALP).—S. A. le Prince **SOUVANNA PHOUMA** a Présenté hier 20 mars à 16 heures son Gouvernement devant l'Assemblée Nationale et a prononcé le discours d'investiture suivant :

**"EXCELLENCES,
MESSIEURS LES DEPUTES,**

Me voici à nouveau devant l'Assemblée Nationale pour proposer à sa libre décision un Gouvernement dont l'investiture mettrait fin à la crise ministérielle dont nous souffrons depuis le 14 Février.

Après quatre essais infructueux, S.A.R. le Prince Héritier, au nom de SA MAJESTE Notre Vénéré Souverain, m'a fait le grand honneur de me confier le soin de former le Gouvernement.

La mission n'était pas facile, vous le savez mieux que quiconque. Et j'avoue qu'il m'aurait été difficile d'en accepter la responsabilité si je ne m'étais senti soutenu par trois considérations.

La première, c'est la sympathie de mes amis; la deuxième c'est que le patriotisme et le dévouement au bien public ne doivent pas reculer devant l'obstacle; la troisième c'est que, dans les circonstances actuelles, en raison des problèmes nationaux que nous devons régler, il nous faut rapidement dénouer cette crise qui risquerait à la longue de créer une situation politique interne inextricable et un amoindrissement de notre prestige à l'extérieur.

C'est dans cet esprit que j'ai accepté la tâche délicate qui m'était confiée, que j'ai procédé aux plus larges consultations et que je présente aujourd'hui à vos suffrages l'équipe gouvernementale qui me paraît le mieux répondre aux nécessités du moment.

Le Gouvernement que voici n'est pas caractéristiquement un Gouvernement d'Union Nationale et c'est délibérément que j'ai choisi cette solution. J'estime en effet que dans les circonstances actuelles un Gouvernement d'Union Nationale courrait le risque de manquer de cohésion interne, conduirait à la dispersion des efforts; ne permettrait pas, face aux problèmes cruciaux qu'il faut résoudre, l'exercice efficace d'une autorité cohérente s'appuyant sur une responsabilité gouvernementale solidaire.

En résumé—et parce que nous sommes dans un moment où il faut choisir—J'ai préféré un *Gouvernement d'autorité et de responsabilité* à un *Gouvernement d'une composition plus large* qui ne constituerait qu'une solution de facilité.

Je ne répondrai pas, point par point, le programme gouvernemental que Jevous ai déjà exposé le 28 Février. Il reste celui de la nouvelle équipe que je présente à votre investiture. Je crois sincèrement qu'il répond aux vœux de la Nation et à l'opinion de la majorité de cette Assemblée. Je vous renouvelle seulement l'assurance que ce plan d'activité ne s'en tiendra pas au stade des promesses mais que tout sera mis en oeuvre pour qu'il soit pleinement exécuté.

Je tiens cependant à préciser un point que le souci de la concision m'avait empêché de développer le 28 Février, je veux parler de la Justice et des Cultes. Le fonctionnement de ces départements recevra une impulsion nouvelle et je suis convaincu que le moral du pays s'en ressentira favorablement à bref délai.

POUR COPIE CONFORME

ANNEXURE 5

Lao Presse 21/3/56

Unofficial English Translation

H. H. PRINCE SOUVANNA PHOUMA HAS PRESENTED HIS
GOVERNMENT BEFORE THE NATIONAL ASSEMBLY

VIENTIANE (ALP).--H.H. Prince Souvanna Phouma has presented yesterday 20 March at 16-00 hrs. his Government before the National Assembly and made the following investiture speech :

Excellencies,

Messrs. Deputies,

I am here once again before the National Assembly in order to propose for its free decision, a Government whose investiture would put an end to the ministerial crisis from which we are suffering since 14 February.

After four vain efforts, H. R. H. the Crown Prince, in the name of H.M. our Revered Sovereign, has bestowed on me the great honour of entrusting me with the task of forming the Government.

The mission was not easy, you know it better than anyone else. And I confess that it would have been difficult to accept its responsibility if I had not felt myself sustained by three considerations.

The first one is the sympathy of my friends; the second one is that patriotism and devotion to the cause of the public must not retreat before an obstacle; the third is, that in the present circumstances, in view of the national problems which we must settle, it is necessary rapidly to solve this crisis which might in the long run cause the risk of creating an inextricable internal political situation and a diminution of our prestige abroad.

It is with this spirit that I have accepted the delicate task which was entrusted to me, that I proceeded with the widest consultations and that I am presenting today for your vote the governmental team which appears to me as being the best in responding to the present need.

The Government presented here is not characteristically a National Union Government and it is deliberately that I have chosen this solution. In fact, I feel that in the present circumstances, a National Union Government might run the risk of lacking in internal cohesion, might lead to a scattering of efforts and might not permit, in the face of crucial problems which ought to be solved, the effective exercise of a coherent authority supporting itself on a binding governmental responsibility.

In short—and because we are at a stage when we have to choose—I have preferred a *Government with authority and responsibility* to a Government with a larger composition which would have been only a facile solution.

I shall not take up once again, point by point, the governmental programme which I have put forward to you on 28 February (attached as appendix to this Annexure). What remains is to present to you the new team for your investiture. I sincerely believe that it responds to the wishes of the Nation and to the opinion of the majority of this assembly. I reiterate, however, the assurance that this plan of activities will not remain at the stage of promises, but that everything will be put to action so that it is fully carried out.

I, however, wish to specify a point which the concern for conciseness had prevented me from elaborating on 28 February, I wish to speak about the justice and the cults. The working of these departments will receive a fresh impulsion and I am convinced that the morale of the country will advantageously receive its impact within a short period.

APPENDIX TO ANNEXURE 5

Lao Presse 28/2/56.

S. A. LE PRINCE SOUVANNA PHOUMA A PRÉSENTE SON GOUVERNEMENT A L'ASSEMBLÉE NATIONALE

VIENTIANE (ALP).....

"Excellences,

Messieurs Les Deputes,

I. POLITIQUE INTERIEURE

Sur le plan de la politique intérieure, le Gouvernement que je propose à votre investiture fera porter sa *préoccupation numéro un* sur le règlement du problème *PATHET LAO*. Cette question est en effet la plus grave et la plus urgente qui se pose à nous. C'est là, j'en suis sûr, notre sentiment unanime. Rien de solide ni de durable ne pourra être fait tant que cette hypothèque pèsera sur notre vie nationale.

Nul d'entre nous ne méconnaît les efforts accomplis par le Gouvernement précédent pour aboutir à une solution. Ces efforts seront poursuivis avec la volonté acharnée d'aboutir à la *réconciliation générale* par le patriotisme et la *loyauté*.

Dans la recherche d'une solution, le Gouvernement s'appuiera :

- (1) *Sur les dispositions générales des Accords de Genève;*
- (2) *Sur les dispositions contenues dans la Résolution en date du 7 Janvier 1956, de la Commission Internationale de Surveillance et de Contrôle.*

Le Gouvernement prendra pour base de son action le principe contenu dans le premier paragraphe de cette Résolution :

SOUVERAINETE-INDEPENDENCE-UNITE ET INTEGRITE TERRITORIALE DU LAOS

Aucun effort ne sera épargné pour que les négociations avec la partie adverse soient couronnées par la réconciliation loyale souhaitée par tous.

Dans ce règlement délicat, nous nous appuierons sur l'aide des Grandes Puissances, sous telle ou telle forme qu'elle pourrait revêtir. Nous espérons que cet appui efficace et compréhensif ne nous fera jamais défaut.

.....

APPENDIX TO ANNEXURE 5

Lao Presse 28/2/56.

Unofficial English Translation

**H. H. PRINCE SOUVANNA PHOUMA HAS PRESENTED HIS
GOVERNMENT TO THE NATIONAL ASSEMBLY**

VIENTIANE (ALP).....

Excellencies,

Messrs, Deputies,

.....

INTERNAL POLICY

In the sphere of internal policy, the Government which I am proposing for your investiture will lay down as its *preoccupation number one, the settlement of the Pathet Lao problem*. This question is in fact the gravest and most urgent one posed to us. Therein lies, I am sure, our unanimous sentiment. Neither stability nor durability will be achieved so long as this mortgage preponderates on our national life.

None amongst us ignores the efforts carried out by the previous Government so as to reach a solution. These efforts shall be pursued with a persistent will in order to achieve general *reconciliation through patriotism and loyalty*.

"In the search for a solution, the Government will rely on :

- (1) *the general provisions of the Geneva Agreement;*
- (2) *the provisions contained in the Resolution of 7 January, 1957 of the International Commission for Supervision and Control.*

The Government will adopt as a basis for action, the principle contained in the first paragraph of that Resolution,

SOVEREIGNTY, INDEPENDENCE, UNITY AND TERRITORIAL INTEGRITY OF LAOS

No effort shall be spared so that the negotiations with the adverse party be crowned by the loyal reconciliation longed by all.

In this delicate settlement, we shall rely on the help of the Big Powers, under any form it might assume. We hope that this effective and comprehensive support will never fail us.

.....

.....

Samneua, le 22 Avril 1956.

Urgent No. 110/UCPL/HC

**LE PRINCE SCUPHANOUVONG REPRESENTANT DES FORCES
PATHET LAO**

**A S. A. LE PRINCE SOUVANNAPHOUMA PREMIER MINISTRE
DU GOUVERNEMENT ROYAL LAO**

**En communication à S. E. le Président de la Commission
Internationale de Surveillance et de contrôle
à Vientiane**

Altesse,

Je pense que votre Altesse tout comme nous se préoccupe au plus haut point des destinées de la Nation, de la Paix et de l'Indépendance de notre Pays. Je mets toute ma sincérité dans ma présente lettre. A l'heure actuelle, la situation mondiale s'est détendue, la Paix mondiale présente de belles perspectives. Les 5 principes de coexistence pacifique des deux Premiers Nehru et Chou En Lai résistent chaque jour davantage l'accueil chaleureux de nombreuses nations du monde particulièrement des Pays du Sud-Est asiatique. Cette situation nous rappelle qu'il nous faudra trouver à temps des mesures requises pour une application rigoureuse et intégrale des accords de Genève visant à restaurer la Paix, parfaire l'Indépendance, réaliser la Démocratie et unifier notre Pays. Points entièrement conformes aux aspirations et intérêts du Peuple Lao lequel désire vivre une vie pacifique et tranquille afin de consacrer toutes ses capacités à l'oeuvre de reconstruction nationale.

Au cours de notre rencontre à Khangkhay en Septembre 1954, nous avons procédé à des échanges de vue au sujet de la Paix, de l'Indépendance, de la Démocratie et de l'Unité du Pays Lao et nous nous sommes promis de nous rencontrer encore ultérieurement. Seulement il est regrettable que les circonstances jusqu'ici ne nous aient pas permis de nous rencontrer de nouveau.

Aujourd'hui à l'occasion du retour de votre Altesse comme Premier Ministre du Gouvernement Royal Lao avec un programme de politique étrangère appuyée sur les 5 principes du Premier Nehru pour l'établissement des relations avec tous les pays amis et alliés particulièrement avec les pays voisins et avec un programme de politique intérieure spécialement soucieuse de régler le problème Pathet Lao sur la base des accords de Genève je vois qu'il est indispensable que nous nous rencontrions pour continuer les pourparlers amorcés à Khangkhay en 1954. Je suis convaincu qu'une telle rencontre sera profitable au règlement des divers problèmes de la Nation Lao sur la base des accords de Genève et par la voie des négociations pacifiques. Je serais très heureux de connaître l'avis de votre Altesse au sujet de cette rencontre, le plus tôt serait le mieux.

Je saisis l'occasion pour adresser à Votre Altesse mes salutations respectueuses et affectueuses.

PRINCE SOUPHANOUVONG,

Représentant des Forces Pathet Lao

**No. 11/PL Pour expédition conforme
Vientiane le 25 Avril 1956**

**La Délégation Politique du Pathet Lao
Signé THAO PHOUN.**

FOUR COPIE CONFORME

Unofficial English Translation

URGENT letter No. 110/UCPL/HC, dated 22 April 1956, forwarded under No. 11/PL of 25 April 1956 by the Political Delegation of the Pathet Lao.
From :

Prince SOUPHANOUVONG, Representative of the Pathet Lao Forces,

To :

H. H. Prince SOUVANNAPHOUMA, Prime Minister of the Royal Laotian Government.

Copy to H. E. The Chairman of the International Commission for Supervision and Control at Vientiane.

SUBJECT : *Resumption of Political Talks*

"Highness,

I believe Your Highness, as much as we, is preoccupied in the highest degree with the destiny of the Nation, Peace, and the Independence of our country. I am devoting all my sincerity to this present letter. At the present moment, the world situation is relaxed and world peace presents good prospects. The five principles of peaceful co-existence enunciated by the two Prime Ministers: Nehru and Chou En Lai receive each day a warmer welcome from numerous nations of the world, and particularly of those of S.-E. Asia. This situation reminds us that it is incumbent on us to find timely measures required for a full and rigorous implementation of the Geneva Agreement aimed at restoring Peace, perfecting Independence, realising Democracy and unifying our country. These are objectives entirely in conformity with the aspirations and interests of the Lao people, whose desire is to live a life of peace and tranquility in order to devote all its talents to the work of national reconstruction.

In the course of our meeting at Khang Khay in September 1954, we had proceeded to an exchange of views on Peace, Independence, Democracy and Unity of the Lao country and we promised each other to meet again later on. One can only regret that so far circumstances have not allowed us to meet again.

To-day, on the occasion of the return of Your Highness as Prime Minister of the Royal Laotian Government, with a foreign policy programme based on the five principles of Prime Minister Nehru for the establishment of relations with all friendly and allied countries and in particular with the neighbouring countries, and with an internal policy programme, specially concerned with the settlement of the Pathet Lao problem on the basis of the Geneva Agreement, I regard that it is indispensable that we should meet again to continue the talks started at Khang Khay in 1954. I am convinced that such a meeting will be for the good of the settlement of diverse problems of the Laotian Nation on the basis of the Geneva Agreement and through peaceful negotiations. I would be very glad to know the view of Your Highness on the subject of the meeting, and the sooner the better.

I avail myself of this opportunity to convey to Your Highness my respectful and affectionate regards".

Traduction Non-Officielle

DECLARATION COMMUNE

de la Délégation du Gouvernement Royal
du Laos et de la Délégation des Forces "Pathet Lao"

La Délégation du Gouvernement Royal du Laos présidée par S. A. le Prince Souvanna Phouma, Premier Ministre, et composée de Leurs Excellences Ngone Sananikone, Oudom Souvannavong, Thong Southivongnorath, Nou Ing Rattavong, Tiao Somsanith, Messieurs le Colonel Cuan Ratikoun, le Lieutenant-Colonel Phoumi Nosavan, le Commandant Kouprasith Abhay et Sisouk Na Champassak et la Délégation des Forces "Pathet Lao" présidée par S. A. le Prince Souphanouvong et composée de M. M. Phoumi Vongvichit, Nouthak Phoumsavan, Phoun Sipraseuth et Thao Ma.

Se sont réunies du 1er au 5 Août 1956 à Vientiane pour chercher les moyens de régler, conformément aux Accords de Genève, les problèmes intéressant les 2 parties afin de consolider la paix, la démocratie, l'Unité et l'indépendance de la Patrie Lao.

Au cours de ces 5 journées, les conversations se sont déroulées dans une atmosphère pleine de cordialité et de bonne compréhension mutuelle. Les deux Délégations ainsi que leurs Chefs, ont procédé à des échanges de vue en toute sincérité, guidés par le seul souci de servir les intérêts supérieurs du Pays et du Peuple Lao.

Après l'examen de la situation intérieure et extérieure, les deux parties d'un commun accord ont reconnu que depuis quelques temps, il existe une diminution de la tension dans le monde et aussi à l'intérieur du Royaume.

Tenant compte de ces situations intérieures et extérieures, les 2 parties sont d'accord pour adopter la politique étrangère qu'ont, à maintes reprises, déclaré, Son Altesse Royale le Prince Héritier et Son Altesse le Premier Ministre Souvanna Phouma, et selon laquelle le Gouvernement Royal est résolu à :

- suivre la voie de Paix et de Neutralité,
- pratiquer sincèrement les 5 principes de coexistence pacifique du Pandit Nehru,
- entretenir de bonnes relations avec tous les Pays, en particulier les Pays voisins,
- n'adhérer à aucune alliance militaire,
- n'autoriser aucun Pays à installer de bases militaires sur le territoire lao en dehors de celles prévues par les Accords de Genève.

Une telle politique est conforme aux intérêts de tout le Peuple Lao.

Afin de créer une bonne atmosphère pour les négociations et les conditions favorables à l'intégration de tous les citoyens Lao dans la communauté nationale, les 2 parties sont convenues de la nécessité de faire cesser tous actes hostiles dans les deux provinces de Samneua et de Phongsalay. En attendant le règlement global de toutes les questions intéressant les deux parties, les troupes de chaque côté doivent rester sur leur position respective actuelle. Elles ne doivent

entreprendre aucun acte de provocation et d'empiètement; elles ne doivent pas augmenter leur force dans les deux provinces aussi bien en hommes qu'en armement.

La Délégation du Gouvernement Royal assure à la Délégation des Forces "Pathet Lao" que le Gouvernement Royal fera une fois de plus une déclaration officielle et en fera large diffusion parmi la population sur les points suivants :

—Le Gouvernement garantit à tous les citoyens lao les droits et libertés démocratiques tels que liberté de parole, de presse, de publication, de circulation, d'association etc.;

—Le Gouvernement se déclare favorable à reconnaître le droit de vote et d'éligibilité à tous les citoyens lao des deux sexes;

—Le Gouvernement se déclare favorable à reconnaître le droit de vote et thème "kouang lam" en usage sous le régime colonialiste permettant ainsi à chaque citoyen de vivre de son labeur et des richesses de la Nation dans le respect des Lois en vigueur dans le Royaume.

Les deux parties sont d'accord pour que toutes les organisations politiques du "Pathet Lao", telles que le front (Néo Lao Hak Sat), les organisations des jeunes, de femmes, de paysans etc. puissent entreprendre leurs activités dans les formes légales comme les autres partis politiques; qu'il y ait garantie des droits civiques pour les "Pathet Lao" et les anciens résistants sans discrimination; que les cadres du "Pathet Lao" et les cadres anciens résistants puissent participer aux fonctions administratives et techniques à tous les échelons selon leurs capacités et après arrangement entre les deux parties.

En ce qui concerne les élections et la formation d'un Gouvernement d'union Nationale, la question est encore à l'étude.

Quant au règlement pacifique de la question des 2 provinces, les deux parties sont tombées d'accord sur le principe de placer :

- l'administration des deux provinces sous l'autorité supérieure du Gouvernement Royal et d'en réorganiser le système à l'image des autres provinces du Royaume;
- les troupes du "Pathet Lao" sous le Haut Commandement du Gouvernement Royal et de les organiser à l'image de l'Armée Royale.

Les autres questions de détail sont à l'étude.

Les deux parties sont d'accord pour constituer une commission politique mixte et une commission militaire mixte chargée d'étudier et de régler les questions pendantes, chercher les moyens d'application des accords déjà convenus. En cas de besoin, S. A. le Premier Ministre et S. A. Souphanouvong se rencontreront pour s'efforcer de régler les questions litigieuses.

Les deux parties sont d'accord pour constater que les négociations ont obtenu d'heureux résultats. Elles ont permis une telle compréhension entre les deux parties qu'une unanimité de vue est déjà sur plusieurs points. C'est la une importante victoire de la volonté de Paix, d'Unité et d'Indépendance du Peuple Lao, du Gouvernement Royal et des Forces "Pathet Lao".

Les deux parties expriment leur commune satisfaction à la Commission Internationale de Contrôle au Laos et particulièrement à Son Excellence le Président Samar Sen pour les gros efforts qu'ils ont fournis jusqu'à aujourd'hui pour aider les deux parties. Elles espèrent que la Commission Internationale continuera à leur apporter son aide jusqu'à ce que toutes les questions soient résolues conformément à l'esprit des Accords de Genève.

Fait à Vientiane, le 5 Août 1956,

en six exemplaires officiels.

Signé : *Le Chef de la Délégation du
Gouvernement Royal.*

PRINCE SOUVANNA PHOUMA

Signé : *Le Chef de la Délégation
des Forces "Pathet Lao".*

PRINCE SOUPHANOUVONG

(Signature des Membres des deux Délégations)



ANNEXURE 7

Unofficial English Translation

JOINT DECLARATION OF THE ROYAL LAOTIAN GOVERNMENT AND THE "PATHET LAO" FORCES DELEGATION

The Royal Laotian Government Delegation led by H. H. Prince Souvanna Phouma, Prime Minister and composed of their Excellencies Ngone Sananikone, Oudom Souvannavong, Thong Southivongnorath, Nou Ing Rattanaavong, Tiao Somsanith, Colonel Ouan Ratikoun, Lieutenant-Colonel Phoumi Nosavan, Major Kouprasith Abhay and Sisouk Na Champassak and the "Pathet Lao" Forces Delegation led by H. H. Prince Souphanouvong and composed of Messrs. Phoumi Vongvichith, Nouhak Phoumsavan, Phoun Sipraseuth and Thao Ma.

Met from 1 to 5 August in Vientiane, to seek the means to settle, in conformity with the Geneva Agreement, the problems concerning both the Parties in order to consolidate the peace, the democracy, the unity and the independence of the Lao Fatherland.

During these 5 days, the talks went on in an atmosphere of entire cordiality and of good mutual understanding. The two Delegations as well as their Heads, proceeded with an exchange of views in full sincerity, guided by the sole concern of serving the major interests of the Lao Country and People.

After the study of the internal and external situation, the two Parties have by common consent recognised that there exists, since sometime, a lessening of tension in the world as well as within the Kingdom.

Considering these internal and external situations, the two Parties are agreed to adopt the foreign policy repeatedly stated by His Royal Highness the Crown Prince and His Highness the Prime Minister Souvanna Phouma and according to which the Royal Government is resolved :

- to follow the path of Peace and Neutrality,
- to sincerely apply Pandit Nehru's 5 principles of peaceful coexistence,
- to keep good relations with all countries, in particular, with neighbouring countries,
- to desist from adhering to any military alliance,
- to allow no country to establish military bases on the Lao territory apart from those foreseen in the Geneva Agreement.

Such a policy is in conformity with the interests of the entire Lao People.

In order to create a good atmosphere for the negotiations and favourable conditions for the integration of all Lao citizens in the National Community, the two Parties have acknowledged the necessity of proceeding with the cessation of all hostile acts in the two provinces of Sam Neua and Phongsaly. Pending the complete settlement of all the questions concerning the two Parties, the troops of each side must respectively remain in their present position. They must not undertake any provocative or encroaching activities; they must not increase their strength in the two provinces in men as well as in armament.

The Royal Government Delegation assure the "Pathet Lao" Forces Delegation that the Royal Government will once again make an official declaration to be widely publicised among the population, on the following points:—

- The Government guarantees to all Lao citizens the democratic rights and freedoms such as freedom of speech, press, publication, movement, association etc.;
- The Government declares itself in favour of recognising the voting and eligibility rights of all Lao citizens of both sexes;
- The Government has abolished all requisitions, servitudes, "kouang lam" system, used under the colonialist regime, thus enabling each citizen to live by his own labour and the wealth of the Nation in conditions of respect of the Laws in force in the Kingdom.

The two Parties agree that all the political organisations of the "Pathet Lao" such as the front (Neo Lao Haksat), the youth, women, peasants and other organisations can undertake their activities in the legal forms as the other political parties; that there be a guarantee of the civic rights for the "Pathet Lao" and former participants of the resistance without discrimination; that the "Pathet Lao" cadres and those of the former participants of the resistance be able to take part in the administrative and technical functions at all levels according to their qualifications and after arrangement between the two Parties.

Regarding the elections and the formation of a National Union Government, the question is still under study.

As for the peaceful settlement of the question of the two provinces, the two Parties have reached an agreement on the principle of placing :—

- the administration of two provinces under the higher authority of the Royal Government, and reorganizing its system identically with that of the other provinces of the Kingdom;

—the "Pathet Lao" troops under the High Command of the Royal Government and organizing them identically with those of the Royal Army.

The other details are under study.

The two Parties agree to set up a joint Political Commission and a joint Military Commission entrusted with the study and the settlement of the pending questions to seek the means to implement the agreements already reached. In case of need, H. H. the Prime Minister and H. H. Souphanouvong will meet to endeavour in settling the questions under dispute.

The two Parties are in agreement in taking note that the negotiations have achieved happy results. The latter enabled such an understanding between the two Parties that there is already an unanimity of opinion on several points. That is an important victory of the will for Peace, Unity and Independence of the Lao People, of the Royal Government and of the "Pathet Lao" Forces.

Both the parties express their joint satisfaction to the International Commission for Supervision and Control in Laos and specially to H.E. the Chairman Samar Sen for the great efforts they made to this day in helping the two Parties. They hope that the International Commission will go on extending its help until all the questions are solved in conformity with the spirit of the Geneva Agreement.

Done in Vientiane on 5th August 1956
in 6 official copies.

*Head of the Royal Government
Delegation*

PRINCE SOUVANNA PHOUMA

*Head of the Pathet Lao" Forces,
Delegation*

(Sd.) PRINCE SOUPHANOUVONG

(Signature of the Members of the two Delegations)

ANNEXURE 8

Tradition Non-Officielle

DECLARATION COMMUNE FINALE

DE LA DELEGATION DU GOUVERNEMENT ROYAL DU LAOS ET DE LA DELEGATION DES "FORCES PATHET LAO"

A la suite de la signature de la Déclaration Commune du 5 Août 1956, la Délégation du Gouvernement Royal et la Délégation des Forces Pathet Lao sont tombées d'accord sur les points suivants :

- (1) Organisation des élections complémentaires dans tout le Royaume au scrutin secret et libre comme il en existe jusqu'à ce jour et ayant pour objet d'augmenter le nombre des députés de façon que ce nombre soit en harmonie avec celui des électeurs conformément au projet de loi électorale déposé au Bureau de l'Assemblée Nationale par le Gouvernement Royal.

(2) Formation d'un Gouvernement d'Union Nationale avec participation de Représentants des Forces Pathet Lao.

Il est en outre décidé que les Commissions Politique et Militaire mixtes se réunissent très prochainement, afin de fixer les modalités d'application des accords de principe convenus suivant la Déclaration Commune du 5 Août 1956 et la présente Déclaration.

FAIT à VIENTIANE, le 10 Août 1956.

*Le chef de la Délégation du
Gouvernement Royal,*

*Le Chef de la Délégation des
Forces du Pathet Lao.*

Signé: TIAO SOUVANNA PHOUMA

Signé: TIAO SOUPHANOUVONG

ANNEXURE 8

Unofficial English Translation

JOINT AND FINAL DECLARATION
OF THE DELEGATION OF THE ROYAL GOVERNMENT OF
LAOS AND THE DELEGATION OF THE
"PATHET LAO FORCES"

Following the signature of the Joint Declaration of 5 August 1956, the Delegation of the Royal Government and the Delegation of the Pathet Lao Forces have further agreed to the following points:

- (1) To organise complementary elections throughout the Kingdom by free and secret ballot as it obtains unto this day and with a view to increasing the number of deputies in a manner that the number would be in harmony with that of the electors in conformity with the Draft Electoral Law filed in the Office of the National Assembly by the Royal Government.
- (2) Setting up of a National Union Government with the participation of the Representatives of the Pathet Lao Forces.

It has moreover been decided that the Mixed Political and Military Commissions are to meet at the earliest in order to lay down the modalities for the implementation of the accords in principle as per the Joint Declaration of 5 August 1956 and the present Declaration.

Done in Vientiane, 10 August 1956

*The Head of the Delegation of the
Royal Government*

*The Head of the Delegation of the
Pathet Lao Forces.*

(Sd.) TIAO SOUVANNA PHOUMA

(Sd.) TIAO SOUPHANOUVONG

ANNEXURE 9

**RESOLUTION ON THE JOINT DECLARATION OF THE ROYAL
GOVERNMENT AND THE FIGHTING UNITS OF PATHET LAO
DATED THE 5TH AND 10TH AUGUST 1956**

The International Commission for Supervision and Central in Laos,

- I. Takes note with satisfaction of the outcome of the discussions concerning a political settlement conducted between the Royal Laotian Government and the Fighting Units of 'Pathet Lao' in Vientiane from the 1st August to the 10th August 1956, as contained in the two Joint Declarations of the 5th and the 10th August,
- II. Considers that these Joint Declarations form a suitable basis for final agreement in respect of all outstanding matters in conformity with the Geneva Agreement,
- III. Expresses its satisfaction at the extent of agreement achieved by the Parties and on their goodwill in seeking a solution,
- IV. Hopes that a final solution will be achieved without delay and in a cordial atmosphere and that in the meantime the cease fire and the democratic freedoms will be fully maintained.

NOTE : This resolution was passed at the 213th meeting of the Commission held on 24 September 1956.

ANNEXURE 10

Traduction Officielle

ACCORD

**SUR DES MESURES A' PRENDRE POUR L'APPLICATION DE LA
CESSATION DES ACTES HOSTILES**

Se referant à la Déclaration commune en date du Août 1956 entre S. A. le Prince Souvanna Phouma, Premier Ministre, Président du Conseil des Ministres du Gouvernement Royal et S.A. le Prince Souphanouvong, chef/de la Délégation des Unités Combattantes Pathet Lao, Déclaration qui prévoyait en particulier :

"Afin de créer une bonne atmosphère pour les négociations et les conditions favorables à l'intégration de tous les citoyens Lao dans la communauté nationale, les deux parties sont convenues sur la nécessité de faire cesser tous actes hostiles dans les deux province de SAMNEUA et de PHONGSALY. En attendant le règlement global de toutes les questions intéressant les deux parties, les troupes

de chaque côté doivent rester sur leur position respective actuelle. Elles ne doivent enterprendre aucun acte de provocation et d'empiètement; elles ne doivent pas augmenter leur force dans les deux provinces aussi bien en hommes qu'en armement.

La Commission Militaire Mixte composée de la Délégation du Haut Commandement des Forces Armées Royales et de la Délégation du Haut Commandement des.

Unités Combattantes Pathet Lao, à savoir :

(a)—du côté du Gouvernement Royal :

- le Colonel OUAN RATHIKOUN, Chef Delegation
- le Lieutenant-Colonel PHOUMI NOSAVAN, Membre
- le Chef de Bataillon KOU PRASITH ABHAY, Membre

(b)—du côté Pathet Lao :

- Le Colonel PHOUN SIPASEUT, Chef Délégation,
- le Colonel KHAMTAY SIPHANDONE, Membre,
- le Lieutenant-Colonel PHAO PHIMPHACHANH, Membre,

s'est réunie pour discuter et fixer les mesures à prendre pour réaliser ensemble l'exécution des principes précités relatifs à la cessation des actes hostiles. La Commission a estimé unanimement que pour garantir qu'aucun acte hostile ne se reproduise, les deux parties doivent exécuter correctement et intégralement les clauses convenues ci-dessous :

Article 1

(A)— Le Haut Commandement des Forces Armées Royales et le Haut Commandement des Unités Combattantes Pathet Lao donneront à toutes les Unités placées sous leurs ordres, un ordre conjoint proscrivant d'application correctement et rigoureusement la Déclaration commune du 5 Août 1956 relative à la cessation des hostilités.

Cet ordre commun devra avoir la teneur suivante :

— les troupes de chaque partie doivent rester sur place conformément à la déclaration commune du 5 Août 1956, cesser toutes attaques et tous actes de provocation pouvant conduire à la reprise des hostilités ou des querelles.

— cesser tous actes d'infiltration, d'empiètement, toutes disputes de terrain, toutes tentatives d'occuper de nouvelles positions. Interdire tout renforcement en hommes, armement et matériels divers de tous les postes et garnisons des deux parties.

— cesser toutes provocations, toutes injures, toute propagande calomnieuse à l'encontre de l'une ou l'autre partie.

(B)—L'ordre commun prévu ci-dessus devra être rédigé dans un délai de trois jours après la signature du présent accord.

Article 2

(A)—Il sera créé, après la signature du présent Accord, deux équipes Militaires mixtes, dont une pour la Province de Phongsaly et une pour la Province de Samneua.

(B)—Chaque équipe Militaire mixte comprendra une représentation et personnel de chaque partie fixés comme suit :

- 1 Chef de délégation.
- 1 Membre.
- 1 Secrétaire

(C)—Chaque équipe militaire mixte disposera d'un groupe de transmission composé de 5 personnels et d'un poste émetteur-récepteur. Le personnel et le matériel des groupes de transmission seront fournis par les Forces Armées Royales, pour que l'équipe militaire mixte utilise ensemble dans la liaison avec la Commission Militaire Mixte.

(D)—Les équipes Militaires Mixtes sont des équipes mobiles dépendant de la Commission Militaire Mixte ayant son siège à Vientiane.

Article 3

Les équipes Militaires mixtes ont les pouvoirs et les devoirs ci-après :

(A)—Diffuser les Déclarations communes des 5 et 10 Août 1956 ainsi que l'ordre commun concernant la cessation des hostilités aux unités des deux parties qui sont au contact les unes des autres, pour qu'elles en comprennent profondément la teneur et pour créer entre elles l'esprit de compréhension réciproque et d'unité nationale.

(B)—Empêcher toute reprise des actes hostiles et régler tous incidents au cas où ils se produiraient.

(C)—Recevoir pour exécution les ordres de la Commission Militaire Mixte. Rendre compte des résultats obtenus et soumettre les mesures à prendre au cas où des actes hostiles se produiraient pour que la Commission Militaire Mixte examine et prend décision.

(D)—Chaque partie doit assurer la sécurité et l'entretien des équipes militaires mixtes opérant dans sa zone, sauvegarder l'honneur et le prestige des délégués de l'autre partie et donner aux équipes militaires mixtes toutes facilités pour l'exécution de leur mission. Le Haut Commandement des Forces Armées Royales doit mettre à la disposition des équipes militaires mixtes, dans la mesure de ses possibilités, les moyens de transport nécessaires.

Article 4

En cas d'infraction au présent Accord, les sanctions disciplinaires prises par la partie intéressée à l'encontre des fautifs seront portées à la connaissance de l'autre partie.

FAIT à VIENTIANE, LE 31 Octobre 1956.

Militaire du Gouvernement
Royal.

Le Chef de la Délégation
Singé: OUAN RATHIKOUN

Le Chef de la Délégation
Militaire des Unités Combattantes
Pathet Lao.

Signé: PHOUN SIPASEUT

ANNEXURE 10

Unofficial English Translation

AGREEMENT

ON THE MEASURES TO BE TAKEN FOR THE IMPLEMENTATION OF THE CESSATION OF HOSTILE ACTS

Referring to the Joint Declaration dated 5 August 1956 between H. H. Prince Souvanna Phouma, Prime Minister, President of the Council of Ministers of the Royal Government and H. H. Prince Souphanouvong, Head of the Delegation of the Fighting Units of Pathet Lao, Declaration which envisaged in particular :

"In order to create a good atmosphere for the negotiations and favourable conditions for the integration of all Lao citizens in the National Community, the two Parties have acknowledged the necessity of proceeding with the cessation of all hostile acts in the two provinces of Sam Neua and Phongsaly. Pending the complete settlement of all the questions concerning the two Parties, the troops of each side must respectively remain in their present position. They must not undertake any provocative or encroaching activities; they must not increase their strength in the two provinces in men as well as in armament.

The Joint Military Committee comprising of the Delegation of the High Command of the Royal Armed Forces and the Delegation of the High Command of the Fighting Units of Pathet Lao, viz.,

(a) On the Royal Government side :

Colonel Ouan Rathikonn, Head of the Delegation

Lieutenant-Colonel Phoumi Nosavan, Member

Chief of Battalion Kou Prasith Abhay, Member

(b) On the Pathet Lao side :

Colonel Phoun Sipaseut, Head of Delegation

Colonel Khamtay Siphandone, Member

Lieutenant-Colonel Phao Phimpachanh, Member

met to discuss and set forth the measures to be taken in order to achieve together the implementation of the afore-mentioned principles relating to the cessation of hostile acts. The Committee unanimously decided that, in order to guarantee that no hostile acts recur both must correctly and integrally implement the clauses agreed upon below :

Article 1

(A) The High Command of the Royal Armed Forces and the High Command of the Fighting Units of Pathet Lao shall issue to all the units placed under their command a joint order prescribing the correct and strict implementation of the 5 August 1956 Joint Declaration relating to the cessation of hostilities.

The terms of this joint order shall be as follows:—

The troops of both Parties shall remain in situ in conformity with the Joint Declaration of 5 August 1956, cease all attacks and all acts of provocation which could lead to a resumption of hostilities or disputes.

Cease all acts of infiltration, encroachments, all disputes over territory, all attempts at occupying new positions. Forbid all reinforcements in men, armament and various equipment to all posts and garrisons of both Parties.

Cease all provocations, all insults, all vilifying propaganda against one or the other Party.

(B) The joint order envisaged above must be drawn up within a time-limit of 3 days after the signature of this Agreement.

Article 2

(A) After the signature of this Agreement, two Joint Military Teams shall be created, one for the Province of Phongsaly and one for the Province of Sam Neua.

(B) Each Joint Military Team shall include representation and personnel from each Party as provided for below:

- 1 Head of the Delegation
- 1 Member
- 1 Secretary

(C) Each Joint Military Team shall have at its disposal a signal group consisting of 5 persons and a Trans-receiver set. The personnel and equipment of the Signal groups shall be provided by the Royal Armed Forces, so that the Joint Military Team utilises them jointly for liaison with the Joint Military Commission.

(D) The Joint Military Teams shall be mobile teams depending on the Joint Military Commission which has its seat in Vientiane.

Article 3

The Joint Military Teams shall have the following powers and duties:

(A) Propagate the Joint Declaration of 5 and 10 August 1956 as well as the Joint Order regarding the cessation of hostilities to the units of the two Parties who are facing each other, in order that they satisfactorily understand its terms and create between them a spirit of mutual understanding and of national unity.

(B) Prevent all resumption of hostile acts and settle all incidents in case incidents should occur.

(C) Receive the orders from the Joint Military Commission in order to execute them. Report on the results obtained and submit the measures to be adopted in the event of hostile acts occurring so that the Joint Military Commission examines and takes a decision.

(D) Each Party must assume the security and maintenance of the Joint Military Teams operating in its zone, safeguard the honour and prestige of delegates of the other Party and give to the Joint Military Teams all facilities for the accomplishment of their mission. The High Command of the Royal Armed Forces shall, as far as possible, place at the disposal of the Joint Military Teams the necessary transport.

Article 4

In case of violation of the present Agreement, the disciplinary sanctions taken against the defaulters by the Party concerned shall be notified to the other Party.

DONE AT VIENTIANE, 31 OCTOBER 1956

*Head of the Military
Delegation of the Royal
Government.*

(Sd.) OUAN RATHIKOUN

*Head of the Military
Delegation of the F.U.P.L.*
(Sd.) PHOUN SIPASEUT

ANNEXURE 11

**ACCORD DE LA COMMISSION POLITIQUE MIXTE SUR LA QUESTION
DE PAIX ET DE NEUTRALITE'**

La Commission Politique Mixte composée de la Délégation Politique du Gouvernement Royal et de la Délégation Politique des Forces du Pathet Lao, lesquelles comprennent :

Du côté du Gouvernement Royal :

- | | |
|----------------------------------|------------------------------|
| 1.— S.E. Ngon Sananikone, | Chef de la Délégation |
| 2.— S.E. Nou Ing Rattavong, | Membre |
| 3.— S.E. Thong Southivongnorath, | -id- |
| 4.— M. Thao Tane Choulamontri, | -id- |
| 5.— M. Thao Van Tanouane, | -id- |
| 6.— M. Inpèng Souryathay, | -id- |
| 7.— M. Amon Vimonphan, | Secrétaire |

Du côté des Forces du Pathet Lao :

- | | |
|---------------------------------|--------------------------------------|
| 1.— M. Phomi Vongvichit, | Chef de la Délégation |
| 2.— M. Nouhak Phoumsavan, | Chef-Adjoint de la Délégation |
| 3.— M. Singapo Chounamli, | Member |
| 4.— M. Thao Ma Khaykhamphithoun | -id- |
| 5.— M. Maha Khamphan Virachit | -id- |
| 6.— M. Apheui Chandavong, | Secrétaire |

s'est réunie à Vientiane à partir du 25/9/56 pour chercher les mesures convenables d'application des principes convenus par S.A. le Prince Souvanna Phouma, Premier Ministre du Gouvernement Royal et S.A. le Prince Souphanouvong, Représentant des Forces du Pathet Lao en date des 5 et 10/8/56.

La première question sur laquelle les deux parties ont délibéré est celle de Paix et de Neutralité. En ce qui concerne cette question, la déclaration commune du 5/8/56 a dit: "Les deux parties approuvent la politique étrangère que S. A. R. le Prince Héritier et S. A. le Prince Souvanna Phouma ont maintes fois proclamée disant que le Gouvernement Royal s'engagera résolument dans la voie de paix et de neutralité, appliquera sincèrement les 5 principes de coexistence pacifique invoquée par M. Nehru, établira de bonnes relations avec tous les pays, particulièrement les pays voisins, n'adhérera à aucune alliance militaire et ne permettra à aucun pays d'établir des bases militaires sur le territoire Lao, en dehors de celles prévues par les accords de Genève".

Pour réaliser les principes cités plus haut, la Délégation Politique du Gouvernement Royal et la Délégation Politique des Forces du Pathet Lao ont délibéré sur les principes convenus susvisés dans tous les détails, avec l'esprit d'amitié et dans une atmosphère de bonne compréhension réciproques. Les deux parties reconnaissent qu'après la signature des deux déclarations communes des 5 et 10/8/56, notre pays a envoyé une délégation du Gouvernement Royal faire une visite de courtoisie à la République Populaire de Chine et à la République Démocratique du Vietnam et a obtenu de bons résultats. Les deux parties sont unanimes de reconnaître que la réalisation de la politique de paix et de neutralité est d'une grande importance et liée étroitement à la destinée de notre Patrie. Les deux parties sont unanimes de reconnaître qu'il est nécessaire de pousser davantage la réalisation de la politique de paix et de neutralité pour qu'elle progresse activement dans tous les domaines avec tous les pays du monde, sans distinction de leurs différents régimes politiques, en particulier avec les pays voisins, et se sont convenus sur les mesures d'application suivantes :

1/- Nouer des relations amicales et établir des relations diplomatiques suivant les 5 principes de coexistence pacifique avec tous les pays, sans distinction des régimes politiques de ces pays, afin de garantir la politique de paix et de neutralité poursuivie résolument par notre pays.

En ce qui concerne particulièrement les pays voisins immédiats et les pays qui ont déjà fait la proposition d'établir des relations diplomatiques avec notre pays, nous commencerons à le faire dès maintenant et tâcherons de le réaliser le plus tôt qu'il sera possible.

En outre, si d'autres pays désireraient entretenir de bonnes relations avec notre pays, celui-ci serait heureux de les accepter également.

2/ D'ici jusqu'au jour d'établissement des relations diplomatiques avec les pays susvisés, il sera procédé à la reconnaissance réciproque, à des échanges économiques et culturels avec les dits pays, à l'envoi des délégations faire des visites de courtoisie à ces pays et en même temps acclamer leurs délégations qui viendront visiter notre pays.

3/- Au moment où nous n'avons pas encore les conditions d'envoyer nos ambassadeurs dans les pays susvisés, nous accepterons quand même que ces pays installent leurs ambassadeurs dans notre pays.

4/. En vue d'améliorer le standard de vie de notre peuple et édifier la base d'une économie et d'une culture indépendantes pour notre pays, nous tâcherons, dès l'année 1957, de gagner l'aide de tous les pays qui auraient la bonne volonté d'aider notre pays sans conditions, c'est-à-dire sur pied d'égalité, avec respect de la souveraineté de notre pays, sans aucun lien politique, économique et sans contrôle ni surveillance sur l'emploi des biens provenant de cette aide.

5/- Notre pays est résolu de n'adhérer à aucune alliance militaire et de ne permettre à aucun pays d'établir leurs bases militaires sur le territoire Lao, en dehors de celles prévues par les accords de Genève. En même temps, notre pays

repoussera résolument toute ingérence de quelle façon qu'elle soit dans les affaires intérieures de notre pays, afin de sauvegarder la souveraineté et l'indépendance nationales.

• 6/- Le présent accord entrera en vigueur à partir du jour de sa signature. Après la signature du présent accord, les deux parties ont le devoir de le diffuser à la population par tous les moyens de propagande dont elles disposent.

Fait à Vientiane, le 2 Novembre 1956

*Le Chef de la Délégation Politique
du Gouvernement Royal.*

*Le Chef de la Délégation Politique
des Forces du Pathet Lao.*

Signe : S. E. NGON SANANIKONE Signe : THAO PHOUMI VONGVICHIT

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ANNEXURE 11

Unofficial English Translation

AGREEMENT OF THE JOINT POLITICAL COMMITTEE ON THE
QUESTION OF PEACE AND NEUTRALITY

The Joint Political Commission consisting of the Political Delegation of the Royal Government and the Political Delegation of the Pathet Lao Forces, which are composed of :

On the Royal Government side :

1. H. E. Ngon Sananikone,	Head of the Delegation
2. H. E. Nou Ing Rattanavong,	Member
3. H. E. Thong Southivongnorath,	-do-
4. Mr. Thao Tane Choulamontri,	-do-
5. Mr. Thao Van Tanouane,	-do-
6. Mr. Inpeng Sourvathay,	-do-
7. Mr. Amon Vimonphan,	Secretary

On the Pathet Lao Forces side :

1. Mr. Phoumi Vongvichit,	Head of the Delegation
2. Mr. Nouhak Phoumsavan,	Deputy Head of the Delegation
3. Mr. Singkapo Chounamali,	Member
4. Mr. Thao Ma Khaykhamphithoun,	-do-
5. Mr. Maha Khamphan Virachit,	-do-
6. Mr. Apheui Chandavong,	Secretary

met at Vientiane from 25 September 1956 to seek appropriate measures for implementation of the principles agreed upon by H. H. Prince Souvanna Phouma, Prime Minister of the Royal Government and H. H. Prince Souphanouvong, Representative of the Pathet Lao Forces on 5 and 10 August 1956.

The first issue on which the two Parties deliberated was that of peace and neutrality. In regard to this question, the Joint Declaration of 5 August 1956 said: "The two Parties are agreed on the adoption of the foreign policy repeatedly stated by H. R. H. the Crown Prince and H. H. Prince Souvanna Phouma and according to which the Royal Government is resolved resolutely to follow the path of peace and neutrality, to sincerely apply Pandit Nehru's five principles of peaceful co-existence, to establish good relations with all countries and in particular with neighbouring countries, to desist from adhering to any military alliance, to allow no country to establish military bases on the Lao territory apart from those foreseen in the Geneva Agreement".

To realise the principles cited above, the Political Delegation of the Royal Government and the Political Delegation of the Pathet Lao Forces deliberated fully on the above agreed principles with a spirit of friendliness and in an atmosphere of good mutual understanding. The two Parties acknowledge that following the signature of the two Joint Declarations of 5 and 10 August 1956, our country sent a Royal Laotian Government's Delegation on a courtesy visit to the People's Republic of China and to the Democratic Republic of Vietnam and achieved good results. The two Parties unanimously acknowledge that the achievement of a policy of peace and neutrality is of great importance and is closely connected with the destiny of our fatherland. The two Parties unanimously acknowledge that it is necessary to promote further the achievement of the policy of peace and neutrality so that it actively progresses in all the spheres, with all the countries of the world, without any distinction of the different political regimes, in particular with neighbouring countries, and have agreed upon the following measures of implementation :

(1) Foster friendly relations and establish diplomatic relations in accordance with the 5 principles of peaceful co-existence with all countries so as to guarantee the policy of peace and neutrality resolutely followed by our country.

In so far as it particularly concerns the immediate neighbouring countries who have already proposed to establish diplomatic relations with our country, we shall commence doing it right now and shall strive to achieve it as early as possible.

Besides, if other countries would wish to maintain good relations with our country, the latter would be glad to accept them also.

(2) Pending the establishment of diplomatic relations with the above-mentioned countries, steps shall be taken for mutual recognition, economic and cultural exchanges with the said countries, sending of delegations to make courtesy visits to those countries and at the same time welcome their delegations which will come to visit our country.

(3) At a time when we do not have as yet the possibilities of sending our ambassadors to the afore-mentioned countries, we shall nevertheless accept that those countries set up their embassies in our country.

(4) In order to improve the standard of living of our people and lay the foundation for an independent economy and culture for our country, we shall endeavour, right from 1957, to get the assistance of all countries which would have the goodwill to help unconditionally our country, that is to say on an equal footing in conditions of respect of the sovereignty of our country, without any political or economic string and without any control or supervision on the use of that aid.

(5) Our country is resolved not to adhere to any military alliance and not to permit any country to set up their military bases on Laotian territory, apart from those envisaged in the Geneva Agreement. At the same time, our country shall resolutely resist any interference whatever in the internal affairs of our country, so as to safeguard the national sovereignty and the independence.

(6) The present agreement will enter into force with effect from the date of its signature. After the signature of this agreement, the two Parties must diffuse it among the people through all the means of propaganda which they have at their disposal.

Done at Vientiane, the 2nd November 1956,

*Head of the Political
Delegation of the Royal
Government.*

(Sd) H. E. NGON SANANIKONE

*Head of the Political
Delegation of the Pathet
Lao Forces.*

(Sd) THAO PHOUMI VONGVICHIT



ANNEXURE 12

ACCORD entre la Délégation Politique du Gouvernement Royal et la Délégation Politique des Forces du Pathet Lao, concernant les mesures de garantie des droits civiques de non-discrimination et de non-représaillie aux membres des Forces du Pathet Lao, aux personnes en relation avec les Forces du Pathet Lao et aux anciens résistants dans tout le pays, et les mesures d'intégration des cadres du Pathet Lao et anciens résistants dans les services administratifs et techniques du Royaume à tous les échelons.

Continuant de développer l'atmosphère de cordialité et de bonne compréhension mutuelle; activant la réconciliation et solidarité nationales en vue d'unifier et reconstruire la Patrie et de sauvegarder la souveraineté et l'indépendance nationales, la Commission Politique Mixte Composée de la Délégation Politique du Gouvernement Royal et de la Délégation Politique des Forces du Pathet Lao, comprenant :

Du Côté des Gouvernement Royal :

- 1.— S.E. Ngôn Sananikone,
- 2.— S. E. Nou Ing Rattanavong,
- 3.— S. E. Thong Southivongnorath,
- 4.— M. Thao Tane Choulamontri,
- 5.— M. Thao Van Tanouane,
- 6.— M. Inpèng Souryathay,
- 7.— M. Amon Vimonqhan,

Chef de la Délégation
Membre
-id-
-id-
-id-
-id-
Secrétaire

Du côté des Forces du Pathet Lao :

- | | |
|----------------------------------|-------------------------------|
| 1.— M. Phoumi Vongvichit, | Chef de la Délégation |
| 2.— M. Nouhak Phoumsavan, | Chef-Adjoint de la Délégation |
| 3.— M. Singkapo Chounamali | Membre |
| 4.— M. Thao Ma Khaykhamphithoun, | -id- |
| 5.— M. Māha Khamphan Virachit, | -id- |
| 6.— M. Apheui Chandavong, | Secrétaire |

s'est réunie à Vientiane du 6/11/56 au 23/12/56 afin de rechercher les mesures d'application des principes convenus entre S. A. le Prince Souvanna Phouma, Premier Ministre du Gouvernement Royal et S.A. le Prince Souphanouvong, Représentant des Forces du Pathet Lao, dans la déclaration commune du 5/8/56 disant en substance: "Les deux parties sont d'accord pour que toutes les organisations politiques du "Pathet Lao", telles que le Front NEO-LAO-HAKSAT, les organisations de jeunes, de femmes, de paysans etc.....puissent entreprendre leurs activités dans les formes légales comme les autres parties politiques; qu'il y ait garantie des droits civiques pour les "Pathet Lao" et les anciens résistants sans discrimination; que les cadres du "Pathet Lao" et les cadres anciens résistants tant puissent participer aux fonctions administratives et techniques à tous les échelons selon leurs capacités et après arrangement entre les deux parties".

Après avoir délibéré, d'une façon complète et détaillée, des principes ci-dessus dans l'esprit et dans la lettre, la Délégation Politique du Gouvernement Royal et la Délégation Politique des Forces du Pathet Lao sont d'accord pour reconnaître que la coopération entre les deux parties afin de rassembler tous les Lao dans la communauté Nationale, est en elle-même une coopération sur pied d'égalité, dans la satisfaction et l'honneur des deux parties aux fins de resserrer la solidarité nationale, de reconstruire ensemble une Patrie prospère, et de sauvegarder la souveraineté et l'indépendance nationales.

Les deux parties sont unanimes à reconnaître que les membres des Forces du Pathet Lao, les personnes en relation avec les Forces du Pathet Lao et les anciens résistants dans tout le pays ont contribué pour une part importante à la lutte pour l'indépendance nationale, que par conséquent la garantie des droits civiques, de non-discrimination et de non-représailles aux membres des Forces du Pathet Lao, aux personnes en relation avec les Forces du Pathet Lao, et aux anciens résistants dans tout le pays, sans distinguer s'ils sont civils, militaires ou cadres de tel service ou de tel rang, sont très conformes au cœur et à la raison puisqu'elles contribueront à la réconciliation nationale et à l'unification de la Patrie conformément aux aspirations du peuple tout entier.

Partant de cet esprit de coopération sincère, les deux parties sont unanimement d'accord pour fixer comme suit les mesures d'application des principes ci-dessus énoncés :

Chapitre I.—Mesures de garantie des droits d'exercer leurs activités légales aux diverses organisations politiques des Forces du Pathet Lao et des anciens résistants dans tout le pays.

(1) Le Front Uni National appelé NEO LAO HAKSAT et les organisations de jeunes, de femmes, de paysans et autres, constituant les organisations politiques des Forces du Pathet Lao et des anciens résistants, ont le droit d'exercer leurs activités légales dans tout le pays comme les autres partis politiques ainsi qu'il est dit dans la déclaration commune du 5/8/56, en remplissant les formalités nécessaires prescrites par la Loi du Royaume relative aux partis politiques.

Le Gouvernement Royal donne l'assurance qu'il accordera toutes facilités au NEO LAO HAKSAT et auxdites organisations dans l'accomplissement de toutes les formalités réglementaires, dans l'établissement de leurs sièges et de leurs filiales, dans l'édition de leurs journaux, et dans l'acquisition de la capacité juridique telle qu'elle est stipulée à l'article 8 de la loi No. 48 du 13/1/50 relative aux associations.

Chapitre II : Mesures de garantie des droits Civiques, de non-discrimination et d'interdiction des représailles aux membres des Forces du Pathet Lao, aux personnes en relation avec les Forces du Pathet Lao et et aux anciens résistants dans tout le pays.

(2) Le Gouvernement Royal garantit entièrement aux membres des Forces du Pathet Lao, aux personnes en relation avec les Forces du Pathet Lao et aux anciens résistants dans tout le pays, la jouissance et l'exercice de tous les droits que possèdent les citoyens Lao concernant les libertés démocratiques telles que liberté individuelle, liberté de parler, liberté d'écrire et de publier, liberté de circulation, liberté d'association et de réunions, liberté de croyance et libertés électorales, prévues par la Constitution du Royaume et par la déclaration commune du 5/8/56.

(3) Les membres des Forces du Pathet Lao, les personnes en relation avec les Forces du Pathet Lao et les anciens résistants dans tout le pays jouissent tous des droits civiques égaux dans la communauté nationale tant au point de vue politique, économique que judiciaire. Sont formellement interdits tous actes de discrimination, de division et de représailles entre citoyens Lao, sans distinguer s'ils sont membres des Forces du Pathet Lao, des personnes en relation avec les Forces du Pathet Lao, des anciens résistants dans tout le pays ou non.

(4) A l'avenir, il est interdit, sous quelques prétexte que ce soit, de porter devant tout Tribunal ou devant tout conseil de discipline administratif, des agissements ou voies de fait accomplis depuis le 9/3/1945 jusqu'à ce jour, se rattachant à l'activité militaire, politique ou administrative par toutes personnes civiles ou militaires du Gouvernement Royal ou par toutes personnes civiles ou militaires, membres des Forces du Pathet Lao, en relation avec les Forces du Pathet Lao ou anciens résistants dans tout le pays, à l'exception des délits de droit commun.

(5) Tout acte revêtant un caractère de discrimination, représailles ou d'interdiction à l'encontre des membres des Forces du Pathet Lao, des personnes en relation avec les Forces du Pathet Lao et des anciens résistants dans tout le pays, dans le libre exercice des libertés démocratiques et de leurs droits civiques, tels qu'ils sont stipulés dans les points 2 et 3 ci-dessus et toute poursuite, arrestation ou calomnie relative à la matière désignée au point 4 ci-dessus, seront considérés comme des violations du présent accord et seront poursuivis devant le Tribunal comme acte de division nationale, comme acte de sabotage de l'unité de la patrie et comme une atteinte aux libertés démocratiques et aux droits civiques du peuple.

Si les actes ci-dessus entraînent les dégâts matériels, les coupables seront passibles, en plus des peines d'emprisonnement et d'amende, de restitution et de dommages-intérêts conformément au code civil en vigueur dans le Royaume.

Si les actes en question portent atteinte à la personne et à la vie humaine, les coupables seront jugés suivant le code pénal en vigueur dans le Royaume.

(6) La partie royale donne l'assurance qu'elle prendra en considération les clauses du présent accord pour en faire une loi de garantie des libertés démocratiques du peuple, de non-discrimination et de non-représailles à l'encontre des membres des Forces du Pathet Lao, des personnes en relation avec les Forces du Pathet Lao et des anciens résistants dans tout le pays.

Chapitre III : Mesures d'intégration des cadres Pathet Lao et anciens résistants dans tout le pays dans les services administratifs et techniques du Royaume à tous les échelons.

(7) Les cadres Pathet Lao et anciens résistants seront intégrés dans l'administration et les divers services techniques du Royaume à tous les échelons, sans discrimination et sur pied d'égalité dans tous les domaines avec les fonctionnaires des services administratifs et techniques des divers échelons du Royaume.

En ce qui concerne les cadres administratifs et les cadres et personnels des divers services techniques, de divers échelons, formés par les Forces du Pathet Lao, le Gouvernement Royal considérera leurs temps de service dans les rangs de la résistance comme temps de service dans l'administration royale, et s'efforcera de les intégrer avec les fonctions, rangs et spécialités que les Forces du Pathet Lao leur ont confiés, afin qu'ils puissent jouir dans tous les domaines, des mêmes droits que les fonctionnaires royaux de mêmes rangs, à l'exception de certains cas individuels où il ne serait pas possible de les intégrer avec les dits rangs et fonctions auquel cas le Gouvernement Royal les intégrera dans d'autres services avec des rangs et fonctions équivalents.

En ce qui concerne les cadres du Pathet Lao qui auparavant étaient fonctionnaires ou mandarins royaux, leur temps de service dans les rangs de la Résistance sera compté comme temps de service dans l'administration royale; ils jouiront de l'avancement dans le temps minimum; et si de par leur mérite dans la résistance ils ont été l'objet d'avancement à un rang supérieur ou s'ils avaient dû changer de branche ou de spécialité, le maximum d'efforts sera fait pour qu'ils puissent conserver le rang et la fonction qu'ils occupent actuellement. Dans certains cas individuels où il ne serait pas possible de leur conserver ce rang et cette fonction, ils auront un rang et une fonction équivalents.

(8) Les brevets et certificats délivrés par les Forces du Pathet Lao seront considérés comme équivalents aux brevets et certificats correspondants du Gouvernement Royal. Quant aux distinctions, décorations et insignes conférés par les Forces du Pathet Lao, ils pourront être conservés à la maison, dans tout le Royaume, afin de constituer un souvenir et une preuve du Mérite de leur titulaire envers la Patrie.

(9) La Délégation des Forces du Pathet Lao enverra à la Commission Politique Mixte la liste et le curriculum vitae des cadres du Pathet Lao et anciens résistants dans tout le pays qui seront intégrés dans l'administration et les divers services techniques à tous les échelons, afin de faciliter l'examen des affectations et nominations de ces cadres individuellement.

(10) Afin de faciliter le retour à Vientiane et, dans les diverses provinces des cadres du Pathet Lao et anciens résistants dans tout le pays, le Gouvernement Royal se chargera de les aider dans le domaine du ravitaillement, de la sécurité et des moyens de transport au cours de leur voyage d'une façon convenable suivant leurs fonctions et rangs.

(11) Une Sous-Commission administrative mixte formée de 2 représentants de chaque partie et dépendant de la Commission Politique Mixte sera créée avec la tâche d'arranger les fonctions, rangs et spécialités pour les cadres du Pathet Lao et anciens résistants qui devront être intégrés dans l'administration et les services techniques à tous les échelons, et de les proposer à la décision de la Commission Politique Mixte. Le Gouvernement Royal se basera sur les décisions de la Commission Politique Mixte concernant les fonctions, rangs et spécialités des cadres du Pathet Lao et anciens résistants pour prendre des arrêtés d'affectation correspondants. Cette Sous-Commission sera dissoute après qu'elle aura mené sa tâche à bonne fin.

Chapitre IV: Application de l'accord :

(12) Le présent accord prendra effet à compter du jour de sa signature. Les deux parties se doivent d'en faire une large diffusion par tous les moyens de propagande dont elles disposent afin de le faire connaître au peuple tout entier, et de donner des ordres aux agents compétents et responsables de tous rangs et services afin qu'ils appliquent, chacun dans sa sphère, le présent accord rigoureusement. Parallèlement, des équipes politiques mixtes seront créées avec la tâche d'aller sur place diffuser et faire comprendre à fond au peuple tous les accords signés afin de maintenir et développer chaque jour davantage l'esprit de réconciliation nationale.

Fait à Vientiane, le 24 Décembre 1956.

Signé : S. E. Ngôn SANANIKONE,
*Le Chef de la Délégation Politique,
du Gouvernement Royal.*

Signé : M. Phoumi VONGVICHIT,
*Le Chef de la Délégation Politique,
des Forces du Pathet Lao.*

POUR COPIE CONFORME,
*Le Chef de la Délégation Politique
des Forces du Pathet Lao.*

THAO PHOUMI VONGVICHIT,
TRADUCTION NON OFFICIELLE

ANNEXURE 12

Unofficial English Translation

AGREEMENT BETWEEN THE POLITICAL DELEGATION OF THE ROYAL GOVERNMENT AND THE POLITICAL DELEGATION OF THE PATHET LAO FORCES RELATING TO THE MEASURES FOR THE GUARANTEE OF CIVIC RIGHTS, OF NON-DISCRIMINATION AND OF NON-REPRISAL FOR THE MEMBERS OF THE PATHET LAO FORCES AND EX-PARTICIPANTS OF THE RESISTANCE THROUGHOUT THE COUNTRY AND THE MEASURES FOR THE INTEGRATION OF THE PATHET LAO CADRES AND EX-PARTICIPANTS OF THE RESISTANCE IN THE ADMINISTRATIVE AND TECHNICAL SERVICES OF THE KINGDOM AT ALL LEVELS

Pursuing the growing atmosphere of cordiality and good mutual understanding; expediting the national reconciliation and solidarity with a view to unifying and reconstructing the fatherland and safeguarding the national sovereignty and independence, the Joint Political Commission consisting of the Political Delegation of the Royal Government and the Political Delegation of the Pathet Lao Forces comprising of :

On the Royal Government side :

1. H. E. Ngôn Sananikone,
2. H. E. Nou Ing Rattनावong,
3. H.E. Thong Soutthivongnorath,
4. Mr. Thao Tane Choulamontri,

Head of the Delegation

Member

-do-

-do-

5. Mr. Thao Van Tanouane,	Member
6. Mr. Inpeng Souryathay,	-do-
7. Mr. Amon Vimonphan,	Secretary

On the Pathet Lao Forces side :

1. Mr. Phoumi Vongvichit,	Head of the Delegation
2. Mr. Noubak Phoumsavan,	Deputy Head of the Delegation
3. Mr. Singkapo Chounamali,	Member
4. Mr. Thao Ma Khaykhamphitoun,	-do-
5. Mr. Maha Khamphan Virachit,	-do-
6. Mr. Apheui Chandavong,	Secretary

met at Vientiane from 6 November 1956 to 23rd December 1956 so as to seek the measures for implementing the principles, agreed upon by H.H. Prince Souvanna Phouma, Prime Minister of the Royal Government and H.H. Prince Souphouvong Representative of the Pathet Lao Forces, in the Joint Declaration of 5 August 1956 stating in brief: "The two Parties agree that all the political organisations of the 'Pathet Lao', such as the Neo Lao Haksat Front, the organisations of the youth, women, peasants etc., can undertake their activities in the legal forms as the other political parties; that there be a guarantee of the civic rights for the 'Pathet Lao' and former participants of the resistance without discrimination; that Pathet Lao cadres and those of the former participants of the resistance be able to take part in the administrative and technical functions at all levels according to their qualifications and after agreement between the two Parties"

After having deliberated, in a thorough and detailed manner, on the aforementioned principles in spirit and in letter, the Political Delegation of the Royal Government and the Political Delegation of the Pathet Lao Forces are in agreement in acknowledging that the co-operation between the two Parties, so as to bring together all the Laotians again in the National Community, is in itself a co-operation on an equal footing, under satisfactory and honourable conditions for the two Parties aimed at strengthening the national solidarity, reconstructing jointly a prosperous fatherland, and safeguarding the national sovereignty and independence.

The two Parties unanimously acknowledge that the members of the Pathet Lao, the persons connected with the Pathet Lao Forces and the ex-participants of the resistance throughout the country have contributed largely to the fight for national independence, that consequently the guarantee for civic rights, non-discrimination and non-reprisal *vis-a-vis* the members of the Pathet Lao Forces, persons connected with the Pathet Lao Forces and ex-participants of the resistance all over the country without any distinction as to their being civilians, military personnel or cadres of this service or that rank are quite in conformity with the spirit and reason, since they will contribute to the national reconciliation and the unification of the fatherland in conformity with the aspirations of the entire people.

Starting from this spirit of sincere co-operation, the two Parties are unanimously in agreement to lay down as follows the measures for the implementations of the principles enunciated above :

Chapter I: Measures for guaranteeing the rights to exercise their legal activities to the various political bodies of the Pathet Lao Forces and of the ex-participants of the resistance throughout the country.

(1) The United National Front called 'Neo Lao Haksat' and the organisations of youth, women, peasants and others which constitute the political bodies of the Pathet Lao Forces and ex-participants of the resistance shall have the

right to exercise their legal activities throughout the country like the other political parties as it is stated in the Joint Declaration of 5 August 1956, by fulfilling the necessary formalities prescribed by the Law of the Kingdom with regard to political parties.

The Royal Government shall give the assurance that it will grant all facilities to the Neo Lao Haksat and to the said organisations for fulfilling all the formalities according to the regulations, for setting up their offices and branches for publishing their newspapers, and for acquiring the legal capacity as it is stipulated in article 8 of the Law No. 48 of 13 January 1950 relating to associations.

Chapter II: Measures for guaranteeing civic rights, non-discrimination and non-reprisal for the members of the Pathet Lao Forces, persons connected with the Pathet Lao Forces and ex-participants of the resistance throughout the country.

(2) The Royal Government shall guarantee fully to all members of the Pathet Lao Forces, persons connected with the Pathet Lao Forces, and to the ex-participants of the Resistance throughout the country the use and exercise of all the rights which the Laotian citizens possess with regard to democratic freedoms such as individual freedom, freedom to speak, write and publish, freedom of movement, freedom of association and meetings, freedom of belief and electoral freedoms, envisaged in the Constitution of the Kingdom and in the Joint Declaration of 5 August 1956.

(3) The members of the Pathet Lao Forces, the persons connected with the Pathet Lao Forces and the ex-participants of the resistance throughout the country shall enjoy all the equal civic rights in the national community in the political as well as economic and legal aspects. All activities of discrimination, division and reprisals between Laotian citizens, without any distinction as to their being members of the Pathet Lao Forces, or persons connected with the Pathet Lao Forces, or ex-participants of the resistance throughout the country, shall be formally prohibited.

(4) In future, it shall be forbidden, under any pretext to indict before the Tribunal or before any body for administrative discipline about activities or assaults connected with the military political or administrative activity indulged in, from 9 March 1945 to this day, by any civilian or military person belonging to the Royal Government or any civilian or military person, member of the Pathet Lao Forces or connected with the Pathet Lao Forces or ex-participants of the resistance throughout the country, to the exception of offences of common law.

(5) All acts assuming a character of discrimination, reprisal or prohibition opposed to the members of the Pathet Lao Forces, persons connected with the Pathet Lao Forces and ex-participants of the resistance throughout the country, in the free exercise of democratic freedoms and their civic rights, as stipulated in points 2 and 3 above and all prosecution, arrest, slander relating to the subject matter embodied in point 4 above, shall be considered as violations of the present agreement and suits shall be filed before the Tribunal as acts of national division, acts of sabotage of the unity of the fatherland and as infringements of democratic freedoms and civic rights of the people.

If the afore-mentioned acts entail material damages, the culprits shall be liable, besides the penalties of imprisonment and fines, for the restitution and damages in conformity with the civil code in force in the Kingdom.

If the acts in question are directed against any person or involves human life, the culprits shall be tried according to the penal code in force in the Kingdom.

(6) The Royal side shall give the assurance that it will take into consideration the clauses of the present agreement to make of it a law for the guarantee of democratic freedoms for the people, for non-discrimination and non-reprisals against the members of the Pathet Lao Forces, persons connected with the Pathet Lao Forces and ex-participants of the resistance throughout the country.

Chapter III: Measures for the integration of the Pathet Lao cadres and ex-participants of the resistance all over the country in all the administrative and technical services of the Kingdom at all levels.

(7) The Pathet Lao cadres and ex-participants of the resistance shall be integrated in the administration and the various technical services of the Kingdom at all levels, without discrimination and on an equal footing, in all the spheres together with the officials at the various levels of the administrative and technical services in the Kingdom.

—As regards the administrative cadres and the cadres and personnel of various technical services, at different levels formed by the Pathet Lao Forces, the Royal Government will consider their period of service in the ranks of the resistance as period of service in the Royal administration, and will endeavour to integrate them with the functions, ranks and specialisations which the Pathet Lao Forces have entrusted them with, so that they be able to enjoy in all the spheres the same rights as the officials of the Royal Government of the same rank, except in certain individual cases where it might not be possible to integrate them in the said ranks and functions, and in which case the Royal Government will integrate them in other services with equivalent ranks and functions.

— As regards the Pathet Lao cadres who were formerly functionaries or mandarins (officials) of the Royal Government, their period of service in the ranks of the Resistance shall be taken into account as being the period of service in the Royal administration; they will benefit of promotions in the minimum time; and if by their merit in the resistance they have benefited of a promotion to a higher rank, or if they had to change their branch or specialisation, the maximum efforts shall be made so that they preserve the rank and function which they occupy at the moment. In certain individual cases where it would not be possible to maintain for them that rank and that function, they shall have an equivalent rank and function.

(8) The diplomas (Brevets) and certificates delivered by the Pathet Lao Forces shall be considered as equivalent to the diplomas and certificates corresponding to those of the Royal Government. With regard to distinctions, decorations and medals conferred by the Pathet Lao Forces, these can be preserved at home throughout the Kingdom, so as to constitute a souvenir and a proof of merit towards the fatherland for those who hold them.

(9) The Delegation of the Pathet Lao Forces will send to the Joint Political Commission the list and curriculum vitae of the cadres of the Pathet Lao and ex-participants of the resistance throughout the country who shall be integrated in the administration and various technical services at all echelons, so as to facilitate the scrutiny for postings or appointments of these cadres individually.

(10) In order to facilitate the return to Vientiane and in the various provinces of the cadres of the Pathet Lao and ex-participants of the resistance all over the country, the Royal Government will take upon itself to help them in the field of supplies, security and transport in the course of their journey in a suitable manner according to their functions and ranks.

(11) A Joint Administrative Sub-Committee, consisting of 2 representatives of each Party and depending on the Joint Political Commission, shall be created with the task of classifying the functions, ranks and specialisations for the cadres of the Pathet Lao and ex-participants of the resistance who have to be integrated in the administration and technical services at all echelons and to propose them for the decision of the Joint Political Commission. The Royal Government will base itself on the decisions of the Joint Political Commission with regard to the functions, ranks and specialisations of cadres of the Pathet Lao and ex-participants of the resistance to adopt decrees for the corresponding postings. This Sub-committee shall be wound up after the successful completion of its duties.

Chapter IV : Implementation of the Agreement.

(12) The present Agreement will enter into force with effect from the date of its signature. The two Parties undertake the obligation of giving it wide publicity through all the means of propaganda of which they dispose so as to make it known to the entire people and to issue orders to the agents, competent and responsible for all the ranks and services so that they implement rigorously, each in his sphere, the present agreement. At the same time, Joint Political teams shall be created with the task of going on the spot to publicise and make the people understand thoroughly all the signed agreements so as to maintain and further strengthen day by day the spirit of national reconciliation.

SIGNED AT VIENTIANE, 24 December 1956.

*The Head of the Royal Government
Political Delegation,*

Sd/- H. E. NGON SANANIKONE

*The Head of the Pathet Lao
Political Delegation,*

Sd/- PHOUMI VONGVICHIT

ANNEXURE 13

COMMUNIQUE COMMUN

Traduction Officielle

DE SON ALTESSE LE PRINCE SOUVANNA PHOUMA, PREMIER
MINISTRE DU GOUVERNEMENT ROYAL ET

DE SON ALTESSE LE PRINCE SOUPHANOUVONG, REPRESENTANT
DES FORCES DU PATHET LAO

Son Altesse le Prince SOUVANNA PHOUMA, Premier Ministre du Gouvernement Royal et Son Altesse le Prince SOUPHANOUVONG, Représentant des Forces du Pathet Lao ont procédé depuis le 7-11-56 à des échanges de vues sur l'application des déclarations communes des 5 et 10-8-56 lesquelles ont défini les grands principes relatifs au règlement définitif du problème Lao conformément aux accords de Genève.

Les deux Princes sont d'accord pour constater avec satisfaction que l'atmosphère de grande cordialité et de parfaite compréhension mutuelle s'est accentuée encore davantage entre les deux parties, et que les travaux des deux Commissions Mixtes commencées depuis le 25-9-56 et destinés à trouver les mesures d'application des deux déclarations communes susvisées, ont été marqués par un premier succès, c'est-à-dire par la signature:

- d'un accord sur les modalités d'exécution de la cessation des actes hostiles le 31-10-56 ;
- d'un accord sur les modalités d'exécution de la politique de paix et de neutralité le 2-11-56 ;
- et d'un accord sur la garantie des droits civiques des membres et partisans des Forces Pathet Lao le 24-12-56.

Les deux Princes sont d'accord sur la nécessité de faire une large publicité et une sincère application des accords de détails qui ont été signés afin de répondre à l'attente du peuple tout entier.

Les deux Princes sont d'accord pour constater qu'en ce qui concerne les questions pendantes notamment :

- garantie des libertés démocratiques du peuple,
- élections générales complémentaires,
- règlement de la question de l'administration dans les deux provinces.
- règlement de la question militaire,

les deux Délégations à la Commission Politique Mixte et à la Commission Militaire Mixte les ont discutés dans les détails et que les vues des deux parties sont déjà très près de se rejoindre. Aussi les deux Princes sont-ils d'accord sur la nécessité pour les deux Délégations de redoubler d'efforts pour parvenir à une conclusion dans les plus brefs délais possibles.

En ce qui concerne la question des élections générales complémentaires les deux Princes sont d'accord pour que la Loi électorale qui sera prochainement élaborée par l'Assemblée Nationale garantisse à tous les citoyens des deux sexes le droit d'élire et de se faire élire suivant le principe de scrutin égal, direct, libre et secret et contienne des mesures de garantie de la justice et de l'impossibilité des fraudes, ce conformément à l'esprit même de la constitution du Royaume.

Afin de permettre la coopération entre les deux parties, de réaliser l'unité nationale, et de faciliter le règlement des questions pendantes, les deux Princes sont d'accord pour procéder à l'élargissement du présent Gouvernement Royal et à sa transformation en un Gouvernement d'Union Nationale avant la tenue d'élections générales complémentaires. Le Gouvernement d'Union Nationale auquel participeront honorablement les Représentants des Forces du Pathet Lao, constituera ainsi le symbole de la réconciliation nationale sur la base d'un programme politique convenable visant à construire un Laos pacifique, démocratique, uni, indépendant et prospère. Le Gouvernement d'Union Nationale devra recevoir la confiance de l'Assemblée Nationale dans les formes constitutionnelles.

Après la formation du Gouvernement d'Union Nationale, les Forces du Pathet Lao fonctionneront comme une organisation politique dénommée "Neo Lao Haksat" qui entreprendra ses activités dans les formes légales comme les autres partis politiques.

En ce qui concerne la question des deux provinces, les deux Princes sont d'accord pour que, immédiatement après la formation du Gouvernement d'Union Nationale, l'administration ainsi que les unités combattantes dans les deux provinces de Phongsaly et de Samneua soient placées sous la gestion du dit Gouvernement et réorganisées suivant la norme royale.

Quant aux modalités d'exécution concrètes, elles seront confiées par le Gouvernement d'Union Nationale aux soins des Commissions politiques et militaires mixtes qui se mettront d'accord conformément à l'esprit des déclarations communes des 5 et 10-8-56 pour accélérer le règlement d'une façon raisonnable et satisfaisante pour les deux parties et conforme aux aspirations du peuple tout entier.

Les deux Princes sont enfin convenus de se rencontrer à nouveau des que nécessaire.

Fait à Vientiane, le 28 Décembre 1956.

Son Altesse le Prince

Son Altesse le Prince

SOUVANNA PHOUMA

SOUPHANOUVONG

Premier Ministre du Gouvernement

Représentant des Forces du

Royal

Pathet Lao

POUR COPIE CONFORME



ANNEXURE 13

UNOFFICIAL ENGLISH TRANSLATION

Joint Communiqué

OF H. H. PRINCE SOUVANNA PHOUMA, PRIME MINISTER OF THE
ROYAL LAOTIAN GOVERNMENT
AND

OF H. H. PRINCE SOUPHANOUVONG, REPRESENTATIVE OF THE
PATHET LAO FORCES

H. H. Prince Souvanna Phouma, Prime Minister of the Royal Laotian Government and H. H. Prince Souphanouvong, Representative of the Pathet Lao Forces, have, since 7 November 1956, been exchanging views on the implementation of the Joint Declarations of 5 and 10 August 1956, which have fixed the main principles related to the final settlement of the Laotian problem in conformity with the Geneva Agreement.

The two Princes are agreed to note with satisfaction that the atmosphere of great cordiality and perfect mutual understanding went on increasing between the Parties, that the work of the two Mixed Commissions begun on 25 September 1956, and intended at finding the measures for the implementation of the two above-mentioned Joint Declarations, have been marked by a first success, that is the signature of :

- *— an agreement on the modalities of implementation of the cessation of hostile acts on 31 October 1956;
- *— an agreement on the modalities of implementation of the policy of peace and neutrality on 2 November 1956;
- *— and an agreement on the guarantee of the civic rights of the members and supporters of the Pathet Lao Forces on 24 December 1956.

The two Princes are agreed on the necessity of wide publication and a sincere implementation of the agreements on details which have been signed in order to answer to the expectations of the whole people.

Regarding the pending matters and in particular:

- the guarantee of the democratic freedoms of the people;
- the general supplementary elections;
- the settlement of the question of the administration in the two provinces;
- the settlement of the military problem;

The two Princes are agreed to note that the two Delegations to the Joint Political Committee and to the Joint Military Committee have discussed these matters in detail and that the views of the two Delegations are very close to each other; the two Princes are, therefore, agreed on the necessity for the two Delegations to increase their efforts in order to reach a conclusion as early as possible.

On the question of general supplementary elections, the two Princes are agreed that the Electoral Law which will soon be worked out by the National Assembly should guarantee to all citizens of both sexes the right to elect and be elected in conformity with the principles of equal, direct, free and secret ballot and include measures for the guarantee of justice and the impossibility of frauds, in conformity with the spirit of the Constitution of the Kingdom.

In order to enable the co-operation between the two Parties to achieve national unit and facilitate the settlement of the pending questions, the two Princes are agreed on the expansion of the present Government before the holding of the general supplementary elections. The coalition government to which the Pathet Lao Forces will be adequately represented, will thus constitute a symbol of the national reconciliation on the basis of a proper policy aiming at building up a pacific, democratic, united, independent and prosperous Laos. The coalition government will have to receive the confidence of the National Assembly in accordance with the Constitution.

Once the coalition government is formed, the Pathet Lao Forces will function as a political organisation named 'Neo Lao Haksat' which will undertake its activities according to law like all other political parties.

On the question of the two provinces, the two Princes are agreed that immediately after the formation of the coalition government, the administration as well as the fighting units in the two provinces of Phong Saly and Sam Neua, be placed under the authority of the coalition government and reorganised according to the normal pattern in the Kingdom.

As to the details for the concrete implementation they will be entrusted by the coalition government to Joint Political and Military Committees which will reach agreement in conformity with the spirit of the Joint Declarations of 5 and 10 August 1956, to hasten the settlement in a reasonable manner satisfying the two Parties and in compliance with the aspirations of the whole people.

*Note by the Commission: The three documents are marked as Annexure 10, 11 and 12.

Finally, the two Princes are agreed to meet again as soon as necessary.

Done in Vientiane, 28 December 1956

H. H. PRINCE SOUVANNA PHOUMA, H. H. PRINCE SOUPHANOUVONG,

*Prime Minister of the Royal
Government.*

*Representative of the Pathet Lao
Forces.*

ANNEXURE 14

(VIENTIANE, le 29 Décembre 1956)

S. A. le Prince SOUVANNA PHOUMA, Premier Ministre
du Gouvernement Royal Lao
et

S. A. le Prince SOUPHANOUVONG, Représentant des
Forces du Pathet Lao

à

SON EXCELLENCE l' Ambassadeur SAMAR SEN, Président de la Commission Internationale de Surveillance et de Contrôle au Laos, à VIENTIANE

TRES URGENT

EXCELLENCE,

Nous avons l'honneur et le plaisir d'informer Votre Excellence et la Commission Internationale de Surveillance et de Contrôle au Laos qu'à la suite des échanges de vues auxquels nous avons procédé depuis le 7 Novembre dernier, nous sommes arrivés à signer, le 28 Décembre 1956, un communiqué commun posant d'une part le principe de la formation d'un Gouvernement d'Union Nationale avant la tenue d'élections générales complémentaires, et d'autre part les principes de règlement des questions pendantes.

La signature de ce communiqué commun constitue un grand pas dans la mise en oeuvre d'une coopération sincère entre le Gouvernement Royal Lao et les Forces du Pathet Lao en vue de parvenir rapidement au règlement final du problème Lao, conformément aux accords de Genève.

La signature de ce communiqué commun a été rendue possible grâce à l'atmosphère de détente et de réconciliation qui s'est accentuée chaque jour davantage depuis la signature des Déclarations Communes d'Août 1956, grâce à l'esprit de concession des deux parties qui n'ont en vue que les intérêts de la Patrie et du Peuple, grâce à l'esprit compréhensif et au soutien des Membres de l'Assemblée Nationale et du Peuple Lao tout entier.

La signature de ce communiqué a été facilitée en outre par l'intérêt attentif que la Commission Internationale a porté au règlement du Problème Lao, intérêt dont témoigne en particulier le rapport opportun et véridique adressé aux Co-Présidents de la Conférence de Genève et dont une copie nous a été

communiquée par lettre No. PS(L) 101/130 (449)56 en date du 23 Novembre 1956. De plus, la Commission Internationale—et particulièrement Votre Excellence—n'a pas ménagé ses efforts pour aider à l'heureux succès de nos conversations. Tous les résultats ainsi obtenus contribuent pour une bonne part à la consolidation de la paix dans le Royaume Lao, dans le Sud-Est Asiatique et dans le monde.

Aussi saisissons-nous cette occasion pour adresser à la Commission Internationale et à Votre Excellence personnellement nos plus sincères remerciements ainsi que ceux du Peuple Lao tout entier.

Nous prions Votre Excellence de bien vouloir trouver ci-joint une copie du communiqué commun en question. Nous serions reconnaissants à Votre Excellence de vouloir bien en informer les Co-Présidents de la Conférence de Genève et leur assurer qu'une fois les élections générales complémentaires tenues dans les conditions et circonstances indiquées dans le communiqué commun, le règlement politique tel qu'envisagé à l'article 14 des Accords de Genève sera réalisé. Des avis appropriés seront adressés à la Commission Internationale et aux Co-Présidents de la Conférence de Genève aussitôt que les arrangements prévus au communiqué commun auront été entièrement appliqués.

Veuillez croire, Excellence, à l'assurance de notre considération très distinguée.

<p>S. A. le Prince SOUVANNA PHOUMA, Premier Ministre du Gouvernement Royal, Signature</p>		<p>S. A. le Prince SOUPHANOUVONG, Représentant des Forces du Pathet Lao Signature</p>
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ANNEXURE 14

Unofficial English Translation

VERY URGENT LETTER NO. NIL DATED 29th DECEMBER 1956

From : H. H. Prince Souvanna Phouma,
Prime Minister of the Royal Government of Laos,
and
H. H. Prince Souphanouvong,
Representative of the Pathet Lao Forces.

To : H. E. Ambassador Samar Sen,
Chairman of the International Commission for
Supervision and Control in Laos
Vientiane.

"Excellency,

We have the honour and the pleasure to inform Your Excellency and the International Commission for Supervision and Control in Laos that following the exchange of views, we have had since the 7 November 1956, we signed

on 28 December 1956, a joint communiqué stating on the one hand the principles of the formation of a coalition government before the general supplementary elections are held and, on the other, the principles for the settlement of the proceeding questions.

The signing of this joint communiqué constitutes an important step in the working in sincere co-operation between the Royal Laotian Government and the Pathet Lao Forces, with a view to reaching quickly the final settlement of the Laotian problem in conformity with the Geneva Agreement.

The signing of this joint communiqué has been made possible, thanks to the relaxed and reconciliatory atmosphere which went on increasing since the signing of the Joint Declaration of August 1956; thanks to the spirit of concession of both the Parties which only take into consideration the interests of the Fatherland and the People; thanks to the spirit of understanding and the support of the Members of the National Assembly and of all the Laotian people.

Besides, the signature of this communiqué has been facilitated by the attentive interest the International Commission has taken in the settlement of the Laotian problem, interest which in particular is proved by the opportune and correct report addressed to the Co-Chairmen of the Geneva Conference a copy of which has been forwarded to us by letter No. PS (L)101/135 (449) 56 dated 23 November 1956. Moreover, the International Commission and specially Your Excellency, did not spare their efforts to help the happy success of our talks. The results thus reached contribute in a good measure to the strengthening of peace in the Laotian Kingdom, in South-East Asia and in the world.

We, therefore, avail ourselves of this opportunity to forward personally to the International Commission and to Your Excellency our most sincere thanks as well as those of the whole Laotian people.

We request Your Excellency kindly to find herewith a copy of this joint communiqué. We would be grateful if Your Excellency could kindly inform the Co-Chairmen of the Geneva Conference and assure them that once the general supplementary elections will have been held in the conditions and circumstances mentioned in the joint communiqué, the political settlement as foreseen by Article 14 of the Geneva Agreement will be realised. Suitable notice will be addressed to the International Commission and the Co-Chairmen of the Geneva Conference as soon as the arrangements foreseen in the joint communiqué are fully implemented.

Kindly believe, Excellency, in the assurance of our very distinguished consideration."

URE 15

ACCORD entre la Délégation Politique du Gouvernement Royal et la Délégation Politique des Forces du Pathet Lao sur la Loi électorale.

La Commission Politique Mixte composée de la Délégation Politique du Gouvernement Royal et de la Délégation Politique des Forces du Pathet Lao, lesquelles comprennent :

Du côté du Gouvernement Royal :

1.— S.E. Ngon Sananikone,	Chef de la Délégation
2.— S.E. Nòu Ing Rattanavong	Membre
3.— S.E. Thong Southivongnorath	—id—
4.— M. Thao Tane Chounlamontri	—id—
5.— M. Thao Van Tannouane	—di—
6.— M. Bouavan Norasing	—id—
7.— M. Inpeng Souryathay	—id—
8.— M. Thao Amone Vimonphan	Secrétaire

Du côté des Forces du Pathet Lao :

1.— M. Phoumi Vongvichit,	Chef de la Délégation
2.— M. Nòuhak Phoumsavan	Chef-Adjoint de la Délégation
3.— M. Singkapo Chounnamali	Membre
4.— M. Maha Khamphan Virachit	—id—
5.— M. Apheui Chandavong	Secrétaire

s'est réunie à Vientiane depuis le 25-12-56 jusqu'au 20-2-57 pour chercher les mesures convenables d'application des principes convenus entre S. A. le Prince Souvanna Phouma, Premier Ministre du Gouvernement Royal et S. A. le Prince Souphanouvong, représentant des Forces du Pathet Lao, dans la Déclaration Commune en date du 10-8—56, qui dit en substance : "1/- Organisation des élections générales complémentaires dans tout le pays au scrutin secret et libre comme il en existe, avec la participation des Forces du Pathet Lao et des anciens résistants afin d'augmenter le nombre de Députés à l'Assemblée Nationale, lequel devrait être en harmonie avec le nombre des électeurs, conformément au projet de loi électorale déposé au Bureau de l'Assemblée Nationale par le Gouvernement", et dans le Communiqué Commun en date du 28-12-56 qui dit : "En ce qui concerne les élections générales complémentaires, les deux Princes ont unanimement reconnu que la Loi électorale qui sera prochainement rédigée par l'Assemblée Nationale doit garantir à tous les citoyens Lao des deux sexes, le droit d'élire et de se faire élire, au scrutin secret, direct, libre et égal, et avec l'assurance sur la justice et l'impossibilité des fraudes, ce pour être conforme à la Constitution Royale".

Après avoir délibéré d'une façon complète et détaillée des principes ci-dessus, les deux parties ont étudié ensemble le projet de Loi électorale que le Gouvernement avait déposé à l'Assemblée Nationale pour y apporter des amendements et la rendre plus complète et conforme aux aspirations du peuple tout entier. Ensuite, les deux parties sont unanimement d'accord que la nouvelle Loi électorale doive comporter le texte ci-dessous :

LOI ELECTORALE

Article 1er.—Les élections de l'Assemblée Nationale auront lieu au plus tard le dernier dimanche du mois de l'expiration du mandat des Députés.

Toutefois, en cas de dissolution de l'Assemblée, les élections devront avoir lieu dans un délai de 120 jours après la signature de l'Ordonnance Royale prononçant cette dissolution.

Article 2.—Sont électeurs tous les citoyens Lao des deux sexes, âges de 18 ans révolus et jouissant de leurs droits civils et politiques, sans distinction d'ethnie et de religion. Au cas où il y aurait quelque doute sur l'âge de l'électeur, il y a lieu de lui délivrer un acte de notoriété tenant lieu d'acte de naissance signé par deux témoins et certifié par le Phoban.

Article 3.—La liste électorale sera préparée dans chaque village par le Phoban. Cette liste, dressée dans les conditions prévues à l'article 18 ci-dessous, sera constituée par les citoyens présents au village lors de la constitution de la liste électorale, et remplissant les conditions, prévues à l'article 2 ci-dessus. Les candi-dats à la députation ont aussi le droit de vote.

Article 4.—Ne sont pas inscrits sur la liste des électeurs :

- 1/- les religieux;
- 2/- les sourds-muets et les aveugles;
- 3/- les incapables majeurs (interdits et aliénés).

Article 5.—Ne participent pas au vote les condamnés à un emprisonnement en cours de peine.

Article 6.—Sont éligibles tous les citoyens Lao des deux sexes âgés de 25 ans révolus jouissant de leurs droits civils et politiques et titulaires au moins du certificat d'études élémentaires ou d'un certificat équivalent, des anciens militaires à partir du grade d' Adjudant et des commerçants patentés.

Le certificat d'études élémentaires peut être remplacé par un certificat d'un directeur de groupe scolaire officiel attestant que le candidat possède une instruction générale équivalente. Le certificat délivré par les Forces du Pathet Lao est également valable.

Article 7.—Ne sont pas éligibles :

- 1/- les militaires des Forces Armées, les gendarmes, les gardes royaux en activité de service;
- 2/- les personnes atteintes de maladies contagieuses et incurables ou d'opiomanie;
- 3/- les personnes mentionnées à l'article 4 et celles ayant été condamnées à une peine de droit commun effective supérieure à 6 mois et datant de moins de 5 ans;
- 4/- les condamnés en vertu des articles 3 et 4 de la Loi sur la protection de la liberté et du secret des votes.

Article 8.—Les Chaokhouengs et leurs adjoints, les Chaomuongs et leurs adjoints, les Juges de Paix et les Naikongs, les Présidents des Tribunaux de 1ère instance, les Chefs des services provinciaux, les Inspecteurs provinciaux et les Directeurs de groupe scolaire, titulaires ou intérimaires, ne peuvent poser leur candidature dans le Khoueng où ils sont en service.

Toutefois, au cas où ces fonctionnaires étant en service dans la province désireraient y poser leur candidature, ils devront en même temps qu'ils adressent leur déclaration, formuler leur demande de mise en disponibilité pour un an. Ils ne pourront reprendre leur service avant l'expiration de cette disponibilité.

Ces mêmes fonctionnaires, déplacés de la province où ils étaient en service avant les élections, ne pourront y revenir pour leur candidature que si leur déplacement effectif de cette province datait d'au moins 4 mois. S'ils ne sont pas élus, ils ne pourront être réaffectés dans cette province avant un délai d'un an à compter du jour de l'élection.

Par analogie, tout candidat à la députation non élu dans une province ne pourra être appelé à y exercer les fonctions susvisées avant le même délai.

Article 9.—Les demandes de candidature seront adressées directement au Chaokhoueng du lieu où l'intéressé veut se présenter, avec une attestation d'éligibilité délivrée par les autorités du Tasseng ou du Ban de sa résidence.

Ces demandes préciseront les noms, et prénoms, la date et le lieu de naissance la filiation, les, diplômes d'enseignement, la profession et le domicile du candidat, et devront être déposées au moins 105 jours avant la date fixée pour les élections.

L'acte de candidature sera accompagné :

1°—de la copie des documents justifiant les titres invoqués et les indications fournies ou à défaut d'une attestation du Chaomueng, Tasseng ou Phoban, certifiant l'exactitude des renseignements donnés;

2°—d'autant d'exemplaires de sa photographie de face format 9 × 12, que la province comporte de bureaux de vote, plus 10 exemplaires destinés aux diverses publicités administratives réglementaires.

Article 10.—Il est interdit de faire acte de candidature dans plusieurs provinces à la fois.

Article 11.—Les demandes doivent être enregistrées à l'arrivée au bureau du Khoueng qui en délivre reçu. Le Comité de vote provincial étudie la régularité et la recevabilité des demandes de candidature. En cas de rejet, le candidat intéressé peut saisir le Tribunal de 1ère instance qui statue d'urgence et en dernier ressort, sans frais de justice. En cas de rejet d'une demande de candidature, le Comité de vote provincial doit prendre une décision dans un délai de 15 jours à compter de la date de la présentation de la demande et en aviser l'intéressé dans les deux jours après la prise de la décision.

Au cas où une réclamation d'un candidat n'est pas encore l'objet de décision du Tribunal de 1ère instance, lors de la publication de la liste des candidats, le nom de l'intéressé doit être annoncé par la Province pour lui permettre de présenter sa candidature.

Au cas où l'intéressé serait élu mais que par la suite le Tribunal de 1ère instance juge sa candidature irrégulière, l'accord de l'Assemblée Nationale ou de la commission permanente (si l'Assemblée est en vacances) est requis, pour prononcer la radiation de ce candidat irrégulièrement élu. En cas de radiation d'un candidat irrégulièrement élu, le candidat qui obtiendra le nombre de voix immédiatement inférieur le remplacera comme député à l'Assemblée Nationale.

Article 12.—75 jours francs avant la date des élections, le Comité de vote provincial arrête la liste des candidats de la province et en dresse procès-verbal. Cette liste sera diffusée auprès de la population et notamment par voie d'affichage au bureau du Khoueng, du Muong, chez les Tassengs, Phoban et dans les pagodes.

Article 13.—La campagne électorale s'ouvre 60 jours avant la date fixée pour les élections. Pendant cette période, les réunions électorales seront libres ainsi que la distribution des circulaires, profession de foi, etc....

Les candidats peuvent se présenter sur une liste individuelle ou sur une liste commune avec d'autres candidats, et ils peuvent mener la campagne électorale au nom d'une organisation ou d'un parti.

Il est interdit de coller une affiche sur celle d'un autre candidat et de déchirer les affiches, les slogans, les tracts des autres candidats ou des autres organisations ou partis.

Les endroits où se tiennent deux réunions électorales simultanées doivent être distants l'un de l'autre d'au moins 1.000 mètres, afin d'éviter toutes interférences réciproques et de prévenir tous incidents éventuels.

Il est interdit de critiquer un autre candidat en disant qu'il n'a pas les conditions requises pour se présenter aux élections avec l'intention de porter atteinte à son prestige et de semer la confusion parmi les électeurs, si les autorités n'ont pas encore annoncé publiquement que ledit candidat n'a pas les conditions requises.

Le Gouvernement, 60 jours avant les élections, fera imprimer et diffuser largement dans tous les villages la Loi électorale et la Loi N° 101 du 14-3-1951 assurant la liberté et le secret des votes. Ces documents doivent être affichés dans les endroits où sont affichées les listes des candidats et des électeurs.

Les candidats et leurs représentants ont toute liberté pour mener la propagande pour leur programme politique respectif dans toute l'étendue de la province où ils se présentent aux élections.

Les autorités locales ont le devoir d'aider au déroulement de la campagne électorale conformément à l'esprit démocratique des Lois du Royaume.

Article 14.—Les membres de l'Assemblée Nationale seront élus par province à raison d'un Député pour 50.000 inscrits nationaux et par fraction égale ou supérieure à 25.000.

Article 15.—Le vote aura lieu dans tout le Royaume au suffrage universel, avec scrutin libre, égal, direct et secret.

Les agents de police chargés du maintien de l'ordre pendant les élections, doivent s'abstenir absolument de tous actes d'intimidation, de contrainte ou de propagande électorale. Les agents de police votent au bureau même où ils sont postés pour le maintien de l'ordre et ils votent avant la population.

Article 16.—Un bureau de vote sera installé dans chaque Tasseng ou chaque groupe de villages importants ou d'accès difficiles pour permettre aux habitants des villages éloignés et aux femmes enceintes ou ayant des enfants en bas âge de prendre facilement part au vote.

Les Comités de vote de l'échelon Tasseng à l'échelon provincial doivent être indépendants de l'administration. Les Comités de vote à l'échelon Tasseng doivent être constitués 2 jours au moins avant les élections. Les Comités de vote à l'échelon provincial doivent être constitués 105 jours avant le jour d'élection.

A l'échelon Tasseng comme à l'échelon provincial les comités de vote doivent être composés de représentants de l'administration et des partis ou organisations politiques participant aux élections en cours, et ces représentants jouissant du droit de vote mais n'étant pas candidats aux élections en cours. Les membres des Comités de vote votent les premiers suivant l'horaire et les règlements généraux déjà fixés.

Les Comités de vote à l'échelon Tasseng seront composés de 5 à 9 membres suivant l'importance du nombre des électeurs; à l'échelon provincial ce chiffre peut être fixé de 5 à 7 membres. Le Président et le Secrétaire de chaque Comité de vote seront élus par le Comité lui-même.

Article 17.—Le Chaomuong ou le Naikong en collaboration avec les Phobans et les Tassengs, est chargé de dresser la liste des électeurs domiciliés dans le Muong considéré.

Cette liste doit être affichée à chaque bureau de vote 45 jours avant les élections.

Les électeurs qui désirent voter à un autre bureau de vote que celui de leur village de domicile doivent en informer par écrit le Chaomuong ou le Naikong de leur résidence 30 jours avant les élections.

Article 18.—A dater de la publication de la liste indiquée ci-dessus, tout citoyen omis peut présenter sa réclamation au Tasseng pour être transmise au Chaoumoung ou au Naikong au moins 15 jours avant les élections.

Dans le même délai, tout électeur inscrit sur l'une des listes de sa circonscription électorale peut réclamer la radiation ou l'inscription d'un individu indûment inscrit ou omis.

Le même droit appartient aux Chaokhouengs, Préfets, Juges de Paix, Présidents de Tribunal, Chaoumoungs, Naikongs, Tassengs et Phobans.

Le tiers réclamant doit joindre à sa demande un certificat du Phoban de son village constatant sa qualité d'électeur inscrit sur la liste électorale.

En cas de contestation, ledit tiers intéressé peut saisir le Tribunal de 1^{ère} instance de la province, lequel jugera d'urgence et sans frais, en premier et dernier ressort.

Article 19.—Tout électeur doit être muni d'une carte d'électeur délivrée par le Chaoumoung ou Naikong.

Article 20.—Il est affecté à chaque candidat à la députation un numéro d'ordre provincial déterminé par tirage au sort entre les candidats. Ce numéro sert à l'établissement des bulletins de vote suivant le modèle annexé à la présente loi. Le bulletin de vote porte mention du numéro d'ordre des candidates en chiffres et en points correspondants pour permettre aux électeurs illettrés de reconnaître les candidats de leur choix.

Article 21.—Le Président du Bureau de vote laisse les électeurs voter au fur et à mesure de leur arrivée.

Chaque électeur, sur présentation de sa carte d'électeur, reçoit les bulletins de vote et une enveloppe, passe à l'isoloir, détache le ou les numéros du ou des candidats de son choix, compte tenu du nombre des députés à élire dans la province, et les met dans l'enveloppe qu'il dépose dans l'urne placée devant les membres du Comité de vote.

Article 22.—L'ouverture du scrutin a lieu à 7 heures avec la présence du Comité de vote régulièrement constitué.

La clôture du scrutin pourra être prononcée dès que tous les électeurs auront voté ou au plus tard à 18 heures.

Toutefois, cette heure-limite devra être prolongée éventuellement pour permettre aux électeurs arrivés avant 18 heures de voter.

Avant le vote, les Comités de vote doivent ouvrir les urnes et les lever haut pour faire voir aux électeurs que les urnes sont vides, puis les refermer à clef en présence des électeurs.

Article 23.—Le dépouillement se fera en public par le Comité de vote, immédiatement après la clôture du scrutin.

Lors du dépouillement du scrutin, il faut lire à haute voix chaque enveloppe.

Article 24.—Le Comité de vote devraverifier le nombre de bulletins, procédera à leur lecture et établira le décompte des voix.

Toute enveloppe vide ou enveloppe contenant plus de bulletins que le nombre de députés à élire dans la province ou portant plusieurs bulletins de même numéro est considérée comme bulletin nul et compté comme vote exprimé

Article 25.—Le Président du Comité de vote est responsable de la surveillance du dépouillement du scrutin. Le Secrétaire du Comité de vote établira les procès-verbaux des opérations électorales.

Les procès-verbaux des résultats du vote seront établis en 3 exemplaires : 1 sera envoyé à la province 1 sera gardé par le Comité de vote du Tasseng et 1 sera affiché à l'endroit fixé pour l'affichage de la liste des électeurs et des candidats du Tasseng. Le procès-verbal, doit mentionner le nombre des voix recueillies par chaque candidat et sera lu devant les membres du Comité de vote qui l'approuveront et y apposeront leur signature.

Le résultat du vote dans le Tasseng, après être mis dans une enveloppe cachetée et scellée sera confié à 2 membres du Comité de vote du Tasseng pour être remis directement aux responsables du Comité de vote de la province. Lors de la remise, il doit être établi un procès-verbal en 2 exemplaires (1 sera gardé par le Comité de vote du Tasseng). Après avoir reçu les documents, le Comité de vote de la province doit les placer immédiatement dans une boîte fermée à clef et mise sous scellée, en présence des deux membres du Comité du Tasseng. La boîte contenant les résultats des élections des différentes localités ne sera ouverte qu'au moment où le Comité de vote de la province se réunit pour travailler.

Article 26.—Le Comité de vote provincial procédera à la revue des résultats du scrutin, laquelle doit être faite publiquement. Les autorités provinciales annonceront la date et le lieu où sera fait le travail et inviteront la population du chef-lieu et des environs à venir y assister. Avant de commencer le travail, le Comité de vote provincial procédera à la vérification de la régularité des documents reçus des diverses localités puis les présentera au public, après bien entendu l'ouverture des enveloppes. Les résultats seront annoncés immédiatement au public et un procès-verbal établi mentionnant les résultats dans chaque Tasseng et le résultat global pour toute la province ainsi que le nombre des voix recueillies par les candidats non élus. Ce procès-verbal sera envoyé simultanément le même jour au Ministère de l'Intérieur et à chaque Tasseng et sera également affiché aux endroits fixés pour l'affichage de la liste des candidats et de la liste électorale des Tassengs.

Article 27.—Après vérification par le Comité électoral, les candidats qui auront obtenu le plus grand nombre de voix seront considérés élus. Si plusieurs candidats obtiennent le même nombre de suffrages, le bénéfice en sera accordé par voie de tirage au sort fait par le Comité de vote en présence des intéressés ou de leurs délégués.

Le Chaokhoueng notifiera immédiatement les résultats aux intéressés.

Article 28.—Le Comité de vote recevra toutes réclamations présentées à l'occasion des élections, au plus tard 15 jours après le vote. Passé ce délai, aucune réclamation ne sera acceptée. Ces réclamations seront transmises à l'Assemblée Nationale qui, seule, statuera à la majorité relative sur la validité de l'élection.

Article 29.—En cas d'invalidation par suite d'irrégularité dans un ou plusieurs bureaux de vote, l'Assemblée Nationale statuera s'il faut recommencer l'élection dans tous les bureaux de vote de la province ou seulement dans le ou les bureaux où fut commise cette irrégularité, ceci dans le but d'éviter les frais onéreux et les délais d'une nouvelle procédure d'élection et pour tenir compte des difficultés de communication.

Dans ce dernier cas, le résultat obtenu par ailleurs reste acquis.

Doivent être réorganisées les élections pour toutes régions où le nombre de votants n'atteint pas le quart du nombre total des électeurs. Les élections organisées pour la 2^{ème} fois conserveront toujours leur valeur même si le nombre de votants reste encore faible.

Article 30.—Les mêmes règles seront suivies en cas d'élection partielle. Le député ne sera élu que pour la période de la législature restant à courir.

Il n'y aura élection partielle que lorsque cette période susvisée sera supérieure à 9 mois.

Article 31.—Les fonctionnaires élus députés seront considérés comme détachés à l'Assemblée Nationale jusqu'à la fin de leur mandat.

Ils conserveront leur droit à l'ancienneté et à l'avancement dans leur cadre d'origine.

Ils pourront, sur leur consentement, et en accord avec le Président de l'Assemblée Nationale, être chargés de mission par les soins du Gouvernement.

Article 32.—Toute infraction à la présente loi est réprimée par la loi dite de garantie de la liberté et du secret des votes.

Article 33.—La présente loi électorale n'est applicable qu'aux élections à venir.

Article 34.—La loi N° 99 du 5/4/51 est abrogée.

Les deux parties sont unanimement d'accord que le Gouvernement Royal transmette le text de Loi électorale ci-dessus à l'Assemblée Nationale pour étude et application. Au cours de l'étude effectuée par l'Assemblée Nationale, s'il se présente des points de vue différents de ceux indiqués dans le présent accord, il sera demandé à l'Assemblée Nationale de les communiquer à la Commission Politique Mixte pour étude et contre-proposition le cas échéant.

Fait à Vientiane, le 21 Février 1957

Le Chef de la Délégation Politique
du Gouvernement Royal,

Le Chef de la délégation Politique
des Forces du Pathet Lao,

Signé : S. E. Ngon SANANIKONE Signé : M. Thao Phoumi VONGVICHIT

POUR COPIE CONFORME

Le Chef de la Délégation Politique
des Forces du Pathet Lao

Signé : Phoumi Vongvichit

TRADUCTION NON OFFICIEILE

ANNEXURE 15

UNOFFICIAL ENGLISH TRANSLATION

AGREEMENT BETWEEN THE POLITICAL DELEGATION OF THE GOVERNMENT AND THE POLITICAL DELEGATION OF THE PATHET LAO FORCES ON THE ELECTORAL LAW

The Joint Political Commission, composed of the Political Delegation of the Royal Government and the Political Delegation of the Pathet Lao Forces, members of which being :

NO THE ROYAL GOVERNMENT SIDE :

1. H. E. Ngon Sananikone	Head of the Delegation
2. H. E. Nou Ing Rattanavong	Member
3. H. E. Thong Southivongnorath	Member
4. Mr. Thao Tane Chounlamontri	Member
5. Mr. Thao Van Tanouane	Member
6. Mr. Bouavan Norasing	Member
7. Mr. Inpeng Souryathay	Member
8. Mr. Thao Amone Vimonphan	Secretary

ON THE PATHET LAO FORCES SIDE:

1. Mr. Phoumi Vongvichit	Head of the Delegation
2. Mr. Nouthak Phoumsavan	Member
3. Mr. Singkapo Chounnamali	Member
4. Mr. Maha Khamphan Virachit	Member
5. Mr. Apheui Chanavong	Secretary

met at Vientiane from the 25th December 1956 to the 20th February 1957 to seek the appropriate measures of implementation of principles reached between H. H. Prince Souvanna Phouma, Prime Minister of the Royal Government and H. H. Prince Souphanouvong, Representative of the Pathet Lao Forces, in the Joint Declaration dated 10-8-56, which states in substance: 1/- to organise complementary elections throughout the kingdom by free and secret ballot as it obtains unto this day, with the participation of the Pathet Lao Forces and the ex-participants in the resistance, with a view to increasing the number of deputies in a manner that the number would be in harmony with that of the electors in conformity with the draft electoral law filed in the office of the National Assembly by the Royal Government and in the joint communique dated 23-12-1956 which states: "On the question of general supplementary elections, the two Princes are agreed that the Electoral Law which will soon be worked out by the National Assembly should guarantee to all citizens of both sexes the right to elect and be elected in conformity with the principles of equal, direct free and secret ballot and include measures for the guarantee of justice and the impossibility of frauds, in conformity with the spirit of the Constitution of the Kingdom".

After a complete and detailed deliberation on the afore-mentioned principles, the two Parties made a joint study of the draft electoral law which the Government had filed with the National Assembly in order to amend it, make it more complete and in conformity with the aspiration of the entire people. The two Parties then unanimously agreed that the new Electoral Law should include the following text :

ELECTORAL LAW

Article 1.—The elections of the National Assembly shall take place on the last Sunday of the month in which the mandate of the deputies expires.

However, in case of dissolution of the Assembly, the elections should take place within a time limit of 120 days after the signing of the Royal Ordinance announcing this dissolution.

Article 2.—Are eligible to vote : all Lao nationals of both sexes, having completed 18 years of age and enjoying their civil and political rights without any distinction as to race and religion. In the case of any doubt as to the age of the voter, an attested affidavit shall have to be issued to him which will, to all intents and purposes, act as birth certificate. This document shall have to be signed by two witnesses and certified by the Phoban.

Article 3.—The Electoral Roll shall be prepared in each village by the Phoban. This Roll, drawn up under the conditions laid down in Article 18 below, shall consist of the citizens present in the village at the time of the drawing up of the Electoral Roll and fulfilling the conditions envisaged in Article 2 above. The candidates for deputyship shall also have the right to vote.

Article 4.—Are not inscribed on the Electoral Roll.

- (1) All religious persons,
- (2) The deaf and dumb and the blind;
- (3) These adults not allowed to vote (those forbidden to vote and lunatics).

Article 5.—Do not participate in the vote: those undergoing a sentence of imprisonment.

Article 6.—Are eligible: all Lao nationals of both sexes who have completed 25 years of age, enjoying their civil and political rights and holding at least a "Certificat d'étude élémentaire" (Elementary school certificate) or an equivalent certificate, retired army personnel from the rank of "Adjudant" (warrant officer) and registered traders.

The "Certificate d'étude élémentaire" (Elementary school certificate) can be replaced by a certificate from the director of an official school certifying that the candidate has an equivalent general knowledge. The certificate delivered by the Pathet Lao Forces shall also be valid.

Article 7.—Are not eligible :

- (1) The Military, the Police, the Royal Guards who are in service.
- (2) Those persons suffering from contagious and incurable diseases of are opium addicts.
- (3) Those persons mentioned in Article 4 and those who have been sentenced by common law to an actual sentence of over 6 months and within the last five years.
- (4) Those sentenced by virtue of Article 3 and 4 of the law relating to the safeguard of liberty and secrecy of votes.

Article 8.—The Chaokhouengs and their deputies, the Chaomuongs and their deputies, the Police court magistrates, and the Naikongs, the Presidents of provincial tribunals, the Provincial Inspectors and the Directors of the groups of schools, permanent or officiating, cannot present themselves as candidates in the khoueng in which they are serving.

However, in case these officials, being in service in a province, wish to submit their candidature in the same province, they shall, at the time of submitting their declaration, also have to ask to be relieved of their services for one year. They shall not be permitted to take up their duties before the expiration of this time limit.

These same officials, removed from the province where they were serving before the elections, cannot come back and submit their candidature unless their actual removal from this province goes back at least 4 months. If they are not elected, they cannot be reinstated in this province until the lapse of one year from the date of the elections.

Similarly, all unsuccessful candidates for deputyship of a province cannot be called upon to fill the above-mentioned posts in the same province until the expiration of the same period.

Article 9.—The candidates shall submit their applications directly to the Chaokhoueng of the place where they intend to stand, along with an eligibility certificate issued by the authorities of the Tasseng or the Ban of their residence. These applications shall give the surnames, full names, date and place of birth, parentage, diplomas of education, profession and residence of the candidate, and should be handed in at least 105 days before the date fixed for the elections.

The application for election shall be submitted with :

- (1) a copy of the documents testifying the titles mentioned and the information given or failing which, an endorsement from the Chaokhoueng, Tasseng or Phoban, certifying the correctness of the information given;
- (2) as many copies of the candidate's photo (front view, size 9 × 12 cms) as there are voting centres in the province, plus ten copies intended for the various lawful administrative publicity.

Article 10.—It is forbidden to apply as candidate for several provinces at the same time.

Article 11.—The applications must be registered when received in the office of the Khoueng who shall deliver a receipt. The provincial Election Committee shall consider the regularity and acceptability of the applications of candidates.

In case of rejection, the candidate concerned can apprise the provincial tribunal which shall urgently give a ruling which is final, without the necessary court fees.

In case of rejection of an application of a candidate, the provincial Election Committee must within 15 days from the date of presentation of the application, take a decision and inform the candidate concerned within two days after the decision has been taken.

In case a claim from a candidate has not yet been the subject of a decision of the provincial tribunal at the time of publication of the list of candidates, the name of the candidate shall have to be announced by the Province so as to enable the candidate to stand for election.

In case the candidate concerned is elected and if the provincial tribunal subsequently finds his candidature irregular, the agreement of the National Assembly or of the permanent commission (if the Assembly is in recess) is required, to declare deletion of this irregularly elected candidate. In case of deletion of a candidate irregularly elected, the candidate who obtains the immediately lower number of votes shall replace him as deputy to the National Assembly.

Article 12.—75 clear days before the date of election, the provincial Election Committee shall draw up the list of candidates for the province and prepare a report on it. This list shall be displayed among the population and particularly by means of posters at the office of the Khoueng, of the Muong, at the Tassengs, Phobans and in the pagodas.

Article 13.—The electoral campaign shall open 60 days before the date fixed for the elections. During this period, electoral meetings shall be free, as well as the distribution of circulars, creeds, (manifestoes) etc.

The candidates can present themselves on an individual list or on a common list along with other candidates and they can make the electoral campaign on behalf of an organisation or a party.

It is forbidden to stick a poster on that of another candidate or tear the posters, solgans, tracts of other candidates or of other organisations or parties.

The places where are held two simultaneous electoral meetings must be away from each other by at least 1,000 metres in order to avoid all mutual interferences and prevent all eventual incidents.

It is forbidden to criticize another candidate by stating that he does not fulfil the required conditions to stand for the elections, with the intention of involving his prestige and spreading confusion among the voters, if the authorities have not yet publicly announced that the said candidate does not fulfil the conditions required.

60 days before the election, the Government shall have the electoral law and the law No. 101 dated 14 March 1951 ensuring the freedom and secrecy of vote, printed and widely distributed in the villages. These documents must be posted up in the place where are posted up the list of candidates and voters.

The candidates and their representatives are entirely free to carry out propaganda for their respective political programme, in the whole territory of the province where they stand for elections.

It is the duty of the local authorities to help in the normal development of the Electoral Campaign in conformity with the democratic spirit of the laws of the Kingdom.

Article 14.—The members of the National Assembly shall be elected by province, at the scale of one deputy for 50,000 nationals registered or fraction thereof equal or above 25,000.

Article 15.—Voting will take place in the whole Kingdom on the basis of universal suffrage, free, equal, direct and secret ballot.

The policemen entrusted with the maintenance of order during the elections shall strictly abstain from any act of intimidation, coercion and electoral propaganda. The policemen shall vote in the voting booth where they are detained for the maintenance of order and will do so before the population.

Article 16.—A voting booth shall be set up in each Tasseng or each group of important villages or group of villages to which access is difficult, to enable the inhabitants of distant villages and expectant mothers or women having children of a very young age to easily take part in the vote.

The election committees from the Tasseng level to the provincial level must be independent from the administration. The election committees at the Tasseng level must be constituted at least two days before the elections. The election committees at the provincial level must be constituted 105 days before the election day.

At the Tasseng level as well as the provincial level, the election committees must be composed of representatives of the administration and of political parties or bodies, participating in the current elections, the said representatives enjoying the right to vote, but without being candidates in the current elections. The members of the election committee shall vote first in accordance with the laid down time table and general rules.

The election committees at the Tasseng level shall consist of 5 to 9 members according to the importance of the number of voters; at the provincial level this figure can be fixed from 5 to 7 members. The President and the Secretary of each election committee shall be elected by the committee itself.

Article 17.—The Chaomuong or the Naikong in collaboration with the Phobans and the Tassengs, shall be entrusted with the preparation of the list of voters residing in their area.

This list must be posted at each voting-booth 45 days before the elections.

Voters who wish to vote at a voting-booth other than that in the village where they reside must inform of it in writing to the Chaomuong or the Naikong of their place of residence 30 days before the elections.

Article 18.—From the date of publication of the above-mentioned list, any citizen whose name does not appear on this list can submit a claim to the Tasseng for onward transmission to the Chaomuong or to the Naikong at least 15 days before the elections.

Within the same time limit, any voter shown on one of the lists of his constituency can claim the deletion or addition of an individual unduly registered or omitted.

The same right belongs to the Chaokhouengs, Prefects, police court magistrates, Presidents of tribunals, Chaomuongs, Naikongs, Tassengs and Phobans.

The third party making a claim should attach to his application a certificate from the Phoban of his village attesting his status as a vote registered on the electoral roll.

In case of dispute, the said third party concerned can inform the Provincial Inferior Court which will urgently pass judgment without court fees; this judgment will be final.

Article 19.—All voters must be in possession of a voter's certificate issued by the Chaomuong or the Naikong.

Article 20.—Each candidate for deputyship shall be given a provincial serial number to be determined by drawing lots between the candidates. This number shall serve to the preparation of voting papers in accordance with the model annexed to the present law. The voting paper shall make mention of the serial number of candidates in figures and in equivalent dots to enable the illiterate voters to recognize the candidates of their choice.

Article 21.—The President of the voting booth shall allow the voters to cast their votes as and when they arrive.

Each voter, on presenting his voting card shall receive the ballots and an envelope, move into the polling booth, detach the number or numbers of the candidate or candidates of his choice, depending on the number of deputies to be elected in the province, enclose them in the envelope and deposit the latter in the ballot box placed in front of the members of the Election Committee.

Article 22.—Voting shall commence at 0700 hours in the presence of the Election Committee duly constituted.

The termination of voting can be declared as soon as all voters have cast their vote or at the latest at 1800 hours.

Nevertheless, this time limit must possibly be extended in order to enable the electors who have arrived before 18-00 hours to vote.

Before the commencement of the vote, the voting committees must open the ballot boxes and raise them high so as to show to the electors that the ballot boxes are empty and shall then close it and lock it in the presence of voters.

Article 23.—The scrutiny shall take place in public, immediately after the termination of voting and shall be carried out by the Election Committee.

During the scrutiny of the ballots, each envelope shall have to be read out loudly.

Article 24.—The Election Committee shall verify the number of voting papers, shall read them out and shall establish the balance of voters,

All empty envelopes or all envelopes containing more voting papers than the number of deputies to be elected in the province or containing several copies of the same serial number shall be considered as invalid and counted as a vote cast.

Article 25.—The President of the Election Committee shall be responsible for supervising the scrutiny of votes. The Secretary of the Election Committee shall prepare the reports on the electoral operations.

The reports of the results of voting shall be made in triplicate: 1 shall be sent to the province, 1 shall be kept by the Election Committee of the Tasseng and 1 shall be posted up at the place assigned for the posting of the list of voters and candidates of the Tasseng. The report must mention the number of votes secured by each candidate and shall be read out before the members of the Election Committee who shall approve and sign it.

The result of the vote in the Tasseng, after having been enclosed in a sealed envelope shall be entrusted with 2 members of the Tasseng's Election Committee for being delivered directly to the responsible authorities of the Election Committee of the Province. When delivered, a report shall be drawn up in duplicate (1 shall be kept with the Election Committee of the Tasseng). After having received the documents the Election Committee of the province must immediately deposit them in a closed box which shall be sealed, in the presence of two members of the Tasseng's Election Committee. The box containing the results of elections of different localities shall be opened only at the time when the Election Committee of the Province meets to work.

Article 26.—The Provincial Election Committee shall proceed with the examination of the results of the ballot, which must be done publicly. The provincial authorities shall notify the date and the place where the work will take place and shall invite the people of the chief-town and suburbs to come and witness it. Before commencing the work, the Provincial Election Committee shall proceed with the verification of the regularity of documents received from various localities and shall then present them to the public, of course after the opening of envelopes. The results shall be notified immediately to the public and a report shall be drawn up mentioning the results in each Tasseng and the general result for the whole province as well as the number of votes secured by the non-elected candidates. This report shall be sent simultaneously on the same day to the Home Ministry and to each Tasseng and shall also be posted up at places for posting of the list of candidates and the electoral roll of the Tassengs.

Article 27.—After verification by the Electoral Committee, the candidates who have obtained the greatest number of votes shall be declared elected. If several candidates secure the same number of votes, the winner shall be decided by the Commission drawing lots in the presence of the individuals concerned or their delegates.—The Chaokhoueng shall immediately notify the results to the individuals concerned.

Article 28.—The Election Committee shall receive all claims concerning the elections, submitted not later than 15 days after the voting. After this period, no claim shall be entertained. These claims shall be transmitted to the National Assembly which, alone, shall give a majority decision on the validity of the election.

Article 29.—In the event of invalidation following irregularities in one or more voting centres, the National Assembly shall rule whether the elections should be held once again in all the centres of the province or only in the centre or centres where the irregularities occurred, this to avoid the onerous charges and the delays in a fresh procedure of election and bearing in mind the communication difficulties.

In such a case, the results obtained in other places stand.

Elections for all regions where the number of persons exercising their franchise does not reach a quarter of the total number of voters, shall be held again. The elections organized for the 2nd time shall stand valid even if the number of persons exercising their franchise still remains low.

Article 30.—The same rules shall be followed in the case of elections in part. The deputy shall only be elected for the remaining legislature period.

There will only be elections in part when the above-mentioned period exceeds 9 months.

Article 31.—The officials elected deputies shall be considered as detailed to the National Assembly till the end of their tenure.

They shall keep the right to seniority and promotion in their original cadre.

They can, with their concurrence and the agreement of the President of the National Assembly, be entrusted with missions by the Government.

Article 32.—Any infringement to the present law shall be repressed by the Law called "guarantee of freedom and secrecy of vote".

Article 33.—The present electoral Law is applicable only with regard to the future elections.

Article 34.—Law No. 99 dated 5 April 1951 is abrogated.

The two Parties unanimously agree that the Government should forward the text of the above-mentioned electoral law to the National Assembly for its study and application. If, in the course of the examination made by the National Assembly, points of view different from those mentioned in this agreement arise, the National Assembly shall be requested to inform the Joint Political Commission about them, for the latter's examination and counter proposal, if need be.

Done in Vientiane on the 21st February 1957.

The Head of the Political

The Head of the Political

Delegation of the Royal

Delegation of the Pathet

Government,

Lao Forces,

Sd/- H. E. Ngon Sananikone

Sd/- Mr. Thao Phoumi Vongvichit

LAO PRESSE, 8-4-57.

TRADUCTION DU COMMUNIQUE

de la Commission Politique Mixte composée de la Délégation Politique du Gouvernement Royal et de la Délégation Politique des Forces Pathet Lao

La Commission Politique Mixte composée de :

Délégation du Gouvernement Royal :

S. E. Nou Ing RATTANAVONG,	Chef de la Délégation
M. Thao Tane CHOUNLAMONTRI,	Membre
M. Thao Van TANOUANE,	—id—
M. Boua Van NORASING,	—id—
M. Inpéng SOURYATHAY,	—id—
M. Amone VIMONOPHAN	Secrétaire

Délégation des Forces du Pathet Lao :

M. Nouhak PHOUMSAVAN,	Chef de la Délégation
M. Singkapo CHOUNAMALY,	Membre
M. Maha Khamphan VIRACHIT,	—id—
M. A Pheui CHANDAVONG,	Secrétaire

en présence LL. EE. les Députés Phaya Pao VANTHANOUVONG, Phaya Pan SISOUPHANTHONG, et Ba Phom PHAKON KHAM, et de M. Khamphay BOUPHA du côté Pathet Lao comme observateur,

s'est réunie à nouveau le 6/4/57. La Commission a reconnu ensemble que les négociations de coopération poursuivies voici plus de 5 mois, ont abouti à la signature d'accords importants: le 2/11/56, accord sur la réalisation de la politique de paix et de neutralité, le 24/12/56, accord sur les mesures de garantie des droits civiques des membres du Pathet Lao, le 21/2/57, accord sur la Loi électorale; en outre, la Commission militaire Mixte a signé le 31/10/56, l'accord sur la cessation des actes hostiles. La Commission a reconnu que les divers accords précités constituent un pas important dans la voie du règlement des questions politiques intéressant les deux parties, conformément aux Accords de Genève, et à l'esprit des déclarations communes des 5 et 10/8/56 et du Communiqué Commun du 28/12/56 entre S. A. le Prince SOUVANNA PHOUMA, Premier Ministre du Gouvernement Royal et S. A. le Prince SOUPHANOUVONG, représentant des Forces du Pathet Lao.

La Commission a vu la nécessité de faire des efforts pour réaliser concrètement des accords déjà signés, et a reconnu, par la même occasion, que la question de la garantie des libertés démocratiques du Peuple en discussion depuis un certain temps pourrait également être réglée par un accord.

Enfin, la Commission a commencé les discussions sur le programme politique du Gouvernement d'Union Nationale et a vu ensemble la nécessité de mener les discussions jusqu'à accord complet.

Les discussions de la Commission se sont passées dans une atmosphère empreinte de cordialité et de bonne compréhension.

ANNEXURE 16

Unofficial English Translation

TRANSLATION OF THE COMMUNIQUE

Issued by the Joint Political Commission consisting of the Political Delegation of the Royal Government and the Political Delegation of the Pathet Lao Forces

The Joint Political Commission consisting of :

The Delegation of the Royal Government .:—

H. E. Nou Ing Rattanavong,	Head of the Delegation
Mr. Thao Tane Chounlamontri,	Member
Mr. Thao Van Tanouane,	—do—
Mr. Boua Van Norasing,	—do—
Mr. Impeng Souryathay,	—do—
Mr. A. Mone Vimonphan,	Secretary

The Delegation of the Pathet Lao Forces :—

Mr. Nouhak Phoumsavan,	Head of the Delegation
Mr. Singkapo Chounamaly,	Member
Mr. Maha Khamphan Virachit,	—do—
Mr. A. Pheui Chandavong,	Secretary

in the presence of Their Excellencies the Deputies Phaya Pao Vantha Nouvong, Phaya Pan Sisouphanthong, and Ba Thom Thakon Kham and of Mr. Khamphay Boupha on the Pathet Lao side as observer,

met once again on 6 April 1957. The Commission jointly acknowledged that the negotiations for co-operation, pursued for the past 5 months, have resulted in the signing of important agreements: on 2 Nov. 56, the agreement on the realisation of a policy of peace and neutrality; on 24 Dec. 56, the agreement on the measures for the guarantee of civic rights for the members of the Pathet Lao; on 21 Feb. 57, the agreement on the Electoral Law; besides, the Joint Military Commission signed on 31 October 56, the agreement on the cessation of hostile acts. The Commission acknowledged that the various aforementioned agreements constitute an important step towards a settlement of political issues concerning the two parties, in conformity with the Geneva Agreement and with the spirit of the Joint Declarations of 5 and 10 August 1956 and of the Joint Communique of 28 December 1956 issued by H. H. Prince Souvanna Phouma, Prime Minister of the Royal Government and H. H. Prince Souphanouvong, Representative of the Pathet Lao Forces.

The Commission acknowledged the need for making efforts in order to concretely realise the agreements signed already, and at the same time acknowledged that the question of guarantee of democratic freedom for the People under discussion since some time could also be settled by an agreement.

Finally, the Commission started discussions on the political programme of the National Union Government and jointly saw the need for steering the discussions towards a complete agreement.

The discussions of the Commission took place in an atmosphere marked by cordiality and good understanding.

ANNEXURE 17

MINUTES OF THE JOINT MEETING OF PATHET LAO AND LNA
COMMANDERS HELD AT 0830 HRS ON 13 OCTOBER AT
SAM NEUA

1. The following were present:

Lt. Col. D. S. Sidhu	— Chairman
Major W. J. Macleod	— Candel
Capt. Gasidlo	— Podel
Mr. E. Lamontagne	— Team interpreter
Mr. Wolztniak	— Polish French interpreter
Mr. Golavski	— Polish English interpreter
Mr. Mysuk	— Representative PL High Command
Mr. Somvang	— PL Military Command
Mr. Affeui	— PL Interpreter
Capt. Chamsom	— LNA Commander Houei Thao
Mr.	— LNA representative
Lt. Col. L. G. Smith	— Candel in attendance
Major Ram Sarup Singh	— Indel (Secretary)

2. The Chairman welcomed both the parties on behalf of International Commission before the commencement of the meeting. The following points were stressed :

- (a) While discussing HOUei THAO the general situation and the position of the Parties will be taken as at present.
- (b) All the points at the meeting must be discussed in good faith and in spirit of give and take.
- (c) Both the parties have to solve the problems themselves. The Team is only to assist them where they are unable to reach any decision.

3. The decisions taken during the Conference are given in subsequent paras.

4. IMMEDIATE CEASE-FIRE.—Both the parties give guarantee that they would observe complete cease-fire. They further assured that they would not give any provocation to each other, in order to maintain complete cease-fire. They also assured

- (a) that there will be no firing for any purposes (including game sport and training) in the area LNA post, the area between LNA post and PL posts, the area of PL posts and the area of one KM beyond the PL Post.
- (b) that all accidental fire in the area (a) above will at once be reported to Team and/or Sub Team. Team/Sub Team will immediately investigate and inform the other party regarding the cause of fire. Accidental fire will not be taken as an excuse to open or return the fire.
- (c) that area between LNA and PL posts will be out of bounds to both the parties. No soldier from either side will enter or move in that area except as provided in the present agreement.
- (d) that both the parties will restrict themselves to their present positions and will not extend any further towards each other.

- (e) that there will be complete security for all civilians moving in the middle zone i.e. between PL and LNA posts.
- (f) that no reinforcements will be brought in or dropped at Houei Thao by both parties.

FACILITIES OF DRAWING WATER BY LNA

5. It was agreed in principle that LNA troops will be given all facilities for drawing water. To implement this decision, the following points were decided unanimously.

- (a) PL gave guarantee for the safety of personnel engaged in drawing water for LNA.
- (b) Only two water points will be used i.e., one at BAN HOUEI THAO and one at BAN HOUEI THAO NOI. These water points are prominent and fully known to both the parties. Both parties were fully satisfied regarding the identification of these water points.
- (c) That the strength of water drawing parties will not exceed ten men at a time for each water point.
- (d) LNA commander agreed to send unarmed soldiers for drawing water. Both parties agreed that carrying of jerry cans for drawing water was sufficient to identify such party and that no further identification was required.
- (e) That the timings for drawing water will be
 - (i) 0800-1100 hrs
 - (ii) 1400-1700 hrs
- (f) That the present routes leading from LNA post to the water points will be used by the water parties. These routes are fully known to both the parties and no further marking is considered necessary by both the parties. It was further agreed that movement of water parties will be restricted to these routes.
- (g) LNA Comdr agreed to provide water for Sub-Team Houei Thao.

PARADROPS

6. PL assured that they will not interfere in the paratroops of rations and supplies for LNA at Houei Thao. It was further agreed by both the parties:

- (a) that there will be no firing during the time of para/free drops and during collection.
- (b) no arms and ammunition will be dropped.
- (c) LNA Comd will allow Sub-Team at HOUEI THAO to check all drops in order to ensure the implementation of (b) above.
- (d) PL Comd agreed that no arms and ammunition will be brought into the PL posts. He further agreed to allow the Team to check the entry of arms and ammunition for PL posts at HOUEI THAO.
- (e) Aircraft engaged in dropping of supplies at Houei Thao will not be used for dropping of propaganda leaflets. It was agreed that Intercom at Vientiane should be requested to approach LNA High Command for implementation of this decision.

- (f) LNA Comd will not attempt to collect drops which may fall outside his picquet. This will be reported to Sub Team who will arrange to retrieve these stores. In this connection, the following two procedures will be adopted :
- (i) If the stores fall beyond half the distance between LNA and PL posts, or on the PL posts then the Sub-Team will arrange for their collection through Fixed Team Sam Neua and PL Commander. PL will be responsible to bring these stores up to PL Post and from there it will be carried by civilians up to LNA post.
 - (ii) If the stores fall within the half distance, then these will be collected by LNA soldiers under the supervision of the Sub-Team.
- (g) Sub-Team will be the sole judge to decide as to which method given in (f) (i) & (ii) will be adopted.
- (h) PL Comd assured to give all facilities to retrieve the stores as soon as possible and that no wilful damage will be caused.

FREEDOM OF MOVEMENT TO TEAM

7. The following were agreed :

- (a) PL gave assurance for freedom of movement from Sam Neua up to PL post at Houei Thao. They require 24 hrs notice for normal move and 12 hrs notice in case of emergency. The PL representative stated that they cannot guarantee the safety of the team at 2 hrs notice. Team recommends that if the period of prior notice is to be reduced, matter may be taken up with PL High Command.
- (b) PL agreed to provide guides and necessary transport for the team and stores from Sam Neua to Houei Thao and back.
- (c) LNA Comd gave assurance for safety and freedom of movement from PL post to LNA post.
- (d) LNA Comd agreed to give full assistance and co-operation to Sub-Team Houei Thao. He also agreed to provide water, wood and other facilities to the team.
- (e) Both the parties gave assurance for full freedom of movement between LNA and PL for purposes of investigation. PL representative pointed out that they would require 24 hrs notice in normal cases and 12 hrs notice in emergent cases.

SECURITY OF HOUEI THAO SUB-TEAM

8. Both the parties gave assurance for the security of Sub-Team Houei Thao. It was agreed that there will be no firing from and on to the area of Sub-Team. This area will be marked by two white flags.

MINES

- 9. (a) Both the parties gave assurance that no more mines will be laid in areas Houei Thao and Sam Neua.
- (b) Team consider that removal of mine by the parties or marking thereof is not practicable under the present circumstances, therefore, this question was not discussed.

MOVING OF SUB TEAM FROM LNA TO PL POST

10. This problem was not discussed with PL and LNA Commanders for the following reasons :

- (a) The results and effects of present meeting must be seen first before a decision regarding the move of sub-team is taken.

- (b) This is a matter more for decision by this team and sub-team Houei Thao.

11. It was agreed that the decisions arrived at this meeting will come in force with effect from 1700 hrs on 18 October 1955.

12. It was also agreed that any violation of the points agreed upon will be at once reported to the team/sub-team and this will not be taken as an excuse for retaliation.

13. Both the parties agreed to inform all concerned including civilians in their respective area regarding the decisions arrived at.

14. The Chairman thanked both the parties for their goodwill, co-operation and the spirit of give and take, and in arriving at unanimous decisions on all the points and in making this conference a great success.

(Sd/-) W. J. MACLEOD

Major CANDEL

(Sd/-) GASIDLO

Capt. POLDEL

(Sd/-) D. S. SIDHU

Lt. Col. CHAIRMAN.



ANNEXURE 18

PROCES-VERBAL DE LA CONFERENCE MILITAIRE

Pour exécution des Accords de Genève et principalement l'Accord du 9-3-55 de la Conférence politique sur la cessation des actes hostiles, la Conférence militaire entre la mission du Haut Commandement de l'Armée Nationale Lao et la mission du Haut Commandement des Unités Combattantes du Pathet Lao s'est tenue à Vientiane du 27-6 au 26-9-55.

Les questions inscrite a l'ordre du jour pour être discutées sent les suivantes :

—Cessez-le-feu dans les provinces de Samneua et de Phongsaly.

—Interdiction de renforcer les troupes et d'augmenter les armes et munitions.

—Zones de rassemblement des troupes royales dans les 2 provinces.

Après que les deux parties s'étaient mis gen accord sur le cessez-le-feu et sur l'interdiction de renforcer les troupes, d'augmenter les armes et munitions, les discussions se poursuivaient sur la question des zones de rassemblement des troupes royales dans les 2 provinces (mais la question vient d'être discutée seulement sur zone de rassemblement dans la province de Samneua, quant à la question de Phongsaly, elle sera discutée par la suite).

A la conférence et jusqu' à présent, les 2 parties ont donné leurs points de vue respectifs en ce qui concerne les limites des zones de rassemblement des troupes royales dans la province de Samneua, mais les détails n'en sont pas encore discutés. Ces points de vue sont les suivants :

Propositions du côté Gouvernement Royal :

(A) Aux environs de Muong Peun : Une limite va de la montagne Phou Nampa 1827, de Ban Chomsan et suivant la rivière de Nainloy, la montagne 1939, fait le tour de Muong Peun en formant un cercle, distancée de Muong

Peun de 6 km au Nord et à l'Est, puis longe le Nam Peun, le Nam Dang juseu' à Ban Tapto, va directement à la limite provinciale de Xieng Khouang. Mais 3 villages (Nakeng, Kohay, Sophot) demandent à relever du Gouvernement Royal.

(B) Aux environs de Pathi, Pakha, Houei Nha : Une limite entoure 3 postes (Phathi, Pakha, Houei Nha) en formant une ligne triangulaire loin de chaque poste de 5 kms.

(C) En ce qui concerne le chemin : Entre Muong Peun et les environs de Pathi, demande d'utiliser le chemin en permanence pour la circulation.

Propositions du côté Pathet Lao :

(A) Aux environs de Muong Peun : Une limite va du sommet de la montagne Phou Nampa 1827 à Ban Chomsan, à Namloy, montagne 1939, entoure le village de Muong Peun en formant un cercle distance de Muong Peun de 6 kms au Nord et à l'Est, puis suit le long de la rivière de Nam Peun, le long de la rivière de Namdang, puis va de Xieng Khouang, avec une zone demilitarisée large de 1 ou 2 kms de chaque côté de cette limite

(B) Aux environs de Phathi, Houei Nha, Pakha : Une limite entoure 3 postes (Phathi, Houei Nha, Pakha) en formant une figure triangulaire distancée de chaque poste de 1 km et avec une zone demilitarisée à l'extérieur de cette limite.

(C) En ce qui concerne le chemin : entre Muong Peun et les environs de Pathi, la proposition a été faite au Gouvernement Royal de l'utiliser 3 jours par semaine.

La Sous-Comité Militaire de la CIC a aidé en donnant des suggestions en ce qui concerne des limites pour les zones de rassemblement des troupes royales dans la province de Samneua, à la conférence du 15-9-55.

Le résumé des points de vue et des propositions des 2 parties a donné les identités et les divergences suivantes :

Identités : —limite dans la partie Nord-Ouest de Muong Peun

—limite entourant Muong Peun

—limite le long de la rivière de Nampeun

—limite le long de Namdang, une partie seulement est identique.

Divergences : —limite entourant les 3 postes (Pathi, Pakha, Houei Nha). la partie royale a proposé qu'elle soit distancée de chaque poste de 5 kms, le Pathet Lao a proposé 1 km.

—pour le chemin entre Muong Peun et les environs de Phathi, la partie royale a proposé de l'utiliser en permanence pour la circulation, le Pathet Lao a proposé de l'utiliser 3 jours par semaine.

—en ce qui concerne la rivière de Namdang, la partie royale a proposé que la ligne limite arrivée à Ban Tapto tende directement à la limite provinciale de Xieng Khouang, pour le Pathet Lao, elle va le long de Namdang puis va directement au Sud vers Ban Dode et vers la limite provinciale de Xieng Khouang.

La conférence militaire a abouti à des résultats tels qu'ils sont mentionnés ci-dessus ; les identités et les divergences de points de vue.

Pour exécution des accords signés par les Chefs des 2 parties A Rangoon le 11-10-55, la conférence militaire a résumé les résultats de son travail pour servir de document à la comité mixte militaire qui sera constituée pour poursuivre les négociations.

Vientiane, le 28 Octobre 1955

Le Chef de la Délégation militaire
due Gouvernement Royal,
Signé : OUDON

Le Chef de la Délégation militaire
du Pathet Lao,
Signé : PHOUN

Traduction non officielle de lao Vientiane, le 10 Novembre 1955

Signé : illisible

POUR COPIE CONFORME

ANNEXURE 18

Unofficial English Translation

(Minutes of the proceedings of the Military Conference)

For the implementation of the Geneva Agreement and chiefly the Agreement of 9th March, 1955 of the Political Conference on the cessation of hostile acts, the Military Conference between the mission of the High Command of the Laotian National Army and the mission of the High Command of the Fighting Units of Pathet Lao was held in Vientiane from 27 June to 26 September, 1955.

The question set down in the agenda for being discussed are the following :—

- Cease-fire in the provinces of Sam Neua and Phong Saly;
- Prohibition to reinforce the troops and to increase the arms and ammunition;
- Regroupment zones for Royal troops in the two provinces.

After the two parties had agreed on the cease-fire and on the prohibition to reinforce the troops, to augment the arms and ammunition, the discussions were pursued on the question of regroupment zones of the Royal troops in the two provinces (but the question just discussed is only on the regroupment zone in the provinces of Sam Neua, as for the question of Phong Saly, it will be discussed subsequently).

In the conference and till now the two parties have given their respective points of view as regards the limits of the regroupment zones of Royal troops in the province of Sam Neua, but their details have not yet been discussed. These points of view are the following :—

PROPOSALS OF THE ROYAL GOVERNMENT SIDE :

(A) In the neighbourhood of Muong Peun. A limit goes from the hill Phou Nampa 1827, of Ban Choursan and along the river of Namloy, the hill 1939, goes around Muong Peun describing a circle, 6 km to the North and

to the East from Muong Peun, then it follows the course of the Nam Peun, the Nam Dang up to Ban Tapto, goes directly to the provincial border of Xieng Khouang. But 3 villages (Nakong, Kohey, Sophot) require to be under the Royal Government.

(B) In the neighbourhood of Pathi, Pakha, Houeinba : A limit surrounds 3 posts (Pathi, Pakha, Houeinba) forming a triangular line at a distance of 5 kms from each post.

(C) As regards the route : between Muong Peun and the neighbourhood of Pathi, it (the route) is required for the permanent use for traffic purposes.

PROPOSALS FROM THE PATHET LAO SIDE :

(A) In the neighbourhood of Muong Peun : A limit goes from the top of the hill Phou Nampa 1827 to Ban Choursan, to Namloy, hill 1939, surrounds the village of Muong Peun describing a circle at a distance of 6 kms to the North and to the East of Muong Peun, then follows the course of the river Nampeun, the course of the river Namdang, then goes straight towards the South to Ban Dode and to the provincial boundary of Xieng Khouang, with a demilitarised zone of one or two kms. on either side of this limit.

(B) In the neighbourhood of Pathi, Houei Nha, Pakha : A limit surrounds 3 posts (Pathi, Houei Nha, Pakha) forming a triangular figure at a distance of 1 km from each post and with a demilitarized zone outside this limit.

(C) As regards the route : between Muong Peun and the neighbourhood of Pathi, the proposal has been made to the Royal Government to use it for 3 days during the week.

The Military Committee of the International Commission helped by giving suggestions concerning limits for the zones of regroupment of Royal troops in the province of Sam Neua, in the conference held on 15 September, 1955.

The summary of the points of view and of the proposals of the two parties has come down to the following identical views and divergences:

Identical views :

- limit in the North Western portion of Muong Peun
- limit surrounding Muong Peun
- limit along the river Nampeun
- limit along the Namdang, only one portion is identical.

Divergences :

- limit surrounding the 3 posts (Pathi, Pakha Houei Nha). The Royal Government party proposed that it be at a distance of 5 kms from each post, the Pathet Lao proposed 1 km,
- for the route between Muong Peun and the neighbourhood of Pathi, the Royal side proposed to utilize it permanently for traffic, the Pathet Lao proposed to use it 3 days per week.
- as regards the river Namdang, the Royal side proposed that once the limit line reaches Ban Tapto, it should stretch out straight to the provincial border of Xieng-Khouang. For the Pathet Lao, it goes along the Namdang then goes straight to the South towards Ban Dode and towards the provincial border of Xieng Khouang.

The Military Conference has reached results such as they are mentioned above, the similarities and divergences of points of view.

For the execution of agreements signed by the Heads of the two parties in Rangoon on 11 October 1955, the Military Conference has summarised the results of its work so as to serve as a document to the Joint Military Committee which shall be constituted to pursue the negotiations.

VIENTIANE, 28 OCTOBER, 1955.

The Head of the Military
Delegation of the Royal
Laotian Government.

Sd/- OUDON

The Head of the Military
Delegation of the Pathet
Lao.

Sd/- PHOUN.



ANNEXURE 19

TABLE OF COMPLAINTS AND PETITIONS RECEIVED DURING JULY 55,-SEPT. 56

		RLG.	PL.
1.	Military nature	113	117
2.	Mine laying	30	2
3.	Democratic freedom	37	27
4.	Forced Recruitment	2	..
	Miscellaneous	20	8
6.	Petitions	2	42



DETAILS OF INVESTIGATIONS ORDERED AND THEIR RESULTS

(This should be read together with Chapters II and V).

Sl. No.	Party Date	Nature of complaint	Results of investigations
1.	RLG July 1954	Alleged forced recruitment by Pathet Lao in the province of Luang Prabang and Xieng Khouang and Pakse area.	<p>The three investigations ordered on these complaints showed the following—</p> <p>a) LAUNG PRABANG:— The allegations could not be investigated because the local Laotian National Army Commander and Royal Laotian Government civil authorities failed to produce witnesses despite repeated efforts of the team.</p> <p>b) XIENG KHOUANG:— i) Four persons belonging to Xieng Khouang province left their villages against their will in the company of people's Volunteers of Vietnam/Pathet Lao forces in July 1954, that is, before the Geneva Agreement came into force; whilst in Sam Neua according to the statements made, these men were given uniforms ammunition and arms. ii) The above four persons were taken to the province of Sam Neua; later they ran away and returned to their villages.</p> <p>c) PAKSE AREA:— The Commission has not finalised this report.</p> <p>The Commission agreed that: a) There was evidence to support the contention that fighting took place at one Pathet Lao post but it could not be conclusively proved that the Laotian National Army first attacked the Pathet Lao to drive them out;</p>
2.	Pathet Lao November 1954.	Alleged attack and occupation by Laotian National Army troops of 3 Pathet Lao positions in the province of Phongsaly and the presence of Kuomintang troops in this province	

Sl. No.	Party Date	Nature of complaint	Results of investigations
b) The presence of Kuomintang troops in Malilao and its vicinity was not proved.			
3.	Royal Laotian Government May 1955.	Documents People's found on body of alleged Peoples Volunteers of Vietnam officer who died in September 1954.	There was no conclusive proof of the authenticity of the document in this case. The Commission did not consider that any further endeavour on its part would achieve any more conclusive results.
4.	Royal Laotian Government June 1955.	Alleged importation of supplies, armaments, clothing and rations by Pathet Lao from Vietnam. Stored at Ban That in Sam Neua province.	No depot was found at Ban That or in its vicinity. Both parties were informed of the results of investigation.
5.	Royal Laotian Government June 1955.	Alleged assembly of Vietnamese elements in an area south of Sam Neua town.	From the available evidence the presence of Vietnamese troops was not established.
6.	Pathet Lao/Royal Laotian Government June 1955-December 1955.	A series of hostile acts between the troops of both the Parties between June and December 1955 at Houei Thao mainly as a result of the alleged Pathet Lao attempts to deny the Laotian National Army access to the water points.	The Commission decided that in future complaints of this nature should be investigated without delay on the team's initiative. The incidents occurred as a result of drawing water by the Laotian National Army from water points located outside the limits of their post, towards the direction of the Pathet Lao posts. The Commission repeatedly urged the Parties to avoid such incidents and asked the High Commands of both the Parties to instruct their local Commanders to refrain from further firing. The Commission also requested the Pathet Lao to make one water point available for use by the Laotian National Army. As a result of the efforts of the Commission a local cease-fire agreement (Sam Neua Agreement) was arranged in October 1955 between the two Parties including the details for the drawing of water by Laotian National Army. Even after signing of this Agreement, breaches of it by both Parties occurred.
7.	Royal Laotian Government. August 1955.	Alleged activities of Vietnamese agents in area of Kong Kalum in Pathet area.	Cancelled.

Sl. No.	Party Date	Nature of complaint	Result of investigations
8.	Royal Laotian Government August 1955.	Alleged Pathet Lao reinforcements including Vietnam in areas of Col Mungia, Naphon in Southern Laos and Keng Dou in Xieng Khouang province.	The team completed the investigation towards the end of March 1955 and reported that there was no evidence to prove that Vietnamese troops concentrated in the area at the time of the complaint.
9.	Royal Laotian Government August 1955.	Alleged Pathet Lao reinforcing certain areas and Vietnamese troops having entered the territory of Laos at Ban Keng Dou in Xieng Khouang province.	Suspended.
10.	Royal Laotian Government August 1955.	Alleged attacks by Pathet Lao on Pakha Houei Nha, Pathi and Hua Xieng during August 1955.	Pakha and Houei Nha were under the control of Laotian National Army from June 1955 until mid August 1955. As a result of clashes between the two Parties the Laotian National Army withdrew, subsequently they counter attacked in September 1955 and reoccupied the two posts. There was never any direct threat to Pathi and Hua Xieng which remained in the hands of the Laotian National Army and Pathet Lao respectively.
11.	Royal Laotian Government August 1955.	Documents found on alleged People's Volunteers of Vietnam soldier who died in Ban Kong Din.	Letters were sent to both Parties forwarding the Commission's findings, deploring these incidents and requesting that the status quo with regard to these posts should be maintained pending the reaching of a mutually agreed solution.
12.	Royal Laotian Government September 1955.	Alleged occupation of a new position by Pathet Lao in Boun Neua area in the province of Phongsaly.	The occupation of the new position was not considered to be a violation of the Geneva Agreements but it did produce a dangerous situation as the troops were located at such close quarters that they could easily fire at each other. In the interest of maintaining peace as an interim arrangement the Commission requested the Pathet Lao to consider withdrawing this post to an area from where there would be no possibility of the troops firing at each other. The Pathet

Result of investigations

Nature of complaint

Party Date

Sl. No.

Lao replied that the Royal Laotian Government post at Boun Nouna was illegally occupied since it was located in the Pathet Lao concentration area, that theirs was a position of self defence and that no incident would occur in the absence of Royal Laotian Government provocation.

The results of investigation were based on the evidence of Laotian National Army witnesses owing to great difficulty of obtaining satisfactory Pathet Lao witnesses. The Commission found that Ban Nakeng was first occupied by Laotian National Army on 1 June, 1955 and that they were attacked by Pathet Lao in September/October 1955. On 6 November the post was still under Laotian National Army control.

The evidence was found inconclusive and in some cases unreliable. No further action was taken by the Commission in the matter.

Suspended.

Suspended.

In spite of the best efforts of the team, no evidence to sustain this complaint was found. The Commission informed the Royal Laotian Government accordingly.

Suspended.

13. Pathet Lao/Royal Laotian Government September 1955. Complaints from both Parties of alleged attacks on Ban Nakeng in the province of Sam Neua during September 1955

14. Royal Laotian Government October 1955. Alleged firing on 6 Laotian National Army soldiers by Pathet Lao troops at Xieng Phao in Phongsaly province.

15. Pathet Lao October 1955. Laotian National Army carried out alleged offensive actions against Muong Song on 26 October 1955.

16. Royal Laotian Government October 1955. Alleged import of arms and war equipment by Pathet Lao in area Xieng Luang near Sam Neua.

17. Royal Laotian Government October 1955. Alleged presence of Vietnamese Battalion No. 620 in Phongsaly on 8 October 1955.

18. Royal Laotian Government November 1955. Alleged holding by Pathet Lao of two Laotian National Army medical officers at Xieng Khouang near Sam Neua.

Sl. No.	Party Date	Nature of complaint	Result of investigations
19.	Pathet Lao November 1955.	Alleged firing by a party of armed men in the area 2 kilometres west of Sam Neua on 19 November 1955. The complaint alleged that these men belonged to the RLG and that they had come to create trouble and distribute propaganda leaflets.	It was found that there were some armed men about 2 kilometres west of Sam Neua and there was some firing on 20 November in the area. The identity of these persons could not be established. Both Parties were informed accordingly. The Parties were asked to refrain from sending armed parties to areas under the control of the other Party as this was against the Geneva Agreement.
20.	PL/RLG November 1955.	Reinforcements of forces of both sides and alleged attacks in Muong Khoau area in the province of Phongsaly.	Suspended.
21.	RLG November 1955.	Alleged PL attacks and minelaying activities against L N A posts in areas of Ban Nanong, Ban Papek and Ban Nasam in the province of Sam Neua.	There was general patro activity by both sides near the areas regarding which allegations were made. The post at Ban Nasam was held by LNA on 19 November 1955 and the posts of Ban Papek and Ban Nanong were also held by the LNA on 25 November 1955. The other points in the complaint could neither be proved nor disproved. The Commission addressed letters to both Parties conveying its findings.
22.	PL December 1955	Alleged capture of two villagers by six armed men of the Royal Party form Boun Neua.	Suspended.
23.	RLG December 1955.	Alleged maltreatment by PL of villagers in a village north of Sam Neua	Suspended.
24.	RLG December 1955.	Alleged presence of Vietminh troops in the province of Phongsaly.	Suspended.
25.	RLG December 1955.	Alleged arrest and kidnapping by PL in Muong Peun area.	Suspended.
26.	RLG December 1955.	Alleged arrest and kidnapping by PL in Muong Peun area.	Suspended.

Sl. No.	Party Date	Nature of complaint	Result of investigations
27.	PL/RLG December 1955.	Alleged attacks by both Parties in the area Pha Louam south of Muong Peun between 5 and 20 December 1955	<p>The investigation was based on the evidence received from Royal Laotian Government witnesses owing to the difficulty of obtaining PL witnesses. On the basis of the evidence the Commission considered that:—</p> <ol style="list-style-type: none"> (a) the Pathet Lao complaints alleging attacks by the Laotian National Army on their positions in this area have no foundation. (b) the Laotian National Army positions in the area mentioned above were first attacked by the Pathet Lao on 5 December, 1955, but later as a result of counter attacks the original positions were restored. <p>2 It would appear from the evidence available with the Commission that most of the Laotian National Army posts in these areas were established in the period June/July 1955. The attacks on these posts by the Pathet Lao and the subsequent counter attack by the Royal Laotian Government resulting in the withdrawal of the Pathet Lao from them, are all violations of the Geneva Agreement.</p>
28.	PL/RLG December 1955.	Alleged clashes between Pathet Lao and Laotian National Army during December/January 1956 near Ban Kohay in Sam Neua Province.	Suspended.
29.	PL January 1956	Alleged plundering and terrorising by Royal Laotian Government troops in Muong Peun area.	Suspended.
30.	RLG January 1956.	Alleged Pathet Lao attacks on Ban Houei Saye and firings on Commission helicopter.	Suspended.

Sl. No.	Party Date	Nature of complaint	Result of investigations
31.	RLG January 1956.	Complaint alleging Pathet Lao offensive activities near Boun Neua and seizing the Laotian National Army posts of Nam Thalleng and Ban Nan Chalong in the province of Phongsaly.	<p>It was found that:</p> <p>(a) the post situated 4 kilometres north east of Boun Neua on a hill Ban Thalleng was patrolled according to the Pathet Lao by the Pathet Lao up to 15 January, 1956 and according to the Laotian National Army by LNA up to 15 November, 1955. The same post was occupied by the Laotian National Army according to the witnesses of Pathet Lao from 15 January 1956 and according to the witnesses of the Laotian National Army on 15 November, 1955.</p> <p>(b) Forces of the Pathet Lao patrolled within a distance of 120 metres on the early morning of 17 February 1956.</p> <p>(c) Firing between the two forces took place. It is not clear who commenced firing but firing extended over a period of nine hours.</p> <p>(d) Casualties occurred on both sides.</p> <p>(e) As on February 1956, the post was not in Laotian National Army hands</p> <p>Suspended.</p>
32.	RLG/PL January 1956.	Alleged attack and firing in area of Phou Liou and Hourai Saye in Sam Neua province.	Evidence showed that an action took place between the two forces but it was difficult to establish which party took the initiative.
33.	PL/RLG February 1956.	Alleged Pathet Lao offensive activities near Boun Neua.	The Commission wrote letters to both Parties stressing the necessity for observance of cease-fire and requesting them to desist from provocative activities.
34.	Pathet Lao February 1956.	Alleged presence of remnants of Chinese Kuomintang troops in the province of Phongsaly.	Suspended.
35.	PL/RLG February 1956.	Alleged clashes and mining activities between two forces in Houei Thao area and around water point.	Suspended.

Sl. No.	Party Date	Nature of complaint	Result of investigations
36.	PL/RLG February 1956.	Alleged Royal Lao-tian Govern- ment and Pathet Lao clashes in Muong Peun area.	Suspended.
37.	RLG March 1956.	Alleged presence of 10 Vietnamese in olive green uniform in 53 Bn of Pathet Lao at Boun Neua.	The team reported that there was no evidence of the presence of Viet- namese troops.
38.	RLG March 1956.	Alleged Pathet Lao attacks in Muong Poun area.	Suspended.
39.	RLG April 1956.	Alleged Pathet Lao soldiers digging trenches east of Houei Thao village.	Suspended.
40.	PL May 1956.	Alleged Royal Lao-tian Govern- ment attack north of Phongsaly.	Suspended.
41.	PL May 1956.	Alleged Royal Lao-tian Govern- ment attack on Pathet Lao position in the province of Sam Neua.	Suspended.
42.	RLG May 1956.	Wounding of one civilian as a result of alleged mining by Pathet Lao.	Suspended.
43.	PL May 1956.	Alleged Royal Lao-tian Government attack on Pathet Lao Unit in the province of Phongsaly.	Suspended.
44.	RLG June 1956.	Alleged harassing of Lao-tian National Army post by Pathet Lao and alleged firing at a village in Muong Peun area.	Suspended.

ANNEXURE 21

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL
IN LAOS.

Vientiane,

No. 8/(3)-ICL/56/1488.

the 7th June, 1956.

The International Commission for Supervision and Control in Laos presents its compliments to the Permanent Secretariat of the Political Mission of the Royal Laotian Government, and has the honour to request that a detailed statement of armaments and military equipment for the Royal Laotian Army to be introduced into Laos during the year 1956 may kindly be sent for the information of the Commission.

2. In this connection, it is further requested that such statement indicate the quantity and type of armament and ammunition and where appropriate, the weight of such equipment of a military nature.

3. In addition the International Commission requests that it receives each month a forecast of the quantity and type of armament and ammunition which it is intended to introduce into Laos in the following month. The obtaining of this information is provided for in "Instructions to Teams of the International Commission" which were circulated to the Royal Laotian Government.

4. The International Commission for Supervision and Control in Laos avails itself of this opportunity to renew to the Permanent Secretariat of the Political Mission of the Royal Laotian Government the assurances of its high consideration.

SEAL
St. P.

The Permanent Secretariat of
the Political Mission of the
Royal Laotian Government,
Vientiane.

ANNEXURE 22

INTERNATIONAL COMMISSION FOR SUPERVISION
AND CONTROL IN LAOS

Vientiane,

No. 8/(3)-ICL/56/1489

The 7th June, 1956.

The International Commission for Supervision and Control in Laos presents its compliments to the Permanent Secretariat of the Political Mission of the Royal Laotian Government, and has the honour to state that the International Commission's Fixed Team at Pakse has reported the following difficulties experienced by them in checking a convoy on 15th March 1956.

- (a) No previous notice of the arrival of the convoy was given, but the team was informed only after a few vehicles had already passed through. These had to be called back.
- (b) A general store convoy was mixed up with an armaments convoy. The team was not informed that there were two separate convoys but had to find this out itself.
- (c) In some cases, probably due to typographical error, the vehicle numbers did not correspond with those shown on the manifests.
- (d) Some of the manifests mentioned only "Armaments" and did not specify any other details.

2. The above defects resulted in unnecessary delay to the convoy and avoidable inconvenience to all concerned.

3. The International Commission requests that in order to avoid recurrences of such incidents, the procedure outlined in the "Instructions to the Mobile and Fixed Teams" should be strictly adhered to.

4. The International Commission for Supervision and Control in Laos avails itself of this opportunity to renew to the Permanent Secretariat of the Political Mission of the Royal Laotian Government the assurances of its high consideration.

SEAL

St. P.

The Permanent Secretariat of
the Political Mission of the
Royal Laotian Government,
Vientiane.



सत्यमेव जयते
ANNEXURE 23

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN LAOS.

Vientiane,

No. 8/(3)-ICL/54-55/1857.

The 26th July 1955.

Your Excellency,

I have the honour to refer to your letters No. 117 and 118-SP-MP. C2, of July 7, 1955, regarding the control on the equipment and armament of the Fighting Units of Pathet Lao in the provinces of Phongsaly and Sam Neua.

2. Under the Geneva Agreement, the liabilities and responsibilities of the Royal Government on the one hand and the Fighting Units of Pathet Lao on the other hand, in the matter of import of arms, are not the same. It is the Royal Government alone that has the right to import arms, in a specified manner and in specified quantity. It is for that reason that the International Commission systematically controls the imports of arms by the Royal Government, under Article 27(c).

3. The Fighting Units of Pathet Lao are totally denied the right to import arms; and, therefore, the question of their consulting the International Commission in advance or submitting data does not arise. In the normal course of things, the international Commission should not need to request and control data in so far as the Fighting Units of Pathet Lao are concerned.

4. Of course, a different situation arises if the International Commission has reason to believe that the Fighting Units of Pathet Lao in the two northern provinces are actually importing arms, in contravention of the provisions of the Geneva Agreement. In such a case, it becomes the duty of the International Commission to investigate with a view to bringing abuses to an end.

5. You will appreciate that the International Commission is physically unable to control the entire northern boundary with regard to general allegations of illicit imports and in order to detect such imports of arms, the International Commission has to depend on sufficiently specific information received either from its teams or from the aggrieved party.

6. While recognising its limitations in this field the International Commission is none the less prepared to examine the suggestions contained in your letters No. 117 and 118/SP-MP. C2 of July 7, 1955 in order to devise measures for a more efficient supervision.

7. I avail this opportunity to renew to your Excellency the assurances of my highest consideration.

S. SEN,
Chairman, ICSC.

H. E. Mr. Katay, D. Sasorith,
Prime Minister of Laos, Vientiane.

