

We have noted with surprise that the Indian authorities have made public the text of a recent resolution of the International Commission for Supervision and Control in Viet-Nam to transfer the headquarters of the Commission back to Hanoi from Saigon with effect from September 30, 1972. This resolution was contained in a message addressed to the British and Soviet Co-Chairmen of the 1954 Geneva Conference. At the same time, the Indian authorities have released a joint statement made by the Indian and Polish delegations during the course of the Commission's formal meeting of September 28 which passed the resolution. The joint statement formed part of an attachment to the Commission's message to the Co-Chairmen.

It has not been the practice in the International Commission in Viet-Nam to publish the proceedings of its formal meetings nor the texts of messages addressed to the Co-Chairmen of the 1954 Geneva Conference.

The material that has been published by the Indian authorities represents an incomplete account of what the Commission agreed, at its September 28th meeting, to convey to the Co-Chairmen. It was also agreed to attach a statement made by the Canadian delegation disputing the interpretation of the situation expressed in the joint Indian-Polish statement. The omission of the Canadian statement from what has been published has distorted both the context and content of the Commission's agreed communication to the Co-Chairmen.

The occasion for the Commission's transfer of its headquarters back to Hanoi where it was located between 1954 and 1958, was a decision by the host government in Saigon that the Indian Delegation and the Indian component of the Commission's secretariat should leave the territory of the Republic of Viet-Nam. This decision arose from a bilateral dispute between the Government of India and the Government of the Republic of Viet-Nam, following India's establishment of full diplomatic relations with North Viet-Nam in January 1972, while limiting its relations with the Republic of Viet-Nam to the Consular level.

The Canadian position from the outset has been that this disagreement was a purely bilateral matter, that both parties were entirely within their sovereign rights in acting as they did, and that it was not for the International Commission to take sides. At the same time, Canada recognized that the Commission would have to deal with the administrative implications for its day-to-day headquarters operations in Saigon.

The recent developments in the Commission are one aspect of a complex state of affairs which has paralyzed the Commission and rendered it ineffective for many years. In the Canadian view, therefore, it is misleading to assign blame for recent developments to any one party as the joint Indian-Polish statement attempts to do or to allege that it affects "the competence or normal functioning" of an organization that has not exercised competence or functioned normally for many years. The Canadian Government acknowledges, however, that it would have been impossible at the Commission's recent meeting, to reach agreement on a full account of the reasons for the Commission's ineffectiveness in recent years. The Canadian view was that all that was required and appropriate in these circumstances was a simple administrative resolution recording the Commission's decision to move the headquarters of the Chairman and the Secretary-General of the Commission back to Hanoi. It was just such a resolution that was passed unanimously by the Commission at its formal meeting on September 28. The Indian and Polish delegations, however, wished to attach to the agreed message