

Article 27 of the Agreement affirms expressly the responsibility of the commanders of the forces of the two parties for ensuring full compliance with all the provisions of the Agreement by all elements and military personnel under their command.

It follows that the using of one zone for the organization or carrying out of any hostile activities in the other zone, violations by members of the armed forces of one party of the territory of the other party, or the commission by any element under the control of one party of any act directed against the other party, would be contrary to the fundamental provisions of the Agreement, which enjoin mutual respect for the territories assigned to the two parties.

(2) Having examined the complaints and supporting material sent by the South Vietnamese mission, the committee has come to the conclusion that in specific instances there is evidence to show that armed and unarmed personnel, arms, munitions and other supplies have been sent from the zone in the North to the zone in the South with the object of supporting, organizing and carrying out hostile activities, including armed attacks, directed against the armed forces and administration of the zone in the South. These acts are in violation of articles 10, 19, 24 and 27 of the Agreement on the Cessation of Hostilities in Vietnam.

(3) In examining the complaints and supporting material, in particular the documentary material sent by the South Vietnamese mission, the committee has come to the further conclusion that there is evidence to show that the PAVN has allowed the zone in the North to be used for inciting, encouraging and supporting hostile activities in the zone in the South aimed at the overthrow of the administration in the South. The use of the zone in the North for such activities is in violation of articles 19, 24 and 27 of the Agreement on the Cessation of Hostilities in Vietnam.

(4) The committee considers that further investigation is necessary to reach a final conclusion as to whether the kidnapping and murder of Colonel Nam, late chief of the South Vietnamese mission, was a part of the activities referred to in sub-paragraphs(2) and (3) above,