

The mobile elements of most of the Commission's fixed teams in South Viet-Nam were, as a rule, not able to go out on control duties (vide paragraph 53), as the Government of the Republic of Viet-Nam did not co-operate with the Commission in this matter, and the Commission was thus not able to supervise, under Article 36(d), the execution of Articles 16 and 17 of the Agreement along the rest of the frontier of South Viet-Nam. The Commission was also not able to exercise physical control of foreign incoming military aircraft which went direct to the military section of SAIGON airport, and of their cargo, as the Government of the Republic of Viet-Nam did not afford the necessary assistance in this regard.

63. The Government of the Republic of Viet-Nam did not, in all cases, give to the Commission advance notification under Articles 16(f) and 17(e) of the arrival of military personnel and war materials respectively. The said Government did not ask for the Commission's approval, as required by Protocol 23, in any case concerning war material.

64. The Co-Chairmen in their message dated the 8th May, 1956, to the Democratic Republic of Viet-Nam and the Republic of Viet-Nam strongly urged the authorities in both parts of Viet-Nam to give the Commission all possible assistance in future in the exercise of its functions as defined by the Geneva Agreements on Viet-Nam. In their message to the Commission, the Co-Chairmen had expressed their confidence that the parties in both parts of Viet-Nam would show effective co-operation and that the difficulties encountered by the Commission would in practice be removed. The situation described in paragraph 84 of the Sixth Interim Report showed no improvement during the period under review. As will be seen from previous paragraphs, the Commission encountered further difficulties in the exercise of its functions, in particular, a major difficulty with respect to the implementation of Article 14(c) of the Agreement by the Government of the Republic of Viet-Nam (vide paragraph 19).

CHAPTER VII

CONCLUSIONS

65. In paragraph 86 of the Sixth Interim Report and in its message, dated the 14th September, 1956, to the Co-Chairmen (Appendix A), the Commission had referred to the situation which arose as a consequence of the withdrawal of the French High Command from Viet-Nam. As was mentioned in the Commission's message, the Government of the Republic of Viet-Nam had stated that it was prepared to offer effective co-operation to the Commission but that it was not prepared to assume responsibility for the implementation of the Geneva Agreements in Viet-Nam. While this major development had its origin during the period of the Sixth Interim Report, it was during the period under review that its effect on the work of the Commission were felt fully.

The Joint Commission, which is an important part of the machinery for the implementation of the Geneva Agreements, has not resumed its activities since May, 1956,

The Commission had requested the Co-Chairmen to give urgent consideration to the situation mentioned in its letter of the 14th of September, 1956. There has been no progress towards a solution of those difficulties. In fact they have further increased.