

case through Commission procedures, did not repeat not show a real recognition of its importance and were more preoccupied with their own neutrality and preservation of traditional procedures of Commission than with finding an effective means of dealing with well-documented evidence supplied by South Vietnam.

2. Poles first tried to postpone Nam case until Commission visit to Hanoi (now indefinitely postponed because of Partha Sarathy's arrival) because of atmosphere of intimidation in Saigon. When this was rejected by Chairman they made their basic statement to effect that subversion in South was internal problem and not repeat not within competence of Commission. They flatly and cynically rejected all documentary evidence.

3. Indian proposal was for reference to Legal Committee with mandate to report whether South Vietnam allegations attracted any articles of Geneva Agreement. Indian proposal had no repeat no time limit and contained provision for unanimity in calling of witnesses. It was obvious to (us that?) Indians envisaged a long and drawn-out investigation in Legal Committee. Our counter-proposal called for an opinion . . . from Committee on whether South Vietnam letter contained prima facie evidence Commission asked for and whether this warranted taking next step for a team investigation. While these drafts were being discussed Polish Ambassador continued his negative approach in rejecting any action at all.

4. Indian and Canadian position finally met in a draft which called for Committee to determine whether evidence, prima facie, attracts any parts of Geneva Agreement and a three week time limit was set for report. Just before vote however Polish Ambassador interjected with a request for an adjournment in order to seek instructions from Warsaw. While this was obvious delaying tactic recognized as such by Chairman he was unwilling after . . . hours of discussion and out of Commission to take a majority decision on item and permitted an adjournment until November 20 with personal but not repeat not official assurance of Polish Ambassador that he would have instructions by then.

5. Prospects for achieving an investigation and decision on this important case are not repeat not bright. It may be expected that Poles will use every device to hinder and defy. Indians, unless they receive new instructions, will probably bend before Polish insistence on delaying procedures. Naravane told me before meeting that after Legal Committee reports, procedure should be to refer case to North for comment. If this happens it will be shelved for a year. We should I feel make every effort to avoid delay. I am commenting on this in a separate telegram. †

[F.G.] HOOTON

763.

DEA/50052-A-40

*Le commissaire de la Commission internationale de surveillance
et de contrôle pour le Vietnam
au secrétaire d'État aux Affaires extérieures*

*Commissioner, International Commission for Supervision
and Control for Vietnam,
to Secretary of State for External Affairs*

TELEGRAM 248

Saigon, November 27, 1961

SECRET. OPIMMEDIATE from Delhi.

Reference: Our Tel 235 Nov 24. †

Repeat for Information: London, Washington, Paris, Laosdel Geneva, DM/DND, CCOS, DGPO, CGS from Ottawa, Delhi.

By Bag Warsaw, Moscow from London, Vientiane, Phnom Penh, Hanoi from Saigon.