

20. Taking all these facts into consideration, and basing itself on its own observations and on authorized statements made in the U.S.A. and the Republic of Vietnam, the Commission concludes that the Republic of Vietnam has violated articles 16 and 17 of the Geneva Agreement in receiving increased military aid from the U.S.A. in the absence of any established credit in its favour. The Commission is also of the view that, though there may not be any formal military alliance between the Governments of the U.S.A. and the Republic of Vietnam, the establishment of a U.S.A. Military Assistance Command in South Vietnam, as well as the introduction of a large number of U.S.A. military personnel beyond the stated strength of the MAAG (Military Assistance Advisory Group), amounts to a factual military alliance, which is prohibited under article 19 of the Geneva Agreement.

21. The Commission would also like to bring to the notice of the Co-Chairmen a recent and deliberate tendency on the part of both parties to deny or refuse controls to the Commission's teams, thereby completely immobilising their activities and hindering the Commission in the proper discharge of its obligations to supervise the implementation of articles 16 and 17 of the Geneva Agreement. During the last few months there has been a near-complete breakdown so far as this important function of the Commission is concerned. The Commission considered the situation, and addressed detailed communications to the two parties recommending the resumption of normal controls immediately. (Copies of the letters sent to the two parties are attached as annexure 1 to this report). The Commission however regrets to inform the Co-Chairmen that there has been no improvement in this regard.

22. The International Commission wishes to draw the serious and earnest attention of the Co-Chairmen to the gravity of the situation that has developed in Vietnam in the last few months. Fundamental provisions of the Geneva Agreement have been violated by both parties, resulting in ever-increasing tension and the threat of resumption of open hostilities. In this situation, the role of the Commission for the maintenance of peace in Vietnam is being greatly hampered because of