

62. The Indian and the Canadian Delegations voted in favour of the resolution. The Polish Delegation declared that the voting was invalid under Article 34, paragraph 2, since the resolution, in its opinion, meant an amendment of Article 14 and therefore could only be adopted unanimously.

63. In their reply on 23rd April, the Royal Laotian Government took the view that the resolution authorised the violation of Article 19 by the Vietnamese People's Volunteers/'Pathet Lao' forces and was contrary to the provisions of Article 12 and 14 of the Agreement and that its implementation would render impossible the re-establishment of the Royal Administration in the provinces of Phong Saly and Sam Neua. However, as requested by the Commission, the Royal Government nominated two persons to be in touch with the Military Committee of the Commission.

64. In reply, the Commission pointed out that the resolution was "passed under Article 19 of the Geneva Agreement for the practical purpose of preventing further incidents between Laotian National Army forces on the one hand and Fighting Units of 'Pathet Lao' on the other". The Commission emphasized that "the recommendation of 20th April is without prejudice to the rights of the Parties under Article 14, which still remains to be interpreted". In a subsequent letter the Royal Government indicated that their criticism should not be treated as a rejection of the recommendation.

65. The 'Pathet Lao' rejected it stating that "Articles 14 and 19 of the Geneva Agreement can only be understood and interpreted in this way, i.e., that the Royal Party must respect the two provinces of regroupment of the 'Pathet Lao' forces, just as the 'Pathet Lao' forces have always respected, from the date of Cease-Fire until now, the ten provinces under the control of Royal Party and did not cause in these ten provinces any regrettable incident."

66. Meanwhile, the discussion regarding the presence of Laotian National Army in the two provinces was continued and an amended version of the Canadian resolution mentioned in paragraph 57 above was adopted with the support of the Indian and Canadian Delegations and against Polish opposition. It declared that "the documents and reports submitted by the French Liaison Mission taken as a whole, establish that Royal Government forces did operate in areas of the provinces of Phong Saly and Sam Neua before and up to 6th August, 1954."

67. On 24th May, the Canadian Delegation submitted a resolution on the question of re-establishment of Royal Administration in the two northern provinces. (see Appendix 'D').

68. The Polish Delegation stated that while it was not opposed to the re-establishment of Royal Administration in principle, it was of the opinion that the Parties themselves should decide the issue without any direct intervention of the Commission. The Delegation felt that the resolution might encourage the Royal Government to bring the two provinces under their administration by force.