

aircraft carriers, and spares of various kinds. In respect of some of the instances of import of war materials between December 3, 1961, and January 16, 1962, violations under article 17(e) as well as violations of article 25 have been recorded against the Republic of Vietnam for its failure to notify arrivals and imports as required by the Geneva Agreement and for not affording all possible assistance to the Commission's teams in the performance of their tasks.

18. In regard to the claims for credits made by the Southern party in justification of certain imports, the Commission wishes to point out that, insofar as major items of war material are concerned, except in a limited number of cases, there is no established credit in favour of the Republic of Vietnam. On the other hand, for some of these items there is already a debit against it. In this context it must be borne in mind that, even where credit exists, according to article 17(b) of the Agreement a party can only import war material "piece-for-piece of the same type and with similar characteristics". However, controls not having been permitted, the Commission is not in a position to satisfy itself whether this essential requirement has in fact been fulfilled even in cases where credit exists.

19. As regards the allegation of the PAVN High Command that a U.S.A. Military Assistance Command has been set up in South Vietnam in violation of article 19, the Commission requested the party to furnish the following information: (1) whether such a U.S.A. Command has been set up; (2) the basis on which it has been established; (3) the purpose for which it has been constituted; (4) its strength; (5) the scope of its activities. The South Vietnamese mission, in its letter dated March 15, 1962, has not furnished the necessary information required by the Commission, other than stating that this Military Assistance Command is not a military command in the usual sense of the term and that its only function is to supervise and manage the utilisation of American personnel and equipment. The mission stated further that there was no military alliance between the U.S.A. and the Republic of Vietnam as no treaty of this nature had been ratified by either Government.