

I believe the history of the detention and subsequent release of Captains Patten and Thomson, as well as of two Vietnamese in the employ of the International Commission of Control and Supervision, is well known to other delegations. At the suggestion of the Chairman, in order to facilitate the Commission's negotiations with the PRG for the release of the two Canadian Captains, the Canadian Delegation has refrained from making public statements on this matter. At this session, acting on instructions from the Canadian Government, I would now like to draw attention to those aspects of the case which must be of particular concern to all those who, like us, subscribe to the view that ICCS members were invited to Viet-Nam by the Parties, and while they are here are entitled, as clearly specified in the Agreement, to protection by the Parties and to full diplomatic immunity.

In the first place, when Captains Patten and Thomson were first detained on June 28, they were in Canadian uniform, carrying Canadian identification, and travelling in a vehicle with proper ICCS markings. Subsequently, however, they were told by their captors that they were "false ICCS", a phrase which seemed to mean either that they could not be considered real ICCS unless they were in the company of the other delegations and liaison officers, or that they might even be spies masquerading as Canadian ICCS members. Indeed it would appear that the PRG soldiers had specific instructions to secure so-called "false ICCS" members, and it was on the basis of these instructions that Captains Patten and Thomson were taken into custody.

In our view, to maintain that an individual or delegation does not have ICCS status unless in the company of representatives from the other three delegations and liaison officers constitutes a wholly unreasonable and unwarranted interpretation of the agreement and one which if applied by all the Parties in the same way would reduce the Commission to total impotence. For a variety of reasons the four-member delegations do not always work or travel together, and in this case it was impossible, because of commitments elsewhere, for the other delegations to accompany the Canadians. The question of liaison officers tends to be academic as long as the PRG does not deploy its Two-Party Joint Military Commission personnel to the regions. To maintain that the Canadian officers might have been spies—presumably American—driving around disguised as Canadians, is far fetched. In any case the soldiers who first encountered the