

## STATE OF NEGOTIATIONS

As a result of numerous meetings between MacDonald and Pushkin in the last few days, in consultation with their respective groups, agreement has been reached on formulae for the six articles dealt with below. The neutrals have also accepted these formulae which will be given formal tentative approval by the Conference at a restricted session scheduled for December 4.

(a) *Voting* – The article will now read as follows: Begins. The International Commission for Supervision and Control in Laos functions as a single organ of the International Conference for the settlement of the Laotian question. The members of the Commission will work harmoniously and in cooperation with each other with the aim of solving all questions within the terms of reference of the Commission.

Decisions of the International Commission on questions relating to violations of articles (items 2(a), 2(c), 2(d), 3) of this agreement or of the ceasefire referred to in Article (5(a)), conclusions on major questions sent to the Co-Chairmen and all recommendations by the Commission shall be adopted unanimously. On other questions, including procedural questions, and also questions relating to the initiation and carrying out of investigations (article ...), decisions of the International Commission shall be adopted by majority vote. Ends. The phrase “On major questions sent to the Co-Chairmen,” following the word “conclusions” in paragraph 2 was suggested by us some time ago to modify both “conclusions and recommendations” and we had hoped to obtain this qualification of these last words in order to avoid any suggestion that unanimity might apply to “conclusions and recommendations” of the Commission’s subsidiary bodies. However Pushkin would accept this qualification only in connection with “conclusions” and MacDonald has, therefore, at our request, obtained his agreement to insert the phrase “by the Commission” after “recommendations.” The clause “and also questions relating to the initiation and carrying out of investigations” has been reinserted at our insistence.

(b) *Investigations*: The article on this item will read as follows: Begins. In the exercise of its specific functions which are laid down in the relevant articles of this agreement the International Commission shall conduct investigations (directly or by sending inspection teams), when there are reasonable grounds for considering that a violation has occurred. These investigations shall be carried out at the request of the government of Laos or on the initiative of the International Commission, which is acting with the concurrence of the Government of Laos.

In the latter case decisions on initiating and carrying out such investigations shall be taken in the Commission by majority vote.

The International Commission shall submit agreed reports on investigations in which differences which may emerge between members of the Commission on particular questions may be expressed.

The conclusions and recommendations of the Commissions resulting from investigations shall be adopted unanimously. Ends.

(c) *Role of Co-Chairmen*: Following is the agreed text: Begins. The two Co-Chairmen shall periodically receive reports from the International Commission. In addition the Commission shall immediately report to the Co-Chairmen any violations or threats of violations of this agreement, all significant steps which it takes in pursuance of this agreement, and also any other important information which may assist the Co-Chairmen in carrying out their functions. The Commission may at any time seek help from the Co-Chairmen in the performance of its duties, and the Co-Chairmen may at any time make recommendations to the Commission exercising general guidance.

The Co-Chairmen shall circulate the reports and any other important information from the Commission to the parties to this agreement.