

COMPENSATION AND PAYMENTS

96. The Vietnamese People's Volunteers and 'Pathet Lao' forces had made purchases and obtained loans from the local population while they were stationed in Lower and Middle Laos. The agreement of the Vietnamese People's Volunteers/'Pathet Lao' Delegation to make necessary payments was embodied in a convention describing the method of realisation; this was signed on 17th October, 1954 by the Vietnamese People's Volunteers/'Pathet Lao' and Franco-Laotian representatives in the Joint Sub-Commissions at Paksong and Mahaxay (Lower Laos and Middle Laos). A claim of about six million piastres was still to be satisfied when the Vietnamese People's Volunteers/'Pathet Lao' forces completed withdrawal on the agreed date of 19th November, 1954. The convention was, however, repudiated by the Franco-Laotian Delegation at the Joint Commission at Khang Khay.
97. The Franco-Laotian Delegation argued that the convention signed by the Joint Sub-Commissions at Mahaxay and Paksong was not valid since the Khang Khay Agreement of 29th August, 1954 specifically prohibited the Joint Sub-Commissions from entering into signed accords. They were of the opinion that the payments should have been effected before the Vietnamese People's Volunteers/'Pathet Lao' forces finally withdrew. Since that was not done, the Franco-Laotian Delegation felt that the matter now came within the sole competence of the Royal Government, which refused however to re-admit Vietnamese People's Volunteers/'Pathet Lao' representatives and officials to these areas for the purpose of arranging payment. They proposed, therefore, that the Vietnamese People's Volunteers/'Pathet Lao' Delegation should hand over all documents to the Royal Laotian Government and that the latter would then make payment in the presence of representatives of the Commission.
98. The Vietnamese People's Volunteers/'Pathet Lao' Delegation contended that since these payments were a consequence of the process of withdrawal of their forces from these areas, they, as one of the signatories of the Geneva Agreement, had every right to be present through their representatives and officials when the claims against them were being settled. They insisted, therefore, that these payments be arranged direct by their officers. They subsequently suggested that, if necessary, the payments could be made by the Royal Laotian Government in the presence of the Vietnamese People's Volunteers/'Pathet Lao' officers in the Joint Groups and Joint Sub-Commissions.
99. This question was discussed during the last series of meetings between the International Commission and the Joint Commission. As a result, an agreement was signed between the two Parties on 12th February, 1955 by which the funds would be made available by the Vietnamese People's Volunteers/'Pathet Lao' Party to the Royal Laotian Government and the payments would be made by the latter under the supervision of the Commission and in the presence of the representatives of the 'Pathet Lao'. The Vietnamese People's Volunteers/'Pathet Lao' Delegation agreed to hand over all the relevant documents before 20th February, 1955.