

from Phat Diem to Xa Trung on the French zone during a period of ten days. Under instructions from the Commission, a team is preparing a report on the causes which led to this concentration.

91. Meanwhile, complaints were received by the Commission that similar concentrations of refugees existed in various other places in the Red River delta, viz., at BUI CHU, THAI BINH, NINH-GIANG, PHU LY and TRA LY.

An allegation was made by the French authorities that thousands of refugees who had come down in small boats by the river were stranded on a sand bank and were in danger of being drowned at the mouth of the river Tra Ly. They added that French naval vessels had entered the territorial waters of the Democratic Republic to effect "rescues".

The Democratic Republic authorities strongly objected to this action on the ground that it constituted violation of their sovereignty. They claimed that there was no danger of any persons being drowned and that they were prepared to take full responsibility for the safety of the people in their zone. The Commission considered the matter and decided that unless the two parties agree to such a measure, the Commission will not recommend assistance by French naval vessels for transport of refugees from the Democratic Republic territory.

The responsibility for implementing Article 14(i) is that of the administration of the zone and the Commission's duty is to enforce this responsibility. The Commission sent a mobile team to Tra Ly to investigate the allegations.

92. The Mobile Team had certain difficulties based on the narrow interpretation given to its instructions by the Liaison Officer of the Democratic Republic. This did not prevent the Team assessing whether people were in danger of being cut off by tides and drowning. The conclusion of the Team, for the area visited, was: "We found no evidence of people being in danger of being cut off by high tide."

93. Apart from the special procedure evolved at Phat Diem, the Commission, having received reports that a number of persons desired to move from North Viet-Nam to the French-controlled zone, recommended to the Democratic Republic authorities that they should provide adequate normal machinery for the grant of permits and for transport and other arrangements, so that their obligations under Article 14(d) may be fulfilled and to avoid abnormal situations such as the one at Phat Diem.

Complaints to the effect that no arrangements had been made and the Democratic Republic authorities were, in fact, obstructing the passage of refugees, however, persisted. The Commission considered the matter, and, whilst admitting that the Democratic Republic authorities had the right to set up necessary administrative machinery for regulating the issue of permits and the movement of refugees and stating emphatically that the Commission would not be a party to any panicky and unorganised exodus of refugees, held that the administrative processes should not be so clumsy, slow and complex as in effect to defeat the provisions of Article 14(d).

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