

The Canadian Note states that the P.A.V.N. submitted 320,000 petitions claiming that people in the North had been forced to move to the South. After investigations which were carried out among 25,000 of a total of 121,000 persons in refugee camps in the South, the teams reported that these complaints of the P.A.V.N. were without foundation.

According to the Canadian Note, there was no problem with respect to "freedom of movement" in the South until the closing days of the 300-day period. During the 300-day period, 888,127 persons moved from the North to the South and 2,598 persons from the South to the North; during the extended period, (i.e. to July 20) 4,749 people moved from North to South and 1,671 people from South to North. Local administrative difficulties in the South prevented some persons who wished to do so from moving during the two-month extension. The Canadian Note indicates that the measure of co-operation offered by northern authorities was less than the Commission had a right to expect.

The Canadian Delegation considers that Article 14 (d) has still not been satisfactorily implemented and the Canadian Minority Note states clearly that the Commission has a continuing responsibility, particularly toward those persons who had expressed a desire to move by July 20 and were prevented from doing so. Full implementation of the provisions of the Article would mean that every individual wishing to move would have been helped to do so by July 20. In the Canadian view, the Commission is not only unable to report that full implementation in this sense had been achieved, but it should recognize that this problems has not yet been fully solved.

Another matter on which the Canadian Delegation entered a minority statement in the Fourth Report relates to the co-operation of the parties to the agreement, and particularly to difficulties which the Commission has encountered with respect to the implementation of some of its recommendations in South Vietnam. The majority view, as stated in the Fourth Report, is that the Commission's difficulties in the South are due solely to the "independent attitude" taken by the South Vietnamese government and its "categorical" denial that it is bound by the Cease-Fire Agreement. In the Canadian view, the situation is far more complex. The Canadian Note points out that with the completion of the regroupment of military forces, the Commission has become increasingly concerned with matters which in South Vietnam are not, for constitutional and administrative reasons, the direct responsibility of the French High Command; yet the French High Command remains the only party which is legally responsible to the Commission. The situation is complicated by the fact that in some matters the local authorities directly concerned are responsible not to the French High Command but to the Vietnamese government which did not sign the Cease-Fire Agreement and does not, at present, consider itself bound by its terms.

In the Indian and Polish view, the Commission cannot function effectively unless the Co-chairmen find some solution to these difficulties at an early date. The Canadian Delegation agrees that the situation adversely affects the work of the Commission but expresses the hope in its minority report that the negotiations between the French and South Vietnamese "will be able to work out a more durable and dependable arrangement which would place the Commission in a more favourable position to carry out its functions".