

# PRESS RELEASE



# COMMUNIQUÉ

DEPARTMENT OF EXTERNAL AFFAIRS

CANADA

MINISTÈRE DES AFFAIRES EXTÉRIEURES

No. 19

FOR IMMEDIATE RELEASE  
MONDAY, APRIL 5, 1965.

The Secretary of State for External Affairs, the Honourable Paul Martin,<sup>today</sup> announced the release of the Special Report of February 27, 1965, of the International Commission for Supervision and Control in Vietnam. The report deals with the withdrawal of the Commission's fixed teams from North Vietnam at the insistence of the North Vietnamese authorities.

The Canadian Government regards this report as having been submitted under that section of Article 43 of the Geneva Agreement which reads as follows: "The International Commission shall inform the members of the Conference in all cases where its activity is being hindered". The withdrawal of the Commission's fixed teams from North Vietnam at the insistence of the North Vietnamese authorities is an obvious and very serious illustration of the way the work of the Commission has been hindered by North Vietnam. For years the Northern teams have not been allowed to conduct meaningful controls but their presence was symbolic of the Geneva settlement and North Vietnam's acceptance of it. The demand for the withdrawal of teams and the implementation of this demand, in certain cases before the Commission's instructions to its own teams had been received, represents a clear departure from the procedures envisaged under Article 35 of the Geneva Agreement.

This article specifies that agreement between the International Commission and the party concerned is necessary before any changes in the location of the teams can be made; it also specifies that the teams shall have the right to move freely and that they shall receive from the local civil and military authorities all facilities they may require for the fulfilment of their tasks.

The Canadian Government regards the reasons adduced by North Vietnam for the withdrawal of teams as insufficient. Only two out of the five fixed teams were located in the general area of recent air strikes. Moreover, in all cases, because the North Vietnamese authorities had been intent on the teams being as ineffective as possible, the team headquarters had been located in such a way as to ensure that Commission personnel would be as remote as possible from any installations which would be legitimate objects of Commission observation and which would constitute potential targets for air strikes. Finally, the Commission had indicated clearly to the North Vietnamese authorities that its officers were prepared to take reasonable risks in discharging Commission responsibilities.

Faced, however, with North Vietnamese insistence on the removal of fixed teams, which were intended to be the Commission's "eyes and ears", the Commission had no choice but reluctant compliance.

The Canadian Government believes that in present circumstances, it is impossible for the Commission to discharge properly

the responsibilities assigned to it under the Geneva Agreement in North Vietnam. Within the Commission, the Canadian Delegation is pressing for action to have the North Vietnamese authorities indicate their intentions with respect to both full restoration of the teams with the freedom of movement originally intended, and failing that, with respect to the possibility of carrying out mobile controls based on Hanoi. The North Vietnamese authorities to the present time have given no satisfaction on these points although the Hanoi office of the commission headquarters remains intact. A copy of the report is attached.

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN VIETNAM

SAIGON

February 27, 1965.

The International Commission for Supervision and Control in Vietnam presents its compliments to the Co-Chairmen of the Geneva Conference on Indo-China 1954, and has the honour to state that on the 12th February, 1965 at 1715 hours the Chief of the Liaison Mission of the People's Army of Vietnam (PAVN) asked the Chairman of the International Commission Bureau at Hanoi "to convey to the Commission the request of the PAVN High Command to take steps urgently to withdraw all the Fixed Teams in the Democratic Republic of Vietnam (DRVN). This is because of the tension and the gravity of the situation and only taking into consideration the security of the teams".

(While in full agreement that the Co-Chairmen should be informed about the withdrawal of the teams situated in the DRVN, the Polish Delegation considered the terms of this Special Report to be inadequate and expressed its views in the attached Statement).

2. The International Commission immediately on the 13th February, 1965 sent instructions to the Chairman, International Commission Bureau, Hanoi, to request that "if PAVN Liaison Mission maintain decision" they should "present it in writing", and to point out to the PAVN Liaison Mission the "far-reaching implications".

3. On the 13th February, 1965 a telegram from Colonel Ha Van Lau, Chief of the PAVN Liaison Mission, was received (which is at Appendix 'A').

After drawing attention to recent air attacks against the territory of the DRVN, this telegram formally requested the withdrawal of the ICSC Fixed Teams in North Vietnam on security grounds.

4. The request was considered by the International Commission and on 19th February, 1965 a telegram was sent (which is at Appendix 'B') outlining the far-reaching implications of the request affecting the work of the ICSC under the Geneva Agreement, the fact that all controls by these Fixed Teams had been stopped, that the International Commission was prepared to take reasonable risks, but that if the PAVN felt obliged to maintain their decision, the International Commission would have no alternative but to withdraw its Fixed Teams with great reluctance. (The Statement of the Polish Delegation on this telegram is at Appendix 'D').

5. A reply to the International Commission's telegram was received on the 20th February, 1965 from the PAVN Liaison Mission (which is at Appendix 'C') which reiterated their demand. This was further corroborated orally at 1500 hours on the 20th February, 1965 by a representative of the PAVN Liaison Mission to the Chairman of the International Commission Bureau, Hanoi.

6. The Fixed Teams were withdrawn from Dong Dang, Hai Phong and Vinh on the night of 20/21st February, after being informed by the local authorities that immediate evacuation must take place for security reasons; and from Lao Kay and Dong Hoi on the following day. Thus, by the 22nd February, 1965, all the five Fixed Teams of the ICSC had been withdrawn to Hanoi from their locations in the DRVN.

7. As the attached exchange of correspondence will indicate, the International Commission had no alternative but to order with great reluctance the withdrawal of its Fixed Teams from their sites on DRVN

territory. The International Commission has informed the PAVN Liaison Mission that it is willing to take reasonable risks in discharging its duties and has indicated to the Liaison Mission that it considers the withdrawal to be a temporary measure. The International Commission intends to discuss with the PAVN authorities the functioning of Mobile Teams and the possibility of controls by the teams temporarily withdrawn from team sites. It will keep the question of the status and functions of its teams in North Vietnam under continuing review in the light of subsequent developments.

8. The International Commission takes this opportunity to request the Co-Chairmen to use their good offices with the members of the Geneva Conference so as to ensure that the implementation of the Geneva Agreement is not impeded, that mobile controls and other operations of the ICSC in North Vietnam continue without interruption, and in particular that appropriate conditions for the return of the Fixed Teams are rapidly created.

9. The International Commission for Supervision and Control in Vietnam takes this opportunity to renew to the Co-Chairmen of the Geneva Conference on Indo-China the assurances of its highest consideration.

(Sgd.) J.B. SEABORN  
Representative of the Government  
of Canada on the International  
Commission for Supervision and  
Control in Vietnam.

(Sgd.) M.A. RAHMAN  
Representative of India on the  
International Commission for  
Supervision and Control in Vietnam.

APPENDIX 'A'

131830

UNCLASSIFIED

From: Colonel HA VAN LAU  
Chief of the Liaison Mission  
of the V.P.A. High Command

73/QT

To : H.E. Ambassador M.A. RAHMAN  
Chairman of the ICSC in Vietnam.

As is known to the International Commission in their repeated air attacks against the territory of the Democratic Republic of Vietnam the United States and its Agents in Saigon have not spared any place whatsoever from dwelling houses in the countryside to schools and hospitals in cities. Dong Hoi and Vinh towns where I.C. Fixed Teams are located have been subjected to repeated air raids. The zones of action of the I.C. Fixed Teams in North Vietnam are under perpetual threat. The strafing and bombing raids against the territory of the Democratic Republic of Vietnam by the U.S. imperialists and their agents constitute extremely brazen violations of the 1954 Geneva Agreements on Vietnam. So far the U.S. ruling circles and their Saigon agents have continued impudently to declare that they will go on with their normal criminal actions against the Democratic Republic of Vietnam. In view of this it is not possible to ensure the security of the members of the I.C. Fixed Teams in North Vietnam. It is the unswerving policy of the Government of the Democratic Republic of Vietnam to respect and correctly implement the 1954 Geneva Agreements on Vietnam. But for security reasons as mentioned above the Vietnam Peoples Army High Command feels obliged to request the I.C. to withdraw without delay its Fixed Teams in North Vietnam. I take this opportunity to renew to you Mr. Chairman and to the other members of the I.C. the assurances of my highest consideration.

APPENDIX 'B'

TELEGRAM

IMMEDIATE

From: Mr. M.A. RAHMAN, Chairman  
of the ICSC in VIETNAM,  
Saigon.

To : Colonel HA VAN LAU, Chief  
of the Liaison Mission of the  
PAVN High Command, HANOI.

Info: IC Bureau, HANOI

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Sir,

I have the honour to refer to your telegram No. 73/QT dated 13th February, 1965, in which you informed the Commission that since it was not possible for your authorities to ensure the security of the members of the ICSC Fixed Teams in the DRVN, you requested the withdrawal of these teams without delay.

2. On the instructions of the Commission, the Chairman of the IC Bureau in Hanoi had indicated to you that, while we appreciated your concern for the safety of our teams, we were prepared to take all reasonable risks in order to fulfil our obligations under the Geneva Agreement. I should like to reiterate the Commission's readiness to take all reasonable risks in the discharge of our mandatory obligations.

3. The Commission feels it its duty to make clear to the PAVN Liaison Mission the far reaching implications, even as a temporary measure, of this request affecting the work of the International Control Commission under the Geneva Agreement.

4. I also feel it my duty to remind you on behalf of the Commission that Article 35 of the Geneva Agreement on the Cessation of Hostilities in Vietnam established the location of the Fixed Teams and that any alteration requires the agreement of the ICSC and the command of the party concerned; and furthermore that the agreement nowhere envisages a withdrawal of teams solely on the request of either Party.

5. The Commission has noted the total cessation of controls by its Fixed Teams in the DRVN in the past week including the movement of the couriers from Hanoi to these teams and the reasons given by the DRVN authorities for this. The Commission feels therefore that as long as these conditions for whatever reasons continue, the operation of the Teams under the Geneva Agreement will be impossible.

6. If, nevertheless, you feel obliged to maintain your decision about the necessity of withdrawal of the teams, the Commission has no alternative but to order with great reluctance the withdrawal of its Fixed Teams in the DRVN territory.

7. It is the understanding of the Commission that such a withdrawal would be temporary; that mobile teams as stipulated under Article 35 would be allowed controls with short notice; and that the entire question of the return of the Fixed Teams should be reconsidered at the end of a month by which time the Commission sincerely hope the situation will have changed favourably.

8. While awaiting an urgent reply, I take this opportunity to convey on behalf of the ICSC in Vietnam the assurances of our highest consideration.

(Sgd.) M.A. RAHMAN

APPENDIX 'C'

FLASH

From: Colonel HA,VAN LAU  
Chief of the Liaison Mission  
of the Vietnam Peoples Army  
High Command 201230  
UNCLASSIFIED  
83/QT

To : H.E. Ambassador M.A. RAHMAN  
Chairman of the ICSC in  
Vietnam.

The Mission has received the Commission urgent message dated February 1965. It takes note of the Commission appreciation of its concern for the security of the teams. The withdrawal of the I.C. Fixed Teams in North Vietnam has been made necessary for security reasons as expounded in the Mission's message No. 73/QT dated 13 February 1965 and therefore does not attract Article 35 of the Geneva Agreements. The Mission wishes to emphasize that it is the U.S. and Saigon Administration which have brought the serious situation now obtaining in North Vietnam and they must be held responsible for all consequences arising therefrom. The Mission also takes note of the Commission order to withdraw all its Fixed Teams on the territory of the Democratic Republic of Vietnam. It wishes to inform the Commission that necessary arrangements have been made by the local authorities for a prompt withdrawal of the teams in the safest conditions. The Mission takes this opportunity to renew to the Chairman and to the members of the I.C. the assurances of its highest consideration.

APPENDIX 'D'

STATEMENT OF THE POLISH DELEGATION

on the Commission's telegram to the PAVN, dated 19 February, 1965.

The Polish Delegation voted against the telegram mentioned above having in mind the fact that due to the recent attacks of the United States and the Republic of Vietnam against the territory of the Democratic Republic of Vietnam, which put the team members in the DRVN under direct physical danger, and because of the imminent threat of continuation of such warlike acts, the PAVN request to withdraw all the teams situated in the DRVN should have been carried out without delay.

The Polish Delegation is also of the opinion that the interpretation of Article 35 of the Geneva Agreement on Cessation of Hostilities in Vietnam, given in the telegram is not correct. The PAVN decision does not concern the alteration of points of location of the teams, but the withdrawal of the teams for security reason. Therefore, the provisions of Article 35 do not find application to this case.

February 28, 1965.

(Sgd.) R.B. STAWICKI  
Acting Representative of the  
Polish People's Republic on  
the International Commission for  
Supervision and Control in Vietnam.