

No Protection And No Peace: Canada and the International Commission for Supervision  
and Control in Laos, 1954-1975

By

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A thesis submitted to  
the Faculty of Graduate Studies and Research  
in partial fulfillment of  
the requirements for the degree of Doctor of Philosophy

Department of History

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in partial fulfilment of the requirements  
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## Abstract

In 1954, Canada embarked upon one of its first “peace-keeping” endeavours. The 1954 Geneva Conference (co-chaired by Britain and the Soviet Union) ended French colonial rule in Indochina, and Cambodia, Laos and Vietnam emerged as independent countries. Three International Commissions for Supervision and Control (ICSC) would oversee the implementation of the Geneva Accords in the new states. The Co-Chairmen, as a consequence of a suggestion by the Chinese, invited Canada, along with India and Poland, to be a member of each of the ICSCs. The Laos ICSC adjourned in 1958. It was reactivated in 1961 and ended in 1975. It is that ICSC, and Canada’s part in it, which is the subject of this inquiry.

This thesis focuses on Canada’s motives, objectives and behaviour while a member of the Laos ICSC between 1954 and 1975. It provides an opportunity to evaluate the validity of the points of view put forward by the complicity and constraint schools on Canadian performance in Indochina. The thesis’s central argument is that Canada’s participation in the Laos ICSC represented a genuine attempt to be a serious internationalist within the boundaries of the Geneva framework. For almost twenty years, Canada, despite many frustrations, carried on in the tradition of the quiet, flexible and committed diplomatist. In the end, however, the ICSC had little or no positive effect on the most crucial issues: Laotian territorial integrity, the Royal Lao Government’s sovereignty and the re-integration of the Lao communists, the Pathet Lao, into Laotian national political life. The ICSC became more and more of an observer, unable to provide protection or ensure peace.



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## INTRODUCTION

In 1954, Canada embarked upon one of its first “peace-keeping” endeavours. The 1954 Geneva Conference<sup>1</sup> (co-chaired by Britain and the Soviet Union) ended the French colonial rule in Indochina, and Cambodia, Laos and Vietnam emerged as independent countries.<sup>2</sup> Three separate International Commissions for Supervision and Control (ICSC) would oversee the implementation of the Geneva Accords in the new states. The Co-Chairmen, as a consequence of a suggestion by the Chinese, invited Canada, along with India and Poland, to be a member of each of these Commissions. The Laos Commission adjourned in 1958. It was reactivated in 1961 and ended in 1975. It is that ICSC and Canada’s part in it which is the subject of this inquiry.

Canada’s key policy-makers had known war. World peace was precious to them and the world was full of dangerous conflicts, all of which had the potential of igniting a direct superpower confrontation with frightening possibilities and unknown consequences. The Korean conflict nearly resulted in a direct and open-ended military confrontation between the US and the People’s Republic of China, the most populous country on earth and a key player in the Far Eastern geopolitical landscape. At the same time, the Korean conflict also

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<sup>1</sup> The participants were: Cambodia, China, France, Great Britain, Laos, the Soviet Union and the North Vietnam, the United States and South Vietnam. Both the US and South Vietnam did not sign the Geneva Accords. For a detailed study of the 1954 Geneva Conference, see Robert F. Randle. *Geneva 1954: The Settlement of the Indochinese War* (Princeton, 1969) and Sir James Cable. *The Geneva Conference of 1954 On Indochina* (London, 1986). Cable was then a junior British diplomat and served as one of the official translators for the British Delegation. François Joyaux. *La Chine et le règlement du premier conflit d’Indochine, Genève 1954* (Paris, 1979).

<sup>2</sup> See Map # 1 on page 352 for a quick geographical reference of Laos.

demonstrated very clearly to Canadian foreign policy-makers that there were limits to the influence a small country like Canada could have on major world powers' policies. As the 1950's rolled forward, the world of bipolarity was sharply accentuated, with the United States leading the western side and the Soviet Union the communist one. Should a confrontation take place, Canada had no choice but to join its western friends and allies in an awful third world war, perhaps the last world war. The alternative was to work to reduce the risk of a major military confrontation. In this context, any available opportunity to moderate tension and the potential for confrontation was welcome. Therefore, the Geneva framework constituted a reasonable alternative mechanism for resolving peacefully the bloody Indochinese conflict.

As the cold war intensified, old European empires crumbled. Many countries regained their long lost independence and a number of new countries emerged. The two superpowers were quick to exploit for their own ends the aspirations of these fledgling countries. Many of them soon found themselves in a somewhat familiar situation, where the old colonialist was simply replaced with a new one. The superpowers intervened with their own form of despots and dictators, cloaked in the name of the people. Some were quick to recognize the potential dangers and opted for non-alignment, a movement which began promisingly in the early 1950's, when several Asian and African nations gathered at Bandung, in Indonesia, to inform the world of their views and aspirations.

Soon, however, noble intentions and idealism gave way to historical animosities, old rivalries, hard nationalistic aspirations and opportunities for regional expansion. In the non-aligned world, no country ever achieved a better reputation and position than India. But, poverty-stricken, it itself became the pawn of Cold War politics and super power *realpolitik*. Both Eastern and Western Blocs wooed India incessantly. Winning over India would lead to

others joining the Western or Eastern camp. A series of attempts to win the hearts and mind of Indians also played themselves out in the ICSCs. The communist and non-communist participants gave India an enormous latitude in the work of the ICSCs, hoping to persuade that country into their side.

Canada had a sensitiveness to the issues of colonialism. While Canada had not experienced the more graphic and brutish violence and the degrading aspects of colonialism, its struggle to express its own views and have its own wishes respected by Britain, its mother country, rendered the anti-colonialist sentiments of others much more easily understandable. More importantly, emerging from the Second World War economically strong and privileged, Canada was in a good position to offer help to others. Poverty bred violence and extremism. Canada's offers of economic assistance constituted a clear recognition that communism could not be halted unless the West could win the hearts and minds of the newly emerged countries. Economic assistance - whether channeled through the United Nations or the Colombo Plan, a British Commonwealth of nations development aid package, conceived in January 1950, following a British Commonwealth of Nations Foreign Ministers' meeting at Colombo, Ceylon (now Sri Lanka) - was designed, in part, to achieve that strategic objective.

Canada shared similar interests with the United States and valued the same liberal democratic philosophy. It held nearly identical aims in cold war politics. But Canada did not as a result desert its own foreign policy imperatives or subjugate them to American wishes and demands. Canada, in the cold war era, tried to bridge many gaps and moderate the much more forceful and, at times, uncompromising posture of the United States, as well as accommodate the aspirations of the new, less fortunate and less powerful nations. In its role as a helpful go-between, a lack of an imperial past made Canada's overtures to non-aligned countries more

easily acceptable. Canada saw this milieu as a means or opportunity by which and through which to project, demonstrate and assert itself as an independent nation or a middle power<sup>3</sup> rather than just another American client. Canada, at the same time, would not be altogether unhappy if it was able to stop communist expansion or roll it back peacefully. It was within this complicated context that Canada accepted, and participated for almost twenty years, in the peacekeeping missions in Laos and in Indochina.

The troika composition of the three ICSCs represented the three fundamental political tendencies of the era. Canada and Poland undoubtedly were chosen to represent western democratic and communist ideologies respectively. India, on the other hand, was chosen for its non-alignment. At first glance, one would have a reasonable expectation that the ICSC would function with a tilt to the West because of India, which was, at the time, friendly toward Canada and an important member of the British Commonwealth of Nations.

The West had every reason to hope for a favourable India. In particular, the West hoped that India would use the ICSCs to re-assert its long lost historical influence in the Indochina peninsula, where more than two thousand years ago Hinduized/alphabetic (Laos and Cambodia) and sinicized/ideographic (Tonkin, Annam and CochinChina, and China proper) civilizations met. In the process of re-asserting its influence, the West also hoped that India would protect Laos and Cambodia, and preserve their philosophical outlook, whose spiritual embodiment was the Indian-inspired Buddhism.<sup>4</sup> Because of the long historical and cultural

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<sup>3</sup> For treatment of the Canadian middle power concept, see J. King Gordon. (ed.). *Canada's Role as a Middle Power* (Toronto, 1966); John W. Holmes. *The Better Part of Valour* (Toronto, 1970) and *Canada: A Middle-Aged Power* (Toronto, 1976); and Tom Keating. *Canada and World Order: The Multilateralist Tradition in Canadian Foreign Policy* (Toronto, 1993).

<sup>4</sup> National Archives of Canada. (NAC). Escott Reid Papers, MG 31 E 46, Vol. 8, file 20, Can High Com, (New Delhi), to SSEA, April 9, 1954; "Interview with Dr. R. K. Nehru, on April 14, 1954," and Domcan, (New Delhi), to SSEA, April 24, 1954; Can High Com, (New Delhi), to SSEA, April 9,

divisions along the Annamite cordillera, China, when it made the suggestion that India chair the commissions, may have thought of India performing a role in keeping out the United States. Sino-Indian understanding, indeed, seemed to have been re-enforced at the Bandung Conference.<sup>5</sup> That hope, too, soon vanished. India, whether by design or otherwise, did not use the ICSCs to protect Laos and Cambodia. Indeed, as time went by, India gradually moved away from being an apparently impartial chairman.

Canada found itself in a difficult position during the period of 1954 to 1958, when the first Geneva Accords were in effect. Not only did these Commissions not operate under the United Nations, but the United States, Canada's closest ally, was neither a party to nor bound by the Accords, although it had pledged not to violate them. Following the Geneva Conference, Laos moved slightly towards neutralism, a position Canada accepted with as much good grace as possible while the United States rejected it. Canada's participation and the ICSC's work during the first phase could be characterized as a limited success in carrying out its mandate.

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1954. "Discussion with Sir R. Pillai, May 13," and Can High Com, (New Delhi), to SSEA, May 14 and May 19, 1954 and file 21, Can High Com, (New Delhi), to SSEA, July 8, 1954. Hereafter cited as Reid Papers. Furthermore, in its editorial entitled "India, China and Indochina," *The Eastern Economist*, on July 23, 1954, following the conclusion of the Geneva Conference on Indochina, stated that "Over two thousand years India and China met in conflict, albeit peaceful conflict, in the lands of South East Asia. . . . In Laos and Cambodia, Indian cultural influence, at least in the great period of our cultural impact, challenged what was otherwise Chinese supremacy. The ruins of Angkor Wat are a monument at least to that challenge, if not to that cultural victory." Indian press and Laotians, including Crown Prince Savang Vatthana, also encouraged the Indian government to revive its long lost contacts with Cambodia, Laos and Thailand. See *The Hindu*, August 2, 1954. *Indian News*, February 19, 1955 and September 24, 1955; *The Hindu Weekly Review*, September 26, 1955; Kahin, *Asian-African Conference*, p. 94. And, India, Lok Sabha Secretariat, *Foreign Policy of India: texts and documents, 1947-1959*, pp. 203-5.

<sup>5</sup> For a detailed study, see George M. Kahin. *The Asian-African Conference, Bandung, Indonesia, April 1955*, (Ithaca, N. Y., 1956); A. Doak Barnett. "Chou En-Lai at Bandung: Chinese Communist Diplomacy at the Asia-African Conference," *American Universities Field Staff*, Vol. III (May 4, 1955); Godfrey H. Jansen. *Afro-Asia and Non-Alignment* (London, 1966) and M. Sreeranga Rajan. *Non-Alignment: India and the Future* (Prasaranga, India, 1970). See also, People's Republic of China. Ministry of Foreign Affairs. *China and the Asian-African Conference* (Peking, 1955).



It helped, as a member of the ICSC, in the separation and regrouping of the two hostile forces. The ICSC, however, had little or no positive effect on the most crucial issues, and became more and more of an observer, unable to provide protection or ensure peace.

## LAOS AND ITS BRIEF NATIONALIST MOVEMENT

Laos, a multi-ethnic nation, founded in 1353 by Prince Fa Ngoum, was historically known as “Lane Xang” or “The Land of the Million Elephants and the White Parasol.” Laos suffered its greatest tragedy with the arrival of the French in the 1880’s. Through a series of treaties France made with Lane Xang’s neighbours, more than half of its territory was taken away.<sup>6</sup> The Mekong River, which once literally ran through the middle of Laos, became the international frontier between Laos and Thailand. Laos’s former glory and size was reduced to obscurity and its population of seventeen millions diminished to only about three millions. Laos, with its boundaries (as they existed between the mid-1880’s and 1975), was incorporated into what was known as French Indochina. The French domination of Laos, like their control of Cambodia, had been sought in order to protect the French colonies of Annam, Tonkin and Cochinchina. The French also brought the Vietnamese into Laos and Cambodia to run their colonial administrations. In the process, both Laos and Cambodia suffered from double colonialism. The association of Laos and Cambodia with the three Vietnamese entities would

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<sup>6</sup> For these treaties, see *Peninsule*, Vol. 16/17 (1988); United Kingdom. Government. *Blue Book: Treaty Series*, No. 19 C.7.547, (1895); Paul Séry. *Les Frontières du Laos* (Paris, 1984), p. 41; Claire Hirschfield. “The Struggle for the Mekong Banks, 1892-96,” *Journal of Southeast Asian History*, Vol. 9#1, (March, 1968), pp. 25-52; M. F. Iché. “Le statut politique et international du Laos français,” (Thèse, Toulouse, 1935), p. 137; M. L. Jumsai Manich. *History of Laos: An Attempt at International Study* (Bangkok, 1967), p. 273 and National Archives of Canada. Department of External Affairs Records, RG 25, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 34, Can Emb (Paris) to SSEA, November 10, 1954.

have far reaching political implications for these two countries. The seed for Vietnamese colonialism and regional conquest had been planted. When the Vietnamese communists defeated the French at Dien Bien Phu, in 1954, they considered themselves the natural successors to the French and rulers of Indochina. Looking at the history of Laos, Sir Richard Parsons, formerly British *Chargé d’Affaires* in Laos, described the people of Laos as “The Poles of Asia.”<sup>7</sup>

During the Second World War, the Japanese played an important role in inspiring and/or encouraging nationalistic movements in Asia. But, Laos, contrary to some accounts,<sup>8</sup> had protected the French troops during the war, and, afterwards, willingly accepted a continued French presence.<sup>9</sup> In fact, when the French re-entered southern Laos, they witnessed the uncontrolled rage and reprisals of the Lao against the Vietnamese. Helpless, the French

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<sup>7</sup> Sir Richard Parsons to author, June 14, 1994.

<sup>8</sup> In *The Struggle for Indo-China* (Stanford, 1954), p. 156, Ellen Hammer asserts that Lao resistance was as strong as that of the Vietnamese Communists to the French. This is not true. Resistance came almost exclusively from the Vietnamese Communists-led Vietnamese residing in Laos. For a detailed study, see Michel Caply. *Guérilla au Laos* (Paris, 1966). Caply was Jean Deuve’s pseudo name. Jean Deuve. *Le Royaume du Laos, 1949-1965: Histoire événementielle de l’indépendance à la guerre américaine* (Paris, 1984), pp. 31-43; Col. Loune Sisounol, “The 20-year attempt by the North Vietnamese Communist Party to swallow Laos,” [in Laotian], p. 7. Col. Dang Van Viet, on the cover of *La R[oute] C[oloniale] 4: campagnes des frontières, 1947-1950* (Hanoi, 1990), mentioned his activities in Laos during those years.

<sup>9</sup> For King Sisavang Vong’s view, see Outhong Souvannavong’s letter to Prince Pethsarath, October 2, 1945 in *Indochine-Française* No. 18, (March, 1946), pp. 44-45 and Deuve. *Le Royaume du Laos, 1949-1965*. Deuve was a member of the French Military Mission, and secret and intelligence services. He, with the Lao and the Hmong, fought against the *Lao Issara* and the Vietnamese Communists. Deuve served as an advisor to Prince Souvanna Phouma. General Jean Boucher de Crèvecoeur. *La libération du Laos, 1945-46* (Château de Vincennes, 1985). Col. de Crèvecoeur was an advisor to the Lao National Army for a number of years after the 1954 Geneva Conference. For a good treatment of Franco-Lao relations during this period, see Michel Rochet. *Pays Lao, Le Laos dans la tourmente* (Paris, 1946). This book is very moving and deals mainly with the Japanese occupation and violence in Laos. This book clearly shows Rochet as a colonial servant who had a genuine sympathy for and understanding of the local people, a very rare demonstration of caring and concern indeed. It was with Rochet’s assistance that both future Lao personalities and modern political parties emerged.

simply stood by and watched. The lack of popular support made certain that the *Lao Issara* (or the Lao Nationalist Movement) would die a natural death.<sup>10</sup> Indeed, it dissolved itself in 1949. The key and influential members returned from exile in Thailand to join the Royal Lao Government (RLG).<sup>11</sup> In 1952, Laos regained its independence, but it chose to remain within the French Union.

## HANOI, INDOCHINA AND THE CREATION OF THE PATHET LAO

Prince Souphanouvong (the half-brother of Princes Souvanna Phouma and Pethsarath),<sup>12</sup> who subsequently became the nominal leader of the Pathet Lao (the Lao communists),<sup>13</sup> facilitated the eventual realization of Hanoi's Indochina-wide regional

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<sup>10</sup> The *Lao Issara* was not at all effective. Indeed, during the battle of Savannakhet, in March 1946, for example, 3000 *Lao Issara* died, General Étam Singvongsa to author, September 25, 1995. At the time, General Étam was with Prince Souphanouvong. He returned to Laos in 1948, later joined the Lao National Army and rose to the rank of General. *The Lao Houm Seri Phab's* article, "The Souphanouvong Affairs," did not mention the actual number of death. It talked about the *Lao Issara* being attacked from "the North, the East and the South" for "two days and two nights." It also talked about "the courage and bravery" as well as "the lack of weapons" of the *Lao Issara*. See also Oun Sananikone. *Lao Issara: The Memoir of Oun Sananikone* (Ithaca, N. Y., 1978), p. 43.

<sup>11</sup> The key and influential *Lao Issara* members who returned to Laos were Souvanna, Katay Don Sasorith, Oun Sananikone, Sing Ratanasamay and Phagna Oun Heun.

<sup>12</sup> See biographical sketch No #1 for Prince Souphanouvong, No # 2 for Prince Souvanna Phouma and No # 6 for Prince Pethsarath.

<sup>13</sup> Prior to the existence of the Pathet Lao in 1950, there was no Lao communist movement despite the fact that Ho Chi Minh had been instructed in the 1920's to organize a communist party not only for French Indochina but for the whole of Southeast Asia. Subsequent recruits were also Vietnamese residing in Laos, in Cambodia and in Thailand. As late as June 1934, the Indochina Communist Party was well aware of its failure to recruit Laotians. Subsequent reference to Laotians having joined the ICP was officially dated during or after the Second World War. Brown and Zasloff. *Apprentice Revolutionaries*, p. 15 and Ton That Thien. *The Foreign Politics of the Communist Party of Vietnam: A Studies of Communist Tactics* (N. Y., 1989), p. 133. Thien formerly worked with the American Overseas Strategic Services, the forerunner of the CIA, and served as an intermediary agent between Ho Chi Minh and the Americans. He also accompanied Ho Chi Minh to China several times during the

imperialism via the Indochinese Communist Party (ICP).<sup>14</sup> In fact, General Vo Nguyen Giap and Ho Chi Minh, the North Vietnamese Supreme Military Commander and the North Vietnamese President, respectively, back in 1945, had assigned to Souphanouvong 100 Vietnamese Communists as bodyguards and used his Vietnamese wife, Ly Thy Ky Nam, a comrade-in-arms of Ho Chi Minh, to control him. His uncle's marriage, Prince Mangkra Souvanna Phouma explained, "was the beginning of the destruction of Laos."<sup>15</sup> Souphanouvong's presence legitimized the Pathet Lao.<sup>16</sup> According to Col. Tran Van Dinh, the North Vietnamese recruited Vietnamese in Laos and in Thailand for an "insurgent movement" while they used Souphanouvong "as a front."<sup>17</sup> Because of his activities, members of the *Lao Issara* demanded to know whether Souphanouvong had reached any secret

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Second World War. He later on joined the South Vietnamese administration and attended as a member of the South Vietnamese Delegation both the 1954 and 1961/62 Geneva Conferences.

- <sup>14</sup> According to the official history of the North Vietnamese *Lao Dong Party*, when the Vietnamese communists gathered in Hong Kong to form a communist party, they had decided to form a party for Vietnam only. However, following the instructions of the Comintern, the session changed the name from The Vietnamese Communist Party to that of The Indochina Communist Party. DRVN. *Thirty Years of Struggle of the Party* (Hanoi, 1960), p. 27 and in *Vietnam and The Soviet Union: anatomy of an alliance* (Boulder, Col., 1984), Chapter 1, "The Formative Years: pretense and reality," Douglas Pike discovered some evidence to support this. Pike was an American diplomat, posted in Saigon during the 1960's. And interview with Nokoya Khamthy, June 27, 1994.
- <sup>15</sup> Interview with author, June 22, 1994. Prince Mangkra is Prince Souvanna Phouma's son and Prince Souphanouvong's nephew. See biographical sketch # 31. Ly Thy Ky Nam subsequently took on a Lao name "Vieng Kham."
- <sup>16</sup> Interview with Prince Mangkra, June 22, 1994 and *The Lao Houm Seri Phab*, "The Affairs After Prince Souphanouvong's pass-away," (in Lao), March 1995, pp. 22-23. Hereafter cited as "The Souphanouvong's Affairs."
- <sup>17</sup> Langer and Zasloff. *North Vietnam and the Pathet Lao*, pp. 97-98 and *Partners In The Struggle For Laos*, p. 36, p. 39 and p. 54. Col. Tran Van Dinh was in 1945 the Chief of Staff of the North Vietnamese forces in Laos. He subsequently became the head delegation of the so-called "People Vietnamese Volunteers" and the Pathet Lao, in dealing with the Laos ICSC.

agreement with Ho Chi Minh.<sup>18</sup> In response, Souphanouvong certainly alluded to such a possibility in 1949,<sup>19</sup> but the secret agreements between the “Red” Prince and Ho Chi Minh, if any, remain until the present unknowable.

North Vietnamese support for Souphanouvong, however, was not limitless. Ho Chi Minh instructed his Vietnamese Communists to control Laos.<sup>20</sup> Ho Chi Minh also funded the activities of others, set up a rival organization and put Kaysone (which literally means “corporal” in Vietnamese)<sup>21</sup> in charge. Kaysone, Phoumi Vongvichit’s cousin insisted, was Pham Van Dong’s son, who grew up in Laos.<sup>22</sup> This, in effect, meant that the Pathet Lao made a pure Vietnamese communist their master. Furthermore, the North Vietnamese made it unmistakably clear to Souphanouvong how negligible and dispensable he was. In 1968, Arya, his oldest son, was hang by the North Vietnamese and their Pathet Lao ally. The circumstances surrounding Arya’s death remained shrouded in mystery. According to the Pathet Lao’s official

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<sup>18</sup> Between 1946 and 1949, there were a series of negotiations between Souphanouvong and the North Vietnamese for further assistance. In July 1946, Oun Sananikone wrote in his book, *Lao Issara*, p. 56, that Pham Van Dong visited him in Thailand. “The After Prince Souphanouvong’s Affairs,” pp. 21-22. Prince Mangkra Souvanna Phouma to author, October 1, 1994 and Mayoury Ngaosyvathn. (ed.). *Remembrances Of A Lao Woman Devoted to Constructing A Nation: Khampheng Boupha* (Vientiane, 1993), pp. 18-19. Hereafter cited as *Khampheng Boupha*. According to Khampheng Boupha, Nguyen Vien Heoung and Nguyen Duc Quy, Ho Chi Minh’s agents in Bangkok, maintain contacts with Souphanouvong and other *Lao Issara*.

<sup>19</sup> Paul Langer and Joseph J. Zasloff. *North Vietnam and the Pathet Lao: Partners in the Struggle for Laos* (Cambridge, Mass., 1970), p. 43. Hereafter cited as Langer and Zasloff. *North Vietnam and the Pathet Lao*.

<sup>20</sup> Deuve. *Guérilla au Laos*, p. 178 and *Le Laos*, pp. 78-79 and pp. 97-98; Col. Loune Sisounol to author, July 31, 1995 and “The 20-year attempt by the North Vietnamese Communist Party to swallow Laos,” pp. 8-9; and Langer and Zasloff. *North Vietnam and the Pathet Lao*, pp. 38-41.

<sup>21</sup> Those who Ho Chi Minh funded were Sithon, Khamtay, Nouhak, Nhiavu, Singkapo, Phoumi. For biographical sketch, see # 3 for Khamtay; # 19 for Nouhak; # 29 for Nhiavu; # 9 for Singkapo; # 8 for Phoumi and # 13 for Kaysone.

<sup>22</sup> Interview Madame Khamsy Vongviset, October 13, 1994. Madame Khamsy, in the Lao context, is Phoumi Vongvichit’s sister.

version, the CIA and General Vang Pao were responsible. According to Prince Mangkra, Souphanouvong's wife always insisted that Arya died a hero in battle.<sup>23</sup> The point is that, despite his position, the Red Prince could not save his son.<sup>24</sup> Nevertheless, his royal background provided the legitimate gloss for the Pathet Lao's existence and North Vietnam's role in Laos.

The entire area of Indochina, General Vo Nguyen Giap, the North Vietnamese Supreme Military Commander, wrote in April 1950, had to be considered a "strategic unity, a single battlefield."<sup>25</sup> Proceeding from that position, in March 1951, the *Néo Lao Itsala* (Laos), the *Lien Viet Party* (Vietnam, which later on became the *Lao Dong Party*) and the *Issara Front* (Cambodia) met at a mountain top in North Vietnam, where Souphanouvong was also present, and formalized a "new" alliance.<sup>26</sup> In Laos, although the *Néo Lao Itsala* had already existed, there emerged, in 1952, the semi-secretive and hard-core *Lao People's Revolutionary Party* (also known as *Phak Pasason Lao* or *Lao Workers' Party*) modeled after *The Lao Dong Party*.

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<sup>23</sup> *L'agonie du Laos*, p. 68 and p. 202 and interview, June 22, 1994. It is worth noting, however, that, during the interview, Prince Mangkra insisted that Souvanna and Souphanouvong, in their private correspondence, had never discussed Arya's death. Nor was it discussed within the family. Nor did he ask his uncle after he returned to Vientiane in 1973.

<sup>24</sup> Interview with Nokoya Khamthy, June 27, 1994. During the interview, he further explained that, at a heated debate, Arya wanted more Chinese involvement not only to accelerate the American defeat but also as a counter-balance to the North Vietnamese after the Americans had left. As a consequence, Arya was hang. He went on to say that many prominent Pathet Lao figures, known to be either pro-Chinese and/or nationalistic, were liquidated. These included General Phomma Douangmala, Khamsouk Saygnaseng, Phom Mahaxay, Somsoun, Sithone Khommadan and Deuan Sounnarath.

<sup>25</sup> *Nhiem vu quan su truoc mat chuyen sang Tong phan cong* [The Military Mission in Transition to the General Offensive and Uprising] (Ha Dong Committee for Resistance and Administration, April, 1950), p. 14, located in the Library of Congress, Orientalia/South Asia 4 microfilm collection, *Vietnamese Communist Publications*, compiled by P. T. Chau, item 40.

<sup>26</sup> Col. Sisounol to author, July 31, 1995 and Ben Kiernan. *How Pol Pot Came To Power: A History of Communism in Kampuchea, 1930-1975* (London, 1985), p. 82.

It was led by Kaysone himself.<sup>27</sup> Reacting to the creation of the *Lao Workers' Party*, a Pathet Lao cadre commented that: "The Tonkinese dragon has taken the form of a snake with three heads."<sup>28</sup> This "new" alliance, wrote Kaysone, "exerted a great political influence on the struggle in Laos" and the cooperation "between the Vietnamese and Lao, has never ceased to gain in strength."<sup>29</sup> The revolutions in Indochina cannot be separated and their objectives were to fight jointly the French colonial power and "American interventionists."<sup>30</sup> "Indochina consists of three states," a Vietnamese communist spokesperson informed the world, in April 1951, but as long as the French remained in Laos and Cambodia, "Vietnamese resistance has definitely [ not] triumphed."<sup>31</sup> Following their March 1951 meeting, the North Vietnamese troops engaged directly in battles in Laos.<sup>32</sup> According to Trough Chinh, one of the inner core of the North Vietnamese Politburo members, and Ho Chi Minh himself, the ICP's activities

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<sup>27</sup> *Revolution in Laos*, p. 19; *Khampheng Boupha*, p. 34; and interviews with Nokoya Khamthy, June 27, 1994 and General Thonglith Chokebengboun, November 20, 1994.

<sup>28</sup> Amphay Doré. *Le partage du Mékong* (Paris, 1980), p. 57.

<sup>29</sup> *Revolution In Laos*, p. 17.

<sup>30</sup> "History of the Lao People's Revolutionary Party," *FBIS*, Laos, March 24, 1976, I-5; Phoumi Vongvichit. *Laos and the Victorious Struggle* (Sam Neua?, 1969), pp. 51-52, and Kaysone. *Revolution in Laos*, p. 17.

<sup>31</sup> *For A Lasting peace, For a People's Democracy*, April 6, 1951, p. 3 and *ibid.*, July 20, 1951, p. 4.

<sup>32</sup> Vietnam. Foreign Ministry. *History of the Vietnamese Communist Party*, Vol. 2 (Hanoi, 1978), p.15; Vietnam Central Information Service. *Manifesto and Platforms of the Vietnamese Lao Dong Party* (n. p., April 1952). Even Soviet observers acknowledged Hanoi's invasion of Laos. See for example V. Vasil'eva. "Peoples Liberation Struggle in Laos and Cambodia," *New Times*, February 28, 1951; *For A lasting Peace, For A people's Democracy*, April 6, 1951, p. 3; July 20, 1951, p. 4 and May 23, 1952, p. 3; Ivan Podkopeav. "The Events in Pathet Lao," *New Times*, April 29, 1953; and U.S. State Department. *Bulletin. Situation In Laos* (September, 1959) and *United States-Vietnam Relations, 1945-1967* (Washington, D.C., 1971), BK 2, pt. IV, A. 5, tab 3, p. 30.

continued.<sup>33</sup> In other words, the North Vietnamese had only changed strategies and tactics.

## THE 1954 GENEVA SETTLEMENT

Between 1951 and 1954, the North Vietnamese invaded Laos twice. According to longtime Canadian diplomat and Asian expert, Arthur Menzies, North Vietnam had always considered Phong Saly and particularly Sam Neua its buffer zone and the whole of Indochina an integral whole.<sup>34</sup> A French officer with close knowledge of the region agreed.<sup>35</sup> Under Hanoi's military occupation, the Pathet Lao were installed in 1951 in Phong Saly and Sam Neua.<sup>36</sup> They would remain under firm communist control.

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<sup>33</sup> Trough Chinh. *The Resistance Will Win* (Hanoi, 1960), p. 97; Bernard F. Fall. (ed.). *Ho Chi Minh on Revolution* (New York, 1969), p. 214; Vietnam. Ministry of Foreign Affairs. "Facts About the Indochinese Federation Question," April 17, 1978 in *Kampuchea Dossier, I, Vietnam Courier* (Hanoi 1980), p. 98 and Wilfred G. Burchett. *Mekong Upstreams* (Hanoi, 1957), p. 239.

<sup>34</sup> Interview, May 20, 1994. Menzies was a former director of the Canadian Far Eastern Division. Indeed, in the 1930's, when the French began replacing the Vietnamese with the Lao in the French colonial Administration in Laos, the Vietnamese had dreamt that "One day" French Indochina would no longer be several, "separate and distinct countries, but a single country fertilized by Vietnamese blood, inspired by Vietnamese dynamism and power of action." *La patrie annamite* (1939) quoted in Pierre Gentil. *Remous du Mékong* (Paris, 1950), p. 24.

<sup>35</sup> Discussion with Colonel Alber Coindat, (Brunoy, France), July 8, 1994. He was posted in Laos before the Japanese invasion, lived through it and fought the communists. "It did not matter what anyone said," Col Coindat explains, "the fact of the matter was that [regardless of ideology?] the Vietnamese and particularly the Viet Minh [the Vietnamese communists], always wanted to expand into Laos. Laos is a country of rich natural resources and fertile agricultural land. Laos has a very small population and abundant land. Vietnam is also a small country and has some very fertile land. But, the problem is that there are too many Vietnamese and there is not enough land for everyone. And the Vietnamese always wanted Laotian and Cambodian Lands. Remember the fate of [the Kingdom of] Champa! So, the Viet Minh [the North Vietnamese] did not invade in Laos in 1951 and, again, in 1953 because of our presence. They [the North Vietnamese] did so because they wanted Laotian land. Simple as that."

<sup>36</sup> André Tong. "Le Parti communiste laotien," *Est et Ouest, Bulletin d'études et information politique internationale*, No. #333 (January 1-15, 1965) and "Le Laos," *Notes et Études documentaires*, No # 3630 (October 20, 1969), p. 16; Brown and Zasloff. *Apprentice Revolutionaries*, p. 48; Deuve. *Le Laos, 1945-1949*, pp. 113-124 and Charles Archambault. "Les Annales de l'Ancien Royaume de



The Pathet Lao, in the years to come, provided the necessary front for Hanoi's activities. The capital city of the Pathet Lao, wrote Mieczyslaw Maneli, a Polish ICSC Commissioner, was Hanoi, not Sam Neua City, and Hanoi's relationship with the Pathet Lao was similar to the relationship between the Soviets and the Siberian ethnic groups and tribes in the post-Bolshevik Revolution. Indeed, General Giap was the supreme commander of the Pathet Lao and his own military staff planned and directed all military operations in Laos. It was in Hanoi that "the main political, strategic and military concepts were worked out,"<sup>37</sup> not in Moscow or Peking. Hanoi felt "fully responsible for the course of events in Laos, for its 'liberation'." Regardless of international agreements and declarations,

the leaders in Hanoi consider Vietnam, Laos and Cambodia one whole that should be under their leadership. None of the diplomats from the Communist countries doubts for a moment that Hanoi is the centre and control point of the revolutionary movement in Indochina.<sup>38</sup>

The whole Indochina war, Maneli continued, "was instigated by elements trained in Hanoi."<sup>39</sup> And the North Vietnamese insisted that "the task of the Polish delegation," according to Marek Thee, a Polish ICSC Commissioner, "was to defend Neo Lao Haksat [the Pathet Lao's] interests as a matter of principle."<sup>40</sup>

The Laos ICSC was in no position to prevent implantation of communist ideology and

S'ieng Khwang,"*Bulletin de l'École française d'Extrême-Orient*, Vol. LIII (1967), pp. 557-674.

<sup>37</sup> *War of the Vanquished* (N. Y., 1971), p. 182 and p. 185. He served twice in Vietnam between 1954-56 and 1962-1964.

<sup>38</sup> *Ibid.*, p. 183.

<sup>39</sup> *Ibid.*, p. 178.

<sup>40</sup> *Notes of a Witness: Laos and the Second Indochina War* (N. Y., 1973), p. 143. Thee was first posted in Laos between 1956-57 and, again, between 1961 and 1963, during which time Thee was the Polish Commissioner.

the North Vietnamese's continuous violations. Nor was the ICSC capable of affecting a political settlement in Laos. It was the RLG's rather than the ICSC's effort that eventually resulted in the Vientiane Agreement of 1957. Under this agreement, the RLG undertook to reintegrate the dissenting Pathet Lao, offered two cabinet positions to the Pathet Lao and held supplemental elections in 1958. Although significantly more generous than the one envisaged at Geneva, the RLG considered this a complete political settlement and asked the Commission to leave that year, which it did on a *sine die* basis. It was hoped that a re-unified and genuinely neutral Laos would be possible. That, however, was not to be.

## BACK INTO THE JUNGLE

As the Cold War intensified and as American involvement in Southeast Asia increased, the United States violated Laotian neutrality, while North Vietnam sponsored subversion of Laos. Accusing Laos of violating North Vietnamese territories, Hanoi launched a series of military attacks against Laos on the pretext that Laos had violated the Geneva Accords when a number of Pathet Lao were imprisoned. Hanoi also used central and southern Laos (the famous Ho Chi Minh Trail) to supply its troops and agents, and to conduct its war against South Vietnam and the United States. The United States, in order to protect South Vietnam, would not tolerate a neutral Laos. For the US, Laotian neutrality was simply the rehearsal for an event like the 1948 Czechoslovakian situation - a communist *coup*. To wrestle Laos from the jaws of communism, the United States first tried to extend to Laos the military protection of the South East Asia Treaty Organization (SEATO); then, with US assistance, Prince Souvanna Phouma's neutralist government was voted out of office in 1958.

In its place, a pro-western government, under Phoui Sananikone,<sup>41</sup> was established. Phoui, like Souvanna, was anxious to integrate the Pathet Lao. But, unlike Souvanna, Phoui took measures to render the Pathet Lao immediately ineffective and ineffectual. Under Phoui, the Pathet Lao were in serious trouble. North Vietnam then instigated the Pathet Lao May 1959 rebellion. Following Hanoi's instruction, Souphanouvong sent two letters to the commanders of the two Pathet Lao Battalions, located at the Plaines des Jarres, telling them to make a dash for North Vietnam. The RLG captured those letters and imprisoned the Pathet Lao leaders, including Souphanouvong. This type of activity would have automatically resulted in the Pathet Lao leaders being shot; but, for the Buddhist Lao, that was unthinkable. Instead, the RLG wanted to put the Pathet Lao leaders on trial.

The trial never took place. First, there was a backlog in the Laotian criminal system since the criminal court only convened once a year. The most important factor, however, was a direct result of western persuasion. The US would support the RLG, if it so chose, in bringing the Pathet Lao leaders to trial. Meanwhile, there was a very strong opposition from the British and the French, and to a lesser degree from the Australians and the Canadians. Trying the Pathet Lao leaders, it was argued, could lead to further military activities and intimidation campaign from Hanoi and the communists. Should the RLG ignore their warning, Laos could not expect any Anglo-French support either through the Geneva framework, through SEATO, through the United Nations or, in the case of the French, through the Franco-Laotian Defence Treaty. Friendly opposition and advice led the RLG to postpone the trial. The RLG, however, could not imprison the Pathet Lao leaders indefinitely without a trial. The Red Prince, with the

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<sup>41</sup> See biographical sketch No # 20.

assistance of General Phoumi Nosavan, “escaped.”<sup>42</sup>

Hanoi, meanwhile, in order to save the Pathet Lao, invaded Laos. Both China and the USSR supported Hanoi. The Soviet Union airlifted war materials into Laos. The United Nations sent to Laos a team to look at the situation, but nothing was resolved.<sup>43</sup> Captain Kong Le,<sup>44</sup> in August 1960, successfully carried out a military coup that brought back Souvanna. With the US support, however, Souvanna was again ousted and went into exile in Cambodia. General Phoumi Nosavan and Prince Boun Oum Na Champassak were in charge.<sup>45</sup> Souvanna returned to Laos and, in cooperation with Souphanouvong, conducted war against the rightist faction and the Americans. Thus began the war of the three princes. There was no longer a neutralist faction.

In this struggle, the war went badly for the United States, Thailand and their allies. A real threat of a direct military confrontation between the superpowers loomed ever larger by the day, and the possibility of Laos’s division on a *de jure* basis into three parts seemed very real. Fearing a major military, and possibly a nuclear, confrontation, Great Britain approached the Soviet Union in search for a peaceful settlement. A second Geneva Conference was convened in May 1961.

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<sup>42</sup> Interviews with Phanga Ngon Sananikone, June 27, 1994 and Colonel Khamtanh Nuamala, May 30 1995; General Soutchay Vongsavanh to author, March 16, 195 and Col. Loune Sisounol to author September 14, 1995. Many years later, Perala Ratnam, then the Indian Ambassador to Laos, revealed in his book, *Laos and The Super Powers* (New Delhi, 1980), p. 46 that Prince Souphanouvong finally “acknowledged with gratitude the important role played by a General of the Royal Army.”

<sup>43</sup> United Nations Security Council S/4236. *Report of the Security Council Sub-Committee Under Resolution of 7 September 1959* (November 5, 1959).

<sup>44</sup> See biographical sketch No # 37.

<sup>45</sup> See biographical sketch No # 16 for General Phoumi Nosavan and No # 4 for Prince Boun Oum.

## THE 1962 ACCORDS

This second Geneva Conference, again co-chaired by Britain and the Soviet Union, reactivated the 1954 Laos ICSC.<sup>46</sup> Fourteen nations signed the agreement and undertook to respect Laotian sovereignty and territorial integrity, not to use Laotian territories for the purpose of interfering in the internal affairs of other nations, and not to establish military bases in Laos. Souvanna Phouma, with the support and acquiescence of both sides, became the Prime Minister and, under him, neutrality became the official Laotian policy. Unlike the earlier period, the United States learned from its past mistakes, respected the Laotian wishes and honoured the commitments it made in Geneva to the extent that it attempted to ensure compliance with the 1962 Accords. The US supported Souvanna and Laotian neutrality, and was instrumental in the destruction of the Laotian right-wing faction. US military actions in Laos, by and large, received Souvanna's agreement and/or acquiescence.

To implement the 1961-62 Geneva Accords, Canada, India and Poland were again made members of the Laos ICSC. The tasks and responsibilities they assumed, under this framework, were undertaken with the full participation of the three ICSC countries in the negotiations and in the drafting of the documents. But the second ICSC fared only a little bit better than the first one. It did actually investigate and did, indeed, report on North Vietnamese

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<sup>46</sup> For a detailed treatment of this conference, see George A. Modelski. *International Conference on the Settlement of the Laotian Question, 1961-62* (Canberra, 1962); Philip Hughes. "Riding The Three-Headed Elephant: Canada and the Geneva Conference on the Settlement of Laos, 1961-1962," (M.A. Thesis: Carleton University, 1997); Norman B. Hannah. *The Key To failure: Laos and the Vietnam War* (N. Y., 1987) and Sir Arthur Lall. *How Communist China Negotiated* (N. Y., 1969). Lall was the Indian Foreign Minister during the 1961-62 Geneva Conference on Laos. The participants were: Burma, Cambodia, Canada, China, England, France, India, Poland, Thailand, the UK, the United States, the USSR, and both North and South Vietnam. The three Laotian factions sat as observers until the final signing ceremony when a single and unified delegate of the Provisional Government of National Union signed the Geneva Accords on behalf of Laos.

violations to the Co-Chairmen. It could not, however, prevent the violations of Laotian territories and had to watch the war unfold.

The war in Laos reflected both the inability and the unwillingness of the USSR to fulfill its part of the Co-Chairmanship and the commitments it made to the US. In June 1961, both US President John F. Kennedy and Soviet Chairman Nikita S. Khrushchev, during their meeting in Vienna, reached an understanding on Laos: both countries would ensure that Laos remained neutral and that its neutrality would be respected by all.<sup>47</sup> This Kennedy-Khrushchev understanding was further re-enforced by an additional *entente* between W. Averell Harriman and Georgi Pushkin, the US and USSR chief negotiators, respectively, at Geneva. Under that *entente*, both the UK and the US would ensure Western compliance with the Geneva Accords, while the USSR would do the same for the communist side. Specifically, Pushkin stated that Laos should be neutral; everyone must respect Laotian neutrality; the USSR would guard against the Pathet Lao's intransigence; and the three Laotian factions would put their political, military and civil administration under a single Laotian government, led by Souvanna. Moscow would also protect Laos against Hanoi's political and military aggression. This promise included the prevention of Hanoi from using the Pathet Lao for its own purposes and from infiltrating men and materials through Laos to South Vietnam.<sup>48</sup> All this, if it happened, would

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<sup>47</sup> United States. Government. Department of State. Foreign Relations of the United States. Vol. V, (1961-1963), *The Soviet Union* (Washington, D. C., 1998), "President Meeting With Khrushchev, Vienna, June 3-4, 1961;" "Memorandum of Conversation: Vienna Meeting Between the President and Chairman Khrushchev," June 3, 1961; "Memorandum of Conversation: Meeting Between The President and Chairman Khrushchev in Vienna," June 4, 1961 and "Memorandum of Conversation: 'Memorandum of Conversation with the President and the Congressional Leadership,'" June 6, 1961. Hereafter all reference to the Foreign Relations of the United States will be cited as *FRUS* with the appropriate volume and years.

<sup>48</sup> The W. Averell Harriman-Georgi Pushkin understanding can be summarized as follows: (1) On September 12, 1961, Pushkin told Harriman that the Soviets truly desired a neutral independent Laos along the line of Finland. Pushkin specifically suggested that the "Soviets could and would control

mean an effective and active ICSC. To ensure a more rigorous ICSC performance, Harriman also reached an understanding with Sir Arthur Lall, then the Foreign Minister of India.<sup>49</sup> Their

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North Viet Nam and continue support Souvanna against possible Pathet Lao political or military aggression." His idea was that "Soviets to police Communist bloc to assure adherence agreement, whereas British should police non-Communists. He was particularly suspicious of Thailand and South Viet Nam." (2) On October 9, 1961, Harriman reminded Pushkin of this statement and asked how Pushkin intended to formalize the understanding. Pushkin objected to any bilateral written agreement between the Co-Chairmen, but expressed a readiness to add a sentence to the article governing the role and responsibility of the two Co-Chairmen - Article 8 - "which would give them responsibility for seeing to observation of obligations by thirteen signatory states." (3) On October 13, Pushkin handed Malcolm MacDonald, the British head delegate, a redraft of the Co-Chairmen article which contained a new language. It reads: "The Co-Chairmen will exercise continuous supervision over the fulfillment of this Agreement and will when appropriate consult with the members of the conference." With a slight revision of the text, the Harriman-Pushkin agreement is reflected in the third paragraph of Article 8 of the Protocol to the Declaration on the Neutrality of Laos which reads as follows: "The Co-Chairmen shall exercise supervision over the observance of this Protocol and the Declaration on the Neutrality of Laos." Source: *Foreign Relations of the United States*. (1964-1968), *Laos Crisis*. Vol. XXVIII, pp. 566-7.

<sup>49</sup> The W. Averell Harriman-Sir Arthur Lall Understanding is as follows: On December 5, 1961, W. Averell Harriman wrote Sir Arthur Lall that Pursuant to our recent conversations, I would be grateful for your affirmation that your Government's interpretation of the third paragraph of the Draft Article on Investigations corresponds with the United States Government's interpretation as set forth below. As you know, the draft article on Investigations and Reports contains the following paragraph: "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 appropriately expressed." The U.S. Government interprets this paragraph to mean: (1) that since this paragraph contains language specifically permitting the expression of differing views no member of the Commission could legitimately use the argument that the report was not "agreed" as a basis for withholding his signature; (2) that since the paragraph provides that reports "shall" be submitted, a refusal by one member to sign would constitute a breach of the agreement and it would be open to the other members to send in their reports without the signature of the recalcitrant member; (3) that individual majority-minority or unanimous views or evaluations may be expressed in the reports.

Sir Arthur Lall responded on December 8. After careful considerations, India was of the opinion that

clearly there is an absolute obligation in the Agreement that the Commission "shall submit agreed reports" on investigations; that such reports may contain individual views and evaluations which might agree or differ in the manner you suggest; and that the refusal to sign an agreed report would constitute a breach of the Agreement. In the extremely unlikely event of such a situation arising we feel that the Chairman of the Commission should immediately bring all the facts of the situation to the notice of the Co-Chairmen of the Conference, including the views of all members in regard to the investigation, and any statement which either of them may wish to send on. All this information from the Chairman of the Commission, including statements by the members, would, in accordance with the Agreement, be circulated by the Co-Chairmen to all members of the Geneva Conference.

agreement re-enforced Article 15 which states that:

In the exercise of its specific functions which are laid down in the relevant articles of this Protocol the 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 Royal Government of Laos or on the initiative of the Commission, which is acting with the concurrence of the Royal 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 Commission shall submit agreed reports on investigation in which differences which may emerge between members of the Commission on particular questions may be expressed.

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

Despite all these understandings and agreements, Moscow subsequently could not police the compliance of the communist states. The USSR, in its competition with China for Hanoi's affection and support, provided diplomatic cover for the North Vietnamese and the Pathet Lao as they violated the Geneva Accords. The Co-Chairmanship was never fully exercised. Indeed, an Indo-Soviet understanding, shortly after the 1962 Conference, as we shall see, rendered the second Laos ICSC completely ineffective. Under the 1962 Geneva Accords, Canada's participation lasted until 1974, when it withdrew its personnel from the Commission without abandoning Canadian legal and international obligations. It was not until 1975 that the Commission's mandate was finally and legally terminated, when, following the North Vietnamese-supported Pathet Lao victory, the communist regime in Laos formally requested the Commission's termination.

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Thus, our interpretation would appear to correspond with the substance of your own interpretation. I would add again that we do not anticipate that such a situation would be likely to arise.

**Source:** National Archives of Canada. Department of External Affairs. RG 25 "Commentary," Annex E, Arthur S. Lall, Indian Delegation to the Geneva Conference on Laos (Geneva) to H. E. Mr. W. Averell Harriman, U.S. Delegation to the Geneva Conference on Laos, (Geneva), December 8<sup>th</sup>, 1961.



## THE LITERATURE

Much is known about both the Vietnam Commission<sup>50</sup> and American intervention in Vietnam.<sup>51</sup> While the “secret” war in Laos has been dealt with by a number of people,<sup>52</sup> far less is known about the activities of the Laos ICSC and its interaction with the major Cold War participants. The Canadian historiography is particularly sparse. Research on Canada’s participation in the peacekeeping operations in the former French Indochina has so far heavily

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<sup>50</sup> For an insider’s treatment of the peacekeeping in Vietnam, see Paul A. Bridle. *Canada And The International Commissions In Indochina, 1954-1972. Behind the Headlines*, Vol. XXXII No. 4 (October, 1973). Bridle had served twice, in the 1950’s and 1960’s, as a Canadian Commissioner in Laos. While the title gives the impression that it deals with all three ICSCs, the booklet, in fact, focused exclusively on the Vietnam ICSC. See also Charles Taylor. *Snow Job: Canada, the United States and Vietnam, 1954-1973* (Toronto, 1975); James Eayrs. *Indochina: Roots of Complicity* (Toronto, 1983); Douglas A. Ross. *In The Interests of Peace: Canada and Vietnam, 1954-73* (Toronto, 1984); Ramesh Thakur. *Peacekeeping In Vietnam: Canada, India, Poland and the International Commission* (Edmonton, 1984) and Victor Levant. *Quiet Complicity: Canadian Involvement in the Vietnam War* (Toronto, 1986). For the Indian view, see Domador R. SarDesai. *Indian Foreign Policy in Cambodia, Laos & Vietnam, 1947-1964* (Berkeley, 1968).

<sup>51</sup> For treatment of American intervention in Vietnam, see F. C. Parker IV. *Vietnam: Strategy For A Stalemate* (New York, 1989); Larry Berman. *Planning A Tragedy: The Americanization of the War in Vietnam* (New York, 1982); John Gaddis. *Strategies of Containment: A Critical Appraisal of America National Security Policy* (New York, 1982); Stanley Karnov. *Vietnam: A History* (New York, 1983); Bruce Palmer. *The Twenty-Five-Year War: America’s Military Role in Vietnam* (Lexington, 1984); C. Thomas Thayer. *War Without Fronts: The American Experience in Vietnam* (Boulder, Col., 1985) and Allen S. Whiting. *The Chinese Calculus of Deterrence: Indian and Indochina* (Ann Arbor, 1975).

<sup>52</sup> Prince Mangkra Souvanna Phouma. *L’agonie du Laos* (Paris, 1976); General Oudone Sananikone. *The Royal Lao Army and U.S. Army Advice and Support* (Washington, 1978); General Soutchay Vongsavanh. *RLG Military Operations and Activities in the Laotian Panhandle* (Washington, 1981); General Richard Secord. *Honoured and Betrayed: Irangate, Covert Affairs and the Secret War in Laos* (N. Y., 1992); Jacob Van Staaveren. *Interdiction in Southern Laos, 1960-1968* (Washington, 1993); Yang Dao. *Hmong at the Turning Point* (Minneapolis, 1993); Nina S. Adams and Alfred W. McCoy. (eds.). *Laos: War and Revolution* (N. Y., 1970); Christopher Robbins. *The Ravens: The Men Who Flew in America’s Secret War in Laos* (N. Y., 1987); Timothy Castle. *War In The Shadow of Vietnam: U.S. Military Aid to the Royal Lao Government, 1955-1975* (N. Y., 1993); Kenneth Conboy and John Morrison. *Shadow War: The CIA’s Secret War in Laos* (Boulder, Colorado, 1995); Arthur J. Dommen. *Conflict In Laos: The Politics of Neutralization* (N. Y., 1971) and Roger Warner. *Back Fire: The CIA’s Secret War in Laos and Its Link to the War in Vietnam* (Toronto, 1995).

concentrated on the Vietnam theater and Canada's relationship with the United States, its very powerful neighbour to the South. In the context of Canadian international diplomacy, there are two broad schools of thought which can be brought to bear on the issue: complicity and constraint.

The first proponent of the complicity school was Charles Taylor. Examining Canada's involvement in the Vietnam ICSC, Taylor concludes that Canada pursued neither the role of a "helpful fixer" nor the tradition of "Quiet Diplomacy."<sup>53</sup> The entire experience was "a sorry tale of good intentions and limited achievements undermined by bungling and political misjudgment and leaving a legacy of futility and guilt."<sup>54</sup> Such guilt could have been more easily accepted, Taylor states, had Ottawa known that Washington was "wrong about Vietnam and that Canadian support was given reluctantly, in response to overwhelming American pressure and through fear of American economic retaliation." The fact of the matter, though, was that Ottawa was "an accomplice of the Americans in their senseless and horrendous war."<sup>55</sup> "To the very end, Ottawa was a most willing collaborator."<sup>56</sup> As such, "Canada must share some of the blame for the dreadful carnage which the Americans lavished not only on Vietnam, but also on Laos and Cambodia."<sup>57</sup>

James Eayrs, in his examination of the peacekeeping operation in Indochina between 1954 and 1958, expands on Taylor's thesis. In his study, he claims to have unmistakably

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<sup>53</sup> *Snow Job: Canada, the United States and Vietnam, 1954-1973* (Toronto, 1975), pp. III-IV.

<sup>54</sup> P. V.

<sup>55</sup> Pp. VI-VII.

<sup>56</sup> P. 188.

<sup>57</sup> P. 194.

documented “Canada’s apprenticeship in complicity, whose roots are now exposed.”<sup>58</sup> For Eayrs, American intervention in the area was unquestionably and morally wrong. Canada’s attempt to moderate American behaviour was doomed to fail and Canada became implicated in the death of millions of people in the Indochina peninsula. Applying that analysis to Laos, Eayrs concludes that both the US policy and the Canadian performance actually caused the situation to deteriorate. Eayrs tends to equate Vietnam with all of Indochina, and he ignores the particularity of key actors such as the Royal Laotian Government, the Laotian communists and Laos’ neighbours, particularly the North Vietnamese. Nor does Eayrs situate so-called Laotian “internal problems” within the context of the Indochina scene.

Victor Levant’s slight work also falls into the complicity school.<sup>59</sup> Examining Canada’s participation in the Vietnam ICSC between 1954 and 1973, Levant argues that Canada abrogated its own foreign policy-making responsibility and willingly allowed the United States to set the parameters for Canadian diplomacy. In its eagerness to please the United States, Canada took upon itself a protective role for the hopelessly corrupt and morally bankrupt South Vietnamese against the North Vietnamese. The Canadians, Levant asserts, assisted the Americans in their attempts to prevent the reunification of Vietnam under the 1956 nation-wide democratic election sanctioned by the 1954 Accords. Canada, again on its own initiative, not only passed on classified ICSC documents to the United States but also acted as a propaganda agent and as a spy. To further this policy objective, Canada managed to coopt India into generating a trumped-up “Special Report” in 1962 that provided the United States with a pretext for widening the war in Indochina. Canada chose to ignore all the human right abuses

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<sup>58</sup> *Indochina: Roots of Complicity* (Toronto, 1983), p. 283.

<sup>59</sup> *Quiet Complicity: Canadian Involvement in the Vietnam War* (Toronto, 1986).

in South Vietnam. Finally, Canada volunteered, as a chore-boy, to deliver (through diplomats Blair Seaborn and Chester Ronning) American threats to Hanoi, cloaked in the name of peace. Canada persisted in its unqualified complicity because Canada feared losing the economic benefits of the sales of murderous weapons to the United States. Hanoi, Levant insisted, was victimized and helplessly innocent. The North Vietnamese were “dragged” into the conflict by the Southern Vietnamese communists.

The constraint school of thought on Canadian international diplomacy has been advanced, first and foremost, by Denis Stairs.<sup>60</sup> Stairs’ work, while not on Indochina, is instructive. Focusing on the Korean conflict, he demonstrated that the general pattern of Canadian behaviour on the international scene, with initiatives taken on a multilateral basis through the United Nations, was designed with a view to moderating the exercise of American power. Canada, Stairs explains, could not allow the Korean conflict to become an American foreign policy instrument of “aggression against another state.” So long as Canada was a member of the United Nations, Canada had little choice but to accept its international responsibilities and exercise its rights. Only with Canadian participation could Ottawa wish to have some say in the decision-making process and in determining the course of that military engagement. Once the military campaign began, however, the Canadian preference was less for “the norms of collective security than of the practice of countervailing power.”<sup>61</sup> Ottawa was careful to avoid a division between Ottawa and Washington over matters where Moscow and Washington were at odds, while attempting to limit American foreign policy overreach.

Douglas A. Ross is a major adherent of the constraint school as applied to Vietnam.

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<sup>60</sup> *The Diplomacy of Constraint: Canada, the Korean War, and the United States* (Toronto, 1974).

<sup>61</sup> *Ibid.*, p. X.

He argues that Canada's policy toward the conflict in Indochina, in general, and towards Vietnam, in particular, represented an interplay of three very distinct political outlooks: the liberal-moderate, the conservative and the left-liberal. The fundamental thrust of Canadian foreign policy with respect to the bloody Vietnamese conflict was predicated on the notion of "the interests of peace." Canadian participation was, in a very large measure, an attempt to moderate American foreign policy extremes and avoid a nuclear exchange. Therefore, during the entire Vietnamese conflict, Canadian policy toward Vietnam was "not susceptible to any all-embracing rational scheme." Rather, Canada's foreign policy "functioned cybernetically as it tracked several critical variables attentively - one of them, the state of the nuclear peace, very closely - and attempted to keep each within a tolerable range of values."<sup>62</sup> In other words, Canadian foreign policy was not based on a series of narrowly defined and inflexible objectives. Nor was it based on a simple anti-communist posture. It was based on the recognition that Canada needed to live in a state of peaceful co-existence with the communists so as to reduce the risk of a nuclear exchange that assured mutual destruction. For, throughout the Vietnam War, there was constantly a hovering threat of nuclear warfare. In fact, this fear of a nuclear holocaust as a consequence of American nuclear adventurism partly explained Canadian support for a peaceful settlement of the two Far Eastern conflicts: Korea and French Indochina. Therefore, the peace missions Ottawa undertook, via its diplomats, were designed with peace as a fundamental objective.

Ramesh Thakur's work also falls into the "diplomacy of constraint" category.<sup>63</sup> His

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<sup>62</sup> *In The Interests of Peace: Canada and Vietnam, 1954-1973* (Toronto, 1984), p. 385.

<sup>63</sup> *Peacekeeping In Vietnam: Canada, India, Poland, and the International Commission* (Edmonton, 1984).

work was the first to look closely at the Vietnam ICSC and its performance, and the relationships between the three member countries, their foreign policy formulation, and, ultimately, their individual relationships with the two superpowers between 1954 and 1973. Canada's primary pre-occupations, according to Thakur, were a desire to preserve internal Canadian unity and promote membership of the western/Atlantic alliance through NATO and NORAD. For Canada, the central threat was the Soviet Union and Eastern Bloc, not Asia. Therefore, Canada supported a peaceful settlement of the Far Eastern conflicts and, in later years, tried to damp down American excess in order to prevent the Vietnam conflict from splitting the Canadian-American axis of the North Atlantic triangle. Thakur's treatment of the Indo-Canadian relationship is extensive. Less developed, however, is his treatment of Polish motives and policies.

There is simply no comparable Canadian literature on the Laos ICSC. Domador R. SarDesai's book was the first attempt to study the Laos ICSC and the Indian role in Laos between 1954 and 1964.<sup>64</sup> Indian foreign policy for that period, SarDesai states, was to avoid confrontation and to let peace settle so that the people of the Indochina peninsula would have tranquility. To further this object, India reached an understanding with communist China on the principle of peaceful co-existence and the five principles of *Panshasheel* in order to prevent the spread of communism. To achieve this aim, India needed to reassure China. This need for reassurance led India to oppose the creation of and then to seek to limit the influence of SEATO. Indian opposition, SarDesai claims, rendered SEATO ineffective.<sup>65</sup> A military alliance, particularly anti-communist alliance, would serve to revive western colonialism. For

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<sup>64</sup> *Indian Foreign Policy in Cambodia, Laos and Vietnam, 1947-1964* (Berkeley, 1968).

<sup>65</sup> *Ibid.*, pp. 59-60.

India, nationalism and communism in China and Southeast Asia would prevent Soviet expansion.

SarDesai characterizes Indian performance and chairmanship of the ICSC in Laos as a relaxed approach to the problem. According to SarDesai, India pursued this policy because it believed the “grossest understatement” by the RLG representative at the Geneva Conference; namely, that there was no civil war in Laos. The Vietnamese communist invasion was the problem; all that was required was for the Vietnamese communists to cease interfering in the internal affairs of Laos. India, therefore, believed that Laotian problems were better left to the Laotian government and the Pathet Lao themselves to settle. India’s relaxed approach to the Laotian problem also stemmed in part from the fact that the Geneva Agreement on Laos was loosely worded. In the performance of this international duty, India, SarDesai continues, pursued harmony and unanimity. For India, the ICSC’s power was moral and persuasive, not legal and coercive. The Laotian problem was further complicated, SarDesai concludes, by the fact that the Laos ICSC teams were not established in a timely fashion.

SarDesai is successful in explaining that the Indians took full advantage of the non-alignment framework, but he fails to explain the Indian failure or refusal to carry out the responsibilities and obligations which non-alignment entailed. SarDesai ignores completely the role of the North Vietnamese in the creation of the Pathet Lao, and the leadership and control Hanoi exercised over the Pathet Lao.<sup>66</sup> SarDesai dismisses completely the Vietnamese communist invasion of Laos and Hanoi’s view of Laos in its Indochina-wide calculation. Nor does he explain why New Delhi considered the entire Indochina situation as an integrated entity

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<sup>66</sup> For a treatment on this subject, see Paul F. Langer and Joseph J. Zasloff. *The North Vietnamese Military Adviser in Laos: A First Hand Account* (Santo Monica, Cal.: 1968) and *North Vietnam and the Pathet Lao*; and Brown and Zasloff. *Apprentice Revolutionaries*.

and refused to assist the RLG in its attempt to restore its sovereignty in Phong Saly and Sam Neua provinces. He considers either unimportant or irrelevant the repeatedly unfulfilled promises of the North Vietnamese leaders regarding Laos either within the context of the Geneva Accords, Peaceful Co-Existence, good neighbourhood or the Bandung Spirit. Among these agreements and declarations was Ho Chi Minh's personal pledge to Prime Minister Jawaharlal Nehru with respect to Laos during Nehru's visit to Hanoi in 1955. SarDesai downplays Indian reluctance to deal in any effective manner with the Pathet Lao and North Vietnamese obstructions. SarDesai also does not address the apparently pro-communist arguments New Delhi put forward in the debates leading up to the 1958 ICSC withdrawal and the subsequent attempts between 1959 and 1961 to re-convene the Laos ICSC: Laos must simply accept the return of the ICSC because the communists and Hanoi demanded it. Nor does SarDesai explain why the Pathet Lao leaders, including Souphanouvong, were imprisoned. Finally, SarDesai fails to deal adequately with the 1961-62 Geneva Conference on Laos, crucial for India's policies and its involvement in Laos between 1954 and 1964.

#### AIMS, SOURCES AND OUTLINE

This thesis focuses on Canada's motives, objectives and behaviour while a member of the Laos ICSC between 1954 and 1975. It provides an opportunity to test some of the assumptions and to evaluate the validity of the points of view put forward by the complicity and constraint schools on Canadian performance in Indochina. The thesis's central argument is that Canada's participation in the Laos ICSC represented a genuine attempt to be a serious internationalist within the boundary of the framework reached twice at Geneva. An attempt



to make that framework function as best it could constituted the thrust of Canadian behaviour on the Laos ICSC. In the Laos ICSC, the “art of the possible” approach was the main characteristic of Canada’s performance. For almost twenty years, Canada, despite many frustrations, carried on in the tradition of the quiet, flexible and committed diplomatist. Was Canada’s continued participation loyalty to the process or was it loyalty to the intended outcome? Canada did indeed show loyalty to both.<sup>67</sup>

For those two decades, Laos and the ICSC never managed to capture international attention for very long. The problems Laos and the ICSC faced were never their own. Laos and its problems, like the work of the Laos ICSC itself, were tackled through the distorted lens of Vietnam. Decisions affecting the ICSC and Laos were mostly handled by a few middle to high level departmental officials at External Affairs. They were tucked away, dealing with a backwater country, a little jungle kingdom. Seldom did Laos and the ICSC reach the desks of very senior bureaucrats and the cabinet. The central theatre was Vietnam.

Exploring Canadian behaviour and objectives also requires an examination of the working relationships among the three delegations, and an evaluation of the performance of the ICSC itself and its inter-play with the major Cold War participants. The Geneva Accords contained many crucial ambiguities and they were in part purposely left untouched because the participants themselves wished not to tackle the problems at their root. The inadequacy of the terms of the Geneva Accords, and the ways in which both the Indians and the Polish played their hands in the ICSC, conspired to make it largely ineffective in its various tasks. In the process, the Geneva Accords left a tremendous scope for the North Vietnamese to pursue their Indochina-wide regional imperialism.

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<sup>67</sup> I owe this idea to Dr. Steve Harris, the Chief Defense Department historian.

In the post-Second World War era, the US and the USSR emerged as the undisputed hegemony. The US led the West and the USSR the communist side. The USSR's fortune was on the rise. The challenge the USSR posed was not solely military. It was comprehensive in nature, in socio-economic, military, psychological, political and ideological spheres. The theatre of the struggle and confrontation was global in scale, into the far corners of the globe where apparently unimportant countries existed and non-vital interests lurked. Their struggle, often, was cloaked in the name of a National Liberation Movement vs National Preservation Struggle. Both sides were quick to exploit the situation for their own ends.

For the US, the struggle the Cambodians, the Laotians and the non-communist Vietnamese waged was just and necessary if those countries were to preserve their independence and to prevent the spread of communism further in South East Asia. Unless the communists were resisted at every stage, the entire Indochina peninsula would fall and all the countries in South East Asia would succumb one by one. The US notion of the global containment of communism made the protracted conflict in Indochina inevitable. The US expected contributions and assistance from its allies and friends, and very reluctantly tolerated some form of non-alignment. The US did not sign the 1954 Geneva Accords, but pledged not to use force to undermine the settlement. The stage was set for a bloody conflict.

The main body of documentation for this thesis is to be found in the Canadian National Archives. Located there are the records of the Department of National Defence and the Department of External Affairs. The records of External Affairs are particularly rich. They contain Canadian documents and exchanges between headquarters in Ottawa and its ICSC field officials as well as diplomats in the capitals of the Geneva Conference participants. The External Affairs records also contain friendly governments' diplomatic documents, memoranda

and telegrams. Among these are British, Australian and New Zealand documents. These three countries had diplomatic ties with the Laotian government and discussed matters that Canada, as a member of the Commission, was not privy to. This valuable information, at times, assisted Ottawa in formulating its policy and designing its strategies. Canada, as a member of the ICSC, received the RLG's complaints and Souvanna's letters as the Prime Minister of Laos. Canada also had contacts with its communist counterparts, including the communist participants of the Geneva Conferences. Documents of those contacts, also available in Ottawa, contain evidence of communist violations as revealed privately by the Soviets, the Poles and, surprisingly enough, even the North Vietnamese themselves, of the 1954 and 1962 Geneva Accords.

Most of the records covering the period between 1964 to 1975, were, when I examined them, still held at the Historical Section of the Department of Foreign Affairs and International Trade. I was fortunate enough to have access to them on the condition that relevant portions of the thesis were submitted for review prior to submission of the thesis. In the process of the review, one particularly crucial piece of information has been deleted, but only that, and I am most grateful to the Department and its Historical Section for their generosity.

The British Public Record Office was also a valuable source of documentation. Britain served as one of the two Co-Chairmen (the other being the USSR) of the 1954 Geneva Conference on Indochina and the 1961/62 Geneva Conference on Laos. As one of the co-chairs, Britain had contacts with the Communist participants - particularly the Chinese, the North Vietnamese and the Pathet Lao. Britain received their views and passed on much relevant and valuable information to Canada. Equally important were British contacts and exchanges with the Poles and the Soviets.

Other foreign government sources, such as those of the French and the US, were also

helpful. France, as a former colonial power of the region, maintained a fairly friendly relationship with most of the local elites and political leaders. Indeed, many French nationals and officials served as advisors to the RLG and Souvanna in particular. The United States was a key member of the 1961-62 Geneva Conference and one of the primary protagonists in the Indochina conflict. Congressional hearings, public papers of American presidents and the *Foreign Relations of the United States* publications, as well as statements and press releases of the State Department and its officials, were of value.

I benefitted from other documentation from Burma, Cambodia, the People's Republic of China, India, Poland, both North and South Vietnam, the Soviet Union and the Pathet Lao. Newspapers and news bulletin, especially those of the Asian communists, shed light on their activities, thinking and behaviour. They helped to explain, even though my access was far from unlimited, the behind-the-scene dynamics that determined the ICSC's performance. Since the end of the war, Hanoi has begun to reveal a number of important details of its decisions of those years through publication, some as the result of a joint US-Vietnamese effort. Many of its key leaders, such as General Giap himself, have given interviews in which important details were divulged. The work and writings of other key figures such as Troung Chinh and Le Duan have been translated.

The only available RLG sources are its official White Papers, press releases and official statements. Many of the exchanges between both Souvanna and Souphanouvong, as well as the RLG's official position on some issues, were printed in the *Lao Presse*. The *Lao Presse* was, in fact, the official RLG organ. In an attempt to fill the missing gaps, I wrote to and interviewed many key RLG politicians and officials. Among these were former military officers, intelligence and civilian officials, cabinet ministers and members of the Laotian Royal family.

I also wrote to American, Australian, British, and Canadian officials and diplomats, and interviewed some of them, the Honourable Mitchell Sharp and Arthur Menzies in particular.

Chapter I looks at the 1954 Geneva settlement on Indochina and how Canada became a member of the ICSC. Specifically, it outlines the terms of the Geneva settlement; it spells out the roles and responsibilities of the ICSC and the Co-Chairmen in the implementation of the 1954 Geneva Accords; and it also examines the motives and objectives of each of the three ICSC member countries, as well as their relationships one with another. Chapter II looks at the work and logistical requirements in the establishment of the ICSC Inspection Teams, the regrouping of the two opposing armies, the release of POWs and civilian internees, forced recruitment and continued foreign interference. Chapter III examines the military aspects of the Geneva Accords, such as the implementation of the cease-fire provisions. Specifically, what were the rights and obligations of each of the two opposing forces? Did the rights of the Pathet Lao and their North Vietnamese allies nullify the rights of the RLG? The chapter also looks at the right to import arms and military equipments, and the re-introduction of foreign troops and personnel into Laos. Chapter IV deals with both the ICSC's attempt to assist in bringing about a political settlement and the RLG's own effort that eventually led to the RLG-Pathet Lao political agreement in 1957. In this chapter, too, we examine Canada's effort to balance its obligations as a western representative on the ICSC and its attempt to be a helpful fixer *vis-à-vis* Laotian policies and divisions and American global containment of communism. Chapter V confronts the 1962 Geneva Accords on Laos. It examines the functioning of the ICSC as a compliance mechanism and the role of the Co-Chairmen. It explores the reasons why the Geneva Accords failed to provide protection and peace for Laos. This chapter also examines the factors that led to the paralysis of the ICSC, as well as the unfulfilled promises and the

repudiation of the assurances given at Vienna and Geneva by both the Soviets and the Indians, the increasingly pro-communist policy of India, and the blatant obstructions of the communists in the implementation of the 1962 Geneva Accords. Finally, Chapter VI views the results and consequences of the peace talks in Paris and in Vientiane, and the Canadian decision to withdraw from the ICSC.

## CHAPTER 1: THE ROAD TO INDOCHINA

The Geneva Conference of 1954 ended the French colonial empire in what was known collectively as French Indochina. It allowed the French to withdraw, settled the war in Indochina and set up an international mechanism to supervise the implementation of the Geneva Accords. What follows is an examination of the dissolution of the French colonial empire, the different aims of the two sides, and Sino-Soviet interests *versus* those of the North Vietnamese. The chapter also deals with the Geneva Accords and the International Commission for Supervision and Control (ICSC), established to oversee the implementation of the Geneva settlement, and examines how Canada became an ICSC member, and the motives and objectives of each of the three ICSC members.

### THE 1954 ACCORDS

At Geneva, the protagonists underwent a series of very difficult negotiations in their search for a settlement.<sup>1</sup> No sooner had the conference begun than the North Vietnamese claimed to be the spokesperson for the Cambodian and Laotian communists, and insisted that the entire Indochinese peninsula be amalgamated into a single “Indochina federation.” Chou

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<sup>1</sup> The participating countries were: the UK and the USSR (acted as Co-Chairmen), the US, France, Laos, Cambodia, China and the two Vietnams. Both the US and South Vietnam refused to sign the Accords. The US, however, pledged not to use force to undermine the settlement. For detailed treatment of the 1954 Conference, see Philippe Devillers and Jean Lacouture. *End of A War, Indochina: 1954* (N. Y., 1969); Sir James Cable. *The Geneva Conference of 1954 On Indochina* (London, 1986). Cable served as the British interpreter during the entire 1954 Geneva Conference. Robert F. Randle. *Geneva 1954: The Settlement of the Indochinese War* (Princeton, 1969) and François Joyaux. *La Chine et le règlement du premier conflit d'Indochine, Genève, 1954* (Paris, 1979).

En-lai, the Chinese head delegate, rejected that claim: “Indochina consists of three countries. . . all three countries are national states.” “They have remained this way for the past several thousand years.” Indochina was not a single country nor an integrated federation, as Hanoi claimed. Such a federation, Chou continued, constituted a “serious infringement on the sovereignty and independence of Laos and Cambodia.” The royal governments in those two countries had the popular support of the population. The North Vietnamese then demanded half of Laos and a third of Cambodia. Chou, again, rejected that demand. From then on, Pham Van Dong, the North Vietnamese representative, began to refer to the names of the legitimate governments of Laos and Cambodia as such.<sup>2</sup>

The Indochinese settlement was based largely on China’s 2000-year-old policy of divide-and-conquer.<sup>3</sup> Chou made known that China wanted four independent Indochinese states that would co-exist peacefully.<sup>4</sup> To ensure that, there were to be three separate cease-fire

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<sup>2</sup> Joyaux. *La Chine et le règlement*, pp. 228-9 and pp. 232-3; France. *Conférence de Genève sur l’Indochine (8 mai-21 Juillet), Procès verbaux des séances, Proposition, documents finaux* (Paris, 1955), pp. p. 305, p. 318 and p. 420; and Qiang Zhai. *China and The Vietnam Wars, 1950-1975* (Chapel Hill, N.C., 2000), pp. 58-62. Hereafter cited as Zhai. *China and The Vietnam Wars*.

<sup>3</sup> For detailed studies of China’s policy, see Zhai. *China and The Vietnam Wars*; Jay Taylor. *China and Southeast Asia: Peking’s Relations with Revolutionary Movements* (N. Y., 1974); Chae-Jin Lee. *Communist China’s Policy Towards Laos, A Case Study, 1954-1967* (Kansas, 1970); James D. Armstrong. *Revolutionary Diplomacy: Chinese Foreign Policy and the United Front Doctrine* (Berkeley, Cal., 1977); Ronald C. Keith. *The Diplomacy of Zhou Enlai* (N. Y., 1989); Ilpyong J. Kim. (ed.). *The Strategic Triangle: China, the United States and the Soviet Union* (N. Y., 1987); Min Chen. *The Strategic Triangle and Regional Conflicts: Lessons from the Indochina Wars* (Boulder, Colorado, 1992); Shao, Kuo-kang. *Zhou Enlai and the Foundations of Chinese Foreign Policy* (N. Y., 1996) and “Zhou Enlai’s Diplomacy and the Neutralization of Indo-China, 1954-1955,” *China Quarterly*, No. 107 (September, 1986), pp. 483-504.

<sup>4</sup> National Archives of Canada (NAC). Escott Reid Papers, Vol. 8, file 20, Chester Ronning (Can Del. UN. Geneva) to SSEA, June 17, 1954; National Archives of Canada (NAC). Department of External Affairs. RG 25, Vol. 111, file 50052-40, pt. 27, C. Ronning to SSEA, “Interview with Chou En-lai,” June 19, 1954; Public Record Office, Kew, England. Cabinet 129. Cabinet minutes, C(54) 205, “Geneva Conference,” June 21, 1954; Joyaux. *La Chine et le règlement*, pp. 250-265; *Current*



agreements and three distinct political settlements for the three countries. These can be summarized in the following fashion. For Cambodia, the Cambodian communists were to be disbanded immediately. Cambodia had the right to ask for foreign military assistance, including the establishment of US military bases, if the Cambodian government so desired. Hanoi's troops were to be withdrawn unconditionally. Vietnam, on the other hand, was a more dramatic and difficult problem. The country, based in a large part on the suggestion of the North Vietnamese themselves, was divided along the 17<sup>th</sup> parallel.<sup>5</sup> The Communists held the northern half and the non-communists the southern portion. The country was to be reunified through a nation-wide election in 1956. In the interim period, both parties would withdraw their forces to their respective zones. All Vietnamese citizens, if they so chose, could move to either the northern or the southern zone. Neither side was to join any military alliance. The US and the USSR were actively participating in the human trans-shipment between the two zones.

The Laotian settlement fell in between the Cambodian and the Vietnamese settlements.<sup>6</sup> Based on the understanding reached on June 16, 1954, between Chou En-lai and Sir Anthony Eden, the foreign minister of Britain, Laos had the right to import arms and weapons for its defence. It was not allowed to join any military alliance. France had the right to retain two

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*Background*, No. 288, August 16, 1954, p. 5; *New China News Agency*, July 7, 1954 and *Vietnam News Agency*, July 10, 1954.

<sup>5</sup> *Le Monde*, (Paris), May 7, 1954; *The New York Times*, May 11, 1954; *The Times*, (London), May 27, 1954; *Paris-Match*, June 10, 1954; *L'Express*, (Paris), July 10, 1954 and *L'Information*, (Paris), June 18, 1954. Cable. *The Geneva Conference of 1954*, p. 94; Joyaux. *La Chine et le règlement*, p. 190; *Le Monde* (Paris) and *The Times* (London), May 27, 1954 and Zhai. *China and The Vietnam Wars*, p. 56.

<sup>6</sup> Cable. *The Geneva Conference of 1954*, pp. 97-98; *Conférence de Genève sur l'Indochine (8 mai-21 Juillet)*, pp. 302-03, p. 305 and p. 410; Eden. *Memoirs*, pp. 140-142; RG 25, Acc. 90-91/008, Vol. 111, file 50052-40, pt. 25, "Indochina: Eden-Chou discussion," May 29, 1954 and pt. 27, "Interview with Chou En-lai," June 19, 1954; and Ronning. *Memoirs*, p. 240.

military bases in Laos and to train the Laotian army. French military personnel could be integrated into the Laotian army. Laos could remain within the French union, if it chose. “Pending a political settlement,” members of the Pathet Lao could either regroup in the two northern provinces, demobilize immediately and return to civilian life or could join the Laotian army and continue their military career. But, for Laos, the first fundamental issue was the North Vietnamese invasion: despite Pham Van Dong’s vociferous denial, Chou made known to the West that Hanoi’s troops would be withdrawn. The second crucial point was the status of the Pathet Lao. During the conference, the North Vietnamese unsuccessfully demanded half of Laos and a seat for the Pathet Lao at the conference table. In the end, the conference did not grant the Pathet Lao a seat but Hanoi did obtain the two northern provinces, Phong Saly and Sam Neua, for the Pathet Lao.<sup>7</sup> Laos, in effect, was a divided country with a smaller portion under communist control and seemed to have been held as hostage by the communists in case the West reneged on the Vietnamese settlement. To de-internationalize the Laotian problem, Phoui Sananikone, then the foreign minister and Laotian head delegate, made two unilateral declarations: the first signaled Laotian adherence to neutrality, and the second indicated the RLG’s intent to integrate the Pathet Lao back into the Laotian national life by the next general election, scheduled for 1955.<sup>8</sup>

The 1954 settlement was a major defeat for Hanoi. Chou temporarily curbed Hanoi’s designs and its drive for regional conquest. In 1979, Hanoi published a White Paper, in three

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<sup>7</sup> The United States. Department of State. *Foreign Relations of the United States*. Vol. XXI, (1955-1957), *East Asia Security; Cambodia and Laos*, (Washington, D.C., 1990), “Memorandum of a Conversation, Vientiane,” February 27, 1955 and Zhai. *China and The Vietnam Wars*, p. 60.

<sup>8</sup> The RLG’s two Unilateral Declarations are contained in “Documents relatifs à la Conférence de Genève sur l’Indochine, juillet 21, 1954,” in *La Documentation française: Notes et Études documentaires*, No. 1.901 (30 juillet, 1954). Also available in RG 25, Acc. 90-91/008, Vol. 113, file 50052-40, pt. 42.

languages: Vietnamese, English and French. That White Paper accused the Chinese and Chou of colluding with the French, at Geneva, on June 17, 1954, in dividing the People of Indochina, in betraying the revolutions in Laos and Cambodia, and in dividing Vietnam along the 17<sup>th</sup> Parallel. All these activities were designed to facilitate Chinese expansion into South East Asia.<sup>9</sup> Historically, this was not true. The North Vietnamese themselves suggested the idea of partition.<sup>10</sup> These accusations served only to cloak their own ambitions: the occupation of Laos and Cambodia, the Vietnamese-language version of that White Paper revealed, constituted “a springboard for [Vietnamese] expansion into South East Asia.”<sup>11</sup> In other words, Chou had prevented the North Vietnamese from occupying a substantial part of Laos and Cambodia in 1954.

To ensure strict compliance with the agreements and the implementation of the ceasefires, the Co-Chairmen of the Conference, the Foreign Ministers of both the United Kingdom and the USSR, and the other participants created three separate ICSCs and invited Canada, Poland and India to serve on those commissions. The Geneva Accords lacked precision, dividing responsibility between and giving parallel authority to both the ICSC and

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<sup>9</sup> Vietnam. *The Truth About Vietnam-China Relations Over The Last Thirty Years: 1979* (Vancouver, 1980), p. 5 and p. 23. A condensed version of the English-language text is published in *Journal of Contemporary Asia*, Vol. 10#3, (1980). The French version is *La Vérité sur les relations vietnamo-chinoises durant les trente dernières années* (Paris, 1979). For the Chinese view, see “On Hanoi’s White Book,” *Beijing Review*, No. 47 (November 23, 1979); “More On Hanoi’s White Book,” *Beijing Review*, No. 48 (November 30, 1979) and “Why Did Sino-Vietnamese Relations Deteriorate After Viet Nam’s Unification? Third Comment Viet Nam’s White Book,” *Beijing Review*, No. 49 (December 7, 1979).

<sup>10</sup> “Distortion of Facts About Militant Friendship Between Viet Nam and China is Impermissible,” *Beijing Review*, no. 49 (December 7, 1979). Hereafter cited as “Distortion of Facts.” Zhai. *China and the Vietnam Wars*, pp. 61-62 and *The New York Times*, July 25, 1954.

<sup>11</sup> Vietnam. *Su That Ve Quan He Viet Nam-Trung Quoc Trong 30 Nam Qua [The Truth About The Relations Between Vietnam And China During The Past Thirty Years]* (Hanoi, 1979), p. 29, quoted in Thu-huong Nguyen-vo. *Khmer-Viet Relations And The Third Indochina Conflict* (London, 1992), p. 38.

the Joint Commission, which was composed of the belligerents. Article 27, for example, required the ICSC (a) to “control the withdrawal of foreign forces” and “to ensure that the frontiers are respected,” (b) to “control the release of prisoners of war and civilian internees,” (c) to supervise “along all the frontiers of Laos” to prevent “the introduction into Laos of military personnel and war materials” and (d) to “supervise the implementation of the clauses of the agreement on the cessation of hostilities relating to the rotation of personnel and to supplies for French Union security forces maintained in Laos.” In case of a deadlock, there was no clear mechanism and authority to break it or to punish the intransigent party: only in the Laos ICSC was such an authority implied. Under Article 33,

When the Joint Commission is unable to reach an agreement on the interpretation of a provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

The ICSC was required to investigate all incidents and complaints. Such investigation could be taken on its own initiative or at the request of one of its members or one of the parties. The ICSC, in addition, was required to send the Co-Chairmen regular reports. In the event that the ICSC members themselves could not agree on an issue, the ICSC would send to the Co-Chairmen “an agreed” report, stating the views of the majority and minority. As we shall see, cold war politics made it impossible for the ICSC to function properly.

At the same time, the Geneva Accords assigned to the opposing forces the primary responsibility of implementing various provisions. Article 28, for example, required both sides to create the Joint Commission and a number of Joint Groups to facilitate (a) the implementation of “the clauses relating to the withdrawal of foreign forces;” (b) “the cessation of hostilities relating to the simultaneous and general cease-fire in Laos for all [their] regular and irregular forces” and (c) the settlement of “any disputes between” them over “the

implementation of these clauses.” These Joint Groups “shall follow the forces [of the two sides] in their movements” and “be disbanded once the withdrawal plans have been carried out.” This article, as we shall see, provided the Pathet Lao and the North Vietnamese with an enormous latitude for stalling and evading the strict implementation of the Geneva Accords.

Article 30 through to Article 32 spelled out the ICSC’s apparatus and the procedures under which it would operate. In carrying out its mandate, the ICSC had Mobile and Fixed Teams. At first glance, these articles gave the ICSC a significant room for manoeuvre and responsibilities to fulfil. In most cases, a simple majority decision was sufficient to carry out an investigation. However, the most fundamental issues - the “threat of violation” and the refusal of foreign troops to withdraw from Laos - required a unanimous decision. Could this mean that Chou intended to leave some North Vietnamese troops and personnel in Laos to ensure the survival of the Pathet Lao? It is not clear.

The link between the ICSCs and the Co-Chairmen and other participants was also not at all a clear-cut issue. Were the ICSC member countries principal actors or agents of the Co-Chairmen? In the event that the Geneva Accords broke down or ran a serious risk of breaking down, the participants, not the Co-Chairmen and not the ICSC members, were to meet, under Article 13, to consult. Such a meeting never took place. In effect, the USSR was able to, and did, provide diplomatic cover for the Pathet Lao and North Vietnamese violations and non-compliance. At the time, however, it was thought that cold war politics could be separated from the Indochina settlement.

In the Final Declaration, the participants, under Article 12, agreed that

In their relations with Cambodia, Laos and Vietnam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and territorial integrity of the above-mentioned States, and to refrain from any interference in their internal affairs.

In 1954, no one anticipated the bloody conflict yet to come. There was hope that the Geneva Settlement would work out satisfactorily.

## CANADIAN FOREIGN POLICY

On July 19, Canada learned from the *New York Times*<sup>12</sup> that it had been nominated, along with Poland and India, as members of the ICSCs. Canada had not sought membership and Chou, probably with Krishna Menon's urging, nominated Canada.<sup>13</sup> It was not clear why Chou chose Canada. It was perhaps, in part, because of Canada's independence from and even sometimes opposition to certain policy approaches by some American officials during the Korean conflict. For the communists, then, Canada was probably the best among several bad choices. Canada was also one of the western countries most likely to work harmoniously with India.

The initial decision to respond favourably to the invitation was that of Lester B. Pearson, then Canadian Secretary of State for External Affairs. It was a personal "leap of faith."<sup>14</sup> When Ottawa learnt of the invitation, Prime Minister Louis Saint-Laurent was absent and Pearson immediately authorized a press release, indicating that Ottawa would give

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<sup>12</sup> *The New York Times*, July 19, 1954. The actual invitation did not arrive until July 21.

<sup>13</sup> Menon claimed that it was very difficult to persuade Chou to accept Canada as an ICSC member because of its involvement in NATO and NORAD, and its closeness to the US. See Michael Brecher. *India and World Politics: Krishna Menon's view of the World* (London, 1968), p. 49 and p. 75. There were indications that Chou may have been playing up to Menon's ego. Indeed, in June, Chou visited New Delhi and asked Jawaharlal Nehru to explain the South East Asian situation in to him since, according to Chou, Nehru was much better informed of the situation than he. John W. Holmes, however, believed that Menon was instrumental in Canada's nomination. Holmes. "Geneva: 1954," *International Journal*, Vol. 22 (Summer, 1967), p. 470.

<sup>14</sup> Geoffrey H. A. Pearson. *Seize The Day: Lester B. Pearson and Crisis Diplomacy* (Ottawa, 1993), p. 122.

“immediate and sympathetic consideration” to any request.<sup>15</sup> Ottawa, however, instructed Norman Robertson, in London, Jean Désy in Paris and Arnold D. P. Heeney in Washington to enquire what a Canadian membership would imply? Should the Canadian participation be as impartial as it could possibly be or should Canada advocate French and by extension Western interests?<sup>16</sup> Heeney was clearly reluctant to put this question to the Americans

because it might, we thought, elicit from them and put on record an assumption that Canada should play a role that we might [not?] wish to assume. We suppose that by the terms of reference a ‘judicial’ impartiality will be expected of the commission although the implications of the obvious balance in the proposed membership is clear enough. We were afraid that these questions might give a somewhat misleading impression that Canada’s behaviour as a member of the commission might be affected by consultation with others.<sup>17</sup>

James Eayrs states incorrectly that Ottawa overruled Heeney on this point.<sup>18</sup> It was agreed, on July 19, in a telephone conversation between Heeney and Robert A. MacKay, the Acting Under-Secretary of State for External Affairs, that this particular question should not be asked.<sup>19</sup> Heeney also made it perfectly clear to his interlocutor, Robert Murphy, the American Deputy Under-Secretary, that while Canada appreciated any comments the Americans wished to make, Canada “wouldn’t necessarily follow their advice.”<sup>20</sup>

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<sup>15</sup> *The Ottawa Journal*, July 19, 1954.

<sup>16</sup> RG 25, Acc. 90-91/008, Vol. 111, file 50052-40, pt 30, SSEA to Can Amb (Paris and Washington) and to Can High Com (London), July 19, 1954.

<sup>17</sup> *Ibid.*, pt. 31, Can Amb (Washington) to SSEA, July 20, 1954.

<sup>18</sup> *In Defence of Canada, Indochina: Roots of Complicity* (Toronto, 1983), on p. 54. Eayrs did not quote the preceding portion: “It was agreed in my telephone conversation on July 19 with MacKay that we would not put to the State Department No. 5 of the questions set out in EX-1237. We were reluctant to put these questions because it might, we thought, elicit . . . .”

<sup>19</sup> RG 25, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 32, Can Amb, (Washington) to SSEA, July 20, 1954.

<sup>20</sup> *Ibid.*, pt. 33, R. A. MacKay, “Memorandum For File: Attitude of the State Department regarding our membership on Indo-China Commissions,” July 23, 1954. Eayrs did not cite this memo.

Ottawa wanted to know what Washington would do and was prepared to do in light of American reservations expressed on July 20. While Canada understood the American public statement,

we think that they should be prepared to offer some private explanation of the attitude which they would adopt towards the activity of the Commissions and of our position on them. The consequence for us of being involved in a difficult and politically dangerous enterprise such as this without even moral support from the United States would be serious indeed.<sup>21</sup>

The Americans “preferred” the Canadians to “take on the job.”<sup>22</sup> Records of telephone conversation between US President Dwight D. Eisenhower and Secretary of State, John Foster Dulles, revealed, however, that the US hoped to “block things” through the Canadians in Vietnam, and by implication, to serve Western interests in Laos and Cambodia.<sup>23</sup>

Canada was concerned that there might be Franco-North Vietnamese secret agreements on the interpretation of certain provisions of the Accords. At Geneva, there had been many private meetings between the two parties. General Walter Bedell Smith, the chief of the American Delegation, assured the Canadians that “he knew of none.” Indeed, he had received “the solemn promise of ” Pierre Mendès-France, the French Prime Minister, that the US “would be kept fully informed of all agreements made with the Communists.” Bedell Smith understood, however, the Canadian concern. Because of these meetings, he continued,

it was possible that specific views exchanged in the French-Viet Minh talks might

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<sup>21</sup> *Ibid.*, pt. 31, Ottawa to Can Emb (Washington), to Can High Com (London), and to Can Emb (Paris), July 22, 1954.

<sup>22</sup> *Ibid.*, pt. 33, R. A. MacKay, “Memorandum For File: Attitude of the State Department,” July 23, 1954 and pt. 31, Can Amb (Washington) to SSEA, July 24, 1954; supplemental interview with Menzies, April 12, 1995 and Holmes. *The Shaping of Peace*, p. 206.

<sup>23</sup> Record of Telephone Conversation, July 20, 1954, Eisenhower Papers. Diary Series. Box 4, cited in George C. Herring. *America’s Longest War: The United States and Vietnam, 1950-1975* (New York, 1979), p. 42.



come back to haunt the operations of the [ICSC], but he repeated his belief that there was nothing in the way of secret agreements . . . .<sup>24</sup>

Bedell Smith, of course, did not think the conference “had produced a happy solution.” Specifically, the lack of precise and unquestioned authority of the ICSC over a Joint Commission and the “built-in veto” or unanimity on certain subjects would be the primary causes of difficulties and paralysis. The Poles, he said, would vote along communist lines. The Communist long-term objective was to subvert Laos, Vietnam and Cambodia. Pearson agreed.<sup>25</sup> For him, Indian performance would be the key determining factor.<sup>26</sup>

Ottawa, dissatisfied with General Bedell Smith’s answers, instructed Désy, in Paris, to ask the French and Robertson, in London, for more information. Canada did not want its personnel “confronted . . . with conflicting statements from the two Commands concerning oral understandings reached . . . at Geneva regarding the meaning of certain phrases in the Agreements.” This enquiry, however, did not mean Canada was prepared to argue from the French position. Rather, Canada wanted to know, in advance, what was the French understanding.<sup>27</sup> According to the French, there were no records kept of the Franco-North Vietnamese meetings

and consequently neither the Viet Minh nor the French on the [Joint Commission] will be able to substantiate claims to interpretations of the texts reached in private sessions. It will be the duty of the [ICSC] . . . to consider and to come to [an] agreement on the

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<sup>24</sup> RG 25, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 32, Can *Chargé d’Affaires* (Washington) to SSEA, July 30, 1954. Arthur Menzies wrote the author on January 18, 1994 that Canada had no knowledge of any Franco-North Vietnamese secret agreements.

<sup>25</sup> Canada. House of Commons. *Parliamentary Debates*, May 28, 1954, pp. 5189-5203.

<sup>26</sup> RG 25, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 32, Can *Chargé d’Affaires* (Washington) to SSEA, July 31, 1954.

<sup>27</sup> *Ibid.*, pt. 31, Ottawa to Can Emb (Paris), July 22, 1954 and pt. 32, SSEA to Can Amb (Paris), August 6, 1954.

interpretation of the various clauses of the final documents, all of which admittedly were prepared in great haste and left many important points undecided. . . . members of the [ICSC] would have to rely as best they could upon the terms of the agreed texts of the cease fire and of the final statement, in the absence of any documentation concerning agreements on interpretation reached in private discussions.<sup>28</sup>

The French were “anxious that Canada accepts” the invitation. They considered the Canadian presence “an invaluable moral guarantee” to France and the western powers. They had no “confidence” in India, “the implication being that Canadian participation was all the more necessary.”<sup>29</sup>

From London, the information gathered was not better.<sup>30</sup> John G. Tahourdhin, Head of the Department of South East Asian Affairs, considered the Canadian enquiry a “perfectly reasonable one” but “only the French could give you a satisfactory answer.” The British had no “information whatever on what went on” and knew of no “oral understandings on the interpretation to be given to certain phrases in the agreements.” Indeed, Tahourdhin continued, the Cambodian and the Laotian armistice agreements “were actually signed before” the British saw them and the Vietnam agreement “was made available only a matter of a few hours before signature.” Thus, there were no Anglo-French discussions about these agreements.<sup>31</sup> The British, however, offered to assist in the future and urged Canada to accept the invitation.<sup>32</sup>

Pearson, despite sketchy information, recommended to the Cabinet on July 24 that

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<sup>28</sup> *Ibid.*, pt. 33, Can Amb (Paris) to SSEA, August 12, 1954.

<sup>29</sup> *Ibid.*, pt. 31, Can Amb (Paris) to SSEA, July 24, 1954 and pt. 33, Can Amb (Paris) to SSEA, August 13, 1954 and *Ibid.*, Acc. 90-91/008, Vol. 111, file 50052-40, pt. 30, J. Chapdelaine, “Memorandum for Mr. MacKay,” July 19, 1954.

<sup>30</sup> *Ibid.*, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 31, SSEA to Can High Com (London), August 6, 1954.

<sup>31</sup> *Ibid.*, Can High Com (London) to SSEA, August 9, 1954.

<sup>32</sup> *Ibid.*, pt. 31, Can Amb (Paris) to SSEA, July 24, 1954.

Canada accept the invitation and, on July 28, Canada formally accepted it. In a long press release, Ottawa explained that the decision had been made “only after detailed study of the cease-fire and armistice agreements.” Canada had “no illusions about the magnitude and complexity of the issue.” Although aware of the “responsibilities and difficulties,” Canada’s decision had been based on the premise that world peace was indivisible:

We know from experience . . . that just as local conflicts can become a general war, so conditions of security and stability in any part of the world serve the cause of peace everywhere. If, therefore, by participating in the work of these Indochinese Commissions, Canada can assist in establishing such security in Southeast Asia, we will be serving our own country, as well as the cause of peace.<sup>33</sup>

Canada, the statement continued, “is geographically remote from Indochina and her collective security responsibilities in Southeast Asia are limited to those that arise from membership in the [UN].” Canada regretted the lack of UN involvement, but considered its decision to “be fully in harmony with our responsibilities as a [UN] member.” Canada was very “conscious” that its refusal “could delay and complicate the implementation of the cease-fire agreement with unhappy, and possibly even [more] serious results.” Therefore, Canada was willing to play “a worthy and responsible” role “to strengthen peace” and to help settle the Indochina problem.

The press release, meanwhile, pointed out a number of differences between the Korean Armistice Agreement and those of Indochina. Participating on the ICSCs did not mean Canada had “been called upon to guarantee or enforce the Indochina cease-fire.” Nor did “it involve any new military or collective security commitments for Canada.” The ultimate responsibilities for implementing the terms of the Accords rested with the parties concerned. Unlike the

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<sup>33</sup> *Ibid.*, Department of External Affairs. Press Release No. 43, “Statement on Canadian Membership in the International Commissions for Vietnam, Laos and Cambodia,” July 28, 1954.

Korean situation where there were two communist and two non-communist nations, the Indochina Commissions, the statement concluded,

in most cases will be able to take decisions by majority vote. In those special and designated cases where unanimity is required by the cease-fire agreements but cannot be obtained, the commissions will submit majority and minority reports to the Geneva powers. It will then be the responsibility of those powers to deal with the matter.

Despite some reservations and incomplete information, Ottawa was prepared to participate.

### CANADIAN OBJECTIVES

Historically, Canada had limited interests in Asia-Pacific. Geographically, Canada was as much a Pacific as an Atlantic nation, but Canada's traditional concern had been Europe and North America. Canadian military commitments in the North American Air Defence Agreement (NORAD) and North Atlantic Treaty Organization (NATO), along with its cultural and demographic composition, ensured this.<sup>34</sup> Canada's dealings with Asia-Pacific, in the main, were very recent developments and French Indochina, in 1954, was, indeed, a far-away place. Mrs. Helen Bridle,<sup>35</sup> the Canadian ICSC Commissioner Paul Bridle's widow, upon her arrival in Laos, wrote in November 1955,

The only really interesting thing is that it is such a remote corner of the world that not many people go there and very little has been written about it. . . . what has been written is mostly in French, and there is little in English. When we heard we were to go there [Laos] I promptly hunted out the encyclopedia to find out where the place

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<sup>34</sup> For a good treatment of Canadian Atlanticism, see Kim Ricgard Nossal, "A European Nation? The Life and Times of Atlanticism in Canada," in John English and N. Hillmer. (eds.). *Making A Difference? Canada's Foreign Policy in a Changing World Order* (Toronto, 1992), pp. 79-102.

<sup>35</sup> She followed her husband, Paul, who was posted in Laos twice between 1955 and 1956, and again, between 1962 and 1964 as a Canadian Commissioner. The author thanks Mrs. Bridle for making available her family papers and collection of photographs of Laos.

was. . . . [and Laos] is said to have more than a million elephants.

Indochina . . . is exactly on the other side of the world from here. If you cut the world in half & go over the north pole & follow a straight line you'll come down through Russia, the[n] China & then Indochina.

You take off next in a little 2 engine plane. It stops in Cambodia, & this is the last stop before Laos. It is not possible to travel to Laos except by plane. You find that it was rather lucky that the plane got down all right . . . .

In fact, it was only after the Canadian delegation had already arrived in Laos that the Department of External Affairs authorized the first purchase of a book on Laos written in English.

Internationalist factors made it difficult for Canada to refuse. In the post-WWII era, Canada wanted to play a prominent role on the international stage.<sup>36</sup> This change, however, did not mean Canada would pursue an aggressive or a confrontational foreign policy. Prime Minister Saint-Laurent “believed that most Canadians wanted their country to contribute to world peace and better understanding among nations” and “was determined to create for Canada a role in world affairs that Canadians of whatever origin or political persuasion could be proud of.” In fact, there was, in the Saint-Laurent-Pearson era,

a sense of mission in our foreign policy, a conviction that, as a middle-sized power with a good deal of economic clout and international prestige, Canada had both an obligation and the ability to act as an architect of peaceful solutions to intractable problems.<sup>37</sup>

By the time Canada accepted the ICSC membership, Canada had already involved itself in peace observation operations in the Middle East, in Kashmir and in Korea.<sup>38</sup> According to

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<sup>36</sup> Interview with Menzies, April 12, 1995 and National Archives of Canada (NAC). RG 2, Cabinet Conclusions, July 22, 1954, No. 58-54, microfilm T-2369, pp. 001360-62. Hereafter cited as “Cabinet Conclusions.”

<sup>37</sup> George Ignatieff. *The Making Of a Peacemonger: The Memoirs of George Ignatieff* (Toronto, 1985), pp. 108-9.

<sup>38</sup> Interviews with R. Louis Rogers, January 30, 1996 and Vernon G. Turner, February 6, 1996.

Arthur Menzies, Canadian participation on the ICSC was, to a degree, a response to what public opinion in British Columbia and Alberta considered to be an imbalance in Canada's ties with Asia-Pacific. For many of these Canadians, Atlanticism was fast passing into history. Asia/Pacific was the future, where Canada would gain great economic and other benefits.<sup>39</sup>

Canada's acceptance also stemmed from the "intangible but real" personal experience and perception of Canada's political leaders and top policy-makers. Saint-Laurent, Pearson, John Holmes and almost the entire Canadian foreign service officer cadres were from "the war generation." They witnessed many of the twentieth century's great and devastating events, such as the Great Depression and the two world wars. They had just witnessed the murderous and bloody conflicts in Korea and in Indochina. They feared a possible nuclear exchange and the extremism of some American military and political figures, who openly advocated the dropping of atomic bombs as an effective means of dealing with the communist threat.<sup>40</sup> Their experience and instabilities in the world, therefore, added a sense of urgency and possibly an implied duty to Canada's decision to accept this international responsibility in a part of the world where Canada had few historical interests and ties.

The overall thrust of the Canadian policy on Indochina prior to accepting the ICSC membership was cautious.<sup>41</sup> This reluctance reflected the "strong distaste" for colonialism on the part of Saint-Laurent and Pearson and their "high regard" for Indian Prime Minister

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<sup>39</sup> Interview with Menzies, April 12, 1995. Menzies was then the director of the Far Eastern Division.

<sup>40</sup> Holmes. *The Shaping of Peace*, p. 202.

<sup>41</sup> RG 25, Acc. 90-91/008, Vol. 113, file 50052-40, pt. 40, "Memorandum: Indochina," March 25, 1953 and Vol. 112, file 50052-40, pt. 34, G. Blouin, Commonwealth Division, to A. E. Ritchie, Far Eastern Division, "Memorandum: Colombo Plan Aid for the Associated States," October 9, 1954.

Jawaharlal Nehru's views.<sup>42</sup> India and most of the Asian and Middle East countries had not recognized the three Indochinese Associated States. Friendly pressure, however, eventually led Ottawa to extend to them its "qualified recognition" in December 1952. Canada's main emphasis was to encourage them to participate in the Colombo Plan and the liberal-democratic world.<sup>43</sup>

Pearson spoke in December 1953 on the subject: "'Don't Let Asia Split the West'."<sup>44</sup> He attempted to differentiate between the communist-inspired revolutions in the Third World and the process of decolonization. Pearson emphasized that the West must not yield to communist aggression, but, at the same time, it had to recognize that not all nationalist or revolutionary movements were inspired by or "directed" from either Moscow or Peking or both. Not all revolutionary movements or Asian communist leaders, Pearson continued, should and could be accepted with "patience and sympathy" in the hope that they would turn out to be as nationalistic as Joseph Tito of Yugoslavia. Pearson, in effect, argued that the West should pursue a flexible policy so as to allow it to see the situation very clearly. This was, also, an indirect appeal to the US not to consider all nationalist movements as communist-inspired or intervene in every corner of the globe whenever a hot spot flared up. India, an important Asian and non-aligned nation, must be kept on side. Canada tried, as Reid put it, to find a solution "acceptable to India and satisfactory to the [US]."<sup>45</sup> In actual practice, in the Laos ICSC,

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<sup>42</sup> Pearson. *Seize The Day*, p. 107 and National Archives of Canada. (NAC) Lester B. Pearson Papers. Vol. 36, "Records of Talks With Department of State," May 7, 1953.

<sup>43</sup> Holmes. *Shaping of Peace*, pp. 202-04.

<sup>44</sup> "Don't Let Asia Split the West," *S and S*, December 53/50 and *Canadian Parliamentary Debates*, January 31, 1954, pp. 3542-5.

<sup>45</sup> Escott Reid. *Envoy to Nehru* (Toronto, 1981), p. 26.

Canada accommodated India more often than it did the West and the US in particular.

The increased focus on Asia-Pacific, in 1954, was not so much a recognition of the area's importance as such. Rather, it reflected the gradual realization that Asia-Pacific was a strategically important region in the East-West struggle. "[T]he communist conspiracy," Pearson informed members of Parliament, "is working for, and has made progress in, securing control of Southeast Asia." This constituted a "danger to international peace and security . . . a danger which cannot be exorcized by comforting interpretations of Asian communism as merely agrarian reform or as nationalism painted red."<sup>46</sup> It was a real threat. At Geneva, during the Korean armistice discussions, on May 4, 1954, Molotov and Chou accused the US of being a war-monger nation, of having an imperialistic objective in South East Asia, as its numerous military bases demonstrated and of preventing Asians from achieving their national freedom. Pearson responded that the world certainly sympathized with Asian movements for national freedom. He insisted, however, that their freedom had to be "more real than that of Lithuania or Bulgaria or the Mongolian People's Republic." "The right to be free," Pearson continued,

does not include the obligation to be Communist. Asia for Asians is not the same thing as Asia for the Cominform [sic]. It would be no contribution to Asian independence if the Japanese 'East Asia co-prosperity sphere' were exchanged for the Chinese 'East Asian co-Communist empire'.<sup>47</sup>

He went further and said that the US was not an imperialistic power. If it was, Canada would no longer have existed as an independent nation. To make the point even more graphically, Pearson rhetorically asked: would the Chinese and the Soviets abolish the Soviet naval base at Port Arthur, located in Chinese territory, since they had insisted so vehemently that the US

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<sup>46</sup> *Canadian Parliamentary Debates*, May 28, 1954, p. 5190.

<sup>47</sup> *Keesing's Contemporary Archives*. Vol. IX, (1952-1954), p. 13642. Hereafter cited as *KCA*.



destroy its military bases in the Far East? This retort seemed to have taken Chou aback.<sup>48</sup>

Pearson made no distinction between the communist threat in Europe and in Asia. In the context of cold war, security and stability of the Asia-Pacific region were tied to those of Europe. Indeed, one of the points made during the July 24, 1954 cabinet meeting was that Canadian participation on the ICSC would allow the French to withdraw from Indochina and put more effort into the European Defence Committee.<sup>49</sup> The defeat of communism or a successful halt of communist expansion in Southeast Asia would, by implication, increase European security. In this connection, SEATO,<sup>50</sup> like NATO, was essential not only for regional defence but also vital to American policy of global containment of communism. In fact, back on July 24, when the cabinet met, another point made was that if Canada did not participate in the ICSC, Canada might well be forced to accept a SEATO membership.<sup>51</sup> Canada's acceptance of SEATO's creation, however, was primarily to reassure the US. Pearson made this point very clearly in the House of Commons,

. . . communist imperialism, directed from Moscow or from Peking or both, has been too successful in exploiting, and in some cases in capturing these [anti-western] forces, even though communism as the agent of aggressive and reactionary imperialism cannot bring either freedom or progress to those it envelops. . . .

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<sup>48</sup> *Ibid.*

<sup>49</sup> "Cabinet Conclusions," July 22, 1954.

<sup>50</sup> Initially, it was called South East Asia Defense Organization. Unless otherwise quoted directly from a documentary source, the term "South East Asia Treaty Organization" or SEATO will be used. It was first created in 1954 and dissolved in 1978. Its members included Australia, France, New Zealand, the Phillipines, Pakistan, Thailand, the UK and the US. SEATO, initially, extended its protective umbrella over Laos, Cambodia and South Vietnam against overt aggression. Laos eventually rejected SEATO protection. For a treatment of this subject, see for example, Royal Institute of International Affairs. *Collective Defence In South East Asia* (London, 1956); George Modelski. *SEATO: Six Studies* (Melbourne, 1962); Leszek Buszynski. *SEATO: The Failure of An Alliance Strategy* (Singapore, 1983) and Hung Lan, "SEATO-Instrument of U.S. Aggression," *Peking Review* (March 2, 1962).

<sup>51</sup> "Cabinet Conclusions," July 22, 1954.

. . . we should, I think, accept the fact that if this danger exists, and I think it does, there can be no objection to, indeed there should be approval of, regional collective security arrangements organized [i. e. SEATO] to meet those dangers in the right way, by those immediately concerned, under Article 51 of the [UN] charter. We cannot support the principle of collective security in one part of the world and reject it in another. I think it is right and important that the [USA] should be reassured by its friends on this question of principle. Nevertheless, we should also recognize that in practice the type of collective security arrangements suitable for the Atlantic area might not be practical or desirable in Southeast Asia.<sup>52</sup>

The fear of communism and communist expansion were genuine. The Igor Gouzenko and Bruno Pontecorvo affairs, for example, demonstrated that Canada was vulnerable and exposed to dangerous communist activities.<sup>53</sup> Those events further reinforced an already existing fear that communism posed a great and ominous threat to the very fabric of Canada's liberal-democratic tradition and institutions. The desire to protect itself helped determine Canada's foreign policy.<sup>54</sup>

The cold war made it impossible for Canada to pursue a completely independent foreign policy towards the communist world in general and, in particular, towards communist China. In 1954, many Canadian politicians, according to Menzies, regarded the communist world as "largely an undivided world, stretching from the Berlin Wall to China and Korea, and making headway into North Vietnam, Laos and Cambodia."<sup>55</sup> The confrontation with the Chinese

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<sup>52</sup> *Canadian Parliamentary Debates*. May 28, 1954, p. 5190.

<sup>53</sup> See for example, Jack Sawatsky. *Gouzenko: The Untold Story* (Toronto, 1984); John Barros. *No Sense of Evil: Espionage, the Case of Herbert Norman* (Toronto, 1986); Robert W. Bowen. *Innocence Is Not Enough: The Life and Death of Herbert Norman* (Toronto, 1986), and Reginald Whitaker and Gary Marcuse. *Cold War Canada: The Making of a National Insecurity State, 1945-1957* (Toronto, 1995).

<sup>54</sup> Lester B. Pearson. *Words and Occasions* (Toronto, 1970), p. 14; "On Human Survival," *Saturday Review*, 13 June 1970, p. 14; DEA. *Statements and Speeches*, S/S 47/10, May 17, 1947; Holmes. *The Shaping of Peace*, Vol. 1, p. 297. See also, Peter Gellman. "Lester B. Pearson, Canadian Foreign Policy, and the Quest for World Order," (Ph.D. Thesis, University of Virginia, 1987).

<sup>55</sup> Interview with Menzies, April 12, 1995. See also Paul M. Evans and B. Michael Frolic. *Reluctant Adversaries: Canada and the People's Republic of China, 1949-1970* (Toronto, 1991), and Jack L.

communists in Korea reinforced the views politicians expressed that the communist world was basically a monolithic entity and a Russian-dominated alliance. Canadian diplomats dealing with China, however, were not unaware that there was a strong indigenous Chinese movement.<sup>56</sup> In fact, Reid suggested that Canadian membership on the ICSC could be used as an additional argument for establishing diplomatic ties with communist China. In particular, there was a practical aspect to a Sino-Canadian diplomatic exchange: if during the course of the ICSC's operation, the North Vietnamese became either unreasonable or violated certain provisions of the Agreement, Canada could ask China directly to make the North Vietnamese more reasonable. Or Canada could explain privately its controversial decisions. Otherwise, Canada would have to rely on either the British or the Indians or both to relay Canadian views. This was a very unattractive option.<sup>57</sup>

The problem was that, at the time of the Geneva Conference, Chinese nationalism or Chinese independence had not displayed itself to any great extent.<sup>58</sup> Recognizing communist China would have put Canada's relations with the US under an extremely severe strain. Under the circumstances, a Sino-Canadian *rapprochement* would be postponed until the early 1970s, and Pearson agreed with the Americans that there was a communist threat and design in Asia, linking Korea and China to Indochina. Furthermore, Canada never questioned, in strategic terms, the American-led containment of communist expansion. The disagreement occurred in

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Granatstein and Robert Bothwell. *Pirouette: Pierre Trudeau and Canadian Foreign Policy* (Toronto, 1990), pp. 178-203.

<sup>56</sup> Interview with Menzies, April 12, 1995 and Holmes. *The Shaping of Peace*, p. 201.

<sup>57</sup> Reid Papers, MG 31 E 46, Vol. 10, File 34, E. Reid to Lester B. Pearson, July 27, 1954. Since 1949, many Canadian foreign service officials had tried without success to have Canada recognize China.

<sup>58</sup> Interview with Menzies, April 12, 1995 and Holmes. *The Shaping of Peace*, p. 201.

the actual tactics.

In the Far East, Canada's interests rested on the general premise that communism should be prevented from expanding.<sup>59</sup> This should be achieved through all means, including military action, if necessary, as in Korea, but never did Canada support a full-scale military solution to "roll back" communist expansion. Indeed, Canada had opposed expansion of the Korean war into a war with China as well as a US-sponsored UN Resolution declaring China an aggressor in the Korean conflict. Canada also opposed the dropping of nuclear bombs in Korea and, later on, in Vietnam to redress the unfavourable military situations.<sup>60</sup> The 1954 Accords provided a general framework for the attainment of a cease-fire and a "political equilibrium."<sup>61</sup> The ICSCs constituted an important mechanism for achieving those ends.

In Indochina, then, Canada's main objectives were to prevent a renewal of hostilities, to implement the Geneva Accords and to carry out its responsibilities "in such a way as to complicate as little as possible" Canada's relations with its "major friendly powers with [conflicting] interests in the region." These powers were France, India, the UK and the US. Finally, Canada's objective was "To assist in the containment of communism and prevent its spread any further into the vulnerable regions of Southeast Asia."<sup>62</sup> Thus, in the Laotian

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<sup>59</sup> Holmes. *The Shaping of Peace*, p. 209.

<sup>60</sup> Lester B. Pearson, "A Look at the 'New Look,'" *Statements and Speeches*, 54/16, March 15, 1954; *Statements and Speeches*, 50/34; *Diplomacy In The Nuclear Age* (Toronto, 1959) and *Memoirs*, vol. II, Chapter VII; Escott Reid. "The Conscience of the Diplomat: A personal testament," *Queen's Quarterly*, Vol. XXIV, No# 4, (Winter, 1967-68); Kenneth McNaught. "Ottawa and Washington Look at the U.N.," *Foreign Affairs*, Vol. XXXIII, No # 4 (July, 1955); William O'hearn. "Canada Stands Up," *Behind the Headlines*, Vol. XI, No. 1 (February, 1951) and Ross. *In The Interests of Peace*, Chapter II.

<sup>61</sup> RG 25, Acc. 90-91/292, Vol. 109, file 12130-A-40, pt. 8, "Canadian Personnel Serving on the International Commission for Supervision and Control in Vietnam, Cambodia and Laos," November 29, 1957.

<sup>62</sup> *Ibid.*, Acc. 90-91/008, Vol. 113, file 50052-40, pt. 42, Menzies, Far Eastern Division, to Defence Liaison Division I, "Military Commitments Abroad," August 2, 1957.

context, one of Canada's aims was to adhere strictly to the Geneva Accords to prevent the Pathet Lao from expanding their area and influence.<sup>63</sup>

In 1954, in the larger East-West struggle for supremacy and allegiance of newly independent states, Canada did its part in the competition for the political allegiance of the non-aligned and newly emerged or emerging nations. In particular, Canada considered its ties to the Commonwealth a very important aspect of its foreign policy and wooed India. Canada, under the leadership of Pearson, had helped keep India within the Commonwealth, reinforcing Canada's image abroad as a prominent middle power which had a friendly disposition towards both the non-aligned and smaller nations. The Commonwealth, Reid wrote, helped Canada break out of its "isolationism" in North America and the North Atlantic. It opened Canada's eyes and "inoculate[d]" it against much of the "misleading simplicities of . . . cold war propaganda." It made Canada aware of a lot more of "the crucial problems" of the world. Those "crucial problems," Reid wrote, "in their pith and substance" were not so much "a struggle against communism" as they were anti-colonialism, inequality, anti-racial discrimination and misery of people throughout the world.<sup>64</sup> Nehru championed those ideas. Pearson's relations with Nehru, at least up to the middle of the 1950's, were very close, so much so that the Americans described Pearson as "Swami Pearson."<sup>65</sup> The British kept both India and Canada well informed of the Geneva Conference proceedings, and the British connection may have been an added pressure on Canada to make a positive response to the

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<sup>63</sup> Maurice D. Copithorne to author, December 2, 1993. He served as Senior Political Advisor to the Canadian Commissioner in Laos between 1957-58. And, Holmes. *The Shaping of Peace*, p. 209 and p. 217.

<sup>64</sup> Reid. *Radical Mandarin*, p. 252 and p. 267, and *Envoy To Nehru*, Chapter 2.

<sup>65</sup> Holmes, "Geneva: 1954," p. 464.

invitation.

Following Canada's acceptance of the ICSC membership, Pearson charged Reid with the task of delivering a personal message from Pearson to Nehru. No similar message was sent to the Poles. In it, Pearson wrote, the Canadian decision

has been determined in no small measure . . . . Sharing with you a common desire . . . to assist in the establishment of peaceful conditions in the world, we are accepting this assignment in full awareness of the complexity of the task but hopeful that we may be able to discharge our duty effectively. I can assure you that Canadian representatives who will participate in this undertaking will be anxious to cooperate in the most complete and constructive way with the representatives of India.

At 6:30 P.M., on July 29, Reid delivered the message.

As the ICSCs began to operate, the Canadians and the Indians soon ruffled each other's feathers and, by 1958, when the Laos ICSC adjourned *sine die*, Indian-Canadian relations had come under great strain. In his three-volume memoirs, except for a very brief reference to the Geneva Conference on Indochina, Pearson mentioned neither the two-decade long Canadian participation in the ICSCs nor the Indian-Canadian relationship.<sup>66</sup> When Canada finally withdrew its personnel from Laos in 1974, between 15 to 30 percent of the Canadian foreign service officers and defence, above the rank of captain, have served in Indochina, received a hand-on training on Far Eastern/Asia-Pacific matters, developed a whole generation of Far Eastern experts, dealt with both the non-communist and communist Asians, witnessed communist performance and behaviour, and have their negotiating experience and skills sharpened by the less than ideal situation of diplomatic intricacies.<sup>67</sup> The two-decade long

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<sup>66</sup> Pearson. *Memoirs*, Vol. III, p. 121.

<sup>67</sup> Paul Bridle, "Canada and the International Commissions in Indochina, 1954-1972," in Mark Zucker and Stephen Milne. (eds.). *Conflict and Stability in Southeast Asia* (N. Y.: Anchor/Doubleday, 1974), p. 421 and interview with Arthur R. Menzies, August 15, 1994.

membership on the ICSC had left many Canadian officials, both in the military and diplomatic services, cold and frustrated, and brought about a sense of anti-Indianism. There was no longer a Canadian-Indian “special rapport” or “special kinship.”<sup>68</sup>

## INDIAN OBJECTIVES

Indian foreign policy was a combination of deeply-rooted anti-western colonialism and a need to find a middle path between the two opposing political blocs in the cold war. India had sought, found and pursued a policy of non-alignment after its independence. In the pursuit of this non-aligned policy, however, India, a very important Asian nation with a colonial past, would gravitate gradually towards the leftist and/or “nationalistic” pole while it courted and tried to limit the influence of its powerful neighbours. As time went on, Indian weakness became gradually and clearly apparent, and it needed the USSR’s assistance, both politically and economically, to counter China’s growing influence without abandoning the pretense of being a non-aligned country. India exploited the advantages of non-alignment without observing the obligations of neutrality.

India, in particular, championed Asian nationalism and freedom.<sup>69</sup> But, the Indians were more sympathetic to the North Vietnamese than to the Cambodians, the Laotians and the South Vietnamese. The Indian political leadership, particularly Krishna Menon, considered the North Vietnamese as the only representative of Indochina and a genuine anti-colonial force; according

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<sup>68</sup> Interview with D’Iberville Fortier, May 4, 1994. He was posted in Laos twice in 1956 and in 1961. He was also posted in Saigon and Hanoi. In 1959, he was Canada’s Acting Commissioner in Cambodia.

<sup>69</sup> V. Krishna Menon, “Foreign Policy Continuum,” *Seminar* # 75 (November, 1965), pp. 41-50.

to Menzies, the Indians accepted, to a large extent, the concept of unity of Indochina under the North Vietnamese leadership.<sup>70</sup> Indian officials allowed their anti-colonialism to blind themselves to North Vietnamese ambition in and aggression against Laos and Cambodia.

In Laos, the Indians preached the advantages of non-alignment and tried to pull the Laotians away from the French. They openly expressed anti-colonial sentiments and praised Indian neutrality whenever they talked to the Laotians. One of Canada's unforeseen tasks in Laos was to foster good working relations between the French and the Indians. The French, Frank G. Ballachey, the acting Canadian Commissioner, informed Ottawa in 1954, were "not too happy about having a large number of Indians here," resembling "an army of occupation." The French were also afraid the Indians would attempt to "convert the Laotians to the Indians' point of view or Nehruism." Dr. J. N. Khosla, the Indian Commissioner, tended to by-pass the French and deal directly with the Laotians.<sup>71</sup>

Indian non-alignment, in the context of the cold war, had meant a formal refusal to join any military alliances. In its pursuit of non-alignment, Nehru stressed morality, ethics and non-violence rather than physical force and military power. For Nehru, means and ends were intricately linked. "[A]ny policy, any ideology which ignores truth and character of human beings can only lead to evil results" and, therefore, no matter how "good our motives may be and however noble the objectives we aim at it, if the path we follow and the means we adopt are wrong and evil, we can never achieve that objective." "[A] peaceful settlement and peace are always worth pursuing however we may get tired."<sup>72</sup> This, in effect, meant that the Indians

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<sup>70</sup> Interview with author, May 20, 1994.

<sup>71</sup> RG 25, Acc. 90-91/008, Vol. 138, file 50052-B-40, pt. 1, Acting Can Com (Laos) to SSEA, September 9, 1954.

<sup>72</sup> *Indian Parliamentary Debates*, vol. 4, part. 2, August 7, col. 5778.



sat on the fence, abrogating responsibility, rather than evaluating the merits of an argument presented. It was far from a “complete adherence to the text” of the Geneva Accords.<sup>73</sup>

In the non-aligned movement, India emerged as the main protagonist. Nehru explained India’s involvement in world affairs in terms of “compulsion of events” or of “some conspiracy of fate.”<sup>74</sup> Officially, Nehru denied the existence of “Asian sentiment” or “Asianism.” Public statements and activities, meanwhile, left no doubt where Nehru’s sympathy lay. He believed strongly that Asian countries were both psychologically and morally closer to each other, understood each other better and could interpret each other’s actions more easily.<sup>75</sup> This in effect meant a strong Indian opposition to French and American policies regarding Indochina.

However, as a precondition for a non-aligned position, there was a need for closer or at least friendly relations with the USSR and communist China.<sup>76</sup> In fact, Sino-Indian relations were very good, so much so that, in April 1954, the Chinese warned Nehru of an assassination attempt on him and, in that same month, Chou visited India. Chou and Nehru reached an agreement on a non-interfering policy on Tibet and good neighbourhood. They, in those days, greeted each other “bhai-bhai” or “brother-brother.” Chou, at one point, suggested that India set up a rival organization to SEATO, while the USSR publicly proposed that India be admitted as one of the permanent members of the UN security council. There were also Sino-Soviet/Indian exchanges of cultural and economic missions. Indeed, in September, 1954, Sir Raghavan Pillia, the Indian Secretary General, revealed to Canadian diplomat Escott Reid that,

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<sup>73</sup> SarDesai. *Indian Foreign Policy*, p. 167.

<sup>74</sup> *Indian Parliamentary Debates*, vol. 10, pt. 2, December 23, 1953, col. 2965.

<sup>75</sup> *Ibid.*, Vol. 10, pt. 2, December 23, 1953, col. 2966-67. *Speeches*, II, pp. 162-63.

<sup>76</sup> Interview with Menzies, May 20, 1994.

a few months earlier, the USSR offered to sell India some Mig fighter airplanes. Although Pillia recommended against such a purchase,<sup>77</sup> relations between these countries were warm.

## POLISH OBJECTIVES

Poland's policy, unlike that of Canada and India, was simple. The long history of Poland had been a function of its more powerful neighbours' rivalries. Between 1795 and 1918, the Polish nation existed only in the hearts and minds of the Polish people and this had taught the Poles to be both careful and distrustful. After WWII, Poland had become, for all intents and purposes, a Soviet satellite. As a consequence, its policy reflected the Soviet Union's position. In this sense, the policy was simple. It was, at the same time, tragic because it had no room to manoeuvre and could not have made any potentially constructive contribution to peace in Indochina the Poles could or may have considered.

Canada had no illusion as to where Poland would stand and how it would behave. Indeed, the balanced composition of the three ICSCs clearly reflected the three main trends of political realities of the world at that time. Canada had been chosen to represent the Western interest; India the non-aligned and Poland the Communist. In the ICSCs, the Polish delegations never once deviated from the communist line and did their best to frustrate all attempts by the ICSC to investigate incidents with impartiality. That was what counted. In fact, according to

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<sup>77</sup> Reid Papers, Vol. 8, file 21, "Interview with Sir R. Pillai," September 28, 1954; "Interview with R. K. Nehru," November 8, 1954 and "Notes on Interview with Vice-President [Dr. Radhakrishnan]," December 23, 1954; and file 22, Can High Com (New Delhi) to SSEA, "India and the Security Council," November 18, 1955. See also file 22, "Note by Jawaharlal Nehru on his visit to the Soviet Union and other countries in June-July, 1955," and "Further note by Jawaharla Nehru on his visit to the Soviet Union and other countries" August 8, 1955. Nehru himself wrote the last two items. See also *Ibid.*, file 23, Can High Com (New Delhi) to SSEA, April 10, 1955.

D'Iberville Fortier, every subject discussed in the Laos ICSC had been used by the Poles for propaganda purposes. Reflecting on those days, Fortier told the author, in 1994, that:

Different political persuasions were not very conducive to unanimity. This was also the experience at the military level. It was very irritating to our military officers in particular. Instead of trying to draw inspiration from the mandate given by the cease fire agreement, everything and anything was for the Poles an occasion which could be used for political and ideological purposes in order to show that the West was evil; Laos did not really matter.<sup>78</sup>

In other words, the Poles did everything possible to help the Pathet Lao and the North Vietnamese. Indeed, the Poles would tell the Pathet Lao in advance of the ICSC's plan.<sup>79</sup>

This did not mean, however, that all Poles on the Laos ICSC or, for that matter, in Indochina, were committed communists. During the brief thaw in 1955-56, many Poles openly expressed their hatred for the USSR and communism. Following the Hungarian suppression, however, all the Poles returned to the party line.<sup>80</sup> In fact, according to Menzies, whenever there was a social event, two or three Poles would come together to watch each other to ensure that the party line would be followed.<sup>81</sup> Other Canadian officials serving on the ICSC in Laos also felt and sensed that, while some Poles had no scruples about their actions, many had shown signs of discomfort and personal reservations. On many occasions, the Canadians had the impressions that the Poles simply did as instructed. The Poles thus blatantly refused to cooperate in implementing the Geneva Accords in a fair and positive manner, and the Canadians, in the ICSC, vigorously exposed the Polish tactics and activities for what they were.

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<sup>78</sup> Interview with Fortier, May 4, 1994.

<sup>79</sup> *Khampheng Boupha*, p. 34.

<sup>80</sup> J. R. Francis to author, November 11, 1993 and telephone conversation, November 23, 1993. He was posted in Laos as a Senior Political Advisor between October 1956 and October 1957.

<sup>81</sup> Interview with author, May 20, 1994.

But the Canadians attempted to maintain cordial relations with the Poles either on a personal basis and in social gatherings. They got along well with the Poles and the Canadians would try not to use whatever the Poles had said or done against them.<sup>82</sup> Occasionally, the Poles, unlike the Pathet Lao and the Indians, would candidly reveal to the Canadians the nature of North Vietnamese interference in Laos.

The Geneva Conference set up three ICSCs, one for each of the three former French Indochinese states, and invited Poland, India and Canada to be members. Canada's decision to accept the ICSC membership, though outside the auspices of the UN, represented a potentially significant contribution to international peace, security and stability. The troika composition of these Commissions might seem to suggest another path, but a desire to make better a world against the threat of a nuclear abyss nevertheless led Canada to accept this international responsibility. India, on the other hand, pursued its own national interests, as determined by its leadership in the non-aligned movement, its anti-colonialism and its fight against racial discrimination. Its initial attempt to be impartial subsequently turned in favour of the Communists; Menon was largely responsible for this shift. Poland, on the other hand, had no room to manoeuvre. Never once did Poland deviate from the communist line.

As for Canada, frustration soon appeared. This was partly attributable to imprecisions in the Geneva Accords, partly because there was no "special kinship" between Canada and India, and partly through the ever more clear realization that there was no peace to keep.

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<sup>82</sup> Interviews with Robert D. Edmonds, April 6, 1994; Alex Hughes, September 15, 1994; and James C. Langley, March 8, 1994 and Langley to author, May 20, 1994.

## CHAPTER 2: THE ICSC AT WORK, 1954-55.

In Laos, the ICSC faced both military and political issues. The former included cease-fire, disengagement and regrouping of forces as well as foreign troop withdrawals, forced recruitment, POWs and civilian internees. The latter involved the vital interests of internal and external actors and the sovereignty of the RLG. For the purposes of this thesis, the political issues will be dealt with in another chapter.

The separation of the French and the North Vietnamese forces was a success. In Phong Saly and Sam Neua, however, there was no cease-fire between the RLG's troops and those of the Pathet Lao and the North Vietnamese. The supervision of foreign troops withdrawals, especially the North Vietnamese, was impossible. The ICSC had no means of ensuring their complete withdrawal. The troika structure of the ICSC, in addition, had a built-in conflict. In all ICSC's meetings, the Poles supported the North Vietnamese and the Pathet Lao. The Indian position was rather fluid and the Indian chairman tenaciously insisted upon unanimity within the ICSC, even in cases where a simple majority decision would have sufficed. The Canadians attempted to implement the Geneva Accords as best they could.

### SETTING UP THE ICSC

The ICSC arrived late. The advance Canadian delegation, composed of Frank G. Ballachey, Major E. B. Mockell and Capt. E. Thirgood, reached Vientiane, the administrative capital of Laos, on August 10, four days after the cease fire agreement had come into effect. The initial skeleton ICSC included Ballachey, Generals A. S. Pathania and S. Soltysiak,

members of the Canadian, Indian and Polish delegation, respectively. Following their first meeting, on August 11, the ICSC called on the Prime Minister, the Foreign Minister and Crown Prince Savang Vatthana in the absence of the king. It was not until August 21 that General P. S. Gyani, Alternate Delegate of India, arrived and, under his leadership, the ICSC organized itself, established a liaison office and finalized rules and procedures for disengagement and regrouping of opposing forces.<sup>1</sup> The three Commissioners arrived much later. Dr. J. N. Khosla arrived on September 4. Marian Graniewski, the Polish Commissioner, came on September 14 and Léon Mayrand, on October 1. The rest of the essential ICSC personnel arrived sometime in mid-October and its first fixed team was not set up until a full month after the cease fire.<sup>2</sup>

Laos is a mountainous country. Its monsoon season (between April and November), as well as thick wooded jungle, made travelling almost impossible. Laos also hardly had any road and communication system. Electrical power was not widely available. Telephone and postal services were neither speedy nor reliable. Letters tended to disappear without a trace. Housing was also scarce and, for the first few weeks, the ICSC spent precious time looking for decent accommodation rather than dealing with the tasks at hand. Laos, in other words, had changed little since time immemorial.

In July 1954, Ottawa did not know these basic facts and believed that only the Vietnam

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<sup>1</sup> Great Britain. *First Interim Report of the International Commission for Supervision and Control in Laos, August 11, 1954-December 31, 1954* Cmd. 9445, (London, 1955), p. 1. Hereafter cited as *First Interim Report*.

<sup>2</sup> September 9, Fixed Team in Savannakhet; September 17 Fixed Team in Paksé; October 1 Mobile Team in Luang Prabang; October 7 Mobile Team in Savannakhet; October 11 Fixed Team in Sop Hao (Sam Neua province); October 14 Fixed Team in Phong Saly; October 19 Fixed Team in Vientiane; October 20 Fixed Team in Xieng Khouang; October 21 Mobile Team in Phong Saly; November 26 Mobile Team in Paksé and November 11 Mobile Team in Xieng Khouang.

ICSC should be built up to full strength as soon as possible while the Laos and the Cambodia ICSCs might need only one political adviser and one military adviser each. After a few days in Laos, Ballachey informed to Ottawa that

Some of the locations for our fixed teams are going to provide no comforts and only the bare necessities of life, so it would be appreciated if well trained, well balanced and healthy military personnel are provided. It would appear at this point that Laos will probably present more difficulties for our fixed and mobile teams than any of the other areas in Indo China.<sup>3</sup>

Ballachey recommended to Ottawa that all officials assigned to Laos be in top physical condition.

The main difficulty the ICSC faced was the establishment of its presence in Sam Neua and Phong Saly provinces. The delay was partly due to the unpredictable Monsoon and partly because of lack of transportation. Most important of all, however, Col. Dang Van Tinh, the chief of the People's Vietnamese Volunteer-Fighting Units of Pathet Lao (PVV/FUPL) insisted that there were no Franco-Laotian forces in the North and prevented the ICSC from establishing its teams there. On August 29, during an ICSC-JC meeting, Col. Tinh demanded from the ICSC a two-day advance notice of its planned visit to northern Laos. On September 2, the ICSC sent an Indian Major to inform Col. Tinh of its flight plan, scheduled for September 5. The plan called for stops at two landing strips, one in each province, before going forward with reconnaissance works by helicopters. Col. Tinh refused to see the Indian Major on the grounds that it was a Pathet Lao holiday. Instead, Col. Tinh's interpreter received the Indian Major and flatly rejected the ICSC plan. He proposed an alternative flight plan and refused to guarantee the ICSC personnel safety.

The real reason for Col. Tinh's refusal, both General Gyani and Ballachey agreed, was

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<sup>3</sup> RG 25, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 33, Frank G. Ballachey, Can Com (Laos) to SSEA, "First Impressions of the Kingdom of Laos," August 20, 1954.

that the Franco-Laotian forces controlled these air strips. Had the ICSC been allowed to do so, the PVV/FUPL's claim that there were no RLG troops and presence in these two provinces would quickly be disproved. These stalling tactics, the Franco-Laotian side believed, would allow the PVV/FUPL to wipe out the remaining Franco-Laotian troops in the North. General Gyani, however, did not wish to "put on the pressure" until Khosla arrived on the following day.<sup>4</sup>

On September 8, under the chairmanship of Khosla, the ICSC met the JC. Col. Tinh told Khosla that there had been incidents in the areas the ICSC wanted to visit and, thus, he could not guarantee safety. Khosla firmly told Col. Tinh that those incidents demonstrated the urgent need for the ICSC's presence and it was Col. Tinh's "duty" to guarantee safety. The ICSC would proceed without it, however, if necessary. The Poles raised no objection and it was finally decided that the ICSC reconnaissance team would leave for the northern provinces on September 10. In fact, it was not until September 25 that the reconnaissance team reached its destination.<sup>5</sup> General R. E. A. Morton represented the Canadian Delegation. The PVV/FUPL stalling tactics had convinced Ballachey that the operation in Laos would not be easy:

My month's work and experience in Vientiane has been at times frustrating and at times discouraging, but never dull. I will leave Laos, therefore, with mixed feelings and the hope that the groundwork laid by the first few Canadians here will prove durable and the work of the Commission will be successful.<sup>6</sup>

There had been discussions within the ICSC, Ballachey went on, as to how long the ICSC would have to stay. Personally, Ballachey did not believe that the Laotian elections in 1955 would bring about a political settlement. It was more likely that the Vietnam problem would

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<sup>4</sup> *Ibid.*, Vol. 138, file 50052-B-40, pt. 1, Acting Can Com (Laos) to SSEA, September 3, 1954.

<sup>5</sup> *Ibid.*, Acting Can Com (Laos) to SSEA, September 30, 1954.

<sup>6</sup> *Ibid.*, Acting Can Com (Laos) to SSEA, September 9, 1954.



have to be settled first before the Laos ICSC could leave.

When I left Ottawa there seemed to be some hope that the problems of Laos would be of a minor nature but it appears now that the Commission in Vientiane [Laos] may have as many difficulties, if not more, than the Commission in Vietnam.<sup>7</sup>

Ballachey advised Ottawa that, in making plans, it should keep in mind the possibility that the Canadians might stay “here much longer than we had first anticipated.” Ballachey was right on both accounts.

#### TROOPS DISENGAGEMENT AND FOREIGN TROOP WITHDRAWALS

The problems the ICSC faced in dealing with military matters were numerous. Under the Geneva Cease Fire Agreement, the cessation of hostilities would come into effect fifteen days after the entry into force of the said agreement (or by August 6, 1954). Both parties, under Article 11, were to complete their troop reassembly and transfer the forces into Provisional Assembly Areas (PAAs) within fifteen days ( for example August 21) and, under Article 4, except for the 3500 French military personnel authorized by the Geneva Agreement, the withdrawal of all foreign troops from Laos was to be completed within one hundred and twenty days ( or by November 19, 1954). At the time, the ICSC reported that there were 5000 North Vietnamese troops in Laos.<sup>8</sup> The JC, under Articles 4, 11, 12 and 13, was responsible for separating, transferring and determining routes of troop withdrawal. The Royal Lao Army (RLA) would remain *in situ* throughout the entire period of regrouping and transferring of the French, the North Vietnamese and the Pathet Lao forces into the PAAs, and the withdrawal of

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<sup>7</sup> *Ibid.*, Acting Can Com (Laos) to SSEA, September 10, 1954.

<sup>8</sup> *First Interim Report*, p. 53.

French and North Vietnamese troops from Laos. The JC, furthermore, was also responsible, under Article 12, to fix the sites and boundaries of PAAs: the PVV and the French forces were entitled to five PAAs each; the FUPL had twelve PAAs, one in each of the twelve Laotian provinces. The implementation, however, was anything but expeditious and smooth.

On August 9, the Franco-Laotian side proposed that their five PAAs be located in each of the following provinces: Xieng Khouang, Luang Prabang, Vientiane, Savannakhet and Paksé. Between August 9 and August 14, the Franco-Laotian side sent two reminders to the PVV/FUPL, but there was no response. On August 14, the Franco-Laotian side informed the ICSC that, although the PVV/FUPL had earlier verbally accepted their plan, the PVV/FUPL had failed to respond in writing. Therefore, the Franco-Laotian side started carrying out their August 9 plan immediately and they completed it by August 21. Col. Tinh, on the other hand, still insisted that the FUPL should be allowed to have eight rather than twelve PAAs (as they were entitled under the Geneva Accords), and that these PAAs ought to be located in Luang Prabang, Xieng Khouang, Vientiane, Thakhek, Saravane, Paksé and the entire provinces of Phong Saly and Sam Neua, excluding the PVV's PAAs. The PAAs in the other provinces would be considerably larger since they had to live off the land and were adjacent to each other and located near the Laotian-Vietnamese border. This would have amounted to about one-third of the country and provided direct access to both China and North Vietnam for military and other forms of assistance. The Franco-Laotian side rejected the PVV/FUPL claim on Phong Saly and Sam Neua, and considered their proposed PAAs in other provinces too large and "contiguous" to each other. This was, therefore, "against the principle of disengagement."<sup>9</sup> Nothing was resolved.

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<sup>9</sup> *First Interim Report*, p. 8.

Wrangling continued. The PVV/FUPL, on August 17, using Articles 12 and 14, proposed to reduce all PAAs in the other provinces but still insisted on retaining Phong Saly as PVV/FUPL's PAAs and Sam Neua for the FUPL only. According to the PVV/PL, the phrase "move into" meant they had complete control of these provinces. The Franco-Laotian side agreed with the first part on the condition that the PVV/FUPL had completed their withdrawal from Saravane, Attapeu and Paksé by September 30 and from Savannakhet, Thakkek and Vientiane by October 15, 1954. Regarding Phong Saly and Sam Neua, the Franco-Laotian side rejected the PVV/FUPL claim, but proposed "equitable" zones. They reached a deadlock. In the ICSC, the Poles supported the Pathet Lao and the PVV.

Other problems, too, had not been settled. The joint teams, among whose responsibilities was helping the disengagement and regrouping of opposing troops, were not set up. Article 12 had specified twenty two teams. The Franco-Laotian side suggested twenty three and the PVV/FUPL three. They reached a deadlock. In addition, the PVV/FUPL not only opposed sending joint teams to Phong Saly and Sam Neua, but also refused to disclose the disposition of their troops. The Franco-Laotian side had already agreed to do so. It was impossible to implement the cease fire provisions unless the ICSC knew their total strength and locations. The problems were, indeed, numerous and difficult, and Ballachey informed Ottawa that

While it is too early to make predictions, it would seem that the problems in Laos are going to be considerable at the outset. The actions of the A.P.V.N. [Armée Populaire du Viêt Nam] and Pathet Lao delegates to date have not been assuring and they have shown little tendency to compromise on any points. On the other hand they apparently also do not feel compelled to give explanations for the stands they take no matter how unreasonable they might appear. We trust that this situation will improve when the International Commission can function and make recommendations.<sup>10</sup>

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<sup>10</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 1, Can Com (Laos) to USSEA, August 20, 1954.

Both sides asked the ICSC to consider the problem on August 18. It was at this meeting that the Indians and the Canadians witnessed the first Polish stalling tactic. Soltysiak refused to discuss anything but housing and supplies problems, and wanted to consult “his Ambassador” in Vietnam. Ballachey and General Pathania, however, argued that, as agreed in New Delhi, the initial representatives of the ICSC countries were independent officers and that there were three Indochinese ICSCs. By consulting the Vietnam ICSC, “it would create a bad impression if word got out” that the Laos ICSC “had to refer its troubles” to the former.<sup>11</sup> Soltysiak refused to budge and a plane from Hanoi came to pick him up. Ballachey and General Pathania went along with the Pole since they could not do anything by themselves. The meeting in Hanoi produced no substantive result.<sup>12</sup>

At the same time, the Franco-Laotian side and the PVV/FUPL met between August 29 and 30 and reached an agreement. The original Franco-Laotian proposal remained unchanged. The PVV/FUPL’s PAAs were further reduced and the PVV gave up its PAA in Xieng Khouang in exchange for one in Phong Saly. The PVV would have five and the FUPL six PAAs. Not wishing to go through the same acrimonious debates, the Franco-Laotian side did not insist on the precise area of the PAAs for the FUPL and their own troops in the two northern provinces. The Franco-Laotian side, however, insisted on the creation of “equitable” zones. Thus, no specific mention was ever made concerning the PAAs of the FUPL. This omission, as we shall see, became one of the key political problems for Laos.

Neither party, however, gave the ICSC precise information on their troops’ strength with sufficient advance notice. The ICSC, between September 29 and October 5, enquired

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<sup>11</sup> *Ibid.*, Can Com (Vietnam) to SSEA, August 21, 1954.

<sup>12</sup> *Ibid.*, R. M. MacDonnell (Vietnam) to SSEA, August 21, 1954.

about progress. The Franco-Laotian side, in principle, was prepared to provide the ICSC with the necessary information, but refused to divulge it unless and until the PVV/FUPL did.<sup>13</sup> The PVV/FUPL then provided a break down of troops according to each PAA. The PVV/FUPL also stated that their troops would begin withdrawing from Vientiane on October 1. They further intimated that, on November 5, two FUPL companies would leave Savannakhet, and Thakhek, and one more FUPL company and one PVV battalion would evacuate the areas on November 20 and November 15 respectively. To ensure compliance, the ICSC again reminded both parties, on November 1, that the regrouping and foreign troop withdrawal had to be completed by 0800 hours on November 19. In response, the Franco-Laotian side informed the ICSC that they had completed all aspects of their withdrawal except the 250 troops, not included in the allowed 3500 French military personnel in Laos, and they intended to complete their withdrawal by November 19. The French forces, however, had been brought incrementally from all parts of Laos and concentrated at Séno. Thus, the final departure point of any French troops over the limit was from the Séno base.

The ICSC also made a similar enquiry, on November 1, of the PVV/FUPL. They informed the ICSC that the PVV troops in the northern provinces would have to postpone their departure because of the lack of supplies and transportation. These troops, however, intended to leave Laos by November 22, three days after the deadline. These sudden difficulties meant that the North Vietnamese desired to prolong their stay. If the PVV could withdraw from Cambodia in three months (as required by the Geneva Accords), why then would the North Vietnamese require four months to withdraw from southern Laos and why would they suddenly find it impossible to cross from Phong Saly and Sam Neua to North Vietnam? The war against

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<sup>13</sup> *First Interim Report*, p. 11.

the French in 1953 and 1954 clearly demonstrated the highly mobile nature of the North Vietnamese troops. Therefore, these difficulties were clearly delaying tactics, intended to help consolidate the FUPL's hold on the North an inseparable part of the over-all North Vietnam's Indochinese revolutionary strategy. The occupation of Laos and Cambodia, the North Vietnamese revealed, constituted, "a springboard for [Vietnamese] expansion into Southeast Asia."<sup>14</sup> In short, the historical Vietnamese southward march continued.

In light of the difficulty in supervising troops withdrawal, the ICSC decentralized its operation and instructed its teams to do their best.<sup>15</sup> The ICSC Teams soon encountered difficulties. The Franco-Laotian troops had all the military uniforms and identifiable ranks and units; the PVV/FUPL had none and it was impossible to identify them. The Franco-Laotian side accused the PVV/FUPL of not informing them of their scheduled withdrawal and of deviating from the agreed routes. For example, the only FUPL troops that a Joint Group actually followed were the one withdrawing from Luang Prabang. The Joint Groups did not follow the withdrawals of the PVV troops from Phong Saly and Sam Neua, and that of the PVV/FUPL from Tourakou, Vientiane. The PVV/FUPL's troops from Vientiane, however, were eventually, but only partly, checked by a Joint Group and by an ICSC Team at the Laotian-North Vietnamese frontier. Similarly, the French forces, leaving Luang Prabang and the Plaines des Jarres by air, were not checked by the Joint Groups. In Paksong, southern Laos, both sides withdrew without informing the other. The PVV/PL also complained that the French forces left Séno base without informing them and accused the Franco-Laotian side of failing

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<sup>14</sup> Vietnam. Foreign Ministry. *The Truth about the Relations Between Vietnam and China during the Past Thirty Years*, [written in Vietnamese] (Hanoi, 1979), p. 29 quoted in Thu-huong Nguyen-vo. *Khmer-Viet Relations And The Third Indochina Conflict* (London, 1992), p. 38.

<sup>15</sup> *First Interim Report*, Appendix A and B.

to provide supplies as agreed. The Franco-Laotian side reiterated that the PVV/PL had deviated from the agreed routes. The insufficient number of helicopters and the lack of cooperation of both sides made it impossible for the ICSC Teams to supervise troop withdrawals with any great degree of reliability. Only in the Mahaxay area could the ICSC teams verify the PVV/FUPL withdrawal with some satisfaction. Whenever there was a complaint, the ICSC Teams would go out and check “the column personally in addition to the normal plans . . . for carrying out their own checks.” Clearly, the ICSC could not supervise most of the withdrawals and the ICSC recognized this. In its report to the Co-Chairmen, the ICSC concluded that it had to “rely to some extent on the assurances” of both sides that “they have completely withdrawn their forces in accordance with the terms of the Geneva Agreement.”<sup>16</sup> The ICSC’s inability to carry out a satisfactory supervision allowed the PVV to leave many troops and advisors behind.

The preponderance of evidence indicated that a large number of North Vietnamese still remained in Laos past the deadline. Following the foreign troop withdrawal and pending the dissolution of the JC on February 6, 1955, Mayrand, in December, 1954, went to Paksé and he passed through Paksong, the headquarters of the Sub-Joint Commission. There, he found three PVV (one was the interpreter) and two FUPL. They appeared “conspicuous by their uniforms,” continued to act as if fighting was still going on and sent the ICSC “a flood of request for enquiries into alleged violations of human rights.” This, Mayrand believed, was a way “of manifesting their presence and conducting their propaganda.”<sup>17</sup> Mayrand learned that, among the PVV/PL personnel in the two Sub-Commissions and four Joint Groups in central and

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<sup>16</sup> *Ibid.*, pp. 14-15.

<sup>17</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 2, Can Com (Laos) to SSEA, December 18, 1954.

southern Laos, there were a total of “63 [members], of whom about 50 are Viet Minh.”<sup>18</sup> He wanted these Joint Sub-Commissions quickly abolished to prevent the PVV from carrying out further propaganda and subversive activities. One way of dealing with this problem, Mayrand informed Ottawa, was to have the RLG withdraw its representatives and Ottawa agreed.<sup>19</sup>

The need to eliminate these groups soon became urgent. In early February, 1955, the PVV/FUPL insisted not only on the maintenance of the JC but also on the increase of its strength from 120 to 130 PVV/FUPL delegates. About 80 percent of them were PVV. They wanted to witness all payments made to the population for provisions they took during the war and during their withdrawal. They further demanded the creation of Grave Teams of 200 PVV/FUPL personnel, with headquarters in Vientiane rather than in Séno, where all logistical facilities existed but where chances for an effective propaganda were clearly limited.<sup>20</sup> The PVV/FUPL further demanded the creation in Vientiane of a political liaison mission with no limitation on the number of PVV/FUPL personnel with the right to wear military uniform.<sup>21</sup> These were clear evidence of the North Vietnamese attempting to prolong their presence and explained the PVV/FUPL’s resistance to the JC’s dissolution.

The Franco-Laotian head of delegation, Col. Ansidei, without his Laotian partner,

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<sup>18</sup> *Ibid.*, Can Com (Laos) to SSEA, January 10, 1955.

<sup>19</sup> *Ibid.*, Can Com (Laos) to SSEA, December 18, 1954 and January 6, 1955.

<sup>20</sup> *Ibid.*, Vol. 148, file 50052-B-40, pt. 6, Can Com (Laos) to SSEA, June 2, 1955. During the negotiations, the North Vietnamese insisted and the Pathet Lao simply echoed that there be a grave site for all fallen Vietnamese troops in Laos and be buried with “appropriate” inscription. The RLG representative rejected that and proposed that either all Vietnamese be brought to North Vietnam for re-internment or be left in individual grave in Laotian soil with “no offensive inscriptions such as ‘Fallen in the fight for Freedom’ were placed upon the headstones.” The Pathet Lao had no idea what they wanted for their dead and the RLG proposed no specific action to deal with them.

<sup>21</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 3, Can Com (Laos) to SSEA, February 4, 1955. Weekly Progress Report No. 19.



attended a joint ICSC-JC meeting on February 10, and rejected these demands. As far as he was concerned, his presence was “unofficial.” The JC had been dissolved since February 6, the day the French High Command ordered him to withdraw. The PVV/FUPL should simply hand the money over and the RLG would make the payments itself.<sup>22</sup> Col. Ansidei, however, proposed that ten Grave Teams be set up to exhume the remaining bodies of troops. A Grave Commission, if required, be located at Séno base. Each team would have three members; there would be no military uniforms and these teams had six months to carry out the tasks; and the RLG would provide all the necessary logistical tools. In Laos, there were only 781 as opposed to 30,000 to 40,000 graves in North Vietnam. Therefore, there was no need for a large PVV personnel. Mayrand was worried about the PVV’s motives and he intended to do everything possible, even if there was a split vote in the ICSC, to help the RLG by preventing the prolongation of the PVV’s stay. Ottawa agreed.<sup>23</sup>

It took some time to dissolve the JC. Khosla was responsible for the delay. Unknown to Mayrand, Khosla had spent three hours with Col. Tinh on the night of February 9. The next day, Khosla came to see Mayrand and wanted the French and the RLG to accept the establishment of a PVV liaison office along with that of the Pathet Lao in Vientiane. Mayrand refused. Since the Geneva Accords mentioned no liaison office, it was entirely up to the RLG to decide whether or not it would allow one to be set up. Khosla tried but Mayrand would not budge. As far as Mayrand was concerned, the JC had completed its mandate and it should simply dissolve itself. It was probably due to his attitude, Mayrand informed Ottawa, that

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<sup>22</sup> RG 25, Acc. 86-87/336, Vol. 43, file 619-L-40, pt. 4, Can Com (Laos) to SSEA, February 2, 1955.

<sup>23</sup> *Ibid.*, Menzies to Holmes, “Memorandum: Laos Commission: Policy of Firmness,” February 9, 1955 and SSEA to Can Com (Laos) February 14, 1955 and RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 3, Can Com (Laos) to SSEA, February 4, 1955. Weekly Progress Report No. 19 and SSEA to Can High Com (London), February 9, 1955. “Summary of ICSC activities ending February 8.”

Khosla put “all his pressure on the PVV/PL side.” Mayrand intended to force a vote, if necessary, in the ICSC, calling for the JC’s dissolution. To avoid “misunderstanding,” Mayrand gave Khosla a copy of his draft resolution.

The next day, on February 10, both the PVV/FUPL and the Franco-Laotian delegations met. They agreed to dissolve the JC, but only after Col. Tinh had accused the Franco-Laotian side of violating Article 28 of the Geneva Accords. Col. Ansidei remained silent and Mayrand thought it was a mistake not to respond. Mayrand, however, took some comfort in the fact that Col. Ansidei had made an adequate rebuttal during their earlier meetings between February 7 and 8. Also, to Mayrand’s surprise, the PVV/FUPL accepted Col. Ansidei’s proposal in its entirety. The ICSC and the FUPL only would witness the payment. On February 12, in a surprising move, Col. Tinh announced that the Pathet Lao could set up a liaison office in Vientiane to represent only the Pathet Lao and not the North Vietnamese. Furthermore, all Vietnamese residents in Laos who fought against the RLG would also leave Laos.<sup>24</sup> With this agreement, an episode had ended. During the PVV/FUPL withdrawal into PAAs, however, they recruited many Laotians to build up their strength and the ICSC would be forced to deal with the issue.

## POLITICAL PRISONERS AND CIVILIAN INTERNEES

The ICSC, under Article 16, also dealt with the release of prisoners and civilian internees. This article specified that the exchange of POWs would embrace only those captured

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<sup>24</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 3, ICSC Press Communiqué February 10, 1955; and RG 25, Acc. 86-86/336, Vol. 43, file 619-L-40, pt. 4, Can Com (Laos) to SSEA, February 12, 1955 and SSEA to Can High Com (London), February 16, 1955, “Summary Report on ICSC Activities ending February 15, 1955.”

or detained in Laos and that all internees would be liberated by September 5, 1954. The ICSC asked both sides to submit the names and plans for the release of POWs and civilian internees. The Franco-Laotian side did submit such a list. The PVV/FUPL, however, delayed action and, as a consequence, there were only 304 POWs and civilian internees exchanged within the prescribed period. The majority of the POWs, captured during the period of hostilities, remained unaccounted for.<sup>25</sup>

Both sides, however, held more POWs and civilian internees than they admitted. On September 27, 1954, the ICSC intervened and the Franco-Laotian side released a further 367 POWs of all categories by October 10. The PVV/FUPL claimed the Franco-Laotian side held 343 North Vietnamese POWs and civilian internees and FUPL 154 POWs and civilian internees. The Franco-Laotian side admitted to that they held 129 North Vietnamese POWs and civilian internees, and 81 FUPL POWs and civilian internees, and then released 128 Vietnamese and 45 FUPL POWs and civilian internees. The Franco-Laotian side, on the other hand, claimed the PVV/FUPL held 177 French Forces and 1,604 POWs and 703 civilian internees. The PVV/FUPL admitted to holding only 606 French soldiers and 110 Laotian POWs. The PVV/FUPL then released 345 French soldiers and 3 Laotians. The Franco-Laotian side denied that three Laotians were released while the PVV/FUPL denied any knowledge of the 703 Laotian civilians. Indeed, the figures on both sides were not very clear. The Franco-Laotian side claimed the PVV/PL held 557 POWs and civilian internees on September 29. But by December 20, this number had swollen to 900 and by June 30, 1955, 2,076. Some of the excessive number claimed by the Franco-Laotian side was eventually accounted for by the fact

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<sup>25</sup> Canada. *Second Interim Report of the Activities of the International Commission for Supervision and Control in Laos, Supplementary Paper. No. 55/9, 1 January - 30 June, 1955* (Ottawa, 1955), p. 21. Hereafter cited as *Canada: Second Supplementary Paper*.

that it included French troops in Vietnam who were captured in Laos. For the same corresponding period, the PVV/FUPL's number went from 503 to 912.<sup>26</sup> Both sides had clearly failed to comply with October 10 dateline and continued to accuse the other party of holding more than it admitted.

The discrepancy resulted partly from the fact that each side accorded a different interpretation to the status of POWs and civilian internees. For instance, on September 11, the PVV/FUPL handed to the Franco-Laotian side 200 prisoners. The PVV/FUPL insisted that 195 were French and 5 Laotian POWs. On another occasion, the PVV/FUPL handed over 7 Laotian POWs and 81 political internees. The Franco-Laotian side insisted that they received 13 POWs and 75 civilian internees.<sup>27</sup> There were also differences about who constituted "political internees" and "civilian internees." While the latter were classified as "ordinary" citizen, the former were those who took part in political activities during the period of hostilities. The Franco-Laotian side claimed the PVV/FUPL held 180 RLG officials in Sam Neua as political internees, along with an unspecified number of "ordinary" citizens under the guise of wishing to stay under the PVV/FUPL's control. The PVV/FUPL countered that "ordinary" citizens never took part in any military or political activities and, therefore, need not be handed over.<sup>28</sup> In addition, there were Cambodians fighting in Laos with the French forces and PVV who fought in Laos but were captured in Vietnam. The wrangling continued and, by June 30, 1955, the ICSC concluded that, even in "a most pessimistic interpretation of the figures supplied by the opposing sides," it believed that the PVV/FUPL still held between 706 and 1846 of the

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<sup>26</sup> *Ibid.*, p. 24.

<sup>27</sup> *Ibid.*, pp. 27-28.

<sup>28</sup> *Ibid.* p. 25.

RLG personnel and that the latter still retained 692 persons of the other side. "The disparity in the figures of men" alleged to be held by the PVV/FUPL, the ICSC reported, could be explained by the fact that the PVV/FUPL had claimed to have released 1140 men belonging to different categories prior to the cease fire, but it "was impossible to verify this statement."<sup>29</sup> Many may have died during the ensuing battles, of illness or while in prison camps. For humanitarian reasons, however, the ICSC urged both sides to do their best to search for the missing men. Soon the issue was forgotten as fighting in the North overshadowed it and the need to maintain a stable cease fire became the priority.

#### FORCED RECRUITMENT

Forced recruitment was also another contentious issue. The Franco-Laotian side accused the PVV/FUPL of forcibly recruiting Laotians.<sup>30</sup> In fact, during the Geneva Conference, Phoui accused the North Vietnamese of forced "social coercion."

In the Province of Sam Neua, which has been occupied since April 1953, children are sent to Viet Nam for Communist indoctrination; the whole population up to the age of fifty-six (including children and pregnant women) is forced to do haulage and road work, while rice, salt etc., are requisitioned unmercifully.<sup>31</sup>

These recruits, with Souphanouvong's active encouragement, were sent to North Vietnam, through secret routes, to be trained at the Khommadam School and sent back to conduct

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<sup>29</sup> *Second Interim Report*, p. 27.

<sup>30</sup> *First Interim Report*, pp. 29-30.

<sup>31</sup> *British Documents. Cmd. 9186*, p. 155.

propaganda for the Pathet Lao.<sup>32</sup> The PVV/FUPL denied this. On September 20, the ICSC requested more information and, again, the PVV/FUPL refused. Mayrand and General Gyani had earlier discussed the issue and agreed that the Pathet Lao had no right to recruit. The only authority legitimately allowed to recruit was the RLG. The Poles disagreed with that analysis and supported the Pathet Lao and the North Vietnamese. The Polish Military Advisor, Lobman, for example, stated that the Geneva Accords gave the Pathet Lao not only the status of a political party but also that of an army. As such, the Pathet Lao had the right to recruit troops to strengthen their ranks.<sup>33</sup> With this Polish stand, all pretense of impartiality disappeared.

The Franco-Laotian side, on September 27, requested the ICSC to dispatch its Inspection Team to Ban Pha Nop (near Thakhek), through which a number of PVV/FUPL battalions, containing forced recruits, were expected to pass between September 28 and 29. Due to an inadequate air transport, the ICSC teams missed the troops. In Mahaxay, the ICSC teams saw one PVV/FUPL battalion “actually” cross into North Vietnam on the 28th and 29th of September, “but could not confirm whether there were amongst them any forced recruits.”<sup>34</sup>

The Franco-Laotian complaints continued. Expeditious investigation, however, was impossible. The ICSC lacked sufficient transportation, communication facilities and, most important of all, interpreters. At Geneva, the issue of interpreters had not been dealt with.

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<sup>32</sup> General Étam to author, July 24, 1995; telephone conversation with Khamtanh Nouammala, August 10, 1995 and Col. Sisounol to author, July 31, 1995. Khommadam was the rebellious Khmou leader killed by the French.

<sup>33</sup> Great Britain. *Second Interim Report of the International Commission for Supervision and Control in Laos, January 1-June 30, 1955*. Cmd. 9630 (London, 1955), p. 15. Hereafter, cited as *Second Interim Report*.

<sup>34</sup> *First Interim report*, p. 27.

While in Laos, the formula subsequently agreed to was that, unless all interpreters from the three ICSC delegations and the two opposing sides were present, there should be no investigation. Among eleven investigations, most of the findings did not support the Franco-Laotian side. Specifically, five of these investigations led to a negative conclusion. These included investigations at Lao Ngam (in Paksé between October 4 and 6), Ban Pha Nop (near Thakhek on October 12 and on November 3), at Moung Ngam (Xieng Khouang province, on November 4), and at Moung Cham (Vientiane province, on November 5).<sup>35</sup>

Three investigations led the ICSC Teams to conclude that there was insufficient evidence either to support the Franco-Laotian claims or to sustain the PVV/FUPL denials. At Khang Khay, in Xieng Khouang province, (October 25, thirteen witnesses), in the Nam Lik and Na Ngum region (Vientiane province, between October 17 and 29, twenty witnesses), and again at Khang Khay (on December 1, three witnesses), the ICSC Team could not reach a definite conclusion. The PVV/FUPL, however, declared all the statements the witnesses made “false.” In the Nam Lik-Nam Ngum area, there was no possibility of continuing further investigation because the PVV/FUPL, without explanation, suddenly withdrew their officials and interpreters on October 29. In the end, the ICSC teams concluded that they could not “categorically” draw any conclusion.<sup>36</sup> Thus, the recall of PVV/FUPL officials led to the conclusion that there had to be a degree of truth in the Franco-Laotian complaints.

Other investigations found some circumstantial evidence that supported the practice of forced recruitment. Following its investigation at Khang Khay, on November 1 (three witnesses) and on November 19 (six out of fifteen witnesses), the ICSC team concluded that

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<sup>35</sup> *Ibid.*, pp. 29-30.

<sup>36</sup> *Ibid.*

they had been “enroled before” the cease fire and “therefore did not fall under the category of forcibly recruited personnel.” However, further interrogation of these three witnesses (November 1) could not take place with no PVV/FUPL interpreters. Of the remaining nine witnesses, the ICSC randomly questioned in its November 19 investigation four people and found that they had deserted while serving in Sam Neua. The ICSC, therefore, concluded that it could not possibly “state that forced recruitment was carried out.”<sup>37</sup>

Finally, at Luang Prabang, on December 4, the ICSC Team questioned three witnesses and discovered clear evidence of forced recruitment. According to the witnesses, “one man from each house was detailed by the village head[men] to join” the Pathet Lao about two months earlier. At Outay, (Phong Saly province), they fell ill and were left behind. Thus, in all these investigations, this last case was the only positive finding. The Poles pre-empted the Canadians from making an issue of this matter by insisting that the ICSC gave priority to the PVV/FUPL’s allegation of a Franco-Laotian attack in Sam Neua. The allegation later on turned out to be a hoax.<sup>38</sup> With time, the issue of forced recruitment died a natural death. In its first report, the ICSC concluded that its work in

the investigation [of forced recruitment] . . . was rendered difficult by its inability to check the withdrawal of all Vietnamese People’s Volunteers/“Pathet Lao” troops out of Laos or to check entry of “Pathet Lao” troops into Phong Saly and Sam Neua, due to the lack of or insufficient notice of withdrawals and routes of withdrawal, due to inadequate transport facilities, and lastly, due to weather conditions in Laos, which during the monsoon months were most unpredictable. In spite of all these difficulties, it will be evident that the [ICSC] carried out spot investigation through random selection among the troops practically throughout the whole country.<sup>39</sup>

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<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid* and RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 2, Can Com (Laos) to SSEA, December 30, 1954.

<sup>39</sup> *First Interim Report*, p. 31.



Other RLG's complaints had not produced any better result.<sup>40</sup> A former RLG official explained: "how could the ICSC and, in particular, the Canadians find any forced recruits? They cannot distinguish a Laotian from a Vietnamese. They did not understand our language and the Vietnamese. All they ever saw was a bunch of people, with black eyes, black hair and yellow skin. That is all what they saw."<sup>41</sup> But the RLG officials also did not prepare their cases well. Many witnesses were not presented for questioning. More importantly, however, intimidation and threats silenced the recruits and none risked accusing their captors. Using village headmen or respected members of the community to mobilize young men for certain causes was perfectly in step with the way the Laotian society normally operated and the Pathet Lao/PVV's recruiting strategy using that method was extremely difficult to prove. Indeed, it could be argued that the forced recruits had "volunteered." This recruiting practice continued after 1975 following the Pathet Lao take-over. Thus, if the ICSC had no great success in dealing with forced recruitment, so too was it with its next task.

#### CONTINUED NORTH VIETNAMESE INTERFERENCE

Despite the official North Vietnamese withdrawal in November 1954, the preponderance of evidence suggests that many PVV still remained in Laos and continued to interfere. As far back as early August, the French reported that the PVV attempted to exploit Article 4 (b) in order to leave behind enough advisors to support and to build up the Pathet Lao

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<sup>40</sup> *Second Interim Report*, pp. 23-4.

<sup>41</sup> Interview with Ni Ngoum Vouthisisombath, November 6, 1994.

forces to twelve battalions, six in the north and six in the south, before withdrawing.<sup>42</sup> About a month later, on September 24, the British military attaché, in Saigon, informed the War Office that, according to French sources, the Pathet Lao had five battalions and one third of its personnel was North Vietnamese. In anticipating their withdrawal, the PVV replaced them with Laotians and built up the Pathet Lao's forces. In the process, about 2,500 Laotians had been sent to North Vietnam to be trained and, later on, sent back to Phong Saly and Sam Neua.<sup>43</sup> In 1954, the Pathet Lao had no more than 2000 men.<sup>44</sup> This was consistent with Pham Van Dong's claim. On May 10, 1954 Pham Van Dong claimed that there were 1500 Pathet Lao soldiers but, by June 7, the number had increased to 4500 men. The RLG presented its case to the Indian Prime Minister Jawaharlal Nehru when he passed through Vientiane and the ICSC, complaining of 4,000 to 5,000 Laotians being forcibly recruited.<sup>45</sup> But there was no positive action.

Mayrand, however, reported to Ottawa that these Franco-Laotian complaints had no "corroborating evidence." Due to the rugged terrain, the ICSC could not carry out expeditious investigation and the Polish Delegation "fully agreed that our teams give a priority to checking

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<sup>42</sup> RG 25, Acc. 90-91/008, Vol. 138, file 50052-B-40, pt. 1, Secretary of State for Commonwealth Relations Office (FCO) to UK Acting High Com (Ottawa), August 31, 1954.

<sup>43</sup> *Ibid.*, British military attaché (Spear) to War Office (Figges), September 24, 1954.

<sup>44</sup> Interview with Nokaya Khamthy, June 27, 1994 and General Étam Singvongsa to author, July 24, 1995.

<sup>45</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, PSMS to Can Del, June 22, 1955; Laos. Ministère des Affaires Étrangères. "Le Mémorandum du Gouvernement Royal Lao," présenté au Pandit Nehru, le 17 Octobre, 1954; RLG to ICSC, "Memorandum," April 13, 1955 and RLG to ICSC, "Memorandum," September 18, 1955, attached to Can Com (Laos) to USSEA, November 23, 1955; Deuve. *Le Royaume du Laos*, p. 70 and Dommen. *Conflict In Laos*, p. 84.

such allegations.”<sup>46</sup> They knew there were North Vietnamese with the Pathet Lao. For example, Lt.-Col. D. Lerner of the Polish Delegation, on his way back to Poland, stopped over in Hanoi on August 16, 1957 and frankly admitted that North Vietnam supplied the Pathet Lao and “he would like to see the Canadian Delegation prove it.”<sup>47</sup> The Poles, however, secretly warned the North Vietnamese and the Pathet Lao before the ICSC teams arrived.<sup>48</sup> Indeed, according to Khampheng Boupha, the Pathet Lao knew all about the ICSC’s plan in advance through the Poles and received active Polish assistance in the field.<sup>49</sup> In the field, both the Pathet Lao and the Poles obstructed the ICSC inspection team. If the ICSC Teams showed up unexpectedly, the Pathet Lao simply tied them up,<sup>50</sup> and when the ICSC protested, the Pathet Lao explained away the incident as a misunderstanding. The Pathet Lao also demanded a seventy-two-hour advance notice before the ICSC could visit any Pathet Lao-controlled territories. Initially, the Poles supported the Pathet Lao’s demand. Acting Chairman General

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<sup>46</sup> RG 25, Acc. 90-91/008, Vol. 130, file 50052-B-40, pt. 2, Can Com (Laos) to SSEA, December 30, 1954.

<sup>47</sup> *Ibid.*, Vol. 167, file 50052-K-40, pt. 1, Candel (Vietnam ICSC) to USSEA, March 14, 1958. According to the exchange, this telegram had been sent in 1957 to External Affairs. However, the original copy was misplaced and it was not until 1958 that this copy reached Ottawa.

<sup>48</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 2, Can Com (Laos) to SSEA, January 6, 1955 and pt. 6, Can Com (Laos) to SSEA, July 11, 1955 and pt. 8, Can Com (Laos) to SSEA, September 2, 1955 and pt. 13, December 7, 1955; Sisouk. *Storm Over Laos*, pp. 37-8 and General Clifford to author, February 13, 1994.

<sup>49</sup> *Khampheng Boupha*, pp. 32-33. She followed Souphanouvong in 1949 to Hanoi. She is currently the only known Lao woman to have reached an upper echelon of the Pathet Lao hierarchy.

<sup>50</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Acting Can Com (Laos) to SSEA, June 20, 1955; Can Com (Laos) to SSEA, July 11, 1955; the ICSC to FUPL, July 15, 1955 and Can Com (Laos) to SSEA, July 18, 1955. Pt. 7, the ICSC to FUPL, July 15, 1955; RLG to the ICSC, July 16, 1955 and Can Com (Laos) to SSEA, July 18, July 23 and July 25, 1955; Can Com (Laos) to SSEA, August 6, and August 8, 1955 and Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, August 24 and September 2, 1955. pt. 12, “Confidential: The Following Report, dated November 29, has been received from Vientiane,” and pt. 13, SSEA to Can Com (Laos), December 2, 1955 and Can Com (Laos) to SSEA, December 7, 1955.

Kirpal, however, disagreed and considered the Pathet Lao's refusal to assist the ICSC "not [to be] in conformity with" their obligation under Article 36 and demanded Pathet Lao's cooperation. General Kirpal was determined, and the Poles eventually agreed with their Canadian and Indian colleagues to send the Pathet Lao a letter rejecting their demand.<sup>51</sup> But the exchange and preparation for an investigation took so long that, when the ICSC actually investigated, there was no clear evidence.

The Pathet Lao and the North Vietnamese also prepared the population well for any given situation. For example, Captain Mark O'Neil, a Canadian member, received copies of captured documents from the French intelligence officers, at Ban Ban, in Xieng Khouang province, which clearly set out all the appropriate answers for the population. If the ICSC asked, they must say that the North Vietnamese had all withdrawn as required under the Geneva Accords; that the Pathet Lao did not recruit anyone; that all the Pathet Lao troops were volunteers; that the Pathet Lao had either bought or used salt to exchange for their provisions; that the population had no rice because the French burned their villages and destroyed rice; that "the [Pathet Lao] Government observes the laws and is merciful;" that the "Government" took many Frenchmen prisoners but had since "liberated" all of them; that the population had arrested and killed some Frenchmen who oppressed the population, but "our soldiers were not mixed up in this affairs;" that there were no LNA in the North, "only pirates"; that the Pathet Lao "never oppresses the population. On the contrary it helps them" and that there were no people arrested or "prisoners" in a certain village but only "volunteers who despise traitors."<sup>52</sup>

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<sup>51</sup> *Ibid.* Vol. 6, file 50052-B-40, pt. 6, Ballachey to SSEA, June 20, 1955 and Vol. 140, file 50052-B-40, pt. 7, ICSC to FUPL, August 10, 1955 and Ballachey to SSEA, August 15, 1955.

<sup>52</sup> *Ibid.*, pt. 4, Can Com (Laos) to SSEA, April 14, 1955.

There was also other similar evidence.<sup>53</sup> Not only were these responses clearly too sophisticated and too precise for the uneducated mass, but they also shifted the blame and responsibility onto the population. Similar practices continued after 1975.

Polish obstruction was very blatant. In Sam Neua, when a North Vietnamese soldier was killed in December 1954 and the RLG's Governor, Quinim Pholsena,<sup>54</sup> residing at Moung Peune, requested the ICSC team to investigate the body and all documents found on the individual, the Poles "contended that the team should not accept any complaints from the Civil and Military Governor." The Polish reasoning continued:

Due to the fact that the team is forwarding complaints lately received from a person entitling himself: 'Civil and Military Governor of the Houa Phan [Sam Neua] Province,' I deem necessary to state that the Polish member does not know from any official or legal source, about the existence of a 'Civil and Military Governor of the Houa Phan [Sam Neua] Province in Moung Peune.' Therefore, the [Polish Delegation] cannot consider the received complaints as official documents.'<sup>55</sup>

The Poles further objected because the RLG had withheld the information for almost six months. The Polish stand infuriated Mayrand. The general instruction, Mayrand argued, clearly required all the ICSC teams to investigate all complaints. In this case, whether or not the status of the Governor was legal, it had no bearing on the team's obligation to investigate. The chairman gave Mayrand his firm support and eventually the Poles agreed. Unfortunately, by the time the team actually investigated, the body had long since decomposed. The Polish delaying tactics, Mayrand informed Ottawa, "make it almost impossible for us to carry out investigations on the presence of the Vietminh successfully." Mayrand, however, intended to

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<sup>53</sup> Sisouk. *Storm Over Laos*, p. 38.

<sup>54</sup> See biographical sketch No # 34.

<sup>55</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Can Com (Laos) to SSEA, June 4, 1955.

continue. He wanted to “point out to the Poles and the [Pathet Lao] that we are aware that at least some Vietminh are still in the two northern provinces.”<sup>56</sup>

The ICSC team examined the documents the RLG submitted. Surprisingly, the team unanimously stated that whether “the original documents were authentic or not, there was nothing to show that they had been tampered with.” On the following day, the Polish team member claimed that his interpreter had “wrongly translated” part of the text so as to make the report unanimous and wanted to make changes. The Canadian and the Indian members objected and consequently a Polish minority view was attached to the team report.<sup>57</sup> The ICSC Military Committee studied the report and supported the Team’s conclusion.<sup>58</sup> The ICSC’s decision ended this episode.

On June 7, 1955, the RLG’s Permanent Secretariat of the Political Mission (PSPM) requested the ICSC to investigate an incident involving North Vietnamese troops in Boualapha, Khammouane province. The PSPM stated that, in April, 1955, North Vietnamese troops passed through Ban Naphilang, Moung Phine, on Road No. 9 and Ban Tangvay and Sépong, Moung Songphone and crossed Road No. 23 near Ban That Hai, proceeding towards Phou Kham Khak. In any case, they told the population that they had deserted the North

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<sup>56</sup> *Ibid.*, Can Com (Laos) to SSEA, June 4, 1955 and Can Com (Laos) to SSEA, April 14, 1955. The Poles also tried to co-opt the Indians in the North. According to Captain M. O’Neil, on two occasions, he saw the Indian signalers coming out of the Polish compounds after midnight who got “quite the worse of drink.” One Indian signaler, later on, was reported to have commented that “no wonder our country is turning to communism with the kind of officers we have.” In 1994, Mrs. Helen Bridle recounted that the Polish Commissioner would very often invite his Indian and Canadian colleagues for supper whenever the ICSC had either discussed or was about to discuss some contentious issues, and insisted that everyone drinks. The purpose, according to Mrs. Bridle, was to entrap his Canadian and Indian colleagues.

<sup>57</sup> *Ibid.*, Acting Can Com (Laos) to SSEA, June 20, 1955. A copy of the document found on the North Vietnamese soldier is available in *Ibid.*, pt. 4.

<sup>58</sup> *Ibid.*, Candel, (Laos), to SSEA, July 6, 1955 and Mayrand to SSEA, July 30, 1955; and the ICSC to PSPM, July 20, 1955.

Vietnamese Army to go back to Saigon to “join the Binh Xuyen against” Ngo Dinh Diem. Mayrand seriously doubted their explanation and informed Ottawa that they could not possibly have gone south without “official sanction.”<sup>59</sup> Nothing substantive was done. This was only one of many examples of the ICSC’s inability to check North Vietnamese violations of the Geneva Accords and Laotian territorial integrity. This area, as we shall see, eventually formed part of the Ho Chi Minh Trail.

Canadian military officers did their best to find evidence and forward intelligence to Ottawa. In the main, the Canadians initially relied on the LNA and the French intelligence. The Head of Defence Liaison office, G. H. Southam, certainly appreciated the value of this intelligence and wrote the Far Eastern Division, at Headquarters, asking it to ensure that the Canadian delegations in Indochina submit reports:

with the increase in American influence over the [South] Vietnamese National Army and over the general military situation in Cambodia, which is almost certain to increase considerably over the next few years, it will become increasingly difficult to obtain information on the area. Consequently, information from Canadian sources will become more valuable as time goes on. As similar reports from the Commissions in Vietnam and Cambodia would be of equal value, you might give consideration to inviting the Commissioners in all these countries to submit occasional reports on the military scene.<sup>60</sup>

Southam also commented that, although the ICSC had “*not [yet] proven* the presence of Viet Minh” in Laos, the Americans, the British and the French “*accepted*” it without question. Their acceptance had been based on the historically proven fact that, during the Franco-North Vietnamese war, the North Vietnamese “could cross the frontier at will.” Southam was also worried that the removal of the ICSC Fixed Team from Moung Sen would open “yet another

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<sup>59</sup> *Ibid.*, PSPM to ICSC, June 7, 1955 and Can Com (Laos) to SSEA, June 13, 1955.

<sup>60</sup> *Ibid.*, pt. 2, Defence Liaison II to Far Eastern Division, January 4, 1955.

point of entry previously used by Viet Minh forces in April 1953.”<sup>61</sup> The ICSC team had been removed to do other more pressing investigations.<sup>62</sup>

The Canadians, meanwhile, did their best to confirm the Franco-Laotian allegations. In the South, it was more difficult. Col. Jacques M. Delamère, the Canadian Deputy Military Adviser, had a conversation with Major Legrand, the French Advisor to the LNA, in Paksé. Major Legrand admitted that it was impossible to detect North Vietnamese presence in the Sempoi region because of the thick wooded jungle. Near Attopeu, there was a LNA post, a few kilometers from Sempio, but there had been no report of North Vietnamese troops. He concluded that “it would be feasible for [a] small group of Vietminh to pass through it without the knowledge of the LNA.”<sup>63</sup> Mayrand learned from Col. Jean Boucher de Crèvecoeur, then the French Commander-in-Chief of the French forces in Laos, that there were North Vietnamese troops throughout the countryside supported by about three to four thousand Pathet Lao troops. Of the Pathet Lao troops, only three or four companies were purely Laotian and the North Vietnamese predominated in the proportion of up to eighty percent. There were no Pathet Lao General Staff. Even at the local echelon, the command was entirely under the North Vietnamese. Mayrand had no doubt about this. With increasing North Vietnamese participation and penetration, a future war was not beyond the realm of possibility. The French, however, were not prepared, Crèvecoeur told Mayrand, to re-enter another war unless the US

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<sup>61</sup> *Ibid.*, Vol. 113, file 50052-B-40, pt. 38, Major J. F. Leys to A. R. Menzies, July 20, 1955.

<sup>62</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 5, J. Léger (External Affairs) to C. M. Drury (National Defence), May 5, 1955.

<sup>63</sup> *Ibid.*, Can Com (Laos) to SSEA, August 27, 1955.



guaranteed financial and military support.<sup>64</sup> Mayrand also reported that about half of the PVV/PL personnel on the JC and Sub-Groups were North Vietnamese.<sup>65</sup> Available sources indicate that the Canadians were not successful in finding out or confirming North Vietnamese presence in the South.

In the North, the RLG made specific allegations and submitted them to Nehru when he passed through Vientiane in October 1954, to the ICSC and to the Canadians.<sup>66</sup> On June 29, 1955, Sisouk Na Chapassak, then deputy Chief of the Lao National Army, told Ballachey that there was one North Vietnamese regiment in the Moung Het area, near the Laotian-North Vietnamese border, one in the Valley of Nam Sam, distributed in the area of Ban Cuong and Sam Teu and one moving from Sophao towards Ban Phoune. These three North Vietnamese regiments had recently crossed the borders from Ban Co Noi, North Vietnam, to Moung Het. The North Vietnamese had organized a supply system, using 600 bicycles along the Nam Sam (Sam river). This supply route was “a new development as the previous main supply route was from Hoi Xuan through Muong Dai and Muong Peune to Sam Neua.” There was also one Pathet Lao battalion coming down from Sam Neua encircling Moung Peune and heading towards Hua Muong. Sisouk considered these reports “most reliable,” indicating that there were “many more Vietminh than” the RLG had “previously believed.” The Canadians had no reason to doubt this. “As the experience of Dien Bien Phu illustrated,” Mayrand informed Ottawa, “the [Pathet Lao] (Vietminh) [sic] can move a surprising amount of equipment by

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<sup>64</sup> *Ibid.*, Vol. 138, file 50052-B-40, pt. 1, Can Com (Laos) to SSEA, November 10, 1954. See also Langer and Zasloff. *North Vietnam And The Pathet Lao*, and Brown and Zasloff. *Apprentice Revolutionaries*.

<sup>65</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 2, Can Com (Laos) to SSEA, January 8, 1955.

<sup>66</sup> *Ibid.*, pt. 6, PSMS to Can Del, June 22, 1955; GRL, “Le Mémorandum du GRL,” présenté au Pandit Nehru, le 17 Octobre, 1954; RLG to ICSC, “Memorandum,” April 13, 1955 and RLG to ICSC, “Memorandum,” September 18, 1955, attached to Can Com (Laos) to USSEA, November 23, 1955.

bicycles along the mountain trails.” Years later, western scholars, interviewing North Vietnamese defectors, confirmed the existence of the North Vietnamese central military headquarters in northern Laos, code-named DOAN 100.<sup>67</sup> The ICSC, however, could not investigate these, and the RLG was “naturally disturbed.”<sup>68</sup>

Mayrand reported the very strong presence of North Vietnamese within the ranks of the Pathet Lao. In the North, of the 62 PVV/PL personnel in the JC and Joint Groups, more than fifty were North Vietnamese.<sup>69</sup> The Canadians also uncovered clear evidence of a North Vietnamese presence. On May 30, 1955, Col. Delamère, during one of his visits to Sam Neua and Phong Saly, reported to Mayrand that “there are numerous Vietminh politico-military ‘conseillers [sic] au gouvernement’” in these two provinces. In Sam Neua, at a party, Delamère also met someone named Mr. Saman,<sup>70</sup> who “was introduced to him [Delamère] as being a [North] Vietnamese counsellor [sic] to the local Committee.” At that very same party, Delamère was told that “two more of the same ilk” were also present. One was Ong Hoang and the other Ong Chuc. Delamère listed North Vietnamese advisers and troops, and, for the first

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<sup>67</sup> Langer and Zasloff. *North Vietnam And The Pathet Lao*, pp. 62-63.

<sup>68</sup> RG 25, Acc. 90-91/008, Vol. 130, file 50052-B-40, pt. 6, Can Com (Laos) to SSEA, July 4, 1955 and Vol. 139, file 50052-B-40, pt. 7, Mayrand to SSEA, July 23, 1955. The Canadians also learned, in late July 1955, for the first time, that there were about two thousand Thai communist troops, led by Tang Sari Kim, in the region of Dien Bien Phu, near the Laotian border and Sop Nao, in Laos. The North Vietnamese were in the process of withdrawing them through Pathet Lao lines and to be replaced by the Tenth Infantry Battalion, half of which was at Ban Ban and the other was moving up from Vientiane to Ban Ban. According to French sources, there were approximately three thousands North Vietnamese cadres with the Pathet Lao in each of the two northern provinces. Both the UK and the USA supported the French claim. The Laotian sources, however, Mayrand informed Ottawa, “surprisingly are more conservative [in] giving estimate at fifteen hundred for each province.” The LNA reported that many of these North Vietnamese troops “are engaged in conducting topographic surveys.”

<sup>69</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 2, Can Com (Laos) to SSEA, January 8, 1955.

<sup>70</sup> It is not clear whether this individual is Saman Vignaket or Saman Signaket.

time, Communist Chinese troops.<sup>71</sup> Lt.-Col. J. M. Reynolds, stationed in Sam Neua province for seven weeks, had personally seen, between June 15 and 16, 1955, about 200 soldiers and some supply trains.<sup>72</sup>

The ICSC, however, found no evidence. Besides Polish obstructions, part of the difficulty was the fact that, as guerrilla fighters, they were highly mobile and simply vanished when the ICSC teams showed up. The North Vietnamese did not wear any distinguishable uniforms, and they took Laotian names, lived amongst the population and practiced local tribal customs, a practice consistent with the North Vietnamese communist policy dating back to the 1930's.<sup>73</sup> Other foreign nationals, too, were recruited. Souphanouvong tried, without success, to enlist the Koumintang,<sup>74</sup> but accused the RLG of employing them in direct violation of the Geneva Accords. The RLG refuted the accusation.<sup>75</sup> Thai Issan, too, were recruited; among

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<sup>71</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Col. J. M. Delamère to Acting Can Com, F. G. Ballachey, June 24, 1955 and Delamère to Mayrand, "Presence of Vietnamese Counsellors with Pathet-Lao in Phong Saly and Sam Neua," May 30, 1955 and Acting Can Com (Laos) to SSEA, June 27, 1955. These names are of Vietnamese origin.

<sup>72</sup> *Ibid.*, "Final Report on Sam Neua Area by Lt. Col. J. M. Reynolds," June 22, 1955, attached to Acting Can Com (Laos) to SSEA, June 27, 1955.

<sup>73</sup> *Ibid.*, Acting Can Com (Laos) to SSEA, June 27, 1955, attachment "Compte Rendu Sommaire," June 22, 1955; *History of the Vietnamese Communist Party*, 1:338 and interviews with Khamthy, June 27, 1994; Bounchanh, June 27, 1994; Ni Gnoum, November 6, 1996 and General Thonglith, November 20, 1994.

<sup>74</sup> UK. Public Records Office. Kew. Foreign and Commonwealth Office. Series 371, file 117102, B. R. Fearn, "BBC monitor," January 7, 1955. Hereafter all reference to this series will be cited as FCO 371 with the appropriate file number. Following the dissolution of the *Lao Issara*, Souphanouvong had travelled through Northern Thailand, Burma, China and then back into Laos. While in Burma, he spent some time in the Shan States and, as a consequence, probably had contacted the Koumintan. Sisouk. *Storm Over Laos*, p. 18.

<sup>75</sup> *Lao Presse*, May 7, 1955.

them, the most well-known was Cham Nien.<sup>76</sup>

In August 1956, during a RLG Delegation's two-day stop-over in Hanoi, *en route* from Peking, a senior North Vietnamese officer, formerly a fellow student of political science in Paris with Sisouk, "admitted quite frankly that the Vietminh had numerous advisers with" the Pathet Lao. According to Paul Bridle, Mayrand's successor, this unnamed North Vietnamese official, when questioned, explained that these North Vietnamese advisors were merely a friendly gesture to the Pathet Lao and insisted that they "had now been withdrawn, leaving the [Pathet Lao] free to reach a settlement with the RLG on their own."<sup>77</sup> Sisouk, however, did not believe that to be the case and available evidence supports this view.<sup>78</sup>

The Pathet Lao served the North Vietnamese loyally. Pathet Lao defectors confirmed this. Major Kavinh Koenakorn, who defected on September 18, 1955, was then the third secretary of the Pathet Lao's Liaison office in Vientiane. In 1975, the Pathet Lao arrested him and sent him to one of the "re-education camps" in Sam Neua. He probably died some time between 1978 or 1979. Kavinh's defection was the most controversial and highly publicized case. The Pathet Lao first broke the story by requesting that the RLG release him. Later that afternoon, Prime Minister Katay Don Sasorith,<sup>79</sup> arranged a meeting between Mayrand and

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<sup>76</sup> Generals Soutchay and Étam to author, March 16, 1995 and May 24, 1995, respectively. Interview with Khamthy, June 27, 1994 and Sisouk. *Storm Over Laos*, Chapter VIII. Other nationals were forced to serve with the Pathet Lao. In July 1955, for example, the ICSC interrogated a Japanese soldier, named Akasaka, left behind after WWII. Souphanouvong took all his papers. At the time the ICSC interrogated Akasaka, his Lao name was Thao Lop. He asked and the RLG subsequently allowed him to live a free man in Laos. RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 7, Can Com (Laos) to SSEA, July 15, 1955.

<sup>77</sup> RG 25, Acc. 86-87/360, vol. 4, file 7266-B-1-40, pt 1, P. A. Bridle (Laos) to SSEA, September 5, 1956.

<sup>78</sup> Sisouk. *Storm Over Laos*, pp. 48-49.

<sup>79</sup> See biographical sketch No # 5.

Kavinh. The latter told Mayrand that he had planned to escape for some time. The following day, the Pathet Lao sent two letters to the RLG. The first requested permission to interview Kavinh, and the second accused the RLG of fabricating the story that Kavinh had voluntarily gone over. The RLG denied the accusations and stated that, for security reasons, the Pathet Lao officials could not visit him and Kavinh himself did not wish to see anyone. Radio Hanoi, in its Lao broadcast, bitterly accused the RLG of violating the Geneva Accords. On September 22, the Pathet Lao requested the ICSC to intervene and charged the RLG with “provocation” and violation of the Geneva Accords, a violation that could have a “bad repercussion on the political talks.” The last point was clearly intended for the Indians, who were always sensitive to any potentially adverse effect on political discussions.

On September 23, Kavinh announced that he was prepared to meet the ICSC to correct the Pathet Lao’s “errors of interpretation.” The RLG made a similar *démarche*. Mayrand intended to take “a strong position in view of the great publicity” and in light of the fact that the Pathet Lao and the North Vietnamese had “actually” accused the RLG of violating the Geneva Accords. Mayrand planned to insist on a press communiqué before the ICSC questioned Kavinh. The RLG “confidentially” informed the Canadians that, once the ICSC completed its investigation, the RLG intended to publish and distribute the finding. In the end, the ICSC did not investigate. The Indians were silent. The Poles, either knowing or suspecting the real reason for Kavinh’s defection, strongly objected to any ICSC investigation and, in light of the upcoming Rangoon Conference, the ICSC postponed its investigation and here ended the story.<sup>80</sup>

Kavinh, during the RLG’s questioning, revealed that the Pathet Lao had to refer all

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<sup>80</sup> RG 25, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, October 10, 1955.

decisions to the North Vietnamese. Kavinh described how families were forcefully divided and sent to North Vietnam as “hostages.” Kavinh subsequently joined the RLA and conducted a propaganda tour in the North.<sup>81</sup> His effort paid off quite handsomely. For example, in November, there were several defections to the RLG’s post at Moung Peune: two civilians and ten soldiers on November 10 and five soldiers on November 21. The most significant defector was Thao Boun Leua Kintavone, the 8th Company Commander. These defectors all stressed the “importance of the Viet Minh’s influence over” the Pathet Lao: “the smallest cases of insubordination are punished by transfer to North Vietnam” and “the culprit does not come back.” In addition, they complained of rice, which apparently came from outside of Laos and was not to their taste, and the fact that they were prevented from going back to their village.

The RLG published extracts of interrogations in November 1955:

For about a year my village [Ban Na Tha, Moung Vang Vieng] was occupied by 50 Communist Annamites of Viet Minh. In favour of their presence, a propaganda is developed in telling us: It is in Hanoi and Sam Neua where true civilization is located. Come with us and we will teach you a career of modern man: truck driver, tank driver, or tractor driver, specialized worker in diverse industries. We believed them and we followed them . . . arrived in Sam Neua . . . we saw no roads, no vehicles, no factories . . . they brought us into a shop, . . . they gave us guns with the following discourse: “Peace is menaced, you become temporary soldier to defend the two provinces.” Well more than a year lasts this temporary. For 13 months we did not sleep in a house, did not eat to satisfy our hunger, did not sleep tranquilly. We have to fight our Lao, we see no peace coming, the country remains divided. We have decided to return to our village to work in security for the consolidation of a free Laos.

I [from Ban Sop Na, Sam Neua] thought I was fighting in and for my country, but the discipline imposed by the L.V. [Lao-Viet] kept us in constant danger of deportation. The least argument, the smallest mistake, was greeted by these fatal words: “to be sent to instruction center.” These instruction centers were in [North] Vietnam, and no one who went there ever came back. . . . Myself refusing to work any longer for the sellers of [our] country, I decided to return to my home and my country, to live in peace and for a future of liberty; I am happy to see that my dream has not been disappointed and I thank the Government . . . we have been guilty but we have acted

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<sup>81</sup> *Ibid.*, pt. 9, Can Com (Laos) to SSEA, September 26, 1955.

out of ignorance, since the L.V. [Lao-Viet] have always lied to us.<sup>82</sup>

The RLG, however, happy with the initial success, did not pursue its counter-propaganda offensive further. Indeed, the RLG, much to Mayrand's dismay, seemed not to have understood the value of such activities.<sup>83</sup> This attitude is explained primarily by the very easy-going attitude of the Lao: whatever the issue was, the response was always "Bo Pen Ngang," roughly translated as "no problem" or "don't worry."

North Vietnamese propaganda and political indoctrination, meanwhile, were intense. On March 6, 1955, the Pathet Lao had a golden opportunity to make their case when Mayrand visited Sam Neua shortly after the Pathet Lao attacked the RLG's post at Moung Peune. Mayrand, along with the ICSC team, was invited to see a movie on the Dien Bien Phu battle in a yard adjoining a school, specially built and decorated for the occasion with Pathet Lao's flag and Souphanouvong's picture. May Souk, the self-proclaimed Acting President of the Administrative Committee, read a speech from Souphanouvong and all references to the US were accompanied by shouts from a band of soldiers "Down With America." Nothing was translated and, two hours later, the film had still not been shown. Mayrand then called in the interpreter and told him that, having been invited to see a movie, he "was to say the least surprised at having been made participant to [a] demonstration so clearly directed against a country which was a great friend and neighbour of Canada." Mayrand informed the ICSC team chairman, Major Gaur, of the Indian delegation that the team could stay if it so chose. Mayrand

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<sup>82</sup> *Lao Press Bulletin*, (Vientiane), November 26, 1955.

<sup>83</sup> RG 25, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, September 14, 1955; Deuve. *Le Royaume du Laos*, pp. 42-43, and Col. Sisounol to author, July 31, 1955.

left. In the end, all members stayed.<sup>84</sup> In addition, on many occasions, the ICSC Teams in the North were invited to local festivals, only to be made participants in Pathet Lao propaganda activities and, occasionally, the Team chairman allowed the Pathet Lao to use the ICSC compound for meetings.

On the day Mayrand left, May Souk presented the Pathet Lao thesis that Phong Saly and Sam Neua belonged to them, that the Pathet Lao had scrupulously observed and implemented the Geneva Accords and that all LNA illegal presence would not be tolerated. The villagers also handed Mayrand petitions, accusing the RLG's troops of stealing their cows, pigs and rice. Mayrand responded by thanking everyone for coming to say farewell, and assured them that the Laotians under the RLG's control were equally peaceful and desirous of reconciliation. Then, Mayrand disputed May Souk's claim. The ICSC, Mayrand said, had to take into account all the arguments and was objective in rendering its decision. If the Pathet Lao were sincere in implementing the Geneva Accords, as May Souk claimed, then peace and reunification could easily be achieved. May Souk was silent.

Having circulated for three days among the population, Mayrand observed that the leaders were only half a dozen and the population was largely indifferent. Mayrand found the population "as lazy as the Laotians in Vientiane" and considered May Souk, "without being uncharitable . . . a perfect cretin communist." Near the ICSC compound, Pathet Lao training went on every morning in mass singing and shouting "although not quite so diabolically as in Hanoi." Mayrand was sure there were troops nearby and, except for the mass parade, the soldiers circulating in town "looked [as] mild and un-military as the common soldiers of" the

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<sup>84</sup> *Ibid.*, pt. 3, Can Com (Laos) to SSEA, March 19, 1955.



RLG. Mayrand was “confident” that it would take some time, even with the best communist experts and techniques, to change the temperament of the people. However, because of the large Vietnamese community and the geographical proximity of North Vietnam, Mayrand did not believe that it would be “feasible to rely on the patriotism of the inhabitants of Sam Neua to keep them from cooperating with [the] North Vietnam[ese].”<sup>85</sup>

Other events also did not support the claim that the North Vietnamese had ceased to interfere in Laos. Indeed, even after the Vientiane Agreement in 1956, the North Vietnamese made their intention clear.<sup>86</sup> Two Pathet Lao officers, for example, learnt of the Vientiane Agreement while in Hanoi for training and, asking when they would be sent back home, they were told:

We [the North Vietnamese] know that there has been an announcement that the Lao people have been united. This does not mean that the war in Laos is over. It is only a temporary cease fire - but the struggle continues. You know that Souphanouvong has no hand in the government. He is just considered a representative of the NLHS. Many members of his party have not been admitted into the government.

We are training you here so that you will replace the two battalions - the only force of the NLHS - in case they are destroyed by the Americans. All of you must remain here and continue your training.<sup>87</sup>

The communists and, in particular, the North Vietnamese also had valuable hostages. Two of Souphanouvong’s sons were “enroled” in schools in Hanoi, one in Peking and one in Moscow.<sup>88</sup> This practice was consistent with sinicized civilization. Phoumi Vongvichit, being

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<sup>85</sup> *Ibid.*, Can Com (Laos) to SSEA, March 19, 1955.

<sup>86</sup> For a quick summary of this agreement, see *Keesing’s Contemporary Archives*. Vol. X, (1955-56), pp. 15118-19. Hereafter cited as *KCA*.

<sup>87</sup> Quoted in Langer and Zasloff. *North Vietnam and the Pathet Lao*, p. 66.

<sup>88</sup> Sisouk. *Storm Over Laos*, p. 48. Interviews with General Thonglith, November 20, 1994 and Prince Mangkra, June 22, 1994.

childless, sent his wife to and then left her in North Vietnam, according to Phoumi's cousin, from 1953. Except for two brief periods between 1958 and 1959, and 1962 and 1963, Phoumi's wife did not set foot on Laotian soil until 1973. The wives of Singkapo and Nouhak Phomsavan were also *Lao Dong Party* members.<sup>89</sup> The North Vietnamese, thus, had complete control of the Pathet Lao leadership and this control explained the Pathet Lao's intransigence, which rendered doubly difficult the ICSC's task.

The ICSC, in its performance, could be said to have been relatively successful in the supervision of troop disengagement and regrouping. It was less than successful when dealing with foreign troop withdrawal. It could not supervise the North Vietnamese withdrawal. A lack of verified withdrawal left many North Vietnamese behind to build up the Pathet Lao and almost certainly let forced recruits slip into North Vietnam to be indoctrinated for future subversive activities. The ICSC's failure on the military issues would have far reaching repercussions for the political dimensions of the problem.

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<sup>89</sup> Interview with Madame Khamsy Vongviset, April 6, 1995. See biographical sketch No # 8 for Phoumi Vongvichit, No # 9 for Singkapo and No # 19 for Nouhak.

## CHAPTER 3: IMPLEMENTING THE CEASE-FIRE PROVISIONS

The Geneva Accords assigned to the ICSC the task of controlling illegal arms importation and preventing the introduction of foreign troops into Laos. It denied the Pathet Lao the right to import arms and allowed the RLG, under Article 9, to import “a specified quantity of armaments in categories specified as necessary for the defence of Laos.” Article 10 specified points of entry for all the RLG’s importing of arms. For the defence of Laos, the Accords also authorized France to maintain two military bases, with a total strength of 5000, of which 1500 were integrated into the LNA for training and defensive purposes. The Geneva Accords, meanwhile, left untouched the Franco-Laotian Defense Treaty and American-Laotian Economic Agreement. These two agreements were the source of supply for the RLG’s defence. The Final Declaration stated explicitly that each of the participants “undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of” Cambodia, Laos and Vietnam and “to refrain from any interference in their internal affairs.” This was never implemented. The North Vietnamese interference was insidious and difficult to prove. The performance of the Indian and the Polish delegations rendered the ICSC ineffectual, facilitated the implanting of the Pathet Lao in Laos and encouraged North Vietnamese violations and interference.

### THE CEASE FIRE

The separation of forces had barely been completed, when minor skirmishes turned into large battles. Article 12 of the Geneva Accords required both sides to respect the territories

under the military control of the other and required the LNA troops to remain *in situ* as of August 6, 1954. The Pathet Lao and, in particular, Col. Tinh, however, insisted that the Franco-Laotian side had no troops in Phong Saly and Sam Neua, and that the PVV/Pathet Lao controlled these provinces completely. The Polish delegation supported this contention. Using the French version of the Geneva Accords, Malecki, the Polish Commissioner, argued that, under Article 19, the phrase “le territoire *placé* sous le contrôle militaire” rather than the English one (“the territory *under* the military control”) meant that the Pathet Lao had complete control of Phong Saly and Sam Neua. As such, the Pathet Lao were free to move around. Thus, any ICSC attempt to force the Pathet Lao to respect the presence of the LNA violated Article 19, since it illegally introduced the LNA troops into the North and restricted the free movement of the Pathet Lao.<sup>1</sup>

The issue of the LNA could have been partly avoided had the French and the RLG delegates, at Geneva, made the case that the Hmong guerrillas and maquis who lived in the North and who had fought so loyally with the French were part of the Franco-Laotian troops. The Hmong hid and guided many of the surviving French soldiers to safety in Laos after Dien Bien Phu. The North Vietnamese were determined to eliminate any obstacles preventing them from controlling large areas of Laos. For example, as late as July 27, 1954, six days after the signing of the Geneva Accords, the North Vietnamese threw in a regular battle-trained North Vietnamese division against the Hmong. They at first mauled the North Vietnamese. In the end, however, the Hmong were defeated because they ran out of ammunition. Col. Roger Trinquier, who first contacted and then worked with the Hmong, made a desperate appeal to his CIA advisor for more supplies but he was refused. Trinquier, according to one of his

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<sup>1</sup> *First Interim Report.*, p. 15.

colleagues, had also asked for special treatment for the Hmong at Geneva but “No one really cared. They just wanted to settle the war.” “The Hmong were not worth making an issue.”<sup>2</sup>

Trinquier, later on, wrote that,

we were with our [Hmong] maquis absolutely sincere. We were certain that France - our France - would never abandon them, that we would fight with them, for them, against communism and for their liberty. The bonds of friendship we had forged appeared indissoluble. But the complete confidence they had invested in us we then betrayed them when we abandoned them without even trying to defend them . . . it would be impossible for us to return to face the Meo [Hmong] without feeling a profound sense of guilt and, why not say the word, shame. . . . we were not movie actors, capable of playing whatever role. . . . I am certain that, whatever the result of the war, they will be newly abandoned.<sup>3</sup>

History repeated itself in 1975 and Trinquier’s fear became a reality. Without making clear that the Hmong were part of the Franco-Laotian forces, the North Vietnamese and the Pathet Lao later claimed there were no Franco-Laotian troops in the North. These Hmong and the RLA were “pirates,” illegally parachuted in after the Cease Fire. And all illegal elements had to be eliminated.

The communists soon made this point clear. In Ban Saleui, the PVV/Pathet Lao troops forced the RLG’s troops out of their post. At Houei Thau, the Pathet Lao and the North Vietnamese could force the RLG to evacuate its troops any time by making a direct attack or by cutting off the supply route. The most significant case, however, was the attack on Nong Khang, in Sam Neua province in January 1955. This incident developed into a very important issue, bearing on the ultimate efficacy of the ICSC and its mandate.

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<sup>2</sup> Conversation with Albers Coindat, (Brunoy, France), July 8, 1994.

<sup>3</sup> Trinquier. *Les maquis d’Indochine*, pp. 189-190. In 1964, Stephen Enke, the Assistant to American President Lyndon B. Johnson, approached Trinquier in Paris and asked him to return to Laos to run the American secret war with the Hmong at Long Cheng. Disappointed and disillusioned with American performance during the 1953-54 war against the Vietnamese communists, Trinquier refused. Robbins. *The Ravens*, p. 144 and William H. Sullivan to author, August 7, 1995.

The RLG's troops, occupying the airstrip, had been under threat for quite some time.<sup>4</sup> In response to the RLG's protest, the ICSC's team approached the Pathet Lao in mid-December and obtained assurances that they would not approach any nearer to the RLG's troops than two kilometers. On January 14, the Franco-Laotian side informed the ICSC that the North Vietnamese and the Pathet Lao of 2000 strong had attacked. The ICSC team went in and found the Pathet Lao "still in occupancy of [the] airstrip." "Aggression appears so flagrant" that Mayrand and the Indian chairman, Mayrand informed Ottawa, failed to see how the PVV/FUPL could "avoid formal condemnation," which the Canadians thought the "time has come for us to issue." That did not happen. Khosla insisted that both sides were in violation. As an *interim* measure, however, the ICSC, on January 18, sent the Pathet Lao instructions not to violate any further the 2 kilometer military zone. This was the PVV/Pathet Lao's first direct violation of the Geneva Accords and the ICSC's recommendations. Khosla later proposed an Indian Demarcation Zone to separate the two sides. The Canadian and the Indian delegates supported the resolution. The Poles objected to it.

The ICSC team, meanwhile, took a long time to submit its report. The Canadian and Indian members recommended that, to prevent further incidents, the ICSC should "immediately consider setting up zones or areas of control for both parties." The Polish member sent a separate note disagreeing with his two colleagues. According to him, there was no need for such a zone, since the ICSC had not established the LNA's "legal right" in these provinces. On Ban Saleui incident, however, the team unanimously recommended that the ICSC "clarify as soon as possible Articles 12 and 14." But, on Houei Thau, the team could not reach a

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<sup>4</sup> Interview with Khamtanh Nouammala, (Hull, Quebec), May 30, 1995. He was at Nong Khang when the post was attacked. Then, he was posted at Moug Peune only to be attacked again by the PVV/Pathet Lao.

consensus and made no recommendation. If, in the Nong Khang incident, the Canadian and the Indian members supported each other in the field, that was not the case in the ICSC Political Committee. Ballachey wanted the ICSC to adopt the recommendations on the Nong Khang incident. The Indian and the Pole “flatly declined.” The Pole wished to consult his Ambassador first while the Indian stated that he had no permission to proceed. Mayrand instructed Ballachey to raise the issue again in the Political Committee and, if necessary, Mayrand intended to deal with the matter himself in the ICSC meeting.<sup>5</sup>

It was not until the second half of February that the ICSC Political Committee submitted its recommendation. In the draft resolution, it considered the Pathet Lao’s “offensive action” to be in violation of the 2 kilometer zone. The ICSC recommended that the Pathet Lao cease all hostile activities, “restore the situation,” evacuate “immediately the 2 kilometer zone,” “take appropriate action” under Article 17 to punish those responsible and “inform” the ICSC of measures taken. The Poles objected, since the resolution restricted the Pathet Lao’s rights and movement, introduced the RLG’s troops into the airstrip, and constituted an amendment to Article 14 of the Geneva Accords. No amendment could be made without unanimity, and, therefore, the Polish delegation declared the Nong Khang Resolution “not binding on anybody.” The Poles wanted their views transmitted to the Pathet Lao and the RLG. The Resolution eventually passed in a Canadian-Indian majority decision. Mayrand was “not happy” that the ICSC had to put “on record that violations have taken place.” The attack, as far as Mayrand was concerned, was self-evident. He hoped, however, that as a result of the split vote, the Indians “may not in the future be so frightened of voting.” The Polish attitude and

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<sup>5</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 3, Can Com (Laos) to SSEA, February 14, 1955 and pt. 4, Can Com (Laos) to SSEA, March 24, 1955.

tactics had “done more to show them in their true light” to the Indians than “anything that has previously occurred.”<sup>6</sup>

The ICSC sent the Nong Khang Resolution on February 28 to the Pathet Lao and on March 1 to the RLG. Instead of sending it through the Pathet Lao liaison office in Vientiane, Khosla sent it through Khang Khay. The Poles once again insisted that their view be sent to both parties and reiterated this in a letter, dated March 3, threatening Khosla that, unless the RLG treated the Resolution as “top secret,” the Poles would express their view publicly. Khosla agreed. Mayrand opposed it and, on March 7, Khosla told Mayrand that New Delhi objected to sending the Polish view to the parties since the Indian government did not consider the Resolution to have amended Article 14.

But Khosla did not send the Resolution to the Pathet Lao. Two days later, the Canadians found that out. When asked, Khosla explained to Ballachey that the Resolution involved an interpretation of Article 14 and as such it should not be sent. Instead, the ICSC should ask the Co-Chairmen for their views. Meanwhile, Khosla requested authorization from New Delhi to send the resolution to the Pathet Lao on the condition that both the RLG and the Pathet Lao be informed that all sections of the Resolution, except the “restoration of situation” clause, be implemented. In other words, the Pathet Lao had to evacuate the airstrip, but the RLG’s troops would not be allowed to return. Mayrand was not happy and considered that the decision whether or not to send the Resolution must be an ICSC decision and not that of the Chairman. In addition, since the RLG had already received the Resolution, it must be sent to the Pathet Lao at once.<sup>7</sup> Krishna Menon complained to Pearson when he visited Ottawa in June

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<sup>6</sup> *Ibid.*, pt. 3, Can Com (Laos) to SSEA, February 28, 1955.

<sup>7</sup> *Ibid.*, Can Com (Laos) to SSEA, March 12, 1955 and RG 25, Acc. 86-86/336, Vol. 43, file 619-L-40, pt. 4, SSEA to Can High Com (London), March 16, 1955.



1955 that the Canadian position was “unduly legalistic.”<sup>8</sup>

Available records suggest that Khosla “was not absolutely frank.” He must have known the Pathet Lao’s position not only because of Polish objection but, more importantly, he may himself have discussed the Nong Khang Resolution with Souphanouvong. A few days before the ICSC voted, Khosla had visited Sam Neua and, upon his return on February 24, told Mayrand that the RLG was “at fault for not intensifying” negotiations with the Pathet Lao, that the Pathet Lao was frustrated in their desire for a political settlement and that “we should treat them gently for fear of letting them fall into the arms of North Vietnam.” Then, Khosla tried to persuade Mayrand to make modifications to the Resolution. Not wishing to discuss any changes, Mayrand “deliberately stayed away from the telephone” that day; Mayrand thought Khosla needed a “lesson.”<sup>9</sup>

A memorandum Ballachey prepared for Mayrand clearly showed that Khosla had made no attempt to transmit the Resolution to Phoumi and Nouhak at Khang Khay.<sup>10</sup> Khosla, General Gyani and Banerjee, the Indian senior political advisor, themselves admitted this. On March 28, when Ballachey stated the Canadian opposition to any referral to the Co-Chairmen, Khosla pressed the Canadians for a quick and final decision so that the ICSC could report to the Co-Chairmen. On April 5, when Ballachey reiterated the Canadian position, Khosla changed his mind and informed his colleagues that he still awaited instructions. On April 13, Banerjee tried to have Ballachey persuade Mayrand not to press for the immediate sending of

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<sup>8</sup> RG 25, Acc. 90-91/008, Vol. 113, file 50052-40, pt. 38, Lester B. Pearson to Prime Minister Louis St-Laurent, “Memorandum For The Prime Minister,” June 10, 1955.

<sup>9</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 3, Can Com (Laos) to SSEA, February 28, 1955 and Can Com (Laos) to SSEA, March 28, 1955.

<sup>10</sup> *Ibid.*, pt. 5, Ballachey to Mayrand, “Memorandum: Nong Khang Incident,” April 14, 1955.

the Resolution to the Pathet Lao until the ICSC had voted on the Indian Military Demarcation Resolution which the Poles had promised to support. Much to Khosla's chagrin, the Poles subsequently reneged on their promise and objected to the passing of the Indian Demarcation Resolution. This Demarcation Resolution came as a consequence of another PVV/Pathet Lao attack on Moung Peune. The *quid pro quo* may have been effected sometime between April 4 and 8, when Mayrand visited Sam Neua. Ballachey, in any case, told Banerjee that the Canadians knew that there had been no attempt to transmit the Resolution, that they were upset with the Indian-Polish deal, and that the Canadians wanted the Resolution quickly sent. Banerjee was silent and displayed "considerable embarrassment." Ballachey was convinced that both General Gyani and Banerjee knew that Khosla had "acted dishonestly" and were "not happy about it." Shortly after mid-night, on March 29, during a meeting to deal with the Moung Peune incident, General Gyani told Khosla in front of Ballachey that the ICSC "found itself in this 'mess'" because Khosla had disregarded his advice by not sending the Resolution to the Pathet Lao.<sup>11</sup> The Resolution was finally delivered to the Pathet Lao about three months later. By then, the Nong Khang Resolution was just another piece of paper.

The Nonk Khang incident raised two crucial issues. It was the first split two-to-one vote. This is a procedure which was perfectly consistent with the Geneva Accords. It also involved the first ICSC decision on substantive matters. Because of the split vote, the Poles argued that the vote was illegal and thus it had no force and that the Pathet Lao were not obliged to implement it. In light of the Polish stand, Khosla wanted to refer the matter to the Co-Chairmen in order to obtain their views to ascertain whether the split vote was legal. The Canadians opposed it and informed Ottawa accordingly. The Poles and the Indians supported

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<sup>11</sup> *Ibid.*, Can Com (Laos) to SSEA, April 18, 1955 and pt. 3, Can Com (Laos) to SSEA, March 20, 1955.

such a course but for different reasons. Knowing what the facts were, the Polish tactics were not surprising. They knew full well that the Co-Chairmen would never agree, and that meant, in effect, a non-action on the Resolution.

Pearson, when informed, instructed Mayrand to “strongly object” to a precedent allowing the Poles to “prevent” the ICSC from “taking prompt and effective action.”<sup>12</sup> Nowhere in the Geneva Accords was there provision for such reference. In any case, it was “unlikely” that the Co-Chairmen could agree and this would be an “effective stalling device.” Pearson wanted Canadian opposition maintained until he discussed the matter with Krishna Menon, then Indian Foreign Minister, who was to arrive in Ottawa “early next week.” Pearson intended to “let him know my feelings about the Commission’s establishing the dangerous precedent of allowing the Poles to frustrate its work.”<sup>13</sup> For the moment, in New Delhi, Dutt and Menon told Reid that, “legally,” the Nong Khang Resolution had been sent and they did not wish to see the ICSC pursuing the matter any further.<sup>14</sup> The fact of the matter was that the Resolution was still with the ICSC in Vientiane as they talked.

Ottawa also instructed Robertson, in London, to seek Eden’s view in light of a possible referral. Robertson informed Eden that “a first reference” to the Co-Chairmen where there was an Indian-Canadian agreement “on the substantial points,” might prove “worthwhile” in the long run. Eden could also take the opportunity to discuss with Molotov “the political part” of the Laotian Agreement and compel the Pathet Lao to agree to a settlement with the RLG. Eden

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<sup>12</sup> *Ibid.*, pt. 3, Can Com (Laos) to SSEA, March 21, 1955 and J. Léger, “Memorandum for the Minister: Nong Khang Incident,” March 22, 1955; and pt. 4, SSEA to Can High Com (London), March 23, 1955.

<sup>13</sup> *Ibid.*, pt. 4, SSEA to Can Com (Laos), March 23, 1955.

<sup>14</sup> *Ibid.*, Vol. 112, file 50052-40, pt. 36, Can High Com (India) to SSEA, April 14, 1955.

was not at all enthusiastic. This precedent would allow the Poles to invoke such a procedure whenever they found themselves in a minority position, and such an action “could quickly stultify” the ICSC’s work. Eden also did not think that he and Molotov could agree and, in such a case, another conference would have to be called, which he did not want. Eden, however, promised to send Nehru a message, urging him to see to it that the ICSC accept “its full responsibilities in Laos” and induce the Indian chairman to “take a firmer line.” Eden “hoped very much” that the ICSC would expeditiously send the Pathet Lao its Resolution forthwith.<sup>15</sup>

If a new conference were needed to deal with the Laotian problem, would a similar conference not be required to deal with the Vietnamese situation? Reflecting on those days, Arthur Menzies, formerly the director of Far Eastern Division, stated that, by early 1955, it was increasingly becoming obvious that Laos and Vietnam were linked. Hanoi would not relinquish its hold on Laos unless its immediate goal was achieved - preparing for the 1956 election.<sup>16</sup> In other words, so long as the problem in Vietnam remained unresolved, Laos would remain divided. Upon receiving this telegram, Jules Léger, then Under-Secretary of State for External Affairs, recommended to Pearson that Ottawa should await Mayrand’s and Reid’s reactions first before taking further actions. Pearson disagreed and wrote “No!” on the margin.<sup>17</sup>

Reid, in New Delhi, was instructed not to discuss this matter with the Indian Foreign Ministry until Pearson had seen Menon. Reid, however, reported a conversation he had earlier with Dutt, an Indian Foreign Ministry official, during which time they spent an hour discussing the Nong Khang incident. They agreed that there was no provision for a reference to the Co-

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<sup>15</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 4, Can High Com (London) to SSEA, March 25, 1955.

<sup>16</sup> Interview with author, May 20, 1994.

<sup>17</sup> *Ibid.*, pt. 4, Jules Léger, “Memorandum for the Minister: Nong Khang Incident,” March 25, 1955.

Chairmen, except in Article 36. Dutt was silent, however, when Reid suggested that the ICSC should not “give the [Pathet Lao] an excuse to delay” and expose the ICSC itself to criticism “for evading its responsibilities.” Instead, Dutt showed Reid a recent RLG-Pathet Lao joint declaration on the cessation of all hostile acts. Dutt was again silent when Reid suggested that the Pathet Lao made “lofty declarations” whenever they were “about to be rapped over the knuckles.” When Reid reiterated the Canadian wish to see action on the Nong Khang Resolution, Dutt “dismiss[ed] this matter with some impatience on the ground that it was unrealistic, in the kind of atmosphere which now existed, to expect the Pathet Lao forces to disclose their precise location” and expressed concern that SEATO activities could unravel the whole Geneva Settlement.<sup>18</sup> Contrary to SarDesai’s claim, Dutt, like the Poles, “placed a considerable emphasis on the desirability of” the ICSC proving that the Franco-Laotian forces were operating in Phong Saly and Sam Neua prior to and at the time of the cease fire before taking any “further action on the Nong Khang incident.”<sup>19</sup> Reid stayed clear of this.

Thus, the combined Indian-Polish, rather than American pressure led the Canadians to have the ICSC prove the presence of the Franco-Laotian forces in the north.<sup>20</sup> It did. This fact did not, however, render either the Pathet Lao or the Poles any more cooperative. Nor did it lead the Indians to taking a consistent and firmer line.

In the ICSC, meanwhile, Ballachey strongly maintained Canadian opposition to

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<sup>18</sup> *Ibid.*, pt. 3, Can High Com (New Delhi) to SSEA, February 25, 1955 and Reid Papers, Vol. 8, file 22, Can High Com (New Delhi) to SSEA, March 5, 1955.

<sup>19</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 4, Can High Com (New Delhi) to SSEA, March 24, 1955 and Can Com (Laos) to SSEA, April 5, 1955. In *Indian Foreign Policy*, SarDesai states, on p. 167, that it was probably due to “American pressure” that the Canadians tried to prove the existence of the Franco-Laotian forces in Phong Saly and Sam Neua prior to and at the time of the cease-fire.

<sup>20</sup> *Second Interim Report*, p. 17.

referring the Nong Khang Resolution to the Co-Chairmen. The Indian reaction, Ballachey informed Ottawa, “was interesting.” Following Ballachey’s statement, in full view of the Polish Delegation, Banerjee “openly applauded” while General Gyani “signaled his agreement.” Khosla, however, “made no comment” but “gave the impression of being rather relieved.” In response to Ballachey’s statement, Khosla “made formal announcement” that the Indian Delegation “now wished [the] Commission to proceed without delay to give its interpretation” to Articles 12, 14 and 19 to determine the rights and obligations of both sides in Phong Saly and Sam Neua. Interestingly enough, never once did Khosla use terms such as “harmony” or “compromise.” The Polish Delegation objected because Article 14 had already given the Pathet Lao these two provinces; the LNA’s “illegal presence” caused all the incidents; and any interpretation of these articles “might interfere with [the current] talks on political settlement.” Khosla “bluntly” told the Poles he agreed with Ballachey. As long as incidents continued, political talks would not be fruitful. As an *interim* measure, however, Khosla proposed the creation of military zones to separate the two forces. Khosla’s action, Ballachey believed, “indicates that he has conceded the possibility of reaching an agreement with [the] Poles” on the interpretation of these articles and that “a split vote” would make a reference to the Co-Chairmen “inevitable.”<sup>21</sup> At the end of the meeting, Khosla asked Ballachey for a private discussion.

As requested, Ballachey and Khosla met later that evening for three hours. Khosla again tried to convince Ballachey of the need to inform the Co-Chairmen by making a reference to the “procedural question,” that is, whether or not the split vote was legal. In this case, according to Khosla, the ICSC would “not lower . . . [its] dignity . . . by advertising our

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<sup>21</sup> *Ibid.*, pt. 4, Acting Can Com (Laos) to SSEA, March 28, 1955.

[ICSC's] split to the parties." If the Co-Chairmen supported this ruling, the Poles would have to comply with and the Pathet Lao to implement the Nong Khang Resolution. Unless the ICSC could achieve a "maximum degree of unanimity and harmony," Khosla continued, its "moral force" would be "greatly weakened;" in view of the split vote, the Poles would send their views to the parties and the Pathet Lao would refuse to implement it. The Pathet Lao's refusal would ensure a reference to the Co-Chairmen. This course of action would delay the ICSC's work. And if the Pathet Lao refused, relations between the RLG and the Pathet Lao would make talks on political settlement "more difficult."

Ballachey was not impressed. The ICSC's dignity had already suffered because the RLG was well aware that nothing had been done to enforce the implementation of the Resolution. The Pathet Lao, through the Poles, knew exactly what the content of the Resolution was and would interpret the ICSC's failure to send it as "weakness" on the part of the Chairman and the ICSC. Not sending the resolution would also indicate to the Pathet Lao that the Canadians and the Indians had been immobilized by "political intimidation." By not insisting on its implementation, more incidents would occur and relations between the RLG and the Pathet Lao would further deteriorate and, by extension, political discussions would also end. The ICSC should at least try. It should not assume a "lack good faith" on the part of the Pathet Lao. The Polish firm stand meant that the Polish Delegation had its government's and, probably, Russian support. If the Co-Chairmen decided to deal with the matter, the Communists would, in all probability, simply reiterate the Polish contention and this would then delay action even more than Khosla had feared. There was "practically" no possibility that the Poles would accept a Canadian-Indian interpretation of Articles 12, 14 and 19 and, as such, the ICSC would have to refer the matter to the Co-Chairmen. Therefore, the Co-Chairmen and

other participants needed not to be called upon to discuss only procedural matters. It would be better to convene a conference to deal with substantial matters such as the interpretation of Articles 12, 14 and 19 or the refusal to implement or the violation of the ICSC's resolution by one of the parties. In such a case, the ICSC could inform the Co-Chairmen under Article 36. Before Ballachey left, Banerjee showed up and, after being briefed, Banerjee told Khosla that he and General Gyani agreed with Ballachey. Khosla promised to forward not only the Canadian view but those of his advisers to New Delhi. Khosla concluded that there were no fundamental differences between the Canadian and the Indian positions. The only difference between them was method.<sup>22</sup> It was not until March 31 that Ottawa instructed the Canadians to inform their colleagues that the arguments the Canadian delegation put forward constituted the Canadian official and final position.<sup>23</sup>

On March 28, Léger prepared a long memorandum on the Nong Khang incident for Pearson in his upcoming talk with Krishna Menon in Ottawa. Léger recommended that "it might be worthwhile to make a few pointed comments to Menon." In particular, Pearson should state that the "Indians themselves are actually departing from a strictly neutral attitude and an impartial execution of their responsibilities" under the Cease-Fire Agreement when they "take the initiative" in suggesting that the Nong Khang incident be referred to the Co-Chairmen. There was no provision for such a reference. By asking the Co-Chairmen for their view on the split vote over the Nong Khang resolution, the ICSC's work would be "completely frustrated." Indeed, such an action would give the Poles a veto over anything which received

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<sup>22</sup> *Ibid.*, Acting Can Com (Laos), to SSEA, March 29, 1955.

<sup>23</sup> *Ibid.*, SSEA to Can Com (Laos), March 31, 1955 and Can Com (Laos) to SSEA, April 1, 8 and 11, 1955.



a Canadian-Indian majority blessing. Because of their action, “the Indians could be accused of stretching their impartiality and quest of compromise to the point of ‘violating’ the [Geneva] Agreement.” Under Article 33, it was implied that the ICSC itself “has the responsibility of interpreting the provisions of the [Geneva] Agreement.” The Indian contention that the ICSC’s prestige would be lowered if the Poles sent their view to the parties was not valid. “The pertinent question to ask here is, what about the prestige of the Commission in the eyes of” the RLG and the world if the ICSC would “not even carry out its own decisions with speed and firmness.” Referring the Resolution to the Co-Chairmen even before the Pathet Lao was given a chance to decide on what to do “is certainly not a valid argument.” A reference to the Co-Chairmen following a Pathet Lao’s refusal “would be quite a different matter,” since that would clearly demonstrate that the Pathet Lao were “flouting” the ICSC’s recommendations and “they would thus be inviting a rebuke.” This was exactly what the Poles wished to avoid and “the Indians are playing right into their hands.” “Surely the Indians must realize,” Léger continued, that “they are stretching the provisions of the Cease-Fire Agreement in order to attempt to justify their actions. Is this impartial?”<sup>24</sup>

The ICSC’s inaction on the Nong Khang incident led directly to a Pathet Lao attack on Moung Peune and Houi Thao in mid-March. The Pathet Lao’s attack brought to the

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<sup>24</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 4, Léger to Pearson, “Memorandum for the Minister: Visit of Mr. Menon - Laos,” March 28, 1955. At this time, as a result of a combined North Vietnamese-Pathet Lao attack on Moung Peune, the Thai Government called a SEATO meeting. At the end of the meeting, Thailand and the US wanted to put in its communiqué a strong condemnation of the North Vietnamese, the Pathet Lao and the Chinese. France, Britain, Australia and New Zealand opposed. It is worth noting that overtime, the South East Asian Defensive Organization (SEADO) became known as the South East Asian Treaty Organization (SEATO). For the sake of expediency, the term “SEATO” will be used throughout this thesis, unless “SEADO” is quoted directly from source. Sullivan to author, August 7, 1995.

forefront the issue of the RLG's sovereignty. The RLG suspended political talks and, on May 19, Souvanna, the deputy Prime Minister and Defence Minister, publicly warned the ICSC that, due to the Pathet Lao's provocation, the RLG would "adopt measures of military nature to protect property and safeguard life." Fearful of escalation, Khosla drafted a letter reminding both sides that the Geneva Accords prohibited all hostile activities. By the time the ICSC dealt with the Moung Peune attack, the RLG troops had already recaptured a position overlooking Houei Thao and time was on the RLG's side. Thus, when the matter came up in the ICSC meeting, the Polish Commissioner agreed to send the Indian-draft letter to the RLG and the Pathet Lao. In the Military Committee, the Poles did everything possible to prevent the RLG from reoccupying its former position and to block the implementation of the Indian demarcation resolution. The Poles would not cooperate until the Indians rescinded their resolution. In light of Poland's blatant obstruction and contrary to SarDesai's claim, Acting Chairman General Gyani suggested to Mayrand that the ICSC do everything possible to restore the RLG's authority in the two northern provinces.<sup>25</sup> Mayrand, for the moment, tried to relieve the RLG from its responsibility under the Military Demarcation Zone.

Informed of the RLG's intention, Ottawa was worried and instructed Mayrand not to release the RLG. Relieving the RLG might lead to more fighting and the collapse of Mayrand's efforts to encourage talks between the two sides. Legally, Ottawa continued, as long as the ICSC had not "abrogated" the Indian demarcation resolution, the RLG was still obligated "to carry out the recommendation" and not to increase its strength. In the future, "there might be some merit" in having the ICSC relieve the RLG "of its responsibility" until the Pathet Lao

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<sup>25</sup> *Ibid.*, pt. 5, Can Com (Laos) to SSEA, May 27, 1955 and *Indian Foreign Policy*, p. 167.

“agree to do so.”<sup>26</sup> Meanwhile, the Canadians and the Indians persuaded the RLG to continue cooperating with the ICSC and to negotiate with the Pathet Lao, despite the Pathet Lao’s provocations.<sup>27</sup>

The situation in the North, meanwhile, deteriorated rapidly. The RLG, on July 8, publicized the “grave and extremely serious” condition in Moung Peune for which the Pathet Lao, “with overt complicity and direct assistance of Viet Minh,” were responsible. The attack posed a “great danger” to Laos:

Several “Pathet Lao” battalions, reinforced with elements of Popular Army of [North] Vietnam, had launched yesterday and before yesterday, simultaneously on several fronts, attacks more violently than previously recorded since the Armistice. They pursue their aggressive enterprise with determination to displace the government forces from their positions, which the International Commission acknowledged. At the present time, some fighting still continue in the region of Moung Peune.<sup>28</sup>

The RLG also pointed out that its policy of appeasing the Pathet Lao in the hope of achieving a national reconciliation had been fruitless. In fact, the Pathet Lao had taken advantage of its conciliatory spirit. The RLG, therefore, would take the necessary counter measures:

In light of these offensives . . . [and] provocations, the Royal Government which had adopted a policy of appeasement and conciliation faithfully to its Final Declaration at Geneva, according to the wishes of the Lao people, and, in light of international detente after Bandung, must re-examine its attitude in accordance with the present events, in order to safeguard the integrity of the Kingdom.<sup>29</sup>

The outcome was a RLG success. It managed to drop its First Parachute battalion in Moung Peune and Samar Sen, the new Indian Commissioner, revealed to Mayrand that the Poles had

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<sup>26</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 5, SSEA to Can Com (Laos), May 26, 1955.

<sup>27</sup> Interview with James C. Langley, March 8, 1994.

<sup>28</sup> *Lao Presse*, July 8, 1955. Also available in, RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Can Com (Laos) to SSEA, July 11, 1955.

<sup>29</sup> *Ibid.*

told him that the RLG's troops had captured fifteen Pathet Lao villages in southern Sam Neua.

Following the RLG's *démarche*, the ICSC finally passed a unanimous resolution on the Moung Peune incident. "Without prejudice to their legal rights" under the Geneva Accords, the ICSC recommended that both sides respect "the cease fire and stop all patrol activities in a 12km zone around Moung Peune," disclose to the ICSC the location and strength of their respective forces, stop further reinforcement, inform the ICSC in advance of any disposition of their forces, give the ICSC teams "every possible assistance to enable them to supervise and control the implementation of this recommendation," and, finally, "inform immediately [the ICSC] of their willingness to implement the above recommendations." The ICSC also solemnly warned them that "the manner of implementation will constitute a test of the sincerity and good faith of both parties."<sup>30</sup> There was no comprehensive cease fire for the two provinces. It was the RLG's success that explained the so-called Polish "cooperation." The Polish move was to protect the Pathet Lao.

The lack of ICSC firmness led the RLG to protect its posts and, in the process, violate the Cease Fire provisions. The RLG's violations, however, were of minor consequence compared to those of the PVV/Pathet Lao. On February 23, the ICSC studied its team report on the Pong Nang Incident. It concluded unanimously that the Franco-Laotian side had violated Article 12 by taking up a "new position before [the] . . . completion of withdrawals" and intended to ask the Franco-Laotian side to punish those responsible. The Poles, however, insisted that the Franco-Laotian forces be withdrawn.<sup>31</sup> When the ICSC discussed the Pong

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<sup>30</sup> Text available in RG 25, 86-86/336, Vol. 43, file 619-L-40, pt. 6, and RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Can Com (Laos) to SSEA, July 9, 1955.

<sup>31</sup> RG 25, Acc. 86-86/336, Vol. 43, file 619-L-40, pt. 4, Can Com (Laos) to SSEA, February 16, 1955 and SSEA to Can High Com (London), February 23, 1955.

Nang incident, Graniewski “surprisingly” asked “to postpone the discussion until a later date.”<sup>32</sup> A careful study of the ICSC record, Mayrand informed Ottawa, yielded a clue for this strange Polish behaviour. Earlier, in Malithau, in Phong Saly, when the Pathet Lao displaced the LNA, the Poles were silent.<sup>33</sup> Had they insisted on “restoring the situation,” the Poles would have admitted that the Franco-Laotian troops were in Sam Neua and Phong Saly before the Cease Fire and this would, in turn, completely destroy the communist contention. Polish silence also meant the ICSC’s silence.

The Franco-Laotian side had also violated Article 12 at the Lyvay incident, which took place on July 22. The Canadians, however, took the view that the investigation was “inconclusive.” The team did not “indicate” whether it “had interrogated witnesses” and no witnesses “from the other side” were presented; answers taken from the witnesses were “so similar [that] there is cause to doubt reliability.” For example, all the witnesses knew the precise date of July 22 (the date of the incident) and August 6 (the Cease Fire date as stipulated by the Geneva Accords). The local people neither used the western calendar nor had much education. Clearly, the witnesses had been briefed beforehand. The ICSC, in the end, asked its team why the LNA did not produce any witnesses and whether it was the team members or the witnesses themselves who mentioned these dates. Meanwhile, Mayrand intended to question the Canadian member “for his impressions as to the reliability of witnesses.”<sup>34</sup> In the Boun Neua Incident, too, the ICSC concluded that the Franco-Laotian side had, in fact, committed a “hostile act,” in early January, by surrounding the village of Seng Tham and by taking

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<sup>32</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 3, Can Com (Laos) to SSEA, March 14, 1955.

<sup>33</sup> *Ibid.*, Can Com (Laos) to SSEA, March 14, 1955.

<sup>34</sup> *Ibid.*, Can Com (Laos) to SSEA, March 2, 3 and 19, 1955; and RG 25, Acc. 86-86/336, Vol. 43, file 619-L-40, pt. 4, SSEA to Can High Com (London), March 23, 1955.

prisoners. The Canadian and Indian delegations agreed to ask the RLG to punish those responsible accordingly. They, however, resisted their Polish colleagues' contention that these acts constituted a violation of Article 19.

In implementing the Geneva Cease Fire Agreement, both sides had, in fact, violated the cease fire agreement. There is no question, however, that the Pathet Lao's violations were more blatant and that the North Vietnamese interfered in Laotian internal affairs. The ICSC's supervision of these provisions was far from satisfactory. Neither the PVV/FUPL nor the Franco-Laotian side cooperated fully with each other. Nor did they assist the ICSC. The lack of cooperation between the two opposing sides, along with the lack of transportation, further intensified the built-in Cold War politics in the ICSC. The Poles supported the PVV/FUPL; the Indians tenaciously held on to their notion of compromise and "neutrality" even if this meant, in the end, abrogating their responsibilities as Chairman. The Nong Khang Incident revealed for the first time what India's policy was to become. India interpreted the Geneva Accords in terms of the East-West confrontation, and lumped in other international issues which had no direct bearing on the immediate situation in deciding or settling a matter according to the merits. The Canadians, on the other hand, gradually took a stronger position for tactical reasons when the ICSC failed to carry out its own decisions. If the ICSC failed to act promptly on military issues, it too faced similar dilemmas on continued foreign interference, on the political front and in its search for political settlement in Laos.

#### REINTRODUCING WEAPONS AND FOREIGN MILITARY PERSONNEL TO LAOS

The ICSC was also responsible for securing the Laotian frontier and preventing illegal

arms importation and the re-introduction of foreign military personnel into Laos. These tasks were virtually impossible to carry out. The ICSC personnel were, in general, severely restricted and, the Canadians, in particular, were on a number of occasions stopped at gun point. In 1956, for example, D'Iberville Fortier visited an ICSC team in the North and tried to approach the Pathet Lao. It was a disaster.

We would make a point to visit a few of the teams so that those of us who were on the policy side would know what is going on and to give moral support to our people.

When I visited it [the ICSC team], I have decided that I would go down the hill to see these famous [Pathet Lao] people. . . . I wanted to know how they would react and I discovered this very rapidly. I brought a few bags full of cigarettes. As soon as they realized that these were enemy cigarettes, they refused to accept . . . the [Pathet Lao] soldiers . . . were so young. They don't look like soldiers. They looked like teenagers. But they carried assault weapons and they usually pointed them at our ribs and it was not very pleasant . . . .

I went there with the Indian interpreter who spoke very good French and Laotian. It was very exciting because there was only one path leading down to the village post of the [Pathet Lao] and it had been mined. The mines exploded very often as you could see the holes along the path. So, as soon as . . . they discovered I was a Canadian, a [Pathet Lao] soldier, a little boy, escorted me back to the path. . . . [and] left me there . . . without saying anything, but the indication was clear . . . I was not welcome. So, it was not a diplomatic success.<sup>35</sup>

General Morton and Col. Delamere, too, were stopped at gunpoint.<sup>36</sup> In August 1955, Sen raised with Souphanouvong the restriction imposed on the ICSC Teams. Souphanouvong explained that the Pathet Lao's actions were to "ensure their safety." When Sen countered that stopping people at gunpoint seemed inconsistent with protecting the ICSC personnel, he stated that there were "dissident elements . . . who might not hesitate to take a shot at" the ICSC personnel and that his troops were recently ambushed. This completely contradicted

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<sup>35</sup> Interview with D'Iberville Fortier, May 4, 1994.

<sup>36</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 5, the ICSC to the Commander-In-Chief of the FUPL, April 30, 1955; SSEA to Can Com (Laos), May 13, 1955; Cam Com (Laos) to SSEA, May 17, 1955, "Extract From Draft Minutes of the 95th Meeting of the International Commission Held on April 28, 1955," Can Com (Laos) to SSEA, May 19, 1955 and USSEA to J. Drury, June 2, 1955.

Souphanouvong's and North Vietnamese insistence that the population in Phong Saly and Sam Neua supported them completely. Sen insisted, Sen told Ballachey, that he did not accept Souphanouvong's story. In truth, however, he accepted fully Souphanouvong's statement that the LNA was responsible for all incidents and that the Canadian and Indian Team members favoured the RLG. Ballachey countered that, as far as he knew, the Canadian and possibly the Indian military officers were competent. If there were biases, these were due to Polish and Pathet Lao obstructions. Sen responded that the Polish behaviour was understandable - perhaps even expected - but that there was "no excuse for [the] Indians and [the] Canadians to abandon their neutrality."<sup>37</sup> This is just one of the examples of Indian readiness to accept the Pathet Lao's explanation to the point of chastising their own military personnel.

The Indian, like the Polish, performance on the RLG's allegations lacked vigour. Indeed, the Poles were consistently unhelpful and the Indians were complacent. The Indians were certainly aware of North Vietnamese assistance to the Pathet Lao, but were unwilling to investigate. In January 1955, for example, while in New Delhi for consultation, Khosla admitted to Reid that the Pathet Lao had received North Vietnamese assistance and did not deny the possibility that Hanoi had left political and military cadres behind.<sup>38</sup> In August, returning from his visits to Hanoi and Sam Neua, Sen told Ballachey and Mayrand that at no time did Souphanouvong deny North Vietnamese assistance. But Sen thought that the mountainous regions of Northern Laos made such assistance impossible. Whatever arms the Pathet Lao had were those left by the North Vietnamese when they withdrew. When asked

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<sup>37</sup> *Ibid.*, Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, August 17, 1955.

<sup>38</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 2, Can High Com (New Delhi) to SSEA, January 24, 1955.



about the Dien Bien Phu battle, Sen thought the French base was situated on a plain.<sup>39</sup> Ballachey explained the geography to him.

In dealing with the RLG's complaints, the Poles and Indians largely dismissed them. Previous RLG's letters were unanswered. On July 7, the RLG reiterated its request for the ICSC to investigate Pathet Lao's arms importation and introduction of personnel into Phong Saly and Sam Neua, and expressed its concern that the ICSC "should restrict itself" only to investigating the RLG "while it took no action" on Pathet Lao's violations.<sup>40</sup> The Indians and the Poles could not see "the necessity" of replying. The Canadians then confronted them with a draft reply which basically re-iterated that only the RLG had the right to import arms and asked the RLG and the Pathet Lao to give the strength of their troops and to make "concrete suggestions as to how they think the Commission might exercise the most effective control." Mayrand knew the last point could reveal the RLG's strength and source of finances. However, as the RLG had made "no secret" of its money and "did little to hide its actual strength," Mayrand did not feel that the Canadian proposal would "embarrass" the RLG. The Indians and the Canadians supported the action. The Poles opposed the proposed action, which would undoubtedly have exposed the Pathet Lao's illegal activities and North Vietnamese interference. Eventually, on July 26, 1955, with Sen's intervention, the Poles accepted the draft reply,<sup>41</sup> which stated the obvious. Under the Geneva Accords

the [Pathet Lao] were denied the right to import war materials and therefore the question of their consulting the [ICSC] in advance or submitting the data did not arise. If, however, the Commission had reasons to believe that war materials were being

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<sup>39</sup> *Ibid.*, Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, August 17 and August 23, 1955.

<sup>40</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 7, RLG Prime Minister to the ICSC Chairman, July 7, 1955 and *Third Interim Report*, p. 27.

<sup>41</sup> *Ibid.*, Can Com (Laos) to SSEA, August 1, 1955.

imported by the [Pathet Lao], the specific cases would be investigated.<sup>42</sup>

This, in effect, meant that, in almost all cases, by the time the RLG informed the ICSC, the Pathet Lao's illegal activities were taking place or had already taken place. By the time the ICSC investigated, the trail had become cold and, as a consequence, there had never been any illegal activities.

On July 26, 1955, the ICSC informed the Pathet Lao that the RLG had alleged that they had violated Article 9, and the ICSC felt that the RLG was "entitled to have all specific allegations" investigated. In addition, it was in the Pathet Lao's "own interest" to have a "complete clearance of such accusations through impartial investigations." As a "convenient starting point," the Pathet Lao could provide the ICSC with "adequate indications of equipment and finances."<sup>43</sup> The real purpose, Mayrand informed Ottawa, was to find out about Pathet Lao's strength and source of funding. Mayrand, however, did not believe for a moment that they "will agree to disclose such information."<sup>44</sup> Mayrand was correct. The Pathet Lao never responded.

Pressure on the Canadians and the ICSC to do more came from friendly nations, particularly Britain, France and the US. In mid-March, 1955, John Foster Dulles, the US Secretary of State, visited Canada and expressed concern about the ICSC's inability to cut off North Vietnamese interference. Ottawa, then, enquired from Mayrand whether checks of airfield and ports had been made in the North and, if so, whether they could possibly be

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<sup>42</sup> *Third Interim Report*, p. 27.

<sup>43</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 7, the ICSC to the FUPL High Command, July 26, 1955.

<sup>44</sup> *Ibid.*, Can Com (Laos) to SSEA, August 1, 1955.

increased.<sup>45</sup> The French and the RLG, Mayrand informed Ottawa, had recommended such checks but because of the difficulties involving supplies, nothing was done. In its report, the ICSC stated that

It was evident that complete supervision and control of the land border of about 4000 km was quite beyond the resources in men and material at the disposal of the Commission. It was doubted, therefore, if such a sealing of the border in order to prevent unauthorized importation of foreign troops and military equipment was, indeed contemplated in the Geneva Agreement. Specific complaints could be investigated generally after lapse of time and the usual difficulties concerning transport, weather, interpreters, witnesses, &c., [sic] continued to surround these and other investigations of the Commission.<sup>46</sup>

Thus, it was virtually impossible to check and control the Pathet Lao's illegal activities and North Vietnamese violations. Menon subsequently informed Eden that New Delhi "had no evidence" that the Pathet Lao had imported arms, and that the RLG had not presented any evidence to the ICSC.<sup>47</sup> Menon completely dismissed all the RLG's complaints.

The ICSC did investigate a number of complaints. For example, the RLG lodged a complaint in June 1955, accusing the Pathet Lao of importing arms from North Vietnam and of storing these weapons at Ban That. These weapons had been carried by horses and humans through trails and/or by small boats down rivers and streams. It was not until November 1955, six months later, that the ICSC Team investigated. The long delay gave the Pathet Lao and the North Vietnamese ample time to relocate those weapons and/or distribute them to their troops. The team, as expected, found no depot of ammunition at Ban That or in the surrounding area. All other investigations resulted in similar conclusions. Reacting to the ICSC's ineffectiveness,

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<sup>45</sup> *Ibid.*, pt. 4, SSEA to Can Com (Laos), March 26, 1955.

<sup>46</sup> *Third Interim Report*, p. 26.

<sup>47</sup> RG 25, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 36, Can High Com (London) to SSEA, April 5, 1955.

the RLG, in its White Paper, complained about the ICSC's indecisiveness.<sup>48</sup> In the end, the ICSC informed the RLG that "the Commission was unable physically to control the entire northern boundary of Laos."<sup>49</sup>

The Canadians, however, were certainly aware of many trails and listed most of the known routes.<sup>50</sup> Effective control, however, was non-existent. Where possible, the ICSC rode in helicopters; the Pathet Lao and the North Vietnamese walked. In November 1956, Menzies, accompanying Paul Martin Sr, then Canadian Minister of Health, on a visit to Laos, visited the North with a view to devising a more effective control of the Laotian-North Vietnamese frontiers. Menzies told the author that

As far as Laos was concerned, the Commission never had much impact in terms of Sam Neua which was the important province. . . . I don't think that the nature of the ground, having little helicopter sites here and there, would have made any difference. In 1956

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<sup>48</sup> Laos. Ministère des Affaires Étrangères. *Application des Accords de Genève au Laos: Recueil d'échanges de lettres entre la Commission Internationale de Surveillance et de Contrôle au Laos et le Gouvernement Royal, supplément au mémorandum du 13 avril, 1955* (Vientiane, 1955). See also RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Can Emb (Washington) to SSEA, June 17 and June 28, 1955; Australian Legation (Saigon) to Department of External Affairs (Canberra), June 16, 1955 and Can Com (Laos) to SSEA, June 18, 1955; US Embassy (Laos). *Morning News Bulletin*, June 20, 1955 and Vol. 140, file 50052-B-40, pt. 12, Can Com (Laos) to USSEA, November 23, 1955. In 1994, Mrs. Bridle told the author that, during her husband's first posting to Laos, Souphanouvong invited her to visit him in the north. As they strolled along a path, Souphanouvong told her that there were no horses in the north. She, however, found a horse shoe a few moments later and asked permission to keep it. He was furious since the secret had been revealed, but he let her to keep the horse shoe. Mrs. Bridle showed it to the author. Col. Delamère, too, used horses when he visited the North.

<sup>49</sup> *Third Interim Report*, pp. 27-28.

<sup>50</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 1, J. H. Thurrott to Mayrand, December 19, 1954 and Can Com (Laos) to SSEA, January 3, 1955 and pt. 4, Can Com (Laos) to SSEA, April 4, 1955. In Sam Neua, the following rivers are navigable all seasons: Song Ma, Nam Sam and Nam Neune. The land routes, for example, were from Ban Co Noy (North Vietnam) to Ban Ban (Xieng Khouang Province, Laos), from Moc Chau (North Vietnam) to Sop Bao and Pa Hang (Laos), from Hoi Xuan (North Vietnam), travelled by trucks, to Moung Peune and Kang Moung (Laos) and from Dien Bien Phu to Houei Kong (Laos). In Phong Saly, the following rivers are navigable in all seasons: Nam Noua, Nam Young (directly from Dien Bien Phu), Nam Ou reaching Luang Prabang, and Nam Pac. The land routes were: Moung Bang and Moung La (China) to Moung Yo (Laos) and Ban Bo He (China) to Moung Khoua (Laos). Indeed, the Hmong had used many of these trails in support of the French to ambush and to gather intelligence on the North Vietnamese during the earlier period.

I went up [there] with a French pilot in a small dragon fly aircraft and it was terrifying to get to Sam Neua between the hills. It was impossible to control the border crossed by Vietnamese Volunteers or the Ho Chi Minh Trail. They were walking through the jungle and the Commission was riding helicopters and trucks but the roads only went five miles out of town and then you were in the jungle and they couldn't control that effectively.<sup>51</sup>

A former ICSC senior Canadian military advisor gave a similar example. When he asked how the French and the West expected the ICSC and the Canadians to control the illegal importation of arms when there were so many trails, he replied that the French

knew we could not monitor any such traffic but that in any event the French reckoned that the [RLG] could import legitimately far more through the airport at Vientiane and elsewhere than the [Pathet Lao] could from North Vietnam or China along those tracks up north . . .<sup>52</sup>

The problem was difficult and an effective solution was beyond reach.

The ICSC's reaction to the RLG's importation of arms, however, demonstrated an unmistakable Polish and Indian vigour. The ICSC requested the RLG "to inform" it of "specified quantities and categories of armaments to be imported" and the RLG did it once as a matter of good faith and courtesy. Under the Geneva Accords, the RLG was under no obligation to inform the ICSC or any Geneva participants of its defence needs and imports. On December 20, 1954, the ICSC Military Committee met the representatives of the Laotian High Command and the French Military Mission (FMM) to discuss the importation of arms and French military personnel. The French "were prepared" to provide facilities for the ICSC Teams to examine "necessary documents" and French personnel "on the ground." However, since most of French military personnel were closely integrated with the RLA, the FMM

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<sup>51</sup> Interview with author, May 20, 1994.

<sup>52</sup> Telephone conversation with Col. Clifford, October 17, 1993 and Col. Clifford to author, February 13, 1994.

“would have to take into account the rights of the [RLG] to ensure the security of information regarding its armed forces.”<sup>53</sup> In other words, the French and the RLG were not prepared to allow the Poles to inspect their military and security establishments.

Following this meeting, as an *interim* measure, the ICSC instructed its Teams to contact local French and Laotian commanders to obtain the necessary information, pending a more satisfactory arrangement.<sup>54</sup> The ICSC Teams had recorded “Eight movements of incoming and outgoing convoys” but only six had been inspected. One convoy left earlier than expected and the other had a civilian component and it failed to keep up with the schedule. The ICSC reported, however, “that the bulk of the stores so far reported to have entered Laos were engineering equipment necessary for road-building and bridging.”<sup>55</sup> Thus, no illegal war materials had been discovered.

To improve supervision, the ICSC, in January 1955, tightened control. It took the view that all units forming part of the Séno base would maintain with them the normal war equipment as authorized for each unit; that, in rotating its troops, the unit going out would take its own authorized war equipment with it; that, when a unit left the establishment without personal arms or unit war equipment, the incoming relief unit would likewise come without personal arms and unit war equipment; and that all replacements were to be brought in on a piece by piece basis. This meant that shells used for practice as well as outdated equipment could be replaced. The ICSC sent copies of this resolution to the FMM and the RLG on January 20, 1955.

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<sup>53</sup> *First Interim Report*, p. 33.

<sup>54</sup> See Appendix “H” in *Second Interim Report*, pp. 43-47.

<sup>55</sup> *First Interim Report*, pp. 33-4.

On February 15, the FMM accepted the ICSC's decision with the following conditions:

(a) France reserved the right to reach the 3500-men figure at any time and any reinforcements sent to reach this figure should not be considered as the introduction of fresh troops, but as the relief for units previously withdrawn.

(b) The units entering Laos under the category above should bring all the equipment organic to the unit, particularly their armament. This should apply, amongst others, to the operational detachments of the Air Force who should arrive with their aircraft, to relieve those withdrawn since the cease-fire.

(c) Rotating individuals or personnel should not involve any entry or exit of war materials.

(d) Expendable stores, and particularly ammunition, should not be subject to control at entries and exists at the time of relief of complete units. The depots should be maintained permanently and replenished according to expenditure (practice firing) or to wastage (destruction.)

When the ICSC insisted on verification of entry of arms, the FMM refused. The French would give the ICSC only a "periodical statement of strength but no breakdown into different categories." The FMM honoured this promise.<sup>56</sup>

This friendly and cooperative exchange, however, did not last long. On March 23, the FMM notified the ICSC that a fleet of French planes would land at the Séno base the next day. The Canadians and the Indians acknowledged the "courtesy gesture" and instructed the ICSC Teams to ensure that the aircraft landed and took off as scheduled.<sup>57</sup> The Poles, however, insisted that the ICSC immediately inform not only the FMM that the planes should not land but also the RLG that no foreign aircraft on training missions be allowed to visit Laos. The landing of French aircraft constituted not only "air manoeuvres" over Laos but also "a direct violation of" the Geneva Accords. Incapable of citing a specific article, the Poles subsequently

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<sup>56</sup> *Second Interim Report*, p. 26.

<sup>57</sup> RG 25, Acc. 86-86/336, Vol. 44, file 619-L-40, pt. 5, Acting Can Com (Laos) to SSEA, March 28, 1955.

explained that such landings violated the “spirit” of the Geneva Accords. The Poles, however, insisted on a vote on the legality of the landing right of these planes. The Canadians were opposed. The Indians agreed with the Canadians, but “did not wish to vote.” Only after a prolonged debate did the Poles “reluctantly” accept the course the Indians and the Canadians had suggested, but they reserved the right to reopen the matter.

The Poles and the Indians kept a very close watch on the Séno base and the RLG’s military supplies. Indeed, the Polish members of the ICSC Teams in Vientiane, Luang Prabang and Savannakhet were “continually at the airports watching arrivals and departures and checking what comes in.” As far as the Canadians were concerned, they

would not join in any such improper surveillance or give it any formal [ICSC] sanction as the RLG had every right to import whatever arms and other military equipments it wanted to without reference to or in violation of the provisions of the Geneva Agreement.<sup>58</sup>

Thus, the Canadians saw no restrictions on the RLG’s ability to import arms. Despite Polish diligence, Ballachey wrote, their efforts “must have proved quite disappointing . . . as little has been imported by air.” Some arms may have come through Thailand and South Vietnam.<sup>59</sup>

In April 1955, the Poles reopened the issue. Without revealing his source, the Polish member argued that, under Article 6, the Séno base did not and should not include an air component. General Morton, however, argued that the phrase “military establishments” in Article 8 and the entire Article 9 should be interpreted as broadly as possible so as to include an air component and informed Ottawa that the Canadians would “continue along this line unless we hear from you to the contrary.” The Geneva Accords did not specify “what kind of

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<sup>58</sup> Conversation with Col. Clifford, October 30, 1993.

<sup>59</sup> Maurice D. Copithorne to author, December 2, 1993.



personnel should make up” the Séno base. For the Canadians, “the only restriction” was that the total “effectives” should not exceed 3,500 and, as long as this was not violated, the ICSC “has no authority,” under the Geneva Accords, “to delineate what type of personnel and equipment the French can keep.” Ottawa supported the Canadians.<sup>60</sup> The Canadian position was not to deny the obvious. It was a recognition of the fact that the Geneva Accords had not specifically prohibited an air component. In this sense, the Canadians could be said to be taking a pro-western line of argument.

The debate continued. Mayrand, on June 3, in a four-page single spaced despatch, tidily summed up the argument of the Poles, the Indian, the Canadian and the French.<sup>61</sup> The French argued that: the Geneva Accords authorized the French to maintain two bases in Laos, subjected to the only condition that the total personnel did not exceed 3500; that only the RLG could decide what armaments were necessary for its defence need; that, under the Franco-Laotian Convention of July 19, 1949, the French, in cooperation with the RLG, were responsible for the defence of Laos; that the RLG, in conformity with its Unilateral Declaration, had “resolved never to pursue a policy of aggression and will never permit the territory of Laos to be used in [the] furtherance of such a policy’;” that France and Laos jointly determined the quantities and categories of armaments, and personnel within the 3500 personnel limit, needed at Séno; that the Geneva Accords nowhere specified what type of forces to be maintained at Séno. They could include army, air force and navy personnel; at the moment, France, in consultation with Laos, introduced all types of armaments, including the

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<sup>60</sup> RG 25, Acc. 86-86/336, Vol. 44, file 619-L-40, pt 5, Acting Can Com (Laos) to SSEA, March 28, 1954 and *Ibid.*, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt 5, Legal Division to Far Eastern Division, April 19, 1955, “French Military Personnel in Laos,” and USSEA to Candel (Laos), April 21, 1955.

<sup>61</sup> *Ibid.*, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Can Com (Laos) to SSEA, June 3, 1955, “French Military personnel in Laos.”

armaments for the 3500 French personnel; as long as Laos remained a member of the French Union, the forces at Séno were not subject to withdrawal, unless the RLG requested it. And finally, the French High Command would keep the ICSC informed of the type of units stationed at Séno, but would not agree to any restrictions which required them to replace personnel or units of personnel with the same type of personnel or units of personnel.

The French argument resembled the Canadian one, although it was independently reached. The French, however, Mayrand believed, had missed one strong point, contained in the last paragraph of the RLG's second Unilateral Declaration

During the period between the cessation of hostilities in Vietnam and the final settlement of that country's political problems, the [RLG] will not request foreign aid whether in war material or personnel or in instructors, *except for the purpose of its effective territorial defence and to the extent defined by the Agreement on the cessation of hostilities.*<sup>62</sup>

The French presence, Mayrand reported, was "further strengthened" by the very fact that French troops were "the only foreign forces 'defined by the Agreement on the cessation of hostilities.'"

The Poles sought to limit the French as much as possible: The French could only maintain two bases and the total military personnel in the two bases may be no more than 3500 men. Under Article 6, reinforcements of troops or military personnel from outside Laos were prohibited. The RLG, under Article 9, was prohibited from importing all armaments, except "a specified quantity of armaments in categories specified as necessary for the defence of Laos." The French military establishments under Article 8 were maintained for French security and interests only, since they were under the French rather than the LNA command. Therefore, they were not for the defence of Laos. It was not clear, however, what the Poles intended to do

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<sup>62</sup> *Ibid.* Emphasis is Mayrand's.

about it. The RLG was the only entity authorized to import military equipments, and the French could only bring in replacements in a 'piece by piece and quality for quality' basis. The Polish argument meant that the existing French troops of 1500 would be maintained without a possibility of increasing it to the 3500 men allowed under the Geneva Accords.

Khosla's performance on Franco-Laotian military activities, in contrast to his dealings with those of the PVV/Pathet Lao, demonstrated an unmistakable commitment. Khosla leaned towards the Polish position, without explicitly insisting that the French military presence in Laos not be increased. Mayrand summarized the Indian argument as follows:

(a) According to Article II of the Final Declaration 'for the settlement of all the problems connected with the establishment and consolidation of the people of Cambodia, Laos and Vietnam,' France had undertaken to 'proceed' from the principle of respect for the independence and sovereignty, unity and territorial integrity of Cambodia, Laos and Vietnam. This could scarcely mean that the French forces permitted to remain under Article 8 could be used for the defence of Laos.

(b) All relevant clauses in the Geneva Accords concerning French Union Forces refer to their 'maintenance.' This clearly shows the intention of the Geneva Agreement to maintain an existing situation. Confirmation of this is found in Article 27 which refers to the rotation of personnel and supplies. Personnel and supplies are interconnected, supplies being determined qualitatively and quantitatively by the character of the personnel.

(c) In Article 15 of the Vietnam Agreement the word 'rotation' has been defined as 'the replacement of units or groups of personnel by other units and similar echelons.' The same article further stipulates that 'rotation would be conducted on a man to man basis.' The definition of 'rotation' given in the Vietnam Agreement should also apply to the Laotian Agreement.

(d) According to the French declaration at Geneva, their troops were to remain at 'specified points and for specified time.' The whole spirit of the Geneva Accords militates against the idea of 'foreign forces' remaining for any length of time in the territory of Laos. France had apparently recognized this as it had shown little eagerness to man the Séno establishment at full strength. This would indicate that France did not wish to maintain anything other than a security force to look after its own interests.

The Indian Delegation and Khosla, thus, "wished to instruct" the French that the strength

would not exceed 3500; that the French would inform the ICSC of the type of units which would form the above strength; that, whenever these units were replaced, the incoming units would be of the same type as the outgoing units; that, at the time of the change, the units would bring with them the equipment as laid down in the unit War Equipment Tables, provided the out-going units had taken all their equipment out; that the ICSC would be informed well in advance of any changes of units and movement of equipment both in and out of Laos, so that the ICSC could check at the time of arrival and departure; and that the ICSC Team in Savannakhet would be given all facilities to carry out the above arrangements. Indian interest in western activities, in contrast to its position vis-à-vis the communists, left the undeniable impression of a lack of serious consistency in the Indian performance. For the moment, Mayrand disagreed with Khosla, and both the Canadians and the French invited the Chairman to study their views while Khosla asked New Delhi for instructions.

Ottawa was “worried about this development” and instructed Mayrand to “postpone any final vote for the time being” to allow Ottawa time to consult London. Ottawa wanted London to “raise this question” with New Delhi “with a view to having the Indian Delegation alter its [current] position.” Ottawa realized that it could be outvoted on this issue and, if such was the case, an Indian-Polish majority vote would constitute an ICSC decision.

It would be most unfortunate if we found ourselves in a minority on this question and if the French were faced with a Commission recommendation which they would not be prepared to follow.<sup>63</sup>

Mayrand considered it “a good idea” if the British would intervene.<sup>64</sup>

Ottawa instructed Robertson to let Ottawa know the British view as soon as possible.

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<sup>63</sup> *Ibid.*, pt 5, SSEA to Can Com (Laos), May 18, 1955.

<sup>64</sup> *Ibid.*, Can Com (Laos) to SSEA, May 21, 1955 and Can Com (Laos) to SSEA, May 23, 1955.

On June 15, Robertson reported that the British rejected the Indian argument and supported the Canadian and the French positions.<sup>65</sup> The British *aide-mémoire* stated that the “maintenance of a reasonable air force component at the bases stated under the Franco-Laotian treaty is not inconsistent with the Geneva Accords, and is a reasonable requirement for the defence of Laos.”<sup>66</sup> Furthermore, the Franco-Laotian Treaty of October 22, 1953, allowed the stationing of French forces to ensure the defence of Laos in collaboration with the LNA. In this treaty, the RLG recognized the right of the French Government to put in “more ground, sea and air forces necessary for the defence” of Laos, and “the common reference being made to the establishment of two bases,” one at Séno and one in Xieng Khouang.<sup>67</sup> The Indian reaction, according to British High Commissioner, was that the Franco-Laotian Treaty of 1953 “was a relic of the bad old days which had no business to survive” the Geneva Accords.<sup>68</sup> The Indian performance and focus, more often than not, restricted the RLG’s room for manoeuvre and rendered more difficult western support for the RLG and increased communist support for the Pathet Lao. Indian action or lack thereof set the stage for heated debate and cool western-India relations at a time when Indian support was most needed for bringing about a political settlement in Laos.

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<sup>65</sup> *Ibid.*, SSEA to Can High Com, (London), May 27 and Can High Com (London) to SSEA, May 28, 1955.

<sup>66</sup> *Ibid.*, pt. 6, Can High Com (London) to SSEA, June 15, 1955.

<sup>67</sup> A copy of this *aide-mémoire* is available in *Ibid.*

<sup>68</sup> *Ibid.*, UK High Com (New Delhi) to FCO, June 16, 1955. Before the Geneva Accords was signed, Eden suggested and Mendès-France met Pham Van Dong to discuss the French military presence in Laos. It is not clear what was the result. In 1956, just before the Co-Chairmen discussed the Laotian problem, the British asked but the French categorically denied that French bases in Laos were a *quid pro quo* for communist control of Phong Saly and Sam Neua. Available evidence indicates that Chou opposed a French military base being established at the Plaines Des Jarres, in Xieng Khouang province, so close to the Pathet Lao and the North Vietnamese.

## THE AIR ACTIVITIES

Indian vigour also demonstrated itself *vis-à-vis* the RLG's airdrop of supplies to its posts in the North. The RLG's activities involved two distinct but related issues. These flights, on many occasions, overflew Pathet Lao-controlled territory and, thus, involved the Pathet Lao's rights under Article 19 and the RLG's undisputed sovereignty. The controversies over air drops first began when the "Administrative Committee of the Province of Sam Neua," on behalf of the "Government of Pathet Lao," complained to the ICSC of an American B-24 bomber overflying the North and firing on the population in Sam Neua on May 5, 1955. A Canadian member of the ICSC Team confirmed that, on that day, the Beechcraft airplane of Col. Gordon, the US military attaché did fly very low over Sam Neua. At times, the American military attaché would fly north to survey the situation. His activities occasionally went on without the RLG's knowledge.<sup>69</sup> Mayrand was surprised that, with the Polish help, the Pathet Lao would have made that mistake. The ICSC Political Committee discussed the issue and the Canadian member pleaded ignorance of any B-24 and refused to accept the letter coming from "The Government of Pathet Lao." Such a government did not exist.<sup>70</sup> The ICSC then instructed its team to find out the real identity of the plane.

The ICSC asked the RLG to explain the incident. The RLG denied any knowledge but suggested that the ICSC investigate the incident so as to discover the "author" of this "wicked trick." This could embarrass the Canadians and be disastrous for the Americans. The Canadians had no choice but to go along. In the ICSC Political Committee, however, neither the Pole nor

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<sup>69</sup> Deuve. *Le Royaume du Laos*, p. 83.

<sup>70</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 7, Can Com (Laos) to SSEA, May 30 and July 18, 1955.

the Indian pressed for an investigation. Mayrand later learned that the Indian team member had correctly identified the plane; the Polish silence, Mayrand thought, resulted from the realization that the Pathet Lao had wrongly identified the plane and falsely alleged that it had fired on the village. The ICSC unanimously decided that the RLG's response should be sent to the Pathet Lao for comment and that the ICSC would not investigate until the Pathet Lao responded. The Pathet Lao was silent and so too was the ICSC. Meanwhile, the question involving the interpretation of air space clause in Article 19 was referred to the Political Committee for study.<sup>71</sup>

Article 19, however, involved the fundamental question of the RLG's sovereignty and its obligation under the Geneva Agreement. The Polish attitude was that any planes flying into or over Sam Neua and Phong Saly which were not clearly working for the ICSC violated Article 19 in respect to air space and, as such, the Pathet Lao had the right to shoot them down in self defence. The Indians did not share this extreme position but were "preoccupied with" what they considered to be "a propensity by the RLG to use aircraft for a variety of partisan purposes;" the Indians were not "disposed to take a strong line with" the Pathet Lao's shooting at them "as long as it is not practicable to ensure that the LNA do not do this." In addition, "in the absence of proof that a plane was engaged on legitimate business," the Indians were "not prepared to censure" the Pathet Lao "unless there is an open and shut case." In case of a Pathet Lao shooting, the Indians would not investigate "unless there was a *prima facie* case for innocent passage." In this connection, the Indians disagreed with the Canadians on the RLG's right to supply its posts and to "normal replacement [of] arms and ammunition." In other words, the Indians admitted that the RLG had troops in the North, but refused to allow the RLG

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<sup>71</sup> *Ibid.*, Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, August 22, 1955.

to supply them. In light of Indian and Polish attitudes, Mayrand tried to secure a simple resolution “without attempting to assert any legal rights or responsibilities” that would involve the ICSC in adopting the attitude that the RLG “should not use aircraft for purposes which might fairly be said [to] be in violation of Article 19.” The Pathet Lao should not fire at any aircraft but, if dissatisfied, the Pathet Lao could complain to the ICSC. Sen, meanwhile, suggested that the whole question of air space be referred to the Co-Chairmen.<sup>72</sup>

At this point, the Chairman circulated a draft resolution. It stated that the resolution would not prejudice the legal right and liabilities of both sides. The RLG planes should not fly over Pathet Lao territories except to supply its posts with the “necessities of life.” The Pathet Lao should not interfere with these planes, but had the right to complain to the ICSC if they thought the RLG had violated the Cease Fire Agreement. Both parties concerned would resolve by themselves any difficulties involving the implementation of the above clauses. Balacki accepted the first and the second stipulation, but rejected the third point since this clause restricted Pathet Lao’s control of air space. Mayrand accepted the first and considered the “necessities of life” in the second stipulation inadequate. If left unsupplied, these isolated posts were highly vulnerable to attacks. Mayrand rejected the fourth point as being “entirely inappropriate.” It, in effect, allowed the Pathet Lao to challenge the RLG’s sovereignty. The Chairman’s draft resolution, as far as Mayrand was concerned, was “objectionable.” In the end, the ICSC passed a “harmless” resolution on September 8 and, Mayrand thought, “provided incidents do not occur,” the resolution would “bring to a happy end this rather ticklish question.”<sup>73</sup>

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<sup>72</sup> RG 25, Acc. 86-86/336, Vol. 44, file 619-L-40, pt. 8, Can Com (Laos) to SSEA, June 25, 1955.

<sup>73</sup> *Ibid.*, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, September 10, 1955.



In light of the Indian attitude, Mayrand thought it wise for the Americans to “soft pedal” and control their activities. The Pathet Lao and the North Vietnamese were “genuinely suspicious” of American intentions and those of Prime Minister Katay, who was pro-Thai and pro-American, and Souvanna and Crown Prince Savang, along with some top military figures who favoured a forceful policy in dealing with the Pathet Lao. In January 1955, for example, the Pathet Lao and the North Vietnamese strongly denounced a trip Souvanna, then Defence Minister, made to Xieng Khouang, Luang Prabang and Phong Saly, in which he was accompanied by a Thai Prince, Soun-Thi-San, related to Prince Pethsarath, and an American junior officer of the United States Information Service (USIS). Mayrand thought the Americans should be careful in giving their assistance to South Vietnam and Laos or the sending of Laotians to study anti-communist activities in the Philippines. The repeated American emphasis on Laos being exposed to communism “appears to me as slightly overdone.” It was particularly critical for the US to be extremely careful in light of the changing tactics of the Pathet Lao and North Vietnamese. In all meetings, either in the JC or with the ICSC, Mayrand informed Ottawa, the PVV/FUPL maintained a correct posture *vis-à-vis* the French and expressed willingness to forget the past and the need to work with the French for peace. The PVV/FUPL, however, increasingly accused the Americans of wanting to displace the French and to increase tension in Indochina and Southeast Asia. In courting the Indians, the PVV/FUPL also accused the US of reimposing colonialism through SEATO. Under the circumstance, the US must not disquiet the communists, and Mayrand gave as an example of the “wiser course” of visits of French officials to Saigon and Bangkok. These visits were clearly connected to SEATO, but the French consistently denied the link. In short, the Americans must not allow the communists to distort American activities through “wicked

propaganda.”<sup>74</sup>

Canadian difficulties continued to arise from American activities. The US conducted aerial reconnaissance flights over northern Laos and this put Canada in a very difficult position in choosing between western unity *versus* an ICSC judicious performance. Canada chose the art of the possible and instructed Mayrand to warn Charles Yost, the US ambassador to Laos. Menzies thought this was sufficient since “there is no harm in this [activity] as long as the information is kept in a few hands,” and as long as Canada was “not suspected of conniving.” The US, Menzies continued, “respect[s] our freedom of action” in the ICSC should “the case come up.” Mayrand, on August 10, privately approached Yost and he undertook to instruct his military attaché to suspend such activities over Pathet Lao-controlled areas. Ottawa also warned London since the British military attaché in Saigon, while visiting Laos, had wanted to accompany his American colleague. Fortunately or unfortunately, the plane which he was supposed to board broke down. When approached, F. S. Tomlinson, head of the British Southeast Asia Department, appreciated the potentially disastrous outcome for Britain, as one of the Co-Chairmen, and instructed Lord Talbot, the British ambassador to Laos, to make sure that no British officials engage in such activities.<sup>75</sup> Clearly, Canadian warnings seemed to pay off even in very minor dividends.

Menzies asked the Legal Division to examine the issue. Since Canada had consistently

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<sup>74</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 3, Can Com (Laos) to SSEA, March 3, 1955; and pt. 6, Acting Can Com (Laos) to SSEA, June 17, 1955.

<sup>75</sup> *Ibid.*, pt. 7, Menzies (Far Eastern Division), to Sicottes (Legal Division), June 15, 1955; Menzies to Holmes, “Memorandum: Aerial Activities of the US military attaché in Laos,” August 3, 1955; Can Com (Laos) to SSEA, August 11, 1955; USSEA to Can High Com (London), August 12, 1955 and P. Trottier (Far Eastern Division) to Chiefs of Staff, August 12, 1955; and Vol. 140, file 50052-B-40, pt. 8, Can Com (Laos) to SSEA, August 24, 1955 and Can High Com (London) to USSEA, August 26, 1955.

taken the position that the RLG's sovereignty in the North ought to have been in effect since August 6, Menzies wrote, these flights were not in violation of Article 19 if they were done with RLG's authorization. "[I]n principle," the Legal Division stated, it would be "very difficult to challenge" the RLG's sovereignty. Difficulties, however, would arise, if and when a plane, containing pictures of Pathet Lao's military positions, was shot down. The discovery of American activities might make the current political discussions difficult. These flights were, therefore, "open to question on grounds of prudence . . . irrespective of the [RLG's] legal right" to authorize them.<sup>76</sup> In other words, the RLG's right could not be simultaneously exercised in disregard of the Geneva Accords and both parties ought to have observed the Cease Fire Agreement. It is not clear whether Ottawa expressed its concerns to the RLG. It is clear, however, that Ottawa considered it inappropriate to tell a sovereign nation what to do and was not prepared to censure the RLG - the only sovereign authority in Laos.

Ottawa did its best, in private, to influence the US. For example, on January 4, 1955, the United States Information Bulletin, in Vientiane, announced that, under the new US-Laos economic agreement, Yost would present a cheque of one million dollars to Prime Minister Katay Don Sasorith, part of which would cover the RLA's budget completely.<sup>77</sup> Ottawa was worried that the communists would distort the agreement and that the Canadians in Laos would find themselves in a very difficult position, just as the Canadians found themselves in difficulties with the Indians and the Poles in Cambodia over the recent American-Cambodian military agreement. Ottawa did not wish to advise Washington on its international dealings for

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<sup>76</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 6 and *Ibid.*, Acc. 86-86/336, Vol. 43, file 619-L-40, pt. 6, A. Menzies (Far Eastern Division) to Sicottes (Legal Division), "Aerial Activities of the US military attaché in Laos," June 15, 1955 and Sicottes (Legal Division) to Menzies (Far Eastern Division), "Aerial Activities of the US military attaché in Laos," June 22, 1955.

<sup>77</sup> *Ibid.*, Acc. 90-91/008, Vol. 112, file 50052-40, pt. 35, Can Com (Laos) to SSEA, January 7, 1955.

fear of being “misunderstood and resented.” Despite the risks, Menzies thought it wise to convey “our apprehension informally and confidentially to the State Department.”<sup>78</sup> Pearson agreed and instructed Canadian diplomats accordingly. In particular, Pearson wrote,

we hope that our American friends will exercise control over publicity in such a way that the purposes of the agreement will not be distorted by the communists. In this connection, it might be wise not to emphasize the fact that the lion’s share of this assistance will be for direct forces support.

I do not wish the State Department to get the impression we are needlessly interfering in this matter. . . . you should emphasize that our special concern arises solely out of our membership on the I.[C.] S.C and the fact that we will for that reason have to take part in any discussions or decisions if it becomes a matter for Commission consideration.<sup>79</sup>

Washington took Canadian concerns into account when it issued a press communiqué.<sup>80</sup>

Ottawa’s difficulties, however, continued. In April, 1956, the US gave the RLG as a gift six L-9 twin engine planes under the American Military Assistance Program for training the RLG’s pilots.<sup>81</sup> The RLG did not notify the ICSC. Legally, Ottawa saw no reason for the RLG to do so and hoped these planes “will escape the [ICSC] official notice.” Ottawa also felt that “it is probably not our proper place to advise” the RLG to notify the ICSC, although a notification was certainly desirable. In particular, such a gesture would help “to dispel any impression” that the RLG had contravened Article 9. Ottawa instructed Bridle to “take suitable opportunity” to convey its concerns to the RLG’s officials, especially Sisouk, and to Charles

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<sup>78</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 6, Menzies to Holmes, “Memorandum for the Under-Secretary: Laos-United States Economic Assistance Agreement,” June 28, 1955 and Léger to Pearson, “Memorandum For the Minister: Laos-United States Economic Assistance Agreement,” June 28, 1955.

<sup>79</sup> *Ibid.*, SSEA to Cam Amb, (Washington), to Can Com (Laos) and to Can High Com (London), June 29, 1955.

<sup>80</sup> *Ibid.*, Cam Amb, (Washington), to SSEA, June 30, 1955 and SSEA to Can Com (Laos), July 6, 1955; and Vol. 112, file 50052-40, pt. 37, Can Emb (Washington) to SSEA, July 18, 1955.

<sup>81</sup> *Lao Presse*, May 7, 1956.

Yost and Lord Talbot, the US and the UK ambassadors respectively.<sup>82</sup>

Bridle did. Lord Talbot, however, thought the planes had no military values. Ottawa disagreed. Since these planes were for training the RLG's pilots, they could "reasonably be classified as military equipment." Yost thought the RLG had already done so. Although he understood the Canadian concern, Sisouk did not "take the matter very seriously." When pressed, Sisouk promised to discuss the matter with Prime Minister Souvanna. Meanwhile, Sen mentioned to Bridle the possibility of having the ICSC enquire into the status of these planes. When asked again, Sisouk informed Bridle that Souvanna decided against notifying the ICSC, since these planes were "only for training purposes, had no military function and . . . to classify them as 'military equipment' would be to extend the definition of that term unjustifiably." Bridle thought of discussing the matter with Souvanna, but since neither the Poles nor the Indians had raised the issue in the ICSC, Bridle thought "it preferable to let sleeping dogs lie."<sup>83</sup> Ottawa agreed.<sup>84</sup> It was not clear why the Poles were silent. Could it be that the USSR was honouring Molotov's concession to Eden and Mendès-France at Geneva that Laos, like Cambodia, had the right to import arms for its defence needs and instructed the Poles to remain silent? Or could it be that the USSR, in its desire for *détente* with the US, chose to remain silent while, at the same time, trying to move China against the US? Whatever the answer might be, the Poles and the Soviets were silent. Indian silence is probably explained by the

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<sup>82</sup> RG 25, Acc. 86-86/336, Vol.44, file 619-L-40, pt. 8, USSEA to Can Com (Laos), April 18, 1956.

<sup>83</sup> *Ibid.*, Acc. 86-87/360, Vol. 4, file 7266-P-2-40, pt. 1 and Can Com (Laos) to USSEA, May 25, 1956; USSEA to Can Com (Laos), June 6, 1956 and Can Com (Laos) to USSEA, July 31, 1956.

<sup>84</sup> *Ibid.*, Vol. 5, file 7266-P-2-40, pt. 1, USSEA to Can Com (Laos), September 4, 1956.

fact that, by 1957, Nehru had accepted American military assistance to the RLG.<sup>85</sup>

The most difficult issue, however, involved the American desire to train the RLG's troops. Ottawa did everything it could to persuade the Americans to work with and through the French as they had the legal right and obligation to train the Laotian army. In particular, Ottawa considered it essential that, even after a political settlement had been reached and the ICSC had withdrawn, the RLG be held responsible for living up to the terms of its Unilateral Declaration and certain provisions of the Geneva Accords.<sup>86</sup> Again, Ottawa could report no success.

The ICSC was scarcely effective in carrying out its mandate. The three delegations were certainly aware of the North Vietnamese activities in Laos. The Poles, not unnaturally, supported the North Vietnamese and the Pathet Lao. The Indians were reluctant to investigate. Indian performance on the communist violations was markedly different from its vigorous stand against western activities, which were not necessarily and directly linked to the issues at hand. The Canadians took a rather legalistic line, recognizing the fact that the Geneva Accords had not dealt with certain issues; for example, the air component at the Séno base. And, Canada certainly pursued the art of the possible when dealing with its friends and allies, particularly the US. It was impossible for the ICSC to seal off a large part of the Laotian frontiers, particularly the parts where Laos shared boundaries with China and North Vietnam. Equally important, the mountainous terrain of Laos rendered almost impossible any expeditious investigating. The ICSC's ineffectiveness and inability to investigate complaints and violations opened Laos to foreign interference.

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<sup>85</sup> FCO 371, file 129466, J. A. Snellgrove, "Mr. Martin of US Embassy Call and Eisenhower-Nehru Conversation on Laos," January 15, 1957.

<sup>86</sup> The following file deals with US military assistance: RG 25, Acc. 86-87/360, Vol. 5, file 7266-P-2-40.

## CHAPTER 4: THE SEARCH FOR A POLITICAL SETTLEMENT, 1954-1958.

The fundamental issues in Laos were the status of the two northern provinces, the indivisibility of Laos, the status of the Pathet Lao and the terms of their re-integration into Laotian national life. At Geneva, Laos seemed to have been intended as a hostage for future discussions of other Far Eastern issues and the Vietnamese settlement. A political settlement in Laos depended on the policy of North Vietnam. Hanoi's immediate goal was to reunite the divided Vietnam and to establish bases for the future conquest of Indochina. The Pathet Lao were not allowed to conclude a political settlement, a settlement that would, in effect, deny North Vietnam a vital bargaining chip and the use of Laotian territory as an artery to pump supplies into South Vietnam.

For the RLG, it was essential to settle the Pathet Lao problem as quickly as possible. The prolongation of the problem could only lead to further communist interference, penetration and the partition. A military campaign by the RLG would invite North Vietnamese and possibly Communist Chinese military intervention. The RLG could not count on either the French or SEATO military help and, thus, a political solution was the only sensible option. The desire for peace and stability led the RLG to make significant concessions. In the search for a political settlement, the ICSC and, in particular, the Indian delegation, facilitated the process. Canada had the unenviable role of trying to influence and moderate some excessiveness in US foreign policy.

### THE ICSC'S CONTRIBUTION

The restoration of the RLG's sovereignty and the political settlement were beyond the ability of the ICSC. By mid 1955, the situation in Laos had become inextricably linked with that of Vietnam. A prolonged division and even a partition of Laos would make North Vietnamese ambitions more easily obtainable. The ICSC was ineffective in protecting Laos. The policies of the three member countries made it impossible to reach a political settlement. There had never been any question of the Polish stand. The Indians, contrary to the Geneva Accords, implicitly accepted the communist contention and, indeed, subsequently put out the thesis that the West had bought peace at Geneva with a price in Laos and that the Indochina settlement had to be considered as a whole. Canada, during this period, attempted to interpret and implement the Accords as intended, while trying to balance the conflicting interests of its friends and allies. Canada resisted friendly pressures and chastised its friends, notably the US, in Canada's attempt to find a political solution to the Laotian problem. In the process, the RLG's legitimate rights were secondary considerations.

On June 14, 1954, the ICSC discussed the RLG's authority in the two northern provinces. Much to Mayrand's surprise, the Polish Acting Commissioner agreed that the Geneva Accords had recognized the RLG's "right . . . to the actual administration . . . from the date of the cease fire." Mayrand considered this Polish admission "an appreciable gain" and proposed to hold his fire until Semar Sen, the Indian Chairman, saw for himself that the Pathet Lao "are simply opposed to [a] full political settlement."<sup>1</sup> However, when the ICSC issued a press release, the phrase "from the date of the cease fire" was omitted. "I am afraid," Ballachey informed Ottawa, "there is little we can do about it." In the past, Ballachey went on, minutes had been altered to suit the view of Dr. J. N. Khosla, the first Indian Chairman, and this might

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<sup>1</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Can Com (Laos) to SSEA, June 15, 1955.



be a repetition.<sup>2</sup> Available records do not show whether or not Mayrand agreed to this omission after the meeting.

Discussions continued sporadically and fruitlessly. With increasing Pathet Lao/North Vietnamese intransigence and Polish support for them in their claim on the two northern provinces as their assembly areas and their denial of the RLG's authority, Mayrand introduced a resolution in the ICSC. It called for the immediate re-establishment of the RLG's authority in the two northern provinces with active ICSC support for the RLG. Both the Indian and the Polish delegations refused.

Contrary to SarDesai's claim,<sup>3</sup> the Pathet Lao had no intention of discussing the political settlement seriously. A combined Pathet Lao-North Vietnamese force of 2000 strong attacked with greater intensity the RLG's post at Moung Peune, on July 7. That attack completely destroyed an already very slim chance for an agreement. Mayrand hoped the Pathet Lao's actions would convince Sen of a need for a stronger ICSC reaction.<sup>4</sup> This did not materialize.<sup>5</sup> Instead, on August 2, Sen sent a long letter to New Delhi. New Delhi, in turn,

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<sup>2</sup> *Ibid.*, Acting Can Com (Laos) to SSEA, June 20, 1955.

<sup>3</sup> In *Indian Foreign Policy*, p. 165, SarDesai wrote: "Whereas, on the one hand, the Pathet Lao harassed the LNA units in Phong Saly and Sam Neua, they continued to be interested in the political negotiations with the RLG." This is an erroneous statement. A genuine desire to discuss things or to negotiate could not and do not accompany military action. It is more likely that the Pathet Lao, with the North Vietnamese support and abetting, must first consolidate its control and then used military powers to put maximum pressure on the RLG in order to extract the maximum concessions possible.

<sup>4</sup> RG 25, Acc. 90-91/008, Vol. 113, file 50052-40, pt. 38, FCO to UK High Com (Ottawa), July 24, 1955 and R. McNicol, Australian Minister (Saigon) to Dept. of External Affairs (Canberra), July 18, 1955.

<sup>5</sup> For their different views, see *ibid.*, Vol. 139, file 50052-B-40, pt. 7, Can Com (Laos) to SSEA, July 30 and August 1, 1955 and *ibid.*, Acc. 86-86/336, Vol. 43, file 619-L-40, pt. 6, Can Com (Laos) to SSEA, July 25, 1955 and

summarized Sen's view and passed a copy to the British.<sup>6</sup> Sen acknowledged the RLG's concessions on elections, but insisted that neither the RLG nor the Pathet Lao was "particularly anxious" to reach a settlement. According to Sen, the RLG tended to simplify the problem. They delayed political talks "on one excuse or another," restricted "discussion only to the restoration" question and insisted that the Pathet Lao accept the existing Constitution and laws. Even without North Vietnam's help, Sen doubted the RLG's ability to function "in a hostile territory." According to him, the Pathet Lao "do not appear to be willing to give up the advantages" they have. In fact, they "tried to gain more concessions." Both the Pathet Lao's Political and Military Missions in Vientiane had no authority. The Pathet Lao revealed neither the location of their High Command nor provided the ICSC with any interpreters to facilitate investigations. Sen, however, did not propose any action.

Sen's analysis was clearly inaccurate and unfair to the RLG.<sup>7</sup> He downplayed almost completely the concessions the RLG made and ignored the existing practice of free elections, secret ballots and equality before the law entrenched in the Laotian Constitution. More importantly, however, Sen ignored the Pathet Lao's consistent refusal to accept the RLG's concessions and to discuss the restoration of the RLG's authority. Sen seemed to think that the Pathet Lao's control of Phong Saly and Sam Neua should be recognized. The Geneva Accords had explicitly recognized the unquestioned territorial unity of Laos and had neither implied nor suggested changes to the existing Laotian Constitution and institutions. The Geneva Accords's

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<sup>6</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50053-B-40, pt. 7, UK High Com (New Delhi) to FCO, August 4, 1955; Can High Com (New Delhi) to SSEA, August 5, 1955 and Menzies to Chapedelaine, August 25, 1955.

<sup>7</sup> *Ibid.*, Vol. 140, file 50052-B-40, pt. 8, SSEA to Can High Com (London), to Can Emb (Paris) and Can Emb (Washington), August 23, 1955 and SSEA to Can Emb (Washington), September 2, 1955; and Vol. 113, file 50052-40, pt. 37, Menzies to J. B. Hunt (UK High Com, Ottawa), August 30, 1955 and Can Emb (Washington) to SSEA, August 26, 1955.

fundamental objective was the Pathet Lao's re-integration into the Laotian national community. In addition, there was also a flaw in Sen's basic assumption of "hostility." He ignored the fact that when the Pathet Lao and the North Vietnamese attacked Nong Khang, the RLG provincial governor, Quinim Pholsena, escaped and marched to Luang Prabang without being betrayed by the population.<sup>8</sup> Thus, the "hostility" could not have been as widespread as Sen claimed.

Indian partiality was further demonstrated by the action of Nehru's sister, who was the Indian Deputy Prime Minister. Mrs. Vijaya Laskhmi Pandit, following the January 1955 Nong Khang attack, informed Anthony Nutting, the British Parliamentary Under-Secretary of State for Foreign Affairs, that the ICSC found no evidence of North Vietnamese interference and the situation "appears to be satisfactory." F. S. Tomlinson, of the Foreign Office, considered Mrs. Pandit's letter "unjustifiably complacent" and privately asked the Canadians for their version. Following this consultation, Tomlinson decided to inform Mrs. Pandit that "we do not subscribe to the view that all is going well" and insisted that the ICSC needed to "uphold the [Geneva] settlement."<sup>9</sup> In late July, the Indians, in an informal letter, informed the British that, in their view, the Pathet Lao were "no more responsible for the outbreak [of hostilities] than the RLG."<sup>10</sup> This was a complete repudiation of Indian military officials' work. The Foreign Office refuted the Indian assertion.

The RLG, however, faced an insurmountable dilemma as its sovereignty was

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<sup>8</sup> *Lao Presse*, January 20, 1955. Quinim recounted his escape. See biographical sketch # 38.

<sup>9</sup> FCO 371, File 117103, Mrs. Vijaya Laskhmi Pandit to Sir Anthony Nutting, February 21, 1955; F. S. Tomlinson's comments on Mrs. Pandit, February 25, 1955 and A. Nutting to Mrs. Vijaya L. Pandit, February 26, 1955.

<sup>10</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 6, Can High Com (London) to SSEA, July 26, 1955.

challenged with impunity.<sup>11</sup> As long as the Communists could not be removed militarily, there was not much the ICSC could do. Unless the North Vietnamese could win in Vietnam completely, according to Holmes, there was no possibility of that they would relinquish these two northern provinces.<sup>12</sup> “Throughout the efforts to find peace for Laos,” according to Menzies, “the Vietminh advisors hindered steps which might impede the scope of the Vietminh struggle in Vietnam.” Had Vietnam been reunited earlier, Hanoi would have been in an even stronger position to expand into Laos.<sup>13</sup> In September 1955, it was revealed that, contrary to the RLG’s wish, Chou En-lai, the Chinese Premier, agreed to allow the French military bases in Laos after he obtained the two northern provinces for the Pathet Lao. The French denied this trade-off. “It would thus appear that,” in Chou’s mind,

Laos was not intended to have the same neutral status as Cambodia, but rather to remain an area of dual influence, like Vietnam, with the difference that the Communists retained a smaller portion of the territory, with a view to having another element with which to bargain in any general discussion that might take place at some time on Far Eastern questions.<sup>14</sup>

It was not until September 11, 1955 that Sen met Ballachey and Lord Talbot and proposed that the ICSC help facilitate a political settlement. Specifically, the ICSC should deal with the following issues: (1) restoration, (2) elections, (3) democratic freedoms, (4) guarantees

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<sup>11</sup> *Ibid.*, Vol. 139, file 50052-B-40, pt. 3, General Morton to Mayrand, “Memorandum to the Ambassador: Report on the Present Military Situation in the two Northern Provinces of Laos,” February 11, 1955; Can Com (Laos) to SSEA, February 14, 1955; and pt. 6, “The Pathet Lao Movement in the Kingdom of Laos,” June 10, 1955; Colonel Delamere to Ballachey, “Memorandum: Situation in Provinces of Phong Saly and Sam Neua,” June 24, 1955 and Lt.-Col. J. Reynolds to Mayrand, “Final Report on Sam Neua,” June 22, 1955. And, interview with Phagna Ngon Sananikone, June 27, 1994.

<sup>12</sup> Cited in Ross. *In The Interests Of Peace*, p. 165.

<sup>13</sup> Correspondence and interview with author, January 18, 1994 and May 20, 1994, respectively.

<sup>14</sup> RG 25, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 8, P. Trottier, “Memorandum to Mr. Menzies,” September 8, 1955.

against reprisals and (5) integration of Pathet Lao forces into the LNA. Sen thought the ICSC should facilitate a settlement that closely resembled the RLG's offer during recent political discussions: a share in the administration of Phong Saly and Sam Neua, in which all officials in the lower echelon would be divided on a fifty-fifty basis with both governors being RLG appointees rather than one Pathet Lao and one RLG representative, as the RLG suggested. The RLG alone would be responsible for local administration and elections throughout Laos. The ICSC would investigate all complaints of discrimination and reprisals. On the Pathet Lao's re-integration, Sen suggested, as a first step, that the RLG's authority be established first and, then, the Pathet Lao be concentrated in areas where they could be reasonably and effectively checked. Any Pathet Lao soldiers wishing to continue their military career could do so in the LNA. The Laotian army, however, would be required to set up a board to examine the qualifications of the Pathet Lao soldiers to ensure standards. The ICSC could help with the screening process. In this case, the Pathet Lao troops entering the RLA could be drastically reduced. They would be divided up into small units and dispersed throughout the RLA to guard against possible subversion. Once integrated, all former Pathet Lao soldiers would be subjected to RLA rules and regulations.

Ottawa, however, was doubtful of New Delhi's support<sup>15</sup> and correctly so. Bruce Williams of the Canadian High Commission, under instructions, saw Jha and Dutt. Both insisted that the ICSC could not, legally, impose a settlement and that the rejection of one party did not justify an ICSC report. Both also informed Williams that the elections in the other ten provinces in Laos were not that which the RLG undertook to carry out at Geneva and told

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<sup>15</sup> *Ibid.*, SSEA to Can High Com (New Delhi), and to Can Emb (Washington) and Can Emb (Paris), September 14, 1955; and "Memorandum: Laos: Sen's Draft Political Settlement;" "Memorandum: Laos: Commission Timetable" and "Memorandum: Laos: Katay-Souvannavong Meeting," September 15, 1955.

Williams that there could never be a settlement in Laos as long as the Vietnam problem remained unsettled.<sup>16</sup> The Indians shared, to a significant degree, the Communist argument. On September 20, Williams talked briefly with Sen and got a similar answer.<sup>17</sup> Williams was clearly unsuccessful.

On September 19, Mayrand reported a substantial change in Sen's proposed political settlement.<sup>18</sup> The RLG would send only two governors and one or two high-level functionaries. There was no mention of the fifty-fifty division between the Pathet Lao and the RLG in the administration of Phong Saly and Sam Neua. This change apparently came, in part, as a result of Sen's discussion with some RLG ministers and Katay. More importantly, however, Sen thought that these changes would be "palatable" to the Pathet Lao. Indeed, in front of Ballachey, the RLG ministers told Sen that the RLG only needed to hold a few top administrative positions. During the elections, a Joint Advisory Committee, composed of both sides, and members of the ICSC could make sure that things run smoothly. This would put an enormous demand on the ICSC personnel and Canada rejected the idea. Sen, however, was determined to push ahead and, according to Mayrand, Sen could not have gone this far without New Delhi's blessing. In Laos, the Indians seemed to be taking the side of the RLG to counter-balance Indian criticism of South Vietnam and the West. Sen, at one point, during the last meeting which Mayrand attended, mentioned "the close commonwealth ties" between Canada and India, and this reference, Mayrand thought, was an indirect warning to the Poles that the two Commonwealth countries would support each other.

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<sup>16</sup> *Ibid.*, pt. 9, Can High Com (New Delhi) to SSEA, September 19, 1955.

<sup>17</sup> *Ibid.*, Can High Com (New Delhi) to SSEA, September 20, 1955.

<sup>18</sup> *Ibid.*, Can Com (Laos) to SSEA, September 19, 1955 and "Memorandum For the Under-Secretary: Indian Plan for a Political Settlement in Laos," September 21, 1955.

The revised draft, Ottawa informed Mayrand, “seems to meet many of our view.” In particular, (1) the RLG’s authority would be re-established before the elections; (2) the RLG would conduct the elections; and (3) the Pathet Lao forces be re-integrated fully. Ottawa wanted, in particular, to put Sen’s plan on record so that “we can get the Indians committed to it.” Ottawa was “ready to help the parties implement the plan, if and when accepted.” In addition, Ottawa wanted the ICSC to help the parties to iron out details, “otherwise there might be too many openings for P.L. obstructionism and delaying tactics.” To accomplish this, Ottawa wanted Mayrand to make sure that the ICSC set up a timetable for regrouping and to check the Pathet Lao’s re-integration, ensure that the RLG had sufficiently re-established its authority to permit preparation of the December 25 election, see whether the election in the two northern provinces and possibly throughout the whole country could be postponed to allow a simultaneous settlement, and ensure that the LNA would be able to move freely in the North. If these were not possible, then the electoral postponement would not be a problem provided that it was not for too long a time. Most importantly, however, Ottawa told Mayrand to ensure that the RLG was brought into the picture, since it would be responsible for implementing the settlement.<sup>19</sup>

The ICSC presented the plan to the RLG and the Pathet Lao. A meeting was scheduled. Suddenly, Souphanouvong refused to meet Prime Minister Katay. The Canadian Ambassador in Paris reported that, according to reliable French sources, in the last two weeks of September, Souphanouvong and Kaysone were in Peking and it was during this visit that Souphanouvong decided not to meet Katay at Xieng Khouang.<sup>20</sup> Clearly, Souphanouvong’s political masters

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<sup>19</sup> *Ibid.*, SSEA to Can Com (Laos), September 21, 1955.

<sup>20</sup> *Ibid.*, pt. 10, Cam Amb (Paris) to SSEA, October 8, 1955.

considered a settlement in Laos undesirable and inopportune. The ICSC met to break the impasse. It was during this meeting that Sen told Paul Bridle, Mayrand's successor, of Souphanouvong's wish to meet Katay outside Laos.<sup>21</sup> Thus, Souphanouvong's move was not a complete surprise to the Indians.

The Rangoon meeting, between October 10 and 13, 1955, was a disaster for Katay. Instead of using Sen's plan and retaining international support, Katay agreed with Souphanouvong to put aside Sen's plan, and they discussed the following items: a cease fire agreement, the re-establishment of RLG's authority, the elections and, finally, the reintegration of the Pathet Lao.<sup>22</sup> The negotiations went badly for Katay. On the cessation of hostilities, he agreed to the creation of neutral zones between their forces and accepted a clause prohibiting the RLG from reinforcing its posts in the north. On the electoral question, Katay accepted all Pathet Lao nominees in the northern provinces as valid and undertook to submit all Pathet Lao candidates wishing to run throughout the country to the Permanent Bureau of National Assembly. On the RLG's administration question, however, Souphanouvong simply reiterated the Pathet Lao's November 1954 declaration. The Pathet Lao would accept only one RLG governor for each province and only one or two high officials. The change over would be made *pro tem* and their political delegations would discuss the details further in Vientiane.<sup>23</sup> There was no time limit on this discussion. Souphanouvong obtained his aims. Katay not only failed to gain commitments from Souphanouvong, but also conceded more.

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<sup>21</sup> *Ibid.*, Can Com (Laos) to SSEA, October 2, 1955.

<sup>22</sup> *Ibid.*, Can Com (Laos) to SSEA, October 10, 1955. See also *New Time* and *Nation*, October 10 through to October 13, 1955.

<sup>23</sup> RG 25, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 11, Can Com (Laos) to SSEA, October 21, 1955 and *FRUS*. Vol. XXI, (1955-1957), *East Asian Security; Cambodia and Laos*, Embassy in Laos to State Department, October 13, 1955.



Following the Rangoon meeting, no substantive progress was made and Ottawa tried to rejuvenate the political talks. As a strategy, Léger suggested that Bridle tried to gain acceptance of Mayrand's resolution by November 10 and propose Sen's plan either separately or as part of an omnibus plan to the RLG, regardless of the Indian position. Such a move would allow the RLG to seize the initiative and "place itself in the strongest possible moral position." Otherwise, the RLG would "open [itself] to the charge of not living up to its declaration." This RLG move would make it "difficult" for the Indians "to withhold support." The RLG could also state that it intended to hold elections in areas of Phong Saly and Sam Neua it controlled and make provisions for Pathet Lao candidates. Bridle could suggest that Lord Talbot informally put this plan to Katay.<sup>24</sup>

Ottawa also instructed Escott Reid, the Canadian High Commissioner in India, to inform the Indians that Ottawa shared with New Delhi the "fear of drawing a line between the parties." Wishing to prevent the crystallization of their positions, Canada had withheld the re-introduction of Mayrand Resolution since May. Canada believed now, however, that the situation was different since the electoral campaign was underway and the "risk of putting [both] parties back to back is greater." Canada had no desire to score points in the "East-West conflict." Its "objective" was simply to clarify the restoration issue. Canada, like India, feared that the unsettled situation would "cloud the political atmosphere, permit contradictory propaganda and allow the perpetuation of a confusion" that ran the risk of removing "in the long run the already slim chances" of reaching a political settlement. Should New Delhi reject "the honesty and impartiality of our argument," Ottawa was prepared to explore with New

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<sup>24</sup> RG 25, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 12, SSEA to Can Com (Laos), November 1, 1955.

Delhi “ways of re-introducing the Sen Plan either limited to its restoration phase or [in] its totality.” Reid should also “discuss the possibility of [making] a report to the Co-Chairmen,” as Sen had discussed with Bridle.<sup>25</sup>

Discussions ensued. On January 7, 1956, both Bridle and Sen reached a solution. The compromise resolution passed with a Canadian-Indian majority vote, while the Pole abstained. It basically recommended that (1) the cease fire provisions be observed, (2) that the RLG’s authority should be re-established, (3) that within twenty-eight days from the passage of the recommendation, the RLG and the Pathet Lao should enter into consultation with a view to carrying out the second recommendation, (4) that both parties should indicate to the ICSC their intentions by January 18, and (5) that the ICSC would report “fully” the situation in Laos to the two Co-Chairmen. Ottawa was not at all sure about the ICSC’s competence in recommending (3) since it “really deals with” the RLG’s unilateral declaration and “strictly speaking . . . exceeds the Commission’s competence.” Ottawa, however, thought that ways could be found to “justify” Canadian support if the RLG accepted it “on the grounds that it is a re-statement in positive terms of the negatively worded undertaking in Article 15.” This argument “stretches the legal elastic a bit [and] we hope that you [Bridle] will not have to use it in justification of your support for the resolution.”<sup>26</sup> James C. Langley, then Canadian senior political advisor, met Prime Minister Katay on January 11 and explained various clauses of the compromise resolution to him. Katay gave the resolution his “unqualified personal support” and assured Langley that he intended to present it to the Cabinet.<sup>27</sup> As expected, the Pathet Lao remained

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<sup>25</sup> *Ibid.*, SSEA to Can High Com (New Delhi), November 2, 1955.

<sup>26</sup> *Ibid.*, Acc. 86-86/336, Vol. 44, file 619-L-40, pt. 7, “Laos - Compromise Resolution,” undated.

<sup>27</sup> *Ibid.*, Can Com (Laos) to SSEA, January 12, 1956.

silent, which in effect meant a rejection of the resolution. The question then arose whether or not the ICSC should extend the grace period. The Canadian Legal Division suggested that Bridle should, since the Canadian legal position was not at all solid.<sup>28</sup>

Following the Pathet Lao rejection, the ICSC referred the whole matter to the Co-Chairmen. In providing background to the Co-Chairmen, the Indians fought against what they considered to be an attempt by both the RLG and its friends to exploit the January resolution “mainly . . . for diplomatic and propaganda pressure;” the Indians “prefer[red] not to facilitate further use of this kind.” Sen, therefore, “is averse to any partiality in the report or any deliberate effort to keep the January 7 resolution alive.”<sup>29</sup> Sen vociferously stressed “a general desire to give an appearance of impartiality.” Eventually, the ICSC sent its report with a Polish minority view to the Co-Chairmen.<sup>30</sup>

The Co-Chairmen discussed the issue, but resolved nothing. The Soviets took the consistent view that the two Laotian parties should be encouraged to conduct direct discussions and proposed that the Co-Chairmen send a message reflecting this view. The British Co-Chairman countered that, unless a satisfactory message reflecting the real situation can be worked out, the Co-Chairmen should not send any message.<sup>31</sup> There ended the ICSC’s involvement in a search for a political settlement. The ICSC returned to deal with cease fire

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<sup>28</sup> *Ibid.*, Legal Division to Far Eastern Division, February 3, 1956; SSEA to Can Com (Laos), February 9; Can Com (Laos) to SSEA, February 13; Far Eastern Division to Legal Division, “Memorandum: Competence of the Commission for Laos - Resolution of January 7, 1956,” February 17; Legal Division to Far Eastern Division, “Memorandum: Competence of Commission for Laos - Resolution of January 7,” February 21 and “Memorandum: Laos - cease fire Resolution,” February 24 and February 27, 1956.

<sup>29</sup> *Ibid.*, Can Com (Laos) to SSEA, April 9, 1956.

<sup>30</sup> *Ibid.*, Can Com (Laos) to SSEA, April 18, 1956.

<sup>31</sup> *Ibid.*, Can High Com (London) to SSEA, May 15 and FCO to UK High Com (Ottawa), Jun 4, 1956.

violations and complaints about the RLG's alleged violations of Pathet Lao's human rights.

## LINKAGES AND MODERATION

The failure of the ICSC to assist the RLG to re-establish its sovereignty and re-integrate the Pathet Lao, led Canada, along with its friends, to search for an alternative.

Canada had an opportunity to help break the impasse in Laos when Pearson visited the USSR between October 5 and 12, 1955. Initially, the Soviets talked about the "Spirit of Geneva" but insisted on discussing only matters on which both the Canadians and the Soviets could agree.<sup>32</sup> Soon, however, Molotov brought up Vietnam and wanted Canada to prevent the US from violating the Accords and from supporting Ngo Dinh Diem, the South Vietnamese President. Taking advantage of Molotov's initiative, Pearson brought up Laos. Ottawa wished to have the Laotian situation settled. The USSR, as one of the Co-Chairmen, could help. Molotov, Pearson informed Phoui, then RLG Foreign Minister, quickly changed the subject.<sup>33</sup> Laos seemed destined for partition.

From Moscow, Pearson visited New Delhi and discussed Laos and Vietnam with Nehru. Curiously, Pearson referred to the possibility of five Indochinese states emerging and agreed with Nehru that the situations in Laos and the Vietnam were "linked." As long as Vietnam remained divided, so too would Laos. In view of this linkage, it would be "unrealistic" to ask the Co-Chairmen to consider the situations separately. If there were no solutions, however, the Co-Chairmen should be informed. The Commissions should not be used to

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<sup>32</sup> Ignatieff. *Memoirs*, p. 138.

<sup>33</sup> RG 25, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 11, "Memorandum For File: Minister's interview with Laotian Foreign Minister, Mr. Phoui Sananikone," October 21, 1955.

protect the South Vietnamese and the Pathet Lao. In Laos, Pearson urged the Indians to support the Mayrand Resolution. Dutt interjected that Mayrand Resolution contained contradictions. How could the RLG's administration be restored while the Pathet Lao were in place and armed? The Indians, obviously, disagreed with the Canadians and rejected Mayrand's argument. While commenting on Sen's plan, Dutt said "it was unwise to force the issue" if both sides rejected it, and Pearson agreed that "the issue should not be forced" unless the Canadians and the Indians "were prepared to refer the matter" to the Co-Chairmen and the Geneva participants.<sup>34</sup> Upon his return home, Pearson had second thought and instructed Reid to push the Indians to be more active and firm.

The Americans, unaware of Pearson's change of heart, took a stronger line. Both Tyler Thompson and Ernest Mayer, US Embassy officials in Ottawa, paid Jules Léger, the Under-Secretary of State for External Affairs, a visit and "expressed something close to moral indignation at the suggestion that" Canadian policy in Laos "should be affected" by the Vietnam situation. The two agreements "were quite separate." The Americans were particularly concerned that Pearson would have agreed that South Vietnam should discuss the 1956 election with the North and regretted that Pearson had not challenged Nehru. All that was necessary in Laos was for Canada to press for a report to the Co-Chairmen and lay the blame squarely on the Pathet Lao. In particular, the Americans "protested vigorously against recognition of the division of Laos as contrary to the [Geneva Accords] and likely to drive the R.L.G. into dangerous military adventure."

Léger's reaction was equally strong. Thompson, Léger wrote, was "not very familiar"

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<sup>34</sup> *Ibid.*, pt. 12, Can High Com (New Delhi) to External Affairs, November 9, 1955. The Mayrand Resolution contained the following elements: the ICSC supported the RLG in its attempt to re-establish its administration in the two northern provinces; the ICSC called upon the Pathet Lao to accept the RLG's authority and there be clearly defined zones of regrouping for the Pathet Lao.

with the issues, while Mayer was “obtuse, suspicious and a confirmed Nehruphobe.” Mayer, in particular, “did not seem to understand that it was possible to recognize and analyze communist points of view without blessing them.” When informed of the visit, Pearson commented that the American *démarche* “was an irritation and unnecessary intervention.” Ottawa instructed Ambassador Heeney in Washington to tell the Americans that they had “taken the discussion much too literally and seemed not to realize that” Pearson and Nehru were discussing “the realities . . . rather than formal positions and policies.” Canada neither sought to recognize a Pathet Lao state nor “formally” acknowledged any connection. Discussion of these issues in no way implied that Pearson “had put dangerous ideas into” Nehru’s head. It would be “highly unwise . . . to ignore these realities just because they had no good legal basis.”

Canada, Léger wrote, “would continue in Laos to pursue the objective” contained in the Mayrand resolution. Canada, however, considered a report to the Co-Chairmen to be of “dubious value” and “a somewhat futile victory in Laos.” In particular, Ottawa did not want “a serious break with the Indians over Laos” at a time when New Delhi threatened to withdraw from the Vietnam ICSC. Nor was Canada prepared to “prod the communists and the Indians . . . into upsetting the uneasy stalemate in Vietnam which it is very much in our interest to preserve.” Canada, however, encouraged the Americans to advise Diem “to go as far as he would in complying” with the electoral clause. Canada hoped and trusted that American “misunderstanding[s] of our policy . . . are not as great as they appeared to be from this interview.” Heeney should also “take advantage of every opportunity to put our position straight” and “persuade” the Americans “that it would be folly on our part” and the west’s part “to allow the communists alone to plan their strategy with the whole of Indochina in mind.”

Ottawa trusted, Léger concluded, that “Mayer’s jaundiced approach” represented “to some extent . . . the less rational aspects of” the State Department and hoped that “our replies will not be distilled in the same way.”<sup>35</sup> Léger reiterated the Canadian position when he visited Washington, on December 5.<sup>36</sup> Canada, in short, was not yet prepared to break with India to satisfy the Americans. The reassessment and adjustment of policy meant, however, that the

developments in Laos . . . raises [sic] far-reaching issues for the Commission not only there but also in Vietnam and to a lesser extent in Cambodia. This appreciation is, we think, based on a realistic long-term appraisal of our objectives in Indo-China. It involves no reversal of policy but it does mean that we would not press support for the R.L.G. as far as has been left open to do. . . . [Pearson’s talk with Nehru] is relevant to the question of our objectives in Laos.<sup>37</sup>

Ottawa approached New Delhi with the possibility of having the ICSC deal with Mayrand’s resolution. The discussions bore no fruit. New Delhi considered Ottawa’s action unacceptable. It blamed the Pathet Lao and said that the “Mayrand Resolution offends Indian sense of fairness.”<sup>38</sup> The claim that India had not criticized the South Vietnamese, Léger wrote, was not true. It had, not only in the *Fourth Interim Report* but also in its Notes to the Co-Chairmen. But, the Indians were not prepared to take a strong position *vis-à-vis* the Pathet Lao: “We thought that we would have them against us in Vietnam but with us in Laos,” Léger concluded, “but apparently we are to be in minority in both Commissions.”<sup>39</sup> Bridle and Lord

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<sup>35</sup> *Ibid.*, pt. 13, SSEA to Can Emb (Washington), December 1, 1955.

<sup>36</sup> *Ibid.*, Can Emb (Washington) to SSEA, December 7, 1955.

<sup>37</sup> *Ibid.*, pt. 12, Jules Léger, “Memorandum for the Minister: Commission Action in Laos,” November 18, 1955.

<sup>38</sup> *Ibid.*, Can Com (Laos) to SSEA, November 11, 1955; Can High Com (New Delhi) to SSEA, November 12, 1955; Can Com (Laos) to SSEA, November 14, 1955; Can Com (Laos) to SSEA, November 18, 1955 and Can High Com (New Delhi) to SSEA, November 21, 1955 and UK High Com (Ottawa) to FCO, November 17, 1955.

<sup>39</sup> *Ibid.*, pt. 12, Léger, “Memorandum for the Minister: Commission Action in Laos,” November 18, 1955.

Talbot, the British Ambassador, were also unsuccessful in gaining Sen's support for the Canadian plan. Bridle informed Ottawa that Ottawa was "best able to judge whether it is more important to protect our position in Vietnam, in relation to what may be a rather remote contingency, than to prevent a break with Sen over his plan which might reduce the chances of his supporting our resolution." For the moment, Sen told Bridle, New Delhi had dropped Sen's plan and gave him a free hand as long as the ICSC did not blame the Pathet Lao for the deadlock and left room for future negotiations. According to Sen, he had informed New Delhi that the Canadians would not be happy simply to send the Co-Chairmen letters received from the RLG and the Pathet Lao without making the record clear.

Canada, however, could not sacrifice the interests of the west. The US, France and the UK, Léger informed Pearson, expected Canada to "take a strong stand on principle on the Mayrand resolution . . . even if it means [Bridle] taking a minority stand." Pearson agreed and wrote on the margin "So we should." Pearson instructed Bridle to oppose any ICSC involvement in the election for "political and legal grounds." At the time, the Indians wanted the ICSC to be involved in the elections to ensure fairness and to reassure the Pathet Lao. Ottawa was opposed to that proposal. The RLG was sovereign and the elections were Laotian internal affairs. The Geneva Accords recognized both. If the Indians persisted, Pearson continued, Bridle should introduce "a simple resolution of principle reaffirming" the RLG's right to re-establish its administration and call upon the Pathet Lao to "accept" this. The RLG "is entitled to our support" and we must "recognize the efforts" it had made. "Friendly governments expect us to introduce a Mayrand-type resolution and we must do this for the record at least." In addition, Bridle was to "ensure that our views" were clearly conveyed in letter transmitting RLG letters to the Co-Chairmen "even if it is necessary to record a minority



viewpoint.”<sup>40</sup> Canada had been pushed into taking a strong stand.

High Commissioner Robertson, in light of ICSC’s impending report, informed the British. London preferred an Indian-Canadian ICSC majority report with the “responsibility for the deadlock [be] pinned clearly on the P.L.” Alternatively, the British would settle for a simple resolution summarizing the situation and a letter transmitting the RLG and Pathet Lao letters. What the British did not want was “passing the buck with no recommendation and no expression of view regarding responsibility.” Such a situation “would be useless as a starting point for discussions with Molotov.” If there was Indian-Polish opposition, the British would settle for a simple and an “ineffective resolution accompanying by a letter reflecting an agreed Indian-Canadian assessment of the cause of trouble.” In case that there was no view on responsibility, the British thought it “reasonable and appropriate” for Ottawa to insist on a minority report. The British still hoped Bridle would re-introduce the Mayrand Resolution even if Sen did not support it. But the British hoped Ottawa would consult them first before instructing Bridle on subsequent action.<sup>41</sup> The West and Canada were in a difficult situation.

In light of the New Delhi-Ottawa impasse, the political breakdown and the definite date for an election in Laos on December 25 (which the RLG had already postponed from July 1955 in the hope that the Pathet Lao would agree to a political settlement), Ottawa instructed Bridle to introduce the Canadian resolution and hoped Sen would support a deadline of “at the end of 1955.” Failing that, Bridle was to work hard for a resolution hinting at blame for the Pathet Lao. Should the effort prove unsuccessful, at least the Canadian view would be on the record. Bridle worked hard to obtain the British preference but was unsuccessful. The second option

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<sup>40</sup> *Ibid.*, SSEA to Can Com (Laos), November 18, 1955.

<sup>41</sup> *Ibid.*, Can High Com (London) to SSEA, November 25, 1955.

was feasible, but “not very attractive to us.” Even if the RLG agreed to postpone elections in the north, Bridle and Sen might be so far apart that Sen would be obliged to vote against the Canadian initiative.<sup>42</sup>

Ottawa also reassessed its policy and plotted a new course. Pearson wrote, “it has become increasingly necessary to fix broad political objectives in Laos and to view these against the general settlement for Indochina.” Canada’s position in Vietnam was that the Vietnam ICSC was incompetent to recommend a political settlement. It was the business of the Geneva participants. In Laos, Canada’s consistent position was that the Laos ICSC was competent to press “for a political settlement by insisting on a correct interpretation” of Article 14, “so as to prevent” the Pathet Lao “from misusing it to exercise an effective veto over any political settlement.” Canada “will continue to maintain that the Laos and Vietnam agreements are distinct and different in conception,” and the Pathet Lao’s position was different from that of Diem. However, “it is evident that at this stage the Communists and the Indians draw analogies between the two situations” and “in varying degree look at the law in its broad political and even strategic setting.”

At Geneva, Pearson continued, the Indians had thought of drawing a line between communist and non-communist world and between Laos and Cambodia on the one hand and a united Vietnam under Ho Chi Minh on the other. The Indians considered the Vietnam ICSC to be a protective shield for Diem which encouraged his “wrongful opposition” to a settlement. Ottawa had, in Vietnam, tried to persuade New Delhi to separate the military from the political issues. If Ottawa took this position in Vietnam, Pearson continued, “we cannot be blind to or

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<sup>42</sup> *Ibid.*, SSEA to Can Com (Laos), November 28, 1955 and Cam Com (Laos) to SSEA, November 29, 1955.

altogether unsympathetic toward their [Indians] taking a somewhat similar attitude in Laos.” The Indians “now argue in Laos” that the ICSC should “sit on the cease fire line” and not to help bring about a political settlement.<sup>43</sup>

With this impasse, Ottawa wondered whether or not the RLG should and could argue that the December 25 elections “are the political settlement” and, after this election, whether or not the Laos ICSC would still be obliged to protect the Pathet Lao’s “special sanctuary” in Phong Saly and Sam Neua. It was not up to the Laos ICSC to recommend a fresh election exclusively for the Pathet Lao, nor was it the Laos ICSC’s responsibility to approve or disapprove of the election. What Ottawa feared was that the RLG might declare the Pathet Lao outlaws following the elections and try to take control of Phong Saly and Sam Neua by force. In such a case, “we see certain grave difficulties.” In the first place, the Poles and the Indians “would certainly not accept such a line of argument” and would “specifically recommend” that Articles 14 and 19 be observed. The RLG would, then, lose Indian sympathy and the Indians would probably withdraw from the ICSC in Laos and in Vietnam. That would jeopardize even more what was already a very fragile cease-fire. Indeed, the RLG’s military action would “seriously impair future chances for resumption of negotiations,” would invite “Vietminh intervention” and would “run the serious risk of upsetting the cease fire in Vietnam [and in Laos].” If the North Vietnamese intervened, there was no guarantee that the RLG could withstand such an invasion. This would lead the RLG to appeal to SEATO and its members would be faced with the choice of a massive military intervention, with all imaginable consequences, or risk “losing face” by refusing. In light of an uncertain support of SEATO,

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<sup>43</sup> *Ibid.*, pt. 13, SSEA to Can Com (Laos), to Can Emb (Washington and Paris); and to Can High Com (New Delhi and London), December 5, 1955.

Ottawa would prefer that the RLG civil and military officials measure their public statements very carefully. Ottawa was not prepared to rock the boat and counselled the RLG to be moderate and patient.

As part of an overall attempt to achieve moderation, Canada would do its utmost in the pursuit of “the wisest course.” Ottawa supported the RLG on the electoral issues but would not agree that the election sufficiently constituted a political settlement. Not lending the RLG some support, Ottawa feared, would lead the RLG, because of frustration, into military adventure. Bridle should try to introduce a modified Mayrand resolution by the end of 1955 giving both parties a seven-day grace period to accept or reject it so that the Co-Chairmen could be informed. Such course would put on record that the Pathet Lao “should have come to agreement by [the] end of the year.” If Bridle failed to obtain Sen’s support, he should negotiate for the “strongest resolution” possible demonstrating the RLG’s right to re-establish its authority and “implying blame on” the Pathet Lao. Bridle should also “endeavour to get as much of our views written into [the ICSC interim] report [or] . . . even in a minority note,” provided that Bridle did not lose Sen’s support. The British Co-Chairman could then “try to make as much as possible” of this report with the Soviet Co-Chairman, with the view of gaining Soviet support for ensuring the Pathet Lao’s “acceptance of fair arrangements” the RLG had made.

Ottawa, for the moment, insisted the RLG should go ahead with the elections without infringing on Article 15. It could state before or after the elections that it would continue to negotiate with the Pathet Lao on a “narrower basis of settlement covering [the] two northern provinces only.” The ICSC should, meanwhile, maintain that Articles 14 and 19 “still stand” pending a political settlement. In other words, Canada was prepared to support the RLG’s

position and recognize the RLG's efforts and sovereign rights. Canada, however, was not prepared "to push matters to the point where there is a risk of resumed hostilities with Vietminh intervention or where Indians divide definitely from us." It was "essential to maintain [the] cease fire in Laos and in Vietnam even if this meant the reunification of Laos may be delayed through separation from the armistice agreement."<sup>44</sup> In short, the Canadians in Laos should not create any unnecessary troubles for Ottawa *vis-à-vis* the Indians in relation to the Vietnam situation. The RLG would not receive the full support it deserved. This meant, in effect, a communist victory by default as a result of Indian action or lack of it.

The British, when informed of the Canadian plan, were unhappy. They feared that by letting the political situation drift, Ottawa would accept by default the Pathet Lao thesis that a political settlement was one for negotiation between two equals. In the end, the British accepted the Canadian plan "as the best for practical purposes" and instructed Lord Talbot to assist Bridle. Talbot should also insist that the election was necessary, since the RLG's authority in the North could not be established in time for a nation-wide election and, as such, a political settlement had not been achieved. Such a wording would satisfy "the requirements of the [present] situation without abandoning our legal interpretation or support" for the RLG's position.<sup>45</sup>

Strong US opposition would eventually lead to the toppling of Souvanna and his government.

#### THE UNITED STATES OPPOSITION AND CANADIAN HELPFUL FIXING

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<sup>44</sup> *Ibid.*, SSEA to Can Com (Laos), to Can Emb (Washington and Paris) and to Can High Com (New Delhi and London), December 5, 1955.

<sup>45</sup> *Ibid.*, FCO to UK High Com (Ottawa) and Can High Com (London) to SSEA, December 9, 1955.

The Geneva Conference recognized and reaffirmed Laos as a single, unitary, independent and sovereign state, with a single government in Vientiane. The Pathet Lao, however, had become a political reality and must be dealt with. To de-internationalize the Pathet Lao problem, Phoui,<sup>46</sup> the head of the Laotian delegation, issued the RLG's second unilateral declaration: that the RLG

resolves to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms which the Constitution of the Kingdom provides; affirms that all Laotian citizens may freely participate as elector and candidates in general elections by secret ballot; announces furthermore that it will promulgate measures to provide for special [Pathet Lao] representation in the Royal Administration of the provinces of Phong Saly and Sam Neua during the interval between the cessation of hostilities and the general elections of the interests of nationals of Laos who did not support the Royal forces during hostilities.<sup>47</sup>

“Pending a political settlement,” the Pathet Lao could either demobilize or “move into” temporary regrouping zones in Phong Saly and Sam Neua provinces.<sup>48</sup>

Discussions between 1954 and mid-1957 were not at all fruitful. The failures were due to several factors. The assassination of the Defence Minister, Kou Voravong,<sup>49</sup> led to the resignation of a government. Strong US opposition rendered a quick political settlement impossible.<sup>50</sup> More importantly, however, the Pathet Lao's consistent refusals, delays and

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<sup>46</sup> See biographical sketch No # 20.

<sup>47</sup> The RLG's two Unilateral Declarations are contained in “Documents relatifs à la Conférence de Genève sur l'Indochine, juillet 21, 1954,” in *La Documentation française: Notes et Études documentaires*, No. 1.901 (30 juillet, 1954). Also available in RG 25, Acc. 90-91/008, Vol. 113, file 50052-40, pt. 42.

<sup>48</sup> *FRUS*, Vol. XXI, (1955-1957), *East Asian Security; Cambodia and Laos*, “Memorandum of a Conversation, Vientiane,” February 27, 1955.

<sup>49</sup> See biographical sketch No # 11.

<sup>50</sup> J. R. Francis. “A Year In Laos: Ocotber 1956-October 1957,” in Arthur E. Blanchette. (ed.), *Canadian Peacekeepers In Indochina, 1954-1973* (Kemptville, 2002), pp. 36-37.

violations made a political settlement impossible.

As political discussions continued, the Pathet Lao-North Vietnamese attacked Nong Khang and Moung Peune in Sam Neua province between December 1954 and January 1955 and negotiations completely broke down. The Pathet Lao/PVV attack prompted the RLG to consider its position. For the benefit of his Laotian hosts as much as his American and Thai colleagues, Lord Talbot urged patience and advised the RLG to establish its case very “firmly . . . in the eyes of the world opinion before any attempt is made to resort to force.” “Any precipitate action might irrevocably destroy” the RLG’s case and bring about renewed North Vietnamese invasion. Under such circumstances, the RLG should not count on British support, either through SEATO or otherwise. While joining SEATO might not violate the letter of the Geneva Accords, it would “destroy the basis” of the Eden-Chou “understanding.” The UK, therefore, would not “entertain such a proposal so long as there was a slim chance of preserving the Geneva Settlement.” Nor would the UK “countenance Laotian adherence to” SEATO for the “express purpose of undertaking aggressive military action, even within her own territory.” In particular, the UK did not believe that “any minatory statement” from the Bangkok Conference “would improve the prospect of a settlement.”<sup>51</sup>

With western opposition - except for the US - to a military solution, the RLG directly approached Peking and Hanoi.<sup>52</sup> The visits had been arranged by the Indians. Peking assured

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<sup>51</sup> RG 25, Acc. 90-91/008, Vol. 139, file 50052-B-40, pt. 3, Lord Talbot (Laos) to FCO, February 18 and FCO to UK High Com (Ottawa), February 22, 1955.

<sup>52</sup> The Honourable C. D. W. O’Neil to Mr. Selwyn Lloyd, September 7, 1956. Confidential Printing. Foreign Office and Whitehall Distribution, September 7, 1956. DF 101310/38. A copy of this confidential printing is available in RG 25, Acc. 86-87/360, Vol. 4, file 7266-D-2-40, pt. 1 and

Souvanna that it would not link the problems of Laos and Vietnam, but suggested that the Laotians discuss matters directly with the North Vietnamese. In Hanoi, appropriate statements regarding a strict compliance with and respect for the Geneva Accords, good neighbourhood, and the principle of peaceful co-existence were made. Hanoi went so far as to say that Hanoi's military and political cadres had been withdrawn and that the Pathet Lao were now free to enter into negotiations with the RLG. The Laotians, for their part, reaffirmed the substance of the understanding between Eden and Chou, and the RLG's two unilateral declarations. The visits signaled that Laos intended to live in peace with its neighbours and that neutrality was the dominant theme in Laotian foreign policy. Neither the visits nor the pledges, however, led to a political settlement.

The Laotian search for a political settlement put Canada in a difficult position, with the unenviable task of moderating US policy. The Eisenhower Administration, it was no secret, disliked Souvanna and his "soft" policy towards communism. The new American Ambassador, J. G. Parsons, on October 12, when presenting his credentials, warned the Crown Prince that American aid "would depend on the degree to which the Laotians were willing to help themselves" and "were determined to sustain the principles of peace and liberty and to respect human dignity." Then, to soften the stern warning, Parsons changed tone and "noted that the [US] would respect a policy directed towards such an end even if this did not accord on all points with its own policies."

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interview with Phagna Ngon, June 27, 1994. See also Lee. *Communist China's Policy Towards Laos*, pp. 32-33; *Nouvelles du Laos*, August 30, 1956 and *Hsihua News*, August 22 and 26, 1956.



The Crown Prince, Prince Savang,<sup>53</sup> in response, did not take up on Parsons' veiled threat, but pointed out that "you have reminded me [of] the fundamental principals [sic] that had guided and still guide American policy and diplomacy, in the service of an idea of liberty, peace and respect for human dignity." Laos, Prince Savang continued, understood "the menaces and peril of foreign oppression" and "well knew the value of the words LIBERTY and PEACE." Laos was equally aware of the struggle to protect its dignity and "I will safeguard its independence." In this struggle, the US had brought to Laos "moral and precious material support." The friendship between their two countries, formed under difficult circumstances, would continue. American insistence on strictly applying "the fundamental principles of liberty and respect for human dignity," however, "would be against Laotian interests and harmful to its future" and would "weaken the ties which bound this country to such a sure and loyal friend" as the US. Prince Savang assured Parsons that, in his "high mission," he would find not only in His Majesty the King but also in the RLG "the most favourable audience."<sup>54</sup>

The US opposition continued. In mid November, Peter G. R. Campbell, the Canadian Commissioner, reported that Parsons had sent the RLG a memorandum, stating American view. The Americans, however, "faced a dilemma." They recognized that their advice "is not particularly welcome." Yet they considered it "essential" to influence the RLG "towards a settlement . . . acceptable to" the American public and Congress. The danger was that if the US considered that Laos "was wilfully lost to the communists," it would be very difficult to

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<sup>53</sup> See biographical sketch No # 30.

<sup>54</sup> *Nouvelles du Laos*, October 12, 1956 and RG 25, Acc. 86-87/360, Vol. 5, file 7266-J-1-40, pt. 1, Can Com (Laos) to USSEA, October 25, 1956.

persuade Congress to provide economic and military aid. Such an outcome would be disastrous, particularly “at the time when a settlement had been reached” and “the danger of subversion . . . would be greatest.” The Laotians, as far as Washington was concerned, did not seem to know who their real friends were.

The Canadians tried their best to influence the Americans. Earlier, when Parsons revealed that Souvanna might fall, Campbell told Parsons that he hoped a change of government would not end negotiations and that the Laotians knew who their real friends were. While the Canadians did not like the way the Prime Minister negotiated, Ottawa “wanted a settlement.” Ottawa was particularly concerned that, during Katay’s January 1957 visit to Washington, the Americans might have reached an agreement with Katay that would “run counter to continuing support for Souvanna.” “[T]he wisest course” the West could adopt, Ottawa believed, was to “buttress” Souvanna in all ways possible. Ottawa’s fear was not totally unjustified. The US had always favoured and supported Katay and, following his trip to Washington, Katay openly criticized the Souvanna-Souphanouvong agreement both inside and outside the Cabinet, so much so that, L. G. Holliday, the British Ambassador in Laos, reported that, Ngon Sananikone,<sup>55</sup> then Minister of Economic Development, suggested Katay should resign.<sup>56</sup> The inherent danger in the US policy, as far as Ottawa was concerned, was that, if Souvanna fell, there was no guarantee that Katay would become Prime Minister and

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<sup>55</sup> See biographical sketch No # 14.

<sup>56</sup> FCO 371, file 129468, Holliday (UK Emb, Laos) to Tomlinson (FCO), February 8, 1957.

Souvanna's successor might "move the country further to the left."<sup>57</sup> James C. Langley, Campbell's political advisor, was also sent to Washington, upon his return from Laos, to reassure the Americans that Souvanna was not naive and deserved western and, in particular, US support.<sup>58</sup>

Canadian representations made little headway. The US suspended its aid because the RLG had violated a provision of the US-Laos Economic Agreement. The US was correct in charging the RLG with technical violations, but such fine technical points only served to remind the world of the general American opposition. Campbell urged Parsons to settle the issue quickly to avoid the impression that the US employed "a rather crude weapon against Souvanna."<sup>59</sup> The issue was resolved by late December 1956. But Parsons continued to struggle for sixteen months to prevent a political settlement.<sup>60</sup> Parsons did little to hide his opposition. Indeed, in late November 1956, Paul Martin Sr., then Minister of Health and Welfare, accompanied by Menzies, visited Laos and Menzies advised Parsons "against an overly harsh attitude." But, Parsons rejected the advice.<sup>61</sup> In Vientiane, Martin invited Souvanna and Souphanouvong, along with others, to a buffet. Parsons was furious that Martin had invited

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<sup>57</sup> RG 25, Acc. 86-87/360, Vol. 5, file 7266-P-2-40, pt. 1, External Affairs to Can Emb (Washington), December 6, 1956.

<sup>58</sup> Interview with author, March 8, 1994.

<sup>59</sup> RG 25, Acc. 86-87/336, Vol. 44, file 619-L-40, pt. 9, Candel (Laos) to External Affairs, December 11, 1956 and *FRUS*. Vol. XXI, (1955-1957), *East Asian Security; Cambodia and Laos*, pp. 830-32 and pp. 878-80.

<sup>60</sup> Parsons' testimony in congress. United States. *United States Aid Operations in Laos: Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives*, 86th Cong., 1st Session (Washington, 1959), p. 195.

<sup>61</sup> Eayrs. *Indochina: Roots of Complicity*, p.121.

Souphanouvong.<sup>62</sup> Looking back, Menzies concluded that, while it might have been the responsibility of the British, the French, the Americans and the Australians to deal exclusively with the RLG, Canada, as an ICSC member, had an international responsibility to talk to all parties. Martin had taken the correct course.<sup>63</sup>

Holliday, the UK ambassador, also did not like the political settlement and intervened without success. Exasperated, Holliday wrote that the only way to have the Laotians accept his advice was “to chuff it down their throats” and recommended that, in light of the American opposition, the UK should also disagree. Selwyn Lloyd, the British Foreign Secretary, rejected the recommendation and responded that “I cannot authorize you to speak as you suggest” because the Co-Chairmen’s recognition was not “essential” to validate an agreement “freely” reached between the two parties; not recognizing the agreement “would logically lead to the non-recognition of any new government established under the terms of the agreement and in consequence to a rupture of diplomatic relations” and “might well be criticized as interference in the internal affairs of Laos.” Holliday, however, was to “make strong representations” privately to Souvanna that, at a time when the Communists were clearly embarrassed by the Soviet repression in Hungary, further RLG’s concessions would be “inopportune and retrograde” unless the RLG received an “immediate and firm guarantee” that Phong Saly and Sam Neua “will be returned” and the Pathet Lao rendered “innocuous.” The UK, Lloyd continued, while wishing to continue to support the RLG, “would view with grave

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<sup>62</sup> Martin. *A Very Public Life*, p. 272.

<sup>63</sup> Interview with author, April 12, 1995.

apprehension the abandonment of positions of strength” which the UK had helped the RLG “preserve for the last two years.”<sup>64</sup>

Ottawa, too, shared these reservations, but was not prepared to make an official representation to the RLG. Instead, Ottawa authorized Campbell to express views similar to those of the British and the Americans should the Laotians ask.<sup>65</sup> Campbell, for his part, did his best to work on Parsons.

It was not until November 18, 1957, that the Pathet Lao finally agreed to a settlement. The two northern provinces would be returned to the RLG and a total of 7500 Pathet Lao soldiers would be integrated into the RLA. The Pathet Lao would dissolve themselves and become a legal political party under the name of Néo Lao Haksat (NLHS). A supplemental election to be held in May, 1958, which would increase the number of deputies from 39 to 60. The Pathet Lao subsequently won 9 of the 21 seats contested. Souphanouvong ran in Vientiane completely unopposed. For the moment, two Pathet Lao members would join the government. According to Ngon, during his visit to Sam Neua, the vast majority of the people were loyal to the government and in the upcoming election the RLG would win a majority seat in Sam Neua. Of the 7,500 Pathet Lao personnel, 5,500 had already been processed into the RLA. “We take many of them into our Army,” Ngon said, “with the hope that they will become loyal

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<sup>64</sup> RG 25, Acc. 86-87/336, Vol. 44, file 619-L-40, pt. 9, FCO to UK Emb (Laos), November 16, 1956 and FCO to UK High Com (Ottawa), November 17, 1956; FCO 371, file 129465, UK Emb (Vientiane) to FCO, December 28, 1956, UK Emb (Vientiane) to FCO, January 3, 1957; FCO 371, file 129466, R. E. Parsons (UK Emb, Laos) to S. Lloyd (FCO), January 9, 1957; Holliday (UK Emb, Laos) to Tomlinson (FCO), January 11, 1957 and UK Emb (Vientiane) to FCO, January 22, 1957 and FCO 371, file 129468, FCO to UK Emb (Vientiane), February 15, 1957.

<sup>65</sup> RG 25, Acc. 90-91/008, Vol. 140, file 50052-B-40, pt. 42, External Affairs to Can Com (Laos), February 11, 1957.

citizens. We will take appropriate steps to make sure they do.”<sup>66</sup> Ngon was clearly referring to the two unpublicized anti-seditious laws.

American opposition continued, but Ottawa tried to reassure the US. On November 19, Holmes, W. E. Bauer, the Indochina desk officer, and others met American Ambassador Thompson and Kenneth Young, the State Department’s Director of Southeast Asian Affairs, in Ottawa. Young expressed dissatisfaction with the agreement and had difficulty in asking Congress to continue financial assistance for the RLG. Laos was a “dirty word” around Capitol Hill. The recent political accords, Holmes argued, “should not be considered publicly as a setback for the West.” Ottawa, too, had “some misgivings,” but western policy “would be served best by putting on a show of confidence and by showing some satisfaction that a settlement had been reached.” The western powers, Holmes continued, should do their “utmost to ensure that the implementation” would not result “in any major gains” for the Pathet Lao. Holmes then told Young that Canada “would be very unhappy if the [US] decided to withdraw” its support “simply because it had a couple of Communists in it.” To make the point more graphic, Holmes rhetorically asked Young whether the US “was prepared to see the Chinese move into Laos to fill the vacuum.” Holmes had the impression that Young “did not seem to like this possibility any more than Congress would like to continue aid to a ‘Communist’ Laos.”<sup>67</sup> Campbell reiterated those arguments to Parsons in Laos.<sup>68</sup> The Americans clearly

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<sup>66</sup> RG 25, Acc. 86-87/360, Vol. 2, file 7266-C-40, pt. 2, Perm Rep of Can Del, the Vietnam ICSC (Saigon) to USSEA, January 5, 1958.

<sup>67</sup> *FRUS*. Vol. XXI, (1955-1957), *East Asian Security; Cambodia and Laos*, State Department to Embassy in Laos, November 21, 1957 and RG 25, 90-91/008, Vol. 113, file 50052-40, pt. 42, W. E. Bauer to J. W. Holmes, “Memorandum: Discussion with Mr. Kenneth Young of the U.S. State Department,”

faced a difficult choice.

The 1957 Agreement between Souvanna and Souphanouvong, for the RLG, constituted a political settlement. Ottawa, meanwhile, increasingly became concerned by American intentions. Canadian concern was not without foundation. On May 20, W. G. M. Olivier, the Canadian Commissioner, reported that the Pentagon was “eager to expand its military commitment in this country” and, in a hastily drafted message, stated that, in light of the political settlement, the RLG “would probably have no rpt [repeat] no compunction about asking for further American Assistance, and even the establishment of USA bases here.”<sup>69</sup> Ottawa was “most disturbed” by the “implications” of this. Despite the fulfilment of the Cease-Fire Agreement, Ottawa “naturally expect[ed]” the RLG “to live up to the terms of its declaration” and asked Olivier to re-appraise the RLG’s intention. Ottawa informed Olivier that it was consulting the UK “about the possibility of having re-affirmed” the RLG’s Unilateral Declaration.<sup>70</sup> To allay the fear of China and North Vietnam, the RLG should reiterate its unilateral declarations and the Co-Chairmen could “add weight” to this by

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November 20, 1957.

<sup>68</sup> *FRUS*. Vol. XXI, (1955-1957), *East Asian Security; Cambodia and Laos*, Embassy in Laos to State Department, September 3, 1957 and October 16, 17, 20, 23, 24 and 25, 1957; State Department to Embassy in Laos, October 18, 1957; October 21 and 23; November 3, 5, 6, 14, 16, 19 and 20, 1957; State Department to Embassy in Laos, November 7, 13, 15 and 16, 1957; “Memorandum From the Assistant Secretary of State for Far Eastern Affairs (Robertson) to the Secretary of State: Prospective Pathet Lao Entry into Lao Government,” November 18, 1957; Embassy in Laos to State Department, November 19 and December 4, 1957 and State Department to Embassy in Laos, November 21, 1957; and RG 25, Acc. 86-87/360, Vol. 5, file 7266-P-2-40, pt. 1, Candel (Vientiane) to External Affairs, November 26, 1957.

<sup>69</sup> RG 25, Acc. 86-87/360, Vol. 5, file 7266-P-2-40, pt. 1, Can Com (Vientiane) to External Affairs, May 20, 1958.

<sup>70</sup> *Ibid.*, External Affairs to Can Com (Vientiane), May 21, 1958.

emphasizing that paragraphs 5 and 12 of the Final Declaration “are still binding.” This would also go a long way in reassuring the Indians. If the UK agreed, the British Ambassador could approach the RLG and Canada would follow suit.<sup>71</sup> Olivier regretted the hastiness in drafting his message and informed Ottawa that during the election campaign all major political leaders had emphasized an adherence to the Geneva Accords.<sup>72</sup> This seems to have settled the problem for the moment.

The British, meanwhile, made an approach to the Americans which did not yield any positive result. On May 30, Ambassador Heeney, in Washington, informed Ottawa of a conversation between De La Mere, the British Ambassador, and Parsons, now the Deputy Assistant Secretary for Far Eastern Affairs, in which Parsons stated that “it may be very difficult for the State Department to go along with the idea” that the RLG reaffirmed the substance of its Unilateral Declarations in Geneva and that the Co-Chairmen reiterated the substance of the Geneva Accords. The Congressional Committee, re-examining American aid to Laos, rejected Parsons’ explanation that sending American military personnel to Laos to run the aid program would violate the Geneva Accords. De La Mere did not think useful to convince Parsons further of the need to reaffirm the Final Declaration and the RLG’s Unilateral Declarations. Heeney then suggested that Ottawa should not make a similar *démarche*, as such an attempt “would raise the same difficulties for the Americans.”<sup>73</sup>

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<sup>71</sup> *Ibid.*, External Affairs to Can High Com (London), May 22, 1958.

<sup>72</sup> *Ibid.*, Can Com (Vientiane) to External Affairs, May 23, 1958.

<sup>73</sup> *Ibid.*, Can Emb (Washington) to External Affairs, May 30, 1958.



Ottawa overruled Heeney and instructed him to approach the State Department. While the American military program had “some advantages,” there were, in “our judgment . . . important disadvantages.” China and North Vietnam, already suspicious of American activities, “might resort to stronger action throughout Indochina.” At the present, Ottawa doubted South Vietnamese ability to resist subversive activities. The RLG, at Geneva, had “accepted certain limitations in connection with military matters as long as the political settlement had not rpt [repeat] not been reached in Vietnam.” The RLG, thus, “can [not] avoid these obligations even though the terms of the Cease-Fire Agreement have been fulfilled.” There were also indications that the NLHS “derived some of their voting strength from charges of USA interference” and sending in US military personnel would simply “increase the potency of this propaganda technique and could result in a further disintegration of the strength of the right.” When the political agreement was reached, the NLHS “envisaged a period of intense political campaign designed to remove the right wing and centre parties from power.” The electoral results tended to confirm this. As far as Ottawa was concerned, “the only antidote” to the NLHS was for the right-wing parties to co-operate in a large scale attempt to eliminate corruption and other causes of discontent and to extend their influence into the villages. Equally important, American activities would “seriously weaken our defence against the accusation that unilateral withdrawal would amount to sabotage the Geneva settlement and we should probably wish to re-examine our present position.” The best course would be for the US to “help the French financially to enable them to do the whole training.”<sup>74</sup> Canada did what it could but the

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<sup>74</sup> *Ibid.*, External Affairs to Can Emb (Washington), May 29, 1958.

representation made no headway. Even after the Canadians had left Laos, Ottawa maintained this position *vis-à-vis* Washington.<sup>75</sup> As time went by, however, the US instigated a coup against Souvanna and increased its military presence. The fragile peace would break down, fighting renewed and the road to a second Geneva Conference on Laos became inevitable.

Following the November 1957 political settlement, the RLG asked the ICSC to leave. It eventually did so in May 1958.

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<sup>75</sup> *FRUS*. Vol. VII, (1958-1960), *Western European Integration and Security; Canada*. Part. 1, "Memorandum of a Conversation: The Secretary's Conversations in Ottawa," July 11, 1959.

## CHAPTER 5: THE 1962 GENEVA SETTLEMENT

The 1961-62 Conference, again co-chaired by Britain and the USSR, was a 14-nation international attempt to settle an internal war, but a war sponsored by diametrically opposing external ideologies and foreign interventions.<sup>1</sup> The Conference came on the eve of a series of potentially dangerous developments where the superpower's prestige was already heavily engaged in Cuba, Berlin and Congo. After more than a year long of negotiation, the participants finally reached an agreement and, again, set up another international commission to oversee the implementation of the Geneva Accords. Canada, along with India and Poland, was asked to continue to serve on the ICSC.

The Laos ICSC had some limited success during the first three years after the Geneva Conference. It managed to investigate and report some violations. Revealing Hanoi's infractions, however, attracted swift and sharp criticisms from the communists. In response, the communists further curtailed the ICSC's freedom of movement and activities. From 1965 onward, inactivity set in. Poland acted as expected, and, India, as the chairman, replaced its reluctance to act with deliberate delays and refusals to act. An Indo-Soviet understanding ensured a quiescent ICSC. There was a lot the ICSC would not do. And there was very little the Canadians could do. The responsibilities of the Co-Chairmen were also never fully and judiciously exercised. The USSR, as one of the Co-Chairmen, provided military assistance, political support and diplomatic cover for the communists. Hanoi's violations were implicitly

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<sup>1</sup> The participants were: Burma, Cambodia, Canada, China, France, Great Britain, India, the Soviet Union, North Vietnam, South Vietnam, Poland, Thailand and the United States. The Laotian factions sat as observers. A unified Laotian delegation signed the final document on behalf of the newly-minted troika Provisional Government of National Union.

encouraged and explicitly condoned.

## THE 1962 ACCORDS

The Geneva Accords of 1962 contained three major components.<sup>2</sup> First, a Declaration of Neutrality, announced by the newly minted Troika Laotian government, committed Laos

- to practice and follow a policy of neutrality
- to allow no foreign bases in Laotian territories and to allow no foreign use of Laotian territories to interfere in another country
- to reject SEATO military protection
- to insist on the withdrawal of all foreign military personnel from the country and to allow no entry of foreign military personnel

The Laotian Declaration was quickly followed by a Declaration which committed all 14 signatories:

- to observe and respect the sovereignty, independence, neutrality, unity and territorial integrity of Laos
- to utter no threat or to use force against Laos
- to refrain from interfering in the internal affairs of Laos
- to refrain from using Laotian territory to interfere in the internal affairs of other countries
- to refrain from involving Laos in military alliances and to respect Laotian wishes in not recognizing the protective umbrella of SEATO
- to introduce into Laos no foreign forces of any kind
- to establish no foreign bases, strong points or military installations of any type, except those allowed in 1954
- to allow France and Laos to settle the future of the French Military Mission

There was also a Protocol to the Declaration of Laotian Neutrality. It set out the governance

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<sup>2</sup> The texts of the Accords are available in US Government. State Department Bulletin, August 13, 1962 and Canada. Department of External Affairs. *Monthly Bulletin*. "Conference on Laos." 13: 268-70 (July, 1961) and "Geneva Agreement On Laos." 14: 256-8 (September, 1962).

structure, the mandate and the terms of reference for the new ICSC. Again, Canada, India (as the Chairman) and Poland were its members. Under the Protocol, the ICSC was

- to supervise the withdrawal of all foreign troops within 75 days following the signing of the Geneva Accords on July 23, 1962. The deadline was October 7, 1962.
  - Under this item, Laos had 30 days to designate exit points; 15 days for the ICSC to set up its teams when the Royal Lao Government notified it of the exit points; and all foreign troops had 30 days to complete the actual withdrawal
- to ensure that foreign troop withdrawals took place only along the routes and points of exit as determined by the RLG
- to ensure that all withdrawal notifications were given in advance to the ICSC
- to prohibit the entry of foreign troops into Laos
- to prevent entry of all arms except those which specifically requested by the RLG
- to supervise the cease-fire agreement
- to investigate all alleged violations of the Accords. The investigations were to be taken by a majority decision and were understood to have the “general concurrence” of the RLG. The “general concurrence” was based on the Indian suggestion that, once the RLG signed the Accords, its “general concurrence” was given and the ICSC did not need an explicit agreement from the Laotian government on any one specific investigation.
- to report all violations to the Co-Chairmen (the UK and the USSR) who would assist and ensure compliance. The ICSC report could either be a unanimous or an “agreed” report that reflected the various views of the three ICSC members.
- In the event that a member is unable to perform its duties, irrespective of the circumstance, the country member should either replace the individual or nominate his deputy as the alternate chief.

With the conclusion of the Geneva Conference, the Laotian child of 1962, born of a cold war motherhood, was a product of an international consortium of 13 mid-wives.<sup>3</sup> The Co-Chairmen were to provide protection and the ICSC acted as the guardian. The functionality of the Co-Chairmanship, however, reflected built-in cold war politics. The institutionalization of the Co-Chairmanship, Norman Hannah wrote, provided an opportunity for the western world to force issues into the open, while allowing the USSR to veto any damaging

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<sup>3</sup> Perry Steiglitz. *In A Little Kingdom* (N. Y., 1990), p. 187. Steiglitz is Prince Souvanna’s son-in-law.

investigations to the communist sides.<sup>4</sup> This binary relationship between the two Co-Chairmen was re-enforced through the Kennedy/Khrushchev understanding at Vienna. In that meeting, Khrushchev assured Kennedy that Laos should remain neutral.<sup>5</sup>

The Kennedy-Khrushchev understanding was further strengthened by another US-USSR agreement. In Geneva, Georgiy Pushkin, the chief Soviet negotiator, assured Harriman that Laos was to remain neutral. Laotian neutrality would be modeled after that of Finland; both the UK and the US would ensure non-communist compliance. The USSR would do likewise for the communist side. This included preventing North Vietnam from using Laos as a corridor to South Vietnam and a USSR support for a neutral Laos against any Pathet Lao political and/or military aggression. The Royalist, Neutralist and Pathet Lao troops would be amalgamated into a single army, under a Laotian government. Harriman considered this understanding “the single most important thing that has happened at the conference.”<sup>6</sup> The USSR, with Chinese support, put forward Souvanna as the Prime Minister.<sup>7</sup>

To ensure an effective implementation of the US-USSR understandings, the US

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<sup>4</sup> Norman B. Hannah. *Key To Failures: Laos and the Vietnam War* (N. Y., 1987), p. 46.

<sup>5</sup> *FRUS*. Vol. V, (1961-1963), *The Soviet Union* (Washington, D. C., 1998), “President Meeting With Khrushchev, Vienna, June 3-4, 1961;” “Memorandum of Conversation: Vienna Meeting Between the President and Chairman Khrushchev,” June 3, 1961; “Memorandum of Conversation: Meeting Between The President and Chairman Khrushchev in Vienna,” June 4, 1961 and “Memorandum of Conversation: ‘Memorandum of Conversation with the President and the Congressional Leadership,’” June 6, 1961; Hilsman. *To Move a Nation*, p. 130 and Thomas J. Schoenbaum. *Waging Peace & War: Dean Rusk in the Truman, Kennedy & Johnson Years* (N. Y., 1988), p. 334.

<sup>6</sup> Schlesinger, Jr. *A Thousand Days*, p. 331; Rostow. *The Diffusion Of Power*, pp. 287-288 and Sorensen. *Kennedy*, pp. 646-7; Harriman Papers, Vol. 528, File 528-6, U. Alexis Johnson, “Memorandum For The President: Gromyko Talks - Southeast Asia,” October 6, 1961; Kahin Collection, Vol. 29, W[alter] W. R[ostow], “Memorandum For the President: Southeast Asia,” September 15, 1961; and RG 25, Acc. 90-91/008, Vol. 157, file 50052-B-11-40, Pt. 9, N. Robertson to H. C. Green, October 16, 1961.

<sup>7</sup> RG 25, Acc. 90-91/008, Vol. 156, file 50052-b-11-40. Pt. 3, Laosdel (Geneva) to External Affairs, June 6, 1961 and August 31, 1961.

considered an active ICSC crucial. To guard against a recurrence of an unsatisfactory ICSC performance of the earlier period and to prevent the ICSC from becoming a prisoner of bipolarity *via* a Polish veto, the US also reached an understanding with India. Specifically, there was an agreement between Harriman and Sir Arthur Lall, then Indian Foreign Minister, on Article 15: they agreed that, if an infraction had occurred, the Indian chairman and his Canadian colleague would send the Co-Chairmen a factual report. Alternatively, the ICSC could send an “agreed” report, containing either three divergent views or minority *versus* majority positions on any given investigation. Any one delegation refusing to sign an “agreed” report would be acting in breach of the agreement. In reality, the ICSC, in both its composition and its performance, with the Indians tilting towards the communists, was in fact a poorly disguised, sham with a built-in two-against-one vote against the West.<sup>8</sup> The investigations on Hanoi’s violations brought unmistakably to the forefront that built-in bipolar cold war politics.

#### FOREIGN TROOPS WITHDRAWAL

The tasks the ICSC faced were enormously complicated. Its effectiveness required both the Laotian and other participants’ cooperation. Several exit points were required from each of the three parts - Pathet Lao, Neutral and Rightist areas - of Laos. Three weeks after the Agreement was signed, there were still no exit points designated.

The performance of the 1961-62 ICSC, to a large extent, was a repeat of that of the

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<sup>8</sup> Their exchanges are reproduced in RG 25, Vol. 3070, File 2 “Commentary on the Protocol To The Declaration on the Neutrality of Laos ,” August 15, 1962, Annex # E. W. Averell Harriman, Deputy United States Representative (Geneva) to H. E. Arthur Lall, Delegation of India to the Geneva Conference on Laos, (Geneva), December 5<sup>th</sup>, 1961 and Arthur Lall, Indian Delegation to the Geneva Conference on Laos (Geneva) to H. E. Mr. W. Averell Harriman, U.S. Delegation to the Geneva Conference on Laos, (Geneva), December 8<sup>th</sup>, 1961. See Annex # 3.

1954. The communists obstructed the ICSC from the very beginning. Attempts to supervise foreign troop withdrawal met with frustrations, obstructions and denials. The Troika arrangement prevented any effective functioning of the fledgling government. Souphanouvong declared in cabinet that exit points in the Pathet Lao's area were unnecessary as there were no foreign troops.<sup>9</sup> In response, General Phoumi himself threatened not to cooperate, to renew fighting and, then, released publicly six North Vietnamese prisoners.<sup>10</sup> Whatever one might think of his politics, General Phoumi's logic could hardly be missed. Souphanouvong eventually but privately admitted to Souvanna that there were NVA and approximately fifty Soviet advisors in Laos, and that they would be withdrawn on October 7.<sup>11</sup> In the end, there were only three exit points, one in each zone. Souvanna designated the Plaines des Jarres; General Phoumi, Savannakhet and Souphanouvong, Nommarath, in Central Eastern Laos.

The ICSC could not investigate, the Poles insisted, without the approval of the Laotian

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<sup>9</sup> Kahin Collection, Vol. 29, "Backup For Talking Paper on North Vietnamese Troop Withdrawal from Laos," September 17, 1962; FCO 371, File 166489, Fred Warner, "Cabinet - Wednesday Meeting," August 22, 1963 and "Memorandum," August 23, 1963. The fundamental problem was the NVA presence. In March 1962, Sullivan was sent to Khang Khay, Laos, where both Souvanna and Souphanouvong had their headquarters. Souvanna cordially received Sullivan and showed him where the weapons the communists gave him were hidden. Souphanouvong denied any NVA presence, stated that the fighting in Laos was purely a Lao effort and then accused the US of supporting the Hmong guerrillas of killing the ethnic Lao. Sullivan denied the charges, countered that US activities were purely humanitarian undertakings. Both knew that each had not told the other the complete truth. At one point the discussions became so heated that Souvanna quietly stepped outside the hut while a Pathet Lao bodyguard, standing only a few meters away, switched off the safety lock on his fully loaded AK-47, stepped forward, pointed the muzzle at Sullivan's head and was ready to pull the trigger. Sullivan did not budge and presented Souphanouvong with a number of specific units and locations of the NVA. Souphanouvong waived at the soldier to leave. That night, Souphanouvong cooked Sullivan a "delicious" meal. The Red Prince could not have been more charming. Sullivan to author, August 7, 1995 and Roger Warner. *Back Fire: The CIA's Secret War in Laos and Its Link to the war in Vietnam* (N. Y., 1995), p. 81.

<sup>10</sup> *LBJ.NSC*, "A Dangerous Game: Communist Aggression in Southeast Asia - Targets; South Vietnam and Laos," August 22, 1964, p. 89.

<sup>11</sup> Steigtiz. *In A Little Kingdom*, p. 65.



government. To ensure a total paralysis, the Pathet Lao refused to cooperate. Marek Thee, of the Polish delegation, was completely uncooperative, and took upon himself, Mieczyslaw Maneli, the Polish Commissioner in Vietnam, wrote of his fellow countryman, “the role of an inflexible representative of the hardline, offensively defending all the demands of the Pathet Lao.” Thee’s support for the Pathet Lao and the North Vietnamese was such that “Some people had the impression that Hanoi itself was more conciliatory than Thee.”<sup>12</sup> All Polish actions in Laos were closely coordinated with those of the Pathet Lao and with Hanoi’s instructions. Maneli continued:

The Polish Delegate in Laos coordinates the line of action on everyday matters with representatives of the Pathet Lao (during periods when they were in Vientiane), but the main source of his inspiration is Hanoi. He consults Hanoi just as much as does the Polish delegation in Vietnam. As in Vietnam, Polish delegates in Cambodia and Laos send copies of the more important cables, news, and analyses to Hanoi, using the same code names in the distribution list - Ludwik for Ha Van Lau and Mikolaj for the Soviet Embassy.<sup>13</sup>

In light of Thee’s behaviour, US Secretary of States, Dean Rusk also sent a letter to the Polish Foreign Minister, A. Rapacki, threatening not to ask the US Congress to renew the Most-Favoured Trade Treaty for Poland.<sup>14</sup> Diplomatic representations produced no lasting results.

The US made representations to Canada in August for “meticulously keeping to the

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<sup>12</sup> *War of the Vanquished*, p. 116. Maneli served twice in Vietnam: between 1954-56 and 1962-64. Thee’s behaviour would subsequently deny him of Paul A. Bridle’s sympathy and assistance in requesting Ottawa to grant Thee political asylum when Bridle’s tenure ended. Interviews with Mrs. Helen Bridle, October 30 and November 5, 1994.

<sup>13</sup> *War of the Vanquished*, p. 185. Parenthesis insert in original. Col. Ha Van Lau was the gatekeeper to the inner circle of Hanoi’s core leadership and an equivalence to the British Permanent Parliamentary Secretary.

<sup>14</sup> *FRUS*. Vol. XXIV, (1961-1963), *Laos Crisis*, “Memorandum From the Secretary of State for Political Affairs (Harriman) to the President’s Special Assistant for National Security Affairs (McGeorge Bundy): Actions Taken with the Poles re ICC Laos,” May 7, 1963 and Steiglitz. *In The Little Kingdom*, p. 99.

letter and the spirit” of the Accords and “to prevent agreements from slipping away through series of concessions.”<sup>15</sup> The three exit points, Ottawa agreed, were “highly inadequate.” Nevertheless, Paul Bridle, the Canadian Commissioner, again on his second tour of duty in Laos, informed Ottawa, they represented “serious efforts by Souvanna and Phoumi.” Canada would do its best “to bring about properly balanced withdrawals under supervision but Americans should not . . . be surprised that actual results have been minimal.” Ottawa was prepared to do everything possible “to gain acceptance for view that in signing” the Accords, the RLG had “given its concurrence in advance” to the ICSC’s investigations on its own “initiative at least of certain matters.” But Bridle had not much luck in gaining “acceptance for this concept.”<sup>16</sup> When the ICSC attempted to investigate, Quinim Pholsena, the Laotian Foreign Minister, pointed out that investigations “must be carried out ‘with the concurrence of the Royal Government of Laos.’”<sup>17</sup> So much for a “general concurrence.”

The US, despite communist non-compliance, forced General Phoumi to comply. All violations must be attributed solely to the communists. The US lectured and threatened Souvanna: On August 21, Harriman instructed Leonard Unger, the US ambassador, to come down hard on Souvanna:

We have concluded that any proposal which does not provide for adequate checkpoints in Pathet Lao area is absolutely unacceptable as being wholly contrary to spirit of Geneva Agreements . . . At your discretion, you [Unger] authorized intimate to Souvanna we cannot carry on transactions with government which does not carry out

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<sup>15</sup> RG 25 Acc. 90-91/008, Vol. 146, file 50052-B-1-40, pt. 2, External Affairs to Candel (Laos) and Can High Com (New Delhi), August 29, 1962.

<sup>16</sup> *Ibid.*, Vol. 146, file 50052-B-1-40, pt. 2, Candel (Laos) to External Affairs, September 5, 1962.

<sup>17</sup> FCO 371, File 169818, UK Emb (Laos) to FCO, December 27, 1962. Quinim’s letter is not in this file.

the very first obligation required of it by Geneva Agreements.<sup>18</sup>

A few hours later, Unger received another cable insisting “on the establishment [of] adequate checkpoints in Pathet Lao areas as test of communists’ and new Royal Lao Government’s intentions [to] live up to letter and spirit of Geneva Agreements.” Such hard-hitting punches would have been more deservingly thrown at the communists - particularly the USSR - than at Souvanna.

Hoping to occupy the moral high ground, the US decided in late September to withdraw its military personnel “whether or not the Viet Minh have fully withdrawn.”<sup>19</sup> The US must proceed despite the fact that communist “truck convoys and the Soviet airlift continue to operate into communist areas in Laos;” despite Souphanouvong’s and Quinim’s private admissions to Unger that Hanoi’s troops were still in Laos; and despite Souvanna’s revelation to Unger that some of Hanoi’s troops “are disguising as Pathet Lao.”<sup>20</sup> Following that decision,

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<sup>18</sup> Cited in *Key To Failure*, p. 55.

<sup>19</sup> Kahin Collection, Vol. 29, R. Hilsman to Governor Harriman, “Laos - Troop Withdrawal Question,” September 24, 1962; CIA. SNIE 58-6-62. *Special Intelligence Estimate: Short-Run Outlook for the Laotian Coalition Government* (September 26, 1962), p. 7; W. A. Harriman to Mr. Ball, “Meeting with the President at 11:30,” September 28, 1962; LBJ.NSF. Microfilm reel # 22, Central Intelligence Agency. “Probable Consequences of Certain US Actions With Respect to Vietnam and Laos,” May 23, 1964 and *FRUS*. Vol. XXIV, (1961-1963), *Laos Crisis*, “Memorandum from the Director of the Bureau of Intelligence and Research (Hilsman) to the Assistant Secretary of State for Far Eastern Affairs (Harriman): Communists Intentions In Laos,” August 28, 1962; “Memorandum from the Director of the Bureau of Intelligence and Research (Hilsman) to the Assistant Secretary of State for Far Eastern Affairs (Harriman): Laos - The Troop Withdrawal Question,” September 24, 1962 and “Memorandum of Telephone Conversation Between the Assistant Secretary of State for Far Eastern Affairs (Harriman) and the Deputy Director of the United States Information Agency (Wilson): On Laos,” October 5, 1962.

<sup>20</sup> Kahin Collection, Vol. 29, “Laos: Meeting With the President: Talking Paper: Withdrawal of North Vietnamese Military Forces From Laos;” Sullivan to author, August 7, 1995 and *FRUS*. Vol. XXIV, (1961-1963), *Laos Crisis*, “Memorandum from the Director of the Bureau of Intelligence and Research (Hilsman) to the Assistant Secretary of State for Far Eastern Affairs (Harriman): Laos - The Troop Withdrawal Question,” September 24, 1962.

666 US military personnel, in full view of the ICSC, left.<sup>21</sup> The US withdrew its military personnel with the full knowledge that Hanoi's "capability to support Viet Cong operations in South Vietnam is [not] likely to be seriously impaired" despite the ICSC's "occasional visits" to the Trails.<sup>22</sup>

An unread and unclear record of telephone conversation between Harriman and Wilson, the Deputy Director of the US Information Agency, contained a number of interesting revelations. If the record accurately reflected the conversation and the information was correct, it would have been very difficult to accept the claim that the US really expected all the participants to abide by the Geneva Accords, and that the US had fully and faithfully insisted on the strict application of the Kennedy-Khrushchev agreement and Pushkin-Harriman entente. It is worth quoting at length.

The press have blown this up, and also CIA & the Pentagon - that this is a great event: Oct 7 [deadline for foreign troops withdrawal]. This is only one of the relatively important or relatively less important steps which have not been taken - one is to open the country up - there is an iron curtain or a jungle curtain between the two parts of the country; no real amalgamation of the govt; no steps in line with integration of forces & demobilization. There are have [sic] a dozen subjects of equal importance. We expect them to cheat about this. This isn't going to be cut and dried. We had 1600-665 [sic] are out. Thais still there. KMT [Koumingtang] still there. SVN [South

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<sup>21</sup> RG 25, Vol. 3069, file 50052-B-9-40, "The Chairman of the International Commission for Supervision and Control in Laos to the Co-Chairmen of the Geneva Conference on Laos, 1962, Report, No. 20, October 22, 1962," p. 3 and noted the departure of 403 Philippines. Hereafter cited as the *ICSC Message # 20*.

<sup>22</sup> *Short-Run Outlook for the Laotian Coalition Government*, p. 7; *FRUS*. Vol. XXIV, (1961-1963), *Laos Crisis*, "Memorandum from the Director of the Bureau of Intelligence and Research (Hilsman) to the Assistant Secretary of State for Far Eastern Affairs (Harriman): Communists Intentions In Laos," August 28, 1962; "Memorandum from the Director of the Bureau of Intelligence and Research (Hilsman) to the Assistant Secretary of State for Far Eastern Affairs (Harriman): Laos - The Troop Withdrawal Question," September 24, 1962 and "Memorandum of Telephone Conversation Between the Assistant Secretary of State for Far Eastern Affairs (Harriman) and the Deputy Director of the United States Information Agency (Wilson): On Laos," October 5, 1962; and Kahin Collection. Vol. 29, R. Hilsman to Secretary, "Evidence of recent Communist Infiltration into South Vietnam from Laos," July 16, 1962 and October 19, 1962.

Vietnamese] still there. They are going to make a lot of accusations we cannot prove wrong and we are going to make a lot of accusations we can't prove right. The real question is Khrushchev. Point is, we haven't got any combat troops there. Our troops are in Thailand - That's the most important-in Laos, not important. There's been a lot of good news-we've been asked to continue to supply Phoumi, to supply the Meo-all these are good. But the point is we don't want to blow up domestically that Oct 7 is something of importance. We are going to make a lot of noise to the ICC and the Co-Chairmen. We want to make noise to the people that count. This is not the test of their sincerity. If this blows up, it will be because fighting starts up - not because of infringement of the Agreements. The conflict is political now - not military. It is going to be difficult, there is going to be a lot of sparring. What I have said privately is 'It's going just about as badly as I expected but with some better news than I expected.'<sup>23</sup>

Until more information becomes available, it is difficult to substantiate both the authenticity of and the points made in this document.

There was no NVA withdrawal. In the end, only 40 North Vietnamese "technicians" of an estimated 9000 to 10,000 NVA soldiers left.<sup>24</sup> Among these 40 "technicians," only 5 of them permitted the ICSC to verify their papers.<sup>25</sup> Hanoi, however, issued an official statement, claiming that all its soldiers entering Laos at the request of the RLG had completely departed. That statement was utterly untrue. No such a request was ever made. In August 1962, US reconnaissance flights detected a large convoy along the Trails.<sup>26</sup> But the Cuban Missile Crisis was about to begin. Kennedy was very much preoccupied and missed a golden opportunity to expose these blatant violations. As the October 7 deadline approached, Peking

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<sup>23</sup> *FRUS*. Vol. XXIV, (1961-1963), *Laos Crisis*, "Memorandum of Telephone Conversation Between the Assistant Deputy Director of the United States Information Agency (Wilson): On Laos (WAH held backgrounder)," October 5, 1962.

<sup>24</sup> General Soutchay to author, December 21, 1994 and Ambassador Sullivan to author, August 7, 1995.

<sup>25</sup> *LBJ.NSC*. Reel #21, "North Vietnamese Violations of the Geneva Agreements on Laos," May 19, 1964, p. 1 and "A Dangerous Game: Communist Aggression in Southeast Asia - Targets; South Vietnam and Laos," August 22, 1964, p. 89.

<sup>26</sup> Dommen. *Laos: Keystone of Indochina*, pp. 83-85.

and Hanoi accused Washington of non-compliance. American troops, they stated, still remained in Laos in disguise. Disguised as what? No one bothered to ask.

Hanoi's refusal to withdraw its troops was a betrayal of Souvanna. During the conference, Souvanna was assured that, in exchange for Hanoi's withdrawal after the conference, neither Souvanna nor the communists would divulge the NVA presence in Laos.<sup>27</sup> In fact, Souphanouvong himself provided the evidence. When the Pathet Lao and the North Vietnamese attacked the Neutralists in Moung Soui, Souvanna, accompanied by the representatives of the Co-Chairmen (the British and the Soviet ambassadors) and the ICSC, visited Souphanouvong at Khang Khay in order to restore calm. Souphanouvong promised not to attack the remaining Neutralists and agreed to withdraw about 300 North Vietnamese "technicians" and "workers" from the disputed area.<sup>28</sup> According to the Polish Commissioner in Laos, Marek Thee, "about three thousand [North Vietnamese] workers . . . and three hundred drivers and transport personnel employed in supply duties" were still in Laos after the October 7 deadline.<sup>29</sup> As far as the North Vietnamese were concerned, wrote Maneli, they considered themselves "citizens" or "residents" of Laos.<sup>30</sup> And, they never did.<sup>31</sup> A Pathet Lao defector,

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<sup>27</sup> Interview with Prince Mangkra, June 22, 1994 and *L'Agonie du Laos*, p. 66 and p. 185.

<sup>28</sup> RG 25, Acc. 80-81/022, Vol. 55, File 21-13-Laos-ICSC-6, pt. 2, A. B. Bhadkamkar, the Laos ICSC Chairman, to the Co-Chairmen, Report No. 29, "Special Report from the International Commission for Supervision and Control in Laos to the Co-Chairmen of the Geneva Conference," April 22, 1964; *British Indo-China Involvement CMND 2834*, pp. 234-235 and *Keesing's Contemporary Archives*. Vol. 14, (1963-64), pp. 20356-7. Hereafter cited as *KCA*. By this time, Khamsouk had joined the Pathet-Lao. And "Periodical Report, File Pocket," pp. 18-23.

<sup>29</sup> Thee. *Notes of A Witness*, p. 303.

<sup>30</sup> *War of the Vanquished*, p. 187, footnote # 1. For the communists, in general, and for the North Vietnamese, in particular, wrote Maneli, the expression "foreign military personnel" is defined "unusually broad." For the communist, this expression included "members of foreign military missions, advisers, experts, instructors, consultants, technicians, observers and any other foreign military persons, including those in any armed forces in Laos, and foreign civilians connected with the supply, maintenance, storing, and utilization of war materials." For example, an American civilian sweeping out

Col. Vongprachanh, revealed that Hanoi's military advisers still remained with nearly every sizeable Pathet Lao unit he encountered. These troops maintained radio contact with Hanoi.<sup>32</sup>

Bee Chou, an ethnic Hmong serving as an intelligence officer, with the Pathet Lao, revealed to Nokoya Khamthy, a RLG counter-intelligence officer, posted in Xieng Khouang ville and Ban Ban, the presence of Hanoi's battalions 502<sup>nd</sup> and 504<sup>th</sup> and brigades 915<sup>th</sup>. Bee Chou was subsequently executed in 1975, following the communist take-over of Laos.<sup>33</sup>

Charges and counter charges of non-compliance compelled the ICSC to conduct a number of investigations. The ICSC found no evidence. In the end, the ICSC simply informed the Co-Chairmen that "Various radio broadcasts and newspaper reports are making strong charges about the continued presence of thousands of foreign forces of various nationalities in Laos."<sup>34</sup>

No lasting political settlement and tranquility could be achieved in Laos unless Hanoi ceased its interference and withdrew completely its troops. On April 4, 1964, Souvanna visited

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barracks would be so doing illegally since his work could be described as "maintenance of war materials." This definition and meaning formed "the legal basis for accusing the United States of unlawful intervention." The same definition was not applicable to the North Vietnamese. They "do not feel themselves to be 'foreigners' in Laos, but rather 'citizens' or 'residents' of that country."

<sup>31</sup> Robert S. McNamara and others. *Argument Without End: In Search of Answers to the Vietnam Tragedy* (N. Y., 1999), p. 134. This book is primarily based on the minutes of a series of American-Vietnamese conferences, held in Hanoi, between 1995 and 1999, among old adversaries. Among those was Robert S. MacNamara. The Vietnamese finally confirmed that their troops had never left Laos in 1962. And, in 1995, twenty-two years after the 1973 Vientiane Accords, the NVA, numbered between 50,000 to 60,000 stationed in Laos, during the war, were reportedly to have been finally withdrawn. *The Far Eastern Economic Review*, February 9, 1995.

<sup>32</sup> *LBJNSC*. Reel #21, "North Vietnamese Violations of the Geneva Agreements on Laos," May 19, 1964, p. 1 and "A Dangerous Game: Communist Aggression in Southeast Asia - Targets; South Vietnam and Laos," August 22, 1964, p. 90.

<sup>33</sup> Interview with author, June 27, 1994. Bee Chou contacted Khamthy when he returned to Sam Neua in early 1960's.

<sup>34</sup> *The ICSC Message* # 20, p. 5.

Hanoi. The North Vietnamese initially denied any NVA presence in Laos.<sup>35</sup> At the time, the Commanding officer of the NVA in northern Laos was General Nguyen Trong Vinh.<sup>36</sup> Then, General Giap specifically insisted not only on keeping the frontier zones but also explicitly stated that Hanoi “will not tolerate any troops but those of the Pathet Lao at the Plaines des Jarres.”<sup>37</sup> As long as the Vietnam problem remained unresolved, both Ho Chi Minh and General Giap continued, the NVA “will not leave Laos.”<sup>38</sup> Hanoi was not in the mood to negotiate.

The Asian communists intended to destroy the Geneva framework. Their pretexts were the death of Foreign Minister Quinim and the Pathet Lao’s unilateral withdrawal to Khang Khay. Because of these facts, they argued, Laos no longer had a legitimate government. They further claimed that, following the April 19, 1964 right-wing *coup d’état*, Souvanna had become a prisoner of the rightist faction. Then, because Souvanna had integrated both the rightist and neutralist forces into one army, under the authority of the minister of defence (Souvanna himself), he had become the leader of the rightist faction. Therefore, Souvanna could neither represent nor speak for Laos.<sup>39</sup> In the absence of a legitimate Laotian government, the ICSC could not conduct any investigation.

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<sup>35</sup> Telephone conversation with Phagna Ngon, December 10, 1995. Ngon was then a cabinet minister.

<sup>36</sup> Zhai. *China and the Vietnam Wars*, p. 121.

<sup>37</sup> Dommen. *Laos*, p. 87.

<sup>38</sup> *FRUS. Laos*, Vol. XXVIII, “Memorandum of Conversation: The Secretary’s Meeting with the Prime Minister of Laos,” October 18, 1965; MacNamara. *Argument Without End*, p. 134; Rusk. *As I Saw It*, pp. 429-430; Kissinger. *The White House Years*, p. 450 and *Years of Upheaval*, p. 20.

<sup>39</sup> Department of Foreign Affairs and International Trade. Historical Section. Vol. 2, file 21-13-Laos-ICSC-6, pt. 4; Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to External Affairs, March 20, 1965 and Vol. 1, file 21-13-Laos-ICSC-4-7, Candel (Laos) to External Affairs, September 2, 1965. All subsequent reference to this series will be cited as DFAIT.



Lending credence to that argument, the Polish delegation insisted that it would not participate in any illegal act that either interfered in Laotian internal affairs or undermined Laotian sovereignty. In June 1964, the Poles unilaterally suspended their cooperation.<sup>40</sup> Both Hanoi and Peking also stopped their ICSC payments. Despite opposition from the Asian communists, the Co-Chairmen recommended in 1965 that the ICSC should continue. They also promised to reconsider the matter again within one year.<sup>41</sup> When the time came, however, the Co-Chairmen remained silent. In the absence of a clear decision from the Co-Chairmen, the ICSC simply continued.

The Canadians and the Indians, for the moment, disagreed. The ICSC, as far as A. Bhadkhamkar, the Indian commissioner, was concerned, did not need a specific request before investigating. Nor was the ICSC required to look behind the composition of the RLG. A legal government existed in Laos; otherwise “accreditation of Hanoi, Peking, Moscow [Moscow], Prague etc diplo[matic] rep[resentative]s in Vientiane would have no rpt [repeat] no meaning.”<sup>42</sup> That response seemed to have temporarily settled the issue.

## THE ICSC AND INVESTIGATIONS

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<sup>40</sup> *Canadian Parliamentary Debates*, July 23, 1963, p. 2501; *Report of the Department of External Affairs, 1963* (Ottawa, 1963), pp. 20-1; RG 25, Acc. 9ATIP, Vol. 3069, file 7, ICSC, Message # 34 (January 21, 1965) and RG 25, Vol. 9523, Message # 22, Message # 23 and Message # 24 (May 17, 1964); Message # 26 (May 18, 1964), Message # 30 (January 21, 1964), Message # 31 (January 20, 1964), Message # 34 (January 21, 1965), Message # 33 (December 17, 1964) and Message # 35 (September 16, 1965).

<sup>41</sup> DFAIT. Vol. 2, file 21-13-Laos-ICSC-7, M. Stuart and A. Gromyko, “Report from the Co-Chairmen of the International Conference of 1961/62 on the Settlement of the Laotian Question to the Governments of the Countries which participated in that Conference,” November 25, 1965.

<sup>42</sup> *Ibid.*, Vol. 1, file 21-13-Laos-ICSC-4-7, Candel (Laos) to External Affairs, September 2, 1965.

Hanoi's non-compliance led to the Laos ICSC's investigations. The fighting at the Plaines des Jarres provided an opportunity for the US to assist the ICSC. On April 29, 1964, during a National Security Council meeting, an aide showed US President Lyndon B. Johnson a series of U-2 reconnaissance photographs that "revealed major improvements in road networks" along Route # 7 and Route # 12 in Laos. Those improvements greatly increased Hanoi's scope of action. Particularly crucial was Route #12, located east of Thakhek, down to Tchépone, a Laotian town situated directly west of the 17<sup>th</sup> parallel.<sup>43</sup> To keep a close eye on Hanoi's activities, the US also decided to carry out air reconnaissance along Route 9 into Laos.<sup>44</sup> And, on May 21, Washington announced that, because of "the current inability of the I.C.C. to obtain adequate information," US jets had carried out reconnaissance missions over the Plaines des Jarres at the Laotian government's request. These flights "would reinforce the agreements, as all information obtained would immediately be passed on to the I.C.C." The US did precisely that.<sup>45</sup> Additional US reconnaissance flights revealed truck convoys crossing the Laotian-North Vietnamese borders, heading towards the Plaines des Jarres.<sup>46</sup> Available

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<sup>43</sup> *FRUS. Laos. XXVIII*, "Memorandum From the Assistant Secretary of State for Far Eastern Affairs (W. P. Bundy) to the Under Secretary of State for Political Affairs (Harriman): NSC Meeting on Laos - April 29, 1964" and "Memorandum for the Records: National Security Council Meeting - April 29, 1964," Embassy in Laos to State Department, May 17, 1964; State Department to Embassy in Laos, May 17, 1964 and LBJ.NSC, "A Dangerous Game: Communist Aggression in Southeast Asia Targets - South Vietnam and Laos," August 22, 1964, pp. 92-95. See Map # 3 and # 4 on pages 354-355 for those roads.

<sup>44</sup> Kahin Collection. Vol. 88, Michael V. Forrestal, "Memorandum to Mr. Bundy: Laos," May 5, 1964.

<sup>45</sup> RG 25, Vol. 9492, file 21-13-Laos-35, "Periodical report: file pocket," p. 23. The actual photos are not in this file. *FRUS. Vol. XXVIII, Laos*, State Department to the Embassy in Laos, June 16 (footnote # 3) and June 24, 1964 and *KCA. Vol. 14, (1963-64)*, p. 20356.

<sup>46</sup> LBJ.NSC, CIA. Director of Intelligence, "Intelligence Memorandum: North Vietnamese Violations of the Geneva Agreements on Laos," May 19, 1964; "Memorandum on the Southeast Asia Situation: Probable Developments and the case for a Congressional Resolution," June 12, 1964; "Intelligence Memorandum: Effectiveness of T-28 Strikes in Laos," June 26, 1964; "Intelligence memorandum: Communist Military Posture and Capabilities *vis-à-vis* Southeast Asia," December 31, 1964; "Intelligence memorandum: Communist Troop Movement in Laos," January 13, 1965; "Intelligence

documentation does not indicate that the ICSC had planned any investigations based on those photos.

Despite the initial unsatisfactory supervision of the NVA withdrawal and the PL/NVA intimidation in shooting down the ICSC planes, the ICSC's potential showed itself in May 1964 when the NVA/PL attacked the Neutralists at Phou Theneng in the Plains of Jars. The NVA/PL denied all responsibilities.

Souvanna requested an ICSC investigation. On June 20, 1964, the ICSC sent the Co-Chairmen its report, known as Message # 31: the evidence indicated that "the size, direction and scale of the 16 and 17 May military action, was such as to warrant the assumption that it [the attack] was launched, not by the small number of defecting Neutralists, but by main elements of the Pathet Lao units themselves."<sup>47</sup> The Pathet Lao's lack of cooperation suggested that they had "something to hide." "Based on the evidence," the ICSC concluded, the Pathet Lao's protest of innocence was "somewhat difficult to accept at face value" and the ICSC

permits itself to observe that Pathet Lao insistence on tripartite agreement to investigations, an agreement that is so seldom granted, contains a logical absurdity: no guilty party will ever of its own accord permit the offences of which it is guilty to be investigated. The presumption of guilt therefore when access is denied in the circumstances of the Laotian situation ought to be recognized as a legitimate inference for the Commission to make.<sup>48</sup>

With respect to alleged direct participation of Hanoi's army, the ICSC report continued:

the Commission is again hampered by the persistent refusal by the Pathet Lao to permit it to enter its territory except under very strictly controlled conditions. Again this denial leads the Commission to infer that the Pathet Lao have something to hide, otherwise

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Memorandum: Communist Buildup in Laos," January 16, 1965 and "Intelligence Memorandum: Interdiction of Communist Infiltration Routes in Vietnam," June 24, 1965.

<sup>47</sup> The ICSC Message # 31 (June 20, 1964), paragraph # 17.

<sup>48</sup> *Ibid.*, paragraph # 25.

freedom of entry and movement within the Pathet Lao area would be readily granted.<sup>49</sup> Despite the Pathet Lao and Hanoi denial, the *New China News Agency*, on October 24, 1964, reported that the Pathet Lao had awarded medals to 15 of its fighting units in the Xieng Khouang “liberated zone.” Among those cited was “the unit garrisoning the position of Mount Phou Koutt,” an area not far from the battleground.

The war in Laos was intricately linked to that in Vietnam. Hanoi cleared the RLG posts along the Laotian-Vietnamese border to eliminate threats to the Ho Chi Minh Trail that Hanoi, constructed, in 1959, in order to conduct its war in South Vietnam.<sup>50</sup> In an effort to find out what was going on, Bridle wanted the ICSC to visit areas along the Trail. Donald W. Munro, Bridle’s successor, tried to have the ICSC Mobile Inspection Teams make surprise visits to areas of known Pathet Lao/NVA activities and presence. The Indians refused. Other Canadian

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<sup>49</sup> *Ibid.*, paragraph # 24.

<sup>50</sup> On February 16, 1983, General Vo Nguyen Giap, in his interview with the French TV channel TFI, calmly stated that Hanoi had decided in May 1959 to create the Ho Chi Minh Trails. Since then, Hanoi has revealed many important details about the trail. See *La Piste Ho Chi Minh* (Hanoi, 1985). Of particular interest is the map of the trail which is copied and included in this thesis on page 354. The author thanks Dr. Ton That Thien for making available his personal and rare collection for examination. See also John Markham, “Letter from Laos: The Ho Chi Minh Trail Is a Highway Now,” *The New York Times Magazine*, August 25, 1974; and Vo Bam, “Opening the Trail,” *Vietnam Courier*, 1984-85 (May 1984), pp. 9-14. In May 1959, Hanoi had officially adopted *dau tranh* (armed struggle). To further this policy objective, Hanoi created GROUP 559, a special task force, charged with infiltrating personnel, weapons and supplies overland to South Vietnam. GROUP 559 was to construct roads and bridges through Mu Gia and Napé passes. GROUP 759 for sea infiltration and GROUP 959 was “to organize a delegation of Vietnamese military specialists to work side-by-side with the Military Commission and Supreme Command of the Laotian People’s Liberation Army” and “assigned the mission of . . . organizing the supplying of Vietnamese materiel to the Laotian revolution and directly commanding the Vietnamese volunteer units operating in Sam Neua, Xieng Khouang, and Vientiane.” *Couc Khang chien chong My cuu nuoc 1954-1975: nhung su kien quan su* [*The Anti-U.S. Resistance War for National Salvation 1954-1975: Military Events*] (Hanoi, 1980), translated by the Joint Publications Research Service (JPRS) no. 80,968, (Washington, 1982), pp. 28-29. The first digit of each group represents the month the Group was created. For example, GROUP 559 was created in May 1959. In his August 7, 1995 letter to the author, ambassador Sullivan wrote that both the French and the Americans knew about the Ho Chi Minh Trail in 1959. On February 27, 1997, *The Globe and Mail* reported the Vietnamese intention, announced by their Prime Minister, of turning the Ho Chi Minh Trail into a highway.

attempts in subsequent years led to nothing.<sup>51</sup> US Ambassador Sullivan acidly expressed his view on the inactiveness of the Indians and the ICSC: One of the solutions, he wrote the State Department,

would be for the ICC, by majority vote, to move out onto the Ho Chi Minh Trail and other areas of interest in Laos. This could be done if the Indian and the Canadian members were willing to take the physical chances inherent in this move. I rate the chances for this as quite limited, but given [South African] Dr. Bernard's success with [the first ever human] heart transplant cases, perhaps we could get him to try a spinal transplant into some pliant Indian bodies, using the ramrod vertebral columns of some of the more unbending warriors in the Pentagon.<sup>52</sup>

In light of the Pathet Lao's destruction of the ICSC helicopters, and after being shown the reconnaissance photographs, the Laotian cabinet could not risk putting the Canadians in peril and rejected the idea.<sup>53</sup>

The RLG, in December 1964, captured three NVA soldiers. They were Nguyen Khanh, Dang Son Hai and Tran Van Sinh.<sup>54</sup> The RLG requested an ICSC investigation which took place between November and December 1964. Nguyen Khanh's diary showed that he entered Laos on June 28, as part of the 168<sup>th</sup> Artillery regiment, travelling from Son-La to Moc-Chau and, then along Route # 7 to Khang Khay. Once in Laos, he along with his 29 Vietnamese

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<sup>51</sup> RG 25, Vol. 9518, file CV 2390-1, Brigadier-General J. B. Clement, "Memorandum to Mr. Munro: Possible CIC Mobile Team," May 8, 1964 and Lt.-Col. J. G. Price, "Memorandum: Deployment of ICSC Inspection Team," March 11, 1965 and "Memorandum: CIC Mobile Team," March 12, 1965; and interviews with Mrs Bridle (Paul's widow), October 30 and November 5, 1994. Bridle was on his second tour of Laos. Donald Munro, telephone conversation, October 14, 1993; DFAIT. Vol. 2, file 21-13-Laos-ICSC, R. L. Rogers, Far Eastern Division, to USSEA, "R. L. Rogers to B. K. Acharya," June 21, 1965; Bridle Papers. Vol. 15, Laos-15, Candel (Laos) to External Affairs, July 10, 1965, November 8, 1965 and December 8, 1965; and Can Emb (Washington) to External Affairs, July 10, 1965; Rostow. *Diffusion of Power*, p. 275 and pp. 287-8; and interview with R. Louis Rogers, January 30, 1996.

<sup>52</sup> *FRUS. Laos*, Vol. XXVIII, Embassy in Laos to State Department, April 24, 1968

<sup>53</sup> Phagna Ngon Sananikone, August 19, 1995 telephone interview.

<sup>54</sup> Laos. Ministry of Foreign Affairs. *North Vietnamese Interference in Laos* (Vientiane, 1964), p. 3. For the testimonies of the NVA soldiers, see pp. 41-51.

colleagues proceeded to Tha-Vieng. Joined by other Vietnamese soldiers, the group, on August 30, was ordered to take Phou Xang Noi, where he was captured on September 15, after a 15-day-and-night intense bombardment.

Both Dang Son Hai and Tran Van Sinh entered Laos in February 1964 as part of the 1<sup>st</sup> battalion of the 335<sup>th</sup> Division. Their 26-truck convoy, carrying men, arms, ammunition, equipments and supplies, travelled from Moc-Chau to the Laotian-Vietnamese border and, then, along Route # 7 to Khang Khay. Their units varied in size between 50 to about 650 soldiers. Before crossing into Laos, they changed their uniforms and removed all insignia.

The ICSC completed the investigation in December 1964. But it did not submit its report - known as Message # 35 - to the Co-Chairmen until September 16, 1965. New Delhi refused to write the report as the facts warranted. In the end, the ICSC pointed out that all prisoners “appeared to give their evidence freely and without hesitation and that they did not seem to be under duress.” For reasons beyond its control, the ICSC could not conduct “a complete verification or authentication of the evidence given by the prisoners.” Nor could it “verify conclusively the nationality and military affiliation of the prisoners.” Nevertheless, the ICSC

is satisfied in regard to the veracity of the evidence presented to it. Basing itself entirely on this evidence, the Commission believes that it would not be wrong to consider that violations of Article 4 and 6 of the Protocol to the Declaration on the Neutrality of Laos . . . have occurred.<sup>55</sup>

The Soviet Co-Chairman refused to circulate the report. It was not until December 1965 that

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<sup>55</sup> RG 25 Vol. 9523, file 5, “Team Investigation Report on North Vietnamese Prisoners,” pt. 1, December 21, 1964 and Bridle Papers. *ICSC Message # No. 35*, (September 16, 1965), p. 10; Bridle Papers. Vol. 15, File Laos-15. Canada. Department of External Affairs. *Press Release No. 76*, December 6, 1965, “Statement by the Honourable Paul Martin, Secretary of State for External Affairs: Message from the International Commission in Laos to the Co-Chairmen of the 1961-62 Geneva Conference.” See also RG 25, Vol. 3072, file 10, “Canada’s Asian Policy,” August 26, 1966.

the British Co-Chairman unilaterally published and distributed it.

The communists denounced Message # 35. The Soviet Co-Chairman pointed out that Report # 35 was not an ICSC report, precisely because the ICSC did uncover Hanoi's violations.<sup>56</sup> Moscow, on December 14, 1965, characterized the Indian-Canadian majority report as "illegal." Both the publication and distribution of the report violated the Accords. The USSR and its allies were "not surprised in hearing the noise raised around" Message # 35. Furthermore, that report "neither enhanced peace nor provided a great path of cooperation between the two Co-Chairmen in fulfilling the tasks entrusted to them." It "serves only the purpose of American militarists who follow an open policy of aggression in regard to Laos."<sup>57</sup>

Strong communist reactions dampened Indian performance on the Dong Hene investigation.<sup>58</sup> On the night of March 8 and 9, 1965, a NVA battalion, supported by the Pathet Lao, attacked the Laotian Military Officer Training Centre at Dong Hene, in central Laos. In that battle, there were 125 enemy killed and 9 captured NVA soldiers. The 90 Laotians, mostly young trainees, successfully defended the training centre, with a loss of 7 lives and 24 wounded. The Laotians also captured a dozen of heavy and personal weapons with Chinese markings except for one 82 mm recoilless Russian rifle and six rounds of 57 mm US recoilless rifle ammunition.<sup>59</sup>

Souvanna requested a "comprehensive investigation" and the ICSC responded on

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<sup>56</sup> Canadian Brigadier General B. J. H. Wattsford to author, October 27, 1993.

<sup>57</sup> Statements of Communist reactions are in DFAIT. Vol. 2, file 21-13-Laos-ICSC-7.

<sup>58</sup> See Map # 2 on page 353 for a geographical reference of Dong Hene.

<sup>59</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to External Affairs, March 26, 1965; Candel (Laos) to USSEA, April 19 and April 29, 1965; *Lao Presse*, April 6, 1965 and Kahin Collection. Vol. 21, File Laos-Communists, "Communists Versus Non-Communists in Laos," April 16, 1965.

March 17. Despite a Polish protest, the ICSC sent in its military team to gather evidence. The ICSC Team submitted its report on October 16, 1965. By the middle of November, Bhadkamkar informed Keith Maclellan, the Canadian ICSC Commissioner, that he had prepared a draft message for the Co-Chairmen, but refused to hand the Canadian delegation a copy and to schedule a meeting to deal with it. Delays forced Maclellan to table a Canadian draft, based on the Team Report.<sup>60</sup> The main points could be summarized as follows:

- All prisoners were nationals and conscripts of the Armed Forces of North Vietnam
- All prisoners were captured within a radius of approximately 12 kilometers from Dong Hene in the province of Savannakhet, between March 10 and March 15, 1965.
- Some of the prisoners were issued arms and ammunition in North Vietnam and some of the prisoners carried these weapons into the areas of Dong Hene.
- The Reserve Officers' Training School at Dong Hene was attacked by the troops of the Armed Forces of North Vietnam
- There was a strong possibility of Pathet Lao's participation in the attack
- *"It should be noted . . . that most of the prisoners had stated they had been ordered to proceed to South Vietnam and that they had to pass through Laotian territory."*
- *"From the testimony of these prisoners, an interrelationship between the conflict in Vietnam and the military situation in Laos is clearly discernible."*
- The testimonies of nine prisoners were given "freely and voluntarily."
- The ICSC "is of the opinion that there is prima facie evidence of an infraction of the various cease-fire arrangements" by the Pathet Lao and the NVA of Article 2, subparagraph (a), (b), (c) and (i) of the Declaration on Laotian Neutrality and Articles 4 and 6 of the Protocol to the Declaration of the Neutrality of Laos.
- Message#34 (January 21, 1965), Message#35 (September 16, 1965) and the current report "suggest a consistent pattern of external interference" in the Laotian internal affairs which "cannot be ignored by the powers signatory" to the 1962 Geneva Accords.
- By not participating in the investigation, the Polish Delegation "once again failed to carry out its obligations under Article 16 of the Protocol . . ."<sup>61</sup>

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<sup>60</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Laos, Ministry of Foreign Affairs to the Laos ICSC, March 15 and March 17, 1965, and the Laos ICSC to Ministry of Foreign Affairs of Laos, March 19, 1965; and RG 25, Vol. 9523, file 5, "Team Investigation Report on North Vietnamese Prisoners," pt. 1, December 21, 1965; RG 25, Vol. 3072, file 18, "Dong Hene Report," and Vol. 9493, file 21-13-Laos-50-11, "Dong Hene;" RG 25, Acc. 9ATIP, Vol. 3069, file 3, "Dong Hene Investigation: Chronology of events, May 2, 1966," file 7 "Team Investigation Report on Dong Hene Incident, October 16, 1965," and file 8 "Dong Hene Incident."

<sup>61</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to USSEA, November 19, 1965, "Dong Hene: Report to Co-Chairmen - Canadian Draft." Emphasis added.



Discussions of the 747-page report were suspended until February, 1966.

India, meanwhile, insisted on removing all references to Hanoi's violations, despite the fact that both Bhadkamkar and New Delhi privately and fully agreed that Hanoi had indeed violated the Accords and used Laotian territory to infiltrate troops and weapons to South Vietnam.<sup>62</sup> Bhadkamkar refused and issued a thinly veiled threat: because of Maclellan's insistence, he would call a meeting, but he warned Maclellan that, if the Dong Hene report received a negative vote, he would have no choice but to declare the report "non-carried and not to be raised again."<sup>63</sup>

Behind-the-scene attempts, during a period of more than one year, to deal with the report simply continued. In Laos, investigations of Hanoi's violations consistently took over a year and still did not finish the task.<sup>64</sup> But the Laos ICSC dealt very swiftly with matters of

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<sup>62</sup> *Ibid.*, Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to External Affairs, December 9, 1965; External Affairs to Candel (Laos), December 15, 1965; Can High Com (New Delhi) to External Affairs, December 17, 1965; Candel (Laos) to External Affairs, December 23, 1965 and Candel (Laos) to USSEA, January 5 and 13, 1965; Candel (Laos) to External Affairs, January 17, 1966; External Affairs to Candel (Laos), January 18, 1966; Candel (Laos) to External Affairs, January 20 and 21, 1966; External Affairs to Candel (Laos), January 24, 1966; Candel (Laos) to External Affairs, January 28 and 29, 1966 and Can High Com (New Delhi) to External Affairs, March 25, 1966.

<sup>63</sup> *Ibid.*, Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to External Affairs, February 1, 1966; and External Affairs to Candel (Laos), February 4, 5, 7 and 11, 1966.

<sup>64</sup> RG 25, Acc. 1992-93/001, Box 16, file 21-13-Laos-35 and Vol. 1, file 21-13-Laos-23, Laos. Ministry of Foreign Affairs to the Laos ICSC, February 10, 1965 and "Evidence of Prisoner No. 4 Pursuant to Special Team Instructions Approved at the 275<sup>th</sup> Meeting of the Commission;" and Laos. Ministry of Foreign Affairs to the Laos ICSC, April 20, 1965, "General Staff of the Armed Forces, Intelligence Division," contained the prisoner's March 9, 1965 signed statement and Laos. Ministry of Foreign Affairs to the Laos ICSC, April 25, 1965. Interview with R. Louis Rogers, January 30, 1996. In 1964, the RLG captured two NVA soldiers: Nguyen Quang Trong (known as Prisoner # 4) and Bui Ngoc Van (Prisoner # 5). The ICSC completed its investigation in December 1964. India refused to pursue the matters any further. In May 1968, Deva dismissed the entire investigations. Percy S. Cooper, the Canadian Commissioner, refused. To cut off Cooper, Deva stated that he "will not support acceptance of prisoner's evidence" and other pending items on the agenda such as the Fifth prisoner and six prisoners. With time, these investigations simply vanished without a trace.

great interests to the communists. For example, the ICSC sent the Co-Chairmen two unanimous reports - one dated April 22, 1964 that dealt with the April 19/1964 rightist coup, and the other dated May 18, 1964 on the rightist encirclement of the Polish residence a few days earlier.<sup>65</sup>

Ottawa found Indian behaviour difficult to understand:

Having suffered at the hands of an aggressive neighbour [China], it seems to us that India has a special interest . . . and, indeed, a special responsibility to the international community and to herself in ensuring that aggression, whether practised by China against India or by North Vietnam against its neighbours, should be clearly identified as such and, if possible, stopped before it appears to pay dividends as a policy. While we may differ in our view on the connection between the various disturbing forces at work in Vietnam [and in Indochina] we are confident that the Indian Government would still agree, as we agreed in the Vietnam [ICSC] Special Report of 1962, that North Vietnamese policies have played a significant part in bringing about the situation which confronts us today.<sup>66</sup>

Indian refusal to act was the subject of a letter from Canadian Foreign Minister Paul Martin to Swaran Singh, the Indian Foreign Minister, outlining what Ottawa considered to be an unbalanced treatment of the situation and the responsibilities of the three ICSCs. Canada believed that

no real progress can be made towards resolving these difficulties until the basic political facts of the situation have been identified and analysed, and fully presented.

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<sup>65</sup> RG 25, Acc. 80-81/002, Vol. 55, File 21-13-Laos-ICSC-6, pt. 2, Candel (Laos) to USSEA, May 18 and May 20, 1964, Report No# 30, "Special Report from the International Commission for Supervision and Control in Laos to the Co-Chairmen of the Geneva Conference," May 18, 1964. Similarly, in the Vietnam ICSC February 13/1965 Special Message to the Co-Chairmen, the Indians insisted on much stricter criteria for evidence against Hanoi when a sunken ship, near Vung Ro, contained a huge cache of arms hidden on the shore. The evidence pointed at Hanoi as the guilty party but the Indian Chairman insisted that, as one of the criteria, the frogmen who worked on the sunken vessel must also give sworn statements before the Vietnam ICSC would investigate.

<sup>66</sup> DFAIT. Vol. 1, file 21-13-Indo-ICSC, Far Eastern Division to the USSEA, March 19, 1965, "SSEA's Letter to H. E. Swaran Singh, concerning Indian Attitudes on the Indo-China Commission, and your talk with Mr. Acharya [the Indian High Commissioner];" Canada. *Report of the Department of External Affairs 1962* (Ottawa, 1963) and *Statements and Speeches. No. 65/14*, "Vietnam - Canadian Reply to British Co-Chairman's Message," April 27, 1965; Pearson Papers. Vol. 279, file 845/I41V666, Candel (Saigon) to External Affairs, March 19, 1965 and Can High Com (New Delhi) to External Affairs, March 23, 1965.

It is my considered view that the [ICSCs have] a particularly important role to play in ensuring that responsible members of the international community, and especially prospective members of future conferences, have a full and balanced assessment available to them if there is to be any chance of workable and generally acceptable solutions being put forward.

It is in this connection that I am becoming more and more puzzled by the differences which have manifested themselves in the [ICSCs] . . . [and] I am concerned by the increasingly apparent divergence between our Governments on what we think the [ICSCs] should say in public. . . . What is required, I believe, is not so much elaboration of detailed procedures, as a political decision to proceed expeditiously with an examination of valid evidence with the intention of producing credible conclusions.<sup>67</sup>

Martin's request for cooperation simply fell on deaf ears.

Ottawa wanted to discuss the ICSC's affairs with Indian Prime Minister Shastri when he visited Ottawa in June 1965. In a briefing memorandum, Canadian officials, without revealing the source, pointed out that the current Indian performance was a result of an Indo-Soviet agreement that took place sometime in the summer of 1963, following the Pathet Lao and the North Vietnamese attack against the Neutralists at the Plaines des Jarres. The Indians, at the time, held the Chinese responsible for those attacks and wanted to use the ICSC to avenge their humiliations in their border clashes with the Chinese. Curbing the expansion of China's clients - the Pathet Lao/NVA - and criticizing them, Ronning reported, would constitute revenge against China. Indian activeness, Bridle reported, began with a letter Nehru sent to Souvanna. India officials went so far as to suggest that, if the rightists and the Americans could mount a counter attack under the Neutralist banner, India would not impede such action. New Delhi, Indian Deputy Foreign Minister, Danish Singh, informed Ronning, wished to "hot up" the situation, and if the ICSC could not do anything, then it should leave

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<sup>67</sup> DFAIT. Vol. 1, file 21-13-Indo-ICSC, Far Eastern Division to the USSEA, March 19, 1965, "SSEA's Letter to H. E. Swaran Singh, concerning Indian Attitudes on the Indo-China Commission, and your talk with Mr. Acharya."

and let those who can to take on the task. The Indians went so far as to suggest a specific military course of action and routes of operations. “[S]ympathies with basic views,” Ronning informed Ottawa, “lurk in high quarters” of the Indian government and cabinet. New Delhi hoped Ottawa would convey the message to the US and General Phoumi.<sup>68</sup>

New Delhi was very anxious to put the ICSC teams in place. In the event that the Polish delegation opposed such an initiative, the ICSC teams should and could be composed of only Indo-Canadian officials. Ottawa was reluctant but eventually agreed and three sites were chosen. No sooner had Ottawa agreed, however, than India changed its mind.<sup>69</sup> Ottawa soon learned the reason: sometime between July and August of 1963, “Soviet officials told the Indians that the USSR,” a memorandum revealed,

despite, or perhaps because of its current dispute with China, was not prepared to go out of its way to oppose China on China’s doorstep. The Indians, in their eagerness to cultivate the USSR in return for Soviet support against China on the border issue, have decided to heed the Soviet warning to avoid any action which would provoke the Chinese, i.e. any International Commission activity directed against the Pathet Lao.<sup>70</sup>

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<sup>68</sup> RG 25, Acc. 86-87/360, Vol. 5, file 7266-J-1-40, pt. 1, Candel (Vientiane) to External Affairs, May 11, 1963 and H. B. Robinson to R. E. Collins, June 3, 1963; External Affairs to Candel (Laos), May 24, 1963; Can High Com (New Delhi) to USSEA, July 29, 1963; Candel (Laos) to External Affairs, May 28, 1963. Ronning’s earlier telegrams No. 476 of May 2; No. 490 of May 7 and No. 526 of May 13, 1963 were not in this file. And, RG 25, Acc. 90-91/008, file 50052-B-40, pt. 34, Can High Com (New Delhi) to External Affairs, August 20, 1963.

<sup>69</sup> National Archives of Canada. Department of National Defence. RG 24, Vol. 21457, file CSC 2101:1, pt. 38, Candel (Laos) to External Affairs, December 28, 29, 30 and 31, 1963; External Affairs to Candel (Laos), January 3, 1964; Candel (Laos) to External Affairs, January 4 and January 6, 1964; And, City of Cambridge. Ontario. Archives. Paul A. Bridle Papers, Vol. 7, file Laos 7, “Memorandum: Indochina: International Commissions,” August 22, 1963; and DFAIT. Vol. 55, file 21-13-Laos-ICSC-7, pt. 2, “Visit of Prime Minister Shastri of India: Bilateral Problems on the Indo-China Commissions: background Notes,” June 3, 1965; Galbraith. *Journal*, p. 387, p. 394, p. 399, p. 401, p. 422, p. 442 p. 455; p. 458; p. 463; p. 465 and p. 478 and interview with R. Louis Rogers, January 30, 1996.

<sup>70</sup> Bridle Papers, Vol. 7, file Laos 7, “Memorandum: Indochina: International Commissions,” August 22, 1963 ; Pearson Papers. MG 26. Vol. 269, file 818/I39, P[aul] M[artin], “Visit of Prime Minister Shastri of India,” June 3, 1965; and DFAIT. Vol. 1, file 21-13-Indo-ICSC, W. E. Bauer, Far Eastern Division, “Visit of Prime Minister Shastri of India: Talking points - Bilateral Problems on the Indo-China Commissions,” June 3, 1965 and “Visit of Prime Minister Shastri of India: Bilateral Problems on the

The Indians took to heart the Soviet warning. On May 20, 1964, when the RLG presented the ICSC with 2 communist Chinese soldiers, captured during the Nakay Incident, the Indians privately persuaded Souvanna to delay an ICSC investigation, and he agreed.<sup>71</sup> Never did the incident resurface. Since then, India had shown “an unwillingness . . . to pin responsibility on Hanoi and an accompanying willingness to proceed against . . . the United States with alacrity and with little regard for extenuating circumstances – e.g. prior violations by the Hanoi authorities.” “Forthright action against North Vietnam,” the memorandum continued, “is avoided in a number of ways, the most effective of which is the burying of cases in procedural intricacies from which they never emerge.” During Indian Prime Minister Shastri’s visit to Canada in June 1965, nothing substantive took place on the ICSC.<sup>72</sup>

Soviet pressures determined Indian policy and performance. New Delhi dismissed the Harriman-Lall understanding and wanted to convert the Indo-Canadian ICSC majority report on Dong Hene into an Indian-Canadian report and to inform the Co-Chairmen of the situation with a letter. K. Kannampilly, the Indian Laos desk officer, then suggested that Bhadkamkar, as head of the Indian delegation rather than the ICSC Chairman, would send the Co-Chairmen a letter with all the appropriate attachments and would also ask them for advice since the ICSC had reached a deadlock. Specifically, whether the ICSC should forward its report under Article

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Indo-China Commissions - Background Notes,” June 3, 1965.

<sup>71</sup> RG 25, Acc 80-81/022, Vol. 55, file 21-13-Laos-ICSC-6, pt. 3, External Affairs to Candel (Laos), May 26 and 29, 1964 and Vol. 9493, file 21-13-Laos-50-12-Nakay Investigation. Available records shed no further light on the fate of these Chinese soldiers. Currently available sources indicate that Nakay was also attacked in January, 1964 but that the ICSC did not report on its investigation until January 1965. The report on the January 1964 attack (rather than the one on the Chinese soldier) is in RG 25, Vol. 3069, File “New” ICSC in Laos - Messages, “The International Commission for Supervision and Control in Laos to the Co-Chairmen of the Geneva Conference on the Nakay Investigation,” Message # 34, January 21, 1965.

<sup>72</sup> Interview with R. Louis Rogers, January 30, 1996.

8 or Article 15. Such a tactic would make an acceptance of the report easier. The Indians were fully aware that Moscow might either ignore or reject the letter but London would publish it. Thus, the purpose would have been served.<sup>73</sup>

Ottawa, when informed, objected to the Indian proposal. There was no such provision in the Geneva Accords. Only the ICSC Chairman could approach the Co-Chairmen. No individual head of delegation could do so. As proposed, New Delhi was “attempting to smuggle” the report to the Co-Chairmen. Under Articles 8, 14 and 15, the ICSC must report to the Co-Chairmen. The Harriman-Lall understanding confirmed this. The western powers, as far as Ottawa was concerned, had “negotiated long and hard with the Soviets precisely because they wanted to prevent the Poles from using such tactics.” Any substitution of “agreed reports” with letters from the head of the Indian delegation rather than the ICSC Chairman was unacceptable. A letter from the head of the Indian delegation had no legal standing and it “would destroy the very fundamental basis upon which London’s rationale for publishing the ICSC reports over Moscow’s objections.” New Delhi’s proposal, Ottawa insisted, would also relieve the Indians of their responsibilities as the ICSC Chairman in fulfilling their duties “by casting the deciding vote in case of a tie.” The Report cited one signatory participant’s “serious

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<sup>73</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to External Affairs, April 26, 1966; Candel (Laos) to External Affairs, February 12, 1966 and Candel (Laos) to External Affaires, June 2, 1966, and Far Eastern Division to USSEA, “Laos Commission: Dong Hene Message,” March 18, 1966 and RG 25, Acc. 1992-93/001, Box 16, file 21-13-Laos-12, pt. 1, The Laos ICSC, “Minutes of the Second Informal Meeting of 1966, held on Tuesday 7 June, 1966.” In dismissing the Harriman-Lall understanding, Kannampilly informed the Canadians that he had “several pounds of legal papers” that could “either support or refute most viewpoints with equal ease.” Furthermore, Lall had long ago left the Indian Foreign Ministry, implying that the Harriman/Lall understanding was no longer relevant. The “only common denominator” in Hanoi, Saigon and Vientiane, he said, was that all the ICSCs “should remain in operation.” There was “no consensus on their functions.” In light of Polish stand, an “agreed” report was “unobtainable.” To justify Indian inaction, he brought up the situation in Vietnam. The Vietnam ICSC, he said, had, in fact, “continued to work to the satisfaction of everyone” without ever really producing any “contentious report.” Thus, the Laos ICSC should be guided by “political realities rather than legal arguments.” Besides, he said “the Laotians did not expect much from the ICSC.”

violations of a solemn international undertaking,” and it “should not . . . be soft pedalled” by the ICSC “simply because it may attract criticisms for having carried out its responsibilities impartially and objectively.” Furthermore, “Indian action may create a situation whereby any still remaining potential peacekeeping role” for the ICSCs could be “gravely” diminished. Since the Dong Hene Report contained clear-cut Hanoi’s violations, Ottawa was not prepared to abandon the principles involved. It was prepared to do battle - if necessary - by itself with the Indians and the Poles.<sup>74</sup>

15 months had gone by before the ICSC scheduled a formal meeting to deal with the Dong Hene report on June 13, 1966. Then, K. W. Wadja, the Polish Commissioner, disappeared into the woods. The following day, Wadja and Bhadkamkar talked until 1:30AM, during which time Wadja accused the Indians of “favouring” the Canadians and of “misapplication of normal conference procedures.” Nothing was resolved. Bhadkamkar again cancelled the scheduled meeting because of “procedural problems and [the] imminence of his departure” from Laos. In mid-June 1966, the much anticipated meeting took place. It was a gruelling four-and-a-half-hour debate marathon, with the Poles “using every conceivable procedural roadblock.” In the end, the report was approved by an Indo-Canadian majority and sent on June 16 to the Co-Chairmen. It was released on August 22, 1966.

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<sup>74</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, External Affairs to Can Emb (Washington), to Can High Com (New Delhi) and to Candel (Laos), May 10, 1966. See also, *ibid.*, Can High Com (New Delhi) to External Affairs, May 13 and 18, 1966; Candel (Laos) to External Affairs, May 19, 1966; Can High Com (London) to External Affairs, May 19, 1966 and External Affairs to Candel (Laos) and Can High Com (New Delhi), May 22, 1966; Candel (Laos) to External Affairs, May 23, 1966; Can High Com (New Delhi) to External Affairs, May 23, 24 and 27, 1966; External Affairs to Can High Com (New Delhi) and Candel (Laos), May 24, 25 and 27, 1966; K. Maclellan to A. Bhadkamkar, May 27, 1966; Candel (Laos) to External Affairs, May 29, 1966; External Affairs to Can High Com (New Delhi), May 30 and June 1, 1966; External Affairs to Candel (Laos), June 1, 1966; Can High Com (New Delhi) to External Affairs, June 9, 1966; External Affairs to Candel (Laos) and Can High Com (New Delhi), June 9, 1966 and External Affairs to Candel (Laos) June 10, 1966.

In its findings, the ICSC stated that all POWs were North Vietnamese nationals and belonged to the NVA regular troops. There was “a strong possibility” that the Pathet Lao might have participated in an attack on Dong Hene “launched by the troops of the Armed Forces of North Vietnam on or about the 9<sup>th</sup> March, 1965.” The report made the following observations (not conclusions):

In reaching its findings the [ICSC] Team has placed a major weight on the evidence of the nine prisoners, given . . . freely and voluntarily, by each prisoner. The Team would prefer to verify the statements of the prisoners concerning their place of birth, place of residence, and place of military training. However, the places mentioned by them lie in territory to which the Team has no access. . . . In view of the number of prisoners, the agreement, in many details, of their statements, corroboration of such details of the capture by military, police, and civilian witnesses produced by the Royal Laotian Government; and in the absence of any evidence to the contrary, the Team does not have any doubt regarding the validity of the testimony so tendered.<sup>75</sup>

This was the strongest statement the 747-page ICSC report made on the Dong Hene investigation.

The report, when published, no longer had any great value. Time had elapsed. Hanoi's violations had been almost completely eliminated. The report clearly reflected Indian bias in favour of Hanoi (and New Delhi's overruling of its own military officers) by not emphasizing the fact that the POWs were ordered to proceed to South Vietnam. In doing so, those soldiers had to march through Laos in blatant violation of the Accords. The report, when released, attracted very little Western attention. Events in Vietnam had consumed the attention of the

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<sup>75</sup> RG 25, Vol. 3072, file 18, *Report of an Investigation by the International Commission for Supervision and Control in Laos of an attack on Dong Hene by North Vietnamese Troops*, p. 12-3; Laos. Ministère des Affaires Etrangères. *Livre Blanc sur les violations des Accords de Genève de 1962 par le gouvernement du Nord Vietnam* (Vientiane, 1965), pp. 5-13 and pp. 69-100; RG 25, Vol. 9493, file 21-13-Laos-50-11, G. L. Puri, the Laos ICSC, to H. A. J. Staples (*Chargé d'Affaires*, UK Emb, Laos) and to B. E. Kirnassovsky (USSR Emb, Laos), July 1, 1966, and DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to External Affairs, June 13 and 15, 1966; and Far Eastern Division, “Memo To The Minister: Laos Commission Report on Dong Hene Incident,” August 8, 1966.



western world and its press. Even scholars such as Langer and Zasloff, whose research and reputation was based almost exclusively on interviews with many captured and defected NVA soldiers in Laos, simply wrote of the Dong Hene Report that: “the overwhelming public evidence of the North Vietnamese role was undoubtedly an embarrassment.”<sup>76</sup>

In contrast, the Dong Hene Report generated very strongly and sharply worded criticisms and threats from the communists.<sup>77</sup> For the Chinese, the North Vietnamese and the Pathet Lao, the Dong Hene report was an “illegal and destructive” act, conceived in blatant violation of Articles 3 and 4 and over a Polish objection. Because of the Co-Chairmen’s silence on Article 19, the ICSC, since July 23, 1965, “should have ceased all its activities.” The ICSC had “degenerated long ago into a tool to protect and aid and abet the United States in its aggression against Laos.” The Chinese attacked the UK Co-Chairman for colluding with the Americans in violating the Accords and Laotian sovereignty. Peking accused London of having “illegally published” the report and of “propagating the myth that ‘there are North Vietnamese troops in Laos.’” The so-called captured NVA soldiers, the North Vietnamese and the Pathet Lao stated, were nothing more than “ethnic Vietnamese with permanent residence in Laos.” These “fantastic inventions,” the Pathet Lao insisted, were “manifestly intended to malign [the] DRVN.” The report was an “absolute lie, its purpose being to create a pretext for the troops of U.S. imperialism and its lackeys to make massive inroads and expand the war in Indo-China”

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<sup>76</sup> *North Vietnam and the Pathet Lao*, pp. 159-60.

<sup>77</sup> RG 25, Vol. 9493, file 21-13-L-50-11 and Vol. 3069, file 3, M[arcel] C[adieux], “Memorandum For The Minister: Pathet Lao Charges Against Canadian Members of the Laos Commission,” July 25, 1966; Candel (Laos) to External Affairs, March 23, 1965; DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Souphanouvong’s broadcast “Executant l’Ordre des Américains et Ses Agents, Les Représentants de l’Inde et du Canada, Pris la CIC Inspectent Illégalement Dong-Hene,” March 23, 1965; *The Voice of Pathet Lao*, August 29, 1966; *People’s Daily*, September 13, 1966; and Kahin Collection. Vol. 21, file Laos-Communists, “Communists Versus Non-Communists in Laos,” April 16, 1965.

and for merging Indochina and Thailand into “a single theatre of war.” China, as friends and neighbours of Laos and North Vietnam, “will not allow that to happen” and “will resolutely support” them. The three Asian communists demanded from the Geneva participants “adequate measures to prevent the Americans and their agents and their followers from indulging in underhand manoeuvres and to denounce them.”<sup>78</sup>

The “so-called incident of Dong Hene,” Soviet Foreign Minister, A. Gromyko informed his British counterpart, in August 1966, “cannot be received.” Two of its members had “composed [it] in infringement” and “sent [it] in violation” of the Accords. The ICSC “should discharge its duties with the agreement of and in complete cooperation with the coalition Government in Laos.” Moscow proposed “censuring Laos CIC for accepting Dong Hene Report without concurrence of Poldel” and “an immed[iate] and drastic cut in Laos CIC budget.” Without divulging details, Canadian diplomats in New Delhi were also informed by Indian officials of “very angry Russian reply to Dong Hene Message.”<sup>79</sup> The Soviet *Chargé d’Affaires* in Laos, Gregoriev, taking a “bellicose and threatening line,” told Keith Mclellan and G. L. Puri, the Canadian Commissioner and the Indian Chairman respectively, that the Dong Hene report “had raised great doubts about our objectivity and impartiality.” The ICSC had done nothing on US violations in Laos and in Vietnam. The USSR “could not . . . ignore situation that was developing” and asked if the West “wanted war.” Mclellan pretended not to

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<sup>78</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Souphanouvong’s broadcast “Executant l’Ordre des Américains et Ses Agents, Les Représentants de l’Inde et du Canada, Pris la CIC Inspectent Illégalement Dong-Hene,” March 23, 1965; *The Voice of Pathet Lao*, August 29, 1966; *People’s Daily*, September 13, 1966; and Kahin Collection. Vol. 21, file Laos-Communists, “Communists Versus Non-Communists in Laos,” April 16, 1965.

<sup>79</sup> RG 25, Vol. 9493, file 21-13-L-50-11 and DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Candel (Laos) to External Affairs, July 8, 1966, and Can High Com (New Delhi) to External Affairs, August 18 and 24, 1966 and Can Emb (Moscow) to External Affairs, August 22, 1966.

hear the last part of his statement, and Gregoriev repeated “his threat in even more definite tone and phraseology.” Did the Canadians and the Indians wish “to terminate [the] Commission?” When Mclellan and Puri replied that the Laos ICSC could not investigate US violations because of the Pathet Lao’s consistent refusal to cooperate and that the USSR, as one of the Co-Chairmen, should seek “a pacific solution to serious problems.” Dismissing their statements, Gregoriev replied that the USSR “must support Socialist countries.” Any US escalation “would bring Soviet and other volunteers to Vietnam which would lead to dangerous consequences.”

The British, in light of the very strong Soviet reaction, were not prepared to push matters too far. D. Murray, head of the UK Southeast Asia Department, informed the Canadian diplomats that a “tacit understanding had developed between UK and USSR for avoiding any action that might lead to cessation of Commission.” To further this objective, the Foreign Office instructed its ambassador in Laos, Sir Fred Warner, “to urge the ICSC not to press forward with msg [message] or let [letter] on Thakhek at this time.” At that very moment, the ICSC was about to discuss the NVA attack on Thakhek, in the same vicinity of Dong Hene, with a similar sort of evidence. The Foreign Office “considered it detrimental” to the ICSC’s “existence to rpt [repeat] Dong Hene experience so soon.” In any case, both the Canadians and the Indians, Murray continued, “should try genuinely to gain meaningful” Polish cooperation “in sending periodic reports to Co-Chairmen.”<sup>80</sup> The communists had won. Laos and its interests were sacrificed.

## THE “DO-NOTHING” YEARS

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<sup>80</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-6, Can High Com (London) to External Affairs, October 25, 1966.

If Message # 35 and the Dong Hene Report represented some hope for the ICSC's performance, "do-nothingism" characterized the ICSC in the post-Dong Hene era. This was, in part, a result of Peking's and Hanoi's unilateral cessation of financial contribution to the ICSC operations after 1964. But, that was not all. Indian refusal to carry out its responsibility as the Chairman and communist obstructions were the primary reasons for the ICSC's ineffectiveness, immobility and inertia.

The ICSC, in July 1966, dealt with the NVA/Pathet Lao attack - code name Song Lam (river Lam in Vietnamese) - on Thakkek in November 1965.<sup>81</sup> Moscow undoubtedly had been either privy to or aware of Hanoi's intention. When approached by US diplomats in Laos about the impending attack, the USSR Ambassador Boris E. Kirnassovsky was "quite uneasy that capture of Thakkek would bring US and Thai retaliation." In December, after the attack, Kirnassovsky "did not make the usual disclaimers about North Vietnamese troops in Laos."<sup>82</sup>

In the Thakkek engagement, the RLG captured fifteen NVA soldiers, among whom was Lieutenant Nguyen Van Hoan. During the interrogation, he revealed that three Pathet Lao battalions and one NVA Regiment, coming from Nghé-An province (in North Vietnam). That NVA Regiment comprised of Battalions No. 927<sup>th</sup>, 928<sup>th</sup> and 929<sup>th</sup> with a Special NVA 44<sup>th</sup> Battalion. He belonged to the 44<sup>th</sup> Battalion, which "constituted the nucleus" of the attacking and commanding troops. The main objective "was to capture Thakkek town, to set fire to it, then to withdraw and to take defensive position along the line of limestone" on the Mekong shore. The Pathet Lao's major mission, he continued, was to protect "routes of access across

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<sup>81</sup> RG 25, Acc. 1992-93/001, Box 16, file 21-13-Laos-35, Laos. Ministry of Foreign Affairs to the Laos ICSC, November 26, 1965.

<sup>82</sup> *FRUS*. Vol. XXVIII, *Laos*, Embassy in Laos to State Department, December 16, 1967.

Laos.” Another prisoner, Le Huy Linh, also revealed that he knew all along his destination was Laos. Once in Laotian territory, it was difficult to go back because of NVA frontier troops. Two Pathet Lao soldiers also defected: “they were tired of fighting and they did not agree with Pathet Lao bringing Viet Minh troops to fight in Laos.” The RLG presented the prisoners to the press. Anticipating Hanoi’s denial, Nguyen Van Hoan flatly stated that “Yes! We are North Vietnamese soldiers.” Hanoi denied everything.<sup>83</sup>

The ICSC sent a Team to Thakhek over the Polish objection. Once the report was completed and circulated on July 21, 1966, the Indians refused to deal with it. Puri stated that discussing the Thakhek Report was “undesirable.”<sup>84</sup> Both the Indians and the Poles “have no intention of furthering any Commission activity which might incriminate DRVN.”<sup>85</sup> Eventually, the Thakhek incident simply vanished.

In February 1968, the RLG informed the ICSC of an impending attack on Saravane and requested the ICSC “to send urgently an investigation team to the area.”<sup>86</sup> A NVA soldier, S/Lt. Nguyen Van Thanh, who defected on February 2, provided the information. He revealed that

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<sup>83</sup> RG 25, Vol. 9493, file 21-13-Laos-50-16, the Laos ICSC, November 26, 1965, Laos. “Communiqué # 7 from the Ministry of National Defense” and *Lao Presse*, November 24 and December 2, 1965 and *Nouvelles du Laos*, December 12, 1965; Laos. *Khao Phap Hob Sapda*, December 6, 1965 and US Embassy in Laos. US Information Service. *News Bulletin*, “Laos Lets Captured Viet Minh Meet the Press,” December 2, 1965; DRVN Emb (Laos) to the Laos ICSC and “Statement of the Spokesman of DRVN on Thakhek fightings, November 16, 1965.”

<sup>84</sup> RG 25, Vol. 9518, file 1750-6-3, “Report by Military Advisors on Their Visit to Thakhek and Savannakhet on 24 and 25 November, 1965” and Chairman to Canadian and Polish Commissioners, January 22, 1966; RG 25, Vol. 9493, file 21-13-Laos-50-16, “Thakhek Attack”, Percy S. Cooper, “Canadian Statement on May 29, 1967,” and DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-7, External Affairs to Candel (Laos) March 8, 1967.

<sup>85</sup> DFAIT. Vol. 2, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, August 2 and December 2, 1967.

<sup>86</sup> RG 25, Vol. 9493, file 21-13-Laos-50-17, Laos. Ministry of Foreign Affairs to the Laos ICSC, February 8, 1968 and Steiglitz. *In A Little Kingdom*, pp. 138 .

four NVA battalions were to attack Saravane and That Theng within the next few days. Those attacks were aimed at achieving a new North-South route through populated areas and at allowing the Pathet Lao to acquire another 'liberated' area. These attacks, Nguyen Van Thanh continued, were to be carried out without the Pathet Lao's participation and approval. The Pathet Lao's role "limited to the occupation of the said 'liberated' zone i.e. neither more nor less, to the raid of villages in order to provide for the indispensable supply of their allies." Despite Hanoi's propaganda, he had never seen foreign troops in Laos.<sup>87</sup>

In Washington, US Secretary of States Dean Rusk called in USSR Ambassador Anatoli Dobrynin, and informed him that if Hanoi attacked Saravane, the US would respond militarily. Dobrynin noted the name Saravane. The Co-Chairmen, Rusk continued, had a responsibility for ensuring compliance with the Accords. Dobrynin agreed. Moscow and Warsaw must have known about Hanoi's intention. In Vientiane, Soviet diplomats and the Poles attempted to reassure the Western diplomats and the RLG. They "busily pass words that these centres [Saravane and Attopeu] will not be taken."<sup>88</sup> Hanoi's plan worried Moscow.

As expected, the attack took place. In those battles, the RLG captured six NVA soldiers. The RLG requested an investigation. The Indians and the Poles could be counted on to stymy the ICSC. The Indian Chairman insisted that the RLG's complaints be sent to Hanoi for comments. No action was to be taken until the Laos ICSC heard Hanoi's official reaction. The

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<sup>87</sup> *Lao Presse*, February 12, 17 and 26, 1968; *Nouvelles du Laos*, February 22, 1968; *The Bangkok Post*, February 22, 24, 25 and 26 and March 1, 1968; *Xat Lao*, February 20, 1968; and *The Bangkok World*, February 25 and March 1, 1968.

<sup>88</sup> *FRUS. Laos*, Vol. XXVIII, "Memorandum of Conversation [between Rusk, the Secretary, Deputy Under Secretary Charles E. Bohlen and Soviet Ambassador Dobrynin]: Laos," February 15, 1968 and Embassy in Laos to State Department, March 9, 1968.

Canadians refused.<sup>89</sup> Could the promise of more Soviet aid, made during the visit of Soviet premier Kosygin to India in January 1968 have contributed to Indian refusal to criticize Moscow's friends?<sup>90</sup> The ICSC's silence attracted Laotian reaction. On March 1 and March 8, the RLG sent two additional notes to the ICSC.<sup>91</sup> The first one again requested an ICSC investigation. The second expressed its dismay. Despite requests, the ICSC only visited Saravane, Paksé and Lao Ngam, posting no permanent team at Saravane. Nine months would have to pass and it would take another wave of NVA/Pathet Lao attacks, before the ICSC would set foot again in the area.

In October 1968, in anticipation of Indian Prime Minister Indira Gandhi's visit, Ottawa prepared to discuss the work of the ICSCs. In "a spirit of frankness," Ottawa wanted to "note a sense of frustration and dissatisfaction with the positions India has been taking on a number of issues recently under consideration" in the three ICSCs.<sup>92</sup> Canada had always believed that the ICSCs

could make a worthwhile contribution to limiting the tensions in the region, either by presenting the facts of the problem as known to the Commission[s] fairly and in balanced form, or by taking actions which might help to insulate Cambodia and Laos from the effects of the Vietnam conflict. On virtually every substantive problem . . . We have been frustrated and discouraged by what seems to be a 'do-nothing' policy on the part of the Indian Government. In the Laos Commission, no action has been taken on a number of despatches dealing with North Vietnamese violations of Laos. [In Laos, we have shown ourselves willing to investigate charges against the U.S.A. but it is the

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<sup>89</sup> RG 25, Vol. 9493, file 21-13-Laos-50-17 contained the detailed discussions and exchanges.

<sup>90</sup> Parker. *Vietnam*, p. 109 and *Christian Science Monitor*, November 4, 1967, p. 1.

<sup>91</sup> RG 25, Vol. 9493, file 21-13-Laos-50-19, Laos. Ministry of Foreign Affairs to Laos ICSC, March 1 and 8, 1968.

<sup>92</sup> DFAIT. Vol. 2, file 21-13-Laos-ICSC-7, Tom Delworth, Far Eastern Division, "Visit to Canada by Prime Minister of India: Indochina," October 15, 1968. The text in the parenthesis is part of the original document. It reflects only a rearrangement of the text.

Communists' refusal to grant the Commission access to territory under their control which has blocked Commission action.] Similarly in Vietnam, the Indian delegation has refused to cooperate in even interrogating a North Vietnamese regular soldier offered to the Commission for this purpose. In Cambodia, India has given no cooperation in efforts to put helicopters at the Cambodia Commission's disposal to make it possible for the Commission to take effective action in line with the Cambodian Government's wishes. . . . Prince Sihanouk's interest in seeing the Commission acquire helicopters could hardly be described as U.S.A.-inspired.

Prime Minister Gandhi never came. Indo-Canadian relations were no longer what they had been.<sup>93</sup>

The Pathet Lao and two NVA commando battalions, between late November and early December 1968 again attacked Lao Ngam, Saravane and Attopeu.<sup>94</sup> The RLG captured three NVA soldiers: Coa Van Mai, Le Phuc Ba and Nguyen Hun Lien. Captured Sergeant Cao-Van-Mai revealed that "The Polish [delegation] tell[s] everything to Hanoi." He, a regular NVA soldier, had stayed in the Saravane and Attopeu regions since 1965 and had participated in five engagements before his capture. In response to another question, with "a flash of pride," he stated that the Pathet Lao also participated in the attacks but "only the Viets are in the hard blows." Another captured NVA soldier, Lê-Phuc-Ba, in a similar tone, stated that "Our North Vietnamese troops want to attack and occupy at any cost That Theng in order to liberate the people and enlarge the zone of control." The captured soldiers revealed that four NVA regiments had entered Laos to assist the Pathet Lao in seizing the key Bolovens Plateau. The

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<sup>93</sup> Interview with Sharp, October 2, 1994.

<sup>94</sup> RG 25, Vol. 9493, file 21-13-Laos-50-18, "Attopeu, Lao Ngam and Saravane" and file 21-13-Laos-50-19, Laos. Ministry of Foreign Affairs to the Laos ICSC, November 29, 1968 and "Visit Report 2-3 January, 1969: Thateng area;" and DFAIT. Vol. 2, file 21-13-Laos-ICSC-7, Radio Hanoi International Services broadcast, "Souphanouvong's Speech on Political Report in Laos on November 19, 1969." *FRUS. Laos*, Vol. XXVIII, Embassy in Laos to State Department, March 9 and April 24, 1968; and "Memorandum from the Executive Secretary of the Department of State (Read) to the President's Special Assistant (Rostow), March 26, 1968. Stieglitz. *In A Little Kingdom*, pp. 141-42; Kaysone. *Revolution In Laos*, p. 34; *Lao Presse*, December 17, 18, 19 and 20, 1968; and January 11, 1969; *The Bangkok Post*, December 31, 1968; *The Bangkok World*, December 18, 1968.



RLG sent the ICSC the transcripts and requested an investigation. Because of the evidence, D. Deva, the Chairman, wanted the Laotian complaints be sent to Hanoi for comment. The Canadians refused. Here eventually ended the story.<sup>95</sup>

In their attempt to lay siege on Lao Ngam, Saravane and Attopeu, the NVA attempted to clear the RLG's post at Tha Teng, a rich coffee growing area at the key road junction on the northern slope of the Bolovens Plateau, located near the centre of the Ho Chi Minh trails nerve system. The RLG forces, "a ragtag outfit of 350 men," Lao and hill tribe people, successfully repelled the attackers. These men, writes Robert Kaylor,

carry US weapons of World War II vintage, along with a few Chinese Communist AK-47 assault rifles captured from the North Vietnamese. Their dress ranges from jungle fatigues to blue jeans to a pair or two of pajamas under the cartridge belts and ammunition pouches.<sup>96</sup>

In that battle, the RLG sustained 40 killed, 100 wounded and 30 missing. Its troops meanwhile captured 8 NVA soldiers. Militarily, the NVA/PL suffered a defeat. But the psychological effects were devastating. Tha Teng was "a prosperous and busy community one month ago, now stands empty as a charred and silent monument to a forgotten war." Its population of 1,900 souls "have all vanished . . . some of them without a trace. It is now a ghost town." "The litter of destruction is in the dirt streets - a charred cooking pot here, a torn piece of clothing there." "The smell of decay is in the air." Tha Teng, like many villages in Laos and in South Vietnam, was attacked by the NVA and destroyed in the process. The difference between the wars in Laos and in Vietnam, Kaylor continued, was that

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<sup>95</sup> RG 25, Vol. 9493, file 21-13-Laos-50-17, Laos. Ministry of Foreign Affairs to the Laos ICSC, March 1, 1968; The Laos ICSC, "Minutes of the 316<sup>th</sup> Meeting," February 8, 1968; *Lao Presse*, February 12 and 17, 1968; *Nouvelles du Laos*, February 21, 1968; *Xat Lao*, February 20, 1968; and *The Bangkok Post*, February 22 and March 8, 1968.

<sup>96</sup> *The Bangkok Post*, December 31, 1968 - "Laos: The Forgotten War."

there are no American military units [in Laos] to do most of the fighting. There is an American role - restricted mostly to air and logistical support and some informal 'advice' in this part of Laos - but the United States tries to keep it as secret as possible for fear of being accused of violating the 1962 Geneva Accords on Laotian neutrality. Thus less world attention gets focused on a place like Tha Teng than on similar battlegrounds in South Vietnam. Despite the lack of attention, the fighting, the suffering and the dying are the same.

By clearing Tha Teng, the Ho Chi Minh Trail could move further west. Time passed by since the RLG first protested to the ICSC back in March 1968 during the first wave of attacks. There was no response. The RLG now wrote in its note of December 14 that it "regrets to say that it has not yet received any communication from the I.C.S.C. in the matter despite the fact that the situation, in the eyes of people, is worsening day by day."<sup>97</sup>

The ICSC, at the urging of Percy S. Cooper, the Canadian Commissioner, decided to make an on-site visit to Tha Theng, Paksé, Saravane, and Paksong between January 2 and 3, 1969. The Poles refused to cooperate. The ICSC's visit was the first in nine months to the area. The ICSC Team, in its report, only described the agenda, the areas it visited and the people it met. The Team was completely silent on the matter of substance. In fact, D. Deva, the Indian Chairman, subsequently dismissed the RLG's December 14/1968 request for an investigation with the utmost creativity: because the *Lao Presse* had not reported those incidents from the beginning, Deva implied, the RLG must have fabricated the entire affair.<sup>98</sup> The Indians and the Poles wanted to drop the item from the agenda. The Canadians were opposed. With the passage

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<sup>97</sup> RG 25, Vol. 9493, file 21-13-Laos-50-19, Laos. Ministry of Foreign Affairs to the ICSC, December 14, 1968; *Lao Presse*, December 5 and 10, 1968; and *Bangkok Post*, December 2, 1968 contained a photo of the captured NVA soldiers.

<sup>98</sup> RG 25, Vol. 9493, file 21-13-Laos-50-19, Cooper to Deva, November 30, 1968 and Deva to Cooper, December 2, 1968 and "Visit Report: 2-3 January 1969: Thateng Area." *Lao Presse*, December 25 and 27, 1968 and DFAIT. Vol. 5, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, January 25, 1969.

of time, the issue simply faded into the dimness of memory.<sup>99</sup>

The ICSC's silence on Tha Teng brought a response from the Laotians. Entitled "A Strange Silence," the *Lao Presse* editorial of January 15, 1969, wondered why the long silence? A statement from the ICSC, "consequent upon its recent visit to Tha Teng, is yet to appear." Tha Teng, "the city of martyrdom, is henceforth the symbol of disdain with which Hanoi treats the CIC." The editorial continues:

What is the usefulness of being invested, by fourteen countries, of the power to 'supervise and control' if it fails to denounce publicly the interference of Hanoi in our internal affairs? Its exaggerated discretion appears to be a complicity. A discretion which surprises and irritates.

Polish obstructions, the *Lao Presse* continued, should not prevent the other signatories "from assuming their international responsibilities." "Should we wait," the *Lao Presse* asked

until Tha Teng disappears from the map of Laos, and the Kingdom from the South East Asia before the world takes cognizance of the danger to the peace posed by Hanoi's policy of expansionism? Should we wait until . . . our nation disappears, eaten up by a much more powerful neighbour who defies the rules and laws in practice in our civilized world? A neighbour whose arrogance is a defiance to the entire mankind and is an insult to the [ICSC] the movements of which for 'reducing tension,' appear to be, for Hanoi, as so many provocations, if it is to be judged from the threat which continues to prevail over Tha Teng. A threat which could be avoided if, at the end of the CIC's last visit to the area, more firmness and authority were manifested inside the organization which has the official mandate to ensure that the international agreements of Geneva are respected. . . . Is there not any law which could condemn the non-assistance to a nation in danger of extinction?

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<sup>99</sup> DFAIT. Vol. 5, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, December 7, 1968. In light of Indo-Polish behaviour, Cooper urged Ottawa to expose their systematic obstructions. Ottawa should first send the Co-Chairmen a note, detailing all the delays and obstructions. In the event that the Co-Chairmen could not jointly circulate or publish the note, Ottawa should take a second course of action. In this option, Ottawa should issue a white paper, entitled *Appraisal of Canadian Participation in ICC Laos and relate Effectiveness to Effort and Cost*. The content of the document must be based faithfully on the ICSC records and must provide "no comfort for Indians or Poles," should state "Canadian convictions clearly . . . to Canadian people giving reasons for frustration of efforts at effective operation" and should "report cost in dollars to Canada of participation in Commission." If Ottawa agreed, the white paper should be timed in such a way "that brunt of reaction within Commission can blow itself out before I leave." Available records shed no light on Ottawa's reaction.

There was no investigation and no report. The RLG's note of January 9, 1969 had been voted down by the Indians and the Poles.

Canada, despite frustrations, did not withdraw from the ICSCs.<sup>100</sup> Indeed, back in 1965, Ottawa reviewed its commitment and concluded that continuing with the ICSC was the wisest course. To demonstrate its displeasure, however, Ottawa scaled down its commitment and resources in 1969. It was not interested in "debating clubs" and "babysitting" the Pathet Lao in Vientiane. In fact, the Laos ICSC hardly met any more. Only a few sporadic reports on its finances were made, and none on violations.

Aggression against Laos continued. On March 11, 1969, the NVA troops attacked the airport in Luang Prabang, just outside the royal palace.<sup>101</sup> The RLG captured three NVA soldiers. Two of them died of injury shortly after their capture. Only Phan Van Long (whose real name was Nguyen Xuan Trung) survived. Following his capture, Nguyen Xuan Trung requested the RLG *via* the ICSC to inform Hanoi's embassy that he was 37 years old and had the rank of the 2<sup>nd</sup> Lieutenant, acting as Commander of the 5<sup>th</sup> Commando Unit of the 335<sup>th</sup> Regiment of North West Military area. His unit operated in Northern Laos. He requested protection from the North Vietnamese embassy and

In the event of any eventual negotiations for exchange of war prisoners between Laos and North Vietnam, I would request for my repatriation to North Vietnam for joining my family. I would request you to inform about it the Red Cross and the two Co-

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<sup>100</sup> RG 25, Vol. 10123, file 21-13-Viet-ICSC-4, pt. 4-2, K. G. [King Gordon(?)] to M. Cadieux, "Vietnam: Future of the Commission," July 28, 1965 and interview with R. Louis Rogers, January 30, 1996.

<sup>101</sup> RG 25, Vol. 9492, file 21-13-Laos-43, R. W. Nadeau to the Commissioner, "Luang Prabang Attack: Laotian Government Press Conference," April 9, 1969; and Vol. 9493, file 21-13-Laos-50-21, Laos. Ministry of Foreign Affairs to the Laos ICSC, March 12, 1969 and Vol. 9518, file 1631-1, pt. 2, M[ilitary] C[omponent of the] C[anadian] D[elegation] to External Affairs, March 7, 1969; *Lao Presse*, April 8 and March 12, March 13 and March 19, 1969; *Nouvelles du Laos*, March 12, 1969 and *KCA*. Vol. 17 (1969-70), p. 24089.

Chairmen, USSR and UK.<sup>102</sup>

The RLG presented the prisoners to the press and the ICSC and requested an investigation. Deva, with Polish support, dismissed the RLG's request.<sup>103</sup> The Canadians refused, but were outvoted.

The Pathet Lao and the NVA attacked Moung Soui in June 1969. Moung Soui, once a strong point of the Neutralists, occupied a position of great strategic importance. Located at the juncture of Route # 4 between Luang Prabang and Vientiane, and Route # 7 which led to the Vietnamese port of Vinh. It had the largest airfield in Northern Laos, where re-supplying materials to government troops and air raids against the Pathet Lao and the NVA troops occurred. It was defended by seven Neutralist battalions and two Thai artillery units. On the night of June 24, a mixed Pathet Lao/NVA force of seven battalions attacked. Russian-made tanks came into view. Nearly a quarter of the defenders died and about 500 Neutralists deserted. Two US fighter-bombers and two helicopters were lost trying to help the besieged post. Its loss was a major political blow. Once the NVA successfully dislodged the defenders, Khamsouk Keola moved in and proclaimed that the "Patriotic Neutralists" had retaken what the rightist forces had illegally taken away from them in 1966. To impose NVA/PL rule, about 200 innocent people were summarily executed to dispel any doubt about their intentions. They intended to keep the land.<sup>104</sup>

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<sup>102</sup> RG 25, Vol. 9493, file 21-13-Laos-50-21, Laos. Ministry of Foreign Affairs to the Laos ICSC, May 14, 1969. The prisoner's request (written in Vietnamese) addressed to Hanoi's embassy in Laos and a Lao translation were attached.

<sup>103</sup> DFAIT. Vol. 2, file 21-13-Laos-ICSC-7, Candel (Laos) to External Affairs, August 11, 1969.

<sup>104</sup> RG 25, Vol. 9491, file 21-13-Laos-14, pt. 2, Candel (Saigon) to External Affairs, March 3, 1970; Robbins. *The Ravens*, pp. 178-9 and *KCA*. Vol. 17 (1969-70), p. 24091. In the battles in northern Laos, the CIA officials picked up a number of war trophies. Among those items, there was a helmet, belonging to a NVA soldier, with the following chilling encryption, on the inside, in Vietnamese: "Born in

The RLG requested an ICSC investigation. T. N. Kaul, the Indian Foreign Minister, during his June 1969 visit to Laos, had told Cooper, in front of the British and the Japanese ambassadors, the Soviet and the North Vietnamese *Chargé d’Affaires* and several Laotian ministers that the ICSC “should not act as a supra-national entity” and apply “legalistically” the Accords. It “should only observe things” and should “take into account the larger picture.”<sup>105</sup> When the ICSC met, the Poles spent 40 minutes resisting all attempts to take up the RLG’s complaint.<sup>106</sup> Supporting the Poles, Deva insisted that the entire matter be dropped from the ICSC’s agenda. Alternatively, Deva said that, the ICSC could “invite” Hanoi, the “government accused of violation [,] to offer its comments.” Cooper resisted. The RLG had requested an investigation and the ICSC must fulfill its responsibilities. The Indians and the Poles refused. Shortly after that meeting, the Indian delegation requested the killing of the entire Moug Soui affair and the ICSC erased it from its agenda.<sup>107</sup>

The same “do-nothing” story continued. On March 1, 1969, another five NVA battalions of the 148<sup>th</sup> Regiment of the 316<sup>th</sup> Division and one Pathet Lao battalion attacked Na Khang, the RLG’s administrative and military centre in Sam Neua province, situated on Route

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Vietnam; die in Laos.” A picture of that particular helmet is found in Robbins. *The Ravens*.

<sup>105</sup> DFAIT. Vol. 5, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, July 10, 1969; Vol. 2, file 21-13-Laos-ICSC-7, Candel (Laos) to External Affairs, August 11, 1969; and Vol. 1, file 21-13-Laos-ICSC-4-9 - deals with Moug Soui.

<sup>106</sup> RG 25, Vol. 9491, file 21-13-Laos-14, pt. 2., Candel (Laos) to External Affairs, March 3, 1970; and DFAIT. Vol. 5, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, July 10 and 25, 1969; Candel (Saigon) to External Affairs, March 3, 1970; Vol. 2, file 21-13-Laos-ICSC-4-7, External Affairs to Candel (Laos), July 31, 1969; Soth Pethrasi to Cooper, July 21 and 23, 1969; Phoumi Vongvichit and Khamsouk Keola to Co-Chairmen and Cooper, July 10, 1969; Candel (Laos) to External Affairs, July 24 and August 21, 1969.

<sup>107</sup> DFAIT. Vol. 5, file 21-13-Laos-ICSC-6, Candel (Saigon) to External Affairs, March 3, 1970.

#6.<sup>108</sup> In that attack, 150 RLG soldiers perished and Colonel Panh Siharath, the governor of Sam Neau, was killed.<sup>109</sup> So disillusioned with the ICSC that Souvanna protested directly against the “unspeakable attack” to the Co-Chairmen.<sup>110</sup> The Na Khang attack, Souvanna wrote,

illustrates once again the well-known hypocrisy and notorious malevolence of the Pathet Lao who, under the cover of slogans of peace, conciliation and entente, are hiding their fierce desire for war, destruction and limitless ambition.

But more serious and greater is the responsibility of North Vietnam. A signatory of the Geneva Agreement, guaranteeing in the first place the sovereignty of the Kingdom it has flouted all the provisions of the International Agreement, multiplied wantonly violations of its spirit and letter and practised a cunning and shameless interference in the internal affairs of Laos.

It is true that it [Hanoi] is emboldened every time because its hostile and illegal acts are treated with impunity. . . . It is to be regretted that 13 signatory countries of the Geneva Agreement on Laos did nothing to avert it.

The letter continued:

It is painful for the Laotian people to recall that North Vietnam is making use of its territory to send North Vietnamese troops to different fronts which are opened in South Vietnam, that more than 40,000 North Vietnamese soldiers are spreading war and destruction in Laos, that since more than a year, North Vietnamese armed forces are supporting the Pathet Lao to attack Lao-Ngam, and Tha Teng, to besiege Saravane, and Attopeu in violation of all international laws, laws of co-existence and good neighbourhood as well as in violation of Geneva Agreements of 1954 and 1962.

Souvanna also requested the Co-Chairmen to hold consultations under Article 4 “in order to

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<sup>108</sup> *Lao Presse*, January 4, 1969; RG 25, Vol. 9492, file 21-13-Laos-43, Cooper to Deva, March 29, 1969, with Souvanna’s letter of March 3 to the Co-Chairmen attached.

<sup>109</sup> DFAIT. Vol. 5, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, March 6, 1969; External Affairs to Candel (Laos), March 12, 1969; Candel (Laos) to External Affairs, March 25, 1969; Can High Com (London) to External Affairs, March 10, 1969; RG 25, Vol. 9518, file “Reports - Weekly Sitrep, January 25/65 to May 3/69,” Candel (Laos) to External Affairs, March 25, 1966; *Lao Presse* and *The Bangkok Post*, March 4, 1969; and *Foreign Broadcasting Information Service*, March 1, 1969.

<sup>110</sup> RG 25, Vol. 9492, file 21-13-Laos-43, Laos. Prince Souvanna Phouma, the Prime Minister of Laos, to the Co-Chairmen of the 1962 Geneva Conference on Laos, March 3, 1969; DFAIT. Vol. 5, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, March 6, 1969; Laos. Ministry of Foreign Affairs. *White Book: Hanoi’s Interference and Violations* (Vientiane, 1969); *Lao Presse*, March 19, 1969 and *KCA*. Vol. 17 (1969-70), pp. 24091-3.

ensure observance” of the Accords and “to remove the North Vietnamese forces from Laos and to terminate the shameless violations” by Hanoi of Laotian sovereignty.

The UK called on the other participants to discuss Souvanna’s message. Canada, the UK and the US agreed. India refused. China and the USSR rejected the idea. The Pathet Lao and Hanoi characterized the British proposal as “an act of connivance at the US aggression.” The British unilaterally circulated Souvanna’s letter on March 24 to all the Geneva participants.<sup>111</sup>

The NVA again attacked Attopeu and Saravane in June 1970. Apparently, the Pathet Lao objected to Hanoi’s plan, but the Pathet Lao were in no position to challenge Hanoi on matters it considered critical.<sup>112</sup> To hide its crimes, Hanoi gave the credit to the Pathet Lao.<sup>113</sup> These attacks were anticipated, and the RLG informed the ICSC accordingly on May 29. The Indians knew, in advance, about the impending attacks, the *Lao Presse* subsequently revealed, and had gone to great lengths to assure the RLG that both the Pathet Lao and Hanoi were not interested in these two towns. The Canadians also learned that the Poles and a Romanian

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<sup>111</sup> RG 25, Vol. 9492, file 21-13-Laos-43, UK Emb (Laos) to the Candel, March 25, 1969; DFAIT. Vol. 2, file 21-13-Laos-ICSC, Can High Com (London) to External Affairs, March 18 and March 20, 1969; Vol. 5, file 21-13-Laos-ICSC, M[itche] Sharp, “Memorandum for the Prime Minister: Laos Consultations,” April 13, 1970; Vol. 7, file 21-13-Indo-ICSC, “Prime Minister’s P[ierre]. E. Trudeau’s visit to the USSR: Talking Points,” (n.d) and Can Emb (Peking) to External Affairs, August 18, 1972, “SSEA Visit -Talks on Indochina.” And, RG 25, Acc. 1992-93/001, Box 16, file 21-13-Laos-12, External Affairs to Can Emb (Washington), April 10 and 21, 1970; Canadian reply to the British Co-Chairman, M. Sharp (External Affairs) to Can High Com (London), April 15, 1970 and Can High Com (London) to External Affairs, April 17, 1970; External Affairs to Can Emb (Moscow) April 23, 1970 and Can Emb (Moscow) to External Affairs, April 22. Portions of those exchanges are printed in *KCA*. Vol. 17 (1969-70), pp. 24092-3.

<sup>112</sup> DFAIT. Vol. 6, file 21-13-Laos-ICSC, Col. J. B. Archambault, “Special Report,” August 13, 1970.

<sup>113</sup> *Brève histoire du Parti des Travailleurs du Viêt Nam*, p. 138.



journalist were also aware of Hanoi's plan.<sup>114</sup> Despite the RLG's protest, there was no investigation. The matter eventually died.<sup>115</sup>

Souvanna, after a strange ICSC silence, wrote directly to the Co-Chairmen on June 9, 1970.<sup>116</sup> The attack against Saravane, the letter began, "was expected." The ICSC's "negative attitude" and Poland's "specious objection to prevent the Commission from fulfilling its task" led Souvanna to question the ICSC's usefulness and continuing existence. Furthermore, the other 13 signatories, Souvanna stated,

do not wish to censure violations of the agreement when they are perpetrated by the Government of Hanoi. The rule of unanimity is being used for a juggling act. Under these conditions it would be preferable for the Co-Chairmen . . . to make known clearly and definitely whether they consider that the presence of the ICC is still necessary in Laos. What use can the Commission serve since each time during the past eight years when there has been aggression by North Vietnamese troops, no investigation could be made . . . .

The Co-Chairmen, Souvanna continued, were fully aware that

public opinion in Laos is extremely irritated by the paralysis of the [ICSC]. More and more the Lao public realized that far from being an instrument which can assist in the establishment of peace, the Commission by its faulty machinery serves indirectly the schemes of the Government of Hanoi. The latter is free to deny to the world the very real existence of the thousands of its soldiers which it sends outside its own territory to support the so-called 'National Liberation,' to foment political disorders, to back subversion, in brief, to act, in sum, like the last of the imperialist nations. Laos is experiencing a recrudescence of North Vietnamese military activities. That is the price which we must pay for the Hanoi government's expansionism which is showing itself

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<sup>114</sup> *The Lao Presse*, June 10, 1969 and DFAIT. Vol. 5, file 21-13-Laos-ICSC, Candel (Saigon) to External Affairs, June 18 and June 29, 1970, and September 14, 1970.

<sup>115</sup> DFAIT. Vol. 6, file 21-13-Laos-ICSC, Candel (Saigon) to External Affairs, August 31, 1970 and Vol. 7, file 21-13-Laos-ICSC, "Laos ICC 348<sup>th</sup> Formal meeting on January 18, 1970," "Memorandum For Minister: Reported South Vietnamese Invasion of Southern Laos," February 2, 1971 and External Affairs to Candel (Saigon), February 10, 1971.

<sup>116</sup> Souvanna's letter was subsequently published in *Lao Presse*, July 8, 1970; and DFAIT. Vol. 6, file 21-13-Laos-ICSC and Vol. 2, file 21-13-Laos-ICSC-4-7, Candel (Saigon) to External Affairs, June 23, 1970.

in all the Indochinese peninsula as Your Excellency can see. The national frontiers of the Indochinese states are being cynically violated. No respect, no international law restrains the Government of Hanoi any longer.

Souvanna concluded by asking the Co-Chairmen

to do everything possible to stop this dangerous process, especially in Laos. The Lao people, although weak, cannot indefinitely put up with the insolent challenge of the Government of Hanoi. Its brutal imperialism, its war of conquest. If the International Commission can no longer act, it is time that the conference recognizes this shirking of its obligations and find a solution otherwise the gravest of events could happen from one moment to the next.

Like so many times in the past, the Soviets rejected consultation. Souvanna, however, would not alter his policy of neutrality and the US made known its support for such a policy.

#### HASTEN THE DESIGN

By mid-1970, the ICSC was basically in a state of suspended animation. India had long ago abandoned all pretense of impartiality and acquiesced in Hanoi's domination of the entire Indochinese peninsula. In June 1970, an Indian Congress Party resolution called for a peace settlement in Indochina. Such a settlement, *The Times of India*, on June 17, 1970, reported, can only be built "on the basis of an immediate withdrawal of foreign forces commencing with the withdrawal of all outside forces and start a move from the battle field to the conference table." Foreign troops meant American troops. Hanoi's were local troops. The Indian Congress Party's resolution, the newspaper continued, was inspired by the Indian Foreign Ministry:

The interest in cultivating Hanoi follows New Delhi's understanding that the emergence of strong, national regimes like Hanoi's is the only way that China can be prevented from taking over the area within its sphere of influence. Even if the regimes are communists, the proposition is still valid that their national self-interest will provide an effective safeguard.

The *Times* continued:

India has also come round to the view that Hanoi is likely to play, one way or another, a leading role in the Indo-China region. It may be better to concede it this role instead of resisting it because this will hopefully lead to the emergence of viable relationships among the Indo-China States. This could bring benefits in terms of the integrity of the States and the neutrality of the area.

G. A. H. Pearson of the Canadian High Commission sought clarifications, but found that the Indian Foreign Ministry did “not quarrel with the general argument.”<sup>117</sup>

This theme was further re-enforced during Indian President V. V. Giri’s visit to Moscow in September 1970. In the joint Indo-Soviet *communiqué*, the Indians agreed with their Soviet hosts on the “necessity of putting an end to the intervention of foreign forces in Indochina.”<sup>118</sup> But India did not support the RLG’s call for consultation under Article 4. Indian-Soviet *rapprochement* further explained the Indian refusal to act constructively within the Geneva framework. This also ensured an inactive ICSC. The Indian performance and view had become so skewed in favour of Hanoi that, in September 1970, the Indian chairman objected to and overruled the Canadians, who attempted to follow up on Souvanna’s request for an ICSC assistance in transporting the RLG representatives from Vientiane to Khang Khay in the event that the RLG and the Pathet Lao could finally manage to hold a meeting in Xieng Khouang in a search for peace in Laos. The Indian objection was based on the fact that there was no similar Pathet Lao request.<sup>119</sup>

India was quick to condemn US bombing of Cambodia and the combined US/South

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<sup>117</sup> DFAIT. Vol. 5, file 21-13-Indo-ICSC, Can High Com (New Delhi) to USSEA, June 30, 1970.

<sup>118</sup> France. Services d’Information et de Presse. Direction de la Documentation. *Documents Officiels*. No 43 (22-28 Octobre, 1970), pp. 459-461.

<sup>119</sup> DFAIT. Vol. 5, file 21-13-Laos-ICSC, Candel (Saigon) to External Affairs, September 25, 1970.

Vietnamese incursion into Laos (Lam Son 719 Operation) on February 8, 1971.<sup>120</sup> But India would not criticize Hanoi. When the incursion occurred, Ottawa publicly announced that it wanted an ICSC investigation and instructed Albert F. Hart, the Canadian ICSC commissioner, to call a meeting “to consider whole situation in southern Laos” and to investigate all “outstanding complaints of violations of Laotian neutrality . . . by whatever foreign forces.” Hart was to accept neither a Polish-sponsored condemnation of the US/South Vietnamese activities nor an Indian-initiated *pro forma* ICSC “visit” to Southern Laos. Nor was Hart to accept an Indian resolution asking for the views of the participants. He was to insist on reporting to the Co-Chairmen and the Geneva signatories. Washington wished Ottawa, “lots of luck.”<sup>121</sup>

Ottawa’s insistence on an ICSC investigation and a consultation under Article 4 generated some very strong reactions. A number of academics formed an organization known as “Indochina- Out Now Committee,” led by Professor James Steele. For them, Ottawa was an accomplice of Washington. The group dismissed as “dishonest” Ottawa’s determination “to have the ICC investigate violations of Laotian neutrality.” The group demanded that Ottawa keep the Canadian people informed and “demystify . . . the absence of North Vietnamese troops from Laos and the non-existence, except in the most hypothetical sense, of the Ho Chi Minh

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<sup>120</sup> *Ibid.*, Vol. 7, file 21-13-Laos-ICSC, “Memorandum for the Minister: Situation in Laos,” February 8, 1971; Can Emb (Washington) to External Affairs, February 5, 1971; External Affairs to Candel (Saigon), February 5 and 8, 1971; Candel (Saigon) to External Affairs, February 9, 1971. See also Steiglitz. *In A Little Kingdom*, p. 188; General Oudone. *The Royal Lao Army*, p. 143 and General Soutchay. *RLG Military Operations*, pp. 58-62; and Turley. *The Second Indochina War*, pp. 136-8.

<sup>121</sup> DFAIT. Vol. 7, file 21-13-Laos-ICSC, External Affairs to Candel (Saigon), February 8 and 10, 1971; and Can Emb (Washington) to External Affairs, February 5, 1971.

Trail.”<sup>122</sup>

Moscow knew the reason for Lam Son 719. In fact, Moscow knew about the plan four days ahead of time. In London and in Ottawa, Soviet diplomats called on the British and the Canadian Foreign Ministers. But, in both capitals, the meetings were over in approximately ten minutes. Indeed, only five minutes into the meetings, both diplomats ran out of things to say and began complaining about US violations in Vietnam. When brought back to the subject of Laos and the ICSC’s investigations, both refused. In Moscow, a press statement reported that Kosygin “resolutely denounced aggressive action of USA and its allies in Indochina” and reaffirmed all-out Soviet support for Hanoi. That statement was issued following a meeting between Kosygin and Le Than Ngui, Hanoi’s deputy Prime Minister, who had visited Moscow. It was not until February 26 that Moscow publicly condemned the Lam Son 719 operation, blamed the US for the entire situation and expressed support for Hanoi. Moscow, however, was completely silent on the Geneva framework.<sup>123</sup>

Parallel *démarches* were made by the Poles with a similarly unconvincing tone. On February 11, Stradowski, the Polish Ambassador, called on the Canadian Under-Secretary of State for External Affairs and left an *aide mémoire* that blamed the US for all the problems. During the entire interview, however, much “to our surprise former [Stradowski] did not/not [repeat] on own accord raise Laos situation.” When the Canadian officials themselves raised

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<sup>122</sup> *Ibid.*, Vol. 9, file 21-13-Laos-ICSC, A. E. Ritchie, “Memorandum for the Minister: Indochina - Out Now Committee,” March 2, 1971.

<sup>123</sup> DFAIT. Vol. 6, file 21-13-Indo-ICSC, Can Emb (Moscow) to External Affairs, February 26, 1971; Vol. 7, file 21-13-Laos-ICSC, “Memorandum for the Minister: Laos - Soviet *démarche*,” February 4, 1971 and External Affairs to Candel (Saigon), Can High Con (London and New Delhi) and Cam Emb (Washington, Paris and Moscow), February 5, 1971; Can Emb (Moscow) to External Affairs, February 16, 1971; External Affairs to Can Emb (Washington), February 11, 1971; Can Emb (Warsaw) to External Affairs, February 12, 1971 and Vol. 8, file 21-13-Laos-ICSC, V[ernon] C. Turner, Director of Eastern European Division, GEA to GPE, February 19, 1971.

the Laotian situation, Stradowski “volunteered that Poland was concerned about the situation in Laos,” and expressed a willingness to help but refused an ICSC investigation. Warsaw also informed the Canadian diplomats that “there can be no/no active role for Laos ICC in present crisis since main aim of Laos ICC should be to antagonize nobody involved in conflict in order to survive until negotiation of a political solution is possible.” In Laos, after criticizing the US for violating Laotian sovereignty and for endangering peace in the area, the Polish delegation did not propose any ICSC condemnation of the US.<sup>124</sup>

The Indian government, after consulting the communist powers and the Viet Cong, put forward an Indochina settlement. The proposal, announced in March 1971, could be summarized in the following manner:<sup>125</sup>

- the withdrawal of South Vietnamese forces from Laos and restoration of the status quo ante February 8, 1971
- a cease-fire in Laos, supervised by the ICC, followed by an extended cease-fire throughout Indochina
- a two-stage “broadening” of the South Vietnamese government. The first stage would not include representation from the Viet Cong/PRG [Provisional Revolutionary Government] but the PRG would be included in the second stage
- the withdrawal of all foreign forces in Indochina beginning with American forces
- internationally supervised elections when all foreign troops have been withdrawn

The Indian proposal, as far as Ottawa was concerned, favoured the North Vietnamese. First, the proposal exclusively blamed the US for the entire situation in Indochina: it specifically mentioned American forces as “foreign” personnel; nowhere did the Indians

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<sup>124</sup> *Ibid.*, Vol. 8, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs, February 19, 1971 and Can High Com (London) to External Affairs, February 19, 1971.

<sup>125</sup> *Ibid.*, Vol. 6, file 21-13-Indo-ICSC, A. E. R[itchie], “Memorandum for the Minister: Indian Proposal for Indochina Settlement,” March 26, 1971. See also *Ibid.*, Vol. 10, file 21-13-Laos-ICSC, Candel (Saigon) to External Affairs, May 27, 1971.

indicate whether Hanoi's forces in South Vietnam, Laos and Cambodia were also foreign. Second, the Indian proposal imposed neither limitations nor conditions on Hanoi. Only in Laos was a specific ICSC-supervised cease-fire mentioned. India's rejection of a Canadian motion calling for an investigation on Lam Son 719, Canadian officials wrote, "cast serious doubts on Indian credibility and viability of such a proposal." The Indians also suggested internationally supervised elections. But, as a pre-condition, there was to be a coalition government in South Vietnam, followed by a nation-wide election that would see a broadening of that coalition government. The two-stage broadening of the South Vietnamese government was based on the proposal put forward by Madame Bingham, the Viet Cong representative in New Delhi.<sup>126</sup> Third, the Indian initiative ignored completely existing mechanisms such as the Paris Peace Talks and the 1954 and 1962 Geneva frameworks. The Indian settlement proposal was tantamount to a complete surrender to the communists and a clear statement that Hanoi's violations would be explicitly condoned and that Indochina turned over to Hanoi.

In August 1971, there was an Indo-Soviet Friendship Treaty. This treaty further crystallized Indian refusal to act effectively within the Geneva framework. According to Boris Ponomarev, the Chairman of Foreign Affairs Commission of Soviet Nationalities of the Supreme Soviet, the treaty

provides firm foundation for fruitful cooperation and joint actions of USSR and India on international scene for strengthening peace and security of peoples, against intrigues of forces of aggression and oppression . . . [and] against background of aggressive policy of US imperialism, which is continuing its dirty war against heroic peoples of Vietnam, Laos and Cambodia. We are confident that in these conditions treaty signed will help heroic struggle of patriots of Indochina.<sup>127</sup>

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<sup>126</sup> *Ibid.*, Vol. 6, file 21-13-Laos-ICSC, Can High Com (New Delhi) to External Affairs, March 19, 1971.

<sup>127</sup> *Ibid.*, Vol. 2, file 21-13-Indo-ICSC, External Affairs to Candel (Saigon), August 23, 1971 "USSR-India Friendship Treaty - Indochina."

What was surprising was that the Indians made no attempt to deny such an interpretation. When asked for further clarifications, E. Gonsalves, head of Indian South Asia Division, explained:

as long as USA and China were apparently prepared to talk about such subjects as an Indochina settlement and the situation in East Pakistan over the heads of countries more directly concerned with these problems, one should not be surprised if India and the Soviet Union appeared to align their policies on these and other questions more closely than they were before.<sup>128</sup>

### PATHET LAO'S COMPLAINTS AND THE ICSC

The ICSC was unsuccessful in investigating the Pathet Lao's complaints. In fact, it was never allowed to investigate any Pathet Lao protest. At the Plaines des Jarres, back on May 24, 1964, when the Pathet Lao/NVA attacked the Neutralists, the US, in support of the Neutralists, bombed them. Souphanouvong protested to the ICSC and asked for an investigation. The ICSC agreed. But the Pathet Lao, despite repeated urgings, never granted the ICSC the necessary assistance and requirements.<sup>129</sup> The ICSC, in its Message # 35, informed the Co-Chairmen that

because the Neo Lao Haksat refuses to extend the appropriate facilities to the Commission under the Protocol, the Commission finds it difficult to avoid the inference that Neo Lao Haksat is unwilling to permit investigations because any such investigation might bring to light evidence that the Protocol has indeed been violated.<sup>130</sup>

Souphanouvong and the Pathet Lao continued to complain about US bombings. They

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<sup>128</sup> *Ibid.*, Vol. 2, file 21-13-Indo-ICSC, G. Pearson, Can High Com (New Delhi) to USSEA, August 27, 1971, "USSR-India Friendship Treaty - Indochina."

<sup>129</sup> RG 25, Vol. 3069, File "New" ICSC in Laos-Message, "The International Commission for Supervision and Control in Laos to the Co-Chairmen of the Geneva Conference on the Nakay Investigation," Message # 34, January 21, 1965.

<sup>130</sup> *The ICSC Message # 35*, p. 13 and RG 25, Vol. 3072, file 10, "Canada's Asian Policy," August 26, 1966.



also called on the Co-Chairmen to convene a new conference.<sup>131</sup> Moscow supported this call and proposed, on January 19, 1965, a joint Co-Chairmen condemnation of US bombing. London rejected Moscow's "one-sided" condemnation.<sup>132</sup> Again, in March 1966, Kosygin warned Souvanna against US bombing in Laos and lectured Souvanna on the need to maintain Laotian neutrality.<sup>133</sup> In response, Souvanna reminded the Soviets of their responsibilities, as one of the Co-Chairmen, with respect to Hanoi's violations.<sup>134</sup> The Soviets also informed Canadian diplomats in Moscow of their "deep anxiety" and fear that Laos was "becoming again a great hotbed of international conflict in South East Asia," particularly as the US has been using Laotian air space to bomb Hanoi.<sup>135</sup> The Soviets may have been aware *via* satellite of the secret installation of an all-weather navigational radar system known as TACAN at Phou Pha Thi, located only 60 kilometers from Sam Neua Ville and about 320 kilometers away from downtown Hanoi.<sup>136</sup>

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<sup>131</sup> The bulk of Pathet Lao's complaints are found in the following files: RG 25 ACC. 80-81/022, Vol. 55, 21-13-Laos-ICSC and DFAIT. Vols. 1 to 9, file 21-13-Laos-ICSC-4-9; Vol. 1, file 21-13-Laos-ICSC-4-1; Vols. 1 and 2, file 21-13-Laos-ICSC-4-7; Vol. 5, file 21-13-Laos-ICSC-6; Vol. 1, file 21-13-Laos-ICSC-7; and Vols. 1 to 8, file 21-13-Laos-ICSC.

<sup>132</sup> *KCA*. Vol. 15, (1965-1966), p. 21746.

<sup>133</sup> RG 25, Acc. 1992-93/001, Vol. 13, file 20-Laos-2, pt. 2, Alexis Kosygin, Prime Minister, to H. H. Prince Souvanna Phouma, President of the Council of Ministers of the Royal Government of Laos, March 10, 1966 and Bridle Papers, Vol. 15, file Laos-15, Candel (Vientiane) to External Affairs, March 25, 1966. Maclellan received a copy and transmitted it to Ottawa.

<sup>134</sup> DFAIT. Vol. 2, file 20-10-Laos, file 21-13-Laos-1 and file 21-13-Laos-7, Can High Com (London) to External Affairs, April 25, 1967; *Lao Presse*, April 22, 1967 and *The Bangkok World*, December 8, 1965.

<sup>135</sup> DFAIT. Vol. 2, file 21-13-Laos-ICSC, Can Emb (Moscow) to External Affairs, April 24, 1967.

<sup>136</sup> For the Phou Pha Thi radar system, see Capt. Edward Vallentiny. *The Fall of Site 85* (Project CHECO Report, August 9, 1968), posted at <http://www.ipsystems.com/powmia/documents/Limasite.html> and <http://www.geocities.com/Pentagon/Quarters/3097/Ls85.htm> "Lima Site 85." And Robbins. *The Ravens*, pp. 53-106; Secord. *Honored and Betrayed*, chapter 6; Timothy Castle. *One Day Too Long: Top Secret Site 85 and the Bombing of North Vietnam* (N. Y. 1999) and Warner. *Backfire*, pp. 220-234.

Soviet diplomats in Laos never protested against US military actions.<sup>137</sup> There were good reasons. Hanoi and Moscow also dropped supplies to the Pathet Lao and the NVA in northern Laos.<sup>138</sup> Moscow, too, supplied arms to the Pathet Lao and publicly insisted that the Pathet Lao acknowledge Soviet military and diplomatic assistance.<sup>139</sup> At the same time, the USSR also wanted Laotian assistance. Probably as a consequence of the Sino-Soviet confrontation, the Soviets asked Souvanna, in September 1966, for permission to overfly Laos *en route* to Hanoi in order to by-pass China.<sup>140</sup> Later on, the Soviets attempted to gain Souvanna's support for a Soviet-inspired trading bloc and an anti-Chinese military alliance in South East Asia.<sup>141</sup>

In response to communist accusations, the RLG, on May 22, 1967, sent two separate notes - known as Note # 95 and Note # 96 - to the ICSC.<sup>142</sup> In those notes, the RLG requested

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<sup>137</sup> William H. Sullivan's testimony in the US Senate Committee on Foreign Relations. *Hearings, United States Security Agreements and Commitments Abroad, Kingdom of Laos*, October 20-28, 1969, p. 451 and p. 339. Sullivan said: "a senior Soviet Official, for example, has said that insofar as he reads things in newspapers or hears statement and allegations about U.S. operations, he does not have to take any official cognizance of them."

<sup>138</sup> *FRUS. Laos*, Vol. XXVIII, "Memorandum from the Deputy Director of the Office of Southeast Asia (J. Dexter) to the Deputy Assistant Secretary of State for Far Eastern Affairs (L. Unger): Interception of Hostile Resupply Aircraft in Laos," June 26, 1965; "Memorandum from the Director of the Office of Southeast Asia (Trueheart) to the Assistant Secretary of State for Far Eastern Affairs (Bundy): Duck Soup," June 26, 1965; and State Department to Embassy in Laos, September 28, 1965.

<sup>139</sup> *Moscow News*, No# 42, 1970, p. 12 and *Voice of Pathet Lao*, February 24, 1971.

<sup>140</sup> *FRUS. Laos*, Vol. XXVIII, Embassy in Laos to the State Department, October 8, 1966 and "Memorandum From the President's Special Assistant (Rostow) to President Johnson: Meeting with Prince Souvanna Phouma," October 11, 1966.

<sup>141</sup> Jonathan Steele. *The Soviet Power: The Kremlin's Foreign Policy - Brezhnev to Andropov* (N. Y., 1983), p. 142; *Le Monde*, (Paris) on February 11, 1969, reported the surprise return of the Chinese counsellor to Laos after a very long absence. His arrival coincided with Soviet Ambassador V. I. Minine's visit to the "liberated zone." Minine's trip, *Le Monde* continued, "aurait notamment pour objet de contrecarrer la pénétration chinoise au Laos et en Thaïlande" and *The Bangkok Post*, May 25, 1969.

<sup>142</sup> RG 25, Vol. 9492, file 21-13-Laos-43, Laos. Ministry of Foreign Affairs to the Laos ICSC, May 22, 1967, Notes # 95 and # 96.

that the ICSC investigate the accusations made regarding US bombing in Laos and Hanoi's continuous violations of the Accords, Laotian territorial integrity and continued support for the Pathet Lao. Investigations, the RLG continued,

should be conducted in the whole of the territory illegally occupied by the Neo Lao Haksat. The Lao Government will give in this connection all necessary and possible facilities to the Commission, specially its consent to all information that the Commission might require from the General Headquarters of Royal Armed Forces. The Lao refugees coming from the areas 'liberated' by Neo Lao Haksat can also be interrogated in so far as it is needed by the Commission. In short, the Government of Laos will bring every necessary help for the conduct of the investigations which should be commenced as early as possible.

After nine months had elapsed, the ICSC had still to acknowledge the two notes.<sup>143</sup> Further time went by and the issue simply died. The Pathet Lao knew in advance of bombing from Leuam Insisiengmay, then Foreign Minister.<sup>144</sup> The US embassy also knew about these raids but pretended to have no knowledge and the pre-planned bombing proceeded. In 1994, Nokoya Khamthy revealed:

The individual providing info to the Pathet Lao was close to Souvanna and followed Souvanna very closely. He passed on bombing info and targets to the Pathet Lao through Soth Pethrasy [the Pathet Lao's representative in Vientiane]. Soth then transmitted the info to Sam Neua. The US embassy, as you know, is located just the opposite side of the road, nearly face-to-face with the Pathet Lao residence, knew about all these activities but pretended to be completely ignorant.<sup>145</sup>

In May 1967, both the Indians and the Poles placed US bombing on the agenda for discussion. The Canadians agreed to discuss the item and to investigate US bombing. For

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<sup>143</sup> DFAIT. Vol. 2, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, August 2, 1967 and RG 25, Vol. 9492, file 21-13-Laos-43, P. S. Cooper, "Statement re items 13 and 14," [n.d.] and Cooper to Deva, January 30, 1968.

<sup>144</sup> See biographical sketch No # 32.

<sup>145</sup> Interview, June 27, 1994.

Ottawa, an ICSC investigation seemed unlikely to uncover any startling news.<sup>146</sup> The Canadians, however, would simply not agree to send the Co-Chairmen a report containing communist allegations of US violations. The ICSC must investigate and report as required. The Poles were taken aback and for the remaining years of the Land of the Million Elephants, neither the Poles nor the Indians pursued this matter. Even during the Lam Son operation, the Poles were not willing to investigate because, they argued, the Pathet Lao did not ask for any investigations. New Delhi supported Warsaw.<sup>147</sup> Looking back, Phagna Ngon concluded: “We, the RLG, expected the Poles to behave the way they did. We did not expect the Indians to do the same.”<sup>148</sup> Neither the Indians nor the Poles, Prince Mangkra added, would do anything, “much to the chagrin of their Canadian colleagues.”<sup>149</sup> But, despite Canadian frustration, Ottawa did not withdraw. It did reduce its commitment, personnel and resources, and that was appropriate. Even as early as the mid-1960’s, Laos had been relegated to the international sidelines.

The Communists never abided by the 1961-62 Geneva Agreement. The Coalition government soon ruptured. The Neutralists became the primary focus of communist

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<sup>146</sup> Interview with R. Louis Rogers, January 30, 1996.

<sup>147</sup> DFAIT. Vol. 1, file 21-13-Laos-ICSC-4-9, Candel (Laos) to External Affairs, August 21, 1969, “337<sup>th</sup> formal meeting;” Vol. 2, file 21-13-Laos-ICSC-4-7, Candel (Laos) to External Affairs, August 21, 1969; Vol. 5, file 21-13-Laos-ICSC-6, Candel (Laos) to External Affairs, April 9, 1969; Vol. 8, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs, February 19, 1971 and Candel (Laos) to External Affairs, February 23, 1971; Can High Com (New Delhi) to External Affairs, February 26, 1971; Vol. 9, file 21-13-Laos-ICSC, Can High Com (New Delhi) to External Affairs, March 6, 1971 and External Affairs to Can High Com (New Delhi), March 11, 1971; Can High Com (New Delhi) to External Affairs, March 26, 1971; Candel (Laos) to External Affairs, March 12, 1971; and E. A. R[itchie]. “Memorandum for the Minister: International Control Commission in Laos,” March 24, 1971.

<sup>148</sup> Interview with author, June 27, 1994.

<sup>149</sup> Letter to author, October 1, 1994.

destruction. The ICSC was never allowed to operate effectively. The Laotian question became increasingly overshadowed by the Vietnam conflict. The North Vietnamese and the Pathet Lao would push matters to the breaking point and then pull back to prevent American retaliations. The USSR failed to live up to its obligations under the Geneva Accords and Kennedy-Khrushchev understanding at their Vienna meeting. In the process, the US re-involved itself in Laos as part of the larger and brutal struggle in Vietnam. The western press soon shifted its focus from Laos to Vietnam, where an open military confrontation as well as the tempo of the ideological struggle began to engulf the area.

## CHAPTER 6: THE FINAL YEARS, 1970-1975

After years of fighting, the protagonists moved to the negotiating table as part of a general trend towards *détente*. The US decided to withdraw itself from the bloody conflict in Vietnam. The US and the North Vietnamese, after a series of difficult negotiations, finally agreed to a peace settlement in Paris in 1973.<sup>1</sup> The Laotian factions, too, held peace talks. They finally reached a political settlement by themselves. In the pages that follow, we will look at the terms of the Laotian settlement and its relationship with the 1962 Geneva Accords and the implications for Canada as a member of the 1962 Conference and a member of the ICSC.

### THE VIENTIANE AGREEMENTS

The Laotians themselves signed a peace agreement in Vientiane on February 21, 1973. A new coalition came into effect immediately. It comprised of two parts: a political and a military dimension. The political one gave the Pathet Lao a control of half of the administration of the RLG while the Pathet Lao retained complete control over their political, military and administrative infrastructure. Both Vientiane and Luang Prabang, the administrative capital and the royal capital, respectively, became neutralized. Both the Pathet

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<sup>1</sup> For a general background on the Paris Peace Talks, see William, Burr. *The Kissinger Transcripts: The Top Secret Talks with Beijing and Moscow* (N. Y., 1998); Larry, Berman. *No Peace, No Honour: Nixon, Kissinger and Betrayal in Vietnam* (Toronto, 2001). For the North Vietnamese view, see Loi, Luu Van and Vu, Nguyen Anh. *Le Duc Tho-Kissinger Negotiations in Paris* (Hanoi, 1996). This book is based on North Vietnamese archives. For the Chinese view, see Odd Arne, Westad, Chen Jian, Stein Tonnesson, Nguyen Vu Tung, and James G. Hersberg. (eds.). "77 Conversations between Chinese and Foreign Leaders on the Wars in Indochina, 1964-1977." *Cold War International History Project Working Papers, No. 22* (Washington, D.C., 1998).

Lao and the Vientiane government jointly administered these two towns. The military agreement laid down the terms of the cease-fire agreement. The ceasefire agreement was to become effective the following day at noon. Unlike the 1962 Geneva Accords, there was no international involvement and no solemn guarantee of its neutrality and territorial integrity. The ceasefire assigned the primary responsibility for implementing its clauses to a joint commission, composed of the two belligerents. In the event that they could not resolve their differences, the ICSC would assist them to iron out matters.

#### THE CANADIAN CONSIDERATION

The Laotian Agreement raised a number of crucial issues. What was the relationship between the 1973 Vientiane Agreements and the 1962 Geneva Accords? Was there a legal obligation on the ICSC to stay on in Laos and to carry out supervision? If there was, how would the ICSC interact with the Joint Military Commission? If not, what would happen to the ICSC? Should it remain *in situ* indefinitely?

One of the requirements that the RLG insisted on during the entire negotiation was an effective mechanism to ensure a strict observance and a faithful implementation of whatever agreement both sides arrived at. For the RLG, this meant an active and an unhampered ICSC so that it could supervise and control the cease-fire agreement and foreign troop withdrawal. The communists opposed such a mechanism. Mitchell Sharp, the Canadian Secretary of State for External Affairs, attended part of the Paris Peace negotiations. Of special interest to Canada was the control mechanism and an enforcing instrument on the strict observance of the cease-fire. No one really cared about how implementation would work out and how infractions

would be communicated to the world: In 1994, Sharp recalled that

I went to Paris to try to persuade the international representatives who were there that there should be a way in which the peacekeeping supervisory group could make its reports public. I suggested that the reports should be made to the United Nations through the Secretary General. That was rejected [by the whole group]. There was no support from anybody. As a matter of fact, I was so angry at the way they humiliated the Secretary General as if it didn't matter. He was there and I rose to his defence and he told me 'No! No! That's alright.' They did not expect any real result. That's why I said 'it is a farce.'<sup>2</sup>

Like their masters in Hanoi, the Pathet Lao refused to allow an effective ICSC. Washington nevertheless was prepared to pay a large portion of its operating costs, if only to convince the RLG to accelerate the negotiations, to facilitate the US withdrawal and to lend in any shape or form all possible legitimacy to the process. Indeed, the US was prepared to accept a late arrival of the ICSC teams, even two weeks after the cease-fire had come into effect. The Canadians subsequently learned that the US had drafted and the USSR had contributed to the ICSC governance issues. Ottawa also learned that Moscow wanted to relinquish its Co-Chairmanship in Laos.<sup>3</sup> If Moscow was unenthusiastic, it would be even more difficult for Ottawa to continue.

Over the years, Canadian frustration had grown steadily. Ottawa was very reluctant to continue. To ensure that its position was sound, Ottawa, as a starting point, evaluated the prospect of maintaining an effective and a lasting cease-fire in Laos. Ottawa believed that "on the basis of purely Laotian considerations . . . on balance . . . the prospects . . . were quite good." However, since the Laotian cease-fire "is intimately connected with that in Vietnam," available intelligence suggested the Laotian "cease-fire will not last beyond the initial 60 day

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<sup>2</sup> Interview, October 2, 1994 and Mitchell Sharp. *Which Reminds Me ... A Memoir* (Toronto, 1994), p. 214. Hereafter cited as Sharp. *Memoir*.

<sup>3</sup> DFAIT. Vol 12, file 21-13-Laos-ICSC, Can High Com (London) to External Affairs, February 14, 1973.



period.” “Hanoi and its clients will initiate military actions if they considered trends detrimental to their interests.”<sup>4</sup> In response to Ottawa’s request, André Simard, the Canadian Acting Commissioner, wrote that:

It is the opinion of the CDN Del that the long-term prospects for a stable, neutral Laotian govt, even without external influences, are not/not encouraging. Souvanna is certainly the only one who could maintain stability. However, he is elderly [then 73 years old] and is not/not expected to remain active and effective much longer. More likely, in our view, is the eventual triumph of the Pathet Lao with, of course, strong North Vietnamese support, either by covert political and military action or by open warfare.<sup>5</sup>

Hanoi’s military occupation of eastern Laos, Simard continued, had been accepted by some as permanent. Any renewed fighting would lead to Hanoi occupying more land. This would in turn lead Thailand to occupy the Laotian territories west of the Mekong river. Thus, there would be a partition and the eventual disappearance of Laos. The future looked very bleak.

Friendly countries and many of the 1962 Geneva participants wanted Canada to continue. It was difficult for Ottawa to refuse participation in Laos while it had accepted it in Vietnam. Sharp explained that, notwithstanding the advice of his officials, Canada accepted participation in Vietnam because Ottawa had wanted for a very long time the Vietnam war to end; if the only way to do that was for Ottawa to participate, then Ottawa would do so for a limited period.<sup>6</sup>

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<sup>4</sup> *Ibid.*, Vol 12, file 21-13-Laos-ICSC, “Memorandum for the Minister: Ceasefire Agreement in Laos,” February 9, 1973; Candel (Saigon) to USSEA, February 28, 1973; Albert F. Hart, External Affairs to Michel Gauvin (ICCS, Vietnam), February 19, 1973 and Can Emb (Moscow) to External Affairs, March 1, 1973.

<sup>5</sup> *Ibid.*, Vol. 13, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs *via* Candel (Saigon), March 15, 1973.

<sup>6</sup> Interview with author, October 2, 1994. See also Daniel Molgat, “The Sequel: Canada Does it Again in Vietnam, April 1968 - May 1973,” pp. 174-188 in Arthur E. Blanchette. (ed.). *Canadian Peacekeepers in Indochina, 1954-1973* (Kemptville, 2002) and Sharp’s introductory comment in *ibid.*, pp. IX-XI.

Calling on Souvanna on March 14, 1973 to inform him of Sharp's impending visit, Simard noticed that Souvanna was "tired and in less bouyant moods." Souvanna was not hopeful. The Pathet Lao "continue to defame, to lie and to scheme." They "had adopted all vicious habits of NVNESE [North Vietnamese]." They had "no intention of accepting practical union of Laos nominally governed according to single policy." Thus the ICSC "would not/not be permitted free access to Pathet Lao territory and would therefore have only ltd [limited] role." Simard also sensed Souvanna's helplessness and fatalism. Laos, Souvanna continued, "was doomed to eventual communist takeover." The communists, Souvanna said,

were too disciplined and cohesive and their opponents too fragmented. He could not/not understand why friendly countries [such as] CDA [Canada], Australia and USA provided so much assistance to Communist countries and neglected, indeed undermined, their friends. Whole drift of USA policy was particularly disturbing. He did not/not acknowledge that great power *détente* would have any beneficial effect on Laos. He did not/not even have his usual hopeful words re:- China's moderating influences, although he admitted it better understood Laos than did USSR and paid RLG more atten[tion]. France had no/no power and could not/not fill void left by USA.<sup>7</sup>

Souvanna concluded by saying that "there was little point in continuing the struggle." Anticipating Ottawa's policy decision, Souvanna made known that should Canada decide to withdraw, the 1962 Geneva participants "would just have to find some other candidate."

Sharp arrived in Laos in mid-March. The Souvanna/Sharp conversation of March 17 centred on Souvanna's view of the Indochina situation, the Laotian settlement, the ICSC and the withdrawal of Hanoi's troops.<sup>8</sup> Souvanna hoped that Canada would assist Laos in establishing peace as its role on the ICSC was "telling and primordial." "There was no sign of

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<sup>7</sup> DFAIT. Vol 13, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs, March 15, 1973.

<sup>8</sup> *Ibid.*, Vol 13, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs, March 20, 1973 and Sharp. *Memoir*, p. 215.

good faith from the other side.” The Pathet Lao was “creature of and was directed by Hanoi, which needed trail for passage of its own troops.” Hanoi was following Ho Chi Minh’s testament and wanted to dominate all of Indochina. Hanoi had violated every single agreement it had ever made regarding Laos. The Bandung spirit, peaceful co-existence and both the 1954 and 1962 Geneva Accords afforded Laos no protection. Worse, the US was “withdrawing completely from Laos with result that situation was becoming more difficult.” Thus, Laotian problems would have to wait a Vietnamese settlement.

On the Laotian settlement, Sharp asked whether the 1973 Agreement conformed to the 1962 framework and the new government was the same as that in 1962. “PM said no.” The agreement between the Laotian parties was different. “Other side had won,” Souvanna stated, “in sense that they had now 50% share of govt portfolios whereas in 1962 they had only four.” The RLG “had been obliged by situation, with its troops tired, its resources exhausted and USA aid being withdrawn, to stop fighting.” Continuation of war would have been impossible. “If its only adversaries had been the Pathet Lao, there would have been no/no problem, but unfortunately they were not/not.” Following the signing of the Cease-Fire Agreement, Souvanna revealed, several Soviet leaders sent congratulatory telegrams to the King and Souphanouvong, but not Souvanna. Only Chou En-lai sent one to Souvanna.

On the issue of the NVA withdrawal, Souvanna was not at all hopeful. He revealed that the US had made “many private and secret warnings to Hanoi,” but nothing happened. Activities along the Trail had not decreased. Hanoi was as determined as ever to conquer South Vietnam and the “war is not over.” The “USA might get its POWs and disengage [but] the future was not/not rosy.” In fact, Souvanna continued, the “US might find it very difficult to re-intervene” given public opinion. Sharp interjected that the “USA maintained NVNESE [the

North Vietnamese] would observe agreement, which was one of strong arguments it put to CDA and Laos.” Souvanna then responded that he had told US President Richard M. Nixon many times that “this would not/not be the case; he knew mentality of NVNESE and no/no confidence in them.” Hanoi’s violations were more than sufficient to support his view.

On the ICSC and its mandate, Canada’s two-decade-long experience had been very discouraging. Should Canada decide to continue, would the Laos ICSC, Sharp asked, be effective? What level of force did Souvanna think appropriate for the tasks ahead? Would it be allowed to move freely? Would it be in a position to conduct investigations along the Ho Chi Minh Trail? Souvanna accepted the potential risk that, as an impartial ICSC member, Canada would demand investigations of alleged non-communist infractions. But the RLG had nothing to hide. As far as investigations along the trail were concerned, Souvanna “said it would be blocked by disagreement within the new coalition govt.” The NVA were required to leave Laos in 1954 and in 1962. They never did. The “NVNESE were untrustworthy and only way they could be persuaded was by force.” Souvanna then disclosed that, during his recent visit to India, he had told Indian Prime Minister Indira Ghandi that 500 soldiers would suffice. To carry out its tasks, there should be forty 4-member teams. Many of these teams should be stationed at strategic locations or point of entry between Laos and North Vietnam. The rest of the teams could be stationed in Vientiane and sent out as required. Souvanna counted more on the US and “a somewhat embarrassed USSR” to help safeguard Laotian interests.<sup>9</sup>

Sharp also met other RLG ministers, western and USSR diplomats, and Polish and Indian ICSC members. They all wanted Ottawa to continue. Canadian participation, for the West, was essential “not/not because Commission or CDA [Canada] had great deal to

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<sup>9</sup> DFAIT. Vol 13, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs, March 19 and 22, 1973.

contribute but because [Canada's] withdrawal might precipitate collapse of Commission and rupture delicately woven fabric of tentative settlement." No one, however, had "any illusion that the ICSC would be so helpless and so ineffectual that the ICSC will simply linger on as it had done for years."

Sharp also met the Pathet Lao in "an impromptu meeting." They saw Canada "as least harmful, if not/not most desirable to serve presentational function on ICSC." General Phoune told Sharp that the ICSC's role "would only emerge from agreement of Laotian parties." In other words, Canada was nothing more than a "small part of the theatrical backdrop to a drama on centre stage."<sup>10</sup> In 1994, Sharp recalled:<sup>11</sup>

When I saw Souvanna Phouma, he wanted Canada to stay in the peacekeeping group, but I don't think he had any illusions. He said 'you are going to North Vietnam.' I said 'yes'. He then said 'If you go, tell them to stop.' I asked each of the leaders in South Vietnam, in North Vietnam and in Laos I met whether they want Canada to continue? They all said 'yes.' The North Vietnamese were not very enthusiastic about it. They said 'you are there, stay there.' But I don't think they expected anything.

That short meeting completed the Canadian decision: withdraw the delegation without terminating Canadian obligations assumed in 1962. From Laos, Sharp continued on to Hanoi.

Ottawa, meanwhile, studied the Laotian Agreement, particularly the provisions related to the ICSC's role and responsibilities as well as the legal connectivity between the 1962 Accords and the Vientiane Agreement. That legal study concluded that, despite Article 12 of the Vientiane Agreement, Canada was not bound by it. The 1962 Accords were an international agreement, involving 14 countries. The Vientiane Agreement was a purely Laotian doing. There was absolutely no legal basis to force Ottawa's hand. By this time, however, legal

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<sup>10</sup> *Ibid.*, Vol. 12, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs, May 21, 1973.

<sup>11</sup> Interview with author, October 2, 1994 and Sharp. *Memoir*, p. 215.

arguments had become purely academic. They provided the necessary pretext for withdrawal. The fact of the matter was that, as far as Ottawa was concerned, the Laos ICSC “has been and continues to be a farce.”<sup>12</sup> There was also another, an even more important reason, as we shall see, for Ottawa’s decision: its fear of becoming an accomplice in the betrayal of Laos, in lending legality to the Pathet Lao take-over of Laos and in providing legitimacy to Hanoi’s complete conquest of Indochina *via* an international mechanism and framework.

Between February and March, 1974, Ottawa set in motion several steps that led to the withdrawal from Laos.<sup>13</sup> The Under-Secretary of State, on February 22, recommended to the Minister that Canada propose the adjournment of the ICSC *sine die* because, under the 1962 Accords, the ICSC had become totally ineffective, the ICSC had been rendered redundant and irrelevant by the Vientiane Agreement; and the Laotians themselves had successfully formed a new coalition government without the involvement of the ICSC and the Geneva participants. To lessen the impact of this move, Ottawa should establish diplomatic ties with Laos with dual accreditation from its embassy in Thailand.

## THE CANADIAN WITHDRAWAL

Ottawa instructed its diplomats to inform the host countries by March 11, and asked the

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<sup>12</sup> DFAIT. Vol 13, file 21-13-Laos-ICSC, Daniel Molgat, East Asia Division, to Parry, Legal Division, September 18, 1973 and Vol. 14, file 21-13-Laos-ICSC, A. W. Robertson, Director, Legal Advisory Division, to D. Molgat, the East Asia Division, September 21, 1973; External Affairs to Candel (Laos), Can Emb (Moscow, Warsaw and Washington) and Can High Com (London and New Delhi), September 21, 1973.

<sup>13</sup> *Ibid.*, Vol. 14, file 21-13-Laos-ICSC, A. E. Ritchie, “Memorandum For The Minister: Reactivation the ICSC in Laos,” February 22, 1974 and The USSEA to the Canadian Delegation to ICSC - Vientiane, March 5, 1974, “USSEA’s memorandum of February 22 to the Minister: Adjournment of ICSC Laos.”

Canadian delegation in Laos to press for an ICSC meeting on March 29 with the intention of introducing an *sine die* adjournment resolution. Many friendly countries questioned the Canadian decision; others the timing. A number of the Geneva participants simply took note of the Canadian decision.<sup>14</sup> Souvanna accepted the withdrawal as irreversible and made no effort to persuade Canada to remain. He listened, Simard reported,

throughout my expose, without interruption, showing the impossible and unreadable oriental face. [When I finished] The P.M. leaning forward said that evidently it was up to us to take the decision we considered the best. He indicated that we could in fact decide to pull out, if it was the result of a careful examination. There was no way he could restrain us from following such a course. We could interpret the agreement and the Protocol the way we wish, but as far as he was concerned the reference made into these two texts to the Geneva Accords were sufficient to keep them in force and provide us with a useful role to play to which we were committed. . . . Finally, P.M. further added that . . . the co-presidents [the Co-Chairmen] were still existing and therefore he could perhaps request them to find a suitable replacement for us. . . .<sup>15</sup>

Souvanna was silent on the idea of diplomatic representation. Diplomatic ties, Ottawa thought, should be established before June 15.

Commenting on Souvanna's reaction, some Canadian diplomats thought that Ottawa might wish to moderate the tone of its language, which appeared to have been insensitive to Souvanna's concerns. In particular, the High Commission in London recommended, Ottawa should

avoid any action damaging to Souvanna's influence in Laos.

After Souvanna has managed to get agreement on coalition at some considerable cost to him in terms of effort, status, resolve and hope for future of Laos, CDS move may

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<sup>14</sup> *Ibid.*, Vol. 15, file 21-13-Laos-ICSC, A. E. R[itchie], "Memorandum For The Minister: Reactivation of the ICSC in Laos," March 5, 1974 and External Affairs to Can High Com (London, New Delhi, Canberra, and Klump), Can Emb (Washington, Moscow, Paris, Bangkok and Peking) and to Candel (Laos and Saigon), March 8, 1974; A. E. R[itchie], "Memorandum for the Minister: Adjournment of Laos ICSC," March 15, 1974 and External Affairs to Candel (Laos) March 19, 1974.

<sup>15</sup> *Ibid.*, Vol. 15, file 21-13-Laos-ICSC, Candel (Laos) to External Affairs, March 13, 1974. See also *Lao Presse*, March 21, 1974 and *Vientiane News*, March 24, 1974.

be perceived as indicating lack of confidence in him. As for Souvanna this is all more wounding since he must have considerable anxiety over coalition in any case and CDN del has over the years been reliable element in any situation influencing Commission (albeit only with occasional success) toward active work but away from communications and pronouncements blatantly one-sided and designed to discredit RLG while affording cover for NLHS and DRVN. It is not/not surprising that in circumstance our present initiative, while causing no/no concern in quarters which favour expansions of DRVN control in Laos and little interest elsewhere, should offend Souvanna as being action which hurts only him at moment when doubtless would like to feel he had some call upon CDN interest and moral support. His lack of interest in exchange of diplo[matic] representation possible reflects opinion that outside Commission we will be even less effective than we have felt we were when inside it.<sup>16</sup>

Others were much more critical. Withdrawing from Laos would indicate a lack of Canadian interest and the Asians would not understand why Canada would pull out at such a critical moment when peace was at its most fragile state. Reaction from Ottawa was swift. The response finally revealed the real reasons - or at least one of the main reasons - for Ottawa's decision. Daniel Molgat, then director of the East Asian Division, wrote:

Fundamental question is what we would really be doing, in our own views, if we remained in Indo-china in Commission role. . . . It seems to us probable that in Laos and before long in Cambodia, what we are witnessing is the beginning of the final phase of Indo-China war: DRVN has won or is winning, at least in sense of having set in train process which will probably lead to achievement of what DRVN wants. Their victory in Laos has been (and their probable victory in Cambodia might yet be) papered over with semblance or pretense of local compromise among local adversaries. What we are being asked or may in future be asked to do is to lend superfluous element of respectability to that pretense. In longer run, what we are being asked to do, by accepting even more important and silent Commission role than in past, is to give respectability by our silence to process which may amount to slow-motion Asian rerun of Czechoslovakia 1948. If only out of concern for future of Asia, it seems to us we serve cause best by treating proposition with disdain it deserves, demonstrating that twenty years experience have at least taught us to recognize a fraud when we see one. Option we have chosen, therefore, is to walk away from proposition (and Commission role in Indochina) as legally and as reasonably as we can, leaving Asia countries and our own public opinion to draw own conclusions.<sup>17</sup>

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<sup>16</sup> DFAIT. Vol. 15, file 21-13-Laos-ICSC, Can High Com (London) to External Affairs, April 1, 1974.

<sup>17</sup> *Ibid.*, Vol. 16, file 21-13-Laos-ICSC, External Affairs to Can Emb (Jakarta), May 3, 1974.



Canada refused to be an accomplice in the betrayal of Laos and in legitimizing Hanoi's conquest.

Charles J. Small, the Canadian ambassador in Peking, reacted more strongly, and gave different advice.<sup>18</sup> For the second time in less than a year, Small began, Ottawa "had acted unilaterally and against the wishes of other concerned, to upset innatl [international] peacekeeping arrangements arrived at laboriously with CDN acquiescence and/or assistance." Withdrawing from Vietnam and removing Canadians from Laos "are curious ways indeed of demonstrating CDN interest in and support for peacekeeping *per se* and for Asia/Pacific region - both avowed foreign policies of CDA." Had Ottawa forgotten that, after the 1958 adjournment, Canada and the West were forced into the 1961-62 Conference? Withdrawing at this moment seemed to reveal Canadian unrealistic expectations for Asian realities; when the going got tough, Canada could not be counted on. "In political matters," Small continued,

Asians tend to disregard short run in deference to indefinite future. . . . Hence their infinite patience in moving toward distant goals, even though to western eyes apparent lack of sense of urgency seems more like procrastination, indolence and downright inefficiency. Maddening as this may be, it is fact to be dealt with and impatience has no/no place in doing so. It must be admitted that super-imposition of communism on existing Asian tendencies has added new dimension to their normal proclivities . . . . It is difficult to deal with such a situation but departing abruptly at this stage seems least likely to bring positive results. In other words when dealing with Asians - communist or other - first requisite is patience; second is intelligence; third and most important is patience. It is my view that we should have soldiered on in Vietnam and should now do so in Laos, at least until parties concerned feel sufficiently confident to manage without ICSC.

Withdrawing personnel from Laos, Small continued, while retaining its membership

appears from here to guarantee to CDA worst of all worlds. Any kudos we might garner for our realism would be lost in odium acquired from combination of retreat with hand-on-heart assertions of readiness to return. Who will believe us, especially after earlier

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<sup>18</sup> *Ibid.*, Vol. 15, file 21-13-Laos-ICSC, Can Emb (Peking) to External Affairs, May 10, 1974.

example of total withdrawal from Vietnam? If action announced is simply a ploy to galvanize parties concerned into useful activity - and even if it succeeded - it is a bad one: it can only leave bad taste in mouth of Asians (and others involved) and tarnish further CDAs innatl [international] reputation.

Molgat again responded with speed and equally strong language.<sup>19</sup> He rejected the arguments and reminded Small of the bare minimum requirements of respectability: an effective ICSC and clear Canadian responsibilities under the 1962 Accords:

Important as it is for us to understand Asian psychology, the Asians concerned might also see some advantage if not/not obligation in taking some account of CDN psychology which is particularly sensitive on issues of ineffective innatl supervision . . . . Despite clear warnings which SSEA have made to him in Mar/73, Souvanna chose to (or had to) cast us in role which he knew was unacceptable to us and in that context, your advice: patience, endurance and soldiering on is akin to 'prêcher la patience à un cocu.' [Preaching patience to a cuckold]. . . . If some Asians and others will concoct non-roles which are essentially aimed at face-saving (and not/not just Asian faces) they should look to some other country for participation . . . . Phrases like 'tarnish CDAs innatl reputation,' which you used, provoke fairly strong reaction here precisely because we are concerned by effects on CDAs innatl reputation of participation in innatl farces like reactivated Laos ICSC or Viet-Nam ICCS. . . . CDA has had 20 years rough going in Indochina; CDA participated in Viet-Nam ICCS when going was rough and left it as it began to transform itself into general debating club; and Laos ICSC which we are leaving shows no/no prospect of being rough; it is clearly intended, on contrary, to be inactive and undisturbing to any except those participants who are concerned to do an honest job of work. One out of three, at latest count. . . . Laotians defined for us a role which is clearly sub-standard. We have said no/no to that role, and for that we make no/no apology.

Ottawa had earlier, on March 21, instructed Simard to call for an adjournment.<sup>20</sup> Both the Poles and the Indians claimed to have insufficient time to study the Canadian proposal. Then, an official invitation from the Laotian government arrived. Both the Indian and the Polish delegations insisted on discussing reactivation of the ICSC. For them, reactivating the ICSC and accepting the Laotian invitation were purely procedural matters. The Indian

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<sup>19</sup> *Ibid.*, Vol. 15, file 21-13-Laos-ICSC, External Affairs to Can Emb (Peking), May 14, 1974.

<sup>20</sup> *Ibid.*, Vol. 15, file 21-13-Laos-ICSC, External Affairs to Candel (Laos), March 21, 1974.

delegation introduced a motion to that effect. The Canadians resisted. In the end, an Indian-Polish majority vote carried the day.

Ottawa decided on its next move: withdrawing the Canadian delegation without terminating its membership in the ICSC. That decision came into effect on June 15. The other two delegations remained. The Canadians subsequently learned that when C. R. Gharekhan, the Indian chairman, made his farewell call on Souphanouvong, the Red Prince thanked him and the Indian government “for providing the ICSC as a useful tool for the Pathet Lao as its presence lent legitimacy to the 1973 Accords.”<sup>21</sup> Once the Pathet Lao took over Laos, General Phoune, then Foreign Minister, on December 22, requested dissolution of the ICSC by noon on December 31, 1975, unless objection was voiced by February 22, 1976. No one said anything. With Phoune’s letter, the 1962 Accords ended. So did the two-decade long Canadian participation in Laos.

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<sup>21</sup> *Ibid.*, Vol. 15, file 21-13-Laos-ICSC, Can Emb (Bangkok) to External Affairs, July 29, 1975.

## CONCLUSION

For two long decades, Laos and the ICSC had never managed to capture international attention for very long. The problems they faced were rarely their own; invariably, the ICSC was forced to deal with the spill-over from the Vietnam conflict. Laos and its problems, just like the work of the Laos ICSC, were thus tackled through the distorted lens of Vietnam. Decisions affecting the Laos ICSC were mostly handled by a few upper and middle-ranking External Affairs officials. Seldom would Laos and the ICSC reach the desks of the most senior bureaucrats or cabinet members.

The Geneva Accords, crafted in 1954 and 1962, were the best that could have been obtained under the circumstances. The two Accords contained many crucial ambiguities. The inadequacy of the terms of the Geneva Accords, and the ways in which both the Indians and the Polish played their hands in the ICSC, conspired to make the ICSC largely ineffectual in its various tasks. The Geneva Accords posed a series of terrible problems for the ICSC to deal with in terms of its control and supervision of the settlement and left a tremendous scope for the North Vietnamese to pursue their over-all Indochina-wide regional imperialism.

The imprecise wording of the first Geneva Accords gave rise to differing interpretations. The Accords, arrived at through a series of difficult negotiations, reflected the desires of both sides to stop the fighting and obtain the necessary breathing space for plotting long-term objectives. For the communists, in general, and for the North Vietnamese in particular, the settlement was merely a sign post in their historical southward march. The Pathet Lao would serve as the agent in the transformation of Laos into a Vietnamese satellite. Hanoi's

demand for half of Laos as the liberated zone for its Pathet Lao client, and the eventual retention of the two northern provinces, served that purpose. While the Accords certainly made provision for the regrouping of opposing forces, particularly the Pathet Lao and their North Vietnamese allies in the provinces of Phong Saly and Sam Neua, the actual size of the reassembly zones was unspecified. Nor was it sufficiently clear what the phrase “pending political settlement” meant, what would constitute “a political settlement” regarding the fundamental status of Phong Saly and Sam Neua, and when exactly the termination of the Commission’s existence would be. There was no authority to force the Pathet Lao to enter into a settlement. No one could ensure Hanoi’s non-interference.

The second Geneva Accords did not fare any better. Supplemented by a series of additional private understandings such as the Kennedy-Khrushchev agreement, the Harriman-Pushkin entente and the Harriman-Lall undertakings, the 1962 Accords, a product of a fourteen-country negotiation, offered Laos no protection and no peace. The USSR failed to live up to its promises and failed to “police” the communist side. The Co-Chairmanship did not function as intended, serving more as a forum for stymying the Accords than as an ensuring or enforcing mechanism for a strict implementation of the agreement. All the ICSC documents and reports were sent to the Co-Chairmen confidentially. Unless they agreed, violations and infractions would not be aired in any timely fashion. This meant, in practical terms, a Soviet veto over the ICSC’s performance, combined as it was with Soviet political support for the Pathet Lao, Soviet acquiescence in the North Vietnamese violations and Soviet diplomatic support for the Pathet Lao and the North Vietnamese on the international stage. There was no final authority or accountable body in the 1962 Accords to adjudicate disputes. No one was in a position to force Hanoi’s compliance with the provisions for the withdrawing of its troops,

of non-interference in Laotian internal affairs and of not supporting the Pathet Lao, of not violating Laotian territorial integrity and of not using Laotian territories to interfere in the internal affairs of others. Despite the communist claim, the 1962 Accords did not dictate the form of the RLG, did not guarantee the Pathet Lao's continued existence and did not underwrite the coalition government. Both Accords were compromises and political statements, not quasi-judicial documents.

The mechanism for overseeing the implementation of the two Geneva Accords also contained a built-in difficulty. The troika ICSC, as an instrument of compliance, reflected the actual geopolitical reality of the time, with three basic philosophical outlooks and ideological currents. India represented the non-aligned movement, Poland the communist side and Canada the western liberal democratic political tendency. This built-in cold war ethic did not lend itself to impartiality. Nor was there any legal recourse to redress obstructions. Beyond normal diplomatic channels and the ineffective ICSC forum itself, the means of influencing the views and behaviour of its member countries or for bringing pressure to bear on the dissenting parties were limited. The only assurance against blatant obstructions and violations was a trust, an act of faith that India would conduct itself in a judicious, consistent, balanced and non-partisan manner. There was no "open mouth" policy which would have allowed an airing of all views and frustrations immediately in case of conflicting claims or inaction on the part of any one member.

Canada was chosen in 1954 to represent the "west" because of its political culture, tradition, values and military commitment. Archival sources indicate that Canada was well aware of what was at stake. The decision to accept the two-decade-long participation was based on the idea that the world was full of dangers and that conflicts in far corners of the globe could

easily ignite a major and direct military confrontation between the superpowers. Their confrontation could lead to nuclear destruction. If by serving on the Indochinese ICSCs, Canada could lessen that danger, then it would have contributed to peace. By the time the invitation to serve on the Indochinese Commissions arrived, Canada had already been involved in a number of peace-observation undertakings in the Middle East and Kashmir. The Indochinese ICSCs were a logical extension of the new Canadian internationalism. Participation reflected the recognition that the struggle against communism needed not be based exclusively on military means; the struggle should be comprehensive, with significant emphasis on socio-economic and political fields. In order to halt and, then, to defeat communist expansion, it was necessary to win the hearts and minds of the poor nations emerging out of decolonization. One of the more “profitable” mechanisms in the struggle to earn allegiances and loyalties was the ability to help them with disputes and difficulties through peaceful means. International peacekeeping and peace observation missions, then, served to reinforce Canada’s reputation abroad and to distinguish it from its western allies as having a positive and friendly disposition towards the less fortunate. Intangible but traditional diplomatic traits and skills, coupled with economic assistance, would help earn friends and allies in the fight against communism. For Ottawa, the Indochina peacekeeping mission was part of that larger struggle and cause.

Archival materials indicate that, while keeping informed and consulting its friends and allies, Canada did not subject its policy initiatives and decisions to the wishes of its friends and allies. Canada operated, as much as possible, in an impartial and judicious manner in the implementation of the Geneva Accords. Ottawa recognized that Laos needed military materials sufficient for its defence, and Ottawa defended that position in the ICSC. Ottawa also

recognized that Laos needed to live in peace with its powerful communist neighbours. Joining the South East Asian Treaty Organization (SEATO) was not in the interest of Laos. Remaining neutral was no guarantee against communist subversion, but joining an anti-communist military alliance was the surest way of inviting immediate, forceful and overt communist responses that would include military actions. Laos should concentrate on combating subversive activities and should try to win the hearts and minds of its population. If the precondition for that was a more neutralist posture, then so be it. Ottawa, indeed, accepted the RLG's move in that direction. To further these objectives, Ottawa urged Washington to moderate its rather harsh posture against Laos, to tone down its rhetoric and to soft pedal its activities. Ottawa also encouraged the US to work with the French in training the Laotian army. The French, under the Geneva Accords, had the right and obligation to do so. Ottawa also wanted the RLG to respect the spirit of the Geneva Accords even after a political settlement in Laos had been reached and the ICSC had departed. Adhering to the principles and spirit of the Geneva Accords was important.

Ottawa, meanwhile, balanced its responsibilities and obligations between its membership in the western alliance and its role as an ICSC member. Between 1954 and 1958, Ottawa supported the RLG as a response to a combination of Indian inactiveness and tenacious search for compromise and Poland's blatant support for the Pathet Lao and the North Vietnamese, as so clearly demonstrated in the attempt to restore the RLG's sovereignty over Phong Saly and San Neua. Ottawa supported a search for a political settlement by agreeing to the ICSC's involvement in security arrangements and transportation. Canada, however, refused to allow the ICSC to be involved in the 1958 Laotian election. For Ottawa, elections were Laotian internal affairs and the exclusive jurisdiction of the RLG. After the 1962 conference, the Canadian delegation actively participated in restoring the coalition government in 1964,



when the rightist coup occurred, and supported an ICSC condemnation of the rightist encirclement of the Polish residence. The Canadians, furthermore, proposed a peace conference on Laos as a means of settling the Vietnamese conflict. The Canadian delegation also had been prepared, on a number of occasions, to investigate United States bombing activities in Laos. The ICSC did not investigate any communist complaints because of the Pathet Lao's refusal to provide the ICSC with the necessary assistance. Canada was more than patient as it searched for compromises, hoping to obtain Indian support and allowing the Indians to maintain their professed neutrality in carrying out their responsibility as the ICSC chairman. Not wishing to paralyse the Commission, Canadians avoided, on several occasions, confrontations with the Poles. Canada practised the diplomacy of constraint as much as the "art of the possible" in Laos for almost twenty years. Canada's persistence demonstrated "loyalty to the process" as much as "loyalty to the intended results." In the process, between 15 to 30 percent of the Canadian foreign service officers and military served in Indochina, received hands-on military training on Far Eastern/Asia-Pacific matters, developed a whole generation of Far Eastern experts, dealt with both the non-communist and communist Asians, witnessed communist performance and behaviour, and had their negotiating experience and skills sharpened by diplomatic intrigues.<sup>1</sup>

Canada's two-decade-long participation in this non-UN-sponsored peacekeeping was not a success. It was full of frustrating moments and disillusionment. During the first period between 1954 and 1958, the Commission could generously be said to have contributed to the containment of the military conflict in Laos. But, there was never an effective ceasefire. Nor

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<sup>1</sup> Paul Bridle, "Canada and the International Commissions in Indochina, 1954-1972," in Mark Zucker and Stephen Milne. (eds.). *Conflict and Stability in Southeast Asia* (N. Y.: Anchor/Doubleday, 1974), p. 421 and interview with Arthur R. Menzies, August 15, 1994.

was there a clearly defined ceasefire demarcation line. The maintenance of the ceasefire could only work if the two opposing sides faithfully adhered to the Geneva provisions. The RLG did. Often, it undertook military actions in response to the violations of the Pathet Lao and the North Vietnamese. The ICSC demarcation resolutions on Moung Peune and Pong Nang, for example, were completely ignored by the Pathet Lao and the North Vietnamese. The ICSC could also be said to have assisted in the political settlement in Laos by providing an additional channel of communication, security services and logistical support. In terms of real contribution to a lasting peace, there is very little positive to be said. The ICSC was never in a position to prevent Hanoi from interfering in Laotian internal affairs and terminating the Hanoi-sponsored subversion of Laos through the Pathet Lao. Never a master of its own destiny, the Pathet Lao were not allowed to reach a political settlement, unless such a move fulfilled an immediate tactical calculation. The 1955 Rangoon meeting, the 1957 agreement between Souvanna and Souphanouvong, the 1962 Geneva Accords and the 1973 Vientiane Agreements can all be seen in that light.

Under the framework of a political settlement which the Laotians themselves reached in 1957, the ICSC left Laos in 1958. No sooner had it left than war returned and eventually another Geneva Conference was reconvened. The new conference and the new accords, like the previous ones, failed. Inertia soon set in. Initial reluctance to act was replaced with a series of blatant refusals to carry out the responsibilities assigned to the ICSC. Frustrations increased and disillusionment dominated the entire peacekeeping enterprise. This would subsequently lead to a scaling down of Canada's commitment in 1969 and the eventual withdrawal of its personnel from the Laotian operation in 1974. The ICSC's failure was largely attributable to factors over which Canada had very little or no control. The Pathet Lao were completely

intransigent. All efforts made by the RLG to re-integrate the Pathet Lao failed, and the Commission's mandate was fatally weakened.

There were also limits to Canada's ability and capacity to influence its two ICSC partners. Indeed, the troika ICSC provided the communists with an additional, formal and legal mechanism to enhance their claim and interests. Poland, chosen to represent the communists, saw itself as the defender of the communist cause and acted accordingly. The Poles, during the debate for the re-establishment of the Royal authority in Phong Saly and Sam Neau in 1954-55, openly supported the Pathet Lao and the North Vietnamese claim. Polish policies were also designed to discredit the RLG and the right-wing. During the coup in 1964, the Poles moved quickly to take an active role in drafting the ICSC unanimous report. When it came to Pathet Lao and North Vietnamese violations, however, the Poles, despite the evidence, always argued that the evidence had either been fabricated, that the process was flawed or that the result of the investigation was illegal. This biased Polish behaviour was even more clearly demonstrated in the post-1964 era. The Poles refused to participate in the investigations of the fourth and fifth prisoners, the ICSC Message 34 and Message 35, the Dong Hene Incident of 1965, the Lam Son 719 operation and others. Consistent Polish refusals to participate constructively all but paralysed the ICSC. The Poles, in short, acted as they could be expected to act.

The ICSC depended heavily on India. Its action or inaction was the deciding factor. The selection of India as the ICSC chairman clearly reflected its pre-eminent position within the non-aligned movement. Both the communist and the non-communist worlds conceded to India a key role in the re-establishment of peace in the Indochina peninsula. For the communists, India could serve to prevent the resurgence of French colonial rule and to guard

against any US military intervention. For the non-communist world, India, an important member of the British Commonwealth of Nations and with its historical role in Laos and Cambodia, was thought to be capable of a performance tilting towards the west. India, the west believed, might use the ICSCs to re-assert its longstanding influence in the area, to accentuate the cultural division between the Hinduized and sinicized worlds along the Annamite Cordillera, and to protect Laos and Cambodia. At the Afro-Asian conference of the non-alignment movement in 1955 at Bandung in Indonesia, India seemed to have indicated that it intended to translate those hopes and tacit understandings into realities. It occasionally made some extremely vital contributions in keeping the Geneva Accords and Laotian territories from being violated. This was clearly, albeit very briefly, demonstrated in the very early days of the ICSC operation with a firm stand on the establishment of the ICSC presence in Phong Saly and Sam Neua, the Indian proposed demarcation resolution after the attack on Mounge Peune and the 1955 Rangoon meeting. Similar instances, after the 1962 Conference, could be seen in the Indian-Canadian majority investigations and reports on the shooting down of the ICSC planes, the report on the 1964 coup, and various investigations, such as the fourth and fifth prisoners, Message 34 and Message 35, and the 747-page report on the Dong Hene Incident of 1965.

But this impartial Indian performance was an exception rather than the rule. Indian sympathies for the communists, and especially the North Vietnamese, grew. India gradually moved away from being an impartial chairman or an “arbiter,” to that of a neutral and an indifferent with a no-role to play, to being pro-communist. In the process, India did not carry out its role and responsibilities as required under the Geneva Accords. Specifically, India refused to support the RLG in re-establishing its sovereignty in Phong Saly and Sam Neua. India considered the problems of Laos internal matters and turned a blind eye to Hanoi’s

activities, interference and interventions. India ignored all the unfulfilled pledges, declarations and personal promises Hanoi and its leaders had made at Geneva and in Hanoi (Ho Chi Minh's assurance to Pandit Nehru) in 1954, at Bandung in 1955, in New Delhi in 1958, and in 1962. The Indians considered the RLG unreasonable and developed, over the years, the thesis that there was a linkage between the problems in Vietnam and Laos; unless there was a settlement in Vietnam, the ICSC in Laos should remain dormant and Laos held hostage. Furthermore, India opposed the creation of SEATO and subsequently blamed it for all the problems on the Asia/Pacific mainland. India found it easy to criticize the US and to lecture the west, but took no similar stand against the communists. Such unbalanced criticisms could clearly be seen in India's reaction to American *vis-à-vis* North Vietnamese activities on the Indochinese peninsula.

If the Indian performance in the earlier period could have been characterized as a reluctant attempt to be impartial and neutral, the post-1965 era could best be described as pro-communist. The shift began with New Delhi's refusal to carry out its role and responsibilities as stipulated under the 1962 Accords. Specifically, in 1963, New Delhi and Moscow had reached an agreement that witnessed India's refusal to deal with the ceasefire violations at the Plaines des Jarres. This Indo-Soviet agreement also led to the Indian refusal to honour the Lall-Harriman understanding, as demonstrated by the Dong Hene Incident.

In the post-Dong Hene era, Indian policy was "do-nothing" in the ICSC and pro-Hanoi. Laotian complaints would not receive the ICSC's attention. The Indian delegation dismissed the RLG's complaints and requests for investigation frivolously. Indeed, New Delhi knew about at least one of Hanoi's attacks on the Laotian towns of Attopeu and Saravane in June 1970. Instead of insisting on a strict compliance with the 1962 Accords, New Delhi took upon

itself to reassure the RLG that Hanoi was not interested in and would not attack them. Following the attack, New Delhi did nothing. And, by the beginning of the 1970's, New Delhi not only refused to condemn Hanoi for its violations that led to the Lam Son 719 operation but implicitly stated that Hanoi's troops throughout Indochina ought to be considered local army, accepted Hanoi's complete domination of the Indochina peninsula as *a fait accompli* and proposed a peace settlement favourable to Hanoi. India had exploited successfully the non-alignment concept to its maximum advantage, but it had failed to live up to the responsibilities and obligations that movement imposed.

Constant interferences by the major powers and by Laos' immediate neighbours, North Vietnam in particular, also rendered completely ineffectual the Geneva Accords and made them a mockery. Hanoi's policy was designed to achieve two objectives. In the short run, Hanoi struggled to reunify a divided Vietnam. In the long run, it was after a complete regional conquest and domination of the entire Indochina peninsula. There could never be a permanent solution to the Laotian problem - except a total victory for Hanoi.

Hanoi's violations were facilitated by the deteriorating Sino-Soviet relationship. Their disputes crippled the ICSC. China no longer adhered to its 2000-year old policy of divide-and-conquer, at a moment when it was most needed. There was simply no balance of power in the region. The regional military power and the political alignment favoured the communists, with both the USSR and Communist China supporting North Vietnam. Both the USSR and China, in their fierce competition for Hanoi's affection, provided war materials to North Vietnam in its effort to conquer South Vietnam. Sino-Soviet confrontation also led to a Soviet refusal to carry out the Kennedy-Khrushchev understanding in Vienna. Specifically, Moscow failed to "police" communist compliance. In fact, Moscow reacted so strongly and negatively to the

ICSC Message # 35 and the Dong Hene Report that Britain, the other Co-Chairman, did not insist on an active and rigorous ICSC for fear of rupturing completely the 1962 Geneva settlement.

The geography and wooded terrain of Laos hindered the work of the Commission. The lack of infrastructure and road system, particularly in the provinces of Phong Saly and Sam Neua, along with the unpredictability of the weather, significantly reduced the mobility of the ICSC. The proximity of the two Laotian provinces of Phong Saly and Sam Neua to China and North Vietnam constituted the perfect setting for guerrilla activities, and the ICSC was unable to scrutinize the free movement of or the crossing into Laos of the North Vietnamese troops and personnel. Geography made it impossible to verify violations and intercept or interdict the sending of weapons and personnel from North Vietnam and China into northern Laos.

Laos had historically served both as a buffer zone and battlefield, with the Mekong as the natural dividing line, but the Laos of the twentieth century could no longer play its historical role. With the introduction of modern and mechanized warfare, natural boundaries like rivers and mountains were nothing but minor logistical problems that could be overcome with not too many difficulties.

Certain Laotians themselves contributed to the deterioration of the country. Both the right and the left actively sought foreign interventions to prop up their fame, prestige and gains. The Pathet Lao not only courted but depended upon the North Vietnamese for their very existence, while General Phoumi sought Thai and American support. But the US gradually rendered the rightist faction ineffective and eventually ensured its complete destruction. Without a viable rightist faction in the tripartite government, a counter-balancing influence in the post-1962 conference was sorely missing. The meagre rightist presence, while enhancing

Souvanna's hold on political power in Laos, also diminished his manoeuvrability and bargaining power *vis-à-vis* the Pathet Lao and the communists. Such a lack of bargaining power was clearly and amply demonstrated in the negotiations leading to the Vientiane Agreements in 1973. The nearly complete disappearance of the rightist faction and US pressures made Souvanna's concessions inevitable. Indeed, the 1973 Agreements were not agreements between two equal parties. For, by 1973, Laos had been lost.

The final end to the Indochina agony first occurred in 1973 in Paris. The US and North Vietnam signed a peace treaty ending the American involvement in that bloody conflict. The US unilaterally withdrew. Hanoi not only stayed in situ, but set in motion the final step for its regional conquest. The final negotiation for the Vietnamese settlement came amidst a changing political context and major geopolitical realignment. A trend towards *détente* was occurring, particularly in the de-escalation of the nuclear arms race and Sino-American *rapprochement*. A fundamental catalyst for this new international environment was America's unilateral decision to disengage itself from the Vietnam conflict, which had become very unpopular and generated thousands of anti-Vietnam war demonstrations. It was also a very costly war. In its search for a solution, the Nixon Administration cloaked its defeat in the nicely crafted diplomatic language of "Peace with Honour" and the ICSC was asked to legitimize both the process and the communist take-over. Hanoi, however, was not about to allow the US to disengage with "honour" unless Washington paid for it. The price? The entire Indochina peninsula. It is within this context that the US/North Vietnamese Paris negotiations and the Laotian peace talks began and ended.

Following the 1973 Laotian agreement, Canada refused, despite friendly urgings, to participate further in the Laotian peacekeeping operation. For Ottawa, the Laotian agreement



was a purely Laotian making. The 1962 Accords under which Canada had assumed responsibilities were an international agreement and a product of a fourteen-country negotiation. Notwithstanding Article 12 of the Laotian Agreement, Canada was under no legal obligation to continue. Furthermore, as far as Ottawa was concerned, the role the Laos ICSC was asked to perform as stipulated by the 1973 Agreement was basically a “representational” token in “the backstage of a drama unfolding in the centre.” Canada was not interested in such a role.

There is, however, another reason, albeit one unstated in the briefing to the cabinet: currently available archival documentation, although very sketchy, indicates that, notwithstanding the legal argument, the Canadian refusal reflected Ottawa’s fear of becoming an accomplice in the betrayal of Laos and lending respectability, credence and legality to Hanoi’s designs. That fear might have lain behind the Canadian decision to withdraw its ICSC personnel before the process completed itself.

Following Ottawa’s decision, Lane Xang disappeared and the Pathet Lao formally requested the termination of the ICSC. With that ended in an unceremonious fashion Canada’s two-decade involvement. For all those years, Canada practiced the “art of the possible” and conducted its affairs in the Laotian operation with dignity, application and no little integrity. Canada was not an accomplice of the United States in Laos. Ultimately, indeed, Canada was unwilling to provide a legitimizing role in the final outcome in the struggle for Indochina.

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## ANNEX I. 1954 AND 1962 GENEVA ACCORDS

### A. GENEVA AGREEMENT ON THE CESSATION OF HOSTILITIES IN LAOS, Geneva, July 20, 1954.<sup>1</sup>

#### CHAPTER I CEASEFIRE AND EVACUATION OF FOREIGN ARMED FORCES AND FOREIGN MILITARY PERSONNEL

**Article 1:** The Commanders of the armed forces of the parties in Laos shall order and enforce the complete cessation of all hostilities in Laos by all armed forces under their control, including all units and personnel of the ground, naval and air forces.

**Article 2:** In accordance with the principle of a simultaneous cease-fire throughout Indochina the cessation of hostilities shall be simultaneous throughout the territory of Laos in all combat areas and for all forces of the two parties.

In order to prevent any mistake or misunderstanding and to ensure that both the cessation of hostilities and the disengagement and movements of the opposing forces are in fact simultaneous:

(a) Taking into account the time effectively required to transmit the cease-fire order down to the lowest echelons of the combatant forces on both sides, the two parties are agreed that the complete and simultaneous cease-fire throughout the territory of Laos shall become effective at [0]8[00] hours (local time) on 6 August 1954. It is agreed that Peking means time shall be taken as local time.

(b) The Joint Commission for Laos shall draw up a schedule for the other operations resulting from the cessation of hostilities.

(Note: The cease-fire shall become effective 15 days after the entry into force of the present Agreement.)

**Article 3:** All operations and movements entailed by the cessation of hostilities and regrouping must proceed in a safe and orderly fashion:

(a) Within a number of days to be determined on the spot by the Joint Commission in Laos each party shall be responsible for removing and neutralizing mines, booby traps, explosives and any other dangerous substance placed by it. In the event its being impossible to complete the work of removal and neutralization in time, the party concerned shall mark the spot by placing visible signs there.

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<sup>1</sup> United Kingdom, Miscellaneous No. 20 (1954), *Further Documents Relating to the Discussion of Indochina at the Geneva Conference*, Cmnd. 9239, (London: HMSO: 1953-54), pp. 39-48.

(b) As regards the security of troops on the move following the lines of communication in accordance with the schedule previously drawn up by the Joint Armistice Commission in Laos, and the safety of the assembly areas, detailed measures shall be adopted in each case by the Joint Armistice Commission in Laos. In particular, while the forces of one party are withdrawing by a line of communication passing through the territory of the other party (road or waterways) the forces of the latter party shall provisionally withdraw two kilometers on either side of such line of communication, but in such a manner as to avoid interfering with the movement of the civil population.

**Article 4:** The withdrawals and transfers of military forces, supplies and equipments shall be effective in accordance with the following principles:

(a) The withdrawals and transfers of the military forces, supplies and equipment of the two parties shall be completed within a period of 120 days from the day on which the Armistice Agreement enters into force. The two parties undertake to communicate their transfer plans to each other, for information, within 25 days of the entry into force of the present agreement.

(b) The withdrawals of the Vietnamese People's Volunteers from Laos to Vietnam shall be effected by provinces. The positions of these volunteers who were settled in Laos before the hostilities shall form the subject of a special convention.

(c) The routes for the withdrawal of the forces of the French Union and Vietnamese People's Volunteers in Laos from Laotian territory shall be fixed on the spot by the Joint Commission.

(d) The two parties shall guarantee that the withdrawals and transfers of all forces will be effected in accordance with the purposes of this agreement, and that they will not permit any hostile action or take action of any kind whatever which might hinder such withdrawals or transfers. The parties shall assist each other as far as possible.

(e) While withdrawals and transfers of the forces are proceeding, the two parties shall not permit any destruction or sabotage of any public property or any attack on the life or property of the local civilian population. They shall not permit any interference with the local civil administration.

(f) The Joint Commission and the International Commission shall supervise the implementation of measures to ensure the safety of the forces during withdrawal and transfer.

(g) The Joint Commission in Laos shall determine the detailed procedures for the withdrawals and transfers of the forces in accordance with the above-mentioned principles.

**Article 5:** During the days immediately preceding the cease-fire each party undertakes not to engage in any large-scale operation between the time when the Agreement on the cessation of hostilities is signed at Geneva and the time when the cease-fire comes into effect.

## CHAPTER II

### PROHIBITION OF THE INTRODUCTION OF FRESH TROOPS, MILITARY PERSONNEL ARMAMENTS AND MUNITIONS

**Article 6:** With effect of the proclamation of the cease-fire the introduction into Laos of any reinforcements of troops or military personnel from outside Laotian territory is prohibited.

Nevertheless, the French High Command may leave a specified number of French military personnel required for the training of the Laotian National Army in the territory of Laos; the strength of such personnel shall not exceed one thousand five hundred (1,500) officers and non-commissioned officers.

**Article 7:** Upon the entry into force of the present Agreement, the establishment of new military bases is prohibited throughout the territory of Laos.

**Article 8:** The High Command of the French forces shall maintain in the territory of Laos the personnel required for the maintenance of the two French military establishments, the first at Séno and the second in the Mekong valley, either in the province of Vientiane or downstream from Vientiane.

The effectives maintained in these military establishments shall not exceed a total of three thousand five hundred (3,500) men.

**Article 9:** Upon the entry into force of the present Agreement and in accordance with the declaration made at the Geneva Conference by the Royal Government of Laos on 20 July 1954, the introduction into Laos of armaments, munitions and military equipment of all kind is prohibited, with the exception of a specified quantity of armaments in categories specified as necessary for the defence of Laos.

**Article 10:** The new armaments and military personnel permitted to enter Laos in accordance with the terms of Article 9 above shall enter Laos at the following points only: Luang-Prabang, Xieng-Khouang, Vientiane, Séno, Paksé, Savannakhet and Tchépone.



### CHAPTER III

#### DISENGAGEMENT OF THE FORCES--ASSEMBLY AREAS--CONCENTRATION AREAS

**Article 11:** The disengagement of the armed forces of both sides, including concentration of the armed forces, movements to rejoin the provisional assembly areas allotted to one party and provisional withdrawal movements by the other party, shall be completed within a period not exceeding fifteen (15) days after the cease-fire.

**Article 12:** The Joint Commission in Laos shall fix the site and boundaries:

- of the five (5) provisional assembly areas for the reception of the Vietnamese People's Volunteer Forces,
- of the five (5) provisional assembly areas of the reception of the French forces in Laos,
- of the twelve (12) provisional assembly areas, one to each province, for the reception of the fighting units of "Pathet Lao."

The forces of the Laotian National Army shall remain in *situ* during the entire duration of the operations of disengagement and transfer of foreign forces and fighting units of "Pathet Lao."

**Article 13:** The foreign forces shall be transferred outside Laotian territory as follows:

(1) *French Forces:*

The French forces will be moved out of Laos by road (along routes laid down by the Joint Commission in Laos) and also by air and inland waterway;

(2) *Vietnamese People's Volunteer forces:*

These forces will be moved out of Laos by land, along routes and in accordance with a schedule to be determined by the Joint Commission in Laos in accordance with the principle of simultaneous withdrawal of foreign forces.

**Article 14:** Pending a political settlement, the fighting units of "Pathet Lao," concentrated in the provisional assembly areas, shall move into the Provinces of Phongsaly [sic] and Sam-Neua, except for any military personnel who wish to be demobilized where they are. They are free to move between these two provinces in a corridor along the frontier between Laos and Vietnam bounded on the south by the line Sop Kin, Na Mi-Sop Sang, Muong Son.

Concentration shall be completed within one-hundred-and-twenty (120) days from the date of entry into force of the present Agreement.

**Article 15:** Each party undertakes to refrain from any reprisals or discrimination against persons or organizations for their activities during the hostilities and also undertakes to guarantee their democratic freedoms.

#### CHAPTER IV

#### PRISONERS OF WAR AND CIVILIAN INTERNEES

**Article 16:** The liberation and repatriation of all prisoners of war and civilian detained by each of the two parties at the coming into force of the present agreement shall be carried out under the following conditions:

(a) All prisoners of war and civilian internees of Laotian and other nationalities captured since the beginning of hostilities in Laos, during military operations or in any other circumstances of war and in any part of the territory of Laos, shall be liberated within a period of thirty (300 days after the date when the ceasefire comes into effect.

(b) The term “civilian internees” is understood to mean all persons who, having in any way contributed to the political and armed strife between the two parties, have been arrested for that reason or kept in detention by either party during the period of hostilities.

(c) All foreign prisoners of war captured by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all possible assistance in proceeding to the destination of their choice.

#### CHAPTER V

#### MISCELLANEOUS

**Article 17:** The Commanders of the forces of the two parties shall ensure that persons under their respective commands who violate any of the provisions of the present agreement are suitably punished.

**Article 18:** In cases in which the place of burial is known and the existence of graves has been established, the commander of the forces of either party shall, within a specified period after the entry into force of the present agreement, permit the graves service of the other party to enter that part of Laotian territory under his military control for the purpose of finding and removing the bodies of the deceased military personnel of that party, including the bodies of deceased prisoners of war.

The Joint Commission shall fix the procedures by which this task is carried out and the

time within which it must be completed. The commanders of the forces of each party shall communicate to the other all information in his possession as to the place of burial of military personnel of the other party.

**Article 19:** The present agreement shall apply to all the armed forces of either party. The armed forces of each party shall respect the territory under the military control of the other party, and engage in no hostile act against the other party.

For purpose of the present article the word "territory" includes territorial waters and air space.

**Article 20:** The commander of the forces of the two parties shall afford full protection and all possible assistance and cooperation to the Joint Commission and its joint organs and to the International Commission and its inspection teams in the performance of the functions and tasks assigned to them by the present agreement.

**Article 21:** The costs involved in the operation of the Joint Commission and its joint groups and of the International Commission and its inspection teams shall be shared equally between the two parties.

**Article 22:** The signatories of the present agreement and their successors in their functions shall be responsible for the observance and enforcement of the terms and provisions thereof. The commanders of the forces of the two parties shall, within their respective commands, take all steps and make all arrangements necessary to ensure full compliance with all the provisions of the present agreement by all military personnel under their command.

**Article 23:** The procedures laid down in the present agreement shall, whenever necessary, be examined by the commanders of the two parties and, if necessary, defined more specifically by the Joint Commission.

## CHAPTER VI

### JOINT COMMISSION AND INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL IN LAOS

**Article 24:** Responsibility for the execution of the agreement on the cessation of hostilities shall rest with the parties.

**Article 25:** An International Commission shall be entrusted with control and supervision over the application of the provisions of the agreement on the cessation of hostilities in Laos. It shall be composed of representatives of the following States: Canada, India and Poland. It shall be presided over by the representative of India. Its headquarters shall be at Vientiane.

**Article 26:** The International Commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned States.

The fixed teams shall be located at the following points: Paksé Séno, Tchéone, Vientiane, Xieng Khouang, Phong Saly, Sophao (province of Sam Neua). These points of location may, at a later date, be altered by agreement between the Government of Laos and the International Commission.

The zones of action of the mobile teams shall be regions bordering the land frontiers of Laos. Within the limits of their zones of action, they shall have the right to move freely and shall receive from the local civil and military authorities all facilities they may require for the fulfilment of their tasks (provisions of personnel, access to documents needed for supervision, summoning of witnesses needed for holding enquiries, the security and freedom of the movement of the inspection teams etc. . . .). They should have at their disposal such modern means of transport, observation and communication as they may require.

Outside the zones of action defined above, the mobile teams may, with the agreement of the command of the party concerned, move about as required by the tasks assigned to them by the present agreement.

**Article 27:** The International Commission shall be responsible for supervising the execution by the parties of the provisions of the present agreement. For this purpose it shall fulfill the functions of control, observation, inspection and investigation connected with the implementation of the provisions of the agreement on the cessation of hostilities, and shall in particular:

- (a) Control the withdrawal of foreign forces in accordance with the provisions of the agreement on the cessation of hostilities and see that frontiers are respected:
- (b) Control the release of prisoners of war and civilian internees:
- (c) Supervise, at ports and airfields and along the frontiers of Laos, the implementation of the provisions regulating the introduction into Laos of military personnel and war materiel;
- (d) Supervise the implementation of the clauses of the agreement on the cessation of hostilities relating to rotation of personnel and to supplies for French union security forces maintained in Laos.

**Article 28:** A Joint Commission shall be set up to facilitate the implementation of the clauses relating to the withdrawal of foreign forces.

The Joint Commission shall form joint groups, the number of which shall be decided by mutual agreement between the parties.

The Joint Commission shall facilitate the implementation of the clauses of the agreement on the cessation of hostilities relating to the simultaneous and general ceasefire in Laos for all regular and irregular armed forces of the two parties.

It shall assist the parties in the implementation of the said clauses; it shall ensure liaison between them for the purpose of preparing and carrying out plans for the implementation of the said clauses; it shall endeavour to settle any disputes between the parties arising out of the implementation of these clauses. The joint groups shall follow the forces of their movements and shall be disbanded once the withdrawal plans have been carried out.

**Article 29:** The Joint Commission and the joint groups shall be composed of an equal number of representatives of the commands of the parties concerned.

**Article 30:** The International Commission shall, through the medium of the inspection teams mentioned above, and as soon as possible, either on its own initiative, or at the request of the Joint Commission, or of one of the parties, undertake the necessary investigations both documentary and on the ground.

**Article 31:** The inspection teams shall submit to the International Commission the results of their supervision, investigation and observation; furthermore, they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the findings of each member shall be transmitted to the Commission.

**Article 32:** If an inspection team is unable to settle an incident or considers that there is a violation or a threat of a serious violation, the International Commission shall be informed; the latter shall examine the reports and findings of the inspection teams and shall inform the parties of the measures which should be taken for the settlement of the incident, ending of the violation or removal of the threat of violation.

**Article 33:** When the Joint Commission is unable to reach an agreement on the interpretation of a provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

**Article 34:** The recommendations of the International Commission shall be adopted by a majority vote, subject to the provisions contained in article thirty-five. If the votes are equally divided, the chairman's vote shall be decisive.

The International Commission may make recommendations concerning amendments and additions which should be made to the provisions of the agreement on the cessation of hostilities in Laos, in order to ensure more effective execution of the said agreement. These recommendations shall be adopted unanimously.

**Article 35:** On questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, and in particular,

- (a) refusal by foreign armed forces to effect the movements provided for in the withdrawal plan;

(b) violation or threat of violation of the country's integrity by foreign armed forces, the decisions of the International Commission must be unanimous.

**Article 36:** If one of the parties refuses to put a recommendations of the International Commission into effect, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in the article thirty-five, it shall transmit a majority report and one or more minority reports to the members of the Conference.

The International Commission shall inform the members of the Conference of all cases in which its work is being hindered.

**Article 37:** The International Commission shall be set up at the time of the cessation of hostilities in Indochina in order that it may be able to fulfill the tasks prescribed in article twenty-seven.

**Article 38:** The International Commission for Supervision and Control in Laos shall act in close connection with the International Commissions in Vietnam and Cambodia.

The Secretaries General of the three Commissions shall be responsible for coordinating their work and for relations between them.

**Article 39:** The International Commission for Supervision and Control in Laos may, after consultations with the International Commissions in Cambodia and Vietnam, having regard to the development of the situation in Cambodia and Vietnam, progressively reduce its activities. Such a decision must be reduced unanimously. These recommendations shall be adopted unanimously.

## CHAPTER VII

**Article 40:** All the provisions of the present Agreement, save paragraph (a) of Article 2, shall enter into force at 24 hours (Geneva time) on 22 July, 1954.

Signatures of participants.

## FINAL DECLARATION OF THE GENEVA CONFERENCE ON THE PROBLEM OF RESTORING PEACE IN INDOCHINA, JULY 21, 1954<sup>2</sup>

Final Declaration dated the 21st July 1954 of the Geneva Conference on the problem of restoring peace in Indo-China in which the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Vietnam, The Union of Soviet Socialist Republics, the United Kingdom and the United States of America took part.

1. The Conference takes note of the agreements ending hostilities in Cambodia, Laos and Vietnam and organizing international control and the supervision of the execution of the provisions of these agreements.

2. The Conference expresses satisfaction at the ending of hostilities in Cambodia, Laos and Vietnam; the Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos and Vietnam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.

3. The Conference takes note of the declarations made by the Governments of Cambodia and of Laos of their intention to adopt measures permitting all citizens to take their place in the national community, in particular by participating in the next general elections, which, in conformity with the constitution of each of these countries, shall take place in the course of the year 1955, by secret ballot and in conditions of respect for fundamental freedoms.

4. The Conference takes note of the clauses in the agreements on the cessation of hostilities in Vietnam prohibiting the introduction into Vietnam of foreign troops and military personnel as well as of all kinds of arms and munitions. The Conference also takes note of the declaration made by the Governments of Cambodia and Laos of their resolution not to request foreign aid, whether in war material, in personnel or in instructors except for the purpose of the effective defense of their territory and, in the case of Laos, to the extent defined by the agreements on the cessation of hostilities in Laos.

5. The Conference takes note of the clauses of the agreement on the cessation of hostilities in Vietnam to the effect that no military base under the control of a foreign State may be established in the regrouping zones of the two parties, the latter having the obligation to see that the zones allotted to them shall not constitute part of any military alliance and shall not be utilized for the resumption of hostilities or in the service of any aggressive policy. The Conference also takes note of the declarations of the Governments of Cambodia and Laos to the effect that they will not join in any agreement with other States if this agreement includes the obligation to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or, in the case of Laos, with the principles of the agreement on the cessation of hostilities in Laos or, so long as their security is not threatened, the obligation to establish bases on Cambodian or Lao territory for the military forces of foreign Powers.

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<sup>2</sup> United Kingdom. Miscellaneous No. 20 (1954), *Further Documents Relating to the Discussion of Indo-China at the Geneva Conference, June 16-July 21, 1954*, Cmd. 9239 (London: HMSO, August, 1954).

6. The Conference recognizes that the essential purpose of the agreement relating to Vietnam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. The Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Vietnam.

7. The Conference declares that, as far as Vietnam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Vietnamese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to ensure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, general elections shall be held in July 1956, under the supervision of an international commission composed of representatives of the member States of the International Supervisory Commission, referred to in the agreement on the cessation of hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones from July 20, 1955, onwards.

8. The provisions on the agreements on the cessation of hostilities intended to ensure the protection of individuals and of property must be most strictly applied and must, in particular, allow everyone in Vietnam to decide freely in which zone he wishes to live.

9. The competent representative authorities of the Northern and Southern zones of Vietnam, as well as the authorities of Laos and Cambodia, must not permit any individual or collective reprisals against persons who have collaborated in any way with one of the parties during the war, or against members of such persons' families.

10. The Conference takes note of the declaration of the Government of the French Republic to the effect that it is ready to withdraw its troops from the territory of Cambodia, Laos and Vietnam, at the request of the Governments concerned and within periods which shall be fixed by agreement between the parties except in cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

11. The Conference takes note of the declaration of the French Government to the effect that for the settlement of all the problems connected with the re-establishment and consolidation of peace in Cambodia, Laos and Vietnam, the French Government will proceed from the principle of respect for the independence and sovereignty, unity and territorial integrity of Cambodia, Laos and Vietnam.

12. In their relations with Cambodia, Laos and Vietnam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and territorial integrity of the above-mentioned States, and to refrain from any interference in their internal affairs.

13. The members of the Conference agree to consult one another on any question which may be referred to them by the International Supervisory Commission, in order to study such measures as may prove necessary to ensure that the agreements on the cessation of hostilities in Cambodia, Laos and Vietnam are respected.



**DECLARATION BY THE ROYAL GOVERNMENT OF LAOS, JULY 21, 1954**

(Reference: Article 4 and 5 of the Final Declaration)

The Royal Government of Laos is resolved never to pursue a policy of aggression and will never permit the territory of Laos to be used in furtherance of such a policy.

The Royal Government of Laos will never join in any agreement with other States if this agreement includes obligation for the Royal Government of Laos to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or with the principles of the agreement on the cessation of hostilities or, unless its security is threatened, the obligation to establish bases on the territory of Laos for military forces of foreign Powers.

The Royal Government of Laos is resolved to settle its international disputes by peaceful means so that international peace and security and justice are not endangered.

During the period between the cessation of hostilities in Vietnam and the final settlement of that country's political problems, the Royal Government of Laos will not request foreign aid, whether in war material, in personnel or in instructors, except for the purpose of its effective territorial defense and to the extent defined by the agreement on the cessation of hostilities.

**DECLARATION BY THE ROYAL GOVERNMENT OF LAOS, JULY 21, 1954**

(Reference: Article 3 of the Final Declaration)

The Royal Government of Laos,

In the desire to ensure harmony and agreement among the peoples of the Kingdom,  
Declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the Constitution of the Kingdom provides;

Affirms that all citizens of Laos may freely participate as electors or candidates in general elections by secret ballot;

Announces, furthermore, that it will promulgate measures to provide for special representation in the Royal Administration of the provinces of Phong Saly and Sam Neua during the interval between the cessation of hostilities and the general elections of the interests of nationals of Laos who did not support the Royal forces during hostilities.

### C. DECLARATION ON THE NEUTRALITY OF LAOS, Geneva, July 23, 1962<sup>3</sup>

[Extract]

The Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the People's Republic of China, the Democratic Republic of Viet-Nam, the Republic of France, the Republic of India, the Polish People's Republic, the Republic of Viet-Nam, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, whose representatives took part in the International Conference on the Settlement of the Laotian Question, 1961-1962;

Welcoming the presentation of the statement of neutrality by the Royal Government of Laos of July 9, 1962, and taking note of this statement, which is with the concurrence of the Royal Government of Laos, incorporated in the present Declaration as an integral part thereof, and the text of which is as follows:

The Royal Government of Laos,

Being resolved to follow the path of peace and neutrality in conformity with the interests and aspirations of the Laotian people, as well as the principles of the Joint Communique of Zurich dated June 22, 1961, and of the Geneva Agreements of 1954, in order to build a peaceful, neutral, independent, democratic, unified and prosperous Laos,

Solemnly declares that:

- (1) It will resolutely apply the five principles of peaceful co-existence of foreign relations, and will develop friendly relations and establish diplomatic relations with all countries, the neighbouring countries first and foremost, on the basis of equally and of respect for the independence and sovereignty of Laos;
- (2) It is the will of the Laotian people to protect and ensure respect for the sovereignty, independence, neutrality, unity, and territorial integrity of Laos;
- (3) It will not resort to the use or threat of force in any way which might impair the peace of other countries, and will not interfere in the internal affairs of other countries;
- (4) It will not enter into any military alliance or into any agreement, whether military or otherwise, which is inconsistent with the neutrality of the Kingdom of Laos; it will not allow the establishment of any foreign military base on Laotian territory, nor allow any country to use Laotian territory for military purposes or for the purposes of interference in the internal affairs of other countries, nor recognize the protection of any alliance or military coalition, including SEATO;
- (5) It will not allow any foreign indifference in the internal affairs of the Kingdom of Laos in any form whatsoever;
- (6) Subject to the provisions of Article 5 of the Protocol, it will require the withdrawal from Laos of all foreign troops and military personnel, and will not allow any foreign troops and military personnel to be introduced into Laos;
- (7) It will accept direct and unconditional aid from all countries that wish to help the Kingdom of Laos build up an independent and autonomous national economy on the basis of respect for the sovereignty of Laos;
- (8) It will respect the treaties and agreements signed in conformity with the interests of the Laotian people and of the policy of peace and neutrality of the Kingdom, in

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<sup>3</sup> United Kingdom. Treaty Series No. 27 (1963), *Declaration and Protocol on the Neutrality of Laos, Geneva, July, 23, 1962*, Cmnd. 2025 (London: HMSO, May, 1963).

particular with the Geneva Agreements of 1962, and will abrogate all treaties and agreements which are contrary to those principles.

This statement of neutrality by the Royal Government of Laos shall be promulgated constitutionally and shall have the force of law.

The Kingdom of Laos appeals to all States participating in the International Conference on the Settlement of the Laotian Question, and to all other States, to recognize the sovereignty, independence, neutrality, unity, and territorial integrity of Laos, to conform to these principles in all respect, and to refrain from any action inconsistent therewith.

Confirming the principles of respect for sovereignty, independence, unity, and territorial integrity of the Kingdom of Laos and non-interference in its internal affairs which are embodied in the Geneva Agreements of 1954;

Emphasizing the principle of respect for the neutrality of the Kingdom of Laos;

Agreeing that the above-mentioned principles constitute a basis for the peaceful settlement of the Laotian Question;

Profoundly convinced that the independence and neutrality of the Kingdom of Laos will assist the peaceful democratic development of the Kingdom of Laos and the achievement of national accord and unity in that country, as well as the strengthening of peace and security in Southeast Asia:

1. Solemnly declare, in accordance with the will of the Government and people of the Kingdom of Laos, as expressed in the statement of neutrality by the Royal Government of Laos of July 9, 1962, that they recognize and will respect and observe in every way the sovereignty, independence, neutrality, unity and territorial integrity of the Kingdom of Laos.

2. Undertake, in particular, that

(a) they will not commit or participate in any way in any act which might directly or indirectly impair the sovereignty, independence, unity or territorial integrity of the Kingdom of Laos;

(b) they will not resort to the use or threat of force or any other measures which might impair the peace of the Kingdom of Laos;

(c) they will refrain from all direct or indirect interference in the internal affairs of the Kingdom of Laos;

(d) they will not attach conditions of a political nature to any assistance which they may offer or which the Kingdom of Laos may seek;

(e) they will not bring the Kingdom of Laos in any way into any military alliance or any other agreement, whether military or otherwise, which is inconsistent with her neutrality, nor invite or encourage her to enter into any such alliance or to conclude any such agreement;

(f) they will respect the wish of the Kingdom of Laos not to recognize the protection of any alliance or military coalition, including SEATO;

(g) they will not introduce into the Kingdom of Laos foreign troops or military personnel in any form whatsoever, nor will they in any way facilitate or connive at the introduction of any foreign troops or military personnel;

(h) they will not establish nor will they in any way facilitate or connive at the establishment in the Kingdom of Laos of any foreign military base, foreign strong point or other foreign military installation of any kind;

(i) they will not use the territory of the Kingdom of Laos for interference in the internal affairs of other countries;

(j) they will not use the territory of any country, including their own, for interference in the internal affairs of the Kingdom of Laos.

3. Appeal to all other States to recognize, respect and observe in every way the sovereignty, independence and neutrality, and also the unity and territorial integrity, of the Kingdom of Laos and to refrain from any action inconsistent with these principles or with other provisions of the present Declaration.

4. Undertake, in the event of a violation or threat of the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos, to consult jointly with the Royal Government of Laos and among themselves in order to consider measures which might prove to be necessary to endure the observance of these principles and the other provisions of the present Declaration.

5. The present Declaration shall enter into force on signature and together with the statement of neutrality by the Royal Government of Laos of July 9, 1962 shall be regarded as constituting an international agreement. The present Declaration shall be deposited in the Archives of the Governments of the United Kingdom and the Union Soviet Socialist Republics, which shall furnish certified copies thereof to the other signatory States and to all the other States of the world.

In witness whereof, the undersigned Plenipotentiaries have signed the present Declaration.

Done in two copies in Geneva this twenty-third day of July one thousand nine hundred and sixty-two in the English, Chinese, French, Laotian and Russian languages, each text being equally authoritative.

#### D. PROTOCOL TO DECLARATION ON NEUTRALITY OF LAOS, July 23, 1962

The Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the People's Republic of China, the Democratic Republic of Viet-Nam, the Republic of France, the Republic of India, the Kingdom of Laos, the Polish People's Republic, the Republic of Viet-Nam, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America;

Having regard to the Declaration on the Neutrality of Laos of July 23, 1962;  
Have agreed as follows:

**Article 1:** For the purpose of this Protocol

(a) the term "foreign military personnel" shall include members of foreign military missions, foreign military advisers, experts, instructors, consultants, technicians, observers and any other foreign military persons, including those serving in any armed forces in Laos, and foreign civilians connected with the supply, maintenance, storing and utilization of war materials;

(b) the term "the Commission" shall mean the International Commission for Supervision and Control in Laos set up by virtue of the Geneva Agreements of 1954 and composed of the representatives of Canada, India and Poland, with the representative of India as Chairman;

(c) the term "the Co-Chairmen" shall mean the co-Co-Chairmen on the International Conference for the Settlement of the Laotian Question, 1961-62, and their successors in the offices of Her Britannic Majesty's Principal Secretary of State for Foreign Affairs and the Minister for Foreign Affairs of the Union of Soviet Socialist Republics respectively;

(d) the term "the members of the Conference" shall mean the Governments of countries which took part in the International Conference for the Settlement of the Laotian Question, 1961-62.

**Article 2:** All foreign regular and irregular troops, foreign para-military formations and foreign military personnel shall be withdrawn from Laos in the shortest time possible and in any case the withdrawal shall be completed not later than thirty days after the Commission has notified the Royal Government of Laos that in accordance with Articles 3 and 10 of this Protocol its inspection teams are present at all points of withdrawal from Laos. These points shall be determined by the Royal Government of Laos in accordance with Article 3 within thirty days after the entry into force of this Protocol. The inspection teams shall be present at these points and the Commission shall notify the Royal Government of Laos thereof within fifteen days after the points have been determined.

**Article 3:** The withdrawal of foreign regular and irregular troops, foreign para-military formations and foreign military personnel shall take place only along such routes and through such a points as shall be determined by the Royal Government of Laos in consultation with the Commission. The Commission shall be notified in advance of the point and time of all such withdrawals.

**Article 4:** The introduction of foreign regular and irregular troops, foreign para-military formations and foreign military personnel into Laos is prohibited.

**Article 5:** Note is taken that the French and the Laotian Governments will conclude as soon as possible an arrangement to transfer the French military installations in Laos to the Royal Government of Laos.

If the Laotian Government considers it necessary, the French Government may as an exception leave in Laos for a limited period of time a precisely limited number of French military instructors for the purpose of training the armed forces of Laos.

The French and Laotian Governments shall inform the members of the Conference, through the Co-Chairmen, of their agreement on the question of the transfer of the French military installations in Laos and of the employment of French instructors by the Laotian Government.

**Article 6:** The introduction into Laos of armaments, munitions and war material generally, except such quantities of conventional armaments as the Royal Government of Laos may consider necessary for the national defense of Laos, is prohibited.

**Article 7:** All foreign military persons and civilians captured or interned during the course of hostilities in Laos shall be released within thirty days after the entry into force of this Protocol and handed over by the Royal Government of Laos to the representatives of the Governments of the Countries of which they are nationals in order that they may proceed to the destination of their choice.

**Article 8:** The Co-Chairmen shall periodically receive reports from the Commission. In addition the Commission shall immediately report to the Co-Chairmen any violations or threats of violations of this Protocol, 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 members of the Conference.

The Co-Chairmen shall exercise supervision over the observance of this Protocol and the Declaration on the Neutrality of Laos.

The Co-Chairmen will keep the members of the Conference constantly informed and when appropriate will consult with them.

**Article 9:** The Commission shall, with the concurrence of the Royal Government of Laos, supervise and control the cease-fire in Laos.

The Commission shall exercise these functions in full co-operation with the Royal Government of Laos and within the framework of the Cease-Fire Agreement or cease-fire arrangements made by the three political forces in Laos, or the Royal Government of Laos. It is understood that responsibility for the execution of the cease-fire shall rest with the three parties concerned and with the Royal Government of Laos after its formation.

**Article 10:** The Commission shall supervise and control the withdrawal of foreign regular and irregular troops, foreign para-military formations and foreign military personnel. Inspection teams sent by the Commission for these purposes shall be present for the period of the withdrawal at all points of withdrawal from Laos determined by the Royal Government of Laos in consultation with the Commission in accordance with Article 3 of this Protocol.

**Article 11:** The Commission shall investigate cases where there are reasonable grounds for considering that a violation of the provisions of Article 4 of this Protocol has occurred.

It is understood that in the exercise of this function the Commission is acting with the concurrence of the Royal Government of Laos and shall immediately inform the Co-Chairmen of any violations or threats of violations of Article 4, and also of all significant steps which it takes in pursuance of this Article in accordance with Article 8.

**Article 12:** The Commission shall assist the Royal Government of Laos in cases where the Royal Government of Laos considers that a violation of Article 6 of this Protocol may have taken place. This assistance will be rendered at the request of the Royal Government of Laos and in full co-operation with it.

**Article 13:** The Commission shall exercise its functions under its Protocol in close co-operation with the Royal Government of Laos. It is understood that the Royal Government of Laos at all levels will render the Commission all possible assistance in the performance by the Commission of these functions and also will take all necessary measures to ensure the security of the Commission and its inspection teams during their activities in Laos.

**Article 14:** The Commission functions as a single organ of the International Conference for the Settlement of the Laotian Question, 1961-62. The members of the Commission will work harmoniously and in co-operation with each other with the aim of solving all questions within the terms of reference of the Commission.

Decisions of the Commission on questions relating to violations of Articles 2, 3, 4, and 6 of this Protocol or of the cease-fire referred to in Article 9, 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 15), decisions of the Commission shall be adopted by majority vote.

**Article 15:** In the exercise of its specific functions which are laid down in the relevant articles of this Protocol the 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 Royal Government of Laos or on the initiative of the Commission, which is acting with the concurrence of the Royal 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 Commission shall submit agreed reports on investigation in which differences which may emerge between members of the Commission on particular questions may be expressed.

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

**Article 16:** For the exercise of its functions the Commission shall, as necessary, set up inspection teams, on which the three member-States of the Commission shall be equally represented. Each member-State of the Commission shall ensure the presence of its own representatives both on the Commission and on the inspection teams, and shall promptly replace them in the event of their being unable to perform their duties.

It is understood that the dispatch of inspection teams to carry out various specific tasks takes place with the concurrence of the Royal Government of Laos. The points to which the Commission and its inspection teams go for the purposes of investigation and their length of stay at those points shall be determined in relation to the requirements of the particular investigation.

**Article 17:** The Commission shall have at its disposal the means of communication and transport required for the performance of its duties. These as a rule will be provided to the Commission by the Royal Government of Laos for payment on mutually acceptable terms, and those which the Royal Government of Laos cannot provide will be required by the Commission from other sources. It is understood that the means of communication and transport will be under the administrative control of the Commission.

**Article 18:** The costs of the operations of the Commission shall be borne by the members of the Conference in accordance with the provisions of this Article.

(a) The Governments of Canada, India and Poland shall pay the personal salaries and allowances of their nationals who are members of their delegations to the Commission and its subsidiary organs.

(b) The primary responsibility for the provision of accommodation for the Commission and its subsidiary organs shall rest with the Royal Government of Laos, which shall also provide such other local services as may be appropriate. The Commission shall charge to the Fund referred to in sub-paragraph (c) below any local expenses not borne by the Royal Government of Laos.

(c) All other capital or running expenses incurred by the Commission in the exercise of its functions shall be met from a Fund to which all the members of the Conference shall contribute in the following proportions:

- The Governments of the People's Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America shall contribute 17.6 per cent each.
- The Governments of Burma, Cambodia, the Democratic Republic of Viet-Nam, Laos, the Republic of Viet-Nam and Thailand shall contribute 1.5 per cent each.
- The Governments of Canada, India and Poland as members of the Commission shall contribute 1 per cent each.

**Article 19:** The Co-Chairmen shall at any time, if the Royal Government of Laos so requests, and in any case not later than three years after the entry into force of this Protocol, present a report with appropriate recommendations on the question of the determination of the Commission to the members of the Conference for their consideration. Before making such a report the Co-Chairmen shall hold consultations with the Royal Government of Laos and the Commission.



**Article 20:** The Protocol shall enter into force on signature.

It shall be deposited in the archives of the Governments of the United Kingdom and the Union of Soviet Socialist Republics which shall furnish certified copies thereof to the other signatory States and to all other States of the world.

In witness whereof, the undersigned Plenipotentiaries have signed this Protocol.

Done in two copies in Geneva this twenty-third day of July one thousand nine hundred and sixty-two in the English, Chinese, French, Laotian and Russian languages, each text being equally authoritative.

Signatures of Participants

## ANNEX # 2: The W. A. Harriman - G. Pushkin Agreement

The history of the Pushkin-Harriman understanding can be summarized as follows:

On September 12, 1961, Pushkin told Harriman that the Soviets truly desired a neutral independent Laos on the model of Finland, and he specifically suggested that the “Soviets could and would control North Viet Nam and continue support Souvanna against possible Pathet Lao political or military aggression.” His idea was that “Soviets to police Communist bloc to assure adherence agreement, whereas British should police non-Communists. He was particularly suspicious of Thailand and South Viet Nam.”

On October 9 Harriman reminded Pushkin of this statement and asked how he intended to formalize the understanding. Pushkin objected to a bilateral written agreement between the Co-Chairmen, but expressed readiness to add a sentence to the article on Co-Chairmen “which would give them responsibility for seeing to observation of obligations by thirteen signatory states.”

On October 13 Pushkin handed MacDonald a redraft of the Co-Chairmen article which contained new language reading, “The Co-Chairmen will exercise continuous supervision over the fulfillment of this Agreement and will when appropriate consult with the members of the conference.” The Western Powers ultimately accepted this proposal with a slight revision in text. Thus, the Harriman-Pushkin agreement is reflected in the third paragraph of Article 8 of the Protocol to the Declaration on the Neutrality of Laos which reads as follows: “The Co-Chairmen shall exercise supervision over the observance of this Protocol and the Declaration on the Neutrality of Laos.”

**Source:** United States of America. Government. Department of State. *Foreign Relations of the United States*. (1964-1968), Vol. XXVIII (Washington, D.C.: Government Publishing House, 2001), pp. 566-7.

### ANNEX # 3: THE W. A. HARRIMAN - SIR ARTHUR LALL UNDERSTANDING

W. Averell Harriman to Sir Arthur Lall, December 5, 1961

Pursuant to our recent conversations, I would be grateful for your affirmation that your Government's interpretation of the third paragraph of the Draft Article on Investigations corresponds with the United States Government's interpretation as set forth below. As you know, the draft article on Investigations and Reports contains the following paragraph:

"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 appropriately expressed."

The U.S. Government interprets this paragraph to mean: (1) that since this paragraph contains language specifically permitting the expression of differing views no member of the Commission could legitimately use the argument that the report was not "agreed" as a basis for withholding his signature; (2) that since the paragraph provides that reports "shall" be submitted, a refusal by one member to sign would constitute a breach of the agreement and it would be open to the other members to send in their reports without the signature of the recalcitrant member; (3) that individual majority-minority or unanimous views or evaluations may be expressed in the reports.

Sir Arthur Lall responded to Harriman on December 8.<sup>1</sup> After careful considerations, India was of the opinion that

clearly there is an absolute obligation in the Agreement that the Commission "shall submit agreed reports" on investigations; that such reports may contain individual views and evaluations which might agree or differ in the manner you suggest; and that the refusal to sign an agreed report would constitute a breach of the Agreement. In the extremely unlikely event of such a situation arising we feel that the Chairman of the Commission should immediately bring all the facts of the situation to the notice of the Co-Chairmen of the Conference, including the views of all members in regard to the investigation, and any statement which either of them may wish to send on. All this information from the Chairman of the Commission, including statements by the members, would, in accordance with the Agreement, be circulated by the Co-Chairmen to all members of the Geneva Conference.

Thus, our interpretation would appear to correspond with the substance of your own interpretation. I would add again that we do not anticipate that such a situation would be likely to arise.

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<sup>1</sup> **Source:** National Archives of Canada. Department of External Affairs. RG 25 "Commentary," Annex E, Arthur S. Lall, Indian Delegation to the Geneva Conference on Laos (Geneva) to H. E. Mr. W. Averell Harriman, U.S. Delegation to the Geneva Conference on Laos, (Geneva), December 8<sup>th</sup>, 1961.

## ANNEX # 4: Biographical Sketches

No. 1. **Prince Souphanouvong.** (1912-1995), born in Luang Prabang. His mother was a servant at the royal palace and the eleventh wife of Maha Oupahat Boun Khong. Half-brother of Prince Souvanna Phouma and Prince Pethsarath, he attended Lycée Albert-Sarraut in Hanoi and then Lycée Saint-Louis in Paris. He graduated from the École Nationale des Ponts et Chaussées. While in France, unlike many with a similar background, Souphanouvong worked in the French dock at Le Havre. It was probably during this employment that he came into contact with the French socialists. Before returning to Laos, he studied irrigation in North Africa. He was a brilliant student and outclassed most of his French contemporaries. Returning to Laos in 1937, he found the situation in his own country galling and with no prospect of making a decent living, he worked as an engineer in Nha Trang, Vietnam. It was here that he met his future Vietnamese wife, Ly Thy Ky Nam, who was a comrade-in-arms of Ho Chi Minh. She subsequently took on a Lao name “Vieng Kham.” His marriage, explained Prince Mangkra Souvanna Phouma, “was the beginning of the destruction of Laos.” Souphanouvong went into exile in 1946 along with Pethsarath, Souvanna and other *Lao Issara* members in Thailand. Between 1946 and 1949, he held the posts of *Lao Issara* commander-in-chief, and Foreign and Defence minister. Following the dissolution of the *Lao Issara*, he went to Hanoi. Between 1950 and 1957, he spent all his time in North Vietnam and Northern Laos. In 1950, he was, at least nominally, the founder of the Pathet Lao and was elected President of the Lao People’s Congress. Between November 1958 and September 1959, under the first coalition government, he served as Minister of Planning and Economic Development. In 1959, he was arrested and jailed but, with the help of General Phoumi Nosavan, he escaped on May 24, 1960. He attended the 1962 Geneva Conference on Laos. Following the formation of the tripartite Government of National Union in 1962, he became one of the two Deputy Prime Ministers and Minister of Economic Planning. He again left Vientiane in 1963 and would not return until 1973. After 1975, he became the President of the Lao People’s Democratic Republic until 1991. Souphanouvong, despite all public propaganda to the contrary, did not rank higher than seventh place in the Pathet Lao leadership structure.

No. 2. **Prince Souvanna Phouma.** (1901-1984), born in Luang Prabang, he is the brother of Prince Pethsarath and half-brother of Prince Souphanouvong. He attended Lycée Albert-Sarraut in Hanoi and then in Paris the École Nationale des Travaux Publics and in Grenoble, France, and received a civil engineering degree. He returned to Laos in 1931. Between 1941 and 1945, he worked as an engineer. Prior to 1946, he was Minister of Public Works. As a member of the *Lao Issara*, he went into exile in Thailand between 1946 and 1949, and worked for a Thai electrical company. Between 1951 and 1954, he served as Prime Minister; between 1954 and 1956, as Deputy Prime Minister and Minister of Defence; between 1956 and 1958, again as Prime Minister. Between 1958 and 1959, he was exiled to France as ambassador. From 1960

and 1962, he went into exile, first, in Cambodia and then, to Khang Khay, Xieng Khuang province, Laos. He was the primary proponent of Laotian neutrality and tried to hold on to his policy of neutrality after 1962 until 1975, during which time he was the Prime Minister. For his neutralist position, see his newspaper *Say Kang*. Following the Pathet Lao take-over in 1975, he became the counsellor to the Lao People Democratic Republic's Secretary General - Kaysone Phomvihane. He remained in that position until his death in 1984.

No. 3. **Khamtay Sithandone** (also known as Siphandone). (1924-?) born in Houa Khong, in the province of Paksé, he served as a 5th class secretary and postal service clerk at Paksé. Charged with stolen public property (postal services revenue), he was arrested and jailed by the RLG in Sam Neua; the Japanese set him free and he escaped to Thailand in 1949 and joined Sithon Kommadam and collaborated with *The Viet Minh Resistance Committee* in Oubon, Thailand. He operated in and around Bassac and Boloven in southern Laos. Following the dissolution of the *Lao Issara*, he contacted Prince Pethsarath. The Prince nominated him chief of the Resistance Committee in Southern Laos. In April 1950, Souphanouvong invited him to join him in Vietnam. He did in August 1950 and participated in the Congress of Lao People, representing Southern Laos. Between 1953 and 1955, he served as Kaysone Phomvihane's Chief of Staff and entered the *Phak Khon Ngan (The Workers Party)* in 1954. In March 1955, he served as the Pathet Lao Liaison Officer to the Laos ICSC. He became a Pathet Lao Central Committee member in 1956 and remains so until today. After 1975, he served as deputy Prime Minister and Defence Minister. Between 1991 and 1995, he became Prime Minister of the Lao People's Democratic Republic.

No. 4. **Prince Boun Oum Na Champassak**. (1911-1980), born in Bassac and the heir to the ancient Bassac (Na Champassak) throne, he entered the Lao Civil Administration as a Nai Kong (village headman or chief) in 1934. He attended law school in 1935 and served as a magistrate in Vientiane, Thakhek and Luang Prabang. Between 1941 and 1942, he became *Chao Moung* (mayor) of Keng Kok. In 1943, he served as the Assistant Inspector of Political Affairs and Administration in Southern Laos and retired in 1945. In 1945, he actively led the Franco-Lao forces against the Japanese and the *Lao Issara*. In 1946, he renounced his right to the Champassak throne in favour of national unity and, for that, he became Inspector General for life. In 1948, he served as the President of the King's Council and became Prime Minister twice in 1949 and again between 1960 and 1962. After 1962, he retired from public life. He was politically conservative, a very strong advocate of Southern interests, occasionally even at an open rift with the Court at Luang Prabang. He was moderately anti-Pathet Lao. Just before the communist took over, he left for France for medical treatment and, then, became a political refugee.

No. 5. **Katay Don Sasorith**. (1907-1959) born half-Vietnamese in Paksé, he attended school in Hanoi and became, in 1943, bureau chief of Economic Affairs with the French Superior Residency in Laos. In 1945, he collaborated with the Japanese and, between 1945 and 1949, served as the *Lao Issara* Finance Minister. In 1951, he was elected as the deputy from Paksé as a member of *The Progressive Party*, served as President of the National Assembly and,

then, Minister of Finance and Economy. Between 1955 and 1956, he was Prime Minister and, then, Minister of State. In 1958, he served as Vice-president of Council as well as Defence and Interior Minister. In January 1959, he served as Minister of Interior and Cults. A highly literate individual, he wrote the following: *Pour rire un peu: histoires vécues* (1947); *Laos: le pivot idéal contre le communisme*, (1948) and *L'amitié ou la haine!* (1949). He was the founder of the *Bang Fai* newspaper. In Lao, "Katay" means "rabbit." Katay, thus, got the nickname "William Rabbit." With M. Rochet's assistance and encouragement, both Katay and Nhouy Abhay founded the *National Renovation Movement* which would produce many of the independent leaders in 1945-46.

No. 6. **Prince Pethsarath Rattanasavong** (1890-1959) born in Luang Prabang, he was the oldest brother of Prince Souvanna and Prince Souphanouvong. His political views could be characterized as "monarchist." He was an accomplished astrologer and was the standard author of Laos chronology: "The Laotian Chronology" in René de Berval. (ed.). *Kingdom of Laos* (Saigon, 1959). Between 1941 and 1945, he was Maha Oupahat or the Viceroy. Between 1946 and 1949, he was the Prime Minister of the *Lao Issara*. After 1949 when the *Lao Issara* was dissolved, he remained in Thailand until 1956. The only known writing of Prince Pethsarath was *Iron Man of Laos: Prince Pethsarath Ratanavongsa* (Cornell University, Ithaca, New York, 1978).

No. 7. **Oun Sananikone**. (1907-1978), born in Vientiane and veterinarian by training, he was posted in Sam Neua in 1941. He was responsible for raising silk worms and producing silk. In 1941, when the Franco-Siamese conflict began, he left for Thailand and served as an anti-French propaganda officer with Radio Bangkok. He was a member of *Lao Pen Lao*. He created a Liberation Committee for the *Lao Issara* in Savannakhet. Returned to Laos in 1949, he became a member of *The Democratic Party*. He was elected a deputy in 1951 and served as Vice-President of the National Assembly, and continued a parliamentary career until he resigned in 1973. He became a refugee in France after 1975. For a personal account of those years, see his *Lao Issara: The memoirs of Oun Sananikone*.

No. 8. **Phoumi Vongvichit**. Born in Xieng Khuang (1909-1994), he was a son of a governor and, then, became a *Chao Kheoung* (governor) of Xieng Khouang province himself under the RLG before joining the *Lao Pen Lao*. According to Mrs. Khamsy Vongviset, his cousin, he resisted the RLG and the French because the latter had executed his father-in-law, Kham Lek, then Governor of Xieng Khuang, and then, he took to the jungle because the French wanted to poison him. He served as the Pathet Lao liaison officer in Vientiane between 1955 and 1956, held a number of important positions during the coalition governments in 1957 and 1958 and 1962 and 1963. Following the Pathet Lao take-over in 1975, he served as a deputy prime minister, acting president, minister of education and culture, and a member of the politburo. He was also at the 1954 Geneva Conference. Fully dressed in a North Vietnamese uniform, he was presented by the North Vietnamese delegation as the representative of the Pathet Lao Government. He led the Pathet Lao Delegation to a number of negotiations with the RLG in the 1950's, 1960's and 1970's. He also attended the 1961-1962 Geneva Conference on Laos. Phoumi was related to the Sananikone family through marriage. Of the Pathet Lao inner circle

leadership, Phoumi was believed to have ranked at the 4<sup>th</sup> in the Pathet Lao leadership hierarchy and was the only one who did not marry Vietnamese. Phoumi, a childless individual, according to Mrs. Khamsy Vongviset, sent his wife to North Vietnam as a political hostage and, his wife, except for a very few brief periods in 1958-59 and 1962-64, did not set foot on Laotian soil until after the Vientiane Agreement in 1973. Before becoming a member of the Pathet Lao, Phoumi was believed to have been the author of the Laotian national anthem. Laos continued to use it until it was replaced in 1975. He also composed a number of popular Pathet Lao songs.

**No. 9. Singkapo Sithkhotchounlamany.** (1913-) born in Thakkhek, southern Laos, Singkapo later changed his last name from Sithkhotchounlamany to Chounlamany (between 1949 and 1954), reverted it back to Sithkhotchounlamany (between 1955 and 1959), reverted back to Chounlamany (between 1959 and 1962), then Sithkhotchounlamany again (between 1962 and 1964), then Chounlamany (between 1964 and 1973), then back to Sithkhotchounlamany since 1973. According to Madame Khamsy, Phoumi Vongvichit's cousin, the changing of his name was purposely done to conceal his connection with the North Vietnamese and to gain support for the Pathet Lao among the Lao, who, she further explained, were so "gullible and stupid" that they bought such an appearance completely. It is worth noting that the use of "Sithkhotchounlamany" always coincided with a time when the Pathet Lao were in Vientiane or an attempt to reach a political settlement was on the offing.

Singkapo was a teacher and, in 1945, was appointed Director of a school under the Japanese occupation. In November 1945, he was appointed the Chief of Staff of the *Lao Issara* Liberation Army and commanded one "brigade" in Thakkhek. It was in Thakkhek, a village principally defended by the Vietnamese Communists, that Singkapo contacted them. Between 1946 and 1948, the Vietnamese Communists put him in charge of the operation in the Napé-Naphao-Thakkhek areas. After the dissolution of *Lao Issara*, Singkapo, isolated and surrounded by the Vietnamese, contacted Prince Pethsarath in Bangkok who, in turn, appointed him the "commander of *Lao Issara* troops in the Thakkhek region." He subsequently became the President of *The Lao-Viet Military Committee*, with residence in Doloung in Vietnam. It was during this time that he married a communist Vietnamese, who, according to Mrs. Khamsy, controlled him and told him what to do, even in front of her. In September 1954, he supervised a politico-military school at Phuquy, in collaboration with the North Vietnamese and, in May 1952, he was designated the representative of the Unified Lao-Viet-Khmer Front. In May 1953, in Sam Neua province, he supervised the political education of prisoners at Ban Na Liou and the 5th Pathet Lao Bureau; and in September, presided over a tribunal which condemned to death Thao Khamphan, the Chief of Sam Neua province. In 1953, he led the North Vietnamese Communist to invade and occupy Thakkhek. Nominated by the Vietnamese Communists to the rank of Colonel, he became the President of the Pathet Lao Peace Committee and attended the 1954 Stockholm Peace Conference. In August 1954, he served as the Pathet Lao liaison officer to the Laos International Commission for Supervision and Control at Khang Khay, in Xieng Khouang province, and in October, served as Chief of the Pathet Lao delegation to the Mixed Commission in Vientiane. Between 1954 and 1955, he led the Pathet Lao delegation in the negotiations with the RLG. In April 1955, he went to New Delhi as the Pathet Lao representative

in the “Conference For International Detente.” Between 1964 and 1968, elected a NLHS Central Committee member, he served as Chief of the Pathet Lao army at Xieng Khouang. After July 1969, he began to lose influence as the younger leaders, trained exclusively by the North Vietnamese, began replacing the old guards. In 1975, he served as Vice Minister of Telecommunications and, Public Works and Transportation. He served as Prime Minister for a number of years after Kaysone’s death in 1991.

No. 10. **Prince Souk Vongsak.** (1915-1983) born in Luang Prabang, he graduated from law and administration schools, joined the Lao Civil Administration and, then, the Royal Palace Secretariat. In 1945, he joined Prince Khammao, Governor of Vientiane, as a Special Secretary. He also served as *Chao Moung* of Paksane and joined the *Lao Issara*. Exiled in Thailand, he served as propaganda officer and contacted the Vietnamese Communists at Oubon, and lived off the North Vietnamese financially. After the dissolution of the *Lao Issara*, he joined Souphanouvong in August 1950 in North Vietnam and was in charge of inviting Prince Pethsarath to come and live in the Pathet Lao area but Pethsarath refused. He became a Pathet Lao Central Committee member between 1954 and 1964; he served as an Education Commissar and supervised a number of schools, of which “School 44” was a political training centre; he was elected as a deputy from Luang Prabang in 1958 following the 1957 Laotian political agreement. He served as the Minister of Public Works and Transportation in the Government of National Union following the 1961-62 Geneva Conference on Laos. Between 1965 and 1969, he headed a number of Pathet Lao delegations on tours of East Bloc countries and France (December, 1967). After 1975, he became Minister of Health and held this position until 1983.

No. 11. **Kou Voravong.** (1914-1955), born on December 6, 1914 in Savannakhet, he attended Law School in Vientiane and joined the RLG public civil service in 1933. In 1941, he was *Chao Moung* (mayor) and deputy *Chao Kheoung* (provincial governor) of Vientiane. In 1942, he was *Chao Moung* (mayor) of Paksane. He participated actively with the Franco-Lao forces against the Japanese and later on against the *Lao Issara*, and the North Vietnamese and the Pathet Lao. He later became *Chao Kheoung* (provincial governor) of Vientiane at the end of 1945 and again in 1946, then in Thakhek in 1947. While travelling on official business, his company was ambushed in March 1947, near Hinboun, and two French officers and a Lao were killed. He was badly wounded and left to die on the road. Miraculously, he literally dragged himself to a nearby hospital. He co-founded the *Lao Union Party (Lao Rouam Samphan)*; he became between 1947 and 1949 Minister of Justice and Cults, between 1949-50 Minister of Economy, and in 1950 Minister of Economy. He was elected a member of the National Assembly in 1951. He was the founder and the president of *The Democratic Party*; and the president of the National Assembly. He attended the 1954 Geneva Conference with Phoui Sananikone and became Minister of Defence in 1954. Kou Voravong was at Phoui’s house when the assassination took place. According to Ngon, it was Phoui rather than Kou who was the real target. The assassin, however, missed Phoui. Kou later died in hospital. The only known culprit was a Thai national, called Oudom, then served in the RLG’s Second Parachutist troops under Kong Lé’s command. The culprit had never been brought to justice. In 1994, two former RLG senior intelligence officers, two civil servants (who later on became cabinet



ministers) and two former soldiers, on duty that night, (who subsequently achieved the rank of General) said that the French were involved. The last two based their argument on the fact that when they brought Kou to the hospital, the French doctors simply left him to die. They had stayed with Kou at the hospital until the very end. One of the two soldiers told the author that a few days before Kou was killed, Kou went to the French military base at Séno to receive the official handing of the base back to the RLG and when the French lowered their flag, Kou, “probably overwhelmed by his militant patriotism, stepped on the French flag.” This angered the French and the incident may have prompted the French involvement. Others said it was the work of Prince Pethsarath and the Thai, particularly General Phao. Indeed, the Thai authority openly accused Phoui of paying for the assassination. Subsequent investigation cleared Phoui of this accusation. See Deuve. *Le Royaume du Laos*, pp. 59-63.

No. 12. **Sing Ratanasamay.** (1920-1978?), originally from Vientiane, he joined the Indochinese Guard and eventually reached the rank of an Adjutant-Chef in 1945. He commanded the Civic guards set up by Prince Pethsarath under the Japanese occupation. Between 1945 and 1946, he was the War Minister in the *Lao Issara* Government and retained this position even after being exiled in Thailand until he resigned in 1948. Integrated in 1950 into the Lao National Army (LNA) as Lieutenant, he continued his military career. In 1958, he became the commander of the Third Military Region (Savannakhet province) and in 1959 became the Deputy Chief in the National Headquarters. In August 1960, he served as the Lao military attaché in Paris and returned to Laos to join General Phoumi Nosavan after the Kong Lé's *coup d'état*. In April 1964, he was a member of the Revolutionary Committee. In 1970, he became a general and served as a military advisor to the RLG delegation during the negotiations in Vientiane and retired in 1973. He was sent to and subsequently died in the so-called “Re-education camps” in Sam Neua.

No. 13. **Kaysone Phomvihane.** (1920 - 1990), the official Pathet Lao version states that Kaysone Phomvihane was born on December 13, 1920 in Laos and was a son of a Lao civil servant. Many Lao repeated this story. Two former *Lao Issara* members and Phoumi Vongvichit's cousin, however, insisted that Kaysone is, in fact, Pham Van Dong's son. Kaysone, in Vietnamese, literally means a “little corporal.” His real name, according to a former Lao intelligence officer and two former *Lao Issara*, is “Pham Van Heuan.” Unfortunately, the Lao, either out of complacency or incapable of pronouncing it properly, decided to call it “Phomvihane.” The official Pathet Lao version also states that, in 1942, he joined “the militant struggle of the Lao people against the French colonialist and the Japanese invaders.” In August, 1945, he was involved in the Lao resistance movement in Southern Laos; on January 20, 1949, he set up the People's Army, an army which subsequently became known as the People's Liberation Army of Laos. In 1949, he became a member of the *Indochinese Communist Party*. In August 1950, as a co-founders, he was elected to the Central Committee of *The Lao Liberation Front (Néo Lao Itsala)* and became its Defence Minister. In February, 1955, the Congress of the *Lao People's Revolutionary Party (LPRP)* elected him Secretary General. The official version does not say, however, that he led the *Lao Workers' Party* (a highly secretive, modeled along the North Vietnamese *Lao Dong Party*, dominated and

controlled by the North Vietnamese). In February 1972, he was re-elected Secretary General and, after 1975, he held the post of Prime Minister and the Secretary General of the *Lao People's Revolutionary Party*. He died in 1990. It is worth noting that Kaysone, the real leader of the communist movement in Laos, never joined any of the several coalition governments.

No. 14. **Ngon Sananikone.** (1914-2001), born in Vientiane and the younger brother of Phoui, he attended schools in Saigon and Hanoi. He was classmate of and knew many of the leading political personalities of not only the two Laotian sides but also those of the Vietnamese Communist. He was a professor and entered the Lao Civil Administration in 1940. In 1945, he served as *Chao Moung* (mayor) of Thakhek under the Japanese occupation, contacted the *Lao Pen Lao*, *Lao Issara* and then rallied to the Franco-Lao forces at the beginning of 1946. In 1946, he served as the *Chao Khoueng* (provincial governor) of Thakhek and, then Vientiane. In 1948, he served as the Director of Lao Economic Mission in Saigon. Elected the deputy from Thakhek in 1951, he became the Secretary of State for Economy; between 1954 and 1955, he served as the Lao Ambassador in London. Between 1955 and 1975, he held various ministerial portfolios in all successive governments. In 1960, he served as the Minister of Cults, Justice, Sports and Youth. Between December 1960 and June 1962, he served as the Minister of Economy in Boun Oum's Government. Between June 1962 and April 1964, he served as the Minister of Public Works and Transport in the Tripartite Government of National Union. He attended both the 1954 and the 1961 and 1962 Geneva Conferences. and, between 1954 and 1973, mostly led the RLG delegation in negotiating with the Pathet Lao. He was the longest serving cabinet minister (1955 to 1975) in the modern non-communist Laos.

No. 15. **Khampheng Boupfa.** (1923- ), she was a Pathet Lao member, held various positions in women organization, was responsible for translating "secret messages" from Vietnamese into Lao, served as a Pathet Lao interpreter for the International Commission for Supervision and Control in Laos and was the very first Lao woman ever to be elected, in the 1958 supplemental elections, to the National Assembly. She is apparently not related to General Khampheng Boupfa.

No. 16. **General Phoumi Nosavan.** (1900-1985), originally from Savannakhet and related to the Thai strong man Marshall Sarith, he entered the French Administration in Laos and, then, served as a Federal Security and a Youth Monitor Secretary. He joined the *Lao Pen Lao* and became the Director of Cadre Training. He served as Souphanouvong's Chief of Staff in 1946 and was sent to negotiate with the Vietnamese communists for additional funding and other types of assistance. Exiled in Thailand, he became the Chief of Staff of the *Lao Issara* Forces between 1946 and 1949. Approached by his cousin, Phoumi subsequently rallied to the Lao Army in 1950 and received the rank of Lieutenant. In 1955, he became the Chief of Staff of the Lao Armed Forces, the commander of the Second Military Region (Vientiane, in 1956) and, then, attended warfare school in France in 1957. In 1958, he became a member of the Committee for the Defence of National Interest (CDNI), a right-wing and anti-communist organization. In January 1959, he became a Colonel, and the Secretary of State for National Defence. He staged a *coup d'état* against Phoui Sananikone and his Government. In 1959, he received the rank of Brigadier

General. He was responsible for Prince Souphanouvong's 1959 "Great Escape." In 1960, he became the Defence Minister. He was the founder of *Paxa Sangkhom*. He also staged a Counterrevolutionary Committee after Kong Lé's *coup* in 1960. In July, 1960, he became Vice-President of the National Assembly and Interior Minister in Souvanna's government, and then Vice-President under Prince Boun Oum's Government. After the 1961-1962 Geneva Conference, he served as Vice-President of the King's Council and Finance Minister in the Tripartite Government of National Union. Following his failed *coup* in 1965, he went into exile in Thailand and, in absentia, was sent to 20 years of imprisonment in 1967. He remained in exile until death in 1985.

No. 17. **Prince Somsanith.** (1913-1978?), born on April 19, 1913 in Luang Prabang, he became a *Chao Moung* (mayor) and a civil servant in 1942. He also served in the French Residency Superior in Vientiane. He joined the *Lao Issara* in 1945 and went into exile in 1946 in Thailand. Between 1946 and 1949, he served as Minister in the *Lao Issara* Government. Upon his return to Laos, he was nominated Justice Minister and, later, *Chao Kheoung* of Nam Tha province in 1952. Between 1954 and 1956, he was the Director General of the National Police. In 1956, he served as Secretary of State for the Interior Ministry and Welfare. On January 7, 1960, he served as Interior Minister. Between June and August 1960, he was the RLG Prime Minister when Kong Lé overthrew his government. From 1961 to 1963, he served as the President of the National Assembly. In 1965, he was elected a member of the National Assembly. In 1973, he was a member of the King Council and retired in 1975.

No. 18. **Phagna Oun Heuan.** (1920-1969), born in Luang Prabang, he worked in the Residence Secretary of the French Administration in Laos. In 1944, he was the Inspector of Political Affairs. In October 1945, he joined the *Lao Issara* and became the Secretary of States in the *Lao Issara* Government and returned to Laos in 1949. He became the Cabinet Chief of the Ministry of Finance, Director of Customs between 1953 and 1954. Elected to the National Assembly in 1955 from Luang Prabang and was a member of *The Progressive Party*. In 1956, he was the Justice and Cult Secretary of States.

No. 19. **Nouhak Phomsavan.** (1916- ?), Nouhak's real last name is Phommasak. He was born in 1916 at Savannakhet of a moderate family. He married a Lao, Nang Chanthone, and, then a Vietnamese. He worked as a truck driver, carrying goods between Laos and Vietnam, for a Chinese businessman called Tan Yen Meou in Savannakhet. He was alleged to have earlier been in contact with the Vietnamese Communists before the Second World War ended and, after the war, he contacted Prince Souphanouvong and helped set up the Liberation Committee in Southern Laos. Returned to Savannakhet briefly and, then, returned to Hanoi, he served as a liaison officer between *The Indochina Communist Party* (ICP) and Southern Laos as well as the *Lao Issala's* External Committee representative in Hanoi. In 1947, he served as the President of the *Lao Issala* in Eastern Laos and led the North Vietnamese from Vietnam into Laos. He accompanied Souphanouvong to many of the meetings the "Red" Prince held with the North Vietnamese since 1950. He joined the Lao People's Congress in August of 1950. The 4th North Vietnamese inter-region, known as *Le Lien Khu*, appointed him Minister of

Economy and Finance, and he held the same portfolio in Souphanouvong's government. In 1951, he entered the *Phak Khon Ngan* or *The Workers Party*. Available evidence, although sketchy, suggests that Nouhak and Kaysone, were the co-founders of this party and modeled it along the North Vietnamese *Lao Dong Party* (and with North Vietnamese control and support). He became the President of the *Phak Kkon Ngan*'s political wing. In October 1952, he attended the Peking Congress on World Peace and, again, in December, attended the Moscow Congress World Peace and, then the Vienna World Peace Conference, as a member of the North Vietnamese delegation on all three occasions. In April 1954, he went to the Geneva Conference with a North Vietnamese passport. In 1955, he became the President of the *Phak Pasason Pativat* (*People's Revolutionary Party*). He led, on several occasions, the Pathet Lao delegation to negotiate with the RLG. In 1956, he served as the Chief of the Pathet Lao's Permanent Mission in Vientiane. Arrested and imprisoned in 1959, he subsequently escaped. Between 1960 and 1968, he served as member of the NLHS Central Committee and Presidium. Between 1975 and the present, he served as Minister of Economy and President of the *People's Revolutionary Party*.

No. 20. **Phoui Sananikone.** (1904-1985) born in Vientiane, he belonged to a leading and most powerful Vientiane family. He was the older brother of Ngon Sananikone and the effective chief of the Sananikone family. He became a civil servant in the French colonial Administration in 1923. Between 1942 and 1945 he served as *Chao Khoueng* of Houey Say province. When the Japanese occupied Indochina, he accompanied the retreating French forces to China and, eventually, to Calcutta. In 1947, elected as deputy from Paksé, he served as Minister of Education and Health. Between 1947 and 1950, he served as the first president of the National Assembly. He founded and became the President of *The Independent Party* in 1950. In 1953, he held simultaneously the posts of Vice-President of the Council, Interior and Defence Minister, and Prime Minister between 1950 and 1953. He became the Interior and Foreign Minister in 1954 and attended the 1954 Geneva Conference on Indochina and the 1961-1962 Geneva Conference on Laos. In 1955, he was elected a deputy from Vientiane. In 1957, he again became Foreign Minister. He again became Prime Minister between 1958 and 1959. In 1960, he became the president of *The Lao People's Rally Party*. Between 1965 and 1975, he served as President of the legislative chamber and, then, when the communists took over Laos in 1975, became a refugee in France.

No. 21. **Outhong Souvannavong.** (1907-1996), born in Vientiane, he studied and received a bachelor degree from the Lycée of Chasseloup-Lauba in Saigon. In 1929, he entered the French Administrative service. In 1941, he served as *Chao Khoueng* (provincial governor) of Thakhek. In 1942, he served as the Minister of Finance and Education in the government of the Kingdom of Louang Prabang. He was one of the proponents of having Laos remain within the French Union. In 1947, he served as the first Finance Minister of the RLG. Between 1947 and 1949, he became Minister of Defence and Interior. In 1949, he served in the King's council. Between 1950 and 1953, he became Minister of Foreign Affairs, Education and Information. Between 1953 and 1954, he served as Minister of Education and Health. In 1954, he served as President of the King's Council of Ministers. His political view was neutralist-monarchist, but he joined no political party. In 1964, he again served as Minister of Health. In 1975, he became refugee

in France and, in 1982, he sought and received permanent political asylum in Australia.

No. 22. **Bong Souvannavong.** (1906-1979?). Born in Vientiane, he attended a teacher college in Hanoi in 1924 and became a primary teacher in 1928. Between 1935 and 1936, he became assistant director of a school in Savannakhet and Vientiane, then director in 1936 and 1937 in Paksé, in Louang Prabang between 1937 and 1939, in Sam Neua between 1939 and 1941, again in Louang Prabang between 1941 and 1945. Between 1945 and 1946, he became a school inspector for North Eastern Laos. In 1947, he, along with Kou Votavong, found *The Lao Hauom Samphan* (*The Union Lao Party*). He became the President of the Constituent Assembly in 1947. Between 1947 and 1949, he served as the Minister of Economy. Between 1951 and 1955, he was elected a member of the National Assembly from Vientiane. In 1956, he organized a league called *The Santhiphap Pen Kang* (Peace by Neutrality) and was several times condemned for using defamatory comments on his Assembly colleagues. Between October 6, 1954 and March 9, 1955, he was accused of participating in and, then, imprisoned for the assassination of Kou Voravong, the RLG Defense Minister. In 1956, he helped found *The Sintham Mouvement* (Justice), comprised of younger educated people. In 1958, he served as the Minister of Education, Health and Cults. In January 1959, he served as the Minister of Telecommunications and Fine Arts. He largely retired from politics since 1960. In 1975, after the Pathet Lao took over, although well-known for his left-wing political inclination, he was arrested by the Pathet Lao, allegedly for “carrying out subversive activities and propaganda,” imprisoned in Vientiane and then sent to the so-called “re-education” camp. He was believed to have died sometime between 1978 or 1979.

No. 23. **Touby Lyfoung.** A Hmong, born in Nong Het, Xieng Khouang Province. During Second World War and the Indochinese war, he, along with Pacha Lynhiavu, Vang Pao, and the Franco-Laotian forces, actively fought the *Lao Issala*, the *Lao Pen Lao* and the Vietnamese Communists. He was related to the three Lao Bliia Yao brothers. (See biographical sketch No # 27, 28 and 29 below). His political view could be characterized as neutralist-monarchist. He served for many years as a minister. He was sent to “re-education” camp and was believed to have died in 1978 or 1979. He was the first ever Hmong minority to have occupied a ministerial position in the RLG.

No. 24. **Tiao Saykham.** (1899-1984), born in Xieng Khouang, he was a descendant of the princely family of the Moung Phouane region, in the Plaine des Jarres. He was both anti-Japanese and anti-Lao/Viet. He, along with the Hmong, namely Touby Lyfoung, Pacha Lynhiavu and (later on General Vang Pao), actively fought the Vietnamese Communists, the *Lao Pen Lao* and the Pathet Lao. He was apolitical and a military man. He served as Governor of Xieng Khouang since 1946. Following the Pathet Lao’s take-over, he became a political refugee in France.

No. 25. **Kou Abhay.** (1892-1964), born in the Khong region, in Southern Laos, he studied in Saigon, Phnom Penh and Joinville-le-Pont, in France, between 1911 and 1913, and commerce in Le Havre in France between 1913 and 1915. Between 1915 and 1923, he served as a member of the French Superior cabinet in Laos. Between 1929 and 1941, he served as the *Chao Moung*

( mayor) of Khong, and, then, the *Chao Kheoung* of Paksé between 1941 and 1947. Between 1947 and 1949, he became the Minister of Education and Health. In 1949, he served in the King's Council. Between January and May, 1960, he served as Prime Minister.

No. 26. **Phagna Khammao.** (1892-1965), born in Luang Prabang, he studied, between 1911 and 1913, commerce at the Dijon Commerce School in France. In 1941, he served as *Chao Khoueng* (provincial governor) of Vientiane and remained throughout the Second World War in this position. Between 1945 and 1949, he became the Prime Minister of the *Lao Issala*. Returned to Laos, he helped found *The Progressive Party*. Between 1950 and 1954, he served as Minister of Cults, Justice and Health. In 1955, he became the President of the King's Council. In the late 1950s and the early 1960s, he served as the a Laotian ambassador in London, Paris and Washington.

No. 27. **Laofong Lao Blia Yao.** (1915-1979), born in Phak Lak, he was the youngest of the three Lao Blai Yao brothers. At the present, nothing is known about his wartime activities beyond the fact that he fought with the Pathet Lao. Following the Pathet Lao take-over in 1975, there were rumours that General Vang Pao had contacted him and wanted him and his brothers to rebel against the Pathet Lao. The truth will probably never be known. What is known is that Laofong was persistent in his demand that the Pathet Lao honoured their wartime commitment that certain proportion of the governmental services be given to the Hmong minority. In addition, Laofong also devised a new and simplified written form of the Hmong language by using the Lao alphabets rather than the roman characters. Laofong was very active in encouraging the Hmong minority to study and enter government services so that, in the long term, the Hmong minority would achieve true equality. These two factors, no doubt, in the eyes of the Pathet Lao and the Vietnamese Communists, indicated that Laofong could pose a threat to them - i. e. another General Vang Pao or Chao Fa Patchay - and the Pathet Lao devised a plan to liquidate him. The official story was that there was a violent dispute between the Hmong in Sam Neua over land and Laofong, being a Hmong, should go there and resolve the problem. His plane exploded in mid air.

No. 28. **Faidang Lao Blao Yao.** (1905-), he was born at Phak Lak, Xieng Khouang Province and the oldest of the three brothers. During the Second World War, he collaborated with the Japanese and then the Vietnamese communists. In 1945, Faidang and his two brothers joined the *Lao Issara* and Faidang himself became a member of the *Issala* Committee, responsible for Eastern Laos, particularly in the Paksane area. Between 1946 and 1949, with the Vietnamese Communist support, in both financial and men, he, like his other two brothers, carried out guerilla activities against the Franco-Laotian-Hmong forces along the Eastern frontiers of Xieng Khouang Province. In 1950, he participated in the Lao People Congress, was elected to the Central Committee and, then, nominated Minister without portfolio in the Pathet Lao government. He served as the representative of the Hmong minority. Between 1950 and 1954, he operated along the eastern area of Xieng Khouang. In 1956, he was elected as Vice-Chairman and member of the NLHS Central Committee. He retained this position in successive Pathet Lao "election" in 1960, 1964 and 1968 and 1972.

Faidang is related to Touby Lyfoung through marriage: Faidang's father married Touby's aunt and Touby's father married Faidang's first cousin. The three Lao Blia Yao brothers joined the Vietnamese Communists and, then, the Pathet Lao, not because of political belief. Rather, they resented the fact that Touby, a French educated, got control of the *Kiatong* (the equivalent of Chief of Canton) of Nong Het. The French needed someone who could communicate with them and provided them with the necessary security and intelligence on the Vietnamese communists - i. e. speaking Vietnamese. Touby was well-educated. He could communicate with the French, the Lao and the Vietnamese without any difficulty. Thus, Touby received the *Kiatong* of Nong Het which Faidang's father, Lao Blia Yao, had held for decades. Nong Het was one of the largest Hmong community at the time. During Kiatong Lao Blia Yao's lifetime, the three brothers hardly went to school. Following Kiatong Lao Blia Yao's death in the late 1930's, the three Lao Blia Yao brothers, particularly Faidang, gambled away his father's wealth, livestock and land. Following the Japanese defeat, Touby Lyfoung and his relative captured Faidang and his two brothers, and they were beaten so badly despite the fact that the Lyfoung and the Lao Blia Yao were relatives. The Lyfoung brought the Lao Blia Yao to the home of a Lao family who was related to and good friends of the two Hmong families. It was at this Lao family that the three Lao Blai Yao managed to escape during the night. In 1994, in an interview with the author, this Lao confirmed the story and reluctantly revealed that, during the night, one of the three Lao Blia Yao brothers managed to enter his kitchen, took a knife and cut themselves loose.

No. 29. **Nhiavu Lao Blai Yao.** (1912-1982), born in Pak Lak, in Xieng Khouang Province. Like his two brothers, he joined the Pathet Lao for personal reasons. Still very bitter over the loss of the *Kiatong* (an equivalence of fiefdom) of Nong Het to the Lyfoung family, the three brothers saw the war as a way of retrieving the *kiatong*. Supported by the Vietnamese Communists, he, like his two brothers, carried out guerilla activities against the Franco-Laotian-Hmong forces in the Nong Het area. Between 1946 and 1949, he became a member of the *Lao Issala* committee in Eastern Laos. In 1950, he joined Souphanouvong at Doloung, Vietnam, and was elected a member of the NLHS Central Committee. In that same year, he became a member of *The Phak Kong Ngan*. Between 1953 and 1954, he served as a guide and led the North Vietnamese Communist invasion of Laos. In August of 1954, he served as the President of the Pathet Lao Committee in Xieng Khouang. In 1956, he was elected and subsequently re-elected in all successive Pathet Lao elections in 1960, 1964, 1968, 1972 as a member of the Pathet Lao Central Committee. Between 1958 and 1959, he served as Chief and then President of the Pathet Lao provincial Committee for Xieng Khouang Province. In 1970, he served as the President of the Committee for Nationalities and occupied this position until the middle of the 1980's. His death remained shrouded in mystery. Rumours had that he was poisoned.

No. 30. **King Sirisavang Vatthana.** (1907-1978?), born in Luang Prabang, he was the oldest son of King Sisavang Vong. He received a law degree from the University of Montpellier and a political science degree at the École Libre des Sciences Politiques in Paris. In 1930, he was appointed Secretary General of the Kingdom, an honorary title which gave him precedence

over the King's other sons. In 1941, he was appointed President of the Privy Council and received the title of Crown Prince in 1942. In 1951, he led the Laotian Delegation to the Peace Treaty Conference with Japan in San Francisco. He acceded to the throne in 1959 and expressed his fear as a matter-of-fact to a former Australian Ambassador to Laos, Barry Dexter, that he would never be coronated and that he would be the last king of Laos. Both events turned out to be correct. With Souphanouvong's betrayal, the king was forced to abdicate in 1975. He and the queen, along with the heir to the throne, were sent to the so-called "re-education" camp in Sop Hao, in the Sam Neua province, and died in captivity. His death ended the 600 year-old Laotian dynasty. A former RLG officer, imprisoned, saw pictures decorating the "dinning room" walls of that particular camp of their Majesties not only being paraded through the streets of Sam Neua and being spat at but also people throwing stones and rocks at them.

No. 31. **Prince Mangkra Souvanna Phouma.** (1936-), born in Louang Prabang, he is the oldest son of Prince Souvanna Phouma and the nephew of prince Souphanouvong. He studied in France. In the 1960's, he served in the Royal Lao Air Force and became *aide de camp* of his father, Prince Souvanna Phouma. He escaped to France in 1975. For a personal account, see his book *L'agonie du Laos* (Paris, 1976).

No. 32. **Leaum Insixiengmay** (also Liem Insisiengmay). (1917-2000?), born in Kengkok, in the Savannakhet province, he was the brother-in-law of Prince Boun Oum. He received a bachelor degree in Phnom Penh and entered Lao Administration in 1937 as Oupahat. Between 1942 and 1944, he served as the chief of the cabinet of the Prime Minstership of the Louang Prabang kingdom. In 1945, he joined the Franco-Laotian forces and actively fought the Pathet Lao and the Vietnamese Communists. In 1946, he became *Chao Moung* (mayor) of Savannakhet and, in 1947, was elected a member of the Constituent Assembly. Between 1947 and 1949, he served as the Finance, Interior and Justice Minister. In 1950, he was elected a deputy for *The Independent Party* from Savannakhet. Between 1953 and 1960, he became the Minister of Health and Finance. He served as a Vice-President of the *Rassemblement du peuple Lao* and adhered to the right-wing faction in 1960. Between 1961 and 1962, he served as deputy Prime Minister under Prince Boun Oum Government. Following the Geneva Conference on Laos in 1962, he served as Minister of Education, Fine Arts, Sports and Youth. Between 1965 and 1975, he held the position of Vice-President of the Council of Ministers, and in a number of sporadic intervals as Foreign Minister. He subsequently become a Neutralist. After 1975, he stayed in Laos, along with Prince Souvanna Phouma. He was only the second leading personality (beside Souvanna) to have escaped prison camp because of family connection with Kaysone. He was elected a representative of the people. He retired in 1979.

No. 33. **Pheng Phongsavane.** (1910 - 1978?), born in Pakham, Luang Prabang, he entered Lao civil administration in and became a *Chau Moung* in 1942. Between 1944 and 1945, he served as *Chao Moung* (mayor) of Ban Keun in the province of Vientiane. He was a co-founder of the *Lao Action Committee* against the *Lao Issara*. He joined the *Khana Phoun Phou Lao* (*Lao Renovation Party*) and was elected in 1947 to the National Assembly from Louang Prabang.



In 1951, he was again elected as a *Progressist Party* member from Louang Prabang. Between 1951 and 1953, he served as the Secretary of State for the Interior Ministry. In 1954, he became the Minister of Economy and Public Works. Re-elected in 1955, he became the President of Chamber. In 1960, he served as the Vice-President of *The Lao People Rally Party*, an honorary President of the Neutralist Lao Youth and the President of the Neutrality and Unity Committee. He was one of Souvanna Phouma's closest allies. Between, 1961 and 1962, he served a counsellor to the Neutralist Government in Khang Khay and the Vice-President of the *Lao Pen Kang Party* (Neutralist Party). He led the Neutralist faction in the tripartite discussions in Ban Namone between 1961 and 1962. Following the establishment of the Second Government of National Reconciliation after the 1961-62 Geneva Conference, he served as the Interior and Social Services Minister. Between 1964 and 1969, he served largely as the Foreign Minister. In 1969, he became the Interior Minister. In 1975, he was sent to the so-called "re-education" camp by the Pathet Lao and was believed to have died sometime between 1978 and 1979.

No. 34. **Quinim Pholsena** or **Kinim Pholsena** (1915-1963), of a Chinese/Lao parenthood, he was born in the city of Paksé in the Champassak province. He was protected, "raised" and educated by the Souvanna Phouma family. He worked in the French Residency as a secretary in Paksé between 1944 and 1945. He participated the struggle against the Japanese and the *Lao Issala*. In November of 1945, he became the *Chao Moung* (mayor) of Paksong and between 1947 and 1949 he served as the deputy *Chao Khoueng* (provincial governor) in Paksé. In 1949, he became the *Chao Khoueng* of the Sam Neua province and was elected as a deputy from Sam Neua in both the 1951 and 1955 elections. He was in Sam Neua when the Vietnamese Communist invaded Laos in 1951 and between 1953 and 1954. He remained in Sam Neua city despite the claim concocted by both the Vietnamese Communists and the Pathet Lao that both the Sam Neua and Phong Saly provinces were completely "liberated." It was not until late 1955, as a result of direct attack that he left the city. He walked from Sam Neua to Luang Prabang without being betrayed by the population. In 1956, he helped create the Committee of *Santipap Pen Kang*. He served as the Minister of Interior and then Minister of Information in the Neutralist Government, led by Prince Souvanna Phouma. In October 1960, he served as part of the Neutralist Delegation in the political discussion with the Pathet Lao. He was also a member of the Committee for Neutrality and National Unity. Between 1961 and 1962 he served as the Foreign Minister in the Souvanna Government in Khang Khay. And, following the 1961-62 Geneva Conference on Laos, he continued to serve as Foreign Minister in the Tripartite Coalition government of National Union. He was assassinated in April, 1963 by a 19 years old Neutralist corporal named Kong.

No. 35. **King Sisavang Vong**. (1885-1959), acceded to the throne in 1904, he was under house arrested by the *Lao Issala* and liberated by the Franco-Laotian-Hmong forces. He proclaimed the 1947 Constitution. Despite western urgings, the king remained in Luang Prabang during the Vietnamese communist invasion of Laos in 1951 and, again, between 1953 and 1954. That invasion came within 20 KM of Luang Prabang. The king stayed as a consequence of a prediction by a blind monk that the invasion would fail. And, it did. To test the telepathic

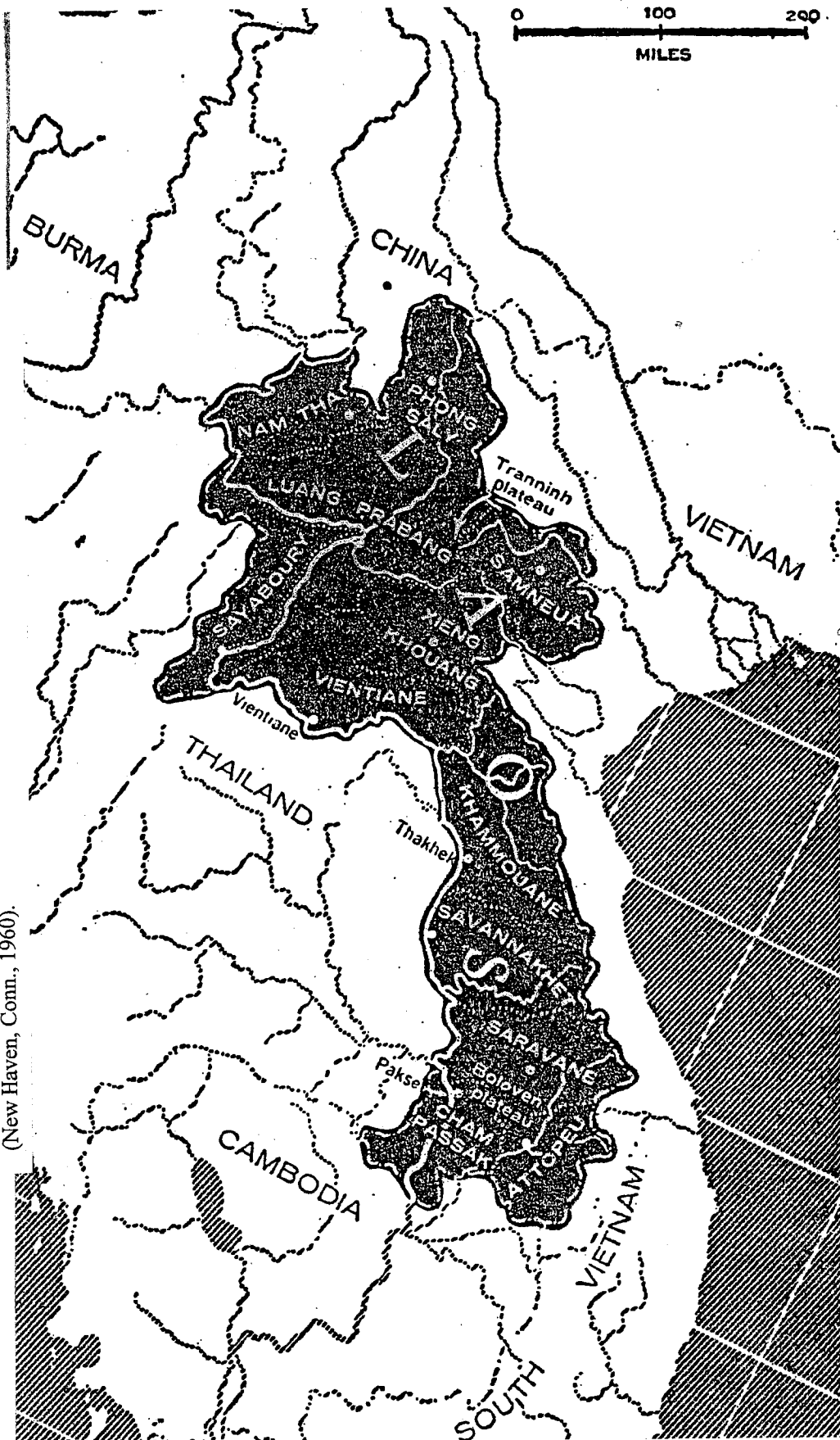
power of the monk, a French archeologist, later on, asked the monk to predict the outcome of a multi-million Thai lottery prize. He did and the number he gave turned out to be identical.

No. 36. **Inpeng Souryadhay.** (1920-), he was a teacher between 1946 and 1949. He studied law in France between 1949 and 1952 at Études de Droit et Sciences Politiques in Paris. He also received a degree in public administration. He served between 1953 and 1955 as the First Secretary of the Laotian embassy in Washington. Between 1955 and 1958, he was the director of National Information Services and Secretary General of the Council of Ministers. A Co-founder of the “Young Turks” in 1959 by the name of the “Renovation” Group and then the *Comité de défense des intérêts nationaux*. He served as a director of National Documentation Centre, a fore-runner to the Secret and Intelligence Service and a member of the Economic and International Cooperation Group. In 1958, he became the Secretary of State for Justice and, in 1959, the Secretary of State for Education. He was responsible for dealing with the United Nations Security Sub-Committee in 1959 sent to Laos to investigate the North Vietnamese interference in the internal affairs of Laos and violations of Laotian territories. In 1960, he became the Minister of Finance and Economic Development of the Neutralist Government and then the head delegate of the Neutralist delegation in the discussion with the Pathet Lao. Between 1962 and 1964, he served as the Vice President of the National Assembly. Between 1964 and 1971, he was the Minister of Planning and Cooperation. He was posted in London as the Laotian ambassador between 1971 and 1975. He became a refugee in France in 1975.

No. 37. **Captain Kong Le.** (1934- ), born in Phalane in the Savannakhet province, he entered the Lao National Army and rose to the rank of a captain. He commanded the 2<sup>nd</sup> Parachutist Battalion. After completing his training in the Philippines and in Thailand, in 1960, he returned to Laos. In August 1960, he achieved fame when he successfully staged a *coup d'état*. Following the *coup*, with Quinim Pholsena's assistance, Kong Le asked Souvanna to assume power and Kong Le became effectively Souvanna's military commander. In November 1960, he became the Vice President of the Committee for Neutrality and National Unity, and then Vice President of the High Command of the Armed Forces. In September 1961, he became the Vice President of the *Lao Pen Kang Party* (The Neutralist Party). Chased from Vientiane, he established his headquarters at the Plains of Jars. Between 1961 and 1962, he served as the President of the Mixed Military High Command (between the Neutralist and the Pathet Lao armies) of the Neutralist Government in Khang Khay. Following the 1961-62 Geneva Conference on Laos, the Pathet Lao and their North Vietnamese masters went after Kong Le and the Neutralists. Outnumbered and outgunned, Kong Le was forced to ally with the rightist faction. Following a series of attempted coups and assassinations, he went into exile in Indonesia and eventually in France in 1967.

MAP # 1 Laos and Its 13 Provinces

Taken from Frank M. LeBar and Adrienne Suddard. *Laos: Its People, Its Society and Its Culture* (New Haven, Conn., 1960).





Map 2. Political Subdivisions of Laos

Taken from the National Archives of Canada. RG 25, Vol. 3069, file 3 "Commentary of the Protocol to the Declaration on the neutrality of Laos."

Note: This map is used in the 1965 Investigation on the North Vietnamese/Pathet Lao attack on the Laotian government's Officer Training School at Dong Hene.

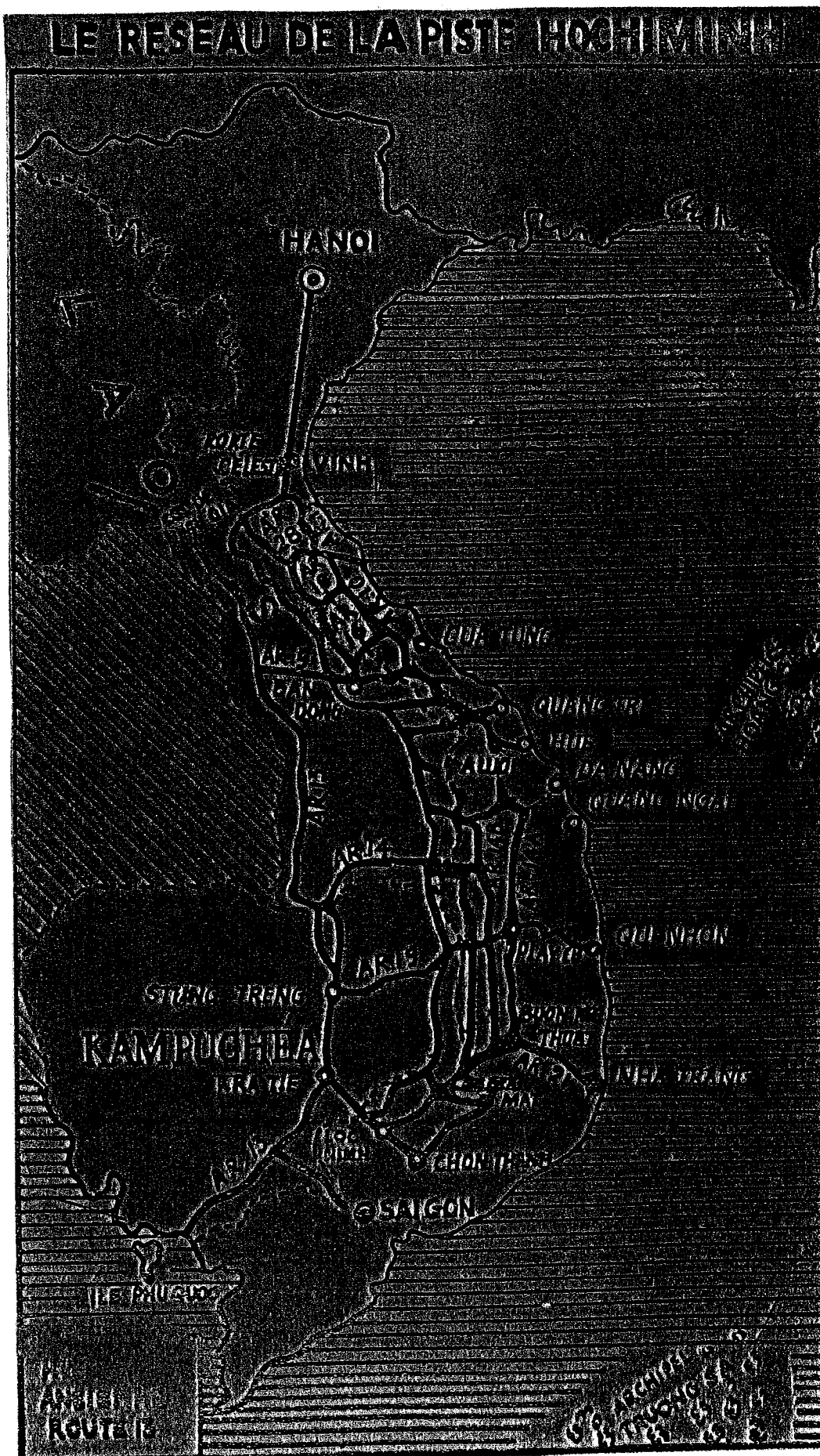
Taken from *La Piste Ho Chi Minh* (Hanoi: Éditions En Langues Étrangères, 1985), p. 4.

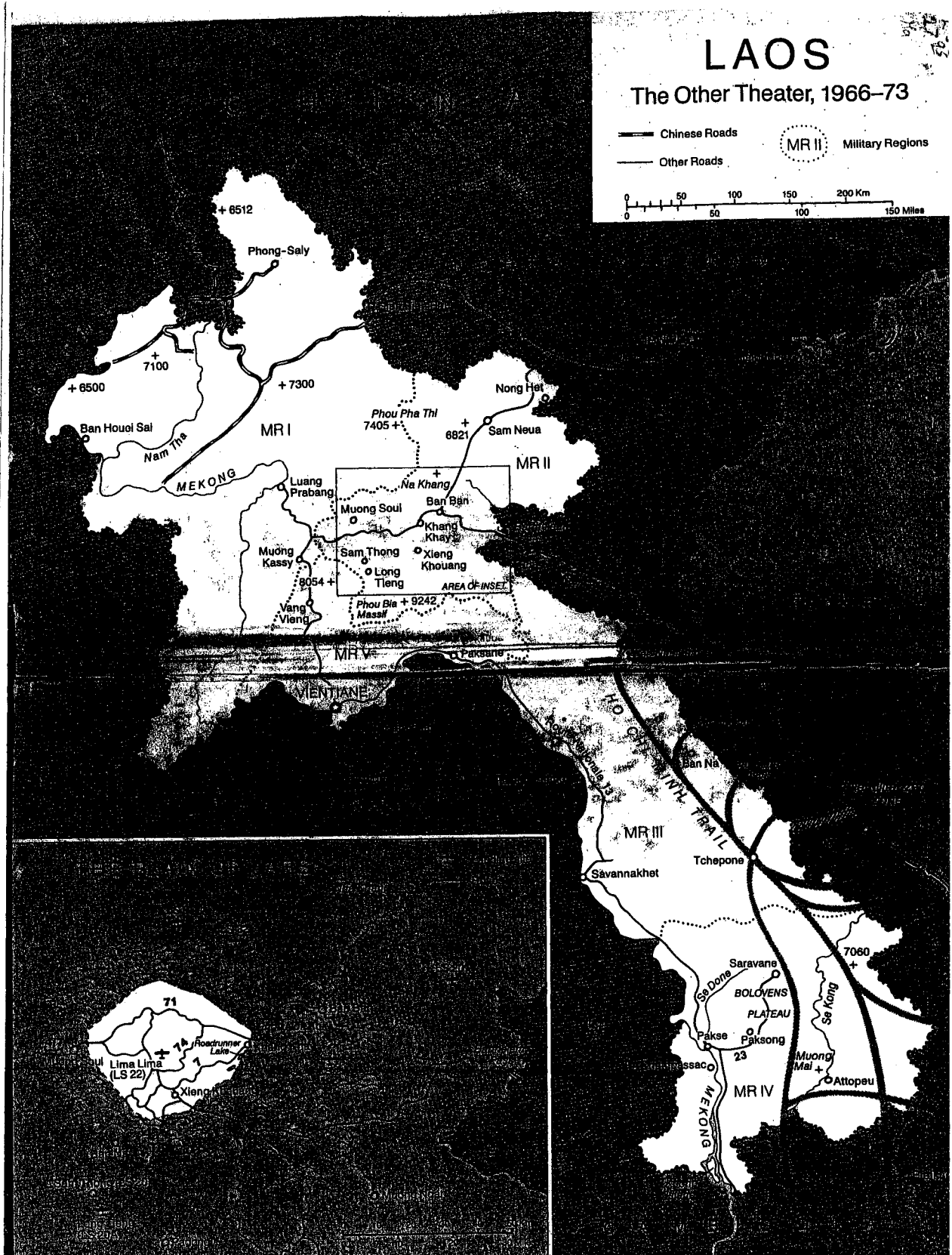
Note:

International boundary

The Ho Chi Minh Trail

The author wishes to thank Dr. Ton That Thien for this booklet.





Taken from Christopher Robbins. *The Ravens: The Men Who Flew in America's Secret War in Laos* (N. Y.: Pocket Books, 1987).