taken action on the matter.

The Ceasefire Agreement provides, among others, that there shall be no infiltration from North Viet-Nam into South Viet-Nam. We see no reason why this provision cannot be respected by the Communists, if they are really interested in restoring peace in that part of the world...'

Philippines Daily Express

... l'accord de Paris portait aussi sur le Laos, où la mise sur pied d'un 'règlement intérieur' n'a rien changé à une situation stratégique caractérisée par la maîtrise des Nord-Vietnamiens sur la piste Ho Chi Minh, et sur le Cambodge où tout se passe comme s'il n'y avait jamais eu d'accord....

Jean Jacques CHOUET

Tribune de Genève, Mardi 15 Mai 1973
"... Pour qu'Hanoï veuille bien discuter avec Washington des moyens d'appliquer 'strictement' l'accord du 27 Janvier — ce qui confirme bien que ce qui a été signé à Paris a été constamment violé — il exige que son interlocuteur remplisse tous ses engagements, en particulier la reprise du déminage des ports nord-vietnamiens et la reprise des négociations sur l'aide des États-Unis à la reconstruction du Vietnam du Nord. L'un et l'autre suspendus à la suite des incessantes et grossières violations de l'accord de la part de Hanoï."

Marc HEYD

(La Suisse, Mercredi, 16 Mai 1973)
"... the peace in Vietnam and the parallel peace in Laos remain fragile because of North Viet-Nam's continued violations of the Peace Agreement."

President Richard NIXON'S
AMBIGUOUS CEASE-FIRE

The movement of tanks and men from North Vietnam has been on a scale sufficient to draw a warning from President Nixon that the United States reserves the right of retaliation. No such right is contained in the Paris agreements.

(The Press, New Zealand, Wednesday, March 21, 1973)
'And it is the North Vietnamese and the Vietcong that give the stiffening to the Pathet Lao and the various insurgent groups in Cambodia.'

Prime Minister LEE KUAN YEW

of Singapore

(NBC's Interview telecast on April 15, 1973)
Ceasefire or not, peace is hard to locate in Vietnam. The war proceeds at a killing pace. Everyone blames everyone else, and the Paris negotiations are jeopardised. The Communists' aim remains the same. It is to extend control over as many villages as possible and to cut main highways, thus strengthening their political position. If they imagined President Thieu would take this lying down they were much in error.

(The Dominion, New Zealand, Monday, March 26, 1973)
NORTH VIETNAMESE
TROOPS RUSH TO BEAT MONSOON

'Communist troops and supplies are pouring down the Ho Chi Minh trail in what intelligence assessors believe is an effort to pack South Vietnam with as many men and weapons as possible before the start of the monsoon season.'

During the first month following the signing of the Paris peace accords, 57,000 trucks crossed into South Vietnam, either across the demilitarized zone or down the Ho Chi Minh trail.

Since then, there has been no let-up. The halting of United States air raids over Laos in late February resulted in an almost unhampered Communist supply drive.

Most staff officers in Saigon believe that Hanoi is preparing for another major military push — perhaps along the lines of last year's offensive. Likely targets are still in the north, and the politically sensitive provinces around Saigon.

Captured documents largely substantiate this line of thought. In particular, one document seized in coastal Quang Ngai province late last month indicated a 'high point' for fighting to coincide with the anniversary of Ho Chi Minh's birthday on May 19.
The Communist have converted their 304th division, one of the key units in last year's thrust into the northern provinces, into what has been termed the 'Ho Chi Minh Group.'

Ian WARD

VIETNAM'S WAR-LIKE PEACE

The four-nation International Commission of Control and Supervision (ICCS) continually sees Poland and Hungary blocking effective action. In this atmosphere Indonesian influence is minimal. Threats by Canada the fourth member, to withdraw her delegation produces no discernible effect on the level of efficiency. If anything Hanoi's interests are enhanced by the element of uncertainty injected by Ottawa at this point.

In the southern Mekong Delta several ICCS field teams have completed inspection assignments. But there are in fact few clashes and little Communist infiltration of men and equipment in this region. In the northern provinces across the Central Highlands and along the Viet Cong supply corridor from the Cambodian border north of Saigon where serious Communist military activity is in progress the ICCS is noticeably inactive.

In short Vietnamisation is complete. America is out and the Vietnamese are on their own. However anyone who seriously believes that the Vietnamese will unaided or uncoerced, produce some tangible step towards peace is ignoring one unwavering historic characteristic of the conflict. Peace can never come until the Communists either win or for some reason find it impossible to continue the fight. The Paris agreement certainly does not give them victory. Nor is it apparently hampering their war preparations.
All intelligence indicators point to a massive North Vietnamese supply effort down the Ho Chi Minh trail in Eastern Laos. So bold has this been since America halted the bombing there that Communist trucks no longer bother with camouflage.

In February alone the North Vietnamese despatched over 50,000 troops down the tortuous trail. In addition they moved upwards of 400 armoured vehicles and several hundred artillery pieces and anti-aircraft cannons within the borders of South Viet-Nam from base areas in Cambodia and Laos.

A large percentage of the 26,000 Communist prisoners of war being released by the Government side are being quickly re-deployed into field units. The net result is that the North Vietnamese will have some 100,000 fresh troops ready for battle in South Viet-Nam by the middle of April ample to sustain yet another major offensive.

Ian WARD

(The Daily Telegraph, London, March 27, 1973)
THE CEASE-FIRE IN VIET-NAM

The Communist forces entrenched by the ceasefire will have many opportunities to intrigue and wreck on the government side of the demarcation line under the guise of exercising the 'rights of the populations', written into the cease-fire, 'to free speech, free movement, and free association'. The spirit in which the Chairman of the DRV envisaged his 'armed force holding high the banner of national concord' was disclosed the day after ceasefire in an Order of the Day in the Hanoi Army Daily to its 'military forces of the revolution in the South, to remain stable and strong, and constantly develop and consolidate themselves for the difficult, complex, and violent struggle ahead'.

Dennis J. DUNCANSON

(The World Today, March 1973)
THREE 'LEVERS FOR PEACE' IN VIETNAM

"... One way or another, however, the trouble must be overcome. To begin with, it cannot be emphasized too often that the real heart of the cease-fire agreement is in the clauses covering Cambodia and Laos. These require Hanoi to recall all its troops from both countries. If Hanoi keeps this key promise, then Hanoi cannot physically sustain another major aggression against South Vietnam."

"This is because of the importance of the Cambodian and Laotian bases and supply lines. Here, in turn, is why the ceasefire agreement gives the South Vietnamese a reasonable chance of settling their own future among themselves. Yet no international commissions and peace-keeping groups can do much to insure Hanoi keeps its promises about Laos and Cambodia."...

JOSEPH ALSOP
The Washington Post
CEASE-FIRE MAY WORK

The chances of the Communists living up to the agreement, as rated by South Vietnamese officials, are slowly improving so far as military arrangements are concerned. The continuing prisoner exchange and the diminishing though still frequent violations of the truce have led to a cautious hope that a tolerable cease-fire may be achieved in time.

CROSBY S. NOYES

The Evening Starnews

March 21, 1973
The greater part of my time in Hanoi was spent on discussing the implementation of the agreement, what forms normalization of relations might take and you should look at the economic aid program not in terms of a handout and not in terms of a program even of reconstruction alone but as an attempt to enable the leaders of North Vietnam to work together with other countries and particularly with Western countries in a more constructive relationship and to gain in this manner, to provide in this manner, an incentive toward a more peaceful evolution.

The economic commission will be the first opportunity that the leaders of the Democratic Republic of Vietnam have had to discuss something other than armistices or military arrangements with responsible Americans. And therefore, the visit was part of an attempt to move from hostility toward normalization.

Dr. KISSINGER,
New Conference in Washington
from The New York Times,
REPRESSIVE PEACE

'Peace in Vietnam may or may not endure. Superpowers may or may not continue their policies of intervention. But one sure outcome of the cease-fire in Vietnam is a tightening of repressive measures in Southeast Asian countries in the name of security. In fact, events of the past week or so suggest that this process is already well underway.

T.J.S. GEORGE
(Far Eastern Economic Review
February 5, 1973)
REQUEST FOR INVESTIGATION AT KHE SANH:
STATEMENT OF VIEWS BY THE CANADIAN DELEGATION AT
THE 29TH SESSION OF THE ICCS ON MARCH 9, 1973

At the 23rd Session of the International Commission of Control and Supervision on Wednesday, February 28, 1973 the Commission considered a request dated February 26, 1973, from the Republic of Vietnam Delegation to the Central Joint Military Commission to the ICCS to investigate a complaint alleging that three SAM-2 rocket sites with missiles had been introduced into the Khe Sanh area, contrary to Article 7 of the Agreement on Ending the War and Restoring Peace in Vietnam. The Republic of Vietnam request for an investigation was supported by a series of photographs purported to have been taken between January 24 and February 12 to 18, 1973. The U.S.A. Delegation to the Central Joint Military Commission, in a letter dated February 28, 1973, confirmed that the CJMC had been unable to agree on joint action concerning this complaint. The Canadian Delegation, supported by the Indonesian Delegation, considered that the International Commission should immediately investigate this alleged violation because of its seriousness and the obligation of the ICCS to do so under Article 2 of the ICCS Protocol.

Article 2 of the ICCS Protocol provides that 'the International Commission shall investigate violations of the provisions described in Article 18 of the Agreement on the request of the Four-Party Joint Military Commission, or of the Two-Party Joint Military Commission, or of any party...' In the circumstances there was, in the opinion of the Canadian Delegation, no alternative under the Agreement and the relevant Protocol but for the ICCS to begin an immediate investigation. Nevertheless, despite this clear and mandatory obligation, the Hungarian and Polish Delegations
did not agree to an investigation because they considered that there were no adequate grounds. The Polish Delegation also expressed the view, inter alia, that the other party in the dispute should be consulted before any investigation was launched. The Canadian Delegation was unable to accept such a proposal. If the ICCS on each occasion had to consult the other Party or Parties involved before acting on a request by a party for an investigation, the result would be interminable delays with the prospect that no investigation would ever be undertaken. Furthermore, the Canadian Delegation pointed out that it was because the CJMC had failed to agree to an investigation that the ICCS was seized with a request for an investigation from the RVN and U.S.A. Delegations. The ICCS thus failed to act at its 23rd Session when it had a clear obligation to do so.

On Thursday, March 1, 1973, at the 24th Session, the Canadian Delegation again raised the Khe Sanh incident on the basis of a public statement of February 28, 1973, by the PRG (copies of which had been referred to all ICCS Delegations). The Canadian Delegation noted that, although the PRG statement did not include any offer of cooperation in the investigation, it afforded an occasion for the Commission to review the case and meet its obligations. After further prolonged debate the question was inscribed on the Agenda for the 25th Session of the Commission on Friday, March 2, 1973.

At the 25th Session the Indonesian Delegation noted that, as a result of receiving the PRG statement, the Commission had the opportunity to correct the wrong decision it had made at its 23rd Session when it had failed to meet its obligations under the Agreement and ICCS Protocol. In supporting this view, the Canadian Delegation noted that the dispute between the RVN and PRG concerning this question appeared to be particularly serious and could even lead to action by one side or the
other resulting in a resumption of general hostilities. Despite the appeal by the Canadian Delegation and by the Indonesian Delegation, the Hungarian and Polish Delegations refused to agree to an investigation on the grounds that no adequate evidence existed to justify an investigation. Once again, therefore, the Commission failed to take the mandatory action required of it.

At the 26th Session of the ICCS on Monday, March 5, 1973, the Head of the Canadian Delegation, in a further attempt to ensure that the ICCS met its responsibilities, introduced a resolution calling for the necessary action by the Commission to carry out an investigation of the complaint (a copy is attached as Appendix A). The Indonesian Delegation supported the resolution. The Hungarian and Polish Delegations opposed the resolution, stating that their position had not changed and that they continued to believe that there were no adequate grounds for investigation. The Record of Decisions of the ICCS' 26th Session records the views of the various Delegations on the Canadian resolution (a copy is attached as Appendix B). It is the opinion of the Canadian Delegation that the argument of 'no adequate grounds' has no validity as a justification for refusal to investigate since Article 2 of the ICCS Protocol makes quite clear that the Commission has the mandatory obligation to investigation at the request of 'any party'.

The ICCS is required, under Article 18(C) of the Agreement on Ending the War and Restoring Peace in Vietnam, to report to the two South Vietnamese parties on matters concerning the control and supervision of the implementation of, inter alia, Article 7 of the Agreement. Since the Commission has not up to now been able to agree to investigate the request of the RVN delegation supported by the U.S.A. delegation to the Four-Party JMC, I request that this statement, representing the views of the Canadian Delegation, and its enclosures be sent
by the Chairman to all members of the Four-Party Joint Military Commission in accordance with the provisions of Article 3(B) of the ICCS Protocol.

ANNEX A

RESOLUTION

submitted by the Canadian Delegation
at the 26th Session of the ICCS on March 5, 1973

Whereas the International Commission of Control and Supervision has received a letter dated February 26, 1973 from the Chief of the Republic of Vietnam Military Delegation to the Central Four-Party Joint Military Commission, and a letter dated February 28 from the Chief of the USA Military Delegation to the Central Four-Party Joint Military Commission, requesting an investigation of the alleged establishment by the PRG/RSVN and the DRVN, since the Agreement on Ending the War and Restoring Peace in Vietnam went into effect, of three SA-2 missile sites and the introduction of SA-2 missiles in the vicinity of Khe Sanh,

Whereas the introduction of inter alia, armaments, munitions and war material into South Vietnam would constitute a violation of Article 7 of the Agreement,

Whereas Article 7 of the Agreement is one of the provisions described in Article 18 of the Agreement,

Whereas the ICCS is required under Article 2 of the Protocol concerning the ICCS to investigate violations of the provisions described in Article 18 of the Agreement,

Now, therefore, the Commission decides /a/ to instruct the Regional Headquarters of the ICCS in Hue
...to despatch a team to undertake an investigation of the alleged establishment of new missile sites and the introduction of SA-2 missiles in the vicinity of Khe Sanh, and to seek from the appropriate Party or Parties in the Central Four-Party Joint Military Commission the necessary cooperation, assistance and protection for an investigation.

ANNEX B

EXCERPT FROM RECORD OF DECISIONS of the ICCS at its 26th Meeting, Monday, March 5, 1973.

Introducing agenda item No 6 the Canadian Delegation circulated a resolution on the request by the RVN and US Delegations for investigation of alleged violation at Khe Sanh concerning SA-2 missiles and asked that it be annexed to the Record of Decisions for this meeting.

The Head of the Canadian Delegation stated that his Government has taken a very serious view of the failure of the ICCS to investigate the Khe Sanh case. He said that it was the last formal attempt by the Canadian Delegation to have the Hungarian and Polish Delegations revise their attitude regarding the request by RVN and US Delegations on this issue. He asked the other Delegations to take a final stand in this regard.

The Head of the Indonesian Delegation considered the Canadian draft resolution the last reasonable effort to take action on the Khe Sanh affair and fully supported it.

The Polish Delegation stated that its position remained unchanged and considered that there were no adequate grounds to start an investigation.
The Head of the Hungarian Delegation stated once again that there were no adequate grounds to start an investigation and therefore continued to maintain his previous stand.

The Head of the Canadian Delegation reserved once more his right to make a statement on this matter at the next meeting of the Commission.
STATEMENT BY THE HEAD OF THE CANADIAN DELEGATION
Delivered at 32nd Meeting
March 21, 1973

Mr. Chairman,

You will recall that at the 29th meeting, I reserved my right to comment on the statement of the Polish Delegation, which referred to my statement on the Khe Sanh case delivered at the 28th meeting. I should like to take this opportunity today to comment on the Polish Statement.

Early in its statement, the Polish Delegation accuses me of having 'distorted the stand taken from the very beginning by the Polish Delegation' by 'extracting from the context only part of the reasoning as well as in leaving aside essential parts' of the Polish Stand. It would have been helpful, Mr. Chairman, if the Polish Delegation had been more precise. The claim of the Polish Delegation that I had distorted their remarks made over several meetings surprised me, in that I used as my guide in preparing my statement the Records of Decisions of the relevant meetings. Based on these records, the notes prepared by my officers, and my own recollection of what the Polish position was, I fail to see where I could have distorted the Polish stand on the Khe Sanh affair.

The Polish Delegation went on to state that, in my statement, I had omitted in particular 'basic legal arguments' presented by the Polish Delegation 'that aerial photographs, because of evident reasons, cannot constitute proofs in the case'. I made it clear in my statement that the Polish Delegation did not consider
that there were adequate grounds to justify an investigation. With respect to its statement that aerial photographs cannot constitute proofs I can only say that I myself never pretended that the aerial photographs constituted proofs of the existence of missiles at Khe Sanh. However the argument that they could not constitute 'proofs' is irrelevant. If we considered them as proofs, there would be no need for an investigation. What the Polish Delegation seems to be saying is that because the evidence submitted by the complaining party does not prove a violation took place, we should not investigate the allegation. This is a curious way of reasoning. If we were to investigate only violations that were supported by irrefutable proofs, what would be the point of carrying out investigations?

The Polish Delegation went on to state that the photographs could not constitute proofs but at the same time claimed that the 'deliverer of the photographs admitted by the same that he has violated the sovereignty of the other party as well as the Agreement and the Protocols'. This again is curious logic. On the one hand the Polish Delegation rejects the photographs and on the other uses these photographs to support its argument that these photographs have been obtained in violation of the Agreement. However, for the record, let me state the view of the Canadian Delegation which is that unarmed reconnaissance flights violate neither the Agreement nor any of its Protocols. Article 3(c) of the Agreement obliges the Parties to stop offensive activities and all 'acts of force' in the air. Article 2(B)1 of the JMC Protocol prohibits flights, but only by bomber and fighter aircraft. Notwithstanding this Canadian position, we would not have objected to investigate whether aerial reconnaissance flights constituted a violation of the Agreement or of the Protocols if a request to investigate this matter had been made. Even
If such acts were found to be in violation of the Agreement, which I doubt, the Polish Delegation seems to contend that the Commission should not investigate an alleged violation by one party because the other party has violated the Agreement. This again is a curious line of argument, and if carried to its extreme would result in the Commission becoming a judge rather than an impartial investigator.

The Polish Delegation then turned to the matter of my informing public opinion about the work of the Commission, the details of its sessions and the stands of the respective delegations. This it said was done 'in spite of reached understanding'. My understanding was quite the contrary. To my knowledge, it has never been questioned in this Commission that a member has the right to speak publicly about Commission activities and its involvement therein. It should by now be quite clear to all the members of the Commission, after nearly two months of public statements, that I am carrying out Canadian policy in doing so. The Polish Delegation then speaks of my informing public opinion about the stand of the respective Delegations. If the Polish Delegation wishes to refer to my press statement, it will find that I mentioned no Delegation by name, other than the Canadian Delegation. I would also be pleased to let them hear the tape of my press conference. Again, during the question and answer period, I refused to identify the Delegations by name. However I will admit that it does not take much perspicacity to identify Delegations without naming them; correspondents must have been using their own imagination and perhaps using their own knowledge about which Delegations were likely to take the positions that I had carefully refused to attribute to any particular Delegation.

The Polish Delegation statement also said that my informing public opinion was done in my 'own non-objec-
tive way'. I can only say again that I wish I had been provided since January 28 with more examples of objectivity by certain members of this Commission. In so far as having informed public opinion 'in my own way' I admit to this; at no time did I represent myself as speaking on behalf of the ICCS or on behalf of the Polish Delegation. That the Polish Delegation did not authorize me to speak on its behalf was, I should have thought, clear, and I would not have assumed I had received such authorization nor would I wish to speak on their behalf.

Before concluding this statement, I should like to remind members of the Commission of the statement by the spokesman of the PRG/RSVN Military Delegation to the JMC dated February 28 which was sent to all Delegations for their information. In this statement, the PRG/RSVN spoke of the 'so-called photographic evidence fabricating the myth of SAM2 missiles in Khe Sanh.' This, the spokesman said, was 'a more fabrication by the USA and RVN parties well known for their tricky nature.' The fabrication, he said, was 'a deceitful and tricky manoeuvre' and the military Delegation rejected this 'shameful accusation'. I should now like to call your attention to the television interview of the Secretary of State of the United States, Mr. William Rogers, given in Washington on March 11. At that time, he said that he was 'pleased to report here this morning that the missile site had been removed from Khe Sanh'. Mr. Chairman, someone must be lying. Had the Commission been able to undertake this investigation, we might have been in a position to determine which Party had lied to us.
Withdrawal of Hungarian and Polish Delegations from Tri Ton

In response to indications that the Hungarian and Polish Delegations were concerned about the security of their ICCS personnel at Tri Ton, the Head of the Canadian Delegation in Can Tho proposed that the ICCS call on the Regional Four-Party JMC to bring this serious matter to their attention and to request from them a guarantee that hostile acts, which had been directed against the ICCS team in Tri Ton, cease immediately. The Canadian and Polish Delegations called on the PRG and DRVN Delegations. The Hungarian and Indonesian Delegations called on the USA and GVN Delegations. All four parties stated that they were not responsible for hostilities in the past and that they would not be the cause of any future hostilities. Following this approach, the four regional ICCS Heads of Delegation in Can Tho visited Tri Ton on the morning of March 22 to verify the situation for themselves. On the basis of this visit a unanimous decision was taken at the ICCS regional level that the ICCS team in Tri Ton would remain in place. The question of the ICCS team remaining in Tri Ton therefore appeared to have been settled. However, on the morning of March 23, the Hungarian and Polish regional Heads of Delegation, Can Tho, removed their respective teams from Tri Ton on orders from their Headquarters in Saigon. The decision from Saigon to remove the Polish and Hungarian team members was taken without informing the Canadian and Indonesian Delegations either in Saigon or in Can Tho. Upon hearing of this circumstance, the Senior Canadian Military Adviser raised the matter in an extraordinary session of the ICCS Military Committee.
He pointed out that the Tri Ton area had been free of hostile activity for more than 48 hours; that the ICCS regional Headquarters Can Tho had been particularly effective in contacting the two South Vietnamese parties to express concern and to request an end to hostile acts; and that the continued presence of the ICCS in Tri Ton is soon by the local population of that area as being imperative to ensure the safety of the population, particularly in light of the total failure of the Four-Party JMC to be effective in Region VII. He argued that the unilateral action of Hungary and Poland in withdrawing their team members at this juncture undermines the basis of cooperation and action developed so effectively by the ICCS regional Heads of Delegation, Can Tho. Further, the Hungarian and Polish Delegations, through their actions, have brought into doubt the credibility of the ICCS for the Vietnamese parties and population, not only at the Tri Ton level, but also at the level of the regional headquarters at Can Tho. In spite of his urging, however, the Senior Canadian Military Advisor could not get the Hungarian and Polish Delegations to agree to send their teams back into Tri Ton. The Hungarian and Polish Delegations would only agree that the matter must be considered at the ICCS Commission level.

In view of these facts I appeal to the Hungarian and Polish Delegations to immediately direct their teams to return to the ICCS team site at Tri Ton. I would remind you that the Military Committee of the ICCS unanimously agreed deployment would be made to the Tri Ton team site in accordance with Article 4(C) of the ICCS Protocol. The unilateral withdrawal of the Hungarian and Polish teams from Tri Ton, therefore, not only constitutes a violation of Article 4(C) of the ICCS Protocol, but by acting unilaterally they have assumed for themselves the privilege of being able to countermand a unanimous decision of the ICCS. The Canadian Delegation
believes that the action taken by the Hungarian and Polish Delegations in this incident is unacceptable, particularly in view of the fact that there had been no shelling in the Tri Ton vicinity in the 48-hour period preceding the Hungarian and Polish unilateral withdrawal. In addition we all know that the situation in Vietnam is such that in each part of the country the risk of physical danger to personnel of some ICCS Delegations is greatly reduced by the presence of representatives of all four ICCS Delegations. In other words, our mutual presence is a guarantee of safety for each other. If allowed to stand, the unilateral decision of the Hungarian and Polish Delegations to withdraw from Tri Ton, without even informing the Canadian and Indonesian Delegations, would establish an unfortunate precedent for this Commission.
ICCS Investigation of Alleged Violation - TONG LE CHAN

The following sequence of events documents the action taken by the ICCS in connection with the USA request dated March 18, 1973, for an investigation of an alleged violation at Tong Le Chan:

1. At its meeting in the afternoon of March 19, the ICCS Saigon decided that the ICCS Regional Headquarters in Bien Hoa should take immediate action to investigate the alleged violation in Tong Le Chan, Region V.

2. The Hungarian Chairman of the Military Committee sent these instructions to the Polish Chairman of Region V by letter. This letter arrived at noon on March 20.

3. At 1400 hours, March 20, the Polish Chairman of Region V advised the Canadian Delegation that he had intended to call a meeting to discuss the instruction at 1600 hours; however, the absence of the senior representative of one other Delegation, who was away on business, would result in an indefinite delay of the meeting. The Canadian Regional Head of Delegation stated that a meeting was not necessary to initiate the investigation; the orders had been received and the Chairman had adequate authority to take the necessary steps to implement it. At 1530 hours when contact with the appropriate teams indicated no instructions or warning had yet been issued, the Canadian
Regional Head of Delegation again visited the Chairman and insisted that action be taken to initiate the investigation, reminding the Chairman that the Commission had ordered an immediate investigation. He asked that he be kept notified of what action was being taken. At 2300 hours, having heard nothing further, the Canadian Regional Head of Delegation again enquired of the Polish staff if a meeting was planned to advise all delegations of the actions taken to date to initiate the investigation. They were advised that no meeting had yet been planned. At 0100 hours, March 21, the Canadian Regional Head of Delegation delivered a memorandum to the Chairman insisting on an immediate meeting of the Executive Committee to consider the operational instruction.

4. At 0300 hours March 21, the ICCS Region V met at the request of the Canadian Delegation. The Canadian Delegation insisted that the Regional ICCS act immediately to formulate a plan for investigation since the situation in Tong Le Chan was desperate. The Chairman advised that he had arranged to meet with the local PRG at 0800 hours on March 21, but because he knew that the local PRG Delegation had previously stated that they had no authority in such matters, he advised each Regional ICCS Delegation to refer all such requests to their central Delegations.

5. At 0800 hours March 21, the Regional ICCS Chairman met with the Regional PRG. The PRG maintained they did not have the authority to guarantee security or provide liaison officers and stated that this could only be done by the Central PRG Committee in Saigon. The Polish Regional Chairman then contacted the Chairman of the Military Committee Saigon who said that investigations could only be
conducted by a team from Regional Headquarters and not by the Cu Chi team. The Chairman of the Military Committee said that this was in accordance with a ruling made by the ICCS Commission at a meeting on February 28. The Canadian Delegation protested saying that no such ruling had even been made, but agreed to form the team from Regional Headquarters personnel to avoid delaying the start of the investigation.

6. At 1015 on the morning of March 21, the Canadian Senior Military Advisor called upon the Polish Chairman of the Military Committee. The Canadian Senior Military Advisor protested the procrastination of the Polish Chairman of the ICCS Region V. The Canadian Senior Military Advisor also requested an explanation as to why the Chairman of the Military Committee had not yet taken necessary action to (a) authorize helicopters; (b) straighten out the Regional Chairman on the role of the Cu Chi investigating team; (c) contact the PRG/FPJMC to inform them of the investigation. The Chairman of the Military Committee proceeded to telephone the PRG and inform them of the investigation.

7. At 1100 hours on March 21, the ICCS Region V met again. The Polish Chairman said he had contacted the RVN who gave a guarantee of safety and agreed to provide liaison officers to the investigating team. He also said that contact had been made with the Central PRG. He reported that the PRG stated that the PRG were defending themselves from heavy ARVN attacks and that the area was too dangerous for helicopters. The PRG said that until there was a ceasefire they could not guarantee the safety of the ICCS teams or provide liaison officers.
The Head of the Regional Canadian Delegation then recommended that the PRG and RVN liaison officers be invited to Regional Headquarters on the condition that they have the authority to arrange a ceasefire to allow the entry of the ICCS teams into Tong Le Chan. The Polish Chairman did not agree, maintaining that it was not the function of the ICCS to arrange a ceasefire. After considerable debate he changed his position however and agreed to the Canadian suggestion. He said he would contact the PRG Central Committee and inform them of this proposal.

8. At 1100 hours March 22, a reply was received from the PRG Central Committee saying that there would be no liaison officers or guarantee of safety until the ARVN attacks ceased.

The Head of the Regional Canadian Delegation requested that the PRG be advised that such a position was in direct contravention of Article 10 of the ICCS Protocol to the Agreement and the PRG should therefore reconsider their position. He continued that if the PRG wanted assurance that the ARVN would cease their attacks, the ICCS could first obtain agreement from the ARVN to a ceasefire at 1500 hours and the PRG could then be presented with this assurance from the ICCS. The Hungarian and Polish Delegations disagreed. They also stated that there should be no criticism of the PRG for their failure to provide a liaison officer or their failure to agree to give the ICCS a guarantee of safe passage.

9. On March 23, at the end of its long afternoon meeting, the ICCS Saigon agreed that immediate action should be taken to approach the Central PRG to give them another opportunity to cooperate
with the ICCS investigation of Tong Le Chan.

10. At 2300 hours on March 24, the Hungarian Military Commander and the Canadian Senior Military Advisor called on the PRG Deputy Commissioner at Davis Station. PRG Deputy Commissioner reported that the situation in Tong Le Chan had changed. He said that the JMC had settled an important question on March 23; that the RVN had proposed a limited ceasefire in order to evacuate the wounded and dead; and that the PRG had agreed. He continued that the RVN side unfortunately had opened fire on the JMC helicopters which had gone to evacuate the wounded and dead, and the helicopters were not able to land. He said that on 24 March at 0815 hours, the JMC will try again to go to Tong Le Chan. The PRG and RVN wish to have officers of each side meet on the spot in order to evacuate the wounded and killed. The PRG propose that the ICCS also send a team to Tong Le Chan, but the ICCS helicopters should go a little later than the JMC helicopters. After the JMC helicopters leave Saigon for Tong Le Chan, the ICCS helicopters would leave a half-hour later. The PRG hope that the RVN side would finally observe the ceasefire. The PRG are willing to accept that an RVN delay in sending orders caused the problem this afternoon where the JMC helicopters were fired on. The RVN and PRG liaison officers will take the first flight from Tan Son Nhut. They will arrange a ceasefire with the Commanders on the spot. Then the ICCS can go to Tong Le Chan and conduct their investigation.

The Canadian and Hungarian generals then agreed on the following procedure: The RVN and PRG liaison officers would take the JMC flight from Tan Son Nhut at 0815 hours; the JMC helicopter would
go to Bien Hoa from Tong Le Chan in order to signal that all is okay for the ICCS to proceed to Tong Le Chan; a PRG liaison officer and a RVN liaison officer in the meantime would have gone to Bien Hoa from Saigon to meet up with the ICCS investigating team from Bien Hoa and wait in Bien Hoa for the JMC helicopter from Tong Le Chan to give the signal that the ceasefire had been arranged. Throughout this early morning period Canadian officers kept themselves in constant touch with the RVN in order to ensure that the arrangements were well understood by all.

11. At 0900 hours March 24, the Canadian Delegation was informed that the PRG liaison officer who were to have flown from Saigon to Tong Le Chan refused to do anything else but fly from Saigon to Tong Le Chan and directly back to Saigon in spite of the fact that when the Canadian and Hungarian generals had met with the PRG Deputy Commissioner at 0300 hours, the PRG had agreed that they would fly from Saigon to Tong Le Chan to Bien Hoa in order to signal the Bien Hoa ICCS team that they could proceed with the investigation.

12. At 0900 hours March 24, Canadian Senior Military Adviser went to the Hungarian Headquarters at Tan Son Nhut to call on the Hungarian Military Commander in order to straighten out the situation. The Hungarian General could not be reached by phone, however, and no one at Headquarters knew how to find him. The Canadian SMA asked if a senior Hungarian officer would accompany him to see the PRG at Davis Station since nobody could contact the Hungarian General. Since the Hungarians had chairmanship of the Military Committee, the Canadian SMA then asked if the Hungarians would phone the PRG in order for him to arrange
to visit them. This they did and put the Canadian SMA on the telephone just as soon as someone answered at the other end. The PRG officer who answered the phone refused to identify himself. He also said that the Canadian SMA could not call on the PRG; however, they added that if the Canadian SMA would leave his phone number, the PRG would call back and would give him an appointment to call on the PRG in the company of a Hungarian officer.

13. At 0930 hours, March 24, the Canadian Delegation was informed that the PRG Liaison Officer refused to escort the ICCS team from Bien Hoa to Tong Le Chan. An RVN liaison officer was however standing by in Bien Hoa to accompany the ICCS team.

14. At 1010 hours March 24, the Canadian Delegation learned from the RVN that in the absence of the PRG and RVN liaison officers who were to have arrived from Saigon, the two local opposing commanders at Tong Le Chan had arranged a ceasefire. This information was immediately passed to the ICCS team Bien Hoa who, in turn, approached the PRG liaison officer and asked him to accompany the ICCS investigating team to Tong Le Chan. The PRG Liaison Officer refused.

15. At 1215 hours March 24, the Canadian SMA contacted the Hungarian Chief of Staff and asked him if they could both visit the PRG to discuss the delay in the Tong Le Chan investigation. He agreed.

16. At 1340 hours, the Canadian SMA and Hungarian Chief of Staff called on the PRG at Davis Station. However, by this time the local ceasefire had broken down and no further action could be taken.
I7. On the basis of the above facts, it is clear that the Polish Chairman of the Region V ICCS, supported by the Hungarian Regional Delegation obstructed the Regional ICCS from taking the required immediate action on the investigation. More important, however, it is clear that the PRG delegation to the 4PJMC must accept the greatest part of the blame for the failure of the ICCS investigation to proceed, because it was their lack of co-operation which deterred the ICCS investigating team from going to Tong Le Chan on the morning of March 24.
STATEMENT OF VIEWS OF HEAD OF CANADIAN DELEGATION
REGION VI

Supported and Presented at the 35th ICCS Commissioners' Meeting on March 26 by the Head of the Canadian Delegation to the ICCS.

To date, the ICCS Region VI has been seized with requests for action on 22 allegations of ceasefire violations. These allegations are documented in Annex A of this statement. In accordance with Article 1(B) of the ICCS Protocol to the Agreement, the ICCS Region VI was obliged to carry out investigations for all 22 of these violation allegations. None of these investigations have been completed and, in fact, the ICCS Region VI has only been able to agree to start investigation on five of the 22 requests.

The Canadian Delegation Region VI contends that the ICCS Region VI, by not completing these investigations, is guilty of not meeting its responsibilities under Article 1(B) of the ICCS Protocol to the Agreement. It is the view of the Canadian Delegation in Region VI that the responsibility for the inaction of the ICCS in all but one of the 22 cases lies directly and exclusively with the Hungarian and Polish Delegations Region VI.

The one exception was request 1/6 which was received by the ICCS Region VI on March 3. Both the RVN and PRG did not respond to a letter from the ICCS which requested a guarantee of safe passage to enable the ICCS to conduct an on the spot investigation. Without guarantees of safe passage from either of the two concerned parties the ICCS was not able to proceed. The Canadian Delegation believes that both concerned parties
must bear the responsibility for this.

Requests 2/6 and 3/6 were received on March 8, 1973, and accepted for investigation by the ICCS Region VI. The Hungarian Chairman of ICCS Region VI should have requested, through the Chairman of the ICCS Military Committee Saigon, a helicopter for the ICCS investigating teams. The Canadian Delegation was never informed by the Chairman of Region VI as to why the investigation did not proceed.

On a more fundamental point, with respect to requests 2/6 and 3/6, the ICCS Region VI was negligent in not giving each of the concerned parties an opportunity to accompany the investigating team. No action was taken on this crucial step because the ICCS Region VI could not agree on what type of approach should be made to the concerned parties. The approach insisted upon by the Hungarian Chairman of the ICCS Region VI and supported by the Polish Delegation is described in a draft letter dated March 10, which the Hungarian Chairman Region VI tabled at the Regional ICCS meeting. (A copy of this letter is attached as Annex B). This draft letter was unacceptable to the Canadian Delegation because it would have established a precedent whereby an investigation could not proceed unless liaison officers and written guarantees of safety were obtained from all four parties. The Canadian Delegation contended that in accordance with Article 10(D) of the ICCS Protocol "When a team is carrying out an investigation, a liaison officer from each concerned party shall have the opportunity to accompany it, provided the investigation is not thereby delayed." There is nothing in the Agreement which says that the ICCS cannot operate without the cooperation of all four parties; the ICCS merely has the responsibility to give each of the concerned parties the opportunity to cooperate in accordance with Article 10(D) of the ICCS Protocol. However, if the