ICCS, for practical considerations of safety is not able to carry out an on the spot investigation because one of the parties did not extend the necessary cooperation, then that party can be cited by the ICCS as having reneged on its responsibilities under Article 10(F) of the ICCS Protocol to the Agreement. To have accepted the Hungarian and Polish position on the question would have been, in fact, to remove all possibility of the ICCS Region VI ever conducting an investigation since the PRG Region VI is on record as stating that they were only as 'advance party with no authority to take any action whatsoever apart from securing accommodation for their delegation'. In addition, the DRVN delegation to the FPJMC Region VI is also on record in a letter dated March 9 (text attached as Annex C) as stating 'For its own part, the DRV.G Military Delegation shall never participate in any investigation of violation if the presence of the four parties is not full'. Since the Hungarian and Polish Delegations were aware of the fact that the PRG would not respond to the request, the Canadian Delegation can only conclude that the Hungarian and Polish insistence on liaison officers from all four parties constituted deliberate obstructionism.

Request 4/6, which was received from the RVN JMC Delegation on March 8, was accepted for action by the ICCS. However, the investigation never proceeded for the same reason described above regarding the type of approach to be made to the FPJMC.

Request 5/6 was received from the RVN on March 14 and this time the ICCS Region VI agreed to send a letter to the FPJMC which reflected the Canadian position on this matter as described in the above comments on requests 2/6, 3/6 and 4/6; i.e. in accordance with Article 10(D) of the Protocol extending to each of the parties the opportunity to cooperate in the investigation. In response to this letter, the PRG said they had no autho-
The RVN responded that they would cooperate with the ICCS. The Hungarian and Polish Delegations took the position that the investigations could not proceed without a PRG liaison officer; hence, the investigation was stalled.

The ICCS Region VI also took no action to investigate on requests 6/6 through 22/6 for the following reasons: (A) requests 9/6 through 22/6 were received by the ICCS Region VI during the period of the Polish Chairmanship of the Regional ICCS (i.e. between March 18-22). The Polish Chairman did not even put these requests on the agenda of the Regional ICCS meetings. His reason for this apparently was his opinion that no action could be taken until the matter of investigation procedures was cleared up; (B) investigations 6/6 through 8/6 were considered by the Regional ICCS during the period of Indonesian Chairmanship. No decision to investigate could be taken because of the well-known Polish and Hungarian stand on investigation procedures.

Apart from its position on cooperation between the FPJMC and the ICCS, the Canadian Delegation Region VI also believes that the Hungarian and Polish Delegations have obstructed investigations by raising the issue of the sequence of investigations. At the ICCS Region VI meeting of March 14, the Hungarian and Polish Delegations put forward a proposal that violation allegations should be considered in a sequence related to the seriousness of the complaint instead of in sequence of order of receipt. The Hungarian and Polish Delegations raised this question coincidentally when consideration was being given to the very first complaint by the PRG. (It is noteworthy that the PRG did not actually request an investigation, they merely informed the ICCS of alleged violations. However, in a spirit of cooperation the Canadian and Indonesian Delegations agreed with the Hungarian and Polish Delegations that
the matter could be investigated at the ICCS initiative). The Hungarian and Polish Delegations argued that the PRG letter should be acted on before any of the other requests previously received. The Canadian and Indonesian Delegations could not accept this.

In conclusion, the Canadian Delegation Region VI reiterates its contention that the Hungarian and Polish Delegations in Region VI are without any doubt largely responsible for the ineffectiveness of the ICCS Region VI team. Therefore, the Canadian Delegation Region VI refuses to accept any blame or responsibility for the fact that the ICCS Region VI has not fulfilled its responsibilities under Article 1(B) of the ICCS Protocol.
Mr. Chairman,

I intend to make only a few further comments on the Khe Sanh case. The Canadian views on the mandatory obligation of this Commission to investigate the first complaint we received regarding the alleged presence of missiles at Khe Sanh were placed on record at our 28th Session. What I said in my statement at that time applies equally to the present situation. Just as we were obliged to investigate on the basis of that first request, the ICCS has a clear and mandatory obligation to investigate in response to General Woodward's request of March 25.

In refusing to agree to take action on General Woodward's second request, the Polish and Hungarian Delegations made no attempt at our 35th session to elaborate on their positions or to explain further the stand they were taking. In that event, the comments I made on the Polish and Hungarian positions in my previous statement on March 9 and at other times apply equally in this case.

It is possible that the Polish and Hungarian Delegations did not seek to justify their stand because their stand is indeed difficult to justify. I can conceive of no objective, impartial, logical, or even common sense argument on which a refusal to investigate this complaint could be based. It is, therefore, evident that their refusal is based purely on considerations
unrelated to this Commission's responsibilities under the Agreement on Ending the War and Restoring Peace in Vietnam.

It was instructive that the Polish and Hungarian Delegations even opposed informing General Woodward that no unanimous agreement had been reached on the question of taking action on his complaint. We have heard much from various Delegations about why their Governments sent them here. We are told they came to help the Parties, but here we have an instance where a Party seeks an investigation of what it believes to be a serious violation of the Ceasefire Agreement, and not only do certain Delegations oppose the investigation but they refuse to inform the Party concerned that no action will be taken. Is this helping the Parties - or is this an action that will bring disrepute on this Commission, an action that will only illustrate the ineffectiveness of this Commission?

At the last session, I delivered statements on the ineffectiveness of the Commission in Region VI and on the failure of this Commission to investigate the Tong Le Chan incident. Those were complex case studies which illustrated the various complicated ways in which this Commission can be prevented from fulfilling its responsibilities. The Khe Sanh case, however, illustrates starkly, and in a manner that can leave no room for doubt, that this Commission does not operate objectively and impartially.

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, among other articles, Article 7 of the Agreement. Since the Commission has not been able to agree to investigate this latest allegation
about the establishment of missiles and missile sites at Khe Sanh, I request that this statement, representing the views of the Canadian Delegation, be forwarded 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. I would also ask you, Mr. Chairman, to make reference in your letter to the fact that Canadian views are being forwarded under Article 18(c) of the Agreement and in accordance with Article 3(B) of the Protocol concerning the ICCS.
APPENDICES
APPENDIX 1

Leaflet dated November 17, 1967 issued by the NLF Praesidium declaring a 7-day truce during the Tet Festival from January 27, 1968 to February 3, 1968.
APPENDIX 1

TUYỂN BỘ

CHỦ TỊCH ĐOÀN ỦY BAN TRUNG ƯƠNG MẠT TRẦN DÂN TỘC GIẢI PHONG HIỆN NAM VIỆT NAM

về việc hưởng ứng tấn công quân sự trong dịp lễ NOEL, Tết Dương lịch và Tết Nguyên đán.

+++

Theo phong tục tập quan có truyền của dân tộc ta và của một số nước thịnh đức nguyên dân, Tết Dương lịch và lễ Noel là những ngày hội lớn. Trong những ngày đó nguyên vong của nhiều dân ta, nhân dân liều cương nhu nhân dân nhiều nước, nguyên vong của dòng đéo bình sĩ thuộc quê quán Sai-Gòn, bình sĩ Mỹ và chủ hâu la được sống trong cảnh gia đình đoàn tụ để vui Tết đồng chào mừng mới và mừng ngày chúa giáng sinh.

Để hàng chục năm nay, vị Đề Quốc Mỹ gây ra cuộc chiến tranh xâm lược cực kỳ tàn bạo - trên đất nước ta, bị nguy quyen Sai-Gòn bán - nước hải dân, lầm tay sai cho Mỹ, rút yoi và đẩy người cho nên nhiều gia đình đồng bao ta nhieu gia đình nhân dân ít và l số nước chủ hâu Mỹ chẳng những không hưởng cảnh sum họp gia đình trong những ngày hội lớn cơ truy en mà còn phải chịu nhiều đau thương tăng tốc, gia đình ly tán, vợ mất chồng, cha me mất con.

Vì sự sống còn của dân tộc, vì hạnh phúc của chúng ta hiện nay và con cháu tương đến sự an, nhân dân miền Nam ta đã phải vun gân lầm làm cách mạng, tiến hành chiến tranh nhân
đán, kiên quyết đánh đuổi giấc Mỹ ra khỏi ud
cổ,dánh đố nghệ quyên tay sai giánh lối độc
lôp và chủ quyền đến tốc, giánh lối hòa bình
ty do và hình phúc cùng toàn dân.

Giặc Mỹ ông thue to. Minh đên ta đang
thằng lớn. Toàn quân và toàn dân đã đang thăng
thằng xông lên vượt mọi khó khăn giảnh khó
quyet giánh lấy thằng lối hoan toàn.

Cúng như những năm trước đây, xuất phát
tư thành sạch nhân đọ trước sau như một cuá
mình, xuất phát tư sự tồn trong những phong
tục tập quán cổ truyền của dân tộc ta vun nuộc
khốc, xuất phát tư sự quan tâm sau sức će
đói với tính nằm và nguyên vong chánh đang
kể dong bao tê, cue nhân dân Mỹ và nhân dân các
nuóc chủ hâu, cue dong đao bình si-ungy. Mỹ
và chủ hâu, nay chủ tịch huyện ủy Ban Trưng
-Uông Nhất trận Dân tổ Gìi phong miền
-Nam Việt Nam quyết định điều động 100 quân quay vào
quân nguy, quân lý và chủ hâu.

1)- 3 ngày trong dịp lễ Noel kế từ 0 giờ
gày 24 tháng 12 năm 1967 ( theo giờ Đông
-Dương) tức 1 giờ ngày 24 tháng 12 năm 1967
( giờ Sài Gòn) đến 0 giờ ngày 27 tháng 12, năm
1967 ( theo giờ Đông Dương) từ 1 giờ ngày 27
tháng 12 năm 1967 ( giờ Sài Gòn).

2)- 3 ngày trong dịp Tết Dương lịch kế từ
0 giờ ngày 30 tháng 12 năm 1967 ( theo giờ
-Dương Dương) tức 1 giờ ngày 30 tháng 12 năm1967
( giờ Sài Gòn) đến 0 giờ ngày mùng 2 tháng 1
năm1968 ( theo giờ Đông Dương) tức 1 giờ ngày
mùng 2 tháng 1 năm 1968 ( giờ Sài Gòn).

3)- 7 ngày trong dịp Tết nguyễn dân kế
từ 0 giờ ngày 27 tháng 1 năm 1968, tức ngày
28 tháng 12 âm lịch ( theo giờ Đông Dương)tutc
1 giờ ngày 27 tháng 1 năm 1968 ( giờ Sài Gòn)
Hôm nay, Việt Nam gặp mừng 3 tháng 2 năm 1969 tức ngày mùng 5 tháng 2 năm lịch (theo lịch Chữ Đức) tức 1 gi必需 ngày mùng 5 tháng 2 năm 1968 (gi succès Sài Gòn).

Hôm nay, Việt Nam đã chiến thắng quân đội Pháp, tận thế phía bắc và các lực lượng về trang dành cho chiến thắng lịch sử của dân tộc.
## APPENDIX 2

### STATISTICS

#### I. COMMUNIST VIOLATIONS

From 8:00 am January 28 to 12:00 noon June 15, 1973 (local time)

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>1st Military Region</th>
<th>2nd Military Region</th>
<th>3rd Military Region</th>
<th>4th Military Region</th>
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<tbody>
<tr>
<td>Attack</td>
<td>844</td>
<td>452</td>
<td>1.113</td>
<td>1.046</td>
<td>3.455</td>
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<tr>
<td>Shelling</td>
<td>2,499</td>
<td>872</td>
<td>1.368</td>
<td>3.874</td>
<td>6.613</td>
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<td>Ambush</td>
<td>2</td>
<td>1</td>
<td>6</td>
<td>15</td>
<td>24</td>
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<tr>
<td>Harassment</td>
<td>367</td>
<td>1.196</td>
<td>347</td>
<td>1.341</td>
<td>3.251</td>
</tr>
<tr>
<td>Penetration</td>
<td>119</td>
<td>96</td>
<td>122</td>
<td>265</td>
<td>602</td>
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<tr>
<td>Terrorism</td>
<td>156</td>
<td>55</td>
<td>215</td>
<td>345</td>
<td>771</td>
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<tr>
<td>Sabotage</td>
<td>6</td>
<td>15</td>
<td>35</td>
<td>41</td>
<td>97</td>
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<tr>
<td>Propaganda activities</td>
<td>10</td>
<td>3</td>
<td>12</td>
<td>0</td>
<td>26</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4,004</strong></td>
<td><strong>2,690</strong></td>
<td><strong>3,218</strong></td>
<td><strong>6,927</strong></td>
<td><strong>16,839</strong> Violations</td>
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## Statistics

### II. Release of Military and Civilian Personnel

(From February 12 to March 29, 1973)

<table>
<thead>
<tr>
<th>Phases</th>
<th>By RVN</th>
<th></th>
<th>By North VN</th>
<th></th>
<th>By NLF</th>
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</tr>
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<tbody>
<tr>
<td></td>
<td>Off</td>
<td>NCO Private</td>
<td>Total</td>
<td>Off</td>
<td>NCO</td>
<td>Private Civil</td>
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<td>Phase I</td>
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<tr>
<td>12.2</td>
<td>310</td>
<td>503</td>
<td>6187</td>
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<td>130</td>
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<tr>
<td>21.2.73</td>
<td>03</td>
<td>21</td>
<td>5571</td>
<td>5595</td>
<td>106</td>
<td>02 108</td>
</tr>
<tr>
<td>Phase 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.3</td>
<td>13</td>
<td>76</td>
<td>7205</td>
<td>7294</td>
<td>107</td>
<td>01 108</td>
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<td>13.3.73</td>
<td>07</td>
<td>11</td>
<td>109</td>
<td>07</td>
<td></td>
<td>34</td>
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<td>Phase 3</td>
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<td></td>
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<td>14.3</td>
<td>392</td>
<td>536</td>
<td>5691</td>
<td>6679</td>
<td>110</td>
<td>04 02 116</td>
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<td>19.3.73</td>
<td>15</td>
<td>10</td>
<td>02</td>
<td>06</td>
<td></td>
<td>33</td>
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<td>Phase 4</td>
<td></td>
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<tr>
<td>20.3</td>
<td>419</td>
<td>815</td>
<td>3545</td>
<td>177</td>
<td></td>
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<td>29.3.73</td>
<td>39</td>
<td>36</td>
<td>25</td>
<td>26</td>
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<tr>
<td>TOTAL</td>
<td>718</td>
<td>1136</td>
<td>24654</td>
<td>26508</td>
<td>453</td>
<td>07 06 468</td>
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<td></td>
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<td>1214</td>
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<td>126</td>
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</tr>
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</table>
### III.- RELEASE OF CIVILIAN PERSONNEL
(From April 26 to May 24, 1973)

<table>
<thead>
<tr>
<th>Date</th>
<th>Released by RVN</th>
<th></th>
<th>Release by NLF</th>
<th></th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Site</td>
<td>Estimated numbers</td>
<td>Exchanged numbers</td>
<td>Site</td>
<td>Estimated numbers</td>
</tr>
<tr>
<td>April 28, 1973</td>
<td>Lộc Ninh</td>
<td>100</td>
<td>99</td>
<td>Lộc Ninh</td>
<td>63</td>
</tr>
<tr>
<td>April 30, 1973</td>
<td>Quang Tri Binh-Dinh</td>
<td>28</td>
<td>28</td>
<td>Quang Tri Binh-Dinh</td>
<td>294</td>
</tr>
<tr>
<td>May 7, 1973</td>
<td>Quang Tri</td>
<td>200</td>
<td>196</td>
<td></td>
<td></td>
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<tr>
<td>May 8, 1973</td>
<td>-id-</td>
<td>200</td>
<td>197</td>
<td></td>
<td></td>
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<tr>
<td>May 9, 1973</td>
<td>-id-</td>
<td>250</td>
<td>20</td>
<td></td>
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<td>May 11, 1973</td>
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<td>202</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>TOTAL</td>
<td></td>
<td>750</td>
<td>714</td>
<td></td>
<td>385</td>
</tr>
</tbody>
</table>
**APPENDIX J**

**CHRONOLOGY OF SIGNIFICANT EVENTS**

(local time)

<table>
<thead>
<tr>
<th>DATE</th>
<th>Serious Violations</th>
</tr>
</thead>
<tbody>
<tr>
<td>17-12-72</td>
<td>- The last NZ troop left Viet-Nam for home</td>
</tr>
<tr>
<td>23-12-72</td>
<td>- The last Australian troop left Viet-Nam for home.</td>
</tr>
<tr>
<td>27-01-72</td>
<td>- The Paris Agreement on ending the war and restoring peace in Viet-Nam was signed by the Republic of Viet-Nam, the United States, North Viet-Nam and the NLF.</td>
</tr>
<tr>
<td>28-01-73</td>
<td>- The Communist forces attacked Sa-Huỳnh, Central Viet-Nam.</td>
</tr>
<tr>
<td>29-01-73</td>
<td>- The first contingents of the International Commission of Control and Supervision (ICCS) arrived in Viet-Nam.</td>
</tr>
<tr>
<td>16-02-73</td>
<td>- Communist Gunners shot down near An-Loc one CH-47 helicopter operating in support of JMC and carrying construction material and office equipment.</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>24-02-73</td>
<td>- A Communist mine exploded in the Tri-Ton elementary school (Chau-Doc Province), killing 6 school children, two teachers and one civilian.</td>
</tr>
<tr>
<td>26-02-73</td>
<td>- Another mine exploded in the ICCS compound at Tri-Ton, injuring 2 Vietnamese workers and damaging up to 40% of the ICCS building.</td>
</tr>
<tr>
<td>26-02-73</td>
<td>- The International Conference on Viet-Nam was convened in Paris.</td>
</tr>
<tr>
<td>26-02-73</td>
<td>- Communist forces began the siege of Tong Le Chan Base (Binh Long Province) which is defended by one RVN Ranger Battalion. The base is still under siege (28-05-1973).</td>
</tr>
<tr>
<td>26-02-73</td>
<td>- The Republic of Vietnam requested the ICCS to investigate the case of 3 SA-2 Rocket Sites near Khe-Sanh, (central Vietnam) introduced and installed by the Communists after the Paris Agreement took effect, in Violation of Article 7 of the Agreement.</td>
</tr>
<tr>
<td>02-03-73</td>
<td>- The Act of the International Conference on Vietnam was signed in Paris.</td>
</tr>
<tr>
<td>02-03-73</td>
<td>- The last Thai troop left Vietnam for home.</td>
</tr>
<tr>
<td>02-03-73</td>
<td>- The last Filippino troop left Viet Nam for home.</td>
</tr>
<tr>
<td>14-03-73</td>
<td>- The last ROK troop left Vietnam for home.</td>
</tr>
<tr>
<td>15-03-73</td>
<td>- A Communist terrorist tossed grenades at the Xoai-Siem Pagoda.</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
</tr>
<tr>
<td>-----------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>31-03-73</td>
<td>- (Vinh-Binh Province), killing 20 and wounding 88 Buddhist believers at a religious ceremony.</td>
</tr>
<tr>
<td>04-04-73</td>
<td>- The last US. troop left Vietnam for home.</td>
</tr>
<tr>
<td></td>
<td>- The Acting Foreign Minister of the Republic of Vietnam sent a note on the Tong-Le-Chan case to the signatories of the Final Act of the Paris Conference.</td>
</tr>
<tr>
<td>06-04-73</td>
<td>- Communist gunners shelled Tan-Chau District Town (Chau Doc Province) killing 15 and wounding 35 civilians, destroying 42 houses and 2 classrooms.</td>
</tr>
<tr>
<td>07-04-73</td>
<td>- Communist gunners shot down ICCS helicopter near Lao-Bao (Central Vietnam), killing 9 persons 4 of whom are ICCS members: one Indonesian, two Hungarians and one Canadian.</td>
</tr>
<tr>
<td>20-04-73</td>
<td>- The United States sent a note to other members of the International Conference on Vietnam, charging Hanoi with violations of the Peace Agreement.</td>
</tr>
<tr>
<td>25-04-73</td>
<td>- During a press conference in Saigon the Foreign Minister of the Republic of Vietnam proposed the 'Preliminary Accord on principles between the two South Vietnamese Parties to the Conference at La Celle Saint Cloud.</td>
</tr>
<tr>
<td>28-04-73</td>
<td>- The Republic of Vietnam issued a communiqué on the status of the implementation of the Paris Agreement.</td>
</tr>
</tbody>
</table>
The Ministry of Foreign Affairs of the Republic of Vietnam sent a note to the signatories of the Final Act of the Paris Conference on Vietnam, condemning communist violations of the Peace Agreement.

A Joint Communiqué was signed in Paris by the parties signatory to the Paris Agreement of January 27, 1973.

According to the above Joint Communiqué the high commands of the two South Vietnamese parties have to strictly observe the ceasefire throughout South Viet-Nam beginning at 0400 hours, G.M.T., June 15, 1973 (12:00 noon, local time, of the same day).

The Ministry of Foreign Affairs of the Republic of Viet-Nam issued a Communiqué denouncing to world and domestic opinion the Communist's ill will in implementing the provisions of the Paris Agreement and the Joint Communiqué on the ceasefire.
COMMUNIQUE

BY THE MINISTRY OF FOREIGN AFFAIRS ON INFRINGEMENT OF ARMAMENTS, WAR MATERIAL AND TROOPS BY NORTH VIETNAMESE COMMUNISTS INTO SOUTH VIETNAM.

Although the cease-fire Agreement was officially signed in Paris, North Vietnamese Communists have been continuing to infiltrate troops, armaments and war material into South Vietnam.

Each day an average of 100 trucks were carrying ammunitions, armaments and troops into South Vietnam through the Ho Chi Minh trail. Up to the end of February 1973, no more than 30 days after the cease-fire, North Vietnamese Communists had sent into South Vietnam roughly 50,000 soldiers, the equivalent of 5 infantry divisions and 300 tanks of all categories equal to 3 armored regiments, hundreds of 122 mm and 130 mm heavy artillery pieces and hundreds of 23 mm, 37 mm and 57 mm anti-aircraft cannons.

Most troops and armaments are already on South Vietnam soil and the remaining are being sneaked into the Republic of Vietnam territory.
North Vietnamese Communists had installed SAM sites at Khe Sanh and have reinforced the Khe Sanh, Huong Hoa and Loc Ninh areas with anti-aircraft artillery. Numerous supply trucks and artillery trailers have been moved to the South through the Demilitarized Zone and the Laotian and Cambodian - South Vietnamese frontiers.

Furthermore, North Vietnamese Communists were making efforts for repairing and establishing new communication systems in order to facilitate their war material infiltrations through the jungle areas along the Republic of Vietnam border.

The above facts prove that, although having signed the cease-fire Agreement, the Communists have not yet given up their aim of conquering South Vietnam by force.

The infiltrations of troops and weapons into South Vietnam by North Vietnamese Communists are serious violations of the provisions of the January 27, 1973 Agreement and constitute a threat to peace in Vietnam.

The Government of the Republic of Vietnam denounces to public opinion the scheme of the Communists of taking advantage of the cease-fire to secretly reinforce their troops and armaments with a view to waging anew their aggression war in South Vietnam. The Government of the Republic of Vietnam reserves its rights to take appropriate measures to protect its territory and the South Vietnamese people's right to self-determination.

Your Excellency,

I have the honour to draw Your Excellency's attention to the following.

Article 3/c of the Agreement on Ending the War and Restoring Peace in Viet-Nam, signed at Paris on 27th January 1973, clearly stipulated that

'the regular forces of all services and arms and the irregular forces of the parties in South Viet-Nam shall stop all offensive activities against each other...'

The Communist side, however, has in numerous occasions violated that fundamental stipulation of the Paris Agreement, and is still continuing its hostile activities against the Republic of Viet-Nam.

One of the most recent and most flagrant cases, since the ceasefire was declared some two months ago, concerns the Vietnamese base of Tong Le Chan, manned by the 92nd Rangers Battalion situated west of National Highway 13, at 15km South-West of the district town of An Loc, in the province of Binh Long. The base which has been continuously held by the Armed forces of the Republic of Viet-Nam for the past several years has been under Communist siege since 26th February 1973, and up to 2nd April, the number of casualties on the Government side has arisen to sixteen killed and over one hundred wounded. It has been revealed that several Communist Regiments, heavily supported by artillery and antiair-
craft units, were instrumental of the siege, which illustrates the carefully planned manner of the Communists and confirm that it is genuinely a deliberate case of violation of the ceasefire agreement.

The Communist siege against the Tong Le Chan base has been carried out murderously and relentlessly, except for a brief two-hour respite on 25th March 1973, which allowed the Government of Viet-Nam to evacuate a small number of the seriously wounded defenders of the base.

The Republic of Viet-Nam Delegation to both the Four-Party Military Commission and the Two-Party Military Commission has repeatedly protested against the Communists' action, which has not only impeded the implementation of the Paris Ceasefire Agreement but also constitutes a direct challenge to all Governments signatories of the Act of the International Conference on Viet-Nam, signed at Paris on 2nd March 1973.

In view of the participation of Her Britannic Majesty's Government to the 1973 Paris Conference on Viet-Nam, and pursuant to Article Six of the Conference Act, I wish to formally appeal to your Excellency to diligently inform your Government on the present situation in my country, and trust that the British Government action will contribute towards the respect of a genuine ceasefire in Vietnam by the Communist side.

It is also my duty to apprise Your Excellency that should the Communists' hostile activities continue, the Government of the Republic of Viet-Nam would have to reserve the right to take appropriate actions to defend its territory and people in accordance with its inherent right of self-defence.

May I avail myself of this opportunity to convey
to your Excellency the renewed assurances of my highest consideration.

LE VAN THU

Acting Minister of Foreign Affairs
of the Republic of Viet-Nam
APPENDIX 6

Text of Note No. 288-BNG/NCST of May 9, 1973 from the Republic of Viet-Nam to the Parties to the Paris Conference on Viet-Nam, condemning Communist violations of the Peace Agreement.
The Ministry of Foreign Affairs of the Republic of Viet-Nam presents its compliments to

and with reference to the Note dated April 16, 1973 that the Democratic Republic of Viet-Nam sent to some signatories of the Act of the International Conference on Viet-Nam, has the honor to communicate the following.

1.- It clearly appears that the Note of the Democratic Republic of Viet-Nam had no purpose other than propaganda, and the Government of the Republic of Viet-Nam deplores this fact. In order to set the record straight, however, the Government of the Republic of Viet-Nam feels that it is obligated to point out the overwhelming responsibility of the Democratic Republic of Viet-Nam and the so-called National Liberation Front in creating and maintaining the very unsatisfactory situation presently obtaining in the Republic of Viet-Nam.

Within three months, that is from the entry into effect of the cease-fire up to April 26, 1973, the Communist side perpetrated a total of 12,180 violations including 6,097 shellings and 2,756 attacks with regiment, battalion and even division size to encroach upon the territory of the Republic of Viet-Nam. The most typical of these were their attacks at Cửa Việt, Sa-Huynh the sub-section of Tân-Châu (Châu-Dóc), Núi Gió base (Thịră-Thiên) and the district town of Tri-Tôn (Châu-Dóc). One Ranger's base of the Armed Forces of the Republic of Viet-Nam, Tống-Lê-Chân (Bình-Long province), is still under siege at this moment.
The Communists have also attacked international shipping proceeding from the high seas to the Khmer Republic along the Mekong River which has been declared an international waterways by international agreement.

2. During these past three months the Democratic Republic of Viet-Nam was also known to have infiltrated military personnel, ammunition and armaments into South Viet-Nam in a steady manner and in direct violation of Article 7 and 20 of the 1973 Paris Agreement on Restoring Peace in Viet-Nam.

Throughout this period, more than 50,000 North Vietnamese troops have moved from North VN into South Viet-Nam either directly or through Laos and Cambodia. New North Vietnamese anti aircraft and artillery units were progressively deployed in South Viet-Nam, well after the ceasefire. Four hundred (400) tanks and armored vehicles, three hundred (300) artillery pieces, and a vast quantity of ammunition, were among the supplies detected as they were conveyed into South Viet-Nam from North Viet-Nam. The Republic of Viet-Nam wishes to point out that the airstrip at Khe-Sanh has even been equipped with new SA-2 missiles the purpose of which is obviously hostile to the Republic of Viet-Nam.

3. The Government of the Democratic Republic of Viet-Nam continues to expand and extend the road and drainage system on Highways 7, 4 and 4/7. There are also indications that a road is being constructed to join Southern Laos with the two South Vietnamese provinces of Quảng-Trị and Quảng-Ngãi, across the Laos-South Viet-Nam border. The above mentioned efforts of the Democratic Republic of Viet-Nam to build a series of road network, nowhere near an entry point, could only be interpreted as a deliberate attempt to smuggle military supplies into the Republic of Viet-
Nam, in blatant violation of Article 20 of the Paris Agreement.

4. The territories of the Kingdom of Laos and of the Khmer Republic continue to be used by the Democratic Republic of Viet-Nam, which has steadily reinforced its own manpower and supply potentials there. It could be said that during the first three months of the cease-fire, over 26,000 tons of military equipment have been moved from North Viet-Nam into Laos, and on the 17,000 truck movements noted during that period, 7,000 are direct movements into the Republic of Viet-Nam across the Demilitarized Zone on the 17th parallel, in violation of Articles 7 and 20.

Moreover, the attacks by anti-government forces in Laos and the Khmer Republic, Pakson (February 23, 1973), ThaVieng (April 13, 1973), the provincial city of Takeo and the Pochentong Airport (26 and 27 April 1973), to quote a few cases, were directly supported by the North Vietnamese Army. These facts, which are already widely known, show the little concern that the Democratic Republic of Viet-Nam attaches to the respect of the independence, sovereignty, unity and territorial integrity of Laos and Cambodia, as stipulated in Article 20 of the Paris Agreement.

5. With regard to the question of prisoners, the Democratic Republic of Viet-Nam and the other South Vietnamese party, by refusing to release all military and civilian prisoners within the sixty days stipulated by the Paris Agreement, have shown their lack of goodwill in an issue which should have been deleted of all political controversy.

Out of 31,816 military personnel of the Republic of Viet-Nam captured by the Communist side, only 4,608 have been released up to this date. The release opera-
tions were in fact extremely slow and difficult, mainly because the Communists wanted to exploit the issue, most the time as a means of political warfare, sometimes as a cunning military trick. Thus at the two release sites of Baux Can (Pleiku) and Duc-Pho (Quang-Ninh province), the Communists used the release operations as an opportunity to seize territories which were under Government control.

On the issue of civilian personnel of the Republic of Viet-Nam captured by the Communist side, which is conservatively estimated at 16,798, the figures originally given by the Communists were 140, then raised to 200, 400, 428 and finally 637. The few hundred already released suffered very grave maltreatment in Communist jail. In this case, the Communists' attitude seems noteworthy both for their lack of any humanitarian concern and for the absence of any seriousness, not to mention the fact that the Communist side has altogether ignored Article 8 of the Paris Agreement.

6. There was systematic obstruction by the Communist side at the Four-Party Joint Military Commission as well as the Two-Party Joint Military Commission. Procedural matters were allowed to hinder the work of both Commissions; the National Liberation Front even sent abroad General TRAN VAN TRA, its Chief Delegate to the Two-Party Joint Military Commission, immediately after its inaugural session on 29 March 1973 and to date General TRA has not returned.

When the Four-Party Joint Military Commission began its work, the Democratic Republic of Viet-Nam not only refused to deploy all its regional teams but also withdrew its personnel from the Hue and Danang regions. As for the National Liberation Front its representatives were present only in 4 regions out of seven. None of the two Communist delegations had any
representative in the 26 sub-regional teams.

At the present time they do not have any personnel outside of Saigon, even though the two parties had agreed to have altogether from 1,200 to 1,500 personnel in which the Two-Party Joint Military Commission Central Delegation compromises 240.

But the worst violations by the Communists are related to the International Commission of Control and Supervision (ICCS). Helicopters, vehicles, offices of the ICCS have been fired upon, in Tân Khai (Bình-Long province), Hội-An (Quảng-Nam province), Cần-Thơ (Phong-Dinh province), Tri-Tôn (Châu-Dões province), Hồng-Ngự (Kiến-Phong province). In one dramatic case, the Communist forces fired small arms at two ICCS helicopters and brought one down with one heat-seeking missile, in the Lào-Bào area (province of Quảng-Trị). All nine persons were killed including Canadian and Hungarian ICCS personnel, American and Filipino crewmen, and one NLF cadre who was acting as navigator (1). Since then the investigation has been deliberately hampered by the Communist side. In this situation, it could be said that the whole peace-keeping machinery established by the Paris Agreement and its Protocols has been ignored by the Democratic Republic of Viet-Nam. The Government of the Republic of Viet-Nam regards this as a clear indication of the Democratic Republic of Viet-Nam's unwillingness to respect the Paris Agreement and its

(1)All passengers and crew were killed. They were in fact:
- Lt. Col. Gunawan, Indonesia
- Capt. Charles Laviolette, Canada
- Capt. Dylazki, Hungary
- Lt. Cziboly, Hungary
- Capt. C.K. Osterman, ICCS Air Services
- F/O T.O. Clark, ICCS Air Services
- Flight mechanic V.P. Rosales, ICCS Air Services
- NLF Liaison Officer
- NLF Interpreter
7. The Government of the Republic of Viet-Nam wishes to reiterate its determination of seriously implementing all provisions of the Paris Agreement on Ending the war and Restoring Peace in Viet-Nam, including those related to the holding of consultations with the other South Vietnamese Party in a spirit of national reconciliation and concord. A comprehensive draft agreement promoting general elections in South Viet-Nam was already formally introduced by the Government of the Republic of Viet-Nam on 25th April 1973; it is hoped that the draft agreement could be used as a basis to reach an accord on a political solution for South Viet-Nam by peaceful means, and with the full participation of the people of South Viet-Nam.

8. The Government of the Republic of Viet-Nam trusts that the foregoing statement has shown that all charges levied against the Republic of Viet-Nam by the 16 April 1973 Note from the Democratic Republic of Viet-Nam are without foundation, and the Republic of Viet-Nam rejects all these fallacious charges. Furthermore, the Government of the Republic of Viet-Nam wishes to appeal to all signatories of the Act of the International Conference on Viet-Nam to help in persuading the Democratic Republic of Viet-Nam to cease its war preparations, for, if successful, such an action will be the single most effective way to ensure that the Paris Agreement on Ending the war and Restoring Peace in Viet-Nam is fully executed.

The Ministry of Foreign Affairs of the Republic of Viet-Nam avails itself of this opportunity to renew to the assurances of its highest consideration.

Saigon 9th, May 1973
APPENDIX 7

Statement by the Foreign Minister of the Republic of Viet-Nam at the Press Conference on April 25, 1973, proposing the Preliminary Accord on principles between the two South Vietnamese Parties to the Conference at La Celle Saint Cloud (France).
Pursuant to article 12 a) of the Paris Agreement of January 27, 1973, 'the two South Vietnamese parties shall sign an agreement on the internal matters of South Viet-Nam as soon as possible and do their utmost to accomplish this within ninety days after the cease-fire comes into effect'.

The three month period will expire within two days. From March 19, 1973, date of the inaugural session of the Conference between the two South Vietnamese parties in Paris, the Communist side has up to now, rejected all the concrete and constructive proposals concerning the agenda as well as the working procedures made by the delegation of the Republic of Viet-Nam.

Once again, to demonstrate the maximum goodwill of the Republic of Viet-Nam to implement seriously the Paris Agreement, at this very moment, at the eighth session of the Conference between the two South Vietnamese parties at La Celle Saint Cloud, the delegation of the Republic of Viet-Nam is proposing to the other side a draft preliminary accord aiming at resolving the basic problems pending between the two parties and a timetable to carry out all the agreed provisions.

Accordingly, if the other side also shows its goodwill to strictly implement the Paris Agreement as
it used to proclaim and accepts the Republic of Viet-
Nam's new initiative, the two parties would be able to
sign the preliminary accord on principles on April 27th,
the last day of the period mentioned in article 12 a)
of the Paris Agreement. At the same time, both sides
would proceed to organize a general election on Sunday
August 26, 1973, that is four months later, a reasonable
lapse of time for the South Vietnamese people to exer-
cise their rights of self-determination as solemnly
guaranteed by the parties to the Paris Agreements and
the signatories of the International Conference on

Attached is the draft preliminary accord and the
time-table that are being handed over by the Republic
of Viet-Nam delegation to the NLF delegation for consi-
deration.
Preliminary Accord on Principles

Between the Two South Vietnamese Parties

To the La Celle-Saint Cloud Conference

The two South Vietnamese parties to the La Celle Saint Cloud Conference,

With a view to implementing the Paris Agreement of January 27, 1973 regarding the exercise of the South Vietnamese people's right to self-determination,

Have agreed upon the following provisions regarding fundamental principles and undertake to respect and to implement them:

CHAPTER I

Final and Comprehensive Agreement

Article 1. - A final and comprehensive Agreement on the internal matters of South Vietnam shall be signed by the two parties no later than thirty (30) days after the signing of the present preliminary accord on principles.

CHAPTER II

General Election

Article 2. - The free and democratic general election provided for in Articles 9 (b) and 12 (b) of the Paris Agreement of January 27, 1973 shall be organized one hundred and twenty (120) days after the signing of the present preliminary accord on principles.

Article 3. - Through the above general election,
the South Vietnamese people shall elect by direct, universal and secret ballot an organ representative of the South Vietnamese people to decide the political future of South Vietnam. This organ shall determine the government structures at both the central and local levels.

**Article 4.** Besides the National Council of National Reconciliation and Concord and the International Commission of Control and Supervision which are entrusted with the task of controlling the general election as stipulated in the Paris Agreement of January 27, 1973, the two South Vietnamese parties shall invite additional international observers to come and observe the general election. The two South Vietnamese parties signatory of the present preliminary accord on principles undertake to respect the results of the general election and to strictly implement all the decisions taken by the organ set up through the general election.

**CHAPTER III**

**THE NATIONAL COUNCIL OF NATIONAL RECONCILIATION AND CONCORD**

**Article 5.** The National Council of National Reconciliation and Concord mentioned in Article 12 of the Paris Agreement of January 27, 1973 is composed of three (3) equal segments. Each South Vietnamese party determines its own component. The remaining component shall be determined by agreement between the two parties.

**Article 6.** The above National Council of National Reconciliation and Concord shall be convened no later than thirty (30) days after the signing of the final and comprehensive Agreement mentioned in Article 1.
Article 7. - The National Council of National Reconciliation and Concord must complete the law stipulating the procedures and modalities of the general election provided for in Articles 9 (b) and 12 (b) of the Paris Agreement of January 27, 1973, no later than thirty (30) days after its having been convened.

CHAPTER IV

THE QUESTION OF ARMED FORCES AND TROOP REDUCTION

Article 8.- To insure real freedom for the South Vietnamese people to determine its political future without outside pressure, the two South Vietnamese parties shall settle the question of Vietnamese armed forces in South Vietnam on the basis of reduction of their military effectives and of demobilization of the troops being reduced, in accordance with Article 13 of the Paris Agreement of January 27, 1973:

a) - All non-South Vietnamese armed forces must totally withdraw from South Vietnam and be returned to their homes. Parallelly with this withdrawal, the Government of the Republic of Vietnam shall demobilize an equivalent number of troops.

The above withdrawal and demobilization shall be implemented in two phases:

Phase One beginning the moment the final and comprehensive Agreement is signed by the two South Vietnamese parties and ending no later than the day the National Council of National Reconciliation and Concord is convened, that is, no later than thirty (30) days after the signing of the final and comprehensive Agreement.

Phase Two beginning the moment the National Council of National Reconciliation and Concord is
convened and ending no later than the moment the National Council of National Reconciliation and Concord completes the election law, that is, no later than sixty (60) days after the signing of the final and comprehensive Agreement.

b) The question of armed forces of the two South Vietnamese parties shall fall under the authority of the government set up as a result of the general election in South Vietnam.

CHAPTER V

DEMOCRATIC LIBERTIES

Article 9.- Once the final and comprehensive Agreement has been signed together with the strict implementation of Article 2 and 7 of Chapter II on the cessation of hostilities of the Paris Agreement of January 27, 1973 the two South Vietnamese parties shall, parallelly with the withdrawal of non-South Vietnamese armed forces mentioned in Article 8 abolish the restrictions to the democratic liberties due to the war situation as mentioned in Article 11 of the Paris Agreement of January 27, 1973.

CHAPTER VI

OTHER PROVISIONS

Article 10.- This preliminary accord shall enter into force upon signing. The two South Vietnamese parties shall strictly implement this preliminary accord.

PROPOSED SCHEDULE

| D | April 27, 1973 | Signing of Preliminary Accord |
Signing of Final and Comprehensive Agreement

Abolition of restrictions on democratic liberties due to the war situation.

Phase One of troop reduction and withdrawal

Convening of the National Council of National Reconciliation and Concord

Phase Two of troop reduction and withdrawal

Completion of Election Law Electoral campaign

General Election.