

# THE SITUATION IN LAOS

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## PREFACE

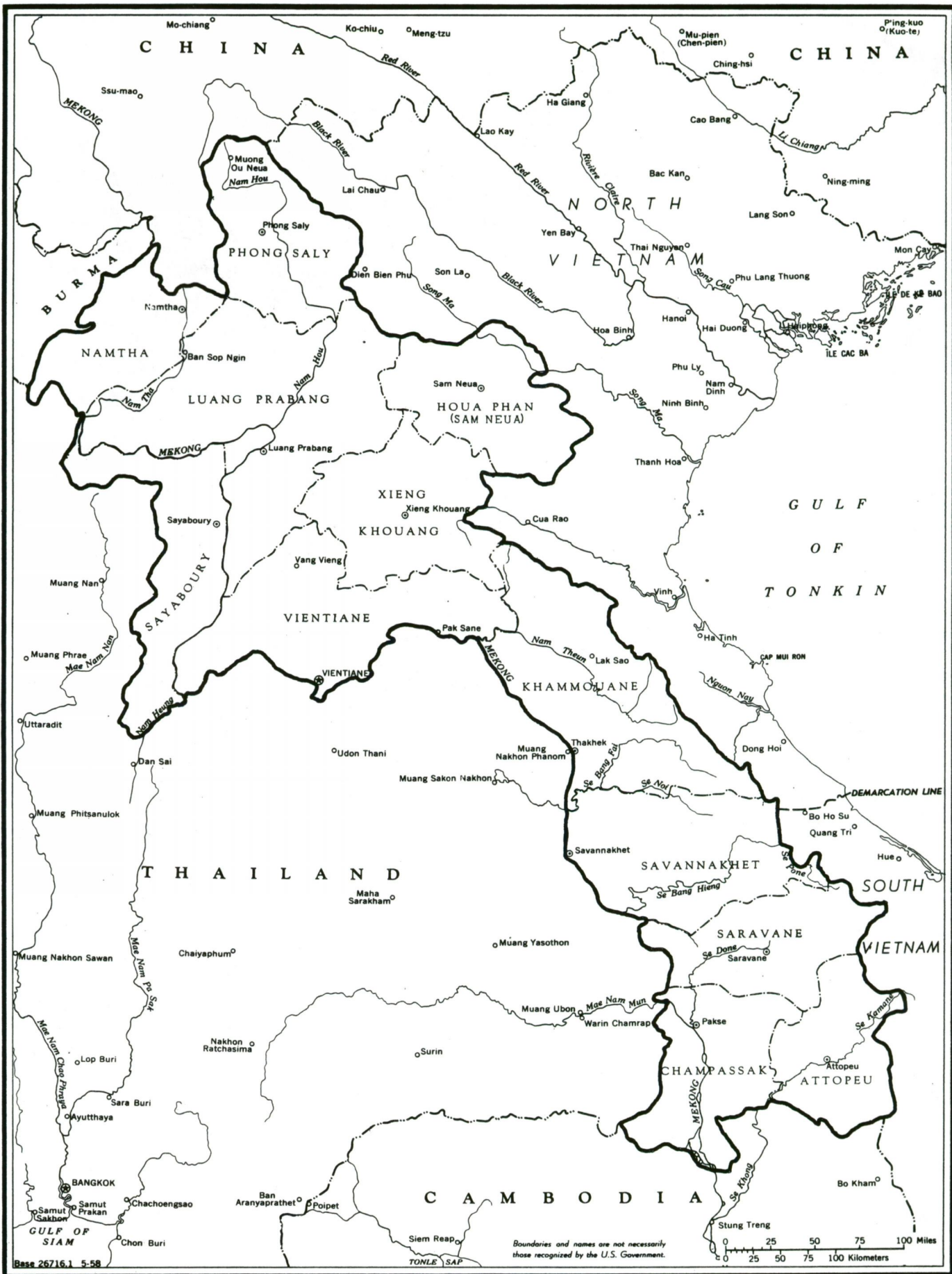
The Kingdom of Laos, a small, weak, and peaceful country which occupies a key position in Southeast Asia, is under attack by Communist-led forces which oppose the duly elected government and seek to impose their will over the Kingdom and its small army.

The fighting which began in Laos in July 1959 is of particular concern to the United States and to the rest of the free world because it is part of the pattern of Communist bloc aggressiveness that is basic to much of the tension existing in the world today. Laos, removed from the mainstream of the world events through most of its recent history, finds itself a frontline of the free world.

The Communist forces that now threaten the independence of Laos owe their strength to the direction and support they have received from Communist countries, especially Communist China and even more particularly Communist north Viet-Nam. The history of the past ten years is witness to the determination of the Communists and particularly of north Viet-Nam--a giant alongside Laos in population and strength--to prevent the people of Laos from progressing freely and peacefully toward the social and economic development of their country.

Although not a major theater of war during the Indochina hostilities of 1946-54, Laos had been invaded by Vietnamese Communist forces allied with Communist-indoctrinated dissident Lao calling themselves the Pathet Lao (Land of the Lao). Even after it had achieved independence by peaceful negotiations with France, Laos found itself facing formidable problems. The Pathet Lao, guided and supported by north Viet-Nam, refused to give up territory in northern Laos it had occupied during the war, and proceeded to build up its military forces and subversive network. Not until more than three years after the 1954 Geneva peace settlement did the Pathet Lao, having achieved important concessions from the Royal Government, agree to the reunification of the Kingdom and ostensibly to the dissolution of its military establishment. Failing to achieve their objectives of gaining control of the country through the normal processes of constitutional government, the Communists recently have reverted to the use of force.

The following account reviews the present situation in Laos and its background. It describes the efforts of the Royal Government of Laos to carry out its international commitments in good faith and to preserve its independence and identity. It also testifies to the opposition, largely Communist-inspired, that Laos has had to face along this road.



## THE KINGDOM, THE LAND, AND THE PEOPLE

### History

The Kingdom of Laos, strategically located, but the smallest in terms of population and least developed of any state in Southeast Asia, was formed after World War II from an area that had been ruled by France since 1893. Before the period of French rule, Laos consisted of a loosely knit aggregation of petty principalities, at times united under one king but more often existing as more or less separate entities. Under the French the northern part of Laos was organized into the Kingdom of Luang Prabang and the southern part into the principality of Bassac, and both became components of French Indochina, which also included Viet-Nam and Cambodia.

In the closing weeks of World War II, anticipating their imminent defeat, Indochina's Japanese occupiers persuaded nationalist leaders to declare Luang Prabang independent. In September 1945 the proclamation of independence was extended to include Bassac, and Sisavang Vong, who had been the King of Luang Prabang since 1903, was proclaimed King of Laos. Shortly thereafter, however, the leaders of a nationalist movement known as "Free Lao" formed a short-lived "provisional government," dethroning the king allegedly because he was pro-French, and organized small armed units to resist returning French-led forces. By May 1946 these "Free Lao" units had been overpowered and the "provisional government" leaders had fled to Thailand where they set up a "government-in-exile." Although France reestablished its rule, it accepted the nationalist principle of a territorially united Laos under Sisavang Vong as King and in a provisional agreement of August 1946 gave the new kingdom a considerable degree of administrative authority.

During the next several years, Laos progressed toward full independence. A parliamentary system with a popularly elected National Assembly dates from the promulgation of a constitution in May 1947. Under an agreement with France signed in July 1949, Laos became an independent state within the French Union. Thereupon the "government-in-exile" in Bangkok was dissolved and most of the leaders of the "Free Lao" movement returned to take part in the Royal Government of Laos. Under a Treaty of Friendship and Association signed in October 1953, France recognized the Kingdom of Laos as "a fully independent and sovereign state," and transferred to Laos all of the remaining French administrative powers except certain supervisory rights relating to military affairs and economic matters, which were finally given up in late 1954. The United Kingdom, France, and the United States extended diplomatic recognition to Laos in February 1950. Subsequently the overwhelming majority of free-world states have recognized Laos. Laos became a member of the United Nations in December 1955.

### Geography and People

A landlocked country with a total area of about 90,000 square miles (smaller than the state of Colorado), Laos is situated in a relatively inaccessible portion of the Indochinese peninsula. It shares a 600-mile border with north Viet-Nam and Communist China in addition to common frontiers with the Republic of Viet-Nam, Cambodia, Thailand, and Burma.

Perhaps less than half of the total population, roughly estimated to be 2 million, are ethnic Lao, a people of Thai stock. There are also more than a dozen distinct Thai minority groups, sometimes called "tribal" Thai, as well as sizable numbers of other indigenous minority groups, including the Meo, the Phoutheng, the Yao, and several Tibeto-Burman peoples. Groups related to all of these peoples also inhabit the areas surrounding Laos. The Lao are the dominant group, the Lao language is the national language, and Buddhism, the religion of the Lao, is the national religion. Nevertheless, diversity is so great that Laos, rather than being a single society with a universally shared pattern of culture, is an aggregate of societies differing significantly in ethnic origin, language, and culture. Only about 15 percent of the people are literate.

The rugged, mountainous terrain or jungle growth of much of the country tends also to keep the population fragmented in small, self-contained communities bound together only tenuously by very poor communications and transportation systems. There are few roads, no railways, and only a handful of small airfields usable throughout the year. The Mekong River,

which forms more than 500 miles of the western boundary of Laos, is a major avenue of transportation, but its narrows and rapids, together with seasonal fluctuations in water levels, limit its use to small craft. The majority of the population still depends on traditional methods of transportation: foot, oxcart, elephant, horse, and dugout canoe. Modern communications facilities are sparse.

### Economy

Removed from the center of Asian affairs as well as from the mainstream of modern civilization throughout most of its history, Laos has only recently come to know modern technology. Subsistence agriculture is the basis of the economy, rice being the dominant crop. About 95 percent of the people derive their existence from the land. Internal trade is conducted mainly by barter. Export earnings total only \$2 million to \$3 million annually, far too little for a country almost completely dependent on imports for manufactured goods. Per capita income is roughly estimated at about \$50 per year.

### ORIGINS OF THE LAO COMMUNIST MOVEMENT

Communist spokesmen claim that the Communist-controlled Pathet Lao originated in the "Free Lao" (Lao Issara) nationalist movement in 1945, and that Pathet Lao "resistance committees" were formed in 1946 to fight against the French. Actually, however, the Pathet Lao movement appears to have originated several years later under circumstances indicating that it was created, sponsored, and controlled by the Communist "Democratic Republic of Viet-Nam" (DRV).

The DRV had been formed at Hanoi in September 1945 as a "government" that ostensibly represented a broad nationalist coalition seeking independence for Vietnam. In time, it became clear that the DRV was controlled by Communists who were utilizing the governmental facade and the nationalist struggle to advance their own drive for power throughout Indochina. The hostilities that broke out between DRV forces and French-led forces in northern Viet-Nam in late 1946 soon spread to other areas of Viet-Nam. In 1950 the Chinese Communists, who by then, having seized control of Mainland China, had a common border with the DRV, began to supply it with large-scale aid in the fight against France. The Vietnamese Communists began to emerge openly as the rulers of the DRV and the main force behind a revolutionary movement that aimed to establish their control throughout Indochina.

When, in 1949, most of the leaders of the "Free Lao" returned to participate in the government of Laos, a few dissidents, the most prominent being Prince Souphanouvong, turned to the Vietnamese Communists. Even before the dissolution of the "government-in-exile" Prince Souphanouvong had formed a "Lao Liberation Committee" in Bangkok. This committee, the precursor of the Pathet Lao, denounced both the Royal Government of Laos and the "Free Lao" leaders, claimed to represent all the people of "Free Laos," and announced that it would "closely cooperate with Resistance Movements in the two other Indochinese countries, Viet-Nam and Cambodia, in order to fight the common foe, French colonialism." Little more was heard of this committee, but in September 1950, after Souphanouvong had left Bangkok for the DRV, Vietnamese Communist radio broadcasts announced the formation of a "resistance government of Pathet Lao" and hailed it as the true expression of the Lao Issara. In November 1950 the DRV radio claimed that a "national assembly of Pathet Lao," allegedly composed of more than 100 "elected representatives of all the ethnic minorities and social classes of Laos," had met in August 1950 presumably in DRV-controlled territory. Subsequent broadcasts reported that the "assembly" had established a "Laotian National United Front," formed a "resistance government," elected Souphanouvong as "prime minister," and founded a "People's Liberation Army."

Later events provided further evidence of the close ties between the Pathet Lao "resistance government" and the Vietnamese Communist regime. In March 1951, the "Laotian National United Front" became affiliated with a similar organization for dissident Cambodians created by the Vietnamese Communists, and a tri-national "Vietnamese-Cambodia-Laos Alliance Bloc" was then created. The dependent roles of the Lao and Cambodian groups, however, was revealed in a Vietnamese Communist document issued in November 1951 which noted that "the Vietnamese Party reserves the right to supervise the activities of its brother Parties in Cambodia and Laos." The document stated further that

...the Central Executive Committee of the Vietnamese Workers Party has designated a Cambodian and a Laotian bureau charged with assisting the revolutionary movements in these countries. It organizes periodic assemblies of the three parties in order to discuss questions of common interest; it works toward the creation of a

Vietnamese-Khmer-Laotian United Front. Militarily Vietnam, Cambodia, and Laos constitute a combat zone; Viet-Nam has substantially assisted Cambodia and Laos militarily as well as from all other points of view....

Although the DRV radio between 1950 and early 1953 periodically made resounding claims concerning the strength and achievements of the "Laotian National United Front" and the Pathet Lao "resistance government," there was little concrete evidence that the Pathet Lao did anything more than maintain a few small guerrilla bands along the Laos-Viet-Nam border. Nevertheless, in June 1951 the Chinese Communist radio attributed to Prince Souphanouvong claims that his regime exercised formal authority over one-sixth of Laos, that Pathet Lao guerrillas controlled one-third of Laos, and that "democratic elections" in two-thirds of Laos had selected representatives to the regional executive committees of the "National United Front." Informal Communist bloc "recognition" of the Pathet Lao "resistance government" was also indicated in DRV broadcasts in 1952, which noted for example that an "official" letter had been sent to the Soviet Government by the Pathet Lao "foreign minister."

### THE DRV INVADES LAOS, 1953-54

Apart from sporadic guerrilla activity, Laos remained relatively free of active fighting until April 1953 when DRV armed forces launched the first of three full-scale invasions. French Union forces moved to check this thrust, and by mid-1953 had limited the Communists to a portion of northern Laos and to guerrilla pockets in the south. A second invasion was launched in central Laos in December 1953, with the apparent aim of splitting the kingdom in two. A third invasion, directed at northern Laos from northwest Viet-Nam, followed in February 1954; this attack appeared to be aimed at the city of Luang Prabang, where the King maintained his residence. By the end of February 1954, these incursions had also been checked.

Although regular units of the Vietnamese Communist army constituted the bulk of the invading forces, DRV broadcasts at the time contended that these troops were "volunteers" assisting the Pathet Lao "liberation" forces. DRV and other Communist propagandists then and since have sought to minimize the DRV role, and to portray military operations in Laos in 1953-54 as local in nature and as part of a lengthy internal struggle.

The Vietnamese Communist newspaper Nhan Dan gave the Communist version of the war-time (1953-54) role of the Pathet Lao in an article published on August 13, 1955, commemorating the fifth anniversary of the alleged convening of the Pathet Lao "National Assembly." This article made no mention of the predominant participation of DRV troops or of the fact that the invasion of Laos was launched from DRV territory. Instead entire "credit" was given to "offensives" opened by the "Laotian People's Liberation Army."

It was during the first DRV invasion that Prince Souphanouvong and his followers moved into Laos. The Pathet Lao leader announced on April 21, 1953 that his "resistance government" had been set up in the town of Sam Neua, the capital of the province of Sam Neua which borders on north Viet-Nam, and declared it to be "the only legal representative government of Laos." DRV-Pathet Lao invasion forces during 1953-54 occupied at one time or another up to one-fourth of the area of the kingdom on a temporary basis, but they apparently did not establish an administrative system outside the two northern provinces of Sam Neua and Phong Saly which they occupied from 1953 to 1957.

### THE GENEVA CONFERENCE OF 1954

Hostilities in Indochina between local forces led by the Vietnamese Communists (Viet Minh) and French Union forces, which had been continuing since 1946, were brought to an end by agreements reached at a conference held in Geneva, Switzerland, in April-July 1954. Representatives of the United Kingdom and the USSR acted as co-chairmen of the conference, in which Cambodia, France, Laos, the State of Viet-Nam (non-Communist Viet-Nam), and the United States, as well as representatives of Communist China and the DRV, also participated.

Both before the conference, in radio propaganda, and during its sessions, the DRV made efforts to have Pathet Lao representatives participate. At the first plenary session, on May 8, 1954, DRV Foreign Minister Pham Van Dong offered a resolution, supported by the delegates of Communist China and the USSR, "to invite the representatives of the governments of resistance of Khmer and Pathet Lao to take part in the work of the conference in regard to the question of the reestablishment of peace in Indochina." In a speech at the second plenary session of the conference (May 10, 1954), Pham Van Dong made the spurious claim that the Pathet Lao had "liberated" one-half of Laos from the French Union forces, and presented peace proposals in the name of both the DRV and the Pathet Lao. During many subsequent sessions, the DRV continued unsuccessfully to press for Pathet Lao participation. At least one

Pathet Lao leader, Nouhak Phoumsavan, attended the conference as a member of the DRV delegation. Pathet Lao agents in Geneva distributed pamphlets entitled "The People of Pathet Lao struggle for Peace, Independence, Unity, and Democracy," which carried the notation on the flyleaf that they had been "re-edited by the Information Agency of the Democratic Republic of Viet-Nam."

Understandings reached at Geneva concerning Laos were contained in (1) an Agreement on the Cessation of Hostilities in Laos, which was signed "For the Commander-in-Chief of the fighting units of 'Pathet Lao'" as well as on behalf of the DRV army by Ta Quang Buu, DRV Vice Minister of National Defense, and by a French military representative on behalf of the French Union forces which represented the interests of Laos; (2) two unilateral Declarations by the Royal Government of Laos; and (3) the Final Declaration of the Geneva Conference.

Agreement on the Cessation of Hostilities in  
Laos, July 20, 1954

The following excerpts from the Agreement are pertinent to the present situation in Laos:

Article 6. With effect from the proclamation of the ceasefire 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 two French military establishments, the first at Seno 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 kinds 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, Seno, Paksé, Savannakhet and Tchépone.

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 and Sam-Neua, except for any military personnel who wish to be demobilized where they are....

Article 15. Each party undertakes to refrain from any reprisals or discrimination against persons or organisations for their activities during the hostilities and also undertakes to guarantee their democratic freedoms.

Article 25. An International Commission shall be responsible for control and supervision of 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 39. The International Commission for Supervision and Control in Laos may, after consultation with the International Commissions in Cambodia and Viet-Nam and having regard to the development of the situation in Cambodia and Viet-Nam, progressively reduce its activities. Such a decision must be adopted unanimously.

Declarations by the Royal Government of Laos, July 21, 1954

The first Declaration was as follows:

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 Laotian citizens 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 Laotian nationals who did not support the Royal forces during hostilities.

The second Declaration read:

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 the 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 principle of the agreement on the cessation of hostilities or, unless its security is threatened, the obligation to establish bases on Laotian territory 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 Viet Nam and the final settlement of that country's political problems, the Royal Government of Laos will not request foreign aid, whether in war materiel, in 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.

Final Declaration of the Geneva Conference, July 21, 1954

Articles 3, 4 and 5 of the Final Declaration took note of the various commitments made by the Royal Government of Laos in the two Declarations quoted above. Article 12 of the Final Declaration said:

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

## The United States and the Geneva Agreements

In stating that it was not prepared to join in the Final Declaration, the United States declared unilaterally that it would

refrain from the threat or the use of force to disturb them [The various agreements reached at Geneva and the Final Declaration], in accordance with Article 2 (Section 4) of the Charter of the United Nations dealing with the obligation of Members to refrain in their international relations from the threat or use of force; and... would view any renewal of the aggression in violation of the aforesaid Agreements with grave concern and as seriously threatening international peace and security.

### THE COMMUNISTS REFUSE TO GIVE UP PHONG SALY AND SAM NEUA PROVINCES

Almost immediately after the close of the Geneva Conference, the Pathet Lao made it clear that it intended to abide only by such provisions of the agreements as it considered favorable. On August 8, 1954, two days after the ceasefire became effective in Laos, the Pathet Lao indicated that it would refuse to permit the Lao Government to reestablish its administration in the northern provinces of Phong Saly and Sam Neua, which border on the DRV.

The Pathet Lao chief, Prince Souphanouvong, stated baldly on November 20, 1954, that

The Pathet Lao forces ... have proclaimed the power of the Pathet Lao in the two provinces of Sam Neua and Phong Saly....

Although in the same statement Prince Souphanouvong admitted that the two provinces had been "placed in principle under the supreme authority of the Royal Government," on March 5, 1955, Radio Hanoi broadcast a statement of a "Pathet Lao Command spokesman" to the effect that

...all encroachments upon the territory of the two provinces of Sam Neua and Phong Saly are at utter variance with the Geneva Armistice Agreement in its letter and spirit. The Pathet Lao forces are determined to oppose these acts of violence and will not bear responsibility in case the Pathet Lao units are compelled to defend themselves.

### The DRV "Advises" the Pathet Lao in Administering Phong Saly and Sam Neua

Although the Communists no longer referred to the "Pathet Lao Resistance Government" after the Geneva ceasefire, the leading members of that group remained in authority in Pathet Lao-controlled Phong Saly and Sam Neua. Prince Souphanouvong became "Prime Minister of the Pathet Lao administration," as well as the initial head of the "ministries" of National Defense, Economic and Financial Affairs, Interior, Foreign Affairs, and Education and Propaganda, and the chairman of various front organizations. All other offices, from provincial governor down to village chief, were filled by Pathet Lao sympathizers.

Despite the facade of Pathet Lao government, however, it was the North Vietnamese Communists who really controlled the Pathet Lao administration. Some efforts were made to camouflage the DRV's control and its continuous and direct liaison with the Pathet Lao; for example, foreigners were prohibited from entering the Thai-Meo "autonomous zone" in north Viet-Nam which is adjacent to Phong Saly and Sam Neua provinces. However, the facts are clear. A central coordinating mission of ranking Vietnamese Communists responsible for "guiding" the Pathet Lao leadership was located not far from Pathet Lao headquarters in the town of Sam Neua. This mission was in turn "guided" by a special DRV staff for Laos situated across the border in north Viet-Nam. DRV "advisors" were attached to Pathet Lao "ministries." Officers at the lower levels of the Pathet Lao administration structure were similarly "assisted" by Vietnamese Communist "advisors." On some occasions DRV troops even entered Sam Neua province and engaged in joint maneuvers with Pathet Lao military units, which in addition had permanent DRV "advisors" on their staff. In north Viet-Nam, the DRV operated (and still operates) training facilities for Pathet Lao military personnel and undercover agents.

## The ICC Contests Pathet Lao Control of the Provinces

The International Commission for Supervision and Control (ICC) in Laos, established under the Agreement on the Cessation of Hostilities, made several attempts shortly after the Geneva Conference to persuade the Pathet Lao to recognize the jurisdiction of the Royal Government over Phong Saly and Sam Neua. These efforts having proved unsuccessful, the ICC then expressed its views in a resolution adopted on January 7, 1956.

### The International Commission for Supervision and Control in Laos,

- I. Considering that the sovereignty, independence, unity and territorial integrity of Laos were recognized in the Geneva settlement;
- II. Recalling its unanimous resolution of December 3, 1954, by which it recommended that representatives of the Royal Government and of the Fighting Units of the Pathet Lao should examine together the means which should be adopted to attain the political settlement envisaged in Article 14 of the Geneva Agreement, including the reestablishment of the Royal Administration in the provinces of Sam Neua and Phong Saly;
- III. Considering that on June 15, 1955, the Commission unanimously addressed a letter to the Royal Government recognising its right to the actual administration of these two provinces....
- VII. Considering that, without the Royal Government's administration in the two northern provinces, it would be impossible to obtain full integration of the Fighting Units of the Pathet Lao into the national community as envisaged in the Geneva settlement;
  - (1) Expresses regret that the efforts hitherto made to bring about a settlement have so far produced no result;
  - (2) Reiterates that the intention of the Geneva Agreement is to preserve the the unity of Laos;
  - (3) Reiterates the sovereign right of the Royal Government to establish its administration in the two northern provinces, and that this right is undisputed;
  - (4) Expresses concern at the difficult situation which has arisen as a result of the failure of the negotiations;
  - (5) Recommends to the Parties:
    - (i) To observe strictly the recommendations contained in the Commission's Resolution of December 9, 1955, for effective cessation of hostilities;
    - (ii) That without further delay the Royal Administration should be re-established in the provinces of Sam Neua and Phong Saly and the Royal Government should concurrently take necessary measures to bring about the integration of Pathet Lao fully and "without discrimination into the national community;"....

The Royal Government promptly accepted the January 17 resolution, but the Pathet Lao failed to do so, as noted in a letter of February 15, 1956, from the ICC to the co-chairmen of the Geneva Conference, and retained its claim to the two provinces until late in 1957.

## THE COMMUNISTS BUILD UP THEIR MILITARY AND SUBVERSIVE FORCES

### Violation of the Cease-Fire; Buildup of Forces

In entrenching itself illegally in Phong Saly and Sam Neua, the Pathet Lao did not hesitate to carry out its threat to maintain its position by force. ICC investigation of the Royal Government's numerous, documented charges of Pathet Lao ceasefire violations was frequently blocked because of the Polish member's unvarying hostility to the Royal Government and because of the uncooperativeness of the Pathet Lao.

The ICC in its Third Interim Report (Chapter VIII), under the heading "Cooperation of the Fighting Units of Pathet Lao with the Commission" described the obstructive facts of the Pathet Lao as follows:

In one instance, when the Commission's team went to a village for investigation, they were tied up and examination of witnesses was rendered impossible. When this incident was brought to the notice of the Pathet Lao High Command, they offered apologies, but stated that since the team went without advance information, the team members should have tried to solve the local difficulties by a "policy of persuasion rather than by outbursts of anger." Similar incidents involving the French crew of the Commission's helicopters also occurred; in some cases the crew were denied freedom of movement from a few hours to two days and were treated with great discourtesy. When these incidents were brought to the attention of the Pathet Lao, they replied that since there was nothing to show that the crew were working on behalf of the Commission the Pathet Lao were not sure if they had not come with hostile intentions....

A major difficulty that the Commission experienced from the Pathet Lao side was related to the non-availability of witnesses for investigation. It was extremely difficult for the Commission's teams to search for witnesses because the Pathet Lao local authorities often took the view that the areas in which the witnesses might be residing were unsafe and that the Commission members should not proceed at their own risk since the Pathet Lao did not wish any untoward incident to happen to the Commission members which might bring discredit to the Pathet Lao. Besides, since the Pathet Lao were responsible for the security of the teams, they stated that they would have to make necessary arrangements before the team could move around. On two or three occasions when the team members proceeded to pursue witnesses on their own, their freedom of movement was either denied or very strictly limited. The Commission brought all these instances to the notice of the Pathet Lao High Command. The Pathet Lao in some cases gave suitable apologies and in others adhered to their point of view that unless advance information for investigation was given they could not completely ensure that these difficulties would never occur again.

Moreover, the Pathet Lao steadily built up its military forces. Although in 1954 the number of Pathet Lao troops was estimated to be less than 1,000, in February 1958, after the Pathet Lao had agreed to demobilization or integration of its forces with the Royal Lao Army, more than 6,000 Pathet Lao military personnel were processed. This six-fold increase in the number of troops could have taken place without foreign assistance and might therefore not have been in violation of the Geneva Agreements. The corresponding increases in Pathet Lao military equipment, however, could have resulted only from supply movements originating in or passing through north Viet-Nam in clear violation of the Agreement on the Cessation of Hostilities in Laos (Articles 9 and 10).

### The Communists Develop Their Subversive Apparatus

The Viet Minh started sending resident agents to villages as early as 1948 and a nucleus of well-indoctrinated propagandists remained behind in other parts of Laos when the Pathet Lao regrouped in Sam Neua and Phong Saly provinces in August 1954. They were chosen on the basis of the trust in which they were held by the local population, their acquaintance with the local area, and, in particular, their acquaintance with the families of those Pathet Lao personnel who regrouped in the north. The Pathet Lao propagandists constituted a subversive network whose mission included the preparation of arms caches and the reception of agents sent from Sam Neua. Groups of agents were sent throughout Laos as early as May 1955, commonly to regions of which they were natives.

By mid-1956 the Pathet Lao and DRV were concentrating on operations designed to entrench their clandestine subversive network in Sam Neua and Phong Saly provinces and to extend their operations in the ten other provinces of Laos. By that date, more than 3,000 partisans from Sam Neua and Phong Saly had been recruited from the local population into the clandestine net in the area. As a result the Pathet Lao "administration" was able to release hard-core Communists from military missions in Sam Neua and Phong Saly for service on clandestine missions in the other provinces. Several hundred such persons apparently were despatched into the Royal Government-controlled areas during 1956 alone.

These cadres engaged in organizational work establishing administrative committees, making contact with Pathet Lao sympathizers, establishing arms depots, and recruiting for guerrilla and intelligence activities in the Royal Government zone. The majority of these cadres were sent into frontier areas in Lao provinces bordering Viet-Nam in order to establish a broad, entrenched subversive apparatus which could be used either for political manipulation in the event of a political settlement or as an enlarged guerrilla force if negotiations between the Royal Government and the Pathet Lao broke down.

Outside Sam Neua and Phong Saly the Pathet Lao subversive network was most active in the areas that had been penetrated by the Vietnamese Communist and Pathet Lao forces during the invasions of 1953-54. These infested areas included Vientiane, Luang Prabang, Xieng Khouang, Savannakhet and Thakhek (Khammouane) provinces, and the region of the Bolovens Plateau in southern Laos encompassing parts of Saravane, Champassak and Attopeu provinces.

Concentrating on isolated rural areas, the Pathet Lao sought to convert the unsophisticated villagers. To this end the organizers agitated against the Royal Government and encouraged villagers to disobey governmental authorities, resorting to terroristic methods, when necessary, to maintain their influence over the people.

The Pathet Lao clandestine network also sought to subvert the various ethnic minorities inhabiting the mountainous areas (as differentiated from the ethnic Lao who normally inhabit the river valleys), particularly the mountainous area adjacent to the north Vietnamese border. Establishing themselves in Thai-minority, Meo, or Phoutheng villages, Pathet Lao organizers worked on the prejudices of their inhabitants to incite them against the Lao Government. Among the Meo, for example, the Pathet Lao catered to separatist feelings by encouraging the Meo to believe that, when the Pathet Lao assumed control of the government of Laos, the Meo would be allowed to establish their own state. Through this and similar tactics the Pathet Lao subversive network was able to thread its supply and infiltration routes throughout Laos.

### THE ROYAL GOVERNMENT OF LAOS CARRIES OUT ITS COMMITMENTS

The Final Declaration (Article 3) of the Geneva Conference and the first Declaration of the Royal Government of Laos imposed two obligations on the Royal Government with respect to a political settlement: to integrate all citizens into the national community, and to provide "special representation [of the Pathet Lao] in the Royal Administration" of Sam Neua and Phong Saly provinces. The final Declaration also noted that the next general elections in Laos were scheduled to take place in 1955. In its efforts to arrive at a settlement with the Pathet Lao, the Lao Government not only lived up to its Geneva commitments but also offered concessions that went well beyond those commitments.

#### General Elections of December 25, 1955

The Royal Government, in accordance with its constitutional processes, scheduled general elections for the whole of Laos for August 28, 1955. Although the government guaranteed free elections by secret ballot, in which the Pathet Lao could participate without discrimination, the Pathet Lao nevertheless balked. Accordingly, on June 9, 1955 the government postponed the elections until December 25, 1955, in the hope that the Pathet Lao would agree to participate. The Pathet Lao, instead, demanded drastic changes in the electoral law, a position criticized by the ICC (Third Interim Report, Chapter II of the Appendix to Annexure I), in the following terms:

It appears to us that the Geneva Agreement does not contemplate change in the Constitution and that the changes in the Electoral Law need be considered only when its provisions are discriminatory to any opposition parties such as Pathet Lao. It also appears to us that with some of the modifications the Royal Government are prepared to accept, no major modification will appear necessary.

The ICC further observed (Third Interim Report, Chapter IV of Appendix to Annexure I)

The Royal Government has given assurance that no Pathet Lao candidate who prima facie qualifies under Article 6 [of the Electoral Law], will be rejected.

It was the understanding of the ICC that

...the Government will accept a certificate of literacy issued by Pathet Lao authorities for Pathet Lao candidates...

as the required certification under Article 6. Despite these assurances, the Pathet Lao refused to participate, and in fact attempted, although unsuccessfully, to persuade voters to abstain.

General elections were held as scheduled on December 25, 1955 for all 39 seats of the National Assembly. More than 80 percent of the eligible voters participated. The two major moderate parties, the National Progressive Party of Prime Minister Katay D. Sasorith and the Independent Party led by Phoui Sananikone, won three-fourths of the seats. A new government led by Prince Souvanna Phouma, a member of the National Progressive Party, was invested by the National Assembly on March 21, 1956 by a vote of 33 to one.

#### Coalition Government and Supplementary Elections

None of the Geneva Conference agreements required the formation of a coalition government as a prerequisite to the political settlement in Laos. However, in its efforts to achieve a united nation and despite the Pathet Lao's refusal to participate in the 1955 elections, the Royal Lao Government agreed on August 10, 1956 to the "setting up of a National Union Government with the participation of the Representatives of the Pathet Lao Forces" to be followed by supplementary elections for additional National Assembly seats. Five days before, the Lao Government had recognized the right of the Pathet Lao "front," the Neo Lao Hak Xat, to "undertake their activities in the legal forms as the other political parties."

Prime Minister Souvanna Phouma and Prince Souphanouvong subsequently issued a joint Royal Government-Pathet Lao communique on December 28, 1956, which included the following paragraph:

In order to enable the cooperation between the two Parties to achieve National unity and facilitate the settlement of the pending questions, the two Princes are agreed on the expansion of the present Government before the holding of the general supplementary elections. The coalition government, to [sic] which the Pathet Lao Forces will be adequately represented, will thus constitute a symbol of the national reconciliation on the bases of a proper policy aiming at building up a pacific, democratic, united, independent and prosperous Laos. The coalition government will have to receive the confidence of the National Assembly in accordance with the Constitution.

According to the Third Interim Report (Annexure 14) of the ICC, a letter signed jointly by Prime Minister Souvanna Phouma and Prince Souphanouvong was sent to the chairman of the ICC on December 29, 1956. The co-authors of the letter informed the chairman of their joint communique of December 28, 1956 and requested him to

inform the Co-Chairmen of the Geneva Conference and assure them that once the general supplementary elections will have been held in the conditions and circumstances mentioned in the joint communique, the political settlement as foreseen by Article 14 of the Geneva Agreement will be realised....

Following the signature of political and military agreements between the Royal Government and the Pathet Lao in November 1957, a coalition cabinet, including Pathet Lao members Prince Souphanouvong, as Minister of Plans, Reconstruction and Urbanism, and Phoumi Vongvichit, as Minister of Religion and Fine Arts, was unanimously invested by the National Assembly of Laos on November 19, 1957.

On February 21, 1957, the two sides had agreed on a proposed new electoral law, approved by the National Assembly of Laos on October 28, 1957, which provided for supplementary elections to increase the number of deputies from 39 to 59. The Royal Government, despite its wish that the elections be held earlier, yielded to the demands of the Neo Lao Hak Xat for delay and announced on December 10, 1957 that supplementary elections would be held in May 1958.

Elections were held in all provinces of the kingdom on May 4, 1958, for the 20 new seats plus one additional seat to fill a vacancy. The pro-government candidates--principally members of the Independent and the National Progressive parties--won a solid majority of the popular vote, against approximately 40 percent won by an electoral front composed of the Communist-controlled Neo Lao Hak Xat and the fellow-traveling Santiphab party. The Neo Lao Hak Zat nevertheless won nine of the seats contested, and the Santiphab four, owing in part to the fact that the pro-government vote in most of the constituencies was split among several candidates.

Following the supplementary elections, the expanded National Assembly was composed of 38 non-Communist deputies, and 21 members and supporters of the Neo Lao Hak Xat-Santiphab front.

#### The Pathet Lao Receives Special Representation and Relinquishes Control of Phong Saly and Sam Neua

On April 19, 1955, the Lao Government had offered the Pathet Lao half the civil offices at all levels in the provinces of Phong Saly and Sam Neua, an offer far exceeding the Royal Government's Geneva commitment to "special representation" for the Pathet Lao. It was not until two and one-half years later, however, on November 12, 1957, that the Pathet Lao accepted the Royal Government's offer. The agreement signed on that date by Prince Souphanouvong on behalf of the Pathet Lao provided in part that

From the date of publication of the Declaration of handing over of the two Provinces to the Royal Government, the two Provinces shall effectively be placed under the dependence of the Kingdom. All the laws in force in the Kingdom shall be applied there. They shall be governed by the Constitution and the laws of the Kingdom.

Pursuant to this agreement, the authority of the Royal Government over Phong Saly and Sam Neua was finally recognized by the Pathet Lao after almost three and one-half years of illegal control. The province of Sam Neua was officially transferred to the Lao Government by Prince Souphanouvong on December 8, 1957, and the province of Phong Saly on December 12, 1957.

In accordance with the commitment it had made, the Lao Government appointed members of the Pathet Lao to the positions of Provincial Chief in Phong Saly and Deputy Provincial Chief in Sam Neua, to the top positions in half the districts of the two provinces, and to half the lesser official posts. Following a visit to Sam Neua on March 1, 1958, the Political Committee of the ICC reported (Fourth Interim Report, Annexures 22 and 23) that it had

learnt that integration was proceeding smoothly. Approximately 60 officials had been sent to Sam Neua by the Royal Government of whom 20 were working in the Chaokhoueng's [Provincial Chief] office, and 40 in the offices of other Government departments in Sam Neua. It was reported that these officials were working in complete harmony side by side with former members of the Pathet Lao....

A similar report was issued following a visit to a town in Phong Saly province where the Committee was greeted by a member of the Pathet Lao who was in charge of the civil administration.

#### Integration of the Pathet Lao Armed Forces into the Royal Lao Army

Integration of the Pathet Lao armed forces into the Royal Lao Army was not foreseen under the Geneva Agreements as a prerequisite to the general settlement in Laos. However, this concession to the Pathet Lao was anticipated when Prime Minister Souvanna Phouma noted in an official statement on November 4, 1954 (cited in the First Interim Report of the ICC, Appendix J) that

The unity of Government implies of necessity the unity of administration and unity of the Armed Forces.

In a joint declaration on August 5, 1956, Prime Minister Souvanna Phouma and Prince Souphanouvong, leader of the Pathet Lao, noted that they had reached an agreement on the principle of placing

...the "Pathet Lao" troops under the High Command of the Royal Government and organizing them identically with those of the Royal Army.

A military agreement was signed by the Prime Minister and Prince Souphanouvong on November 12, 1957. Article 1 of the Agreement stated in part:

The Royal Government undertakes to integrate the Fighting Units of the Pathet Lao into the National Army by taking over the entire personnel of these units and the entire equipment held by them....

Further clauses of the agreement provided that, in view of budgetary limitations, the number of Pathet Lao troops to be integrated into active service with the Lao national army would be limited to 1,500 (officers, non-commissioned officers, and men).

At a special ceremony on February 18, 1958, at Plaines des Jarres in Xieng Khouang province, southwest of Sam Neua, attended by the Military Committee of the ICC, 1,501 members of the Fighting Units of the Pathet Lao were integrated into the Royal Lao army (ICC Fourth Interim Report, Chapter I and Annexure 58). In addition, Lao Government authorities processed 4,284 Pathet Lao military personnel for release, 863 members of Pathet Lao families, 202 Pathet Lao civilians, and 414 sick and disabled Pathet Lao military personnel. Following a visit to the Plaines des Jarres processing center, the Military Committee of the ICC observed that

the Royal Government had made the good arrangements for the reception, accommodation and dispersal

of the Pathet Lao forces and that

The people looked happy and healthy and showed no signs of under-feeding.

Similar observations were made as a result of visits to other processing centers.

Despite the commitment to turn in to Royal Government authorities "the entire equipment held by them," the 6,199 Pathet Lao military personnel gave up only 4,773 weapons, including only 23 machine guns, 65 mortars, 40 carbines, 10 automatic rifles, and about 2,500 rifles (ICC Fourth Interim Report, Annexure 50).

#### Adjournment of the International Commission for Supervision and Control in Laos

The Chairman of the ICC addressed a letter to Prime Minister Souvanna Phouma on November 26, 1957 (Fourth Interim Report, Annexure 20), in which he noted:

I have the honour to draw your attention to the fact that the signature of the agreements with the Fighting Units of the Pathet Lao and the inclusion of two Ministers from the Pathet Lao in the present Cabinet constitutes the preliminary political settlement as stipulated in Article 14 of the Geneva Agreement.

By this fact, the activities of the International Commission are near reaching their normal end. After the expiry of the period of implementation of the agreements of 12th November 1957, only the supplementary elections will remain to be held to complete the mission of the International Commission for Supervision and Control....

On March 5, 1958 the ICC informed the co-chairmen of the Geneva Conference that with the integration ceremony at Plaines des Jarres "the Military Agreement had been fully implemented."

Prime Minister Souvanna Phouma, in a letter to the chairman of the ICC on March 20, 1958, wrote:

I have the honour to bring to the kind notice of Your Excellency that in its session of 13th of this month, the Cabinet Council has decided to ask for the winding up of the International Commission for Supervision and Control in Laos with effect from the date of supplementary elections (4 May 1958). The Royal Government considers in fact that the supplementary elections of 4 May 1958 constitute the last phase of the implementation of the Geneva Agreements of 20 July 1954 on the cessation of hostilities in Laos.

While thanking Your Excellency for the distinguished services rendered to Laos by the International Commission for Supervision and Control, I should be grateful if Your Excellency could kindly bring the decision of the Royal Government to the esteemed notice of Their Excellencies the Co-Chairmen of the Geneva Conference....



Following the tabulation of the results of the supplementary elections of May 4, 1958, Prime Minister Souvanna Phouma addressed a letter to the Chairman of the ICC on May 22, 1958, notifying him that

the Royal Government considers as fully accomplished the implementation of the agreement on the Cessation of hostilities in Laos as well as the fulfilment of the obligations undertaken by this Government at the Geneva Conference. The last supplementary elections have consecrated the complete integration of all the Laotian citizens in the National Community.

The International Commission for Supervision and Control in Laos thus sees the mission which had been entrusted to it by the Geneva Conference drawing successfully to a close.

The Royal Government wishes to express to the International Commission its profound gratitude for the efficacious assistance which it has extended to it, in order to reestablish in the Kingdom a normal situation in respect of its unity, sovereignty and independence.

The Royal Government shall be grateful to the International Commission if it could kindly inform it about the arrangements which it has been able to make regarding its impending departure from Laos....

In a subsequent letter of May 31, 1958, the Prime Minister informed the ICC that

...In order to avoid any ambiguity on this subject [the implementation by the Lao Government of the Geneva Agreements], I wish to specify that the Royal Government intends to continue to observe the obligation contained in its declaration made at the Geneva [sic] regarding [entry into military alliances and establishment of foreign military bases]....

The International Commission for Supervision and Control in Laos subsequently adjourned sine die on July 19, 1958, and its members left the country.

### A NEW GOVERNMENT IS FORMED

Despite its recognition as a legal political party and its good showing in the May 4, 1958 elections, the Neo Lao Hak Xat did not abandon the clandestine subversive network built up by the Communists in the previous years. Its agents continued the underground work of agitation in the countryside, concentrating on the ethnic minorities and on the areas where the Pathet Lao previously had been entrenched.

The two major moderate parties, the National Progressives and the Independents, concerned over these activities and their lack of unity which had contributed to the success of the Communist-led coalition in the May 4, 1958 supplementary elections, merged into a new party, the Rally of the Lao People, on June 13, 1958. They issued the following communique on that date:

Conscious of the menace that is constituted for the Kingdom by their disunion and the development of an extremist ideology, contrary to the customs and traditions of the Lao country;

Desirous of assuring by their discipline the real independence and unity of the Kingdom against all attack from wherever it may come;

The members of the National Progressive Party and the Independent Party met on June 13, 1958 and, after having adopted the statutes of a new party designated under the name of "Rally of the Lao People," have decided upon the dissolution of their parties.

Other unaffiliated deputies have joined themselves to the reunion to create together this new party....

Prime Minister Souvanna Phouma was elected President and Katay D. Sasorith and Phoui Sananikone Vice Presidents of the new party.

On June 15, 1958, a group of energetic young civil servants, private businessmen, and military officers, feeling that younger Lao should play a greater part in the development of the nation, formed a Committee for the Defense of the National Interests,

Conscious of the menaces constituted by the intervention of Communist ideology in the institutions of the Kingdom whose destiny is seriously compromised by the subversive intrigues aiming at destroying the democratic regime, guarantor of our liberty; [and]

Desirous of cleansing the political climate characterized by personal rivalries which prejudice national interests....

The committee pledged its full support to the Rally of the Lao People.

The election of the 21 deputies in the supplementary elections of May 4, 1958 was validated by the National Assembly on July 22, 1958. On the same day, according to Lao constitutional processes, the Cabinet of Prime Minister Souvanna Phouma submitted its resignation. In accepting the resignation, the Crown Prince noted that the Souvanna Phouma government had been specifically invested to solve the problem of integration of the Pathet Lao, which had been accomplished with the installation of the new deputies. A government headed by Phoui Sananikone, consisting mainly of members of the Rally of the Lao People and the Committee for the Defense of the National Interests, and without Pathet Lao participation, was invested by the newly expanded National Assembly on August 18, 1958, in accordance with constitutional procedures.

In his investiture speech, Prime Minister Phoui Sananikone outlined his government's policy:

Our objective is to preserve our newly won independence and unification. We must guard against the most threatening danger, which will undermine our independence and unification. This danger is Communism. This problem should be solved by the new government. As approved by public opinion and the majority opinion of the National Assembly, I have selected members of political parties who desire to oppose communist expansion in Laos to participate in the government. The policy of the government that I have formed is as follows:

To oppose the threat of this dangerous ideology, which is contrary to Lao-tian custom and tradition, and which is expanding in Laos at present.

To preserve national independence and unity by preventing subversive dangers.

To preserve the constitutional monarchy.

To eliminate graft and corruption....

To preserve world peace by strictly observing a neutral policy in accordance with the principles of Panch Shila and the United Nations Charter. To preserve and expand existing relations with other countries....

At an extraordinary session of the National Assembly convened on January 12, 1959 Prime Minister Phoui Sananikone reviewed the achievements of his government during the preceding five months. The Prime Minister noted continued threats to the integrity of Laos, stating that:

...The subversive elements, whose misdeeds have been repeatedly denounced, have not slowed up their domestic activities. They have continued to sabotage the work of national restoration, although they know that the people have gradually withdrawn from their program, because--I can say--our efforts during these five months have served to enlighten the people....

...At the same time, we observe that the Republic of North Vietnam is concentrating its forces at several points on our frontier. A number of units have even penetrated our territory near Tchépone...

The situation is serious. Our eastern frontiers are seriously threatened... The government in which you have placed your confidence is unable, with the men and means at its disposal, to face this national danger.

Concerning Lao foreign policy, the Prime Minister stated

the government will remain faithful to the United Nations Charter and the five principles of Panch Shila. The idea of quarreling with his neighbors or carrying out underhand maneuvers against them has never entered the head of any Laotian. We desire peace; the new government will pursue a policy of friendship toward all countries, and will respect all frontiers.

But let nobody misunderstand our government's resolve to maintain a free and independent Laos. Laotians have shown many times, and under somber circumstances, that they are able to defend their country at the cost of their blood....

On January 14, 1959, the National Assembly granted special powers to the Prime Minister for a period of twelve months, including the authority to revamp his cabinet. The session was adjourned by the Crown Prince, in the name of the King, on January 20, 1959. The cabinet as reorganized by the Prime Minister on January 24, 1959 included 16 members, among whom were most of the ten members of the previous cabinet.

Prime Minister Phoui Sananikone, in a statement to the press on February 11, 1959, announced his agreement with the stand taken by former Prime Minister Souvanna Phouma concerning the fulfillment of Laos' obligations under the Geneva Agreements. The Prime Minister stated:

...The Royal Government considers that the agreement on the cessation of hostilities in Laos has been completely fulfilled, as have been the obligations undertaken by the French High Command at the Geneva Conference.

In subscribing to the Geneva Agreement with the sole purpose of contributing to the reestablishment of peace in Indochina, the Royal Government voluntarily contracted two obligations: to achieve a cessation of hostilities and a reintegration within the national community of those Laotian citizens who were not on the side of the Royal forces during the said hostilities.

The cessation of hostilities has been a fact for several years. The elections of May 4, 1958, which took place in a regular manner and according to the principles governing the exercise of democratic freedoms, permitted those Laotian citizens who had not been on the side of the Royal forces during the hostilities to be reintegrated within the national community without discrimination....

The Prime Minister concluded:

The Kingdom of Laos, an independent and sovereign country, cannot tolerate intervention in its internal affairs. The Kingdom of Laos, an independent and sovereign country and today a member of the United Nations, only recognizes arbitration originating from that high international body. Following this clarification, which henceforth precludes the existence of any possible doubt or confusion concerning its attitude toward the Geneva Agreements, the Royal Government wishes solemnly to reaffirm its ideal of peace and its full adherence to Panch Shila and its faithfulness to the principles of the United Nations Charter.

A communique issued by the Presidency of the Council of Ministers of the Lao Government on February 17, 1959 expanded on the February 11 press statement of the Prime Minister. The communique also firmly enunciated the continuing determination of the Royal Government to protect the integrity of Laos, maintain democracy, and refrain from aggressive action.

...The Lao people, basically peace-loving, have never nurtured bellicose sentiments against anyone. They have no intention of allowing foreign troops to enter or to be stationed in Laos nor of increasing their defense units, which in any event are relatively small. The Royal Government nevertheless has the firm intention of reorganizing these units in order to provide for the effective defense of its territory.

In the same spirit, the Royal Government sees no need to establish new military bases and will never allow the territory of Laos to serve as a base for aggression.

Furthermore, it plans no unusual increase in the armament of its modest army which has never constituted and can never constitute a threat to its neighbors who are much more powerful in this respect.

Laos, a country in which democratic freedoms flourish without hindrance, has never practiced persecution or discrimination. No Lao citizen who obeys the country's laws and regulations has any reason to fear for his life, safety or democratic freedoms.

Finally, it sees no reason at the present time for participating in any military alliance and will never adhere to a pact inconsistent with the principles of the United Nations Charter.

In its effort to improve conditions in the country, as a prerequisite to the development of a deeper feeling of national unity, the government established on November 12, 1958 a rural affairs bureau, which, according to a communique of the Ministry of Finance and National Economy, is

aimed at giving guidance to our rural life, from the humblest level up... It opens the way for a continuous action carried out by men who live with the people, who know them well, and who--thanks to their education and especially through their example and by the practice of modern technique--will progressively lead them toward a better life.

Civic action training centers have begun to train rural aid teams to work in every province of the Kingdom. These teams represented in some instances the central government's first effective contact with the rural people. The government's program has had some success almost from its inception. One result apparently was the resignation of many hundreds of people from the Neo Lao Hak Xat in regions where the rural aid program had been instituted.

### COMMUNIST BLOC STEPS UP ITS PRESSURE ON LAOS

Starting in October and with mounting intensity since December 1958, when it became clear that the Royal Government of Laos was determined to take such action as was necessary to protect itself against subversion, the Communist bloc has levelled intensive and almost continuous pressure against the Lao Government in an obvious attempt to intimidate it.

#### DRV Occupies a Piece of Laos

On December 14, 1958, DRV troops crossed over the border into southeastern Laos and established several military positions, which they still occupy, in a small sector along the Nam Se river, east of Tchépone, Savannakhet province. The DRV then sent several notes to the Lao Government claiming title to the occupied territory. Although the Royal Government of Laos protested to the Secretary-General of the United Nations and the DRV and officially informed the other members of the United Nations of the DRV violation of the Lao border, it has not attempted to oust the DRV troops by force.<sup>1</sup>

#### The Pathet Lao Battalion Mutinies and Escapes

After their official integration into the Lao national army on February 18, 1958, the 1,500 troops of the former Pathet Lao forces had been organized into two battalions. In accordance with its commitment under the military integration agreement (Article 3) of November 12, 1957, to the effect that

...The cadres and the specialists of the Pathet Lao Fighting Units integrated into the National Army shall be posted in the new units formed from the Pathet Lao Fighting Units in conformity with the strength rosters of the National Army and the budgetary strength of the army...

1. DRV troops have also occupied, for several years, a small area near Nong Het, in Xieng Khouang province on the northeastern border between Laos and the DRV, which the DRV claims as its territory.

the Lao Government offered the Pathet Lao troops 41 officer and 400 non-commissioned officer positions. The Pathet Lao accepted the offer of non-commissioned officer ranks, but demanded 112 officer positions.

In an effort to reach a settlement, the Lao Government agreed to the Pathet Lao demand on March 19, 1959. General Ouane Ratrikoun, Chief of Staff of the Lao Army, informed Prince Souphanouvong on May 9, 1959 of the government's plan to distribute ranks on May 11, 1959 among members of the two integrated Pathet Lao battalions. Despite the fact that the Pathet Lao demands had been met, Prince Souphanouvong refused to agree to the government's plan. On May 11, the leaders of the two battalions refused to take part in the ceremony planned for the award of ranks and ordered their men to arm and deploy themselves.

In response to this mutinous action, the Royal Army command alerted its forces in the vicinity and placed the leaders of the Neo Lao Hak Xat and the Santiphab under surveillance. At the same time, however, recognizing that despite the orders of the Communist leadership many of the ex-Pathet Lao soldiers wished to accept their Royal Army ranks, the Lao Army on May 14 offered the former Pathet Lao soldiers the choice of submitting, resigning from the service, or being declared rebels. In response, the first battalion, stationed in Luang Prabang province, submitted on May 17.

However, the second battalion, stationed in Xieng Khouang province, fled camp on May 18, 1959. On June 3, it succeeded in escaping through the lines of regular units seeking to encircle it. The Lao Government announced on June 10, 1959 that military operations against the escaped battalion had been officially terminated and that the Neo Lao Hak Xat and Santiphab leaders had been released from surveillance. The dissident battalion subsequently made its way to the north Vietnamese border. Elements of this battalion have been reported engaged on the side of the Communist-led forces which have been fighting in Laos since July 1959.

#### Propaganda and Diplomatic Pressure

The DRV, which apparently considers Laos to be in its particular sphere of influence, has played the most important part in the Communist bloc's propaganda and diplomatic campaign, but both Communist China and the USSR have also been very active.

In highly inflammatory fashion, Communist bloc propaganda since December 1958 has repeatedly and falsely accused the Lao Government of deliberately provoking the DRV and Communist China; committing serious violations of the 1954 Geneva Agreements and of the Lao Government-Pathet Lao accords of 1956-57; acting in collusion with Chinese Nationalist irregular forces and south Vietnamese agents; violating the DRV's land borders and airspace; and permitting the United States to establish military bases in Laos. Such accusations moreover have frequently been accompanied by strong hints of Communist bloc military retaliation.

After the rebellious Pathet Lao battalion escaped to the north Viet-Nam border, Communist propaganda began to insist that a "civil war" was taking place in Laos. The Lao national army was accused of having launched "terrorist" raids against members of the defected battalion, although no armed hostilities were taking place in Laos at that time. The Communist propaganda campaign was obviously preparing the stage for the outbreak of such hostilities in mid-July 1959.

A few typical examples of Communist propaganda attacks on the Lao Government are set forth below.

On February 4, 1959, Radio Peiping charged that "...the Laotian reactionaries [i.e., the government] are trying to persecute the democratic forces in Laos in order to assume dictatorial control over the country."

On May 18, 1959, a Chinese Communist Foreign Ministry statement asserted that recent measures of the Lao Government, including efforts to integrate Pathet Lao troops into the national army and the placing of several Neo Lao Hak Xat leaders under house arrest, were "tantamount to openly launching a civil war in Laos." It proceeded to warn: "If the Laotian authorities do not stop promptly before it is too late, not only will Laos be drawn into the whirlpool of a civil war, but the peace of Indochina will be seriously endangered as well."

A letter sent on June 1, 1959 by DRV Prime Minister Pham Van Dong to the Indian chairman of the adjourned ICC for Laos asserted that "violent battles" between Lao Government units and Pathet Lao forces were taking place in the Xieng Khouang region of Laos near the DRV border.

A letter sent on June 2, 1959, by the DRV Prime Minister to Lao Prime Minister Phoui Sananikone charged that alleged activities by Lao Government forces near the border "represent a constant threat to our security.... We cannot remain indifferent to the grave incidents which are developing in Laos.... The civil war which you have deliberately rekindled is developing and drawing nearer and near to our frontier."

A Radio Hanoi broadcast of June 10, 1959 called the maneuver of the Pathet Lao battalion in escaping encirclement by and integration into the Lao army "a new epic of the Lao people."

DRV broadcasts on July 1, 8, and 11, 1959, and on subsequent dates, disseminated violent propaganda against the Lao Government which supposedly emanated from the dissident Pathet Lao battalion and was addressed to the Lao people.

Radio Moscow on July 8, 1959 claimed that Laos had fomented border provocations against the DRV, and went on to state that Communist China and the DRV "strongly protest the dangerous actions... which contain a danger of a great armed dispute."

## THE COMMUNISTS REVERT TO OPEN FIGHTING IN LAOS

### Ho Chi Minh's Trip to the Soviet Union and Communist China

On July 2, 1959, approximately two weeks before the Pathet Lao staged its first armed attack on Lao Government posts in Sam Neua province, DRV President Ho Chi Minh arrived in Moscow. Contrary to the usual practice, there had been no advance publicity concerning his trip. Radio Moscow announced on July 3 that Ho had had a conversation with Soviet Premier Nikita Khrushchev on that day. Ho presumably had additional talks with Premier Khrushchev and other high level Soviet leaders before his departure from the Soviet Union about July 31. It can be assumed that Ho and the Soviet leaders discussed conditions in Indochina, including the situation in Laos.

From the USSR, Ho went to Communist China, where he spent approximately three weeks, including about ten days in Peiping. According to Radio Peiping, he met with several prominent Chinese Communist leaders, including Chou En-lai, in Peiping on August 21, 1959.

In addition, two lesser members of the DRV's Communist Party politburo, Nguyen Duy Trinh and Le Thanh Nghi, visited the USSR during August 1959 and were received by Deputy Premier Mikoyan.

### The Current Situation in Laos

On a night in mid-July 1959, a Communist-controlled force overran a Lao army outpost in Sam Neua province, close to the north Vietnamese border. This action signaled the beginning of broader armed attacks by the Communists constituting a new challenge to the territorial integrity and independence of Laos.

The Communist attacks recalled a statement by the Pathet Lao leader, Prince Souphanouvong, on November 18, 1957:

...I, supreme representative of the entire Pathet Lao, herewith formally declare the presentation of Sam Neua and Phong Saly provinces, including the administrative organizations, troops, officials, and all weapons and equipment of the Pathet Lao, by His Majesty the King of Laos.

All these administrative organizations, troops, and officials will respect and defend the nation, religion, the King, and constitution and will comply with all rules and regulations, carrying out their duties like all Laotian compatriots throughout the kingdom...

The fighting has been concentrated in the provinces of Sam Neua and to a lesser extent Phong Saly, both of which are contiguous to north Viet-Nam. The Communist forces have imposed their control on a considerable portion of Sam Neua, and have threatened the town of Sam Neua, the provincial capital. Incidents have occurred also in other parts of Laos. The main elements of the attacking forces appear to consist of former Pathet Lao soldiers and members of several ethnic-minority groups located in areas straddling the Lao-north Vietnamese border.

The attacking Communist forces have been vigorously supported by the propaganda and diplomatic resources of the Communist bloc. Hanoi has served as the mouthpiece of demands on the Lao Government, allegedly originating with the Pathet Lao troops and the Neo Lao Hak Xat. Not only Hanoi but Peiping and Moscow as well have indulged in a coordinated campaign of threat and calumny against the government, for the apparent purpose of intimidating both the Lao Government into giving in to the Communists, and the United States into ceasing its support of Laos. Hanoi, Peiping, and Moscow all rejected the competence of the United Nations to act in the face of the dangerous situation in Laos. The following are typical instances of the Communists' psychological warfare.

On August 4, 1959, the Communist Viet-Nam News Agency quoted from an article in a north Vietnamese youth publication which proclaimed that the "traitorous" actions of the Lao Government "would by no means quench the patriotic movement in Laos" but would increase the anger of the Laotian people at the "terrorist raids" of government troops.

Radio Hanoi on August 7, 1959 broadcast an "appeal" from the Neo Lao Hak Xat to "the entire Laotian people," exhorting them "to close their ranks and to struggle against US imperialist interference in Laos and against the Phoui Sananikone clique's scheme to sell out the country" and demanding very substantial political concessions to the Communists. A similar appeal by a spokesman of the Neo Lao Hak Xat was broadcast by Radio Hanoi on August 21, 1959.

A spokesman of the Chinese Communist Foreign Ministry asserted on August 12, 1959, that "the situation in Laos has further deteriorated recently," that the alleged desire of the United States "to turn Laos into a US military base" and bring it into SEATO posed "a threat to China and Viet-Nam, as well as to the peace of all South-east Asia," and that "the United Nations has no right at all to intervene" in the developments in Laos.

A TASS release from Moscow, dated August 27, 1959, declared that "the danger of the expansion of civil war [in Laos] is increasing"; also that US military assistance to Laos and other alleged military preparations "show that foreign interference in Laos is becoming much more widespread, threatening to spread the military conflagration to all of Southeast Asia."

Both the Viet-Nam News Agency and the Chinese Communists' New China News Agency on September 10, 1959 reported the message of a Neo Lao Hak Xat leader listing a series of demands as a prerequisite to a peaceful settlement with the Lao Government; and both of these Communist news agencies distributed the first news on September 15, 1959 of an alleged Neo Lao Hak Xat message to the United Nations denouncing the creation of the "fact-finding subcommittee" as a violation of the United Nations Charter.

On September 14, 1959, the New China News Agency carried an item, datelined Hanoi, September 14, referring to the first appearance on September 8 of an alleged "English language" edition of the Lao Hak Xat, press medium of the Neo Lao Hak Xat.

The nature and locale of the fighting, and the Communist psychological warfare, reflect the responsibility and involvement of the Communist bloc, and most directly north Viet-Nam, in the fighting. The case against the Communists was summarized in two statements addressed by the Royal Government of Laos to the Secretary-General of the United Nations on August 4 and September 4, 1959.

#### Laos Appeals to the United Nations

The Foreign Minister of the Royal Government of Laos telegraphed the Secretary-General of the United Nations on August 4, 1959 as follows:

I have the honor to inform you of the following:

Since 16 July last, serious fighting has been going on in the province of Sam Neua. Several posts of the Lao National Army have been attacked and their garrisons dispersed, causing several deaths. The fighting area is along the border of Laos and the Democratic Republic of Vietnam, extending from 15 to 50 kilometers inside Lao territory.

The Democratic Republic of Vietnam claims, contrary to the truth, that these troubles come from a popular uprising. In fact, these troubles would not have occurred if:

(1) Radio Hanoi, with the support of Radio Peiping, had not been waging for several months a campaign of false accusations against Laos, encouraging in this way the former Pathet Lao Fighting Units to rebel and agitating the Laotian people living near the border. To that end, the Democratic Republic of Vietnam had tripled the number of its daily broadcasts in the Lao language.

(2) If the Democratic Republic of Vietnam had not given arms to the rebels, the former Pathet Lao Fighting Units having given up their own arms at the time of the Agreement concluded in 1957 between the Royal Government and the Pathet Lao.

(3) If the Democratic Republic of Vietnam were not sending them supplies, the area being sparsely populated and poor and therefore unable to provision fighting troops.

(4) If the Democratic Republic of Vietnam had not armed its minority elements close to the border in order to send them to cooperate with the rebels.

(5) If Radio Hanoi were not allowing the deserters to use its broadcasting facilities.

By its attitude, the Democratic Republic of Vietnam has violated the Geneva Agreements, which stipulate the non-interference in the domestic affairs of a signatory country. It has also violated the agreement which it signed with Laos in August 1956, which sets forth the same principle. Faithful to its policy of peace and neutrality, the Royal Government has always scrupulously respected international agreements. It has not joined any military pact and has allowed no installation of military bases or entry of foreign troops. Any attempt to present it as a troublemaker can be nothing but a deliberate distortion of the truth. The only ambition of the Lao people is to live in peace with all its neighbors, in accord with its peaceful character and with its Buddhist culture.

I would be grateful if you would inform the Member States of the above-mentioned facts.

On August 20, 1959 a special envoy of the Royal Government of Laos met with the UN Secretary-General to present a detailed outline of the situation in Laos and submit a letter from the Royal Lao Government inviting the Secretary-General to suggest such procedures or measures as he might consider appropriate to achieve a peaceful settlement of the current difficulties in Laos.

Confronted by a worsening of the situation in Laos as a result of the coordinated attacks of August 30, 1959, the Minister of Foreign Affairs of the Royal Government of Laos on September 4, 1959 sent the following note to the Secretary-General of the United Nations.

Since 16 July 1959, foreign troops have been crossing the frontier and engaging in military action against garrison units of the Royal Army stationed along the north-eastern frontier of Laos. These garrison units have been obliged to evacuate several posts and to engage in numerous defensive actions. It is obvious that these attacks would not have taken place if the attackers had not come from outside the country and would not have continued if the attackers had not been receiving reinforcements and supplies of food and munitions from outside. As a result of these attacks, losses have been suffered by the Royal Army. On 30 August a new attack, more violent than the previous ones, was launched against the posts of Muong [Het] and Xieng Kho. Elements from the Democratic Republic of Viet-Nam took part in the attack, which was supported by artillery fire from the other side of the frontier. In the face of this flagrant aggression, full responsibility for which rests with the Democratic Republic of Viet-Nam, Laos requests the assistance of the United Nations, of which it is a Member; it is doing so under Article 1, paragraph 1, and Article 11, paragraph 2, of the Charter. In particular, the Royal Government requests that an emergency force should be dispatched at a very early date in order to halt the aggression and prevent it from spreading.



In response to this note, the UN Security Council met on September 7, 1959 and on the following day adopted the following resolution:

#### The Security Council

Decides to appoint a sub-committee consisting of Argentina, Italy, Japan and Tunisia, and instructs this sub-committee to examine the statements made before the Security Council concerning Laos, to receive further statements and documents and to conduct such inquiries as it may determine necessary and to report to the Security Council as soon as possible.

The sub-committee appointed by the Security Council arrived in Laos on September 15, 1959.

### THE DEFENSES OF LAOS

#### The Royal Lao Military Establishment

The Royal Government's small defense establishment, still in an early stage of development, cannot by any stretch of the imagination be considered as posing a threat to Laos' neighbors.<sup>1</sup> At the time of the Communist attacks in July 1959, the Lao armed forces consisted of an army of 25,000 men and a village militia ("auto-defense") of about 16,000 men. As a result of the Communist attacks measures were taken to increase the strength of the army and militia. These organizations are lightly equipped with weapons of World War II or earlier vintage. Laos possesses no combat planes, and only a few light transport and liaison aircraft. The National police force totals about 3,000 men.

#### Foreign Assistance

France, as specifically authorized by the 1954 Geneva Agreement on Cessation of Hostilities in Laos (Articles 6 and 8) maintains a Military Mission to train and advise the Lao national army, and one small military base situated at Seno near the town of Savannakhet in central Laos. The French military personnel now in Laos constitute only a small fraction of those authorized by the Agreement, which permitted 1,500 men for the Military Mission and 3,500 men for the French military garrison. Moreover, the Agreement (Article 8) permitted France to maintain a second base "in the Mekong Valley, either in the province of Vientiane or downstream from Vientiane," which, however, has never been established.

The United States furnishes financial and material support to the Lao armed forces and recently at the request of the Lao government has undertaken jointly with the French to help in various types of training related to the military establishment.

Other than Seno, no foreign military base exists in Laos nor has the Royal Government of Laos entered into any military alliance.

#### Southeast Asia Collective Defense Treaty

Although Laos is not a party to the Southeast Asia Collective Defense Treaty and consequently not a member of the Southeast Asia Treaty Organization (SEATO), under certain conditions it may be protected under the defense provisions of the Treaty in accordance with a Protocol to the Treaty. In signing the Treaty at Manila on September 8, 1954, the eight parties (Australia, France, New Zealand, Pakistan, the Philippines, Thailand, the United Kingdom, and the United States) agreed as follows:

Article I. The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations....

1. DRV regular army forces are estimated to total at least 250,000 men.

Article IV. 1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

Under the Protocol to the Treaty, also signed at Manila on September 8, 1954,

The Parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purposes of Article IV of the Treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam.

## THE UNITED STATES HELPS LAOS

### Economic Aid

When Laos assumed complete responsibility for its own defense in 1954, it found its own economic and financial resources insufficient to support even minimal security forces. The Royal Government requested financial assistance from the United States to support its national defense as well as to provide a measure of internal financial stability.

The United States is furnishing economic aid to Laos under the terms of notes exchanged with the Royal Government of Laos on July 6 and 8, 1955, and retroactive to January 1, 1955. The notes expanded the scope of the Economic Cooperation Agreement between the United States and Laos of September 9, 1951 in order "to further the economic objectives of that Agreement and to promote the effective defense of the Kingdom of Laos." The Agreement of September 9, 1951 was intended to further "sound economic conditions and stable international economic relationships" on which, it recognized, "individual liberty, free institutions, and independence" largely depended. The US economic aid program in Laos is administered by a United States Operations Mission (USOM), staffed by the International Cooperation Administration and operating in the field, in accordance with usual procedures, under the general direction of the US Ambassador.

US aid authorized under this program from January 1, 1955 through June 30, 1959 totaled \$190,281,000. Most of this amount was allocated to budgetary support for the Lao army, police, and certain government services. A program of technical assistance has also been carried on, primarily in the fields of agriculture, health, and education, and funds have been made available for the expansion of power and transport facilities.

### Military Aid

The United States provided extensive assistance in the form of military equipment and supplies as well as financial support to France in its war against the Communists in Indochina, which ended with the Geneva Conference of 1954. Such aid was given in accordance with the Agreement for Mutual Defense Assistance in Indochina between the United States of America and Cambodia, France, Laos and Viet-Nam (so-called "Pentalateral Agreement"), signed at Saigon on December 23, 1950, in recognition of

the common interest of the free peoples of the world in the maintenance of the independence, peace, and security of nations devoted to the principles of freedom.

After the end of hostilities in Indochina in 1954, the Royal Government of Laos requested the United States to continue providing military assistance to Laos, and this has been done under the Pentilateral Agreement, which remains in force. (The Geneva Agreements authorized the introduction into Laos of military equipment "necessary for the defence of Laos.") Administration of the military assistance program was, and continues to be, entrusted to a Programs Evaluation Office established within the USOM at Vientiane.

In addition to supervising, through the Programs Evaluation Office, the provision of military equipment and supplies for the Lao national army, the United States also has a number of technicians to train the army in the use and maintenance of US equipment. These training activities are undertaken in cooperation with the French Military Mission, which has overall responsibility for military training in Laos including the conduct of tactical training.

Recently the United States agreed, pursuant to the Royal Government's request of July 23, 1959 (arrived at in conjunction with the French Government), to furnish a number of technicians to participate for six months to one year in an emergency training program for the Lao forces. A group of US technicians attached to the PEO recently arrived in Laos for this purpose. Training under this program is under the overall supervision of the French Military Mission.

The inability of the Lao armed forces to cope effectively with the Communist-led dissident activity that began in July 1959 emphasized the need for an increase in the number and capability of Lao troops. In response to a request of the Lao Government, the United States Government approved an increase in military aid to Laos and issued the following statement to the press on August 26, 1959:

The United States strongly supports the determination of the Royal Lao Government to resist Communist efforts to undermine the security and stability of Laos. Contrary to repetitious allegations from Hanoi, Peiping and Moscow, the United States reiterates that it has no military bases, air strips, or other military installations in Laos; and the few American technicians in Laos are there at the request of the French and Lao Governments to help in the training of the Lao National Army in the use and maintenance of certain World War II type equipment.

The United States will continue to support reasonable approaches to achieve a peaceful solution to the current situation in Laos. Unlike the Sino-Soviet bloc, the United States does not believe that there should be recourse to the use of force in resolving this matter. However, the Communists have posed their threat to Laos in terms that require adequate military and police countermeasures if that nation's integrity is to be preserved. The United States has, therefore, responded to specific requests from the Lao Government for improving its defense position by authorizing sufficient additional aid to permit temporary emergency increases in the Lao National Army and in the Village Militia which provides local police protection. The additional aid will permit the specific increases desired by the Government of Laos. The United States has also, in the course of the past week, taken steps to help improve the mobility of the Royal Lao Army and to otherwise help give that small nation better means to withstand what appears even more clearly to be an extensive Communist design to disrupt and subvert Laos.