

# Laos 1959-1961 - correspondence, official documents, press clippings, chrono...

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Laos - 1959

20 Aug.

Khamphan Panya (Foreign Minister,  
Laos)

- 1 letter from D.H.

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20 August 1959

Excellency,

Through the special emissary of the Government of Laos, H.E. Mr. Ngon Sananikone, I received your letter of 13 August 1959 for which I want to thank you.

I have taken note with interest and sympathy of your comments on the situation which is at present facing Laos, and I can assure you that I am eager to do everything within my competence that may help your Government to resolve the difficulties in a way equitable and honourable to all parties.

You are aware of the fact that during the past months I have been closely in touch with developments in your country and engaged in discussions concerning possible procedures and steps by which a constructive approach to your difficulties might be rendered possible. In this context I have had the great privilege of repeated contacts with you. I have been in touch also with other governments which have taken a friendly interest in the problem. So far these various efforts to find a way to overcome the difficulties have not yielded a result, as no procedure has been found which would serve the intended purpose and be acceptable to the parties. However, as you know, views have been brought closer to each other, and I would not exclude that continued efforts might give us a solution. You will recognise that this is not the place or the time to go into any details regarding the discussions to which I refer or the conclusions that might be drawn from them. They do in no way reduce the need for an exploration of other possibilities, but until and unless they have failed I feel that we should not write them off.

Apart from these efforts to find a procedure by which present problems might be resolved, I have given thought to other possibilities which might be open to me to give you assistance - not as a substitute for such a procedure, but as a supplement which might make us less dependent on its success. In doing so I have found myself facing considerable complications of a constitutional nature. These are explained by the fact that until recently only the General Assembly and the Security Council have decided on political missions on behalf of the United Nations, and that, in the course of later developments in which the Secretary-General in some cases has decided on similar missions, he has had to establish, as a minimum condition for such decisions, that they meet with the approval of the countries party to the situation with which the mission is supposed to deal. There is in the present case, from my point of view, also the complication that

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the Secretary-General, obviously, has no authority for interpreting the Geneva Agreements of 1954 and that arrangements on which he may decide must not infringe upon, or be in contravention of those agreements.

It would be in harmony with my general attitude, and I think that it might serve a useful purpose to send to Laos a representative for the sole purpose of fact-finding, pending the results of a broader constructive approach to the problem. I would act accordingly if I were not obliged to consider it outside the range of my competence to do so as matters now stand. I should need either a decision by the General Assembly or the Security Council, or an invitation by Laos and the other country directly concerned, or perhaps, alternatively, a joint demand from the two Co-chairmen of the Geneva Conference, in consultation with the countries concerned, made on the basis of their special responsibilities under those Agreements. Without such a legal basis, a representative appointed by the Secretary-General could only deal with problems proper to Laos itself which would not seem to serve the purpose you have in mind and which would guide me.

What may be considered to remain as a possibility, at least in theory, is that a representative of the Secretary-General might, at your request, undertake to exercise his good offices between Vientiane and Hanoi. Nevertheless, I question whether such a step would be wise at this stage, that is, without the preparation envisaged in the general efforts to which I have referred or the establishment by some other means of a situation more propitious for such an undertaking.

In these circumstances, finding myself barred from taking any direct action of this kind, I have naturally concentrated my attention on how to bring to a happy conclusion the efforts to which I referred above and which were started already some time ago. Were that to prove possible, this might give the legal basis for steps by the Secretary-General, or for other measures with a similar aim, which could lead to stability and peace. Naturally, I am eager to hear any suggestions that the Government itself might wish to make in this context.

Under present plans I would leave New York for two weeks on Sunday, 23 August. However, this would not mean any interruption in my general efforts or any slackening of my interest in your problem. Although absent, I shall be in a position to use all opportunities which may develop to make arrangements which may be considered helpful in the situation in Laos. I hope, through my discussions with Mr. Sananikone and my collaborators, to be able to prepare the ground in the next few days so that matters can be carried on without in any way suffering from my temporary absence.

As you refer to your message of 5 August, I wish to inform you that it was circulated without delay to all Members of the United Nations.

(Signed) Dag Hammarskjöld