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Laos - 1959

7 Nov.

Berard, Armand (Perman. Represent. of
France to the U.N.)

- 1 letter from D.H.

7 November 1959

PERSONAL

Dear Mr. Berard,

The Government of Laos has extended to me an invitation to visit Vientiane in the near future. In considering this invitation, I have taken into account my obligations under the Charter and all the information at present available regarding the difficulties facing Laos.

I have concluded that it is highly desirable that I avail myself of this opportunity to get, at first hand, as complete a picture as possible of conditions and developments in Laos of relevance from the point of view of the general responsibilities of the Secretary-General.

I have therefore decided to go to Laos within the next few days for a short visit in order to inform myself about the present problems of the country. Were my experiences to indicate that such an arrangement would be warranted — and this seems probable — I would, with the consent of the Government, temporarily station a personal representative in Vientiane through whom I could maintain contact after my departure. The task of this representative would be to report to me, as appropriate, on such further developments and conditions as might be of importance in the light of the obligations of the Secretary-General. He would also transmit messages and information which the authorities in Laos wish to send to the Secretary-General, as well as messages from the Secretary-General to the Government. Other tasks, if any, would have to be decided upon by the Secretary-General within the strict limits of his authority.

On my return to New York, it would be my intention to report to the Security Council on arrangements of the kind indicated, with the comments

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Permanent Representative of France
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which I might find necessary.

The proposed visit, obviously, would be inadvisable if the Security Council were ^{to} take up the report of the Sub-committee regarding Laos before I could return to Headquarters. A condition for my journey, therefore, would be that no Member would wish to request that the Council be convened for that purpose until I had had an opportunity to report on my visit. Thereafter, the question of a meeting of the Council, naturally, would have to be considered in the light of the circumstances then prevailing.

As already stated, the visit would aim at providing me with independent and full personal knowledge of a problem of which the United Nations has become seized through the appeal from the Government of Laos. Thus, my action is strictly in fulfilment of duties incumbent on me under the Charter and does not open the door to an involvement in matters internal to Laos, or imply interference in its external relations. Neither my visit nor any subsequent arrangements for the maintenance of a personal contact would have any implications as regards the Geneva Agreement, its validity or consequences.

It may be noted that an individual stationed in Vientiane as my personal representative would be under the exclusive authority of the Secretary-General; constitutionally, he would, thus, be in a position different from the one held by United Nations missions, as, for example, the Special Representative stationed in Amman under a resolution approved by the General Assembly, or the Observation Group in Lebanon the mandate of which had been decided by the Security Council. The legal basis for a decision to leave a personal representative in Laos, apart from the consent of the Government of Laos, would be the general responsibilities of the Secretary-General regarding developments which may threaten peace and security, combined with his administrative authority under the Charter.

Yours sincerely,

Dag Hammarskjöld
Secretary-General