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Laos - 1960

29 Jan.

Interoffice memorandum from J. F. Engers
to D. H. (Analysis of the Laos situation in
recent years)

UNITED NATIONS  NATIONS UNIES

INTEROFFICE MEMORANDUM

My Laos file
TO: The Secretary-General

Date: 29 January 19560

FROM: J.F. Engers *J.F. Engers*

FILE NO.: _____

SENDER'S TELEPHONE EXTENSION: _____

SUBJECT:

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In the attached paper I have tried to give an analysis of the Laos situation as it has developed in recent years. I intentionally did not go into the Security Council proceedings, as their relevance is mainly of a constitutional nature. I have also refrained from summarizing Tuomioja's report, since I was afraid that it would unbalance the paper. Thus a number of points could, if desired, be further developed.

In submitting this paper I must confess that I would have been more certain of my ground if I had had the benefit of further consultation with you; now there is no way of knowing whether the present approach approximates what you had in mind when you gave me the assignment.

NOTE ON THE SITUATION IN LAOS

Introduction

1. The present difficulties in Laos are part of a struggle for power which has beset the country even before it became independent. In the present exposition, for reasons of expediency, November 1957 - when Prince Souvanna Phouma formed his Cabinet of national union - is taken as a starting point. That date constituted the high water mark of national conciliation: besides the Prime Minister the Cabinet included Phoui Sananikone, Katay Sasorith and Prince Souvannavong. Since that time, with certain ups and downs, the trend has been away from co-operation, with each side blaming the other for what has happened.

2. Because of its exposed position and because of outside involvement due to the Geneva agreements, this struggle for power could not take place in isolation, but was bound sooner or later to become a matter of international concern. Technically it was that since 1954, but as long as the International Commission for Supervision and Control (ICSC) functioned in the area a machinery existed to localize the problems. With the withdrawal of the Commission, international power politics became almost immediately more involved in the Laos problem.

3. The withdrawal of the ICSC also affected the position of the United Nations. It will be recalled that in view of the participation of the People's Republic of China the United Nations had been studiously omitted when the Geneva Conference was convened in 1954. With the breakdown of the machinery established under the Geneva agreements, the re-emergence of the United Nations as an alternative machinery for conciliation, if not for settlement, became almost unavoidable.

4. The Vientiane agreements, on which the Souvanna Phouma coalition Government was based, had been concluded over the strenuous objections of the United States.^{1/}

^{1/} Statement by W.S. Robertson, Assistant Secretary of State for Far Eastern Affairs: United States Aid Operations in Laos, Hearings before a Subcommittee etc. of the House of Representatives, pages 195-196.

5. It was, however, generally felt in Laotian political circles that these objections should be overridden because the objectives of the agreements, the unification of the country, were worth the price that had to be paid for them: the entrance of Prince Souvannavong and members of his party in the Government and the integration of the Pathet Lao troops in the National Army. What apparently was not foreseen was that the struggle for power, thus far mostly symbolized in the division of the country, would from now on be fought on the home ground of the politicians, in their constituencies and in Parliament.

The elections of 1958

6. This all became, however, very clear in the partial elections held in May 1958 when the Neo Lao Haksat party and associated groups polled 40 % of the votes and captured some 60 % of the contested seats in Parliament. It came even more as a shock as the Army and the United States had been very actively engaged in the campaign on behalf of conservative candidates.^{1/}

7. Since the elections affected only part of the National Assembly, parliamentary power remained in the hands of the more conservative elements. But its implications were so unmistakable that in the long (and perhaps in the short) run the power would slide to the left, that a genuine scare took hold of all those who were opposed to such a development. They must have felt that a further drift and new elections under existing conditions would spell their certain defeat.

8. The position of the United States in this situation was rather simple. They did not have to tell the Laotians "We told you so", the latter knew.

9. The core of the so-called American party in Laos are the Army officers. The Army is completely equipped and paid by the United States, they have more or less intimate daily contacts with their opposite numbers in the Embassy and other American establishments in Laos. Next to them are a number of young politicians (some of whom had stood unsuccessfully in the elections) who almost of necessity veered to the Americans. They

^{1/} Statement by General R.H. Brown, ibidem, p. 737

now formed the Comité de Défense des Interêts Nationaux (CDIN), an activist anti-Communist group without parliamentary representation, but a strong force in view of army support and American sympathy.

Adjournment of the ICSC

10. In the meantime, the Souvanna Phouma Government, which had promised to tender its resignation after the elections, took one important step that would have serious repercussions. It notified the ICSC that, with the elections and reunification of the country, the latter's terms of reference had been fulfilled and asked it to wind up its activities. Within the Commission this was strongly supported by Canada and opposed by Poland; India temporized, but after some hesitation eventually joined Canada. On 19 July 1958 the Commission by majority vote decided to adjourn sine die.

11. The ICSC had been an organ of conciliation. It had also been a symbol of the incompleteness of Laotian national sovereignty. In the form of its Polish member, the Pathet Lao had figuratively "a friend at the court". If national conciliation had been achieved in fact, its *raison d'être* would automatically disappear.

12. In reality, the political situation soon took a turn which subverted, in fact, the premises on which the withdrawal had been based, though legally they still existed.

13. When on 18 August 1958 the new cabinet was presented to Parliament by Prime Minister Phoui Sananikone, the Pathet Lao members were excluded and so was Prince Souvanna Phouma, but the CDIN was represented by no less than four of its members. Thus the elections which had brought such a considerable gain for the Pathet Lao resulted in their exclusion from the Government. Again legally the proceedings were completely in order (the Cabinet received a vote of confidence of 29 to 21 from the National Assembly) but new seeds of dissatisfaction had been sown.

14. Of considerable importance was the fact that the genesis of this Cabinet was so closely intertwined with the fate of the ICSC. This unavoidably led its opponents to advocate the reactivation of the Commission, while the Government's prestige and existence became dependent on their ability to avoid just this. It tended, furthermore, to promote an internal struggle for power almost automatically into a matter of international concern.

15. Having opted against the ICSC, the Laotian Government were bound to grope for other international entities to support its case. The nearest, but for several reasons not the most appropriate, the SEATO, which by unilateral declarations had promised support, was held in reserve: the United Nations - but of course an ex-parte United Nations - was believed to offer the necessary protection. Thus in a statement on 11 February 1959, in which Prime Minister Phoui Sananikone completely wrote off the ICSC, he explicitly declared that Laos would only recognize "arbitration" from the United Nations.

16. On the other hand, Hanoi has attempted to counteract this trend. This was done in two phases, one in December 1958 and following months, the other in July and August 1959. The first one was to create an international incident that would ipso facto cause the return of the International Commission under the terms of the Geneva agreement. The second one was promotion of an internal rebellion that was to bring about the fall of the Government either by itself or by creating a situation which would call for the reintroduction of the ICSC.

17. There exists a clear correlation between the international incidents that began in December 1958 and what happened in Laos shortly thereafter. On the 16th of January 1959 the Government received emergency powers which eliminated the National Assembly as a political element and thus deprived the Pathet Lao members of a platform. Immediately thereafter, on the 24th, the Government was reorganized and the CDIN received increased representation: Khampan Panya became Foreign Minister, Theo Leuam Finance Minister and Sisouk Na Champassak Secretary of State for Information.

18. Certain facts about the territorial incidents are agreed to by both sides. North Vietnam troops penetrated into Laotian territory in the province of Savannakhet and have since remained in possession of certain districts east of Tchépone. Whether they are there by right or by conquest is a matter of dispute.

19. From the beginning both sides have by implication admitted that in essence the dispute was political and not territorial. North Vietnam has never strongly asserted its historical claims, but has been rather prone to admit their doubtfulness - as a matter to be decided by the ICSC. Vientiane on its part has neither tried to repulse the attack on its national sovereignty by military means, nor has it been eager for a settlement. The Laos Government

have from the beginning sensed that much more was involved than the possession of some land. They notified the Secretary-General of the United Nations of what had happened on 16 January 1959, but significantly did not ask for help in the settlement. In the meantime Hanoi asked for bilateral negotiations and, failing that, mediation by the ICSC, since the situation in their submission was covered by the Geneva agreements.

The Secretary-General's attempts for conciliation

20. At this juncture, at the request of the Lao Government, the Secretary-General was brought into the picture. He passed through Vientiane late in February 1959 and was apprised by the Government of their difficulties with Hanoi, their desire for improved relations, their aversion of the ICSC. All during the summer the Secretary-General tried, through contacts with Mr. Nehru and other Indian leaders, to find a formula that would be acceptable to both Vientiane and Hanoi.

21. The Secretary-General's plan was to use the ICSC as a bridge to Hanoi. This would involve the reactivation of the International Commission for the limited purpose of giving their blessing to a United Nations effort of conciliation and settlement. A later refinement of this plan was that India would explore in Hanoi and Vientiane what kind of formula for mediation might be mutually acceptable.

22. At about the same time Selwyn Lloyd, the British Foreign Secretary, was exploring the possibility of a joint request by the two Co-chairmen of the Geneva Conference, the U.K. and the U.S.S.R., to the Secretary-General to appoint an impartial factfinder on the frontier question.

23. The Secretary-General's attempts were hampered by the hesitancy of the Indians to expose themselves to a rebuff in Hanoi or Vientiane or perhaps in both places, and were making only very slow progress when they had to be interrupted in view of new developments.

24. The British endeavours, which would keep the framework of the Geneva agreements intact but would bypass the ICSC, had from the beginning very little chance of success, not the least because they concentrated on the border dispute, which hardly mattered.

25. When the situation aggravated further during the summer of 1959,

some thought was given, inter alia by the French, to the idea of forcing the Lao Government to accede to the reactivation of the International Commission. Because of the genesis of the Phoui Government, such a move would have meant a tacit admission that Laos recognized that integration was not completed. It was felt in several quarters that such action might have engendered a governmental upheaval, which Phoui would not have been able to survive and which might have resulted in the installation of a military dictatorship, the opposite of what one had intended to promote. At one time, when Phoui seemed to be willing to give in somewhat on the question of a limited revival of the ICSC along the lines suggested by the Secretary-General, his removal was threatened by the CDIN, and he quickly recoiled.

26. The position of the activists was strongly supported by the United States, who feared the return of the coalition and who, it appears, were able to convince the Canadians of the undesirability of the reactivation of the International Commission. An incident that may be characteristic for this episode was the refusal by Laos to grant a visa to a senior Indian diplomat, associated with the ICSC for Vietnam, who was to make a personal visit to Vientiane in connexion with the joint United Nations-Indian endeavours.^{1/}

27. All these attempts were abandoned, at least for the time being, when, with the complaint of 4 September, Laos made a direct appeal to the United Nations, not for conciliation, but for military help.

28. During the summer months while these mediation attempts were made on the international level, the situation in Laos deteriorated still further. The integration of two Pathet Lao battalions was agreed to after long and difficult negotiations, but at the last moment, while both sides accused each other of bad faith, one of the battalions refused integration and succeeded in escaping to the North and possibly to North Vietnam.

29. Prince Souvannavong and other leaders of the Neo Lao Haksat party were first placed under surveillance, then under home arrest and, when the situation further aggravated, they were detained. These actions against the opposition had, as could be expected, their repercussions in Hanoi.

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^{1/} It should, however, be noted that this Indian diplomat, Dr. Ansari, had been the Chairman of the ICSC in Laos at the time of its withdrawal.

The events of July-August 1959 - Appeal to the United Nations

30. Now that the Sub-Committee of the Security Council has visited Laos and has submitted its report, an attempt can be made to reconstruct the situation that obtained in Laos early in September and to bring it back to its proper proportions.

31. There can be no doubt that during July and August 1959 a full-scale rebellion was developing in the northern provinces which was aided and abetted by North Vietnam to an extent that is still difficult to ascertain. Whether the Lao Government honestly believed that an invasion was under way or threatening, or whether they only used this approach to obtain outside support, is also a matter in dispute. Even if one were inclined to believe that the Lao Government intentionally overdrew the picture, it may be readily admitted that there were elements in the situation which - given the psychological sphere in Vientiane - could easily be interpreted as a prelude to a full-scale invasion. The nature of the military posture on the other side was such that, as seen from Vientiane, it was better to be scared than to be complacent. The correspondence between the Secretary-General and the Government during July and August indicates that at that time the Royal Government, while apprehensive, believed they would be able to cope with the situation. The so-called "full-scale attack" during the last days of August 1959 prompted a radical change of attitude.

32. As evidence that the application to the United Nations was not part of a deliberate, well thought-out plan, but rather a hurried improvisation might be adduced the total omission of any reference to the occupation of Lao territory in the Tchépone region.^{1/}

33. From the international point of view the short term danger was that Laos would apply for help from the SEATO which would, if successful, expand a local conflict to an international war and, if unsuccessful, expose the weaknesses of the regional organization. Under the pressure

^{1/} This omission eventually had a material influence on the tenor of the report of the Sub-Committee, since they judged this frontier dispute outside their terms of reference and refused to take it into consideration in making their findings.

of the military, such a move was seriously contemplated by the Lao Government, and preliminary steps to that end were taken. In the end, cooler heads prevailed, and it was decided to apply first to the United Nations. Failing that appeal, SEATO was, however, definitely kept in reserve.

34. There are indications that France and the United Kingdom and, to a certain extent, the United States exerted pressure on the Lao Government in this direction. Because of the responsibility thus assumed and the time element involved, the actions of these Powers in the Security Council were more characterized by expediency than by diplomatic finesse. In substance they fell back on a variation of the original plan of Selwyn Lloyd.

35. Much has been made of the assertion that the Sub-Committee by its presence aborted the aggression and improved the situation. There is, however, little to support this assumption. Since Hanoi had only limited objectives, it had no reason to pursue the operations once it became clear that they could not be obtained at this time and by the measures employed. The prompt action of the United Nations may have saved the Government of Phoui Sananikone, but only from an overthrow by the military, not by the adherents of Prince Souvannavong.

The Sub-Committee's report

36. Though the composition of the Sub-Committee had been one-sided, its report fortunately closed no doors and presented a fairly objective view of the situation. It did not exculpate Hanoi, neither did it fully endorse the claims of Vientiane.

37. The inconclusive nature of the report posed a dilemma. A discussion in the Security Council would give rise to an acrimonious debate and would end in a veto. This in turn would almost certainly be followed by a full-dress discussion in the General Assembly, which would further acerbate the situation. The most that could be expected from these proceedings would be an ex-parte decision to establish a United Nations presence in Laos. By its very genesis such a presence could not be expected to operate as a factor of conciliation.

38. Another possibility that was considered was the suggestion that the Sub-Committee (or part of it) would tacitly continue in Laos, avoiding

discussion in the Council. Because of what have been called "the sins of its birth", this further operating within the borderland of legality, while ingenious, did not appeal to several of the interested parties.

The Secretary-General's trip to Laos

39. In order to break the vicious circle that was rapidly closing in on Laos, the Secretary-General decided to take "a calculated risk" and, over the formal protests of the Soviet Union, departed for Laos, having informed the Security Council of his trip. He made it a condition that during his absence the Council would not take up the report of the Subcommittee, a condition that was accepted by the Powers. He stayed in Laos from 12 to 19 November 1959.

40. The Secretary-General's plan of operation, which was partly discussed with the Laotian leaders, foremost among whom was the King, partly tacitly understood, and for another part neither discussed nor understood but implicit, amounted to the following:

41. Thus far the Powers and the United Nations had mainly looked at Laos in political terms, with its military and strategic implications. As this frame of mind had also conditioned the Laotians, most of their efforts had been exerted on unproductive and hardly constructive ventures.

42. As the Secretary-General saw it, the first imperative was to pose the question of how Laos would ever find a solution for its problems unless it directed its attention to its precarious economy and its backward social conditions. Or, phrased in another way, how could Laos be made a more viable state, and what could be done to integrate the minorities in the national community?

43. Since, obviously, Laos would not be in a position to solve these problems unaided, the world community on its part had an obligation to show its concern with these problems, if it wanted Laos to survive as an independent sovereign state.

44. If the United Nations were to undertake a major effort to help Laos find a solution to its internal problems, it was imperative that a political climate should obtain that would be favourable for the deployment of such operations. This included strict adherence to the Geneva agreements

and in particular the abandonment of any projects that might appear provocative or that might put the good faith and good name of Laos in question.

45. Under these conditions, which were more or less accepted by the Laotian leaders, the Secretary-General promised that he would do his utmost to persuade the United Nations, including the specialized agencies, to institute at the earliest possible moment a programme of sustained support in the economic and social field.

46. The nature and extent of these operations would be such that, in fact, a United Nations presence would obtain all over the country.

47. Another part of the Secretary-General's plan was the appointment of a Personal or Special Representative (his exact title was left undecided) who was to coordinate the United Nations operations, but who would also have a political status. He would be a senior member of the diplomatic corps, with direct access to the King.

48. The first incumbent of that post was Under-Secretary Tuomioja who was immediately called to Laos to make an economic survey of the country. This was completed by the middle of December 1959.

49. Then, to maintain the momentum of United Nations activity, the Commissioner for Technical Assistance, Roberto Heurtematte, was sent to Laos to plan further details of the operation, and thereafter to the headquarters of the principal specialized agencies involved, to discuss the execution of the operations envisaged.

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The Laos problem: an analysis

50. The assessment of the problems of Laos made by the Secretary-General during his recent visit to Laos may be summarized as follows:

- (a) how to consolidate the country into a nation,
- (b) how to expand economic development to decrease its over-drawn dependence on outside help,
- (c) how to live in peace with its neighbours.

51. These problems are all highly interconnected. The position of the minorities is related to the absence of an infrastructure, which in turn conditions the economic deficiencies. The foreign policy of Laos and that

of its neighbours has its repercussions on internal political developments and vice versa.

52. With the party system still in its infancy, internal politics is a struggle for power between a number of influential families, some of which represent the royal lineage excluded from the throne. Even within these families there is, however, no unity, so that brother opposes brother, nephew uncle and cousin cousin. In this continuous struggle for power, lucrative posts or social prominence, the main dividing line is created from the outside: some look to Washington, others to Hanoi; again others believe to see the wave of the future in the breakdown of constitutional government elsewhere in Asia or the rise of de Gaulle in France. In the process some become agents, other dupes and several play both sides of the street.

53. If the international stakes were not so high these forces could be allowed to find their own balance. Unfortunately, Laos is too important to leave to the Laotians.

54. The first requirement for a peaceful solution of the Laotian question would seem some measure of agreement among the interested Powers as to its status in world politics.

55. The policy of neutrality prescribed by the Geneva agreements may have a slightly different connotation for one or the other of the parties, but it may serve as a common ground if there is a will to make it work, notwithstanding the fact that the Geneva agreements are not to the same extent binding on all of the parties involved.

56. There is fairly general agreement that during 1958 and the greater part of 1959 Laos, with the apparent blessing of the United States, veered away from the policy of neutrality, though still giving lip service to it.^{1/}

57. The result^{of} of this trend have not been uniformly favourable since it created internal and external counterpressures, which the Government has had great difficulty to withstand.

58. The increasing reliance on the United States would have been more

^{1/} As an illustrative incident the relations with the two Chinas may be mentioned: in August 1956 the then Minister President Souvanna Phouma paid an official visit to Peking; late in 1958 the Government of Phoui Sananikone agreed to the establishment of a Consulate General in Vientiane by the Republic of China.

generally acceptable if it would have resulted in substantial internal improvements and greater security; on the whole, however, the results of the American aid programme have been disappointing, those of the military training programme insignificant.

59. Thus the question has been raised in the case of Laos to what extent a basically bilateral aid programme (with distinctive military overtones) can be consistent with the spirit of the foreign policy clauses of the Geneva agreements.

60. The Secretary-General's plans to substitute a United Nations aid programme for the bilateral aid thus far given to Laos are, therefore, one move to facilitate the return to a more neutralist posture. In view of the financial factor involved, this programme in practice may show some "Schönheitsfehler", but the trend and the intention should be unmistakable.

61. In order to create the most favourable atmosphere for these operations, to make them as little as possible suspect as being ex-parte moves, some internal appeasement is desirable. The most disturbing factor in sight at the moment is the trial of Prince Souvannavong and his followers, which should, therefore, be deferred as long as possible, if not for ever. It should indeed be recognized that more than anything else this trial, if held, would undermine the significance of the United Nations action, and might even lead to its discontinuance.

62. A related question that will shortly become acute is that of the general elections. They have already been a disturbing factor, and the way they are being conducted and their outcome may greatly influence further developments in and around Laos.

63. In view of the foregoing, the position of the Secretary-General's representative is of eminent importance. He should be able to exert his influence at the right places and in the desired direction.

64. His position would be greatly facilitated if the aims and programmes of the Secretary-General have the support of the Powers represented in Vientiane.

65. For this it is necessary that these Powers, foremost of them the United States, do not only understand what the Secretary-General has in mind, but are willing to coordinate and subordinate their non-military aid efforts

to those of the United Nations family.

66. It is too early to conclude that the United States and all its agencies are fairly willing to cooperate, as indicated, in these ventures; there are, however, signs that in important circles the deficiencies and drawbacks of the policies thus far pursued are recognized, and that a new approach would not be met by an attitude of selfrighteous negativism.

67. Official American pronouncements in favour of Laotian neutrality, however conditioned, should be accepted as steps in the right direction, though admittedly much more will eventually be required.

68. Within and without the Laotian Government elements following the activist line are still strong, but it is not beyond hope that they can be counterbalanced by more moderate elements, especially if the latter would receive suitable support from Western sources.

69. On the other side there is the attitude of the Government in Hanoi. Their policies are by the nature of circumstances less amenable to persuasion than those of Laos and the Western Powers. Officially they are based on an unwavering adherence to the Geneva agreements, which includes both a neutral Laos and the return of the International Control Commission. In fact, they are conditioned by their apprehensions about the nature of Western military activities in Laos, and internal developments, in particular the fate of Prince Souvannavong.

70. While there can be little doubt that the Government in Hanoi are distrustful of most of the leading politicians now in power in Laos, there are indications that they would be satisfied if they received proof of genuine neutrality of the country.

71. Their policies of internal and external pressure to effect a change of government in Laos have not been pursued without circumspection, and have been abandoned when it became likely that they would have adverse results.

72. Up to some recent times all enemies of the Neo Lao Haksat party were grouped together as reactionaries, fascists, warmongers etc., but recently Hanoi has been discriminating in its attitude towards the Laotian leaders. First the King and now also the adversaries of the CDIN seem to have been accepted as worthy opponents, deserving at least a polite rejoinder.

73. Thus, while basic policies remain unchanged, there seems to be some willingness to bear with those Laotians who are neither ideologically

related nor fellow travellers. However much this may be purely tactics, there is no denying of the fact that it would seem helpful that Hanoi recognizes that from their point of view the rise of the CDIN constitutes the greatest danger, that their previous policies may have contributed to the strength of that movement, and that an agonizing reappraisal is in order.

74. There may therefore be some hope that a successful execution of United Nations plans in Laos, while not receiving public acclaim from Hanoi, will be acceptable to them (and Peking and Moscow), primarily in view of their apprehension of the other alternative.

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Conclusions

75. If United Nations objectives are to be achieved, one side has to turn away from furthering a militant anti-communism buttressed by the SEATO, the other from its insistence on a measure of international control through the ICSC.

76. There are at the present time indications that both Washington and Hanoi, each in their own way, are groping for a solution in this direction. The term "neutrality" has provided some common ground, though it should readily be admitted that this agreement is thus far mostly on negative points; the problem to give this neutrality a mutually agreeable positive content remains to be solved.

77. It has fallen on the United Nations to give Laotian democracy and neutrality this positive content. The success of its endeavours will greatly depend on the strength of the forces of moderation in Laos, and theirs in turn on the support they will receive from those who are generally in favour of United Nations aims.

78. Conversely these aims would be materially facilitated if those who are in close contact with the more activist elements in Laos, which are wont to take their inspiration from the examples of Thailand and South Vietnam, were to exert their influence in favour of moderation. Such action would be even more beneficial if these same forces could see their way to counsel restraint on the SEATO and its more irresponsible adherents.

79. The objectives of United Nations operations in Laos are not to support any particular government, but rather to create conditions under which Laos can come to grips with its own problems. These operations are conceived as purely internal, but - if successful - they should not fail to have favourable repercussions in the international sphere.

29 January 1960