No. 6564

BURMA, CAMBODIA, CANADA, PEOPLE'S REPUBLIC OF CHINA, DEMOCRATIC REPUBLIC OF VIET-NAM, etc.

- Declaration on the Neutrality of Laos. Signed at Geneva, on 23 July 1962
- Protocol to the above-mentioned Declaration. Signed at Geneva, on 23 July 1962

Official texts: English, Chinese, French, Laotian and Russian.

Registered by the United Kingdom of Great Britain and Northern Ireland on 14 March 1963.

BIRMANIE, CAMBODGE, CANADA, RÉPUBLIQUE POPULAIRE DE CHINE, RÉPUBLIQUE DÉMOCRATIQUE DU VIET-NAM, etc.

- Déclaration sur la neutralité du Laos. Signée à Genève, le 23 juillet 1962
- Protocole à la Déclaration susmentionnée. Signé à Genève, le 23 juillet 1962

Textes officiels anglais, chinois, français, laotien et russe.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 14 mars 1963.

No. 6564. DECLARATION ON THE NEUTRALITY OF LAOS. SIGNED AT GENEVA, ON 23 JULY 1962

The Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the People's Republic of China, the Democratic Republic of Viet-Nam, the Republic of France, the Republic of India, the Polish People's Republic, the Republic of Viet-Nam, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, whose representatives took part in the International Conference on the Settlement of the Laotian Question, 1961-1962;

Welcoming the presentation of the statement of neutrality by the Royal Government of Laos of July 9, 1962, and taking note of this statement, which is, with the concurrence of the Royal Government of Laos, incorporated in the present Declaration as an integral part thereof, and the text of which is as follows:

THE ROYAL GOVERNMENT OF LAOS,

Being resolved to follow the path of peace and neutrality in conformity with the interests and aspirations of the Laotian people, as well as the principles of the Joint Communiqué of Zurich dated June 22, 1961, and of the Geneva Agreements of 1954, in order to build a peaceful, neutral, independent, democratic, unified and prosperous Laos,

Solemnly declares that:

- (1) It will resolutely apply the five principles of peaceful co-existence in foreign relations, and will develop friendly relations and establish diplomatic relations with all countries, the neighbouring countries first and foremost, on the basis of equality and of respect for the independence and sovereignty of Laos;
- (2) It is the will of the Laotian people to protect and ensure respect for the sovereignty, independence, neutrality, unity, and territorial integrity of Laos;
- (3) It will not resort to the use or threat of force in any way which might impair the peace of other countries, and will not interfere in the internal affairs of other countries;
- (4) It will not enter into any military alliance or into any agreement, whether military or otherwise, which is inconsistent with the neutrality of the Kingdom of Laos; it will not allow the establishment of any foreign military base on Laotian territory, nor allow any country to use Laotian territory for

¹ Came into force on 23 July 1962, upon signature, in accordance with the provisions of paragraph 5.

military purposes or for the purposes of interference in the internal affairs of other countries, nor recognise the protection of any alliance or military coalition, including SEATO;

- (5) It will not allow any foreign interference in the internal affairs of the Kingdom of Laos in any form whatsoever;
- (6) Subject to the provisions of Article 5 of the Protocol, ¹ it will require the withdrawal from Laos of all foreign troops and military personnel, and will not allow any foreign troops or military personnel to be introduced into Laos;
- (7) It will accept direct and unconditional aid from all countries that wish to help the Kingdom of Laos build up an independent and autonomous national economy on the basis of respect for the sovereignty of Laos;
- (8) It will respect the treaties and agreements signed in conformity with the interests of the Laotian people and of the policy of peace and neutrality of the Kingdom, in particular the Geneva Agreements of 1962, and will abrogate all treaties and agreements which are contrary to those principles.

This statement of neutrality by the Royal Government of Laos shall be promulgated constitutionally and shall have the force of law.

The Kingdom of Laos appeals to all the States participating in the International Conference on the Settlement of the Laotian Question, and to all other States, to recognise the sovereignty, independence, neutrality, unity and territorial integrity of Laos, to conform to these principles in all respects, and to refrain from any action inconsistent therewith.

Confirming the principles of respect for the sovereignty, independence, unity and territorial integrity of the Kingdom of Laos and non-interference in its internal affairs which are embodied in the Geneva Agreements of 1954;

Emphasising the principle of respect for the neutrality of the Kingdom of Laos;

Agreeing that the above-mentioned principles constitute a basis for the peaceful settlement of the Laotian question;

Profoundly convinced that the independence and neutrality of the Kingdom of Laos will assist the peaceful democratic development of the Kingdom of Laos and the achievement of national accord and unity in that country, as well as the strengthening of peace and security in South-East Asia;

1. Solemnly declare, in accordance with the will of the Government and people of the Kingdom of Laos, as expressed in the statement of neutrality by the Royal Government of Laos of July 9, 1962, that they recognise and will respect and observe in every way the sovereignty, independence, neutrality, unity and territorial integrity of the Kingdom of Laos.

¹ See p. 324 of this volume.

- 2. Undertake, in particular, that
- (a) they will not commit or participate in any way in any act which might directly or indirectly impair the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos;
- (b) they will not resort to the use or threat of force or any other measure which might impair the peace of the Kingdom of Laos;
- (c) they will refrain from all direct or indirect interference in the internal affairs of the Kingdom of Laos;
- (d) they will not attach conditions of a political nature to any assistance which they may offer or which the Kingdom of Laos may seek;
- (e) they will not bring the Kingdom of Laos in any way into any military alliance or any other agreement, whether military or otherwise, which is inconsistent with her neutrality, nor invite or encourage her to enter into any such alliance or to conclude any such agreement;
- (f) they will respect the wish of the Kingdom of Laos not to recognise the protection of any alliance or military coalition, including SEATO;
- (g) they will not introduce into the Kingdom of Laos foreign troops or military personnel in any form whatsoever, nor will they in any way facilitate or connive at the introduction of any foreign troops or military personnel;
- (h) they will not establish nor will they in any way facilitate or connive at the establishment in the Kingdom of Laos of any foreign military base, foreign strong point or other foreign military installation of any kind;
- (i) they will not use the territory of the Kingdom of Laos for interference in the internal affairs of other countries;
- (j) they will not use the territory of any country, including their own for interference in the internal affairs of the Kingdom of Laos.
- 3. Appeal to all other States to recognise, respect and observe in every way the sovereignty, independence and neutrality, and also the unity and territorial integrity, of the Kingdom of Laos and to refrain from any action inconsistent with these principles or with other provisions of the present Declaration.
- 4. Undertake, in the event of a violation or threat of violation of the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos, to consult jointly with the Royal Government of Laos and among themselves in order to consider measures which might prove to be necessary to ensure the observance of these principles and the other provisions of the present Declaration.
- 5. The present Declaration shall enter into force on signature and together with the statement of neutrality by the Royal Government of Laos of July 9, 1962, shall be regarded as constituting an international agreement. The present Declaration shall be deposited in the archives of the Governments of the United Kingdom

and the Union of Soviet Socialist Republics, which shall furnish certified copies thereof to the other signatory States and to all the other States of the world.

In witness whereof, the undersigned Plenipotentiaries have signed the present Declaration.

Done in two copies in Geneva this twenty-third day of July one thousand nine hundred and sixty-two in the English, Chinese, French, Laotian and Russian languages, each text being equally authoritative.

FOR THE UNION OF BURMA:

緬甸联邦:

Pour L'Union de Birmanie:

สำลับ สะตะพายพะมา

За Бирманский Союз:

U THI HAN

FOR THE KINGDOM OF CAMBODIA:

柬埔寨王国:

Pour le Royaume du Cambodge:

สำลับ พะธาจะอานาจีกกำมุจา

За Королевство Камбоджа:

Nhiek TIOULONG

FOR CANADA:

加拿大:

Pour le Canada:

สำอับ ปะเพณฑามาถา

За Канаду:

H. C. GREEN Chester RONNING

FOR THE PEOPLE'S REPUBLIC OF CHINA:

中华人民共和国:

Pour la République populaire de Chine:

ສຳລັບ ສາຫາຣະນະຣັກປະຊາຊົນຈີນ

За Китайскую Народную Республику:

CHEN YI

FOR THE DEMOCRATIC REPUBLIC OF VIET-NAM:

越南民主共和国:

Pour la République démocratique du Viet-Nam:

สำลับ สาทาธะนะอัญปะจาทปะโตตอธูดนาม

За Демократическую Республику Въетнам:

UNG-VAN-KHIEM

FOR THE REPUBLIC OF FRANCE:

法兰西共和国:

Pour la République française:

ສຳລັບ ສຳທາຣະນະຣັຖຝຣັ່ງເສດ

За Французскую Республику:

M. Couve DE MURVILLE Jacques Roux

FOR THE REPUBLIC OF INDIA:

印度共和国:

Pour la République de l'Inde:

สำลับ สาหาธะมะธัจอมเก็ฐ

За Республику Индия:

V. K. Krishna MENON

FOR THE POLISH PEOPLE'S REPUBLIC:

波兰人民共和国:

Pour la République populaire de Pologne:

ฮำลับ สาดาธะมะอักปะจาจิมโปโลธ

За Польскую Народную Республику:

A. RAPACKI

FOR THE REPUBLIC OF VIET-NAM:

越南共和国:

Pour la République du Viet-Nam:

ສຳລັບ ສາຫາຣະນະຣັຖດວຽດນານ

За Республику Вьетнам:

Vu van Mau Thanh

No. 6564

FOR THE KINGDOM OF THAILAND:

泰王国:

Pour le Royaume de la Thaïlande:

สำลับ ผะธาจะอามาจักไห

За Королевство Таиланд:

Direck JAYANÂMA

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

旅維埃社会主义共和国联盟:

Pour l'Union des Républiques socialistes soviétiques:

ສຳລັບ ສະຫະພາບສາທາຂະນະຣັຖສັງຄົນນິບົນໂຊວຽດ

За Союз Советских Социалистических Республик:

A. Gromyko

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

大不列顛与北爱尔兰联合王国:

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

ສຳລັບ ສະຫະຣາຊະອານາຈັກບຣິເຕນໄຫຽແລະອຽກລັງພາກເຫນືອ

За Соединенное Королевство Великобритании и Северной Ирландии:

Home

Malcolm MACDONALD

FOR THE UNITED STATES OF AMERICA:

美利坚合众国:

Pour les Etats-Unis d'Amérique:

สาลัย สะตะธักอะเมธิกา

За Соединенные Штаты Америки:

Dean Rusk

W. Averell HARRIMAN

PROTOCOL¹ TO THE DECLARATION ON THE NEUTRALITY OF LAOS.² SIGNED AT GENEVA, ON 23 JULY 1962

The Governments of the Union of Burma, the Kingdom of Cambodia, Canada, the People's Republic of China, the Democratic Republic of Viet-Nam, the Republic of France, the Republic of India, the Kingdom of Laos, the Polish People's Republic, the Republic of Viet-Nam, the Kingdom of Thailand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America:

Having regard to the Declaration on the Neutrality of Laos of July 23, 1962; 2 Have agreed as follows:

Article 1

For the purposes of this Protocol

- (a) the term "foreign military personnel" shall include members of foreign military missions, foreign military advisers, experts, instructors, consultants, technicians, observers and any other foreign military persons, including those serving in any armed forces in Laos, and foreign civilians connected with the supply, maintenance, storing and utilization of war materials;
- (b) the term "the Commission" shall mean the International Commission for Supervision and Control in Laos set up by virtue of the Geneva Agreements of 1954 and composed of the representatives of Canada, India and Poland, with the representative of India as Chairman;
- (c) the term "the Co-Chairmen" shall mean the Co-Chairmen of the International Conference for the Settlement of the Laotian Question, 1961-1962, and their successors in the offices of Her Britannic Majesty's Principal Secretary of State for Foreign Affairs and Minister for Foreign Affairs of the Union of Soviet Socialist Republics respectively;
- (d) the term "the members of the Conference" shall mean the Governments of countries which took part in the International Conference for the Settlement of the Laotian Question, 1961-1962.

Article 2

All foreign regular and irregular troops, foreign para-military formations and foreign military personnel shall be withdrawn from Laos in the shortest time possible and in any case the withdrawal shall be completed not later than thirty days after

<sup>Came into force on 23 July 1962, upon signature, in accordance with article 20.
See p. 302 of this volume.</sup>

the Commission has notified the Royal Government of Laos that in accordance with Articles 3 and 10 of this Protocol its inspection teams are present at all points of withdrawal from Laos. These points shall be determined by the Royal Government of Laos in accordance with Article 3 within thirty days after the entry into force of this Protocol. The inspection teams shall be present at these points and the Commission shall notify the Royal Government of Laos thereof within fifteen days after the points have been determined.

Article 3

The withdrawal of foreign regular and irregular troops, foreign para-military formations and foreign military personnel shall take place only along such routes and through such points as shall be determined by the Royal Government of Laos in consultation with the Commission. The Commission shall be notified in advance of the point and time of all such withdrawals.

Article 4

The introduction of foreign regular and irregular troops, foreign para-military formations and foreign military personnel into Laos is prohibited.

Article 5

Note is taken that the French and Laotian Governments will conclude as soon as possible an arrangement to transfer the French military installations in Laos to the Royal Government of Laos.

If the Laotian Government considers it necessary, the French Government may as an exception leave in Laos for a limited period of time a precisely limited number of French military instructors for the purpose of training the armed forces of Laos.

The French and Laotian Governments shall inform the members of the Conference, through the Co-Chairmen, of their agreement on the question of the transfer of the French military installations in Laos and of the employment of French military instructors by the Laotian Government.

Article 6

The introduction into Laos of armaments, munitions and war material generally, except such quantities of conventional armaments as the Royal Government of Laos may consider necessary for the national defence of Laos, is prohibited.

Article 7

All foreign military persons and civilians captured or interned during the course of hostilities in Laos shall be released within thirty days after the entry into force

of this Protocol and handed over by the Royal Government of Laos to the representatives of the Governments of the countries of which they are nationals in order that they may proceed to the destination of their choice.

Article 8

The Co-Chairmen shall periodically receive reports from the Commission. In addition the Commission shall immediately report to the Co-Chairmen any violations or threats of violations of this Protocol, all significant steps which it takes in pursuance of this Protocol, and also any other important information which may assist the Co-Chairmen in carrying out their functions. The Commission may at any time seek help from the Co-Chairmen in the performance of its duties, and the Co-Chairmen may at any time make recommendations to the Commission exercising general guidance.

The Co-Chairmen shall circulate the reports and any other important information from the Commission to the members of the Conference.

The Co-Chairmen shall exercise supervision over the observance of this Protocol and the Declaration on the Neutrality of Laos.

The Co-Chairmen will keep the members of the Conference constantly informed and when appropriate will consult with them.

Article 9

The Commission shall, with the concurrence of the Royal Government of Laos, supervise and control the cease-fire in Laos.

The Commission shall exercise these functions in full co-operation with the Royal Government of Laos and within the framework of the Cease-Fire Agreement or cease-fire arrangements made by the three political forces in Laos, or the Royal Government of Laos. It is understood that responsibility for the execution of the cease-fire shall rest with the three parties concerned and with the Royal Government of Laos after its formation.

Article 10

The Commission shall supervise and control the withdrawal of foreign regular and irregular troops, foreign para-military formations and foreign military personnel. Inspection teams sent by the Commission for these purposes shall be present for the period of the withdrawal at all points of withdrawal from Laos determined by the Royal Government of Laos in consultation with the Commission in accordance with Article 3 of this Protocol.

Article 11

The Commission shall investigate cases where there are reasonable grounds for considering that a violation of the provisions of Article 4 of this Protocol has occurred.

It is understood that in the exercise of this function the Commission is acting with the concurrence of the Royal Government of Laos. It shall carry out its investigations in full co-operation with the Royal Government of Laos and shall immediately inform the Co-Chairmen of any violations or threats of violations of Article 4, and also of all significant steps which it takes in pursuance of this Article in accordance with Article 8.

Article 12

The Commission shall assist the Royal Government of Laos in cases where the Royal Government of Laos considers that a violation of Article 6 of this Protocol may have taken place. This assistance will be rendered at the request of the Royal Government of Laos and in full co-operation with it.

Article 13

The Commission shall exercise its functions under this Protocol in close cooperation with the Royal Government of Laos. It is understood that the Royal Government of Laos at all levels will render the Commission all possible assistance in the performance by the Commission of these functions and also will take all necessary measures to ensure the security of the Commission and its inspection teams during their activities in Laos.

Article 14

The Commission functions as a single organ of the International Conference for the Settlement of the Laotian Question, 1961-1962. The members of the Commission will work harmoniously and in co-operation with each other with the aim of solving all questions within the terms of reference of the Commission.

Decisions of the Commission on questions relating to violations of Articles 2, 3, 4 and 6 of this Protocol or of the cease-fire referred to in Article 9, conclusions on major questions sent to the Co-Chairmen and all recommendations by the Commission shall be adopted unanimously. On other questions, including procedural questions, and also questions relating to the initiation and carrying out of investigations (Article 15), decisions of the Commission shall be adopted by majority vote.

Article 15

In the exercise of its specific functions which are laid down in the relevant articles of this Protocol the Commission shall conduct investigations (directly or by

sending inspection teams), when there are reasonable grounds for considering that a violation has occurred. These investigations shall be carried out at the request of the Royal Government of Laos or on the initiative of the Commission, which is acting with the concurrence of the Royal Government of Laos.

In the latter case decisions on initiating and carrying out such investigations shall be taken in the Commission by majority vote.

The Commission shall submit agreed reports on investigations in which differences which may emerge between members of the Commission on particular questions may be expressed.

The conclusions and recommendations of the Commission resulting from investigations shall be adopted unanimously.

Article 16

For the exercise of its functions the Commission shall, as necessary, set up inspection teams, on which the three member-States of the Commission shall be equally represented. Each member-State of the Commission shall ensure the presence of its own representatives both on the Commission and on the inspection teams, and shall promptly replace them in the event of their being unable to perform their duties.

It is understood that the dispatch of inspection teams to carry out various specific tasks takes place with the concurrence of the Royal Government of Laos. The points to which the Commission and its inspection teams go for the purposes of investigation and their length of stay at those points shall be determined in relation to the requirements of the particular investigation.

Article 17

The Commission shall have at its disposal the means of communication and transport required for the performance of its duties. These as a rule will be provided to the Commission by the Royal Government of Laos for payment on mutually acceptable terms, and those which the Royal Government of Laos cannot provide will be acquired by the Commission from other sources. It is understood that the means of communication and transport will be under the administrative control of the Commission.

Article 18

The costs of the operations of the Commission shall be borne by the members of the Conference in accordance with the provisions of this Article.

(a) The Governments of Canada, India and Poland shall pay the personal salaries and allowances of their nationals who are members of their delegations to the Commission and its subsidiary organs.

- (b) The primary responsibility for the provision of accommodation for the Commission and its subsidiary organs shall rest with the Royal Government of Laos, which shall also provide such other local services as may be appropriate. The Commission shall charge to the Fund referred to in sub-paragraph (c) below any local expenses not borne by the Royal Government of Laos.
- (c) All other capital or running expenses incurred by the Commission in the exercise of its functions shall be met from a Fund to which all the members of the Conference shall contribute in the following proportions:

The Governments of the People's Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America shall contribute 17.6 per cent each.

The Governments of Burma, Cambodia, the Democratic Republic of Viet Nam, Laos, the Republic of Viet Nam and Thailand shall contribute 1.5 per cent each.

The Governments of Canada, India and Poland as members of the Commission shall contribute 1 per cent each.

Article 19

The Co-Chairmen shall at any time, if the Royal Government of Laos so requests, and in any case not later than three years after the entry into force of this Protocol, present a report with appropriate recommendations on the question of the termination of the Commission to the members of the Conference for their consideration. Before making such a report the Co-Chairmen shall hold consultations with the Royal Government of Laos and the Commission.

Article 20

This Protocol shall enter into force on signature.

It shall be deposited in the archives of the Governments of the United Kingdom and the Union of Soviet Socialist Republics, which shall furnish certified copies thereof to the other signatory States and to all other States of the world.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol.

Done in two copies in Geneva this twenty-third day of July one thousand and nine hundred and sixty-two in the English, Chinese, French, Laotian and Russian languages, each text being equally authoritative.

FOR THE UNION OF BURMA:

緬甸联邦:

POUR L'UNION DE BIRMANIE:

สำลับ สะตะพาบพะมา

За Бирманский Союз:

U Thi Han

FOR THE KINGDOM OF CAMBODIA:

東埔寨王国:

Pour le Royaume du Cambodge:

สำลับ พะธาจะอาหาจักกำพูจา

За Королевство Камбоджа:

Nhiek Tioulong

FOR CANADA:

か 拿 大:

Pour le Canada:

สำอัช ปะเทตภามากา

За Канаду:

H. C. GREEN Chester RONNING

FOR THE PEOPLE'S REPUBLIC OF CHINA:

中华人民共和国:

Pour la République populaire de Chine:

ສຳລັບ ສຳທາຣະນະຣົກປະຊາຊົນຈີນ

За Китайскую Народную Республику:

CHEN YI

FOR THE DEMOCRATIC REPUBLIC OF VIET-NAM:

越南民主共和国:

Pour la République démocratique du Viet-Nam:

สำลับ สาหาระบะธับปะจาทปะโทพอภูกบาม

За Демократическую Республику Вьетнам:

Ung-van-Khiem

FOR THE REPUBLIC OF FRANCE:

法兰西共和国:

Pour la République française:

มาลับ สาหาธะมะอีกฝอาผสก

За Французскую Республику:

M. Couve DE MURVILLE Jacques ROUX

FOR THE REPUBLIC OF INDIA:

印度共和国:

Pour la République de l'Inde:

สำลับ สาพาธะมะธักุษมเกัฐ

За Республику Индия:

V. K. Krishna Menon

FOR THE KINGDOM OF LAOS:

老 撾 王 国:

Pour le Royaume du Laos:

สำลับ พะธาจะอาบาจักลาอ

За Королевство Лаос:

Q. Pholsena

FOR THE POLISH PEOPLE'S REPUBLIC:

波兰人民共和国:

Pour la République populaire de Pologne:

ชาลับ สาหาธะบะธับปะอาจินโปโลส

За Польскую Народную Республику:

A. RAPACKI

FOR THE REPUBLIC OF VIET-NAM:

越南共和国:

Pour la République du Viet-Nam:

สำลับ สาทาธะบะธุกตอสถบาม

За Республику Вьетнам:

Vu van Mau Thanh FOR THE KINGDOM OF THAILAND:

泰 王 国:

Pour le Royaume de la Thaïlande:

สำลับ พะธาจะอาหาจักไห

За Королевство Таиланд:

Direck JAYANÂMA

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

旅維埃社会主义共和国联盟:

Pour l'Union des Républiques socialistes soviétiques:

ສຳລັບ ສະຫະພາບສາຫາຂະນະຣັຖສັງຄົນນິຍົມໂຊວຽດ

За Союз Советских Социалистических Республик:

A. Gromyko

For the United Kingdom of Great Britain and Northern Ireland: 大不列顛与北爱尔兰联合王国:

Pour Le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord: สำลับ สะตะธาจะอาบาจักของตนไทธและอธูกลัวผากรตรงอ За Соединенное Королевство Великобритании и Северной Ирландии:

Home
Malcolm Macdonald

FOR THE UNITED STATES OF AMERICA:

美利坚合众国:

Pour les Etats-Unis d'Amérique:

ສຳລັບ ສະຫະຣັກອະເມຣິກາ

За Соединенные Штаты Америки:

Dean Rusk
W. Averell HARRIMAN