

of Great Britain and Northern Ireland, the United States of America and Uruguay, and which could observe and report on the situation in any area where there exists international tension the continuance of which is likely to endanger the maintenance of international peace and security. Upon the invitation or with the consent of the State into whose territory the Commission would go, the General Assembly, or the Interim Committee when the Assembly is not in session, may utilize the Commission if the Security Council is not exercising the functions assigned to it by the Charter with respect to the matter in question. Decisions to utilize the Commission shall be made on the affirmative vote of two-thirds of the members present and voting. The Security Council may also utilize the Commission in accordance with its authority under the Charter;

"4. The Commission shall have authority in its discretion to appoint sub-commissions and to utilize the services of observers to assist it in the performance of its functions."

It is the opinion of the Canadian Delegation that to have the International Commission for Supervision and Control in Cambodia insert itself between the authorities of Cambodia and those of its neighbours would be quite inappropriate as well as legally beyond its jurisdiction. It would involve an abuse of this Commission's position and authority in Cambodia, and an usurpation of power beyond the purpose for which the Commission was established, which could not but have undesirable implications. The implications would be either grave or ridiculous, depending on whether such pretensions of authority and such abuse of power by the Commission were taken seriously, or whether the result was merely to bring the Commission into contempt and ridicule. In either case, the effect must be to weaken the whole device of international commissions, and to lessen their value for troubled situations in the future.

The Chairman then stated:

"The question of the competence of the International Commission in Cambodia to entertain complaints regarding border incidents and to investigate the same for taking suitable decisions has to be considered in the background of the Geneva Agreement.

"The responsibilities of the International Commission in Cambodia are laid down in Articles 11 and 13 of the Agreement for cessation of hostilities in Cambodia. The Commission is responsible for control and supervision and the application of the provisions of the Agreement on the cessation of hostilities in Cambodia and supervision of the execution by the parties of the provisions of this Agreement. Under Article 13 of the Geneva Agreement on Cambodia, the International Commission is responsible for supervision and execution of that Agreement and its functions include in particular (i) Control in respect of withdrawal of foreign troops and (ii) to seeing that the frontiers of the country are respected. These two functions are combined in clause (a) of Article 13 from which it has been argued by the Canadian Commissioner that the frontiers of the International Commission in seeing that the frontiers