

by the Canadian Delegation even after waiting for three days, that Delegation authorised participation of their member on the investigating team subject to confirmatory advice from their Government. The team left Phnom Penh on 29th June, 1958 and returned on 9th July, 1958. In the Commission's meeting held on the 11th July, 1958, the Canadian Delegation withdrew their conditional participation with the investigating team. The team, however, continued to prepare its report. In its report the team concluded that:

"(a) The team was satisfied that a new boundary pillar was erected recently in Cambodian territory approximately 1800 meters short of the Cambodian frontier shown on the map.

(b) The team was also satisfied that there were South Vietnamese soldiers about 15 to 20 meters away from this new boundary pillar, obviously on Cambodian soil.

(c) The team could therefore conclude that the new boundary pillar which is in Cambodian territory, approximately 1800 meters short of the Cambodian frontier as shown on the map, must have been erected by the South Vietnamese authorities.

(d) The team observed tyre marks between road track junction (MR 694-218) and the new boundary pillar. For the reasons detailed in para 17, this could have only been made by a vehicle proceeding from SOUTH VIETNAM into CAMBODIA.

From the statement made by Capt. CHHUON CHHOUM it transpired that an encounter between the Cambodian and SOUTH Vietnamese troops did take place on 15 June, 1958 on Cambodian territory when he was commanding a patrol on that day near the border on route 19. This encounter resulted in 1 dead on the SOUTH Vietnamese side.

Capt. CHHUON CHHOUM also stated in his evidence that on 15th June, 1958 on route to the border, he had noticed evidence of troops having camped near the stream O YADAO, in that he saw the diggings, the ashes of burnt fires, the camp refuse of discarded food tins and cartons etc. The team also observed near the stream O YADAO the evidence of troops having been there as stated by him. Capt. CHHUON CHHOUM also stated in his evidence that his troops in STUNG TRENG had never camped in that area and that they were never issued with tinned rations of any sort. The team after collecting the evidence from the villagers and examining the site where camp refuse such as empty food tins, cartons etc. as well as the diggings in the ground were observed, came to the conclusion that:-

(a) SOUTH Vietnamese armed forces had encircled the village of BAN PAK NHAY about 18 June, 1958 for approximately 6 to 8 hours possibly with an aircraft flying over the village in support.

(b) When the village was encircled, the villagers were forbidden to go out.

(c) Except for taking away a few articles of not much value belonging to the villagers, the SOUTH Vietnamese troops did not molest or ill treat the villagers.