

(i) In 1956, the Commission received seven letters from the Royal Government reporting 18 border incidents involving South Vietnamese armed forces and other South Vietnamese persons which included violation of Cambodian frontiers, incursion into the Cambodian territory, fighting on the Cambodian territory between the Royal Khmer forces and South Vietnamese troops, piracy, cattle lifting, abduction and harassment of Cambodians, pillage, murder and fortification of South Vietnam frontiers, etc. Copies of six letters involving 17 incidents were sent to the International Commission in Vietnam and in certain cases requesting it to forward them to the South Vietnam Government.

(ii) In 1957, the Commission received 17 letters from the Royal Government reporting thirty border incidents involving South Vietnamese armed forces and others. Some of these cases were also taken up directly by the Royal Government with the South Vietnam Government. The Commission forwarded copies of these letters to the South Vietnam Commission for information and comments. In one letter, the Royal Government having become increasingly apprehensive over the mounting number of border incidents had asked the Commission for its views to which the Commission replied that the report had been sent to the Vietnam Commission requesting them to take it up with the South Vietnam Government and that a further communication would follow on receipt of a reply.

(iii) On the Thai-Cambodian border, the Commission received one letter reporting one border incident and eight letters reporting nine border incidents in 1956 and 1957 respectively. The Commission acknowledged receipt of these letters.

6. The Commission met on the 9th May, 1957, to discuss the course of action to be taken on the team's report. The Canadian Commissioner stated that no action should be taken on the report as the Commission was not competent to deal with the border incidents involving South Vietnamese forces as in his opinion, violation of Cambodian frontiers by South Vietnamese forces does not constitute violation of frontiers in terms of the Geneva Agreement. This raised a discussion on the competency of the Commission to deal with the border incidents in general and the specific incident in particular.

7. It was decided by a majority vote of two to one that the Commission was competent to deal with the border incident under discussion. There was, however, no unanimity of decision as required under Article 21 of the Geneva Agreement on Cambodia since the Canadian Commissioner held that violation of Cambodian frontiers did not constitute violation in terms of the Geneva Agreement.

8. The proposal made by the Polish Delegation and agreed to by the Indian Delegation to send a copy of the team's report to the International Commission, Vietnam, requesting them to take the matter up with the South Vietnam Government as well as to send a copy thereof to the Royal Government of Cambodia was not agreed to by the Canadian Delegation. This suggestion was in accordance with the previous practice hitherto followed except that in this case the team's report was suggested to be forwarded while in the previous cases such a report was not available since the incidents were not verified by the Commission's team and the Royal Government letters reporting incidents were forwarded without verification by International Commission's representatives.