

International Commission under Article 13 are to supervise the execution by the parties of the provisions of the Agreement. It is for this purpose that - as specified in subparagraph (a) - the International Commission is assigned the important task of controlling "the withdrawal of foreign forces" and instructed, at the same time, to see that the withdrawing forces respect the frontiers of Cambodia; in other words, that they really withdraw and that they do not come back, so as to avoid a "resumption of hostilities" as referred to in Article 21 of the Cease-Fire Agreement.

"Article 21(b) stipulates that the decisions of the International Commission must be unanimous on questions concerning violations which might lead:

"to a resumption of hostilities and in particular:  
 .....(b) violation or threat of violation of  
 the country's integrity by foreign armed forces."

Read in conjunction with Article 4(1), this provision is clearly intended to refer to cases of resumption of hostilities between the two parties to the Cease-Fire Agreement proper, i.e. the cessation of hostilities in Cambodia as dealt with during the Geneva Conference.

"In general, it is difficult to see how an interpretation of the International Commission's competence, different from that given above, could be consistent with the aims and purposes of the Agreements on the cessation of hostilities. The Geneva negotiators were dealing exclusively with the problem of the hostilities in Indo-China as it stood in 1954, and it is unlikely that they wished to entrust the International Commission with supervising and controlling frontiers in general. Therefore, the Canadian Delegation cannot accept the view that they intended that the Commission should "see" that the borders were respected with regard to disputes involving the frontiers except in the limited case in which the foreign forces involved in these disputes were capable of inclusion in the definition of withdrawing forces contained in Article 4(1) of the Agreement, which phase of the Commission's activities has been completed.

"In support of this argument, I might point out that the sovereignty of Cambodia has always been recognised at Geneva. The Agreement should, therefore, always be interpreted so as to limit as little as possible the exercise of its sovereignty. It is the opinion of this Delegation that the Royal Government of Cambodia is fully competent to deal with violations of its frontiers as an internal matter in the same way as any other sovereign nation, and in fact has done so even when keeping the International Commission informed of past incidents.

"My colleagues are aware that the Royal Government in exercise of its sovereignty has been dealing directly with neighbouring Governments on matters concerning border incidents in accordance with usual diplomatic practice. To cite only a few instances, I might point out

(a) the Royal Government's letter NO 6-DGP/X of January 4, 1956 forwarding to the Commission a copy of the letter which was addressed by the Minister of Foreign Affairs of Cambodia to the Minister of Foreign Affairs of South Vietnam regarding alleged violations of Cambodian territory and territorial waters by South Vietnam armed forces;