

INTERNATIONAL COMMISSION FOR SUPERVISION
AND CONTROL IN CAMBODIAMinority Report by the Canadian Delegation
as per decision in the Commission's meeting
held on the 9th May, 1957.

In agreeing to participate in the preliminary investigation on May 5, 1957, into the border incident at Bathu, Svay Rieng, the Canadian Delegation, because of its views with respect to the competence of the Commission to deal with border incidents of this type, reserved its position in the event that the persons reported to have entered Cambodian territory proved to be members of the South Vietnam Armed Forces. When it was ascertained that the marauders were in fact members of the South Vietnam Army, the Canadian representative on the Ad Hoc team signed the team report with a notation that he did so without prejudice to the views of the Canadian Delegation regarding the competence of the Commission to deal with border incidents.

2. During 1956 and 1957, the Commission received a number of letters from the Royal Government of Cambodia stating that South Vietnam or Thailand were responsible for incursions into the Cambodian territory or were strengthening garrisons and building military posts in areas adjacent to the common frontier. While these alleged incidents could lead to a deterioration in the relations between the countries concerned, the Canadian Delegation considers that this is a problem which should be settled by direct means and is not the responsibility of the Commission under the terms of the Cease-Fire Agreement for Cambodia.

3. Upon receiving letters concerning Cambodian-South Vietnam border problems from the Royal Government, the Commission, by unanimous decision, forwarded copies of these letters to the International Commission in Vietnam for their information and comments, if any. In one instance, where the Royal Government requested the views of the Commission on a border incident, the Cambodian Commission forwarded the letter to the Commission in Vietnam and requested it to take the matter up with the Government of South Vietnam. The Canadian Delegation is of the opinion that there is an important difference between the procedures followed in the past and the proposal to forward a report of an Ad Hoc team investigation to the Royal Government and the Vietnam Commission with a request that the Vietnam Commission take the matter up with the Government of South Vietnam. The Canadian Delegation objected to this course of action on the ground that it constituted a clear acknowledgment that the Commission considered itself competent to deal with this border incident.

4. The Canadian Delegation does not consider that the Commission is competent under the terms of the Cease-Fire Agreement for Cambodia to take action with respect to any border incursions which could be attributed to members of the South Vietnam Armed Forces. It considers that the Commission is competent to deal with cases of violations or threats of violations of Cambodian territory only if these actions can be attributed directly or indirectly to the