

External Affairs
Supplementary Paper
No. 57/8

FIFTH INTERIM REPORT

OF

INTERNATIONAL COMMISSION FOR SUPERVISION
AND CONTROL IN CAMBODIA

(For the period 1st October 1955 to 31st December 1956)

with

COVERING LETTER AND ANNEXURES

INTERNATIONAL COMMISSION FOR SUPERVISION
AND CONTROL IN CAMBODIA

Phnom-Penh
16 May, 1957

No. IS/X/5.

To
The Co-Chairmen,
Geneva Powers Conference,

Subject:- Fifth Interim Report - International
Commission, Cambodia.

Sir,

I have the honour to forward herewith a copy of the Fifth Interim Report in respect of the activities of the International Commission for Supervision and Control in Cambodia for the period 1st October 1955 to 31st December 1956. The three Delegations to the International Commission have unanimously agreed upon this Report.

2. The Canadian Delegation wish to include a note in the report on the Resolution tabled by the Canadian Delegation in April 1956 relating to the dissolution of the Commission because it was a subject which had been discussed by the Commission during the period covered by the Report. The Indian and Polish Delegations did not agree to the inclusion of such a note in the Report for the undernoted reasons:-

- (i) No decision was taken on the resolution submitted by the Canadian Delegation nor was a vote sought for by the Canadian Delegation.
- (ii) It has not been the practice of the Commission to include in its Report resolutions tabled by individual Delegations.

The resolution remained tabled and it was decided unanimously at one of the meetings of the Commission that further consideration of this resolution would be taken only if and when one of the Delegations raised the question in the subsequent meetings of the Commission. This question has not been raised thereafter until now. Accordingly, a copy of the resolution tabled by the Canadian Delegation at the meeting of the International Commission held on the 20th April 1956 together with the statement of the Canadian Commissioner introducing the resolution is forwarded herewith at Annexure I to this letter. A copy of the minutes containing discussions held on the resolution and indicating the stand taken by the Polish and Indian Delegations is forwarded as Annexure II to this letter.

Yours faithfully,
(Sgd.) Chand N. Das.

Major General

CHAIRMAN

Copy to:-

1. The Commissioner for Canada.
2. The Commissioner for Poland.

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL
IN CAMBODIA.

List of enclosures mentioned in paragraph 3 of the Commission's letter No. IS/X/5, dated the 16th May, 1957.

ANNEXURE I

Extracts from the Minutes of the 79th meeting of the International Commission for Supervision and Control in Cambodia held on the 20th April, 1956.

ANNEXURE II

Extracts from the Minutes of the 80th meeting of the International Commission for Supervision and Control in Cambodia held on the 2nd May, 1956.

Extracts from the Minutes of the 81st meeting of the International Commission for Supervision and Control in Cambodia held on the 11th May, 1956.

Extracts from the Minutes of the 82nd meeting of the International Commission for Supervision and Control in Cambodia held on the 17th May, 1956.

Extracts from the Minutes of the 83rd meeting of the International Commission for Supervision and Control in Cambodia held on the 25th May, 1956.

INTERNATIONAL COMMISSION FOR SUPERVISION AND CONTROL

IN CAMBODIA.

List of enclosures mentioned in paragraph 3 of the Commission's letter No. IS/XV, dated the 16th May, 1956.

ANNEXURE I

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Extracts from the Minutes of the 83rd meeting of the International Commission for Supervision and Control in Cambodia held on the 25th May, 1956.

6. Consideration of the winding of the Commission.

The Canadian Commissioner made the following statement, proposing the dissolution of the International Commission for Supervision and Control in Cambodia:--

"It is well over two years since, in the summer of 1954, after long and careful negotiations at a conference in Geneva, terms and methods were negotiated and agreed by the States concerned to put an end to the tragic fighting which had for many years ravaged the peoples of Indo-China. There resulted from that Conference three separate cease-fire agreements and the international recognition of distinct sovereign states in Cambodia, Laos and Vietnam. For each of these States, the Conference produced a separate cease-fire agreement under the terms of which three separate International Commissions for Supervision and Control were established.

"I have sometimes heard differences of opinion expressed as to whether there was in effect one Geneva settlement or three. In my view such discussions are academic and fruitless. Certainly the three States of Indo-China are interdependent. Indeed we are all interdependent in the modern world, wherever on this planet we may live; this interdependence of all States has been recognised, for example, in the United Nations Charter. Certainly too, the Cease-Fire Agreements for these States in South-East Asia have many points in common and certain elements of interdependence.

"Equally certainly, the three bilateral agreements are separate, and are signed by different pairs of parties.

"Just as it would be wrong to ignore the interdependence of any part of Indo-China or, indeed any part of our modern world with its neighbours, so too it would be wrong politically and legally to ignore the essential separateness of the three parts of Indo-China -- the distinct differences in background, culture and religion; and the fact that after discussion the Geneva Conference decided to work out not one Cease-Fire Agreement, but three Cease-Fire Agreements, which set up not one International Supervisory Commission but three International Supervisory Commissions.

"Certainly, too, Mr. Chairman, the evolution of events since the Geneva Conference has proceeded very differently in the three States. In Cambodia alone has the evolution been almost entirely along the lines foreseen in the settlements reached at the Geneva Conference: and in Cambodia alone can the situation already achieved be called an unmitigated success.

"The question which we now have to consider is whether this International Commission for Cambodia should not now wind up and depart. It is the view of my Government that it should, for reasons which I shall set out below.

"Our decision will, of course, be based on our best judgment, taking into account not only the situation immediately around us within this country, but also that in neighbouring countries and indeed in the world as a whole. That goes without saying. To do anything else would be to act irresponsibly, and none of us, I assume, wish to do that.

"Nevertheless, I think that all three of the Governments whose representatives sit around this table will agree that the duration of each of the three International Commissions in Indo-China should be determined separately after an examination of the merits in each particular case. None of our Governments, I think, would contend that the Cambodian Commission should remain indefinitely so long as a Commission may be required in either Laos or Vietnam. I think that our three Governments will all agree that separate periods of duration, separate wind-up dates, are possible.

"The question is whether the termination now of this particular Commission in Cambodia is desirable. In the view of the Canadian Government, it is desirable. My Government hopes that the Government of India which you represent, Mr. Chairman, and the Government of our Polish colleague, will share this view.

"We have recognized unanimously in our Fourth Interim Report that the political settlement in this country was complete. That was in October 1955. Indeed, the general elections settled this problem more than six months ago. Long before that all foreign forces had been withdrawn, and the Royal Government of Cambodia had already achieved complete control over all the territory of the Kingdom. This indeed cannot be said of Laos and Vietnam, both of which remained divided in practice, and in both of which passions and disagreement remain strong.

"Certainly it is not enough to say that since problems have not been solved in other countries, this Commission for Cambodia must therefore remain in being. Such an argument would be unfair to Cambodia; it is not Cambodia's fault if agreed solutions have not yet been found to the problems in Vietnam and Laos. Nor has anyone suggested in what way the maintenance of this supervision and control over Cambodia could legitimately benefit Laos or Vietnam.

"In proposing the withdrawal of this Commission my Government earnestly hopes, therefore, that India and Poland, the other two Supervisory Powers, will concur that no one can have any legitimate interest in keeping this settled and peaceful area of Indo-China in a state of uncertainty or instability by refusing to recognize the distinction between Cambodia and those countries which unfortunately are still divided and without a single unified regime.

"The withdrawal of the International Commission for Cambodia would provide international recognition that Cambodia is the outstanding success story of the Indo-China settlement. We think it would be desirable to mark, and to give official international recognition to, the fact that both the Royal Government of Cambodia and the Democratic Republic of Vietnam have satisfactorily performed the obligations which they assumed toward each other under the Geneva settlement.

"Furthermore, the early departure of our Commission from Cambodia, with its tasks well done and fully accomplished, can, I suggest, have a salutary and encouraging effect on the parties to the Agreements in Vietnam and Laos; since they would thus realize that the Commissions in those countries plan on remaining there only so long as is required

for the performance of important and substantial tasks of keeping the peace and consolidating the Cease-Fire.

"Indeed, our departure from Cambodia at this time, when we are no longer required here, is important, among other reasons, in order to maintain and enhance the prestige and reputation of international bodies in general: for the real power and effectiveness of such bodies must always lie above all in their moral weight. It is primarily the prestige and self-respect of international bodies which create the weight they must be able to wield if they are to perform effectively the tasks assigned to them.

"To keep this Commission in being now that there is no longer a real job to be done, and when reliance can be placed on other more normal means of ensuring stability and peace in Cambodia, is inevitably to whittle away at the prestige of all three Indo-China Commissions, and of international truce commissions in general. An international body with no real functions to perform can easily and rapidly become a laughing-stock, and slip almost imperceptibly into a position where its word is ignored and its advice disregarded. It would be a pity to see this happen to this Commission, which has always met with success.

"We must not underestimate the force, or the danger, of inertia. We could, I suppose, hang on indefinitely, slowly degenerating, in point, morale, and self-respect, if we do not take the initiative, and exert the moral and political energy, to wind-up. Inertia is no contribution to the international community, Mr. Chairman. It is all too easy to slide lazily into futility. We should not, I repeat, wish to remain in Cambodia for an indefinite period of time when nothing more remains to be done.

"A consideration which should be prominent in our minds is that Cambodia, as a sovereign and independent State, must not be saddled unnecessarily with a body whose functions are to supervise and control its actions. It is inevitable that the presence of the Commission involves a check on Cambodia's exercise of her sovereignty. That was for a period necessary, as part of the Cease-Fire Settlement; and it was accepted voluntarily and with good grace. But it should not go on when it is no longer needed. The International Commission was, for a time, necessary to give confidence and to dissipate the distrust which the years of fighting had made so sharp. But today the confidence exists: no one, I think, today distrusts Cambodia's policies or intentions.

"The departure from Cambodia of the International Commission for Supervision and Control will be one more step in this country's march toward untrammelled independence and sovereignty. It will be a step which all Cambodia's friends should, and I believe will, welcome.

"As far as our specific tasks are concerned, they were largely concluded by September 1955, with the successful holding of a general election; and the few remaining tasks were defined by the Commission's memorandum of September 1955 on reduction of our activities. The Commission then enumerated three items which it considered still remained within its competence. These three items were: the checking of the entry of war material; the question of military alliances and foreign bases; and finally, possible cases concerning the re-integration of former Khmer Resistants.

The re-integration is now complete and the Royal Government has taken the necessary steps to amnesty the few remaining cases. The entry of war material has been supervised by the Commission's teams for almost two years, and none of us, I think, can doubt that the situation will continue to be satisfactory. The political leaders of Cambodia obviously have no intention of embarking on any aggressive policy, nor any intention of allowing foreign military bases to be established on this territory contrary to the terms of Article 7 of the Cease-Fire Agreement. It is perfectly obvious that Cambodia is not, and cannot become, a threat to her neighbours, who are militarily more powerful than she.

"Cambodia has now become a member of the United Nations and has thereby solemnly undertaken to respect the obligations of the Charter. This undertaking reinforces the past behaviour of this country to assure all governments concerned that Cambodia continues to pursue peaceful policies.

"The financial costs involved in running this Commission, the accommodation problem which is created for the Cambodians, who have still very limited facilities, and similar administrative aspects of the position should not be disregarded either. They may not be primary considerations: but they are one aspect of responsibility of behaviour. We should be careful to avoid any unfair or irresponsible behaviour either toward Cambodia, or toward the Geneva Powers, or toward ourselves.

"I therefore, on behalf of the Government of Canada, have the honour to move the following resolution, which I most earnestly commend to the Governments of India and Poland:

"The International Commission for Supervision and Control in Cambodia,

1. RECALLING that it was established by the terms of the Cease-Fire Agreement signed at Geneva on July 20, 1954 by representatives of the Royal Government of Cambodia and of the Democratic Republic of Vietnam, for the purpose of supervising the execution by the parties of the provisions of the Agreements; and

2. RECOGNISING that the Royal Government of Cambodia has attained complete and effective sovereignty over the whole of its national territory, and has established conditions of political and social stability; and

3. RECOGNISING that with the Cambodian general election held on September 11, 1955 the political settlement foreseen in Article 6 of the Geneva Agreement, has been completed, and that the Royal Government of Cambodia is pursuing a broad policy of national reconciliation; and

4. RECOGNISING that foreign forces have long since been withdrawn, that prisoners of war have been released, and in general that both parties to the Agreement have faithfully honoured their obligations thereunder; and

5. RECOGNISING that the defence programme of the Royal Government of Cambodia is exclusively for the purpose of the effective defence of the territory, and that the defence forces and policies of Cambodia are not such as could constitute any threat to her neighbours; and

6. **CONFIDENT** that the Royal Government of Cambodia will continue not to join in any agreement with other states, if this agreement carries for Cambodia the obligation to enter into a military alliance not in conformity with the principles of the Charter of the United Nations or, as long as its security is not threatened, the obligation to establish bases on Cambodian territory for the military forces of foreign powers; and that pending a settlement of political problems in Vietnam, the Royal Government of Cambodia will continue not to solicit foreign aid in war material, personnel or instructors except for the purpose of the effective defence of the territory;

7. **CONSIDERING** that Cambodia has recently become a member of the United Nations and has solemnly assumed all the obligations of the United Nations Charter;

8. **NOTING** that the Commission decisions on the progressive reduction of its activities, as foreseen in Article 25 of the Agreement on the Cessation of Hostilities, have been implemented without disturbing Cambodia's steady progress toward the consolidation of peaceful and stable conditions, and that gradual elimination of the Commission's fixed and mobile teams formerly stationed throughout the country has been accomplished without any loss of confidence;

9. **CONSIDERING** that it is no longer either necessary or appropriate that an International Commission continue to exercise functions of supervision and control in the sovereign state of Cambodia;

10. **CONGRATULATES** the Royal Government of Cambodia and the Democratic Republic of Vietnam on their faithful observance of their mutual obligations under the Agreement;

11. **THANKS** the two parties to the Agreement for their co-operation with the Commission; and

12. **RESOLVES** to dissolve itself as of May 15, 1956, and to inform the members of the Geneva Conference accordingly.'

"Although I am tabling this resolution now, Mr. Chairman, I do not ask that a decision be taken on it at once today. It may well be that you, Mr. Chairman, as representative of the Government of India, and our Polish colleague, would like a week or ten days to consult your respective Governments. I do most earnestly commend this proposal to the sympathetic consideration of your Governments, and I must make clear the desire of my Government that a decision be taken on this matter by the end of this month and the beginning of May.

"In the meantime I would request that a letter be addressed by the Commission to the Government of Cambodia, enclosing a copy of the Resolution and seeking their views on the withdrawal of the Commission. I believe this would be a courteous and sensible procedure, and one which would save us all time. I think that it may be helpful if we have the comments of the Royal Government of Cambodia as soon as possible to help us reach our own conclusions. We will then also, I suggest, wish to consult the authorities of the Democratic Republic of Vietnam, to ask whether they, as the other party to the Cease-Fire Agreement for Cambodia, would have any objection to our wind-up.

"Once the concurrence of the three Supervisory Governments and the comments of the two parties to the Cambodian Cease-

Fire Agreement have been obtained, I trust that the only remaining task will be for us to adopt a Final Report of this Commission to the Co-Chairmen of the Geneva Conference, informing them, among other things, that the Commission has come to the conclusion that its tasks have been completed and that it has decided to dissolve."

(ii) The Commissioner for Poland said that his Delegation would carefully consider this resolution. He was not in a position to offer his comments at this meeting.

(iii) The Chairman remarked that he would also like to have some time to consider the resolution in consultation with his Government.

(iv) The Canadian Commissioner then placed on the table a draft letter to the Royal Government of Cambodia, which read as follows:-

"To His Excellency the Minister for Foreign Affairs, Royal Government of Cambodia, PHNOM PENH

Excellency,

On behalf of the International Supervisory Commission for Cambodia, I have the honour to inform you that the Commission has before it for consideration a draft Resolution envisaging the withdrawal of the International Commission for Supervision and Control in Cambodia. I enclose a copy of this draft Resolution.

I should be grateful if you would be good enough to inform the International Commission for Supervision and Control in Cambodia of the views of the Royal Government of Cambodia concerning this matter so that we may take our decision with proper appreciation of the views of your Government.

It would be greatly appreciated if a reply to this letter can be made at your earliest convenience.

Please accept, etc.....

Yours faithfully,

(Sgd.) CHAND N. DAS

Major General
Chairman."

It was unanimously agreed to consider this draft at the next meeting of the Commission to be held on Wednesday, 25th April 1956.

"Once the concurrence of the three Supervisory Governments and the comments of the two parties to the Cambodian Cease-

ANNEXURE II

Minutes of the 80th meeting of the International Commission held on Wednesday, 2 May, 1956 at 4 P.M. at the "Philharmonique".

PRESENT:

- Major General Ghand N. Das, Chairman, India.
- Mr. Arnold Smith, Commissioner, Canada.
- Mr. M. Sieradzki, Commissioner, Poland.

1. Consideration of the minutes of the 79th meeting
2. Business arising out of the minutes:

The Chairman remarked that at the last meeting it was decided to hold the next meeting on the 25 April, 1956, to consider the Canadian Delegation's draft letter to the Royal Government regarding the winding up of the Commission. As the Commissioners were aware, continued the Chairman, this meeting was not held as a result of an informal discussion among the Commissioners when it was decided to postpone its consideration.

Extract from Minutes of the 80th meeting of the International Commission for Supervision and Control in Cambodia held on 2nd May, 1956.

(i) Like the item consideration of the winding up of the Commission to be included in the Agenda of this meeting. In his opinion, it was too important an item to be excluded from the Agenda. It was decided to include this item in the Agenda of this meeting also for discussion in a formal manner.

3. Consideration of the winding up of the Commission

The Commissioner for Canada said that the draft letter to the Royal Government prepared by his delegation was still on the table. His delegation would be happy if the Indian and Polish delegations would now be in a position to take a decision on the draft.

(ii) The Commissioner for Poland remarked that his delegation held the view that no reference on this subject should be made to an outside body unless the Commissioners had taken a decision among themselves on the issue raised.

(iii) The Canadian Commissioner said that it seemed only reasonable to his Government that the Commission should ascertain the official views of the Cambodian Government before taking its own decision on the proposal to wind up the Commission. He was surprised that the Polish Delegation appeared to wish to have the Commission take its decision without prior enquiry of the Cambodian Government's views. In the Canadian view, the Cambodian Government's views, though of course not legally decisive, would certainly be relevant.

(iv) The Polish Commissioner remarked that Prince Sihanouk had made a statement recently, which appeared in the "AKP" that he would like the Commission to stay in Cambodia for the present.

80th Meeting

Minutes of the 80th meeting of the
International Commission held on
Wednesday, 2 May, 1956 at 4 P.M.
at the "Philharmonique".

PRESENT:

Major General Chand N. Das, Chairman, India.
Mr. Arnold Smith, Commissioner, Canada.
Mr. M. Sieradzki, Commissioner, Poland.

1. Consideration of the minutes of the 79th meeting:

The minutes of the meeting were read and confirmed.

2. Business arising out of the minutes:

The Chairman remarked that at the last meeting it was decided to hold the next meeting on the 25 April, 1956, to consider the Canadian Delegation's draft letter to the Royal Government regarding the winding up of the Commission. As the Commissioners were aware, continued the Chairman, this meeting was not held as a result of an informal discussion among the Commissioners when it was decided to postpone its consideration for the time being.

(ii) The Commissioner for Canada said that he would like the item "Consideration of the winding up of the Commission" to be included in the Agenda of this meeting. In his opinion, it was too important an item to be excluded from the Agenda. It was then decided to include this item in the Agenda of this meeting also for discussion in a formal manner.

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(iv) The Polish Commissioner remarked that Prince Sihanouk had made a statement recently, which appeared in the "AKP" that he would like the Commission to stay in Cambodia for the present.

(v) The Canadian Commissioner pointed out that the Prince had stated in the same request that the Commission's departure would be soon. In any case, His Royal Highness had resigned from the Cambodian Government and had frequently said that he should not be viewed as representing the Cambodian Government. The Canadian Commissioner said that he would like to have the draft letter considered now if his colleagues were prepared to do so, as it would be useful to ask for the official views of the Cambodian Government on the subject.

(vi) The Chairman remarked that, as he had already informed his colleagues, the question of dissolution of the Commission was being considered by his Government. He was, therefore, not in a position to discuss the matter at present. As soon as further instructions from his Government were received, the Chairman added, he would call for a meeting of the Commission to decide the course of action to be taken.

(viii) The Canadian Commissioner then said that, in view of the Indian request, he would certainly leave the matter for this meeting. But he gave notice that next week he might possibly have to ask for a vote on the Resolution moved by his Delegation. He felt that, in any case, his Delegation could not wait for a decision on this matter indefinitely. He wanted to emphasize that the Canadian Government certainly did not want to embarrass either of the other two Governments or Delegations. There was nothing new or unexpected in the Canadian position. He added this matter had come up for discussion in January last, at an informal meeting between General Kirpal, Ambassador Wolniak and himself, when General Kirpal was the Chairman of this Commission, and it was then informally agreed that the question of winding up the Commission would be taken up in April this year. That was why, concluded the Canadian Commissioner, he had given notice so that there would be plenty of time for getting instructions from the Governments concerned.

(ix) The Chairman remarked that he would not discuss this and added that he had already informed his colleagues that, in view of the present situation, he was not in a position to discuss the Resolution till he got further instructions. If, however, he was pressed for a vote, he would vote.

(x) Then the Canadian Commissioner agreed to leave the matter for the present.

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Extract from Minutes of the 81st meeting of the International Commission for Supervision and Control in Cambodia held on 11th May, 1956.

The Chairman remarked that he would not discuss this and added that he had already informed his colleagues that in view of the present situation, he was not in a position to discuss the Resolution till he got further instructions. If, however, he was pressed for a vote, he would vote.

(ix) Then the Canadian Commissioner agreed to leave the matter for the present.

- 2 -

Minutes of the 81st meeting of the International Commission held on Friday, the 11th May 1956, at 1500 hrs. at the "Philharmonique".

PRESENT:

Major General Chand N. Das, Chairman, India.

Mr. Arnold Smith, Commissioner, Canada.

Mr. M. Sieradzki, Commissioner, Poland.

1. Consideration of the minutes of the 80th meeting:

The minutes were read.

(ii) With reference to the statement of the Canadian Commissioner in para 3 (viii) of the minutes that an informal agreement was reached between himself, General Kirpal and Ambassador Wolniak that the question of winding up the Commission would be taken up in April this year, the Polish Commissioner wished to state that he had since looked into the three letters which were exchanged between them and had found that what the Canadian Commissioner stated was not in accordance with the facts as the Canadian Commissioner himself had not agreed with point (c) of General Kirpal's letter which was concerned with the liquidation of the Commission in July. The Polish Commissioner then stated that the three letters differed and that finally there was no agreement on this point. The interpretation of Ambassador Wolniak regarding the winding up of the Commission was that the matter should be considered in July whereas the Canadian Commissioner's interpretation was that it should be considered in April. In view of the difference in interpretation, he wished to make it quite clear that there was no such "gentlemen's agreement".

(iii) The Canadian Commissioner stated that as the only present member of the Commission who had taken part in the meeting of the three Commissioners on January 6, he wished to assure his two present colleagues that there had unquestionably been a gentlemen's agreement reached between General Kirpal, who represented India, Ambassador Wolniak, who represented Poland, and himself. When this agreement was put into writing by each of the three parties, there were certain differences in the degree of firmness with which the various Delegations would commit themselves on paper regarding some of the aspects of the question. But the Indian, Polish and Canadian letters all made it clear that agreement had been reached regarding the successive elimination of teams and regarding consideration of the windup of the Commission as a whole this summer. In that connection the Canadian Commissioner wished to table a letter which General Kirpal had sent to him the day after the meeting, that is January 7, with an identical letter to Ambassador Wolniak, in order to put into writing the Indian Delegation's understanding, at the time, of what had been agreed orally between the representatives of the three supervisory Governments. The Canadian Commissioner, in his letter of reply, acknowledged the main substance of General Kirpal's letter to be an accurate account of the agreement. Among other things he had indicated Canadian concurrence with point (b) of General Kirpal's letter, which specifically provided not only for team elimination but also for a review in April 1956 of winding up the Commission.

In fact, both the Polish and Canadian representatives were in general agreement with General Kirpal, subject to certain qualifications: the Canadian Commissioner did not consider it necessary to go into all these qualifications at present, providing the texts of all three letters be tabled and allowed to speak for themselves. Since the three letters from Commissioners Kirpal, Wolniak and himself differed in certain points, they had been followed up by further oral discussion, and just before Ambassador Wolniak's departure the Polish Ambassador had assured General Das and the Canadian Commissioner, in the presence of Mr. Sieradzki, that he had discussed the agreement with Mr. Sieradzki, who understood it and would honour it. Since that time many parts of the agreement - indeed all the parts which the agreement provided should take place at the end of January, February and March - had in fact been acted upon and honoured. The agreement was therefore already in good part implemented by the three Delegations. The part which remained was consideration of the question of wind-up. This consideration was to take place sometime between April (as the Indian and Canadian letters suggested) and July (as the Polish letter suggested); and the Canadian Government had acted in good faith, in the light of this gentlemen's agreement and other assurances, in tabling this draft wind-up resolution on April 20.

(iv) The Chairman said that regarding the "agreement" which the Canadian Commissioner had referred in the previous meeting, this question was discussed in January last and he had come at the time when the letters had passed between General Kirpal, the Canadian Commissioner and Ambassador Wolniak. He had studied the three letters very carefully but failed to find any agreement to wind up the Commission by 1st of July or to consider this question by a specific date. If the Canadian Commissioner would refer to the letter which General Kirpal had written to him on the 7th of January, he would find that after the discussion, it was decided to recommend to the respective Governments a draft time-table for further reduction of activities. It was agreed to get the views of their respective Governments over the draft time-table as soon as practicable to enable them to adopt the agreed time-table for the phase reduction. Mr. Wolniak in his letter of the 7th January confirms that it was only decided to recommend a draft time-table for further reduction to the respective Governments. The Canadian Commissioner in his letter had confirmed that the agreement which the three of them had reached on January 6th was only in regard to the recommendation to respective Governments on a draft time-table for reduction of the outstation teams. This was to be followed by consideration of the question of winding up the Commission this summer and the entire time-table was subject to the situation then prevailing in Cambodia, Viet-Nam and Laos. After having obtained the views of the respective Governments, they were to take a decision on this draft time-table by the end of January 1956 but the matter was not further considered. Further on, in his letter, the Canadian Commissioner had said that he did not agree with sub-paragraph (c) of General Kirpal's letter and this, as he knew, referred to the Commission to be wound up by 1st of July, if earlier winding up did not appear to be feasible and he had confirmed that what the three of them had agreed on January 6th, as the Canadian Commissioner understood it, was to recommend to their respective Governments that the question whether or not the Commission should be wound up this summer should be considered in April following the elimination of the two remaining outstation teams. No agreement had been reached on any particular recommendation as to the views which the Government should take on this question at that time since this would, of course, be subject to the situation then prevailing in Cambodia and her neighbouring states and finally he had remarked on Mr. Wolniak's letter and said that his

letter had set out a profoundly different set of points that on which, as he and General Kirpal understood it, the three of them had agreed. The difference was not only of time-table, but of substance and the situation thus created, therefore, remained under discussion.

2. The Chairman continued that his Government had agreed to only (a) i.e., elimination of one outstation team at that time, but did not agree to (b) and (c). His Government was of the view that the elimination of each outstation team would be considered and decided taking into account the situation prevailing in Cambodia and her neighbouring States and not on the draft timetable.

3. Before General Kirpal left, he had left a note on the file regarding these informal talks and amongst other things, he had mentioned that they had decided to leave out consideration of sub-para (c) for the time being which dealt with the winding up of the Commission in July 1956. There was difference of opinion as regards sub-paras (a) and (b)... Their discussions were, therefore, inconclusive.

4. He, therefore, wished to make it clear that General Kirpal had not agreed to the dissolution of the Commission on 1st July and that there was no agreement as to when the question would be considered.

5. As regards the assurance by Ambassador Wolniak, before his departure, elimination of one outstation team was agreed to at an informal meeting and Ambassador Wolniak had mentioned that he had discussed the elimination of other teams with Mr. Sieradzki and he hoped that his Government would agree to their elimination when the time came. The question of winding up the Commission was neither raised nor discussed.

6. He would also like to add that it could not be said that elimination of the teams has been carried out as given in the draft time-table. One team was being eliminated with effect from 1st June while according to the draft time-table all teams were expected to be eliminated by 1st April. There was no agreement as he understood it and it could not be said that the elimination of the teams had been the implementation of the "agreement".

7. As regards the winding up of the Commission, his Government was of the view that the Cambodian Commission could not be dissolved without having regard to the progress made in the implementation of the Laos and Vietnam Agreements and that as neither the attitude of the parties of the Agreement nor the progress of the implementation in Laos and Vietnam justified consideration of the question of winding up of the Commission, the matter could not be considered at this stage. Moreover, the Commission still has a continuing task under Article 13 (c) which cannot be given up particularly when conditions under Article 25 are not satisfied. He would, therefore, suggest the consideration of the resolution be postponed till further instructions are received.

(v) The Polish Commissioner stated as follows:

"I would like to refer to the statement made by the Canadian Commissioner. He said that in January there had unquestionably been a gentlemen's agreement", but the Canadian Commissioner did not say the very important thing that if there was an agreement it was one "to recommend to our respective Governments" and to "get the views of our Governments over the draft time-table."

These are phrases used in all three letters. So there is no doubt about it that it could not have been an agreement on a fixed time-table.

"The only recommendations which were agreed upon were those concerning the time-table for the elimination of the outstation teams. But it is evident, on comparison of that time-table with the actual dates of the elimination of teams, that even this part of the so-called agreement was not implemented. As for the rest of it, the interpretations were so different that all three Commissioners agreed that the question remained open or, as the Canadian Commissioner put it in his letter "under discussion". If something is under discussion it cannot be called an agreement.

"That is where I personally came into the picture. The Canadian Commissioner said that Mr. Wolniak "had assured General Das and the Canadian Commissioner, in the presence of Mr. Sieradzki that he had discussed the agreement with Mr. Sieradzki, who understood it and would honour it". I am sure Mr. Wolniak did not use these words since, as he told me before his departure, the same thing which was clearly put in the letters, that because of the different interpretations the time-table remained an open question to be agreed upon with my Government and with the other two Delegations in the Commission. Consequently he could not commit me to honour an agreement which did not exist.

"Since then we have not discussed or agreed upon any new fixed time-table.

"The Canadian resolution of April 20 was a new move and even not quite in accordance with the Canadian Commissioner's understanding of what was called the gentlemen's agreement. Since, as the Canadian Commissioner's letter put it this question should have been considered "following the elimination of the two remaining outstation teams". And on April 20 the Svay-Rieng team was still to exist for another 6 weeks.

"Nevertheless my Government has been considering that resolution very carefully and for reasons which I already explained could not agree with that resolution."

(vi) The Canadian Commissioner referred to the statements of his colleagues about the maintenance of the Svay-Rieng Team beyond the April 1st, date which had been agreed upon in January for elimination of both the two last teams outside the capital. He pointed out that towards the end of March the Indian Commissioner had approached him and said that the Indian Government had instructed him to request the Canadian Delegation to agree to retaining the Svay-Rieng team until mid-May or early June. The Canadian Delegation had agreed to meet Indian wishes in this matter; but had understood this to be an agreed variation on the originally agreed time-table for team elimination, and not in any sense a jettisoning of the whole basis of the agreed time-table. It was certainly, therefore, not evidence that there had been no agreement, on the contrary. The Canadian Commissioner pointed out that in any case the agreement for a time-table for reduction of teams and for wind-up was, of course, always stated to be subject to the situation prevailing at the time in all three countries of Indo-China. The Canadian Commissioner also reminded his colleagues that the quid pro quo for the gentlemen's agreement of 6 January 1956 was the agreement of the Canadian

Delegation to the request of General Kirpal, the then Indian representative, not to press for a vote in January on the draft resolution which the Canadian Delegation had tabled in December 1955 calling for elimination forthwith all of the teams outside the capital. The Canadian Delegation had abided by this agreement not to press this resolution to a vote at that time but to proceed instead gradually at stated intervals.

(vii) The three letters referred to above were placed on record - vide appendices 'A', 'B' and 'C'.

(viii) The minutes were then confirmed.

4. Consideration of the resolution of the Canadian Commissioner on the dissolution of the ICSC in Cambodia.

When this item was taken up for consideration, the Canadian Commissioner said that he was ready to discuss it at any time, but he did not wish to embarrass any delegation and if they requested postponement for the present, he was quite prepared to accept such a request.

(ii) The Chairman stated that, as he had mentioned at the last meeting, the matter was under the consideration of his Government. He felt that having regard to the situation in South Viet-Nam and Laos, the progress made in the implementation of the Geneva Agreement about which there had been some announcement made by the Co-Chairmen and also the attitude adopted by the Cambodians, the matter could not be discussed at that stage.

(iii) the Commissioner for Canada explained that he could not understand this position. He observed that his Government had made a proposal, which had not been withdrawn. He expressed the hope that the other Governments would have the courtesy of considering the Canadian Government's proposal. However, he was quite prepared to postpone the debate for the present.

(iv) The Chairman replied that those were their views but his Government was considering that proposal. Therefore, he would suggest that they should postpone consideration of that proposal.

(v) The Polish Commissioner agreed with this.

(vi) It was agreed to postpone consideration of this item.

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Extract from Minutes of the 82nd meeting of the International Commission for Supervision and Control in Cambodia held on 17th May, 1956.

(ii) The Commissioner for Canada explained that he could not understand this position. He observed that his Government had made a proposal, which had not been withdrawn. He expressed the hope that the other Governments would have the courtesy of considering the Canadian Government's proposal. However, he was quite prepared to postpone the debate for the present.

(iv) The Chairman replied that those were their views but his Government was considering that proposal. Therefore, he would suggest that they should postpone consideration of that proposal.

(v) The Polish Commissioner agreed with this.

(vi) It was agreed to postpone consideration of this item.

82nd Meeting

5. Consideration of the Resolution of the Canadian Commissioner on the dissolution of the ICSC in Cambodia.

The Canadian Commissioner said that his delegation's resolution was on the table and that they were not withdrawing it. As he said at the last meeting, his delegation and Government did not want to embarrass the other two delegations or their Governments by pressing for immediate discussion if the Governments of India and Poland were not yet ready for discussion. He would be happy to have it discussed at the Commission's meeting as soon as the delegations were in a position to do so.

(ii) The Chairman said that he had nothing to add to what he had already said before on this Resolution. He had not yet heard further from his Government and in view of what he had said last time, he suggested that consideration of the Resolution be postponed till he heard from his Government.

(iii) The Canadian Commissioner suggested that discussion be postponed until the next meeting and this was agreed to.

Extract from Minutes of the 82nd meeting of the International Commission for Supervision and Control in Cambodia held on 25th May, 1976.

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Canadian Commissioner on the Dissolution
of the ICSC in Cambodia.

The Canadian Commissioner said that his delegation's resolution was on the table and that they were not withdrawing it. As he said at the last meeting, his delegation and Government did not want to embarrass the other two delegations or their Governments by pressing for immediate discussion of the Governments of India and Poland were not yet ready for discussion. He would be happy to have it discussed at the Commission's meeting as soon as the delegations were in a position to do so.

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(iii) The Canadian Commissioner suggested that discussion be postponed until the next meeting and this was agreed to.

Extract from Minutes of the 83rd meeting of the
International Commission for Supervision and
Control in Cambodia held on 25th May, 1956.

4. Consideration of the Resolution of the Canadian Commissioner on the dissolution of the ICSC in Cambodia.

The Canadian Commissioner stated as follows:

"Mr. Chairman:

"It is now over a month since, in accordance with the time-table which I had agreed upon in January last with your predecessor, General Kirpal, for consideration in April of the wind-up of the Cambodian Commission, I introduced, on April 20, on behalf of my Government and on their instructions, a resolution proposing the dissolution of the International Supervisory Commission for Cambodia.

"In accordance with your request, Mr. Chairman, and that of our Polish colleague, I did not press for an immediate vote on our resolution since you asked for time to have it examined by our respective Governments, and since you undertook to let me know as soon as you had received their instructions so that a decision could be taken.

"Neither the Indian nor the Polish Delegations have yet given the Commission their views on our draft resolution, either in support of it, in rejection of it, or as amendments to it. I need hardly say that my Government finds this disappointing.

"Because we seem unable to get the agreement of the Indian and Polish Delegations at this time on this question, however, my Delegation will not press for immediate action on our proposal. However, I have instructions from my Government to inform you that the Canadian Government's views regarding the future of the Commission remain unchanged and that we are leaving our draft resolution on the table. It is my Government's hope that you, Mr. Chairman, and our Polish colleague, with your two Governments, will continue to give careful consideration to our views regarding this Commission, and that your Governments may soon be convinced of their reasonableness. I also have instructions from my Government to inform you that we may, in the light of events during the next couple of months, revert to our proposal and call for a decision on our draft resolution. Needless to say, if either of your Governments have alternative proposals regarding the future of the Commission, my Government will, of course, do you the courtesy of examining them sympathetically and letting you know frankly our attitude to them.

"Finally, I should also say that it is not my Government's intention at this time to press for an immediate decision on sending the draft letter which I tabled, requesting the official views of the Cambodian Government on the eventual dissolution of our Commission. As in the case of the draft resolution, however, this document remains tabled and my Government reserves its right to raise the question again and to call for a decision at any time we consider that events have reached the point when such a decision must be reached."

(ii) The Polish Commissioner said that he had nothing to add to what he had already said.

(iii) The Chairman said that he had already expressed the views of his Government on the Canadian Resolution and reiterated that

the Commission in Cambodia could not be dissolved without having regard to the progress made in the implementation of the Laos and Viet-Nam Agreements and that as neither the attitude of the parties to the Agreement nor the progress of the implementation in Laos and Viet-Nam justified consideration of the winding up of the Commission, the matter could not be considered at this stage.

(iv) The Canadian Commissioner wanted to know where exactly Chairman had made this statement. The Chairman then read our relevant portions from the draft minutes of the 81st meeting.

(v) As regards the proposed letter to the Royal Government requesting the official view of the Cambodian Government, he referred to the minutes of the 80th meeting and remarked that it was discussed at the informal meeting and was decided to postpone the consideration of the draft letter for the time being.

(vi) The Canadian Commissioner said that his delegation agreed to postpone consideration of this Resolution later but reserved the right to ask for a vote at any time they considered it necessary.

(vii) The above was agreed to.

(viii) It was also agreed that this question would not appear in the Agenda of the future meetings unless one of the delegations moved for its consideration.

"Because we are... the agreement of the Indian and Polish Delegations at this time on this question, however, my Delegation will not press for immediate action on our proposal. However, I have instructions from my Government to inform you that the Canadian Government's views regarding the future of the Commission remain unchanged and that we are leaving our draft resolution on the table. It is my Government's hope that you, Mr. Chairman, and our Polish colleagues, with your two Governments, will continue to give careful consideration to our views regarding this Commission and that your Governments may soon be convinced of their reasonableness. I also have instructions from my Government to inform you that we may, in the light of events during the next couple of months, revert to our proposal and call for a decision on our draft resolution. Needless to say, if either of your Governments have alternative proposals regarding the future of the Commission, my Government will, of course, do you the courtesy of examining them sympathetically and letting you know frankly our attitude to them.

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INTERNATIONAL COMMISSION FOR SUPERVISION

AND CONTROL IN CAMBODIA

FIFTH INTERIM REPORT

(for the period 1st October 1955 to 31st December 1956)

PHNOM PENH, 15th April, 1957

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CHAPTER I

INTRODUCTION

POLITICAL SITUATION IN CAMBODIA

This report covers the activities of the International Commission for Supervision and Control in Cambodia from the period the 1st of October 1955 to the 31st December 1956. During the period under review, the International Commission held fortyfour regular meetings and four extraordinary meetings.

2. There was also one Co-ordination Conference of all the three Secretaries General of the Commissions in Indo-China at Siem Reap on the 10th and 11th of January 1956 to discuss the common administrative matters.

3. There were two main subsidiary Committees functioning during the period under review; the Political Advisers' Committee and the Military Advisers' Committee. The Political Advisers' Committee held fourteen meetings and the Military Advisers' Committee held twenty meetings.

4. The Commission's residual responsibilities during the period under review arose out of Articles 6, 7, 13(c) and 21 of the Geneva Agreement for Cambodia.

CHAPTER II

POLITICAL SITUATION IN CAMBODIA

At the Geneva Conference held in 1954, the Royal Government of Cambodia declared that it would take the necessary measures to re-integrate all citizens into the national community without discrimination and guarantee them the enjoyment of the rights and freedoms provided in the Constitution of the Kingdom. This obligation has been fulfilled in the period under review and the Royal Government has reaffirmed the right of all citizens despite their past affiliation to be employed in the national administration according to their qualifications.

2. The manner in which the Royal Government of Cambodia has fulfilled its obligations in dealing with cases of ex-Khmer Resistance Force members is given in detail in Chapter III. As a result of the Royal Government's determination to conform to the spirit and letter of the Geneva Agreement for Cambodia in this respect, a third amnesty was promulgated in the period under review granting pardon to various ex-Khmer Resistance Force members recommended by the Commission. This has helped to dispel the fear complex of individuals who had participated in the resistance movement, and has contributed to the stability of the community as a whole.

3. The Commission considers that the Royal Government's policy of implementing the Geneva Agreement for Cambodia has

CHAPTER III

had a salutary effect on the subordinate officials in the various provinces and has contributed to the restoration of normal life among the ex-Khmer Resistance Force members all over the country. Moreover, the Commission has received no reports to contradict its belief that in general the ex-Khmer Resistance Force members on their part remained loyal to the Royal Government.

4. During the period under review, Cambodia became a member of the United Nations and has fulfilled the requirements of Article 7 of the Geneva Agreement for Cambodia. The Cambodian Government have declared that they will follow a policy of neutrality in their external relations.

CHAPTER III

PETITIONS MADE BY AND ON BEHALF OF EX-KHMER
RESISTANCE FORCE MEMBERS.

In its Fourth Interim Report, the Commission pointed out that, with the completion of the general elections, a general political settlement could be said to have been achieved and that its responsibility with regard to political matters concerning former resisters might therefore be regarded as having been concluded.

2. The Commission also referred to some pending cases to which it had drawn the Royal Government's attention and concerning which replies had not been received. As a result of its meeting in November 1955 with the then Prime Minister His Royal Highness Prince Norodom Sihanouk, who assured the Commission that the benefit of doubt wherever possible would be given to the persons involved and its discussions with the members of the Ministry of Justice, the Commission was able to reduce by more than half the list of such pending cases. In respect of the cases still remaining unresolved, the Commission decided to recommend these for amnesty or Royal pardon on the occasion of the Coronation in March 1956 of Their Majesties the King and Queen of Cambodia. A list of 121 persons was submitted by the Commission to the Royal Government on the 23rd February 1956 (Appendix A) recommending that they might be considered for Royal pardon or amnesty. In its reply (Appendix B) the Royal Government indicated that the persons involved should address their petitions

for pardon individually to His Majesty the King, "soliciting His Majesty's pardon and assuring His Majesty of their fidelity and loyalty" and requested the Commission to inform the persons to submit their applications for pardon. The Commission suggested to the Royal Government that the best agency to contact and advise these persons was the Royal Government of Cambodia itself since it knew the whereabouts of all except those who might have been in flight. For the benefit of the latter, the Commission suggested that a communique might be published to inform all concerned of the possibility of obtaining amnesty (Appendix C). The Commission's suggestion was accepted by the Royal Government (Appendix D) which issued a communique (Appendix E). In November 1956, the Royal Government informed the Commission of the action it had taken on the various cases submitted by the Commission in February 1956. It stated that all the 61 individuals who had been prosecuted because of their electoral campaign activities had been freed and had returned to their homes. It also informed the Commission that out of the remaining 60 persons, 16 who had been prosecuted for their political activities had been acquitted or granted amnesty or otherwise released. There were, however, 39 persons who had been brought to trial and sentenced under the common law. Their cases, however, did not come within the terms of reference of the Geneva Agreement. There were five persons who were unknown to the Royal Government.

3. At the time of its last report, the Commission expected that no major cases of reprisals against ex-Khmer Resistance Force members necessitating its intervention would arise in the future.

The Commission's expectations were largely realised, however, during the period under review, the Commission received a total of 17 petitions involving 42 persons, four of which were investigated by the Commission's teams.

4. Twelve of these petitions, involving 37 persons, concerned cases of alleged reprisal against ex-Khmer Resistance Force members. Of these, two, involving 13 ex-Khmer Resistance Force members were dismissed by the Commission without further consideration since, according to the petitioners themselves, the warrants for their arrest which they claimed had been issued, had not been served. After enquiries were made with the Royal Government and after two team investigations 6 other petitions involving 13 ex-Khmer Resistance Force members were closed to the Commission's satisfaction. These cases were dealt with as follows:

(a) 3 persons were detained for offences against the law of the land.

(b) 2 persons are being considered for grant of amnesty.

(c) 1 was acquitted.

(d) 2 were granted amnesty.

(e) (i) In one petition two cases of murder were reported. In one case involving the murder of 1 ex-Khmer Resistance Force member, the Commission's team found that he had been murdered as a result of a personal feud. In the other case involving the murder of two ex-Khmer Resistance Force members the Commission found that they had been killed reportedly under the instigation of a Mekhum, who along with his accomplices is under trial.

(ii) In a second petition involving the alleged murder of 2 persons, the Commission's Team conducted investigations but was unable to establish conclusively whether the persons

had in fact been murdered. Further enquiries made by the Royal Government failed to produce any new information and the case was closed.

With respect to the 4 petitions remaining in this group, 11

persons were involved; the Commission is awaiting replies from the Royal Government on these cases. One of these pending cases involved the alleged arrest of 3 members of the Pracheachun party who were ex-Khmer Resistance Forces members, and the shooting of one of them.

5. The Commission also received 5 "other" petitions in respect of 5 persons. Two petitions were dismissed by the Commission as they did not come under the terms of reference of the Geneva Agreement for Cambodia. The remaining 3 cases were closed after references were made to the Royal Government.

6. A brief summary of the petitions received and of the action taken by the Commission thereon is given at Appendix F.

7. In a few cases the Royal Government had stated in their replies that the persons were arrested for offences under the criminal law. After the Commission's further references to the Royal Government, it was informed that the individuals concerned had been set free or granted amnesty or were being considered for the grant of amnesty. During the middle of 1956, the Commission experienced some difficulties in obtaining certain information. This situation quickly improved when the Commission submitted a list of outstanding matters to His Royal Highness Prince Norodom Sihanouk, the then Prime Minister, at a meeting on the 6th October 1956.

8. The Commission is satisfied that the Royal Government has fulfilled its obligations under Article 6 in respect of the cases considered by the Commission during the period under review. The Commission would like to record its appreciation of the co-operation and assistance extended to it by the Royal Government

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CHAPTER IV

REPORTED VIOLATIONS OR THREATS OF
VIOLATIONS OF CAMBODIAN TERRITORY

During the period under review, the Commission received no report from the Royal Government of violations or threats of violations of Cambodian territory by the Government of the Democratic Republic of Vietnam.

2. However, during the period under review, the Commission received seven letters from the Royal Government informing it of 17 incidents which were alleged to have occurred along the Cambodia-South Vietnam border. In addition, one incident came to the attention of the Commission through a report by the Governor of the Svay Rieng Province. These incidents can be classified as shown below:-

- (1) Use of force and trespassing by Vietnamese soldiers on Cambodian territory.
- (2) Attempted occupation of islands off Cambodia by the Vietnamese forces and dissemination of propaganda to the effect that the islands belonged to the South Vietnam.
- (3) Penetration into Cambodian territory by armed or unarmed Vietnamese citizens other than soldiers.
- (4) Concentration of Vietnamese troops on the Vietnamese side of the border.

3. The Royal Government also informed the Commission of an alleged military build up on the Thai side of the Cambodia-Thailand border and of improvement of strategic tracks by the Thai authorities.

4. The Commission acknowledged the receipt of these letters. In cases concerning the Cambodian-South Vietnam border, it forwarded

copies of this correspondence to the Vietnam Commission for information and any comments.

5. A summary of the various letters sent to the Commission by the Royal Government is attached to the report as Appendix G. The Royal Government reports indicated that some persons were reported to have lost their lives as a result of the raids of Cambodian territory, artillery firing and clashes between Cambodian security forces and Vietnamese soldiers.

6. During the period under review, the Commission's Teams investigated three cases of alleged border violations.

(a) The Commission considered a case of alleged violation of Cambodian territory (Kampot Province) by a group of twelve non-surrendered armed Khmer-Viet Minh forces operating from South Vietnam, which had been brought to the Commission's attention by the Royal Government in a letter dated 2nd August 1955. After investigations the Commission informed the Royal Government that, from the evidence gathered, there was no confirmation of the allegations made.

(b) On a report received on 4 January 1956 from the Governor of Svay Rieng by the Fixed Team regarding the entry into Cambodia of Vietnamese soldiers and fighting between them and Cambodian troops, investigations were carried out and the Team reported that certain South Vietnamese nationals from the dissident sects had trespassed on Cambodian territory to get from one part of South Vietnam to another. The Commission informed the Royal Government of Cambodia accordingly.

(c) On a report received on 4 January 1956 from the Royal

MILITARY BASES AND ALLIANCES

Government regarding attempted occupation of certain islands by

South Vietnamese soldiers and customs officials, the Commission's

Team at Kampot was instructed to conduct preliminary investigations

after satisfying itself that these islands belonged to Cambodia.

Inquiries regarding the international boundary were also directed

by the Commission to the Royal Government of Cambodia and the

French High Commissioner. As the exact location of the interna-

tional boundary between Cambodia and South Vietnam was a matter of

dispute the Commission informed the Royal Government that it was

not competent to sit in judgment over territorial disputes.

7. In its Second Progress Report the Commission agreed that only direct talks between the Governmental authorities of South Vietnam and Cambodia could bring about a satisfactory settlement. The Commission notes with satisfaction that during the period under review the Royal Government of Cambodia and the Government of South Vietnam came together in an attempt to settle their border problems.

CHAPTER V

FOREIGN AID IN WAR MATERIALS
MILITARY BASES AND ALLIANCES

Entry of War Materials:

1. A brief note on this subject was included in the Commission's Fourth Interim Report for the period ending 30th September 1955. Since the elimination of the last outlying team on 1st June 1956, the control of war materials entering Cambodia has been exercised by the Fixed Team at Phnom Penh. The main channels of entry of war materials into Cambodia are:-

- (a) The Mekong Waterway;
- (b) Saigon-Phnom Penh Road;
- (c) Air services between Saigon and Phnom Penh, and Bangkok and Phnom Penh; and
- (d) Railway service through Battambang.

No war materials have entered the country through routes (c) and (d) above.

2. In order to facilitate the task of checking the entry of war materials into Cambodia under Article 13(c) of the Cease-Fire Agreement, the Royal Government had provided the Commission in September 1954 with their assessment of the war material required for the effective defence of the country. In May 1955, the Royal Government agreed to provide the Commission with a revised assessment when finalised. On the basis of this understanding, the Commission approached the Royal Government in April 1956 for the revised assessment. On 30th June 1956, the Royal Government furnished statements of the existing ammunition, armaments,

vehicles and signals equipment held by the Royal Khmer Armed Forces.

3. In October 1956, the Royal Government furnished the International Commission with further information regarding the quantities of armaments held by the Royal Khmer Armed Forces and promised to forward the revised assessments for 1957 which had yet to be made. The Commission having carefully considered the information made available by the Royal Government that the information furnished by the Royal Government appeared unanimously agreed to be a genuine and an earnest effort on their part to comply with the terms of the Geneva Agreement.

4. Since the conclusion of the Military Aid Agreement between the Kingdom of Cambodia and the United States of America on 16th May 1955, the United States of America has been the main source of supply of war materials which began entering the country during the period under review. A part of the supplies was consigned to the Royal Khmer Armed Forces and a part to the Military Assistance Advisory Group, who in turn handed them over to the Khmer Armed Forces.

5. In its task of checking the entry of war material into Cambodia, the Fixed Team at Phnom Penh has received good co-operation from the Royal Government. Moreover, after a careful examination of the documents provided by the Royal Government, the Commission is of the unanimous opinion that the figures submitted by the Royal Government are not in excess of its effective defence requirements which is in accordance with the Commission's Resolution of 23rd July 1955, contained in the 3rd Interim Report.

Foreign Military Bases:

6. The International Commission has nothing to report on the

establishment of military bases during the period under review.

Military alliances:

7. With regard to the conclusion of military alliances there is nothing to report except that the Commission received a letter from the Royal Government dated 14th December 1956, forwarding a copy of its communique containing a declaration "that no military agreement has ever been concluded or even envisaged between Cambodia and Peoples Republic of China, an agreement which will, moreover, contrary to the strict neutrality of the Kingdom." This declaration was made as a result of rumours reported to have been spread outside Cambodia that during his official visit to Cambodia in November 1956 the Prime Minister of the Peoples Republic of China, Mr Chou En-Lai had furnished military aid to Cambodia in order to raise and maintain a popular militia.

8. The International Commission is of the opinion that the Royal Government of Cambodia has continued to fulfil most satisfactorily its responsibilities under Articles 7 and 13(c) of the Cease-Fire Agreement.

Foreign Military Bases:

The International Commission has nothing to report on the

CHAPTER VI

VIETNAMESE DETAINED IN CAMBODIA

In its Second Progress Report for the period ending the 31st March 1955, the Commission drew attention to the problem of those Vietnamese domiciled in Cambodia who had helped the resistance movement in some capacity or other and who were being detained in different parts of the country. When that Report was written, the Royal Government held the view that those Vietnamese who had participated in the hostilities should be expelled. While the Commission accepted the Royal Government's view, it suggested to the Government that, in accordance with Article 4(c), only those Vietnamese who had been soldiers or who had held supervisory or directive positions during the hostilities should be evacuated. Thus in January 1955, as a result of a series of meetings between the members of the Royal Government and the Commission it was agreed that 117 of the 155 detained would be evacuated. Protracted negotiations on the modalities of the evacuation were carried on by correspondence between the two parties to the Cease-Fire Agreement through the Commission. These negotiations were unsuccessful as a result of disagreement over the dates of evacuation and the composition of the Democratic Republic of Vietnam delegation to be sent to Cambodia to take custody of the prisoners.

2. In January 1956 the question was revived in the Commission following receipt of a letter from the Royal Government stating that

the Vietminh interned in the military prison of Kompong Cham had manifested their desire not to remain, and requesting the Commission to consider the possibility of evacuating these prisoners from Cambodia to their country of origin.

3. The Commission wrote to the Royal Government on the 9th February 1956, asking for further details about the internees. In its reply, the Royal Government informed the Commission that it had decided to release the Vietnamese prisoners in Kompong Cham prison. On further enquiry, the Commission was informed that the Royal Government had decided to release all Vietminh under detention in Cambodia and not just those in Kompong Cham prison. These totalled 163 persons.

4. The Commission expressed its satisfaction and appreciation of the Royal Government's action and informed the Government of the Democratic Republic of Vietnam of the release through the Vietnam Commission. In reply, the Commission received a letter from the Government of the Democratic Republic of Vietnam expressing "its sincere thanks for this information."

CHAPTER VII

RELATIONS BETWEEN THE ROYAL GOVERNMENT OF CAMBODIA AND
THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF VIETNAM.

In Chapter IV of the Fourth Interim Report of this Commission concerning the Voeunsai incidents the Commission had stated that it had forwarded its findings and the relevant documents to the Democratic Republic of Vietnam for its information and comments.

2. In a letter dated 3rd October 1955 (Appendix H) concerning these incidents, the High Command of the Popular Army of Vietnam stated that as there was no mention in the documents or in the text of the Commission's conclusions of any connection between the incidents and the Government of the Democratic Republic of Vietnam it considered the incidents a purely domestic matter for Cambodia and had no comments to offer.

3. In the same letter the Democratic Republic of Vietnam welcomed the declaration made by Prince Sihanouk at a press conference regarding exchange of political missions and indicated their desire to establish direct relations with the Royal Government of Cambodia in order to foster mutual confidence and comprehension.

4. At the request of the Democratic Republic of Vietnam the contents of the above letter were forwarded to the Royal Government of Cambodia. In his reply (Appendix I) Prince Sihanouk informed the Commission that he noted the desire of the Democratic Republic of Vietnam to establish direct contact with the Royal Government of Cambodia and indicated that the Cambodian Government's as well as the Cambodian peoples' desire was to establish and maintain the

good neighbourly relations based on mutual respect, national sovereignty and international treaties. He also added that Cambodia would maintain the same kind of political relation with North Vietnam as with the South Vietnam. The Prince raised the question of Hanoi Radio broadcasts which were not considered conducive to fostering friendly relations between the two countries. He added that an exchange of diplomatic missions would be subject to the problems arising from the unification of Vietnam and the implementation of the Geneva Agreement. He indicated that he was aware of the desire for peace and understanding by which the International Commission was animated and hoped that the Commission might transmit the desire of "the Khmer people for comprehension and friendship to the High Command of the Popular Army of Vietnam." The contents of this letter were sent to the High Command of Popular Army of Vietnam, Hanoi pointing out particularly the concern felt by the Royal Government of Cambodia regarding the tenour of the broadcasts from the Radio Hanoi.

5. The High Command of the Popular Army of Vietnam in their letter dated the 12th January 1956 (Appendix J) gave assurances that future broadcasts would contribute to reinforcing comprehension and mutual respect between them and the Kingdom of Cambodia. They shared with the Royal Government the wish to establish friendly relations and hoped that their relations based on the respect of the Five Principles of peaceful co-existence and Geneva Agreements would be materialised. A copy of this letter was forwarded to the Royal Government on the 21st May 1956.

6. Since then no complaints have been received by the Commission from either side about the hostile propaganda over the radio as the trend of the broadcasts appears friendly. The question of exchanging

CHAPTER VIII

political missions between the Royal Government and the Democratic Republic of Vietnam Government was not pursued further through the

Commission. The Commission is satisfied that its good offices contributed in stopping hostile propoganda from both sides against each other and in establishing friendly relations between the Royal Government of Cambodia and the Government of the Democratic Republic of Vietnam.

- (a) Fixed Team, Phnom Penh
- (b) Fixed Team, Svay Rieng
- (c) Fixed Team, Kampot
- (d) Fixed Team, Kratie and
- (e) Mobile Team, Battambang.

below :-

- (a) Kampot Fixed Team
- (b) Battambang Mobile Team
- (c) Kratie Fixed Team
- (d) Svay Rieng Fixed Team

As a result of the gradual elimination of these teams the Commission now has only a Fixed Team located in the capital Phnom Penh, whose main function is to check the entry of war material into the country. It was decided that there would be officers from each delegation in the Phnom Penh team so that could be split into one Fixed and one Mobile Team. In case additional Mobile Team was required for ad hoc investigations

CHAPTER VIII

REDUCTION OF ACTIVITIES OF THE COMMISSION

As recorded in Chapter VII of its Fourth Interim Report, the Commission gave consideration to a progressive reduction of its activities as envisaged in Article 25 of the Geneva Agreement and outlined its remaining activities under Articles 6, 7, 13(c) and 21. Out of the original 5 Fixed Teams and 4 Mobile Teams in Cambodia, it was agreed to reduce the number to 4 Fixed Teams and 1 Mobile Team. In October 1955, this reduction was effected leaving

- (a) Fixed Team, Phnom Penh
- (b) Fixed Team, Svay Rieng
- (c) Fixed Team, Kampot
- (d) Fixed Team, Kratie and
- (e) Mobile Team, Battambang.

During the period under report, the Commission decided upon a further reduction of the Teams. With the exception of the Phnom Penh Team, all the other teams were withdrawn on the dates given below :-

- | | | |
|----------------------------|---|-------------------|
| (a) Kampot Fixed Team | - | 31st January 1956 |
| (b) Battambang Mobile Team | - | 10th March 1956 |
| (c) Kratie Fixed Team | - | 14th April 1956 |
| (d) Svay Rieng Fixed Team | - | 1st June 1956 |

2. As a result of the gradual elimination of these teams, the Commission now has only a Fixed Team located in the capital, Phnom Penh, whose main function is to check the entry of war material into the country. It was decided that there would be two officers from each delegation in the Phnom Penh team so that it could be split into one Fixed and one Mobile Team. In case an additional Mobile Team was required for ad hoc investigations or

it became necessary to supplement the existing staff each Delegation would make another officer available.

3. The position showing the original strength of the Commission in 1954 as well as the reduced strength in 1955 and 1956 is as follows:-

STRENGTH OF PERSONNEL

	Original strength as in 1954	Strength in October 1955	Strength in December 1956	Remarks
1. International Secretariat	19	11	13*	*One additional Accounts Clerk and one locally recruited additional clerk since employed.
2. Indian Military Component of the International Secretariat and the National Delegation of India	182	116	85	
3. Indian National Delegation	12	6	5	
4. Canadian Delegation	32	23	13	
5. Polish Delegation	62	30	14	
6. <u>Interpreters:</u>				
(a) <u>French-English</u>				
(i) Geneva-based	3	1	Nil	
(ii) India-based	-	4	3	
(b) <u>Khmer-French:</u>	6	3	2	
7. Locally recruited messengers	3	3	5*	*One each in Indian and Canadian Delegations and three in Secretariat.

CHAPTER IX

ARRIVALS AND DEPARTURES OF THE REPRESENTATIVES OF INDIA, CANADA AND POLAND ON THE INTERNATIONAL COMMISSION IN CAMBODIA.

On 12th November 1955, Brig Gen Kullar concluded his tour

of duty in Cambodia and was succeeded by Major General P.N.Kirpal

On 19th January 1956, Major General Kirpal relinquished the chair-

manship of the Commission and was succeeded by

Major General Chand N. Das.

2. On 3rd July 1956, Mr Arnold Smith, the Representative of

Canada, concluded his tour in Cambodia and was succeeded by

Mr Lorne LaVigne as Acting Canadian Commissioner.

3. Mr Z. Wolniak, the Representative of Poland, relinquished

his post as Polish Commissioner on 11th February 1956. His

successor Mr M.Sieradski, served until 19th August 1956.

Col M.Wodnar, the Polish Alternate Delegate and Military Adviser

served as Acting Polish Commissioner until 15th October 1956, when

Mr Gustaw Alef Bolkowiak took over as Polish Commissioner.

Major General
(CHAND N.DAS)
Representative of India,
Chairman of the
International Commission.

(L. H. LaVigne)
Representative of Canada.

(Gustaw Alef Bolkowiak)
Representative of Poland.

Phnom Penh,
15th April 1957.

No. IS/PAC/A/55.

23rd February 1956.

To

His Royal Highness
MONSEIGNEUR Samdech Preah Norodom Sihanouk UPAYUVAREACH,
Prime Minister of Cambodia,
Royal Government of Cambodia,
PHNOM PENH.

MONSEIGNEUR,

On behalf of the International Commission for Supervision and Control in Cambodia, I have the honour to transmit herewith to Your Royal Highness a list of persons on whose behalf petitions have been received by the Commission.

2. It may be recalled that in its letter No. IS/PAC/A/55 dated 18th November 1955 the ICSC in Cambodia drew the attention of the Royal Government to a number of outstanding cases which, although they had been brought to the notice of the Royal Government earlier, had still remained inconclusive.

3. On 30th November 1955, Your Royal Highness kindly granted an interview to the Commissioners of the ICSC and in the course of discussion about these outstanding cases, Your Royal Highness outlined a policy of generosity and of giving the benefit of the doubt where possible. Your Royal Highness was good enough to suggest that for detailed discussions of individual cases in the light of these general principles, the Commissioners approach His Excellency HUOT-SAMLOTH, Minister of Justice.

4. Accordingly, the three Commissioners had a preliminary conference with His Excellency the Minister of Justice and this was followed by two more conferences which our Political Advisers had with His Excellency POC-THUON, the Director of the Ministry of Justice. We are happy to report that our Political Advisers had free, frank and detailed discussions at these conferences at which his Excellency the Director of the Ministry of Justice was equally cordial and helpful. As a result of information obtained at these conferences, the Commission was enabled to write off a number of cases.

5. After a detailed, thorough and careful study of the remaining cases, the Commission is satisfied that the nature of charges preferred against all these persons whose names and cases are recorded on the attached list, and the circumstances under which action is taken against them, may be indicative of political implications.

6. The Commission has, therefore, come to the unanimous conclusion that the best solution of all these cases is to recommend to the Royal

23rd February 1956

W.E. FAC/152

Government that all persons involved be considered for free pardon and amnesty on the happy, historic and auspicious occasion of the Coronation of Their Majesties King Suramarit and Queen Kossaman. Further, the Commission feels confident that where doubt exists in the mind of the Royal Government about the political nature of some of the cases, the Royal generosity and prerogative of pardon would supersede legal hindrances, if any.

7. The Commission feels confident that its unanimous recommendation in this matter will receive Your Royal Highness' full consideration and would be grateful to hear from Your Royal Highness in this matter at an early date.

8. Please accept, Monseigneur, the assurances of my highest consideration.

Yours faithfully,

Major General
(CHAND N. DAS)
Chairman.

(L. H. Lafitte)
Representative of Cambodia.

(Stanislaw Jankowski)
Representative of Poland.

23rd April 1957

Reference: Letter No. IS/PAC/A/55 dated 23rd February 1956.

To I.C.S.C. Letter No. IS/PAC/A/55 dated 23rd February 1956.

Persons recommended by I.C.S.C.
for Royal pardon and amnesty on
the occasion of the Coronation.

(A) THOSE ARRESTED DURING ELECTORAL ACTIVITIES:

Reference: Letter No. IS/VII/2 dated 1st September 1955.

Letter No. IS/VII/2 dated 9th September 1955.

(Attached to the first letter are two lists of 44 arrested)

-do- second -do- 17 arrested)

Recommendation: All those persons listed in these two lists who have not already been freed, amnestied, or released after serving their sentence, should be pardoned and amnestied.

(B) PROVINCE OF KG. CHAM

Reference: Letter No. IS/PAC/7 dated 12th September 1955.

1. SAN-SUON
2. LOUNG-CHARM
3. MAK LANG

Recommendation: All three be pardoned and amnestied.

(C) PROVINCE OF BATTAMBANG

Reference: Letter No. IS/PAC/7 dated 12th September 1955.

1. AT-CHAM

2. YU-ROEUN

3. SAMRATU-TIN

Recommendation: All three be pardoned and amnestied.

4. THIM THRALAY

Reference: Letter No. IS/VI/4-A dated 28th October 1955.

Recommendation: He be pardoned and amnestied.

(D) PROVINCE OF PREY VENG

Reference: Letter No. IS/6/4-A dated 17th August 1955.

1. KHIEV-CHY of Khum Damrey-Puou.

He is in flight and is sentenced in absentia to 8 years' imprisonment.

Recommendation: He be pardoned and amnestied in absentia.

Reference: Letter No. IS/VI/4 dated 12th October 1955.

2. UCH-MIN

3. PUTH-CHROMG

Recommendation: Both be pardoned and amnestied.

(E) PROVINCE OF KAMPOT

Reference: Letter No. IS/V/1 (b) dated 1st September 1955.

1. VET NGUON

2. DUONG-CHIN

3. MANY-SAM alias "MONH SAM"

Recommendation: All three be pardoned and amnestied.

TRANSITION

KINGDOM OF CAMBODIA
MINISTRY OF FOREIGN AFFAIRS

THE MINISTER

(F) PROVINCE OF SVAY RIENG

Reference: Letter No. IS/7/150 dated 1st September 1955.

1. PEAK-CHHON

Recommendation: He be pardoned and amnestied.

(G) PROVINCE OF PURSAT

Reference: Letter No. IS/5/106 dated 1st September 1955.

This letter gives names of 36 individuals who have been proceeded against. Of these No. 20 (OUCH NIN) is reported to be in flight and No. 23 (NHIM alias Srey-Nung) is reported to be dead.

Recommendation: All these persons (with the exception of NHIM who is dead) including OUCH NIN who is in flight, be pardoned and amnestied, OUCH NIN, in absentia.

(H) PROVINCE OF KG SPEU

Reference: Letter No. IS/VI/4 dated 17th November 1955.

This letter refers to CHHIM SUN (detained) and 9 others who are in flight.

Recommendation: All these 10 persons be pardoned and amnestied. Those who are in flight be pardoned and amnestied in absentia.

(I) PHENG-SAM-ONN of KG. SPEU who was arrested and is in prison in Phnom Penh since July 1954.

Reference: This case has not been referred to the Government yet, nor discussed with the Ministry of Justice. Still we recommend the case for consideration.

Recommendation: He be pardoned and amnestied.

T R A N S L A T I O N

KINGDOM OF CAMBODIA
MINISTRY OF FOREIGN AFFAIRS

THE MINISTER

Phnom Penh, 1st March 1956.

No.119/DGP/X

CONFIDENTIAL

VERY URGENT

Mr Chairman,

With reference to your letter No.IS/PAC/A/55 dated the 23rd February 1956, regarding the request for amnesty in favour of certain persons arrested for political or common law offences, on the occasion of the celebration of the Coronation of Their Majesties, the King and the Queen, I have the honour to request you to kindly invite the persons in question to address their request for pardon individually, to H.M. the King soliciting His Majesty's pardon and assuring H.M. of their fidelity and loyalty.

Please accept etc.

Sd/- Khieu Vann

Major General Chand N Das,
Chairman, ICSC in Cambodia,
PHNOM-PENH

No. IS/PAC/A/55

2 March 1956.

To

His Excellency the Foreign Minister,
Royal Government of Cambodia,
PHNOM-PENH.

Your Excellency,

I have the honour to refer to Your Excellency's urgent letter No. 119/DGP/X dated 1st March 1956 in connection with the unanimous recommendation of the International Commission for Supervision and Control in Cambodia for amnesty in favour of certain persons.

2. Your Excellency will appreciate that it is not practicable for the International Commission to contact all these persons who are scattered all over the country and many of whom are in various prisons in various provinces. The best agency to contact and advise these persons is the Royal Government of Cambodia itself who knows the whereabouts of all except those who may be in flight.

3. The International Commission for Supervision and Control, therefore, requests that all persons listed in our letter No. IS/PAC/A/55 dated 23rd February 1956, may be informed immediately through appropriate provincial or central authorities of the Royal Government that the International Commission for Supervision and Control in Cambodia and the Royal Government suggest that on the auspicious occasion of the Coronation of Their Majesties each of those persons submit an individual appeal to His Majesty the King for an amnesty or Royal Pardon, assuring His Majesty at the same time of his fidelity and loyalty.

4. For the benefit of those who are in flight, it is requested that a public announcement to similar effect be made. The Commission proposes that a communique along the following lines be issued as a matter of urgency:-

COMMUNIQUE

"The Royal Government and the International Commission for Supervision and Control in Cambodia wish to inform those persons on whose behalf petitions have been addressed to the Commission and who, on the auspicious occasion of Their Majesties' Coronation, have been recommended by the Commission for amnesty or Royal Pardon, that they should address individual appeals to His Majesty the King soliciting an amnesty or Royal Pardon, and assuring His Majesty of their fidelity and loyalty."

5. The International Commission for Supervision and Control in Cambodia would feel grateful if the Royal Government of Cambodia urgently takes the steps suggested above.

6. Please accept, Your Excellency, the assurances of my highest consideration.

Yours faithfully,

Major General
(CHAND N. DAS)
Chairman.

T R A N S L A T I O N

To

KINGDOM OF CAMBODIA

Ministry of Foreign Affairs.

The MINISTER

Phnom Penh,
19/3/1956.

No. 146-DGP/X.

CONFIDENTIAL

Mr. Chairman,

Following your letter No. IS/PAC/A/55 of 2-3-1956

relative to measures of clemency in favour of condemned

or detained political prisoners or those of Common Law on

the occasion of Their Majesties' Coronation, I have the

honour to inform you that we have sent a circular to that

effect to all Governors of Provinces and published on

5-3-1956 a Communique in the local press.

Please accept etc.,

The Secretary of State for
Foreign Affairs

Sd/- CHEA CHINKOC

Oudom Montrey.

Major General Chand N. Das,
Chairman, ICSC In Cambodia,
PHNOM PENH.

Yours faithfully,

Major General
(CHAND N. DAS)
Chairman

CLEMENCY MEASURES.

'Agence Khmère de Presse' - 5th March, 1956.

On the occasion of the Coronation ceremonies, clemency measures will be granted by Their Majesties, the King and the Queen to their subjects who have been sentenced by the courts for offences or political crimes or who have become guilty of these offences or crimes.

Persons interested in this clemency measure must present immediately to Their Majesties, the King and Queen, individual petitions imploring for Royal Pardon and undertaking to conduct themselves, in the present and in the future as faithful and loyal subjects to the Throne, the Kingdom and the Royal Government.

(Communique of the Ministry of Foreign Affairs)

CASES DISMISSED1. KONG SAY AND SIX OTHERS

A petition was received in August 1956 from 7 persons of Kampot Province stating that a warrant of arrest had been issued, accusing them of a murder committed in 1951. The petition stated that they were former members of the Khmer Resistance Force, who had rallied to the national community and that they had not committed the murder. As they had not been arrested, the Commission informed them that no action could be taken by it.

2. OUK CHHORN AND FIVE OTHERS

In August 1956, a petition was received from 6 persons of Kampot Province who had participated in the Khmer Resistance Force, stating that a warrant had been issued for their arrest, on the charge of subversive propaganda against His Majesty the King in 1951. The petitioners were informed by the Commission that as they had not been arrested no action could be taken by the Commission.

3. NOP NGOY

In July 1956 a petition was received from the wife of NOP NGOY of Takeo Province stating that her husband, an ex-Khmer Resistance Force member, had been arrested in February 1956, on a charge of having committed an offence against the prestige of the throne. The Commission informed the petitioner that, as her husband had been arrested for the contravention of the law of the country, he would be tried by the Court of Law and given the opportunity of self-defence and that unless some concrete evidence could be produced to show that the arrest was

CASES CLOSED

a case of reprisal against an ex-Khmer Resistance Force member, the Commission regretted its inability to consider the case.

4. NGUYEN CHANG TAM

A petition was received from a Vietnamese who claimed to be a resident of Cambodia stating that her husband, NGUYEN-CHANG-TAM, had been arrested and was to be deported to South Vietnam. She was informed by the Commission that as the accusation did not relate to any reprisal against an ex-Khmer Resistance Force member, no action could be taken by the Commission but that it was open to her to apply to the Royal Government for sympathetic consideration of his case.

case as closed.

Commission decided to close this case.

(d) In the same petition, it was stated that another ex-Khmer Resistance Force member, GHIM SUN, was arrested. His case had come up for consideration before October 1955 and had been

CASES CLOSED

1. CHHOUN PRALIT, HUOT BOU AND ONE OTHER -

A petition was received from the Pracheachun (People's) Party stating that three ex-Khmer Resistance Force members named CHHOUN-PRALIT, HUOT-BOU and SUON-SENG had been arrested after participating as propoganda officers in the general elections of September 1955 and that they had been maltreated and shot, two of them dying on the spot, the third one having escaped. The Commission's Mobile Team at Battambang investigated into the allegations but was unable to establish conclusively whether the persons had in fact been murdered. In reply to the Commission's inquiries, the Royal Government stated that the three persons were known as ex-K.V.M and that while they were enjoying the hospitality at a friend's place, certain unidentified persons had taken them away. Inquiries made by the Police and Military had not yielded any results. The Commission decided to treat the case as closed.

2. (a) In a petition presented to the Commission on 19th May 1956, it was alleged that CHAN SOK, an ex-Khmer Resistance Force member, was murdered by another Mekhum. The investigations of the Team revealed that the murder was a result of a personal feud. The Commission decided to close this case.

(b) In the same petition, it was stated that another ex-Khmer Resistance Force member, CHHIM SUN, was arrested. His case had come up for consideration before October 1955 and had been

Appendix F.

recommended for amnesty by the Commission in February 1956. This was granted in November 1956.

3. THIM TRALAY

In August 1955 an ex-Khmer Resistance Force Major, THIM TRALAY, was arrested in the Province of Battambang. The Commission's Mobile Team at Battambang investigated the case, and the Commission made further enquiries with the Royal Government. It was subsequently informed that THIM TRALAY had been arrested and detained for (i) collusion with VM and KVM elements and suspicious activities after the cessation of hostilities, and (ii) prejudice to the internal security of the State. On 23rd February 1956, the Commission recommended his case for amnesty on the occasion of the King's Coronation.

On 30th June 1956, a petition was received from THIM TRALAY stating that he was still being detained in Phnom Penh jail even though he had been granted amnesty. The matter was referred to the Royal Government who informed the Commission that THIM TRALAY had been arrested on charges of attempts to conspire in order to foment and trouble to create insecurity in the Kingdom, and spreading subversive propoganda against the Government and the Throne after the cessation of hostilities. The Commission communicated this information to THIM TRALAY suggesting to him that he might apply to His Majesty the King for amnesty.

4. MEL VAN, NGUON ANG

A petition was received by the Commission stating that MEL VAN, an ex-Khmer Resistance Force member and a candidate of the Pracheachun Party, and NGUON ANG another ex-Khmer Resistance

Force member were arrested by armed men in May 1956. A copy of the petition was sent to the Royal Government which was requested to furnish the Commission with any information available. In September 1956, the Commission was informed that the two persons were charged with spreading trouble inside the Kingdom which was punishable under the Cambodian Penal Code. This information was communicated to the petitioners.

5. KHUY KHUT, MAM HIN

In July 1956 a petition was received from the wives of two ex-Khmer Resistance Force members, KHUY KHUT and MAM HIN, stating that their husbands had been arrested in June 1956 and that they themselves along with 4 others were threatened with arrest. The petitioners said that they were accused of having murdered a person who, they claimed, had been killed in 1953 during the period of resistance. A copy of the petition was forwarded to the Royal Government requesting them to let the Commission have the available information on the case. The reply indicated that the two persons had been sentenced to 20 years hard labour for wilful homicide. The Government was requested to let the Commission know the date on which the wilful homicide took place. In their reply the Government had stated that the murder took place/the 3rd November 1953. The two persons arrested were subsequently granted the Royal amnesty.

6. KANG DENG, SOK CHORN

On the 2nd September 1956, the wives of two ex-Khmer Resistance Forces members, KANG DENG and SOK CHORN, submitted a petition stating that their husbands had been arrested and detained since the

4th August 1956. They understood that the complaint against the former was that he had looted property in 1951 and that the complaint against the latter was that he had violated a girl. A copy of the requesting the information available on this case petition was forwarded to the Royal Government/and pointing out that the charges against one of the persons as stated in the petition related to an offence during the period of hostilities. The Royal Government informed the Commission that KANG-DENG who had been charged with qualified theft committed in 1951 had been acquitted in September 1956, and that SOK CHORN who had been sentenced for abduction had been granted amnesty in November 1956.

7. SY CHEAT

In January 1956 a petition was received from the father of SY CHEAT, a member of the Pracheachun Party and a former resistant, stating that his son was arrested and imprisoned in Kampot since he October 1955, because/belonged to the Pracheachun political party. The case was referred to the Royal Government who informed the Commission that the person was unknown to them in Kampot Jail, but that a person named MOK CHEAT had been arrested and detained for offences against the members of the Royal Family and anti-Government propaganda. The contents of the Royal Government's letter were communicated to the petitioner.

8. LONG HY

A petition received in February 1956 from the mother of LONG HY, a former member of the Issaraks, stated that LONG HY had been arrested by the military for unknown reasons. A letter was addressed to the Royal Government who informed the Commission that

Appendix F.

LONG HY had been sentenced to two years' imprisonment for keeping arms without a licence but that this punishment had been reduced by the High Court to 18 months. The petitioner was informed accordingly.

9. KONG LON

On a petition received in February 1956 enquiring about the whereabouts of one KONG LON, the head of a village who had joined the Khmer Issaraks, a reference was made to the Royal Government who informed the Commission that KONG LON had disappeared in 1954, after having misappropriated public money and that the Government was not aware of his present address. The petitioner was informed accordingly.

7. SY CHEAT

In January 1956 a petition was received from the father of SY CHEAT, a member of the Pracheasam Party and a former resistance fighter, stating that his son was arrested and imprisoned in Kampot since October 1955, because he belonged to the Pracheasam political party. The case was referred to the Royal Government who informed the Commission that the person was unknown to them in Kampot Jail, but that a person named MOK CHEAT had been arrested and detained for offences against the members of the Royal Family and anti-Government propaganda. The contents of the Royal Government's letter were communicated to the petitioner.

8. LONG HY

A petition received in February 1956 from the mother of LONG HY, a former member of the Issaraks, stated that LONG HY had been arrested by the military for unknown reasons. A letter was addressed to the Royal Government who informed the Commission that

1. MAM OURN, LENG KHEN AND ONE OTHER.

A petition was received in October 1955 alleging that in September 1955 the Provincial guards in Kampot Province had arrested 3 Pracheachun Party members who were ex-KRF's. Although two of these persons had been released, the third one was reported to have been shot dead. The petition added that several persons were reported to have fled in fear of arrest and that a reward of 5,000 piastres for their arrest had been announced. The Commission's Fixed Team at Kampot investigated and concluded that one person had been shot, but was unable to prove conclusively from direct evidence what had happened to the other persons. The Government was requested by the Commission to order a more thorough enquiry as the investigations revealed that there was an unfortunate excess of authority. The Government has informed that necessary information was being collected

2. A petition was presented on 10.5.56 to the Commission stating that 2 persons MEM SON and PROUM LAO ex-members of the Khmer Resistance Force were taken to a forest by Mr. CHEAP HUOT a Mekhum for being shot dead. The petitioners reported that the persons were murdered under the orders of the Mekhum since one member of the gang of alleged murderers mentioned the incident to his mother and other relatives. According to this man there were 5 others in the gang in addition to the Mekhum. The petitioners had stated that the Government had already been approached by them and as a result thereof the Mekhum became more and more oppressive. A team was detailed by the Commission to enquire into the incident. The Team was able to establish that the murder of MEN SUON and

PROUM LAO did take place. The motive appeared to have been MEN SUON's success in the elections. The Team also established that certain ex-Khmer Resistance Force members were subjected to certain acts of repression and harassment by the Mekhum. KHAT HANG, the individual who spoke about the murder to his relatives was detained in prison and the local governor did not allow his evidence to be taken. The matter was taken up with the Government and the Team was ultimately allowed to interview KHAT HANG. The Commission after considering the facts of the case as investigated by the Team informed the Royal Government that there was a strong suspicion that the murder was committed by the 6 persons and that the individual most suspected of having directed the murder was Mekhum CHEAP HUOT. Examples of repressive acts perpetrated by the Mekhum against ex-Khmer Resistance Force persons as reported by the Team were communicated to the Royal Government, which was requested to enquire into the conduct of the Mekhum and then take necessary action to ensure that ex-Khmer Resistance Force in the area were no more victims of reprisals, repressive acts, harassments and threats. The Royal Government have stated that the Mekhum had been arrested and that his trial would start in March, 1957. The Commission has requested the Royal Government to inform it when a decision is taken in the case.

(b) In the same petition it was alleged that CHAN SOK, an ex-Khmer Resistance Forces member was murdered by a Mekhum. The investigations of the Team revealed that the murder was not due to political reasons but arose out of a personal feud. The Commission decided to close this case.

(c) In the same petition, it was stated that CHHIM SUN was arrested. His case had come up for consideration before 1-10-1955 and had been recommended for amnesty which was granted in Nov '1956.

3. KHIM KHUON AND NGET BIN

In July 1956 the Commission received a petition stating that 2 ex-KRF members, KHIM KHUON and NGET BIN, had been arrested in June 1956 by the Provincial Police of Kampot. The Royal Government was requested to furnish the Commission with the available information. In August 1956, the Royal Government informed the Commission that the fate of the two persons was unknown. At their request a copy of the petition was supplied to the Royal Govt. known to the Director General of Police. In September 1956, the Commission was informed that each of the persons was sentenced to 20 years' hard labour for wilful homicide. The Royal Government have since informed that these persons were being considered for Royal amnesty.

4. OUNG DAM

In September 1956 the Commission received a petition signed by 42 persons stating that in August 1956, one OUNG DAM an ex-KRF member, had been arrested for an act of piracy in 1952. Inquiries were made with the Royal Government who informed the Commission that OUNG DAM had been sentenced by the Criminal Court under the common law for theft, wilful homicide and arson in 1953. The Commission pointed out to the Royal Government that it was claimed that OUNG DAM had been a member of the KRF, and that the crime was committed during the period of hostilities and requested further information on the case. A reply is awaited.

5. OUM MIECH AND FOUR OTHERS

A petition was received from a woman stating that the authorities had arrested her husband OUM MIECH, an ex-KRF member, and four others in August 1956 on the charges of piracy and murder. A copy of the petition was sent to the Royal Government requesting them to let the Commission have information available on the case. Their reply is awaited.

REPORTED VIOLATIONS OR THREATS OF VIOLATIONS
OF CAMBODIAN TERRITORY

LETTERS INVOLVING CAMBODIA-SOUTH VIETNAM BORDER.

1. On the 4th January 1956, the Royal Government forwarded to the Commission a copy of a letter of protest which they had sent to the Government of the Republic of Vietnam about the activities of armed Vietnamese regulars and Vietnamese customs officials on and in the proximity of certain islands off the coast of Cambodia. These activities consisted of -
 - (a) Landing on 1 November 1955 on the Island of Koh Thmey by 25 armed Vietnamese regulars riding motor junks and holding a propaganda meeting affirming that the Island of Koh Thmey and Koh Seh were parts of Vietnamese territory and would shortly be occupied by Vietnamese troops.
 - (b) The arrest of 12 fishermen on the night of 29-30 November 1955, in the proximity of the Island of Koh Thbal by Vietnamese customs officials. The arrested persons were released after 24 hours detention on payment of a fine of 350 riels per boat. The Cambodian fishermen were warned that all islands south of Kep were Vietnamese.
 - (c) The pursuit of Cambodian fishermen on the night of 3-4 December 1955 by a motor launch.

The Royal Government noted with regret the repeated violations of Cambodian national territory and territorial waters which, according to them, bore the character of an attempt at occupation, and stated that they would take all necessary measures to have their sovereignty respected. The South Vietnam Government was requested by the Royal Government to take steps to stop such activities in the future.

The Vietnam Commission was requested by this Commission to discuss this matter with the appropriate authorities of the Government of South Vietnam, and the Fixed Team at Kampot was directed to conduct

a preliminary check into the ownership of the islands. The Team, which had strict instructions not to investigate formally into the case until the Cambodian sovereignty was established on the basis of documents, reported that the local authorities at Kampot were unable to produce conclusive documentary proof that the islands were internationally recognized as Cambodian territory. No information on the sovereignty of the islands could be obtained from the French High Commissioner who stated that they were unable to locate the documents since the archives were dispersed and in the main part destroyed during Japanese occupation. The Royal Government was informed that as the exact location of the international boundary between the Kingdom of Cambodia and the Republic of Vietnam was a matter of dispute, and since the International Commission was not competent to sit in judgement over territorial disputes, the Commission considered that it would be acting outside its terms of reference if it intervened in this matter.

2. In a letter dated the 19th January 1956, the Royal Government forwarded copies of reports received from provincial authorities informing them of exactions and violations of Cambodian territory by Vietnamese. The following are the allegations made:

- (a) Province of Kampot: The incidents reported in the preceding section.
- (b) Province of Takeo:
 - (i) The ambush and killing of 5 provincial guards and communal authorities by fishermen from South Vietnam on 1st November 1955 at a place situated 7 kilometers from the border.
 - (ii) The concentration on the Cambodia-South Vietnam border of about 1000 Vietnamese troops between Tinh Bien and Phnon Den with heavy and automatic armaments.

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(c) Province of Prey Veng: (i) The serious wounding of a local guard on patrol duty, by 3 Vietnamese who had penetrated into Cambodian territory on the night of 11 December 1955.

(ii) The entry in December 1955 into Cambodian territory of a company of regular Vietnamese forces engaged in a "clean up" operation against Hoa Hao; the searching of Cambodian huts; exactions and threats of arrest and death by this company.

(d) Province of Svay Rieng: (i) An encounter on 14th January 1956 between the provincial guards and a band of about 50 Vietnamese armed with mortar and rifles at Poipet 5 kilometers inside the Cambodian border resulting in the death of two Cambodian soldiers and 3 Vietnamese soldiers, the capture of the Vietnamese Captain and of certain Vietnamese arms.

(ii) Piracy by a band of about 20 well-armed Vietnamese pirates who broke into the Phum of Kandieng-Reay on the night of 7-8th January 1956 resulting in lifting of 4 buffaloes who were eventually recovered by the Cambodian patrols.

(iii) On 4th January 1956, intrusion by about 100 Lien Minh heavily armed forces from the province of Tay Ninh in South Vietnam and their retreat to South Vietnam after an encounter with the Cambodian forces leaving behind 5 killed.

(e) Province of Kompong Cham: (i) Attempted abduction of 13 Cambodians and Khmer nationals on 9th November 1955 by a group of about 40 Vietnamese in civilian and military clothes armed with sten guns and as a result of a fight between the Vietnamese and Cambodians about 1 kilometer in the Vietnamese territory they managed to get back to Cambodian territory leaving 4 dead and 2 wounded Cambodians and 2 dead and many wounded Vietnamese.

(ii) The appearance of a mono-plane over the same region the following day.

Copies of the Royal Government's letter and the various reports were sent to the International Commission in Vietnam which passed them on to the French Liaison Mission with a request to forward them to the Government of South Vietnam for information. The Royal Government was informed of the Commission's action.

3. A letter from the Royal Government dated the 27th March 1956

stated that on the 5th February 1956 units of the Vietnamese army had opened fire about a dozen times from Vietnam territory on to Cambodian territory in Prey Veng Province, causing serious damage to villagers and killing one inhabitant. On the 31st March 1956 the then Prime Minister Prince Sihanouk discussed with the Chairman of the Commission several cases which included this border incident, but the Chairman pointed out that the incident referred to took place on 5th February 1956 while it was reported to the Commission on 27th March 1956. It was pointed out that as considerable time had elapsed since the incident took place, the Commission could not do anything at that stage. The letter was, therefore, acknowledged by the Commission. A copy of the letter was sent to the International Commission, Vietnam who replied that they had no comments to offer.

4. The Governor of Svay Rieng informed the Fixed Team of the Commission at Svay Rieng that Vietnamese soldiers had entered Cambodia on the morning of 4th January 1956 and that fighting between Vietnamese and Cambodian troops continued for several hours. The Fixed Team conducted a preliminary investigation. Later, on instructions from the Commission further investigations were conducted by it as a result of which it was found that certain South Vietnamese nationals from dissident sects had crossed Cambodian territory in order to get from one part of South Vietnam to another part. The trespassers were members of what appeared to be a group of CAO DAI, armed Catholics, HOAI HAO and BIN KIEN.. The Commission informed the Royal Government of Cambodia accordingly.

5. (i) A letter dated the 15th May 1956 was received from the

Royal Government stating that on the 26th April 1956, a band of about 100 armed Vietnamese soldiers penetrated 4 kilometers into Cambodian territory where they fired on the inhabitants working in the fields, wounding one and killing another. The inhabitants got frightened and fled leaving behind 100 oxen and buffaloes. After a violent clash between the invaders and some units of the "Forces Vives", 80 of the 100 oxen and buffalo/which had been stolen were recovered.

(ii) In the same letter, it was stated that on the 28th April 1956, provincial guards who were investigating a report of the presence of 20 Vietnamese in Svay Rieng Province fell into an ambush, one of them being killed and three others being wounded.

The letter indicated that a protest had been lodged by the Royal Government with the Government of South Vietnam. The Royal Government's letter was referred to the Vietnam Commission for its information and comments, if any, and an acknowledgement sent to the Royal Government. The Vietnam Commission sent copies of the letter to the French Liaison Mission in Hanoi with a request to transmit them to the Government of South Vietnam.

6. A letter dated the 22nd June 1956 was received from the Royal Government stating that on the 19th June 1956 a section of the regular army of Vietnam consisting of about 40 men penetrated into Cambodian territory in Kompong Cham Province where they opened fire on Cambodian forces, disarmed them, seized 13 rifles and withdrew into Vietnamese territory taking with them 3 injured Cambodians.

The letter indicated that in spite of numerous protests such hostile acts were still recurring which jeopardised the existing relations between the two countries.

The Commission acknowledged the Royal Government's letter and sent a copy to the Vietnam Commission which passed it on to the French Liaison Mission in Hanoi requesting that it be forwarded for information to the Government of South Vietnam.

7. A letter dated the 30th April 1956 was received from the Royal Government reporting the presence on 10th April 1956 of Vietnamese nationalist troops estimated at several thousands of men around Chaudoc in South Vietnam, 20 troop carrier boats and posters which indicated that an attack would be launched one day against Cambodian troops. It went on to state that on the 15th April 1956, 3 battalions of Vietnamese armed forces stationed along the frontiers opened fire on Cambodian territory, and that on the 24th April 1956 elements of the Khmer Operation Forces while on patrol in Prek Veng Thang in Takeo Province were violently attacked by a gang of 500 to 600 armed Vietnamese. The part of this gang went thereafter in the direction of NHA BANG and the other went towards NUI SAM. A Khmer fighter was grievously wounded during the attack.

The Commission acknowledged the Royal Government's letter taking note of the regrettable incidents as reported and forwarded a copy to the International Commission in Vietnam for its information and comments, if any. The Vietnam Commission sent a copy to the French Liaison Mission in Hanoi with a request to communicate the contents of the letter to the Government of Vietnam.

Letters regarding Cambodia-Thailand Border.

In a letter dated the 8th December 1956, the Royal Government informed the Commission of the action taken by the Thai

The Commission also forwarded the Royal Government's letter

and sent a copy to the Vietnam Commission which passed it on to the authorities to improve two strategic tracks in Thailand (i) Track PHASAR-RUSSEY (Thailand) to HOUY-SAY-CHUK-LUK (Cambodia) and (ii) Track Aranya Railway Station (Thailand) to TAPHYA (Cambodia), and of the construction of a military camp near the border. It also stated that construction materials were being collected for the installation of other posts. The letter was acknowledged by the Commission.

which indicated that an attack would be launched one day against Cambodian troops. It went on to state that on the 15th April 1956, battalions of Vietnamese armed forces stationed along the frontiers opened fire on Cambodian territory, and that on the 24th April 1956 elements of the Khmer Operation Forces while on patrol in Prek Veang Thang in Takeo Province were violently attacked by a gang of 500 to 600 armed Vietnamese. The part of this gang went thereafter in the direction of NHA BANG and the other went towards NUI SAM. A Khmer fighter was grievously wounded during the attack. The Commission acknowledged the Royal Government's letter taking note of the regrettable incidents as reported and forwarded a copy to the International Commission in Vietnam for its information and comments, if any. The Vietnam Commission sent a copy to the French Liaison Mission in Hanoi with a request to communicate the contents of the letter to the Government of Vietnam. Letters regarding Cambodia-Thailand border. In a letter dated the 8th December 1956, the Royal Government informed the Commission of the action taken by the Thai

No. 946/TTL

Appendix H.

HANOI, 3rd October, 1955.

High Commandant of the Popular Army of Vietnam.

To

The Chairman of the ICSC,
Cambodia.

(Through the ICSC in Vietnam)

Mr. Chairman,

We have the honour to acknowledge receipt of your letter No. N/IS/III/3 of 8/9/55 together with the copies of letters exchanged between the Royal Government of Cambodia and the ICSC in Cambodia, regarding the recent incidents in VOEUNSAI (Cambodia).

According to the above referred letter, you have sent those documents "for information and any comments you may wish to give us in this connection".

We are grateful for kindly sending us these documents for our information and in accordance with your desire and after study of these documents we wish to state the following:

1. Letter No. 403/DGP/X of 20/8/55 sent by the Ministry of Foreign Affairs of the Royal Government to the Chairman ICSC in Cambodia relates to incidents which occurred in a place situated on Cambodia territory. But as everyone is aware no common border exists at present, between the Kingdom of Cambodia and the Democratic Republic of Vietnam.

2. The letter referred to above does not mention any connection between the incidents which took place and the Government of the Democratic Republic of Viet Nam.

3. The text of the conclusions made by the ICSC about the Voeunsai incidents which occurred in the month of August has neither mentioned the existence of such a connection.

For this reason the High Command of the PAVN has no comments to make on the above mentioned correspondence exchanged between the Royal Government and the ICSC in Cambodia, concerning the recent incidents in the Srek of Voeunsai (Cambodia) since it is a purely domestic matter for Cambodia.

In accordance with instructions from the Government of the DRVN the PAVN High Command considers necessary in this conjecture to recall once more the position of the DRVN with regard to its relations with the Kingdom of Cambodia.

Thanks to the efforts of the PAVN High Command and the cooperation of the ICSC in Cambodia the agreements on the "ceasefire" in Cambodia signed in Geneva on 20/7/54 between the Delegate of the Khmer National Armed Forces High Command and that of the Khmer Resistance Forces as well as the High Command of the Vietnamese Military Units, have been strictly and scrupulously implemented by the Viet Nam. This fact has been confirmed by the Report forwarded by the ICSC in Cambodia on 1/1/55 to the two Co-Chairmen of the Geneva Conference: "The Commission reports on the satisfactory settlement of questions relating to the cease-fire, the release of war prisoners and civil internees and the withdrawal of troops belonging to the Vietnamese Military Units."

The Government of the DRVN considers this to be a happy opportunity for establishing good neighbourly relations between the Khmer Kingdom and the DRVN in accordance with the aspiration of both peoples. Recently on 16/9/55 during the 5th Session of the National Assembly of the DRVN, the Prime Minister of the DRVN, Mr. PHAN VAN DONG stated:

"In respect of the two Kingdoms of Cambodia and Laos, The DRVN always intends to pursue a friendly policy of good neighbourhood, and respect the neutrality of these two countries in accordance with the spirit of the Geneva Agreements. In the past as in the future the Government of the DRVN intends to establish friendly relations with the KINGDOM of Cambodia and Laos on the basis of the Five principles of peaceful co-existence."

However, the United States are trying to spread hatred between the Khmer and Vietnamese people in order to sabotage peace in Indo-China, South East Asia and in the world.

The United States use flagrant lies in order to slander the Democratic Republic of Vietnam.

Recently according to American's propaganda, the PAVN had crossed the border of Laos and Cambodia and penetrated into the Voeunsai area on Cambodian territory. These clumsy inventions could hardly influence anyone and cause any misunderstanding between the Khmer and Vietnamese people.

Following the instructions of the DRVN Government, the PAVN High Command believes that it should express the desire of the Vietnamese people and that of its Government to practise effectively and as early as possible, the policy of good neighbourhood.

Therefore the DRVN Government welcomes with satisfaction the declaration made by Prince Sihanouk at a press conference on the 13.9.1955 in which the Prince expressed his desire for exchanging political missions with the DRVN and the DRVN Government is prepared to establish direct relations with

the Royal Government in order to foster mutual confidence and comprehension.

The Government of the DRVN would be very grateful to the ICSC, in the event it considers it useful, to forward the above remarks to the Royal Government of Cambodia.

The High Command of the Democratic Republic of Vietnam takes this opportunity to convey to the Chairman of the ICSC etc.

The President of the Council of Ministers

For the High Command of the
Popular Army of Vietnam,

Sd/- Ta-Quang-Buu.

I thank you for kindly forwarding me, in your letter of 12/10/55, a copy of the reply from the PAVN High Command, dated 3/10/55, concerning the Voennal incidents (Cambodia).

I have not failed to notice, as you point out, that the Government of the DRVN is disposed to establish direct contact with the Khmer Royal Government. I have given all my attention to this proposal.

The Khmer peoples' and their Government's greatest desire is to establish and maintain with its neighbouring countries and Nations cordial relations based on mutual respect, national sovereignty and international treaties. This enabled me to say at my Press Conference held on 13/9/55, that it is faithful to its Declaration of neutrality and co-existence, Cambodia was to entertain political relations with South Viet-Nam, it would certainly not refuse to establish the same kind of relations with North Viet-Nam, when the above mentioned bases would exist.

As regards the Royal Government of Cambodia, it endeavours to apply the principles it sets forth by not interfering in any way in the interior policy of foreign States. But unfortunately we observe daily that the same is not applied towards us. You do not ignore, namely, that two daily broadcasts of Radio-Hanoi or Hanoi

TRANSLATION.

Presidency of the Council of Ministers

No. 490/PCM/AP/X.

Phnom-Penh, 15/11/55

Confidential

The President of the Council of Ministers

To
The Chairman of the I.C.S.C.,
Phnom Penh.

Mr. Chairman,

I thank you for kindly forwarding me, in your letter of 12/10/55, a copy of the reply from the PAVN High Command, dated 3/10/55, concerning the Voeunsai incidents(Cambodia).

I have not failed to notice, as you point out, that the Government of the DRVN is disposed to establish direct contact with the Khmer Royal Government. I have given all my attention to this proposal.

The Khmer peoples' and their Government's greatest desire is to establish and maintain with its neighbouring countries and all Nations cordial relations based on mutual respect, national Sovereignty and International Treaties. This enabled me to say at my Press Conference held on 13/9/55, that if faithful to its Declaration of neutrality and co-existence, Cambodia was to entertain political relations with South Viet-Nam, it would certainly not refuse to establish the same kind of relations with North Vietnam, when the above mentioned bases would exist.

As regards the Royal Government of Cambodia, it endeavours to apply the principles it sets forth by not interfering in any way in the interior policy of foreign States. But unfortunately we observe daily that the same is not applied towards us. You do not ignore, namely, that two daily broadcasts of Radio-Hanoi of half

an hour, each, at 5.30 a.m. and 11 a.m., are addressed to "Khmer Resistant". They broadcast news and songs in terms both shocking and insulting to the Royal Cambodian Government.

Therefore, our eager desire for friendly relations with all Nations can only be realised when similar feelings will not only be declared but also proved towards us.

As regards Vietnam in particular the exchange of diplomatic Missions would be subject to the problems which might arise from its unification and the implementation of the Geneva Agreements. It would likewise be desirable that problems remaining in suspense between the Vietnam and Cambodia, relative to the former CochinChina, should be solved. But all these problems could doubtlessly be solved in a climate of mutual confidence which, in order to develop, demands the respect of the principles of neutrality and non-interference.

I am sufficiently aware of the desire for peace and understanding by which you are animated, Mr. Chairman, and which likewise animates the entire Commission in order to be confident that when transmitting, if you think it useful, the tenour of this letter to the PAVN High Command and the I.C.C, will associate itself to the ardent desire of the Khmer people for comprehension, good understanding and friendship.

Please accept etc.,

Sd/- Norodom Sihanouk

T_R_A_N_S_L_A_T_I_O_N.

No. 012/TTL

The Popular Army of Vietnam High Command.

To The Chairman of the ICSC in Cambodia.

Mr. Chairman,

We have the honour to acknowledge receipt of your letter No. IS/VI/38 of 29-11-55 enclosing copy of a letter No. 490/PCM/AP/X which His Highness Prince Norodom Sihanouk, Prime Minister of the Cambodian Royal Government had addressed to you on 15-11-55.

We thank you very much indeed for this communication.

'As regards Hanoi Radio broadcasts to which H.R.H. refers in the above quoted letter, the DRVN is seeing and will continue to see to that these broadcasts contribute to reinforcing comprehension and mutual respect between the DRVN and the Kingdom of Cambodia. We trust, on the other hand, that the Royal Government will likewise see to it that Phnom Penh Radio follows the same spirit.

The following passage of H.R.H's letter has particularly attracted our attention : "The greatest desire of the Khmer people and their Government is to establish and maintain with their neighbouring countries and all Nations cordial relations based on the mutual respect of national sovereignty and International Treaties."

Faithful to the DRVN Government's policy, which aims at establishing with all neighbouring nations, particularly with the Cambodian people and the Royal Government, friendly relations based on the respect of the Five Principles of peaceful co-existence and the Geneva Agreements, the PAVN High Command warmly welcomes the above quoted passage and sincerely hopes that the

wish expressed therein, a wish which is also shared by the Vietnamese people and the DRVN Government, may soon be materialised by concrete action and thus bring important contribution to the maintenance and consolidation of peace in Indo-China and South East Asia.

We should be very grateful to you, Mr. Chairman, in the event you consider it useful, to communicate the tenour of this letter to H.R.H. the Prince Norodom Sihanouk and the Royal Government of Cambodia.

Please accept etc.,

Hanoi, 12 January 1956.
For the PAVN High Command,

Sd/- T-QUANG-BUU.

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Please accept etc.,

Hanoi, 12 January 1956.
For the PAVN High Command,
Sd/- T-QUANG-BUU.