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(For the period from 1st January 1958 to 31st December, 1958)

PHNOM PENH, the 28th July, 1959.

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CHAPTER II  
CHAPTER I

PETITIONS MADE BY AND ON BEHALF OF FORMER MEMBERS  
OF THE  
INTRODUCTION

This Report covers the activities of the International Commission for Supervision and Control in Cambodia for the period 1st January, 1958 to 31st December, 1958. During this period, the Commission held 21 regular meetings and 15 Extraordinary meetings. There were 4 meetings of the Political Advisers' Committee and 11 meetings of the Military Advisers' Committee.

2. 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.

3. All the decisions of the Commission were unanimous except in two cases cited in Chapter III.

CHAPTER II

PETITIONS MADE BY AND ON BEHALF OF FORMER MEMBERS  
OF THE KHMER RESISTANCE FORCES AND OTHERS

The Commission received three new petitions. In two of these the Commission decided not to take any action as the cases did not fall within the Geneva Agreement. The Commission took up the third case with the Royal Government of Cambodia in accordance with Article 6 of the Geneva Agreement and was satisfied with the reply given.

2. There were three cases pending at the close of 1957 as indicated in the 6th Interim Report. The Commission drew the Royal Government's attention to these cases and is awaiting the Royal Government's reply.

3. A brief history of the cases reported to the Commission is given in Appendix 'A'.\*

\* APPENDICES NOT REPRODUCED.

CHAPTER III

REPORTED MILITARY INSTALLATIONS AND REINFORCEMENTS IN AREAS  
ADJACENT TO CAMBODIAN BORDERS AND REPORTED VIOLATIONS OR  
THREATS OF VIOLATIONS OF CAMBODIAN TERRITORY.

During the period under review, the Commission did not receive any report from the Royal Government regarding military installations, reinforcements of troops, violations or threats of violations of Cambodian territory by forces of the Democratic Republic of Vietnam.

2. However, the Commission received several letters from the Royal Government containing reports about the build-up of military forces and reinforcements of military installations in South Vietnam and in Thailand along the Cambodian borders as well as of violations or threats of violations of Cambodian territory. The letters are summarised in Appendix 'B'.

Reported military build-up and reinforcements of military  
installations in South Vietnam near the Cambodian border

3. The Commission received six letters from the Royal Government reporting to the Commission about the installation of military bases, construction of air-fields, reinforcements of troops, etc., in South Vietnam near the borders of Cambodia. In all cases the Commission decided to send copies of these letters to the Vietnam Commission either for information or for such action as might be considered necessary by them.

Reported violations or threat of violations of  
Cambodian territory by South Vietnamese elements

4. The Commission received 22 letters from the Royal Government reporting violations or threats of violations of Cambodian territory by elements of the armed forces of the Republic of Vietnam. Except in four cases, on which the Royal Government addressed the Commission direct, in all other cases the Royal Government forwarded copies of the communications addressed by them to the Representative of the Republic of Vietnam in Phnom Penh. These letters and the Commission's decisions in each case are summarised at Appendix 'B'.

5. One of the incidents reported by the Royal Government which related to the violation of Cambodian territory and the displacement of a frontier stone from its original place into Cambodian territory by armed forces of the Republic of Vietnam in the province of STUNG TRENG in June, 1958 was the subject of prolonged discussion by the Commission. Full details of this case can be seen at Part II of Appendix 'B'. This case also involved the escape into Cambodia of 90 refugees claiming to be Vietminhs. On the question of sending a team to investigate the incident of violation of Cambodian territory, the Canadian Delegation felt that it was beyond the competence of the Commission to investigate border disputes between Cambodia and the Republic of Vietnam as well as any violations of Cambodian frontiers by the armed forces of the Republic of Vietnam. The Commission, however, decided by a majority vote to send an ad hoc team for investigation. The Canadian Delegation desired time to consult their Government before implementing the majority decision. As, however, instructions were reportedly not received

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

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

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

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

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

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

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

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

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

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

- (d) The evidence seen by the team did not lead it to conclude that the digging around the village or on either side of route No. 19, from the track junction of the village of BAN PAK NHAY, to approximately 300 meters WEST in the direction of BO KHEO could have been made with a view to launching a possible attack on BO KHEO."

The team did not rule out the possibility of armed clashes as long as the South Vietnamese forces continued to remain in Cambodian territory.

6. Before signing the report the Canadian representative on the team, while endorsing personally the observations of the team, pointed out about his Delegation's stand on the competence issue. The factual report of the team and the conclusions arrived at by the team were accepted by the Commission.

7. The Commission decided by a majority vote (Indian and Polish Delegations for and Canadian Delegation against) to send copies of all relevant documents to the International Commission for Supervision and Control in Vietnam for necessary action. As a subsequent resolution of the Polish Delegation regarding violation of Cambodian territory by South Vietnamese Armed Forces did not receive unanimity as envisaged under Article 21 of the Agreement for Cambodia, majority and minority reports (Appendix C) were sent to the Co-chairmen. The ICSC in Vietnam forwarded the team's report to the Government of the Republic of Vietnam. The Royal Government had informed the Commission earlier that the Armed Forces of the Republic of Vietnam had withdrawn to Vietnamese territory.

8. The position regarding the refugees who had escaped into Cambodia is explained in Chapter IV.

Reported violations or threat of violations of Cambodian territory and reported military build-up by Thailand along the Cambodian border.

9. The Commission received three letters reporting violations of Cambodian frontier by Thailand and installation of war material along the Cambodian-Thai border. With one of the three letters which was received in March 1958, the Royal Government forwarded a copy of their note of protest to the Royal Thai Embassy in Phnom Penh in connection with the occupation of the DAUN TON ruins in Cambodian territory by Thai military men. The Commission noted the letter and acknowledged its receipt to the Royal Government.

10. The other two letters received by the Commission in December 1958 related to the reported concentration of troops and installation of war materials by Thailand along the Cambodia border after the Royal Government's decision to withdraw the staff of their Embassy in Bangkok. The Royal Government alleged that these preparations and the menacing statements made by the Chief of the Thai Government vis-a-vis Cambodia constituted a serious threat to peace in the area. The Royal Government requested the Commission to send observers to the border provinces and verify the good faith of the Cambodians. The Polish Delegation's proposal to send a team was out-voted by the other two delegations. It was decided by a majority vote to inform the Royal Government that the Commission could not take any action regarding the relationships between Thailand and Cambodia.

CHAPTER IV

CASES OF VIETNAMESE, REPORTED EX-VIETMINH ELEMENTS, WHO ESCAPED INTO CAMBODIAN TERRITORY FROM SOUTH VIETNAM AND SURRENDERED THEMSELVES TO THE CAMBODIAN AUTHORITIES.

1. Case of the 90 Vietnamese who escaped from the Republic of Vietnam in June 1958 and surrendered themselves to the Cambodian authorities (Paragraph 5 of Chapter III refers).

In Chapter III it was mentioned that the case of violation of Cambodian territory by armed forces of the Republic of Vietnam in Stung Treng Province involved the escape into Cambodia of 90 reported Vietminh refugees from Vietnam. One of the terms of reference given to the ad hoc team sent to conduct necessary investigations relating to the violation of Cambodia's frontier was "to verify information given by the Foreign Minister of Cambodia in his formal interview with the Chairman of the Commission whereby the presence of Viet Minh persons (former Resistance Members) who entered Cambodia illegally was reported". The team after visiting the frontier came to Stung Treng on the 6th July, 1958 as the escapees from South Vietnam were kept by the Royal Government under surveillance at Stung Treng. The team was informed that 90 of these escapees entered into Cambodian territory. The team interrogated 89 of the individuals stated to have escaped from the custody of the SOUTH Vietnamese authorities. From the statements made by the individuals the team had reasons to believe that with the exception of seven only, all of them had either been members of the former Resistance Movement or had been somehow connected with it. These escapees claimed to have been arrested between 1955 and 1956 and put into prison without any trial. They claimed that they had been made to work as labourers on the construction of an airfield at CUTY which was said to be in SOUTH VIETNAM close to the border. They claimed that they escaped in batches and that they had not been promised any help by CAMBODIA, which country they entered illegally. These escapees were all male and were in custody of the Royal Government of CAMBODIA at the time of interrogation at STUNG TRENG.

2. The Royal Government in their letter No. 674-DGP/X, dated the 9th August, 1958 (Appendix "D") stated that 90 Vietnamese voluntarily submitted themselves to the Cambodian authorities at the post of Bokeo in the province of Stung Treng and that they were now interned in the province of Stung Treng until a decision on their future was taken. The Royal Government's letter stated that certain individuals speaking on behalf of their comrades stated that from 1945 to 1954 they belonged to Viet Minh formations and that after the Geneva Agreements they had returned home and resumed their previous occupations as cultivators or businessmen and that during the years 1954, 1955 and 1956 South Vietnamese authorities had arrested them and sent them to the internee camp at Cuty along with 445 other political prisoners. According to their statement they escaped to Cambodia as conditions were very hard. They had submitted themselves voluntarily to the Cambodian authorities at Bokeo requesting for authorisation to go to North Vietnam. The Royal Government's letter stated that as they were ex-Viet-Minh elements, they had decided to hand the prisoners over to the Commission for necessary action in conformity with the provisions of the Geneva Agreements. The Commission was requested by the Royal Government to intimate the date when and



the place where the Cambodian authorities could hand the prisoners over to the Commission. This subject was discussed in the Commission's meeting held on the 13th August, 23rd August, 17th September and 3rd October, 1958. The Royal Government sent a complete list of the refugees with their letter No. 685/DGP/X, dated the 15th August, 1958. In a subsequent letter No. 792-DGP/X, dated the 29th September, 1958 received from the Royal Government (Appendix "E") the Commission was requested to expedite the consideration of the case and also desired the Commission to take over the refugees pending a final decision. As more time was considered necessary to reach a decision, the Royal Government was informed that the matter was under discussion by the Commission and that the Commission was not in a position to take over the refugees until a final decision was reached. The subject was finally discussed in the Commission's meeting held on the 10th October, 1958 and, in accordance with the Commission's decision, copies of the relevant correspondence were sent to the International Commission for Supervision and Control in Vietnam in continuation of the correspondence dealing with the Stung Treng incident. The Commission informed the Royal Government that copies of relevant documents had been sent to the Vietnam Commission for any action considered necessary by them and that a further communication would follow on receipt of reply from that Commission.

3. The Commission received letter No. 907/DGP/X, dated the 6th November, 1958 from the Royal Government (Appendix "F") requesting the Commission to ask the International Commission in Vietnam to contact the authorities of the Democratic Republic of Vietnam in Hanoi with a proposal to take over these refugees. The Royal Government pointed out that a prompt settlement of this case would save them a number of problems created by the continued stay of these refugees in Cambodia. The Commission forwarded a copy of the Royal Government's letter to the International Commission in Vietnam pointing out the embarrassment caused to the Royal Government on account of these refugees and requesting a decision as soon as it was arrived at. The Royal Government was informed accordingly.

Case of Phan Van Sen who surrendered himself to the Cambodian authorities and asked for asylum.

4. On the 4th November, 1958 the Commission received a letter (No. 7992-PS-2EB, dated the 3rd Nov. 1958) from the Police Commissioner, Royal Government of Cambodia, through the Minister for National Security, stating that one PHAN VAN SEN, Viet Minh, surrendered himself to the Cambodian authorities of Srok SVAY TEAP (Svay Rieng) on the 28th August, 1958 and handed them one Mas 36 Rifle and nine cartridges. The letter stated that the individual had had an encounter with elements of the FARVN in DONG THAP MUOI area (South Vietnam) and after his gang had been dispersed he had been forced to surrender and ask for asylum.

5. The Commission discussed the matter and decided that no action could be taken by the Commission in the case. The Royal Government was informed accordingly.

6. In their reply (No. 102-DGP/X, dated the 13th December, 1958), the Royal Government stated that as the case was that of a Vietminh who, in conformity with the provisions of the Geneva Agreements, had asked for his repatriation to North Vietnam, the Royal Government would have no objection if the I.C.S.C. examined favourably his request and took up the case with the I.C.S.C. in Vietnam or the Government of the D.R.V.N. in order to repatriate him.

7. The Commission discussed the letter and informed the Royal Government that according to the information available to the Commission the individual was a member of a gang which had been dispersed by the elements of the F.A.R.V.N. If he felt that he was entitled to claim the protection of the Geneva Agreement for Vietnam, he could have taken steps to approach the I.C.S.C. in Vietnam while he was still in that country. The Commission conveyed to the Royal Government its inability to act on the case.

Commission was requested to expedite the consideration of the... also desired the Commission to take over the refugees... As more time was considered necessary... the Royal Government was informed that... the matter was under discussion by the Commission and that the... Commission was not in a position to take over the refugees... The subject was finally... discussed in the Commission's meeting held on the 10th October... and in accordance with the Commission's decision, copies... of the relevant correspondence were sent to the International... Commission for Supervision and Control in Vietnam in connection... of the correspondence dealing with the Binh Trung incident... The Commission informed the Royal Government that copies of... relevant documents had been sent to the Vietnam Commission for... largely action considered necessary by them and that a further com-... mustation would follow on receipt of reply from the Commission.

The Commission received letter No. 102/DGP/X dated... from the Royal Government (Appendix "I")... requesting the Commission to ask the International Commission... in Vietnam to contact the authorities of the Democratic... of Vietnam in Hanoi with a proposal to take over... these refugees. The Royal Government pointed out that a prompt... of this case would save them a number of problems... by the continued stay of these refugees in Cambodia... Commission forwarded a copy of the Royal Government's letter... International Commission in Vietnam pointing out the... ceased to the Royal Government on account of these... and requesting a decision as soon as it was arrived at... The Royal Government was informed accordingly... of Binh Van Sen who surrendered himself to the... and asked for asylum.

On the 4th November, 1953 the Commission received a... letter (No. 102-DGP-X, dated the 3rd Nov. 1953) from the... Police Commissioner, Royal Government of Cambodia, through the... Minister for National Security, stating that one PHAN VAN SEN... Viet Nam, surrendered himself to the Cambodian authorities... of STOK SVAY TRAP (Svay Heng) on the 28th August, 1953 and... handed them one map to Klie and also cartridges. The letter... stated that the individual had had an encounter with elements... of the FARVN in DENG TRAP MUOI area (South Vietnam) and after... his gang had been dispersed he had been forced to surrender... and asked for asylum... that the Commission discussed the matter and decided that... no action could be taken by the Commission in the case... in Royal Government was informed accordingly... The... (No. 102-DGP-X, dated the 13th December... 1953) the Royal Government stated that as the case was that of a... Vietnam who, in conformity with the provisions of the Geneva... Agreements, had asked for his repatriation to North Vietnam. The... Royal Government would have no objection if the I.C.S.C. examined... favourably his request and took up the case with the I.C.S.C. in... Vietnam on the Government of the D.R.V.N. in order to repatriate... him.

CHAPTER V

FOREIGN AID IN WAR MATERIALS, MILITARY BASES AND ALLIANCES

Entry of war material

Responsibility for checking the entry of war material into Cambodia continued to be exercised by the Fixed Team, Phnom Penh, which received full cooperation from the Royal Government. In its daily reports to the Commission, the team had nothing to report regarding the entry of war material during the period under review.

Transit of war material through Cambodia

In December 1958 the Royal Government informed the Commission that the Embassy of France in Cambodia had requested the Royal Government to allow the transit of 800 tons of war material through Cambodia. The materials consisted of ammunition, arms and military equipment and were being sent from the French Military base at Seno (Laos) to France. The Royal Government stated that they had authorised the transit of this material through Cambodia and pointed out that adequate precautions would be taken during the transit of the material through Cambodia. The Commission informed the Royal Government that the Commission had no objection to the passage of the material through Cambodia as it was merely in transit and destined for France.

Discovery of arms and ammunition

3. In August 1958 the Royal Government intimated to the Commission the discovery of 83 rifles, 2 mines and one grenade by the inhabitants of Khum TAN G SAMPONG and Khum AUR (Cambodia).
4. The Commission noted the letter and acknowledged its receipt.

Foreign Military Bases and Military Alliances

5. The Commission has nothing to report on the establishment of military bases in Cambodian territory during the period under review.
6. The International Commission considers that the Royal Government has continued to fulfill most satisfactorily its responsibility under Articles 7 and 13(c) of the Geneva Agreement.

CHAPTER VI

REDUCTION IN ACTIVITIES OF THE COMMISSION

During 1958 the total strength of the Commission was reduced by 76 persons. The incidence of the reductions is shown in the following table which provides the relevant figures of the Commission's strength in December, 1957 and December, 1958:-

	Strength in Dec' 57	Strength on 31.12.1958
Int. Sectt.	15	11 includes 3 local Cambodian interpreters and 2 local clerks.
Indian Military Component of the Int. Sectt. and National Delegation of India	75	6
Indian Delegation	5	6
Canadian Delegation	12	9
Polish Delegation	8	7
Locally recruited messengers	6	6 * 1 each in Indian, Canadian & Polish Delega- tions and 3 in the Secretariat.

2. As a measure of economy the Indian Army Signals Link between Phnom Penh and Saigon was closed. As a result of the closing down of the Indian Army Signals link and other measures of economy all other ranks of the military contingent of the Indian Delegation were repatriated to India and the Camp, where these personnel had been housed was surrendered to the Royal Government. A number of vehicles were surrendered to the Royal Government, which resulted in considerable savings for the Commission.

CHAPTER VII

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

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1. Major General Ghanshyam Singh joined the Commission as Leader of the Indian Delegation and Chairman of the Commission on the 7th March, 1958. He succeeded Major General D.S. Brar, who relinquished the chairmanship of the Commission on the 10th December, 1957. During the intervening period Mr. K.U. Menon, Alternate Delegate and Political Adviser to the Indian Delegation, served as Acting Chairman of the Commission.
2. Mr. E.H. Gilmour who took over the duties of Acting Commissioner for Canada on the 1st September, 1957 relinquished the leadership of the Canadian Delegation on 30th July, 1958. Mr. E.H. Gilmour has been succeeded by Dr. A.E. Blanchette.
3. Mr. A. Zaruk Michałski, Minister Plenipotentiary, who took over as Polish Commissioner on 6th November, 1957 remains the head of the Polish Delegation on the International Commission for Supervision and Control in Cambodia. During October-December he was away on leave in Poland, when Mr. St. Bartnik acted as Polish Commissioner.

Major General  
(Sgd.) GHANSHYAM SINGH

Representative of India  
Chairman of the International Commission

(Sgd.) A.E. BLANCHETTE  
Representative of Canada.

(Sgd.) A.ZARUK MICHALSKI  
Representative of Poland



November 12, 1959.

Highlights of the Seventh Interim Report  
of the International Commission for Super-  
vision and Control in Cambodia

The seventh Interim Report of the International Commission for Supervision and Control in Cambodia dealing with the period from January 1, 1958, to December 31, 1958, was signed in Phnom Penh on the 28th of July, 1959.

2. The Report describes in a brief and concise manner the work of the Commission during the period covered. The residual responsibilities of the Commission were few and its activities limited.

Reported Violation of Cambodian Territory

3. One issue in which the Commission became involved during this period was a border incident which took place in the province of Stung Treng in June 1958, which also involved the escape into Cambodia of 90 refugees claiming to be Vietminh. The question of whether the Commission was competent in this matter was the subject of prolonged discussions by the Commission. Canada, for its part, held the view that the Commission was not competent to deal with any such incident between Cambodia and South Vietnam since the latter was not a party to the Cease Fire Agreement for Cambodia. The Commission nevertheless decided by a majority vote (Canada dissenting) to send a team to investigate the incident. On return from its mission, the team presented a report in which it concluded that there was a violation of the Cambodian Territory by the armed forces of the Republic of Vietnam. In view of the Canadian position on the question, it was decided that majority (India, Poland) and minority (Canada) reports should be sent to the Co-Chairmen of the

incident. Meanwhile, the Commission was informed by the Royal Government of Cambodia that the Armed Forces of the Republic of Vietnam had withdrawn to Vietnamese territory. In the case of the 90 Vietminh refugees, it was decided that the correspondence and information should be forwarded to the International Commission for Vietnam for any action considered necessary.

4. Another alleged violation of Cambodian territory by Thailand was reported to the Commission by the Cambodian Royal Government but the Commission decided that this case was beyond its competence.

Foreign aid in war material, military bases and alliances

The International Commission considered that the Royal Government of Cambodia continued to fulfil most satisfactorily its responsibility under Articles 7 and 13 of the Geneva Agreement concerning importation of war mater and receipt of military foreign aid.

Reduction in activities of the Commission

As a result of lack of activities, the Commission personnel was drastically reduced and other measures of economy were taken which resulted in considerable saving.

