

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/5332
27 July 1964
ENGLISH
ORIGINAL: FRENCH



REPORT
OF THE SECURITY COUNCIL MISSION TO THE KINGDOM OF
CAMBODIA AND THE REPUBLIC OF VIET-NAM

(Resolution of 4 June 1964 - document S/5741)

LETTER DATED 27 JULY 1964 FROM THE CHAIRMAN OF THE SECURITY COUNCIL
MISSION TO THE KINGDOM OF CAMBODIA AND THE REPUBLIC OF VIET-NAM
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to send you herewith the report prepared by the Security Council Mission in compliance with the terms of reference given to it under paragraph 5 of the resolution of 4 June 1964.

I should be grateful if you would transmit the report to the Security Council.
I have the honour to be, etc.

(Signed) Dey Ould Sidi Baba
Chairman,
Security Council Mission to the
Kingdom of Cambodia and the
Republic of Viet-Nam

I. Introduction

(a) Security Council resolution of 4 June 1964 on the complaint by the Royal Government of Cambodia

1. On 13 May 1964 the Royal Government of Cambodia addressed a complaint to the President of the Security Council (S/5697) in connexion with "the repeated acts of aggression by United States-South Vietnamese forces against the territory and the civilian population of Cambodia". The Security Council met on 19 May 1964 to examine the Cambodian complaint, which it decided to place on its agenda.

2. The question was then considered by the Security Council at the meetings held from 19 May to 4 June 1964; on the latter date, at its 1126th meeting, the Council adopted the following resolution (S/5741):

"The Security Council,

"Considering the complaint by the Royal Government of Cambodia in document S/5697.

"Noting the statements made in the Council in regard to this complaint,

"Noting with regret the incidents which have occurred on Cambodian territory and the existing situation on the Cambodian-Vietnamese frontier,

"Taking note of the apologies and regrets tendered to the Royal Government of Cambodia in regard to these incidents and the loss of life they have entailed,

"Noting also the desire of the Governments of the Kingdom of Cambodia and the Republic of Viet-Nam to succeed in restoring their relations to a peaceful and normal state,

"1. Deplores the incidents caused by the penetration of units of the Army of the Republic of Viet-Nam into Cambodian territory;

"2. Requests that just and fair compensation should be offered to the Royal Government of Cambodia;

"3. Invites those responsible to take all appropriate measures to prevent any further violation of the Cambodian frontier;

"4. Requests all States and Authorities and in particular the members of the Geneva Conference to recognize and respect Cambodia's neutrality and territorial integrity;

"5. Decides to send three of its members to the two countries and to the places where the most recent incidents have occurred in order to consider such measures as may prevent any recurrence of such incidents. They will report to the Security Council within forty-five days."

(b) Terms of reference of the Mission

3. The Mission's terms of reference are thus set forth in paragraph 5 of the resolution, which stipulates that three members of the Security Council shall be sent "to the two countries and to the places where the most recent incidents have occurred in order to consider such measures as may prevent any recurrence of such incidents". The present report is submitted to the Council in accordance with those terms of reference.

(c) Composition of the Mission

4. After consulting the members of the Security Council, the President announced in a note of 5 June 1964 (S/5749) that Brazil, the Ivory Coast and Morocco had been chosen to constitute the Security Council Mission to be sent to the Kingdom of Cambodia and the Republic of Viet-Nam in accordance with paragraph 5 of the Security Council resolution, and to report to the Council.

(d) Designation of representatives and selection of the Chairman

5. The Governments of Brazil, the Ivory Coast and Morocco designated the following representatives to serve as members of the Mission:

6. The Government of Brazil appointed H.E. Pio Correa, Ambassador of Brazil to Mexico; the Government of Morocco appointed H.E. Dey Ould Sidi Baba, Deputy Permanent Representative of Morocco to the United Nations; and the Government of the Ivory Coast appointed Mr. Moise Aka, Counsellor of the Permanent Mission of the Ivory Coast to the United Nations.

7. The Mission thus constituted held its first working meeting on 17 June 1964 (see Press Release SC/2604) and selected H.E. Ambassador Sidi Baba as its Chairman.

8. The Secretary-General of the United Nations appointed Mr. J.F. Engers of the Executive Office of the Secretary-General as Principal Secretary of the Mission and assigned Mr. Z. Kuzbari of the Department of Political and Security Council Affairs to serve as Political and Information Officer of the Mission.

II. Itinerary

(a) Audience with H.R.H. Prince Norodom Sihanouk

9. Before leaving for Cambodia, the Mission received an invitation from H.R.H. Prince Norodom Sihanouk, Head of the Cambodian State, to attend a working dinner on 22 June 1964 at Nice, France. The matters discussed related to the Mission's terms of reference and the organization of the visit to Cambodia.

10. The members of the Mission note with satisfaction the positive attitude taken by H.R.H. Prince Norodom Sihanouk during the discussion, and they welcome this opportunity of thanking him for his hospitality and for the facilities extended to them in regard to the arrangements for their visit to Cambodia.

(b) Visit to Cambodia

11. The members of the Mission arrived at Phnom Penh on 26 June 1964 and were met by H.E. Mr. Huot Sambath, Minister for Foreign Affairs, accompanied by representatives of the Minister for National Defence, the Minister for National Security and Ground Defence and the Minister for the Interior.

12. During its visit, from 26 June to 5 July 1964, the Mission held conversations with H.H. Prince Norodom Kantol, Chairman of the Council of Ministers, and also held several working meetings with H.E. the Minister for Foreign Affairs.

13. The Mission also visited the places where the frontier incidents described below occurred:

- (i) The village of Mong (province of Kompong Cham), where considerable damage caused by the bombing of 4 February 1964 is still clearly visible. The Commander of the First Military Region of Cambodia stated that during this attack five persons (three women and two children) had been killed, six civilians had been wounded, livestock had been killed, and dwellings had been destroyed;
- (ii) The hamlet of Taey, which was attacked on 7 May 1964. The Commander of the First Military Region said that seven provincial guards had been killed, and the Mission found evidence of caterpillar tracks of armoured vehicles and bomb craters;

- (iii) The hamlet of Thlok, where on 8 May 1964 the Royal Cambodian armed forces repulsed an attack by South Vietnamese troops who left behind four dead, two wounded prisoners and one destroyed armoured car, the remains of which were seen by the members of the Mission;
- (iv) The hamlet of Tralok Bêk. In the course of an attack on 18 May 1964 by members of the regular army of the Republic of Viet-Nam, seven dwellings were burnt down, and the hamlet was subjected to severe bombing from the air. On 11 June 1964 a dwelling was destroyed in another attack. The Minister for Foreign Affairs of Cambodia, who accompanied the Mission, pointed out that the attack of 11 June had taken place after the adoption of the Security Council resolution;
- (v) The village of Chantrea (province of Svay Rieng). Nineteen villagers were killed during an air and land attack on this village on 19 March 1964;
- (vi) the Villages of Kauk Têk, Bathu and Mêsarthngâk (Tanoy), where the damage done in attacks which took place in 1963 is still visible;
- (vii) The hamlet of Koh Sko (province of Prey Vêng). In this village, which had been attacked very recently (24 June 1964), the Mission saw the remains of burnt-out dwellings and hand-grenades which had been abandoned unused.

14. The Mission also had the opportunity, on 1 July 1964, during a helicopter flight in the direction of Kirivong, to observe the Cambodian-Vietnamese frontier along the Vinh-Té canal for a distance of about eighty kilometres.

(c) Visit to the Republic of Viet-Nam

15. The Mission then proceeded to Saigon, arriving there on 5 July 1964. It was met by H.E. Dr. Phan Huy Quat, the Minister for Foreign Affairs, and representatives of the Ministries of Defence and the Interior.

16. On 6 July 1964 the Mission was granted an audience by H.E. the Head of State, General Duong Van Minh, and had several talks with General Nguyen Khan, Prime Minister and Chairman of the Revolutionary Military Council.

/...

17. In addition, a number of working meetings were arranged with the Minister for Foreign Affairs and his staff, who outlined the point of view of the Government of the Republic of Viet-Nam, thus giving the members of the Mission a better picture of the various factors involved in the present situation. The General Staff of the Armed Forces of the Republic of Viet-Nam also provided the Mission with very useful additional information.

18. In pursuance of its terms of reference, the Mission visited the region of Dalat (where at the National Geographic Institute it was given an account by the military authorities of the characteristics and peculiarities of the Cambodian-Vietnamese frontier), and the regions of Chau-Doc and Pleiku.

19. The members of the Mission would like to make special mention of the cordial reception they received throughout their travels and the understanding shown towards them in their conversations with the various members of the Government.

20. The Mission left Saigon on 14 July 1964 and arrived back in New York on 17 July 1964.

III. Compliance with the Mission's terms of reference

(a) General study of the frontier situation

21. Under paragraph 5 of the resolution of 4 June 1964, the Security Council instructed the Mission to visit the Kingdom of Cambodia and the Republic of Viet-Nam and the places where the most recent incidents had occurred in order to consider such measures as might prevent any recurrence of such incidents.

22. At the invitation of the Royal Government of Cambodia, the Mission visited the scenes of the main incidents on which the complaint by the Royal Government of Cambodia was based (S/5697).

23. The representatives of the civil and military authorities of Cambodia gave the members of the Mission detailed explanations on the spot concerning the events which had taken place and also supplied information on the nature of the terrain and the topography of the frontier areas.

24. Full information was given in reply to all questions asked by the members of the Mission, and the Mission is grateful to the Cambodian authorities for the efficiency of the travel arrangements, which allowed it complete freedom to ascertain the facts on the spot.

25. Since the Security Council, in its resolution of 4 June 1964, stated its views fairly specifically in regard to the incidents in question, the Mission did not consider itself called upon to express an opinion on the facts enumerated by the Royal Government of Cambodia in its complaint. It can state, however, that the evidence collected and the facts noted on the spot confirm that the resolution adopted by the Security Council was opportune. Furthermore the visits paid to the Cambodian areas bordering on Viet-Nam gave the Mission a better understanding of the situation in that area.

26. In response to the invitation of the Government of the Republic of Viet-Nam, which was anxious that the Mission should gain an accurate picture of the nature of the frontier on the Vietnamese side and the problems it presents, the Mission also visited some of the frontier districts in that country.

27. It should be pointed out, however, that the visits to Cambodian areas were of a different nature from those paid to areas in Viet-Nam. The former were carried out strictly in accordance with the instructions given in the Security Council resolution, whereas the latter were prompted by the Mission's desire to collect information which would be of value in the preparation of its report. In both cases, the visits served to enlighten the Mission as to ways and means of preventing a recurrence of the incidents which the Security Council deplored and which have heightened the tension between the two countries.

(b) Discussions with the two Governments on the broader issues underlying their differences

28. The Mission considered that the violations of the Cambodian frontier were the symptoms rather than the cause of the strained relations between the two countries; it accordingly examined a number of specific proposals designed to improve those relations.

29. The Mission's efforts can accordingly be classified in two categories: those aimed at improving the situation along the frontier and those designed to ease the tension between the two countries.

30. The Mission held frank and detailed discussions on both these issues with the Governments of the two countries. What follows reflects their respective positions as made known to the Mission.

IV. Positions of the two Governments on the questions in dispute

31. The Mission notes that the two Governments reaffirmed their desire to improve relations and took the view that the resumption of political relations broken off on 26 August 1963 would be a significant contribution towards reducing tension between their two countries.

32. In addressing itself to this question, however, the Mission could not help being aware that, in addition to the ancient rivalries and suspicions between the two countries, there were fundamental differences between the policies each had elected to adopt. Cambodia has chosen a policy of neutrality. The Republic of Viet-Nam has made a different choice by unequivocally taking sides in the conflict which brought the great Powers face to face in that part of the world. Such choices are inherent in the principle of sovereignty and the Mission found that both Governments are firmly resolved to see that their choice is respected.

33. The Kingdom of Cambodia considers itself bound and covered by the Geneva Agreements of 1954, whose signatories took note of its Declaration of neutrality. At the same time the Government of Cambodia, while asking the Geneva Conference Powers to meet in order to recognize and guarantee Cambodia's neutrality and territorial integrity, is prepared, pending the convening of the conference, to accept its neighbours' assurances in the matter on a bilateral basis.

34. Conversely, the Republic of Viet-Nam takes a different view of those Agreements - of which it is not a signatory - and is indeed opposed to the idea of a new Geneva conference.

35. The Mission nevertheless found that, notwithstanding their divergent views on this fundamental issue, neither Government considers that these should constitute an obstacle to the resumption of normal peaceful relations between the two countries.

36. Thus the Government of the Republic of Viet-Nam has informed the Mission that it recognizes the neutrality of Cambodia and undertakes to respect it.

37. The Royal Government of Cambodia, in turn, has assured the Mission that it intends to refrain from any interference in the domestic affairs of the Republic of Viet-Nam and that it has no territorial claims against that country.

38. The Royal Government of Cambodia nevertheless feels obliged to point out that the Republic of Viet-Nam, in a note of 12 March 1960, laid claim to the islands lying off the coast of Cambodia opposite the town of Kep and under Cambodian administration.

39. The Royal Government of Cambodia informed the Mission that the withdrawal of this claim would make it possible for political relations between the two countries to be resumed. Should the Royal Government of Cambodia receive satisfaction on this point, it intimates its willingness to resume negotiations with the Government of the Republic of Viet-Nam on the other outstanding problems, including the delimitation and marking of the frontier.

40. The Mission broached the question of the off-shore islands with the leaders of the Republic of Viet-Nam on several occasions and is able to report that the Government of that country attaches no particular importance to the problem and does not intend to raise it. In addition, that Government showed itself quite favourably disposed towards an attempt to reach a satisfactory settlement of the question through bilateral negotiation, in so far as its goodwill on this point would make for a general settlement regarding the delimitation of the land frontier.

41. The Mission found that the Government of the Republic of Viet-Nam attaches considerable importance to the last-mentioned problem. It submitted to the Mission a large body of documentation purporting to prove not only that the Cambodian-Vietnamese land frontier is not clearly marked on the ground but also that it is not properly defined on the maps which were drawn by the Geographic Service of the former French Indo-China and were used in the preparation of the maps published and currently used both by the Kingdom of Cambodia and by the Republic of Viet-Nam. The competent authorities of the Republic of Viet-Nam drew attention, in particular, to discrepancies of detail in regard to the frontier line in the 1/100,000 and 1/400,000 maps prepared by the above-mentioned Service. But it should be pointed out that the discrepancy between the two maps affects only an extremely small area.

42. The Government of the Republic of Viet-Nam proposes that the two countries should, by joint agreement, fix the line of their common frontier on the basis of a reference map chosen by both Parties and should then mark out this line on the ground. The Republic of Viet-Nam considers that the completion of this task will help considerably to prevent further frontier incidents.

43. The Royal Government of Cambodia does not attach the same importance to the question of delimiting and marking the frontier. In particular it argues that the

absence of frontier marks had no direct bearing on the most recent incidents to which the Security Council resolution refers. It maintains that the frontier can be adequately identified by the ethnic type of the inhabitants, the kind of vegetation and the style of the dwellings. The Royal Government of Cambodia is nevertheless prepared to enter into negotiations with the Government of the Republic of Viet-Nam in order to settle the question of the frontier line, as soon as political relations have been resumed.

44. In view of the facts as stated by the two Parties, the Mission reached the conclusion that there is no territorial dispute between the two countries so far as the land frontier is concerned.

(c) Question of international supervision of the frontier

45. When requesting the Geneva Conference Powers to meet in order to recognize and guarantee the neutrality and territorial integrity of their country, the Cambodian Head of State and the Royal Government of Cambodia declared that with that end in view they would be ready to agree to general supervision of the frontier by the International Commission for Supervision and Control established by the Geneva Conference of 1954. It is the view of the responsible Cambodian authorities that the new conference should widen the powers of the International Commission so as to enable it to exercise the effective control which Cambodia desires.

46. While stressing this point the Royal Government of Cambodia is not unaware, however, that in the existing international situation it would hardly be feasible to convene the Geneva Conference, at any rate in the immediate future.

47. In view of this, and pending the convening of the Conference, H.R.H. Prince Norodom Sihanouk and the Royal Cambodian Government informed the Mission that as an earnest token of their good faith the Royal Government would agree to the dispatch of United Nations civilian observers if so decided by the Security Council. It should be understood however that such unarmed United Nations observers, whose nationalities would be subject to the approval of the Royal Government, would in no sense replace the International Commission for Supervision and Control, which would carry on its task as usual.

48. The idea of the Royal Government of Cambodia is that the United Nations observers would be organized in teams and would set up permanent fixed posts from which sensitive areas in Cambodian territory could be kept under effective supervision so as to establish Cambodia's good faith. In such circumstances, the Royal Government of Cambodia would not permit the observers to cross the boundaries of Cambodian territory, in order to avoid involving the United Nations in the domestic affairs of the Republic of Viet-Nam.

49. Cambodia has further declared that, in any event, it is not in a position to share in financing the operation and considers that the cost should be borne "by the rich countries which say they are anxious that Cambodia should not be used as a base for the Viet-Cong". It is the Mission's understanding that the Royal Government of Cambodia attaches great importance to the settlement of this financial question and feels that it should be disposed of before any action whatsoever is taken with regard to the dispatch of observer teams.

50. The Mission's view is that the settlement of this question should be part of the implementation of the recommendation made below concerning the dispatch of a group of United Nations observers.

51. The Government of the Republic of Viet-Nam has put forward some other proposals for reducing the risk of further frontier incidents. It has proposed inter alia "the establishment of an international police force, or of a group of observers with sufficient personnel and resources to keep the frontier area under surveillance". Meanwhile, the Government of the Republic of Viet-Nam assured the Mission that it was prepared to accept measures of any kind which, if objectively and impartially applied, would help to improve the situation between the two countries.

V. Conclusions

52. The Mission believes that it has established the existence of important factors which could serve as a basis for a solution of the various problems at issue. Undoubtedly the two Governments have divergent views on a number of these problems, but it is clear that they are both animated by a spirit of goodwill and are anxious to reach concrete, even if limited, agreements.

53. The Mission found that the two Governments are aware of the need to make an effort to reduce the tension between their two countries. Hence, for example, the Government of the Republic of Viet-Nam has assured the Mission that its armed forces will avoid approaching too close to the frontier in order to avert any possibility of frontier violation.
54. The situation in the frontier region nevertheless remains strained, and the Mission welcomes the fact that the two Governments have taken a positive attitude and have contemplated measures to reduce the risk of further incidents. Although there are substantial differences between the views expressed on either side, nevertheless there are still points which could be adopted as a basis for a solution acceptable to both Parties.
55. The two main problems to be solved are the resumption of political relations and the dispatch of international observers.
56. As to the first of these problems, the Mission considers that it would be unrealistic to ignore that fact that there are differences in political outlook between the two Governments. The obstacles to normal relations derived mainly from pride and mutual distrust - the outcome of age-old rivalries; the different historical circumstances in which the two States obtained their independence; and more recently, the divergent paths they have chosen in the matter of international politics.
57. Despite this, the two countries are aware of the geographical realities which make it necessary for them, as neighbours, to live on good terms. Indeed, inter-penetration exists at all levels of the two countries' national life. There is a Khmer minority living in the Republic of Viet-Nam, just as there is a Vietnamese minority in the Kingdom of Cambodia. The Mekong is not only the natural highway linking the two countries; it is also a fount from which could rise up great nuclei of prosperity essential for the well-being and progress of all of the region's inhabitants.
58. Moreover, as the Mission was able to note, both countries have declared that they have no claims with respect to the common land frontier. Each State undertakes to respect the territorial integrity and the political system of the other. The Mission considers that the goodwill thus expressed on both sides constitutes a hopeful start towards the resumption of normal political relations between the two countries.

59. The Mission is compelled, however, to mention the problem of the off-shore islands, which Cambodia raises as a prior condition for the resumption of relations with the Republic of Viet-Nam. The reaction of the latter on this subject is felt to be sufficiently conciliatory to justify the hope on the part of the Mission that this question will be satisfactorily disposed of during the first contacts established between the two Governments.

60. It should be noted that the resumption of political relations would be bound to lead to negotiations with a view to agreements on such matters as the delimiting and marking of the frontier.

61. While it is not in a position to say how far the lack of frontier marking may have played a part in the recent incidents, the Mission is of the view that anything that could be done to remedy the present inadequate marking would be most helpful in preventing frontier conflicts or regrettable incidents such as have taken place on Cambodian territory.

62. As regards the principle of international supervision in the frontier area, each of the Parties has made its views on this subject perfectly clear.

63. The Cambodian proposal was conceived in a spirit of evident goodwill, and the Mission believes that, taken as a whole, the proposal represents a real contribution to the problem. The Mission has therefore felt that it should recommend the Security Council to consider a formula that would embrace that proposal by establishing a United Nations observer group, its functions to be as defined in paragraphs 47 and 48 of this report.

64. The ways and means of applying such a formula would, however, have to be the subject of negotiations at a later date. The Mission did not feel called upon to initiate negotiations of this kind; it considered that the Council itself should have a thorough study made of all the points concerning the application of the formula.

64. As to the proposals regarding international supervision put forward by the Republic of Viet-Nam, the Mission considers that inasmuch as they go beyond what is acceptable to the Kingdom of Cambodia, they might not constitute a basis for an agreement between the two countries.

VI. Recommendations

66. In accordance with its terms of reference, which were to consider such measures as might prevent any recurrence of the incidents which have occurred on the Cambodian-Vietnamese frontier, within Cambodian territory, and having regard to what has been stated in this report, the Mission submits to the Security Council the following recommendations:

- (i) That the Security Council should decide to establish and send to Cambodia a group of United Nations observers and should entrust the Secretary-General of the United Nations with the implementation of this decision in consultation with the members of the Security Council;
- (ii) That the Security Council should recommend the Governments of the Kingdom of Cambodia and the Republic of Viet-Nam to adopt whatever measures are necessary to bring about the resumption of the political relations broken off in August 1963;
- (iii) That the Security Council should appoint a person of high international standing, approved by the two Parties, to arrange for a preliminary meeting between the two Governments for the purpose of re-establishing relations between the two countries and the resumption of talks on matters in dispute, particularly the delimitation and marking of the common frontier;
- (iv) That the Security Council should take note of the assurances given to the Mission by the Government of the Republic of Viet-Nam that the Vietnamese armed forces have been issued definite instructions that every precaution is to be taken to avoid any risk of frontier violations;
- (v) That the Security Council should take note of the statement by the Government of the Republic of Viet-Nam that it recognizes and undertakes to respect the neutrality and territorial integrity of the Kingdom of Cambodia.

Done at United Nations Headquarters, New York, on 27 July 1964.

Dey Ould Sidi Baba,
Representative of Morocco,
Chairman

Manuel Pio Correa,
Representative of Brazil

Moise Aka,
Representative of the Ivory Coast

