

**Letter to the Registrar dated 13 June 2011 from
the Agent of Cambodia**

[Translation]

Please find below some comments on the reply provided by Thailand to the question put by Judge Cançado Trindade.

Firstly, Cambodia notes that Thailand gives very little information on the area of the Temple of Preah Vihear, which is the sole subject of the dispute brought before the Court, and indicates that there was no population displacement. This is in keeping with the fact that the area of the Temple under Cambodian sovereignty does not contain any Thai settlements or populations. And this also shows that, until the recent incursions, the situation did indeed comply with the Court's 1962 Judgment regarding Cambodia's sovereignty and control over the area of the Temple of Preah Vihear.

Furthermore, Thailand's reply confirms the existence of incidents in the area of the Temple of Preah Vihear and at other sites, at the time the Application and the request for the indication of provisional measures were filed. This highlights the need for the provisional measures the Court may pronounce in order to preserve the rights of the Parties and prevent irreparable prejudice. While calm was restored (and populations returned) as early as 2 May, therefore after the Application was filed by Cambodia on 28 April 2011, it should be recalled, as Cambodia did during the oral pleadings, that the calm is fragile and that there is nothing to indicate that fighting will not break out again (as it did in July 2008, October 2008, April 2009, February 2011 and April 2011), as the two armies stand face to face night and day.

In its reply, Thailand acknowledges that populations were displaced mainly in the area 150 km west of the Temple. The aim of such an account, which focuses on an area far away from the Temple of Preah Vihear, is to reinforce the idea that the incidents did not take place in the area of the Temple of Preah Vihear, that this same area is not the "origin" of the conflict, and that there is no need for measures in respect of this area far away from the Temple of Preah Vihear, since the incidents involve places which are not covered by the 1962 Judgment on the basis of which the Court has jurisdiction. On all these points, Cambodia already had occasion to make it clear in the oral pleadings that only the incidents in the area of the Temple of Preah Vihear should be taken into account and that the incidents in the area 150 km away from the Temple of Preah Vihear should not enter into consideration for the measures the Court might pronounce, although they illustrate the spread of tensions between the two States whose epicentre and origin is indeed the area of the Temple of Preah Vihear.

As regards its wanting to move, in the eyes of the Court, the dispute in this area to 150 km west of the Temple of Preah Vihear, Cambodia can only protest strongly against the manner in which Thailand claims sovereignty over the Temples of Ta Mone and Ta Krabey by placing them in Surin Province under its sovereignty. This is erroneous and stems, once again, from Thailand's unilateral interpretation regarding the frontier in this area, which Cambodia could easily contest with ample supporting evidence. Nevertheless, the area of the Temple of Preah Vihear is the starting point and symbol of this unilateral interpretation and it is this matter which forms the subject of Cambodia's Application.
