



No. 35001/ ๒๕๐

Royal Thai Embassy
The Hague

14 June B.E. 2554 (2011)

Sir,

I have the honour to refer to the Request for Interpretation of the Judgement of 15 June 1962 in the Case concerning the Temple of Preah Vihear (Cambodia v. Thailand), and to your letter dated 7 June 2011, acknowledging receipt of my letter dated 7 June 2011 communicating to the Court the text of the written reply of the Government of the Kingdom of Thailand to the question put to the Kingdom of Thailand and the Kingdom of Cambodia by Judge Cançado Trindade at the end of the public sitting held on 31 May 2011, and transmitting a copy of the Agent of the Kingdom of Cambodia's letter dated 6 June 2011 communicating to the Court the text of the written reply of the Government of the Kingdom of Cambodia to the aforementioned question.

In this connection, I have the further honour to make a general observation that certain information provided in Cambodia's reply is either of no relevance to the present proceedings or relates to incidents that occurred before 22 April and therefore falls outside the scope of the questions posed by Judge Cançado Trindade.

I also have the honour to make the following comments on specific aspects of the written reply of the Government of the Kingdom of Cambodia:

1. With regard to the villages of Sra Em, Svay Chrum and Samdech Techo Hun Sen (See Attachment)

1.1 The *only* incident outside the Ta Muen and Ta Kwai Temples area occurred after 22 April 2011 at Phu Makhua on 26 April 2011. This incident was a minor one, resulting from a misunderstanding. It lasted a mere twenty minutes and was quickly resolved by the local commanders of both sides. In any case, there can be no connection whatsoever between the evacuation of the three villages referred to in Cambodia's written reply (i.e. Sra Em, Svay Chrum and Samdech Techo Hun Sen) and the 26 April incident, especially as Cambodia herself acknowledges in her written reply that such evacuation took place as early as 22 April 2011, or even before, (i.e. at least 4 days before the incident). Therefore, the evacuation of these villagers cannot be the consequence of the incidents that took place from 22 April 2011 as asked by Judge Cançado Trindade.

1.2 Cambodia's written reply did not specify *when* exactly the evacuation of the three villages began, nor the reason for the evacuation. Cambodia herself admits in her written reply that the "origins" of the displacement could be incidents that occurred prior to 22 April. This, together with the fact that no incident occurred anywhere within 150 kilometres of the Temple of Phra Viharn since 7 February 2011, apart from the minor 26 April incident mentioned above, leads to the only plausible conclusion that, unless the latter incident could somehow be predicted by the Cambodian authorities, the alleged evacuation of the three villages was in fact undertaken as a result of the incidents that occurred during February 2011. Such an evacuation manifestly falls outside the scope of

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the question put forward by Judge Cançado Trindade, who asks for the number of local inhabitants who were displaced as a result of the incidents occurring since 22 April 2011.

1.3 Cambodia's written reply indicating when the three villages were established is an admission that the aforementioned villagers have not been living in these three villages for a long time. This confirms the point made by Thailand during the public sitting on 31 May 2011 that civilians and villagers were put in the region only recently to serve political motives that are entirely outside the scope of the current proceedings.

1.4 Regarding Cambodia's statement that "the persons working in the markets immediately close to the Temple which was destroyed by the clashes could not resume their activities", attention should be drawn to the fact that the market was destroyed as a consequence of incidents that occurred in April 2009, and thus falls outside the scope of the question.

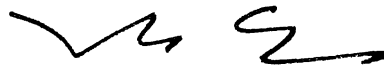
2. With regard to the province of Ouddor Meanchey

Cambodia's reference to 52,421 hectares of land that have been contaminated by "Unexploded Ordnances" (UXOs) is of no relevance to the question raised, nor is it relevant to the present proceedings. It is the understanding of Thailand that any UXO contaminated area found in Cambodia is indeed the result of past conflicts in Cambodia that lasted until 1998.

3. With regard to the Annexes attached to Cambodia's written reply

The credibility of the photographs annexed to Cambodia's written reply is seriously in doubt, since no information is provided on the exact dates and locations where they were taken.

Accept, Sir, the renewed assurances of my highest consideration.



(Virachai Plasai)

Ambassador

Agent of the Kingdom of Thailand



Approximate Scale 1 : 770,000

International Boundary Representation must not be considered authoritative

- International Boundary
- First-order administrative Boundary
- Distance from Ban Svay Chrum to Phra Viharn Temple,Phu Makua (in straight line) = 5,8 km.
- Distance from Ban Sra Am to Phra Viharn Temple,Phu Makua (in straight line) = 16.5,18.5 km.
- Distance from Ban Sam Dech Deso Hun sen to Phra Viharn Temple,Phu Makua (in straight line) = 13.5,14.5 km.

WR