

**Security Council**

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Letter dated 7 February 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Thailand to the United Nations addressed to the President of the Security Council

With reference to my letter to you dated 5 February 2011, transmitting a letter from His Excellency Mr. Kasit Piromya, Minister of Foreign Affairs of the Kingdom of Thailand, regarding the recent incidents between Thailand and Cambodia, I have the honour to transmit herewith a copy of a letter dated 7 February B.E. 2554 (2011) from His Excellency Mr. Abhisit Vejjajiva, Prime Minister of the Kingdom of Thailand, addressed to you (see annex), reaffirming Thailand's position and providing the facts on further developments on this matter.

I further have the honour to request that the above-mentioned letter be circulated as a document of the Security Council.

(Signed) Jakkrit Srivali
Minister
Chargé d'affaires a.i.
of the Permanent Mission of Thailand to the United Nations



Annex to the letter dated 7 February 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Thailand to the United Nations addressed to the President of the Security Council

With reference to the letter dated 5 February 2011 from the Minister of Foreign Affairs of Thailand to you providing an account of the facts in the recent incidents between Thailand and Cambodia on 4 and 5 February 2011 (S/2011/57, annex), and the letter dated 6 February 2011 from the Prime Minister of Cambodia to you (S/2011/58, annex), I have the honour to inform you of an account of the facts and Thailand's position relating to the latest developments concerning incidents at the border between Thailand and Cambodia as follows:

1. Following the incidents of armed attacks in the afternoon of 4 February and again in the early morning of 5 February 2011, both of which were initiated by Cambodia, both Thai and Cambodian regional commanders met at Chong Sa-ngam Pass, Si Sa Ket Province, Thailand, in the morning of 5 February 2011. At that meeting, they reached an agreement on an immediate ceasefire and other measures to ease tension, such as the instruction by unit commanders to their troops to refrain from acts of provocation.

2. However, on 6 February 2011, at 18.30 hours, Cambodian troops breached the above agreement by opening fire, preceded by firing of military illumination flares into the sky, into Chong Don Ao Pass and Phu Ma Khua in Thai territory before launching attacks at other areas in Thai territory, namely Sattasom Hill, Phlan Yao, Chong Ta Thao Pass, the area near the Temple of Phra Viharn, and the Phum Srol village, which is situated 5 kilometres deep inside Thai territory, well beyond any Thai military posts. In these attacks, the Cambodian troops used multiple weapons, such as AK-47 rifles, rocket-propelled grenades and BM-21 field rockets (122 mm.). The incident resulted in severe destruction of many civilian structures and injury of two Thai civilians and eight Thai military personnel, one of whom sustained serious injury. Again, approximately 15,000 innocent villagers living along the border where the attacks took place had to be evacuated.

3. At 08.17 hours of 7 February 2011, Cambodian troops opened fire at Thai military personnel stationed at Phu Ma Khua and Phlan Yao in Thai territory using weapons such as rocket-propelled grenades. The incident lasted until 08.27 hours. Casualties from the attack are under investigation.

4. In this connection, Thailand categorically rejects the allegation made by Cambodia that Thailand initiated the attacks. The fact is that Thailand has always exercised utmost self-restraint, but in the face of such unprovoked armed attacks from Cambodia, it had no choice but to exercise its inherent right of self-defence on the basis of necessity, proportionality and strictly directed at military targets from where the attacks were launched by Cambodian troops.

5. Thailand therefore protests in the strongest terms against Cambodia's blatant violation of Thailand's sovereignty and territorial integrity and its attacks on Thai civilians and properties.

6. Thailand is gravely concerned about the use of the Temple of Phra Viharn by Cambodia for military purposes, which is in violation of international law, in particular article 4 (1) of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

7. Thailand wishes to point out the fact that the attacks by Cambodian troops on 6 February 2011 were intentionally launched at night time. These attacks were premeditated and well planned in advance, notably with the use of military illuminating flares to guide the opening shots, to create a situation which would serve Cambodia's political objective of internationalizing what is essentially a bilateral issue while bilateral negotiations are still ongoing. The swiftness of the release of the letter from the Prime Minister of Cambodia to you dated 6 February 2011 referred to above, shortly after the Cambodian attacks started, only confirms the premeditated nature of the attacks and unfriendly intention.

8. Thailand strictly observes the purposes and principles of the Charter of the United Nations and its obligations under international law. Thailand once again wishes to underline that it has fully complied with the Judgment of the International Court of Justice of 15 June 1962 in the case concerning the Temple of Preah Vihear. It is the firm conviction of Thailand that any differences between countries shall be settled by peaceful means. Here, I wish to recall the pledge by the Prime Minister of Cambodia as earlier conveyed to me in our meetings and to the public that it is not the policy of Cambodia to use force to settle any problem with neighbouring countries.

9. Thailand wishes to reiterate its commitment to working closely and in good faith with Cambodia through all existing bilateral frameworks, all of which are still progressing, including the Joint Commission on Demarcation for Land Boundary, which both countries have just agreed, on the basis of Thailand's proposal on 5 February 2011, to convene in Thailand in the last week of February 2011. In addition, the Minister of Foreign Affairs of the Republic of Indonesia, as the current Chair of the Association of Southeast Asian Nations, is visiting Cambodia on 7 February 2011 and is scheduled to come to Thailand for discussion on 8 February 2011.

10. Thailand hopes that, with all bilateral channels of communication still open and ongoing dialogue by officials of both countries, the situation in this specific border area will return to normalcy soon for the benefit of the peoples of Thailand and Cambodia as well as the ASEAN family.

I have the honour to request that this letter be circulated as a document of the Security Council.

(Signed) **Abhisit Vejjajiva**
Prime Minister of the Kingdom of Thailand