Blurred Boundaries:
A Briefing Note on the Cambodian-Thai Border Tensions
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Introduction

As noted by the International Court of Justice (the “ICJ”) in 1962, the border conflict between Cambodia and Thailand – principally over the sovereignty of the temple at Preah Vihear (“Preah Vihear”) and the surrounding area, but also of other areas along the long border between the two countries – has its “fons et origo” in the boundary settlements made between 1904 and 1908 by both France (at that time conducting foreign relations on behalf of French Indochina) and Thailand (at the time known as “Siam”). For the purposes of clarity and for ease of reference, the name “Thailand” shall be used throughout this Briefing Note, including references to the country before its change of name.

This Briefing Note provides an overview of the border dispute within a historical and political context, including discussion of the escalating border conflict since 2008, when Preah Vihear was inscribed on the list of World Heritage sites by the United Nations Educational, Scientific and Cultural Organization (“UNESCO”). The objective of this Briefing Note is not to lay the blame for clashes at the border at the door of any one party; rather it is to provide a basis for the public, the media and other interested parties to understand an issue that is often misunderstood and incorrectly characterized.

Executive summary

On 15 June 1962 the ICJ awarded sovereignty of Preah Vihear to Cambodia (the “ICJ Judgment”) in light of border treaty agreements entered into in 1904 and 1907, and Thailand’s subsequent behavior. It is often widely reported that the ICJ Judgment concluded decisively on the sovereignty of Preah Vihear but not on the immediate surrounding area. However, the truth of the matter is that the ICJ awarded sovereignty of Preah Vihear to Cambodia based on the historical demarcation of the Cambodia-Thai border, in other words the ICJ did in fact draw upon the official demarcation of the frontier when considering where Preah Vihear was located. It appears that the boundary between the countries was accepted to be that established by the maps created between 1904 and 1908. However, the ICJ judgment has not been accepted by Thailand.

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2 Known in Thailand as “Prasat Phra Viharn” or “Prasat Khao Phra Viharn”.
Since October 2008, following the inscription of Preah Vihear as a World Heritage site, a conflict along the Cambodian-Thai border has ignited – and escalated since the beginning of 2011 – resulting in the fatalities and casualties of several soldiers and civilians and the displacement of tens of thousands of civilians on both sides of the border. While Preah Vihear is the most prominent symbol of the Cambodian-Thai border dispute, it is clear that the area of conflict is considerably wider: in light of Thailand's objections to Cambodia's awarded sovereignty of Preah Vihear, the scattered areas of conflict and the political discussions to date between Cambodia and Thailand, all areas along the shared border running through the Đàngrek Mountains are seemingly under dispute. Furthermore, the ICJ Judgment only rules upon Preah Vihear; the issue, however, relates to an extended stretch of the border, over which there has been no judgment by the ICJ.

The conflict surrounding the Preah Vihear is currently being considered at an international level. In April 2011 it was reported that the World Heritage Committee of UNESCO was scheduled to hold a meeting in Bahrain in June 2011 relating to the management and conservation of Preah Vihear. On 28 April 2011 Cambodia applied to the ICJ to request interpretation of the ICJ Judgment; Cambodia’s application was accompanied by an urgent request for the indication of provisional measures, namely injunctive relief. The ICJ heard oral submissions from both Cambodia and Thailand on 30 and 31 May 2011, and the ICJ’s decision will be announced on 18 July 2011. However, while such measures may be useful in relation to Preah Vihear itself, they are unlikely to resolve the broader territorial issue or the political motivations that lie behind the border dispute. To ensure the safety, protection and well-being of Cambodian and Thai civilians, border

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9 The disputed areas fall in or border the Cambodian provinces of Preah Vihear, Oddar Meanchey and Banteay Meanchey.
demarcation must be finally determined and resolved by the two countries, a process that ought to be assisted by independent third party adjudication or mediation.

To date, independent adjudicators have been reluctant to rely upon the “Memorandum of Understanding” entered into by Cambodia and Thailand in 2000 (the “MOU 2000”).\(^\text{16}\) This bilateral agreement provided a key framework for resolving the disputed border areas and establishing the Thai-Cambodian Joint Commission on Demarcation for Land Boundary (the “Joint Commission”), due to meet annually and responsible for demarcating the boundary and producing maps of the surveyed and demarcated boundary.\(^\text{17}\) However, despite the fact that the Joint Commission has now been established for over a decade, there is limited information about its workings and decisions, and it does not appear that it has begun – let alone finished – surveying and finalizing border boundaries.\(^\text{18}\) To date, there have been difficulties in even arranging Joint Commission meetings given the requirement of the Thai Parliament to approve the minutes of previous meetings (as discussed below).\(^\text{19}\) Furthermore, the recent border clashes began eight years after its establishment and have been becoming more frequent with greater devastation since 2008 (as summarized below).\(^\text{20}\) It is therefore evident that the Joint Commission alone is unlikely to be able to resolve this issue, especially given that factions within both countries are accused of using the border clashes to rally domestic political support.\(^\text{21}\) As such, it is imperative that third party independent players – either international or regional – assist Cambodia and Thailand in reaching a final resolution to the border conflict, so as to end the current bloodshed and displacement of civilians.

**Location of Preah Vihear and other disputed areas**

**Preah Vihear**

Preah Vihear is a Khmer Hindu temple, dedicated to the Hindu deity Shiva, situated atop a 525-meter cliff in the Dângrêk Mountains.\(^\text{22}\) It is located in Svay Chrum village, Kan Tout commune, in Choam Khsant district of Preah Vihear province of Cambodia.\(^\text{23}\) Preah Vihear, which extends over an 800-meter-long north-to-south axis, is composed of a series of sanctuaries linked by a system of pavements and staircases.\(^\text{24}\) While it was mainly built during the 11th and 12th centuries AD over a


\(^\text{17}\) Ibid.


\(^\text{19}\) Ibid.


succession of seven Khmer monarchs’ reigns, ending with Suryavarman II, Preah Vihear’s complex history can be traced back to the 9th century, when it was founded as a great hermitage center for meditation.

In the eastern sector of the Dângrêk mountain range, in which Preah Vihear is situated, the frontier was supposed to follow the "watershed" line. A "watershed" line is geographical terminology for an area or ridge of high land that separates waters flowing to different rivers, basins, or seas.

This instance, the watershed line follows the Dângrêk mountain range.

Expanding location of the dispute

Relations between Cambodia and Thailand have deteriorated markedly, and border clashes have reignited since Preah Vihear was granted World Heritage status in July 2008. Media reports of the border dispute, and comments made by both countries in relation to the ownership of Preah Vihear and its immediate surrounds, suggest – falsely – that the conflict is confined to this specific issue and this specific area. However, as outlined in this Briefing Note, while Preah Vihear may be the most prominent symbol of the border dispute, areas of the border all along the Dângrêk Mountains, which straddle the divide between the two countries, are under dispute.

Since 2008 the conflict has extended to the area between Phanom Dong Rak district of Surin province Thailand, and the Banteay Ampil district of Oddar Meanchey province, Cambodia. This area includes the 13th century Ta Moan and Ta Krabey Hindu temple complexes, which are located around 150km west of Preah Vihear and about 15km apart. All three temples are marked on the map below. The fighting has been concentrated at the three temples – and the jungle of the Dângrêk Mountains surrounding them.

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32 Known in Thailand as Prasat Ta Kwai and Prasat Ta Muen, respectively.
33 *Thailand-Cambodia Border Dispute Areas*, European Commission [2008].
Historical overview

In the ICJ Judgment, the ICJ noted that the sovereignty of Preah Vihear depended on a 1904 boundary treaty (discussed below) and subsequent events, and therefore did not consider the situation between the parties prior to that date. This Briefing Note therefore concentrates upon the demarcation of the border since 1904 and subsequent socio-political events. It focuses upon the following specific periods of history in relation to the Cambodian-Thai border dispute and claims of sovereignty from both countries over Preah Vihear:

- Demarcating the border: 1904–1953
- Memorandum of Understanding: 2000
- World Heritage Status: 2008
- Border Clashes: April 2008–present

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Demarcating the border: 1904–1953

France exercised its protectorate over Cambodia during the period 1863–1953. During this time France negotiated with Thailand for a definitive border demarcation between Thailand and French Indochina (at whose western border sits Cambodia).

Below is a summary of the historical overview of the demarcation of the frontier from 1904, involving between France and Thailand:

- **Treaty on 13 February 1904** (the “1904 Treaty”) – established the general character of the frontier. Article 3 of the 1904 Treaty stated that the demarcation would be carried out by a Franco-Thai mixed commission (the “First Mixed Commission”), which was created pursuant to the 1904 Treaty.
- **2 December 1906** – at a meeting held between France and Thailand, it was agreed that, for the purposes of demarcating the frontier, the First Mixed Commission should travel along the Dângrêk mountain range carrying out all the necessary reconnaissance, and that a survey officer of the French deputation of the First Mixed Commission should survey the whole of the eastern part of the range. The presidents of the French and Thai deputations of the First Mixed Commission made this journey, which included visiting Preah Vihear.
- **January and February 1907** – the president of the French deputation reported to the French Government that the frontier had been definitively established. However, while it is appears that a frontier was surveyed and decided upon, there is no actual record of any decision and no reference to the Dângrêk region in any minutes of the meetings of the First Mixed Commission after 2 December 1906.
- **Treaty on 23 March 1907** (the "1907 Treaty") – established a further Franco-Thai boundary. Thai-held Battambang, Siem Reap, Banteay Meanchey and Oddar Meanchey provinces (the “Provinces”) were returned to France in exchange for Thailand’s regaining sovereignty of Trat province and the Amphoe Dan Saj area of Loei province. Various districts in the western Dângrêk area, previously in Thailand, became a frontier region, and a second mixed commission (the "Second Mixed Commission") was established to demarcate the frontier in this region.
- **1907-08** – the final stage of the demarcation was the preparation of maps on the Thai Government's request that French officers map the frontier region. These maps were completed in the autumn of 1907 by a team of French officers, some of whom had been members of the First Mixed Commission. Among the eleven maps was a map of the Dângrêk range (the “Map”) showing Preah Vihear to be on the Cambodian side. An annotated copy of the Map is annexed to this Briefing Note at Annex 1.
- **December 1940** – during World War II, Thailand took advantage of France’s surrender to Germany in 1940 to regain control of the Provinces, lost pursuant to the 1907 Treaty, in addition to provinces in Laos. This invasion marked the start of the Franco-Thai War.
- **28 January 1941** – a general armistice was declared in relation to the Franco-Thai War.
- **9 May 1941** – a peace treaty was signed by France and Thailand.

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35 Ibid.
• **1953-54** – upon Cambodian independence, the French withdrew from Cambodia and, following this withdrawal in 1954, Thailand occupied Preah Vihear.

• **6 October 1959** – newly-independent Cambodia then commenced proceedings at the ICJ regarding the sovereignty of Preah Vihear (the "ICJ Proceedings"). The ICJ Judgment dismissed Thailand’s objections and declared itself to have jurisdiction to adjudicate on the dispute. The ICJ Judgment is discussed in more detail below.

**ICJ proceedings: 1959-1962**

Cambodia principally relied on the Map to support its claim of sovereignty over Preah Vihear. The ICJ found in favor of Cambodia, issuing the ICJ Judgment on 15 June 1962. Given that Preah Vihear itself was not referred to in either the 1904 Treaty or the 1907 Treaty, the ICJ Judgment – in relation to Preah Vihear – had to be based solely upon an examination of the frontier line that was assessed between 1904 and 1908. The ICJ Judgment declared that:

- by nine votes to three, Preah Vihear was situated in territory under the sovereignty of Cambodia and, therefore, Thailand was under an obligation to withdraw any military or police forces, or other guards or keepers, stationed at Preah Vihear, or in its vicinity on Cambodian territory; and
- by seven votes to five, Thailand was under an obligation to restore to Cambodia any sculptures, stele, fragments of monuments, sandstone model and ancient pottery which might have been removed from Preah Vihear or the Preah Vihear area by the Thai authorities since the occupation of Preah Vihear by Thailand in 1954.

Thailand contested the ICJ Judgment and reserved the right to request a revision of the ruling as allowed by Article 61 of the Statute of the Court within ten years of the ruling; however, perhaps surprisingly, an official application for revision was not submitted by Thailand within this period.

**Status and effect of the Map**

In the ICJ Proceedings, Thailand’s position was that: the Map was not the work of either the First Mixed Commission or the Second Mixed Commission; it had no binding character; and the frontier indicated was not the true watershed line – which would have placed Preah Vihear in Thailand. Thailand also argued that the Map had never been accepted by Thailand or, alternatively, that if Thailand had accepted it, it had done so only because of a mistaken belief that the frontier indicated corresponded with the watershed line.

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38 Ibid.

39 Ibid.


41 Ibid.

In relation to the Map, the position concluded by the ICJ was that:

- the Map was completed by a team of French officers, some of whom had been members of the First Mixed Commission;
- the Map was never formally approved by the First Mixed Commission or the Second Mixed Commission, which had both ceased to function some months before the Map’s production; and
- while there could be no reasonable doubt that the Map was based on the work of the surveying officers in the Dângrêk sector, in its inception it had no binding character.

However, in light of the historical context detailed below, the ICJ upheld Cambodia’s submissions concerning sovereignty over Preah Vihear, declaring that it felt bound to pronounce in accordance with the frontier as indicated on the Map.

The ICJ Judgment was also based upon Thailand’s subsequent behavior, namely its apparent acceptance of the Map and the subsequent reliance upon such acceptance by both France and Cambodia when the 1907 Treaty was entered into. Furthermore, Thailand had enjoyed the benefits that the 1904 Treaty had conferred for over fifty years. The ICJ held that given that the Thai authorities had accepted the Map without investigation at the time, Thailand could not now plead any error negating their original acceptance. The ICJ highlighted the following events as evidence of Thailand’s acceptance of the Map, or, at the very least, its lack of objection to it:

- Eleven maps, including the Map, were communicated to Thai offices or bodies, including:
  - the Thai Government – which had raised no query about the Map prior to its negotiations with Cambodia in Bangkok in 1958, nor reacted either at the time that the Map was circulated or for many years afterwards;
  - members of the First Mixed Commission and the Second Mixed Commission – who did not disagree;
  - the Minister of the Interior, Prince Damrong – who thanked the French Minister for the work when they were together in Bangkok; and
  - provincial governors – some of whom knew of Preah Vihear.
- In 1930, when Prince Damrong visited Preah Vihear and was officially received there by the French Resident for the adjoining Cambodian province, Thailand failed to react.
- While a 1934-1935 survey had established a divergence between the line as marked on the Map and the watershed line, and other maps had been produced showing Preah Vihear to be in Thailand, Thailand had nevertheless continued to use and publish maps showing Preah Vihear to be in Cambodia.
- In the course of the negotiations for the 1925 and 1937 Franco-Thai treaties, which confirmed the existing frontiers, and in 1947 in Washington before the Franco-Siamese Conciliation Commission (the “FSCC”), Thailand did not raise any objections. Furthermore, the ICJ found that, on 12 May 1947, Thailand filed with the FSCC a map showing Preah Vihear as being in Cambodia.

In the ICJ Proceedings, Thailand argued that having been, at all material times, in possession of Preah Vihear, it had no need to raise the matter. However, the ICJ said that it found it difficult to
regard any acts by local authorities as “negativing the consistent attitude of the central authorities”. As such, it was a natural inference that Thailand had accepted the frontier at Preah Vihear as it was drawn on the Map, irrespective of its correspondence to the “true” watershed line.

The ICJ concluded that the parties had not attached any special importance to the watershed line at the time, as compared with the overriding importance of a definitive demarcation of the frontier. Given this fact, the ICJ felt it unnecessary to consider whether the frontier as mapped did, in fact, correspond to the “true” watershed line. In light of the ICJ’s conclusion in relation to the Map, the ICJ held that Preah Vihear was on Cambodian territory and under Cambodian sovereignty.

From 1962 onwards Preah Vihear was open to the public until it was occupied by the Khmer Rouge in 1975. Throughout the civil war that followed the 1979 ousting of the Khmer Rouge from power, whereby a coalition of nationalist rebels – including the Khmer Rouge – fought a protracted guerrilla war against the Vietnamese-backed Cambodian Government, Preah Vihear was caught up in much of the fighting due to its location on the porous Cambodian-Thai border, which Khmer Rouge leaders and cadres used as their escape route whenever Vietnamese or Government forces came too close. The area remained out of bounds for a total of almost two decades, as a result of its inaccessibility on the Cambodian side and the fact that it was heavily mined during the civil war. In 1998 Preah Vihear re-opened on the Thai side, and, in 2003, Cambodia completed the construction of an access road allowing Cambodians to visit Preah Vihear.

**The MOU 2000**

Various agreements and memoranda of understanding, on a range of different topics, have been entered into by Cambodia and Thailand since 1991.\(^{43}\) In honor of the 50th anniversary of Cambodia-Thailand diplomatic relations, the countries entered into the MOU 2000, which provides a key framework for resolving the disputed border areas.\(^{44}\)

The MOU 2000 referred to the following:\(^{45}\)

- a joint communiqué of the Prime Ministers of Cambodia and Thailand, dated 13 January 1994, in which it was agreed to establish the Joint Commission in due course (the “Joint Communiqué”);
- a joint statement on the establishment of the Joint Commission, dated 21 June 1997; and
- maps which are the results of demarcation work of the First Mixed Commission and the Second Mixed Commission established under the 1904 Treaty and the 1907 Treaty.

The MOU 2000 established the Joint Commission, whose remit, pursuant to Article II, was to:\(^{46}\)

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\(^{44}\) Ibid.

be responsible for the joint survey and demarcation of land boundary in accordance with Article I of the MOU 2000;

consider and approve the terms of reference and master plan for the joint survey and demarcation;

determine the priority of areas to be surveyed and demarcated;

assign the survey and demarcation works to the "Joint Technical Sub-Commission", as referred to in Article III of the MOU 2000 to supervise and monitor the implementation of the assignment;

consider reports or recommendations submitted by the Joint Technical Sub-Commission;

produce maps of the surveyed and demarcated land boundary; and

appoint any sub-commission to undertake any particular task within its competence.

Pursuant to Article II of the MOU 2000, the Joint Commission was to meet annually; the two countries would take turns to host these meetings, and either could call "special meetings" to discuss urgent matters. Since 2008 the Joint Commission has met in November 2008, February 2009 and April 2009. A subsequent meeting, which was to report on progress with regard to the Joint Commission’s survey and demarcation of areas adjacent to Preah Vihear, was unable to be convened, since Thai parliamentary approval of the minutes of the three previous meetings was required. However, in April 2011 the Thai Government announced that parliamentary approval would no longer be required for border demarcation agreements with Cambodia. The effect of this decision is that parliamentary approval is no longer required for agreements made by the Joint Commission in 2008 and 2009. At the 18th ASEAN summit, on 7 May 2011, Thai Prime Minister Abhisit Vejjajiva confirmed that these legal issues in relation to the approval of minutes had been resolved. Thailand’s Constitutional Court had ruled on the agreed minutes of previous meetings of the Joint Commission, such that they did not need the approval of the Thai Parliament. The announcement also referred to the ongoing workings of the Joint Commission, which was said to have met in April 2011.

49 Ibid.
50 Ibid; Cheang Sokha, ‘Positive move for border talks’, The Phnom Penh Post, 20 April 2011 (not available online).
52 Ibid.
Recent events

World Heritage status awarded in 2008
In 2007 Cambodia announced its intention to apply for World Heritage status by UNESCO.53 Thailand responded by protesting that it should be a joint effort, and UNESCO deferred debate at its 2007 meeting.54 Thailand said that it was not opposed in principle to Cambodia’s application to register Preah Vihear, but stressed that it must not affect the disputed borderline.55 Both Cambodia and Thailand were in full agreement that Preah Vihear had “outstanding universal value” and should be inscribed on the “World Heritage List”.56 Furthermore, both countries agreed that Cambodia should propose the site for formal inscription on the World Heritage List – with the active support of Thailand – at the 32nd session of the World Heritage Committee (the “Committee”) in 2008.57 However, the opposition parties in Thailand attacked Thailand’s support. Caving in to political pressure, the Thai government withdrew its formal support for the listing of Preah Vihear;58 nevertheless, Cambodia proceeded with a unilateral application for World Heritage status, despite protests from Thai officials.

On 7 July 2008 the Committee inscribed Preah Vihear on the World Heritage List, despite official protests from Thailand.59 UNESCO noted: “[t]he site is particularly well preserved, mainly due to its remote location. It is exceptional for the quality of its architecture, which is adapted to the natural environment and the religious function of the Temple, as well as for the exceptional quality of its carved stone ornamentation”.60

Border clashes: 2008–2011
Since October 2008 border clashes have escalated between Cambodia and Thailand – a continuous cycle of violence whereby ceasefires last only until the next bout of fighting erupts. There was sustained fighting at and around Preah Vihear for several days in February 2011, which resulted in casualties and large displacements of villagers on both sides, as well as damage to the temple itself.61 Most recently, hostilities resumed on 22 April 2011 around the Ta Moan and Ta Krabey temple complexes, around 150km west of Preah Vihear and about 15km apart, and lasted for

57 Ibid.
60 Ibid.
of the judgment, the Court shall construe it upon the request of any party”.

In the absence of independent observers, it has proven impossible to determine the truth behind the accounts and accusations submitted by both sides. For instance, in February 2011, it was reported that the Thai Government was investigating reports that 64 Cambodian soldiers had been killed – in contrast to earlier governmental reports that one Thai villager and one Cambodian soldier had been killed. In particular, it is difficult to know:

- which country is responsible for the continual violation of ceasefires;
- the exact number of fatalities; and
- the validity of the accusations made by Cambodia and Thailand against the other in relation to the types of weaponry and warfare tactics used.

It is arguable that the mutual finger-pointing merely serves to disguise the fact that both Cambodia and Thailand are attempting to prioritize internal political gains above the safety and welfare of their citizens. Furthermore, it is not clear how the Pheu Thai victory in the 3 July 2011 elections will affect the ongoing dispute.

**Cambodia’s application to the ICJ: April and May 2011**

On 28 April 2011 Cambodia filed an application with the ICJ requesting an interpretation of the ICJ Judgment and the urgent indication of provisional measures (the “Application”). In the Application, Cambodia requested an interpretation from the ICJ – in relation to the meaning and

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63 Ou Virak, ‘ASEAN adrift in Thai-Cambodian conflict’, *Asia Times online*, 7 May 2011, available: [http://www.atimes.com/atimes/Southeast_Asia/ME07Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/ME07Ae01.html).
   Ou Virak, ‘ASEAN adrift in Thai-Cambodian conflict’, *Asia Times online*, 7 May 2011, available: [http://www.atimes.com/atimes/Southeast_Asia/ME07Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/ME07Ae01.html);
67 Ibid – Pursuant to Article 60 of the Statute of the Court: “In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party”).
The ICJ heard oral submissions from both Cambodia and Thailand on 30 and 31 May 2011,\(^{71}\) and the ICJ’s decision is due on 18 July 2011.\(^{72}\) However, while the Application may bring some clarity to the ICJ Judgment, its scope may not be broad enough to deal effectively with the full extent of the current border dispute between Cambodia and Thailand and the undercurrents of nationalism on both sides.

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\(^{68}\) Ibid.


\(^{70}\) Ibid.


Thailand’s decision to withdraw from the World Heritage Convention

On 25 June 2011 Thailand made a decision to withdraw from the World Heritage Convention in Paris, saying that consideration of a Cambodian plan to manage Preah Vihear would increase tensions. Thailand’s Prime Minister Abhisit Vejjajiva told reporters that it did not make sense for Cambodia to unilaterally offer a plan for managing Preah Vihear. The chief of its delegation there, Natural Resources and Environment Minister Suwit Khunkitti, said that Thailand was withdrawing because the World Heritage Committee’s consideration of Cambodia’s plan could threaten Thai sovereignty and territory. Thailand was part of the 21-member World Heritage Committee, from which it has also decided to withdraw.

Conclusion

As noted in the Introduction, the objective of this Briefing Note is not to lay the blame for the clashes at the border on either country; rather, it is to provide the public, the media and other interested parties with a basis to understand the tensions and conflict. As is clear from the content of this Briefing Note, the clashes at the border have affected a much larger area than is often appreciated in the public debate about this issue. While media articles tend to offer a stock line concerning the Cambodian-Thai dispute over ownership of Preah Vihear and the adjacent territory, the reality is that clashes have occurred all along the border from Preah Vihear to the Ta Moan temple complex in Cambodia’s Banteay Meanchey province, almost 160km away.

A final and definitive resolution to these tensions requires concerted focus not just upon the ownership of Preah Vihear and the adjoining territory, but of all the disputed areas along the border: the entire Cambodian-Thai border needs to be definitively demarcated. The failure of the Joint Commission to reach any agreement with regard to the border and the disputed areas points to the need for third party international participation to resolve the issue. It is hoped that the recent change of government in Thailand represents a clean break from the past and a first step towards a partnership between the two countries that will put an end to the violence and resolve the border conflict once and for all.

74 Ibid.
75 Ibid.
76 Ibid.
Annex 1 – Map relied upon by the ICJ in its 1962 Judgment

MAP BASED ON WHICH ICJ DECIDED THAT THE TEMPLE OF PREAH VIHEAR IS SITUATED IN TERRITORY UNDER THE SOVEREIGNTY OF CAMBODIA