

Preah Vihear Temple II

Background:

Another crisis for Thailand and Cambodia over the long-disputed ancient Preah Vihear temple took place from 4 February to 21 December 2011. Tensions over the temple played a role in a crisis between the two countries in 1958 (see case #167). The dispute over the temple was also central to a subsequent crisis that occurred in 2008 when the United Nations Educational, Scientific and Cultural Organization (UNESCO) approved Cambodia's unilateral application to list the temple as a World Heritage site. That crisis saw significant troop deployments and a series of clashes between the two sides near the site of the temple, and it terminated with a bilateral agreement to reduce troop deployment levels at the site. But neither side fully removed its forces from the area, nor was the issue of sovereign control of the temple and the surrounding area resolved (see case #457).

PRE-CRISIS:

Thailand requested assistance from the Association of Southeast Asian Nations (ASEAN) in November 2009 to help resolve the conflict, reversing its prior stance against ASEAN intervention. ASEAN rejected the request and expressed its view that the two sides should resolve the conflict bilaterally. Intermittent clashes erupted between Thailand and Cambodia over the temple in January and April 2010. The Thai military claimed that the clashes were caused by misunderstandings, and these incidents did not escalate to the level of crisis. In August 2010, Cambodia Prime Minister Hun Sen called for an international conference to discuss the dispute, but Thailand rejected the call.

Summary:

On 4 February 2011, Thai and Cambodian troops battled near the Preah Vihear temple. This triggered a crisis for both sides. The initiator of the clashes was unclear, and both sides claimed the other side fired first. The major responses from both Thailand and Cambodia consisted of further military clashes and, later that day, a phone conversation between Thai Defense Minister Prawit Wongsuwan, Cambodian Prime Minister Hun Sen, and Cambodian Defense Minister Tea Banh. The phone call was initiated by Wongsuwan. The two countries discussed the border clash and the conditions for a ceasefire. A ceasefire was reached, but clashes resumed shortly thereafter.

Immediately after the first armed clash, Cambodia asked the UN Security Council (UNSC) to convene an urgent meeting. Thereafter, the UNSC invited envoys from Thailand, Cambodia, and Indonesia, then chair of ASEAN, to discuss the issue. Both Hun Sen and his Thai counterpart, Prime Minister Abhisit Vejjajiva, submitted facts to the UNSC and claimed that the other party initiated the armed attack. On 7 February, a short UN mediation effort occurred when representatives from Thailand, Cambodia, and Indonesia met with UNSC members to discuss the issue. The same day, the UNSC released a press statement expressing its "grave concern" over the situation and support of ASEAN attempts to initiate a separate mediation effort between Thailand and Cambodia.

On 21 February, ASEAN held an informal regional group meeting in Jakarta to seek a solution to the dispute, beginning the primary mediation effort between the two sides. The foreign ministers of Cambodia and Thailand both attended the meeting and agreed to allow Indonesian observers

to monitor disputed border territory. Despite such efforts, armed clashes broke out again in April and spread to the Thai province of Surin. Another ceasefire agreement soon followed.

On 28 April, Cambodia approached the International Court of Justice (ICJ), requesting it to interpret its 1962 judgment regarding the temple. Thailand asked the court to drop the case, maintaining its position in favor of a bilateral framework. In July, the ICJ released its ruling; the judges voted unanimously to reject Thailand's claim over the temple. Furthermore, the court issued provisional measures, ordering both Thailand and Cambodia to withdraw troops from the disputed area and send observers, consisting of Thai, Cambodian, and Indonesian representatives. Cambodia accepted the ICJ ruling. Thai political leaders initially accepted the decision but reversed this position after the Thai military objected to the deployment of observers in particular, claiming that such a deployment would undermine Thai national sovereignty.

In the meantime, Indonesia had proposed a "solution package" on 9 May that included a three-step process consisting of: 1) agreeing to the terms of reference, 2) assigning the team of Indonesia observers, and 3) resuming talks under the General Border Committee (GBC) and Joint Boundary Commission (JBC), the bilateral mechanisms for resolving the border conflict that were created in 1995 and 2000, respectively. Thailand, however, requested to postpone meetings of the GBC and JBC due to upcoming national elections in July, and then an unprecedented flood in the fall.

Another minor armed clash occurred on 15 December, followed by an apology by Cambodia. Six days later, Cambodia hosted a meeting of the GBC in Phnom Penh. Both parties agreed to withdraw their troops, establish a "provisional demilitarized zone," set up a Joint Working Group to help complete the troop withdrawal, and send observers as the ICJ ordered. This agreement terminated the crisis for Cambodia and Thailand. Although the agreement was oral and Indonesian observers were never sent, both sides withdrew their troops in July 2012.

The ASEAN mediation effort that began in February lasted until a Foreign Ministers Meeting on 19 July. An ASEAN summit occurred in November as well, and ASEAN called on both sides to peacefully resolve their differences with the engagement of Indonesia, but no meeting to discuss the border dispute occurred at this summit.

References:

ASEAN Summit Chair's Statement; BBC; International Court of Justice order; International Crisis Group; Jakarta Post; Jerusalem Post; Letters to the UN Security Council (from Thailand and Cambodia); Phnom Penh Post; UN Security Council Press Statement; Việt Báo; Xinhua.