

Academic Article

Conflict Between Thailand and Cambodia over Preah Vihear Temple and the Border Disputes: Roles of the Joint Commission on Demarcation for Land Boundary (JBC) and Ways to Improve the Relations

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Abstract

This article attempted to study the relationship between Thailand and Cambodia amidst the territorial dispute over the Temple of Preah Vihear and the Thai-Cambodian borders since the Franco-Siamese treaty of 1904 until now. Furthermore, this article aimed to illustrate an important tool that the two nations have employed to solve the Cambodian–Thai border dispute: The Joint Commission on Demarcation for Land Boundary (JBC). The JBC was established in 2000 aiming at conducting a joint border survey and negotiating the Thai-Cambodian border disputes. Finally, this article synthesized and proposed ways to improve the Thai-Cambodian relations which can be done by the Thai government in 3 aspects: political, economic, and social.

Keywords: conflict, Thai-Cambodian border, Preah Vihear Temple, Joint Commission on Demarcation for Land Boundary (JBC), Thailand, Cambodia

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1. Introduction

This article aims to illustrate the conflict between Thai-Cambodian border disputes, especially in terms of the ownership in Preah Vihear Sanctuary and its surrounding areas, and an important tool that the two nations have employed to solve the Cambodian–Thai border dispute: The Joint Commission on Demarcation for Land Boundary (JBC).

After the Franco-Siamese treaty of 1904, the Thailand-Cambodia boarder run along the line of the watershed of the Pra-Nom-Dong-Rak mountain chain. was also situated in the Pra-Nom-Dong-Rak mountain chain. According to the 1904 treaty, the Temple of Preah Vihear was on the left shore of the watershed line that made the Temple belong to Thailand. However, the Franco-Siamese Treaty of 1907, which occurred to resolve some ambiguous boundary lines between Indochina and Siam, finally identified that the Preah Vihear Temple was located in the territory of Cambodia (Annex I map). This initiated the Cambodia-Thailand border conflict around the Temple ever since (Ezuruonye, 2021; Jenne, 2017).

In 1954, Thai military occupied the Temple and claimed that the Temple was part of Thailand. And in 1959, Cambodia brought the case regarding the Temple to the International Court of Justice (ICJ). On June 15th, 1962, the Court ruled as follows (Duangratana, 2019; Sothirak, 2013):

- 1) The Temple of Preah Vihear was situated in the territory under the sovereignty of Cambodia.
- 2) Thailand was a commitment on the military troop or police officials withdrawal, or to say that, observant of Thailand from sacred palace or nearly boundary.
- 3) Thailand was a duty to devote the Thai ancient materials transferred from the temple of Preah Vihear.

Specifically, according to the Court, only Temple building belongs to Cambodia but the direct access to the Temple is located in Thailand's territory (Pakdeekong, 2022).

2. The Joint Commission on Demarcation for Land Boundary (JBC) as a tool to Solve the Thai-Cambodian Border Dispute

The Thai government had a cabinet resolution on July 10th, 2005 to follow the ICJ's judgment. Nevertheless, the Thai and Cambodian governments still have determined their boundary lines differently. Consequently, the Thai-Cambodian border disputes still remain, especially the 4.6 sq km area west of the Temple (Duangratana, 2019; Sothirak, 2013).

One solution that the two nations has been employed is establishing the Joint Border Committee (JBC). The JBC was initiated under a Memorandum of Understanding (MoU) between Thailand and Cambodia in June 2000 in order to operate a joint border survey and negotiate the border disputes. The JBC will conduct a mutual survey and install a milestone in explosive trap areas (Duangratana, 2019; Sothirak, 2013).

3. Ways to Improve the Thai-Cambodian Relations

The author synthesized and proposed ways to improve the Thai-Cambodian relations in 3 aspects: political, economic, and social.

1. Political aspect. Although Cambodia has been facing several domestic problems for a long time. Since 1990s, the political situation in Cambodia has been stable (Ward & Ford, 2022). This will be a great opportunity for Thai businessmen and investors to invest in Cambodia. The Thai government should promote the roles of economic authorities in actively building a great economic relationship between the two nations. The Thai government should also partner with the other sectors to invest in mega projects in Cambodia. Finally, the Thai government should socially contribute to the development of Cambodia and Cambodians in certain aspects such as an agricultural aids and opportunities or educational aids and opportunities.

2. Economic aspect. The economic infrastructure of Cambodia nowadays has been improved and ready for foreign investors to decide investing in Cambodia (Calabrese & Cao, 2022). For example, Cambodia has a new airport, the Siem Reap-Angkor International Airport, which serves a ton of tourists who travel to Angkor Wat each year. New expressways which will be used

to connect cities in Cambodia (Khmer Times, 2023). The Thai government should adjust some laws and measures that will obstruct the economic interactions between the two countries such as providing additional tax incentives, promoting a cross border commerce, and reducing trade barriers.

3. Social aspect. The negative views of Thai people businessmen towards Cambodia people have changed over time. Likewise, Cambodian people have changed their perspectives toward Thais and foreigners and open for them to run businesses in Cambodia (Chachavalpongpun, 2012). Thai entrepreneur may consider invest in Cambodia in sustainable ways, such as embracing sustainable concepts and investing in eco friendly businesses or taking social responsibility and corporate governance into account when making investment decisions. (Stobierski, 2022)

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