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Cambodia and Thailand's Standoff Threatens Regional Stability

New America Media, Commentary, John Hall and Sophal Ear Posted: Aug 01, 2008 [NT Review it on NewsTrust](#)

Editor's Note: A disputed 11th century temple that straddles the Thailand-Cambodia border has caused an armed stand-off between the two nations, with each side claiming the temple as its own. An intervention by international courts could perhaps stave off possible bloodshed.

In the dense jungles on the border between Thailand and Cambodia, thousands of troops are involved in a tense armed standoff. A long-simmering dispute over which nation has claim to a 900-year-old temple has in recent days become far more sinister. Thousands of Thai nationalists descended on the temple and a confrontation with Cambodian authorities quickly escalated. Cambodia claims that Thai troops have crossed the border. One Thai soldier has been seriously injured. There is a real danger, and unless cooler heads prevail a disaster could unfold that has serious implications for the stability of the region.

The temple in question, the 11th and 12th century Shiva-dedicated Preah Vihear, is widely considered one of the masterpieces of ancient Khmer architecture, sharing the Hindu-influenced style of the more famous Angkor complex. Unfortunately, the temple sits astride the border between Thailand and Cambodia, and both countries have claimed the site. Thai forces occupied the temple in 1954 when the French withdrew from Cambodia. In response, the newly independent Cambodia asked the International Court of Justice to rule that the temple was within Cambodian territory.

In a landmark ruling in 1962, the ICJ upheld Cambodia's claim to the temple and the land on which it sits. Former U.S. Secretary of State Dean Acheson represented Cambodia in the Hague, arguing that a 1907 survey map drawn by French officers established the border's precise location. That map, which had been supplied to Siamese authorities, showed the temple as being on the Cambodian side of the border. Thailand's legal team, which included former British attorney general Sir Frank Soskice, argued that the map was invalid, was not an official document of the border commission and did not reflect the understanding of the commission that the border should follow the watershed. Crucial in the ICJ's ruling in favor of Cambodia was the fact that Thailand had failed to object in international forums to the map's depiction of the border, despite ample opportunity to do so, and had benefited from other parts of the border treaty. Despite massive protests in Thailand, Cambodia took possession of the temple in 1963.

The 1962 ICJ ruling remains deeply unpopular in Thailand, and has been used as a trigger of crude nationalist and anti-Cambodian sentiment. The issue remains a hot-button political topic, and for many Thais, the temple is an embodiment of stolen Thai history and culture.

For Cambodians also, the Preah Vihear temple has a particular cultural resonance that fosters fervent nationalism. The temple symbolizes what is seen by Cambodians as the determination of their more prosperous and powerful Thai neighbors to claim as their own the greatest achievements of ancient Khmer culture. In addition, it was within this vicinity—the Dangrek Mountains—in 1979 that Thai soldiers forced thousands of Cambodian refugees back across the border into an area known to be infested with landmines and Khmer Rouge guerrillas. Hundreds – perhaps thousands – of the refugees died. Hundreds or thousands more were robbed and raped by Thai forces before being returned to Cambodia and their fate. It is a shameful episode largely unknown in Thailand, but vivid in the memory of Cambodians.

The spark that ignited the current confrontation was the recent decision by UNESCO's World Heritage Committee to formally recognize Preah Vihear as a World Heritage site — only the third such designation for Cambodia, after the Angkor temples and traditional Khmer dance. Cambodia has submitted an application for Preah Vihear, including surrounding land, perennially since at least 2001, but had thus far been thwarted by Thailand. In 2008, this time with the support of the Thai government, Cambodia resubmitted for just the temple and not the surrounding, disputed land.

The reaction among Thai nationalists was angry and swift: Protesters swarmed to Preah Vihear, and on June 22, Cambodia closed the border. Thai protests at the border were spearheaded by anti-Thaksin opponents of embattled Prime Minister Samak Sudaravej. Accusations were made that Thai government support for Cambodia's World Heritage application for Preah Vihear was the result of cross-border bribery. The members of Samak's cabinet, his opponents

application for Preah Vihear was the result of cross-border bribery. The members of Sam Rainsy's cabinet, his opponents claimed in the press and in court, had effectively sold Thailand's legitimate claim to this symbol of Thai culture for a pocket of Cambodian gold. After a legal challenge, the Thai foreign minister resigned three days after the World Heritage Committee approved Cambodia's application, and following a damning decision against him in the Thai Constitutional Court.

Following the committee's decision to support Cambodia's application recognizing Preah Vihear as a World Heritage site, thousands of Cambodians marched through the streets of Phnom Penh and attended an outdoor concert at Wat Phnom in the city center. For them, this was a moment of national pride in the international affirmation of the significance of Cambodia's cultural heritage. For many Cambodians, angered by what they perceive as the racist basis of Thai animosity, the decision also upheld Cambodia's rights while snubbing Thai claims.

Cambodian Prime Minister Hun Sen has issued public statements that have attempted to calm the potential fallout with Thailand, and that have urged "patience to protect the national interests and make peace with the Thais as good friend and neighboring country." Similarly, Deputy Prime Minister Sok An has affirmed that Cambodia-Thai relations will not be effected by the listing, and that Cambodia is not attempting to alter the demarcation of the border. Nevertheless, this is a regime that has on prior occasions whipped up anti-Thai sentiment in the streets for its own political purposes, resulting in the burning of the Thai Embassy and Thai businesses in January 2003. It is apparent that Hun Sen's ruling political party has benefited from the standoff: It won last Sunday's national election in a landslide, in part thanks to a wave of nationalism generated by pro-Hun Sen media that portrayed him as a defender of Cambodian rights at Preah Vihear.

In Thailand, anti-government nationalists are playing a dangerous and shameful game, and the government has pandered to popular sentiment by issuing inflammatory and bellicose anti-Cambodian statements of its own. What had been a domestic political crisis for Thailand has rapidly escalated into an international crisis. Thailand has thus far spurned Cambodia's request for regional and international mediation, arguing that it is too soon to involve outsiders. Cambodia, which had asked the U.N. Security Council to meet on July 28 in order to discuss the matter, has acquiesced by postponing a formal meeting in order to permit the foreign ministers of both countries to meet instead that same day. That meeting in Siem Reap failed to resolve the standoff or the underlying dispute.

The danger is real and blood has been spilled — a Thai soldier lost a leg to a landmine. Thankfully, he is the only casualty to date. But with thousands of Thai and Cambodian troops amassing — each side claiming the other has violated their territory — and facing each other just a few feet apart with their weapons leveled, a tragedy is one breath away. An alcohol ban has been put in place in hopes of avoiding any acts of drunken aggression, but this is a disaster waiting to happen as nationalist passion grips the citizens of both nations. Cooler heads must prevail. If Thailand maintains that it has a legitimate legal claim to the territory in question, there are clear and well-travelled judicial mechanisms for asserting that claim. Indeed, resolving border disputes — amongst the most politically heated disputes between nations — is the bread and butter of international courts and mediation and arbitration panels. By ignoring those legal mechanisms and instead resorting to military confrontation, the Thai government risks being seen as purposefully undermining the rule of international law in order to pander to volatile domestic sentiment. This is an extraordinarily dangerous and self-serving gamble in a region with a history of political instability and military conflict.

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The views expressed are those of the authors and do not necessarily represent the views of the Naval Postgraduate School, the Department of Defense, or the U.S. Government. This article appears courtesy of the Daily Journal Corp.

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