

H2 History: Paper 2 Theme III

Source Based Case Study - Dispute over Preah Vihear - Key Events

1. Synopsis

Cambodia alleged that Thailand had occupied a part of its territory surrounding the ruins of the Preah Vihear temple, which is a place of worship for the Cambodians. Cambodia asked the International Court of Justice (ICJ) to declare that territorial sovereignty over the Temple belonged to it and that Thailand was obliged to withdraw its armed force stationed there since 1954. Although Thailand filed preliminary objections to the Court's jurisdiction, they were rejected by the Court's Judgement on 26 May 1961. The Court noted that a Franco-Siamese Treaty of 1904 provided that the frontier was to follow the 'watershed line' and that the Temple was on the Cambodian side of the boundary. Eventually, Thailand accepted the map submitted by the Mixed Delimitation Commission and thus had to withdraw any military or police force stationed in the disputed area.

2. Key Context

a) Franco-Siamese Treaties (1904 & 1907)

After a war between France and the Siamese Kingdom in 1893, two treaties were signed to demarcate the territories of the French controlled Khmer and the Siamese Kingdom. In 1904, both parties signed a border treaty, agreeing that the northern frontier near Preah Vihear would run along the watershed line of the Dângrêk Mountains. However, the treaty did not declare that the temple would thus be on Siamese soil. Instead, the treaty stated that the precise demarcation would be agreed by a mixed commission later. In 1907, French officials produced a map (Annex I map) that showed a border that deviated from the watershed line, placing all of Preah Vihear on Cambodia's side.

b) Thailand's attempt to include Preah Vihear (1939)

Luang Wichit urged Phibun to include Preah Vihear temple in its irredentist campaign in 1939. In that same year, the Preah Vihear was featured in the maps of Thailand's historical sites published by the education department.

c) Tokyo Peace Accord (May 1941)

A peace convention was signed between France and Thailand at Tokyo after the Thai invasion of French Indochina in 1940. Thailand retook most of the territories formerly under Cambodia, including Preah Vihear.

d) Thailand's public campaign (March 1941)

The Phibun government authorised a press campaign to publicise the significance of the Preah Vihear temple obtained in the Peace Accord. In March 1941, Thai newspapers announced that the ancient temple was 'very sacred to all Thailand' that was 'as important as Angkor Wat'. This media campaign became the foundation of Thailand's official narrative that the Preah Vihear was an integral part of Thai history. Newspapers avoided any mention of Siamese conquest in the 19th Century, launching accusations that France had stolen the Preah Vihear temple.

e) Washington Accord (November 1946)

To settle the consequences of the Franco-Thai War of 1940-1941, a Washington Agreement was signed with US mediation. The Accord re-established the border set out in the 1907 treaty, giving France control over Preah Vihear again, angering the Thais. The status quo was maintained for the next seven years as the First Indochina War developed.

f) Thai occupation of Preah Vihear (1953)

Following Cambodia's independence on 9 November 1953, Thailand moved its troops in and occupied the Preah Vihear Temple in 1954. Cambodia viewed this act as a breach of national sovereignty, escalating bilateral tensions for several years.

g) Cambodian demonstrations over the Preah Vihear (March 1957)

In Cambodia, students, policemen and civil servants marched past the Thai Embassy in Phnom Penh to protest the lack of respect from Thailand. Then, Sihanouk made a speech, accusing the Thais of cheating the Cambodians out of Preah Vihear and demanded its control. In 1958, Cambodian leader Son San announced his decision to settle the dispute through an appeal to the ICJ instead.

h) Thai demonstrations over the Preah Vihear (September 1958)

On 7 September 1958, Thai protestors marched down the city of Ratchadamnoen Avenue and moved towards the Cambodian Embassy. The march culminated into a riot. In November 1958, the Cambodian ambassador in Bangkok requested a suspension of diplomatic relations between the two nations. In retaliation, Thailand recalled its ambassador, closed the border and suspended air service.

i) The International Court of Justice's Hearing (June 1962)

Thailand argued that the 1907 French survey was not legally binding as it was not endorsed by the then-Mixed Commission. Also, Thailand cited their control over the Preah Vihear temple over the years. The Court awarded jurisdiction of the temple to Cambodia and stated that Thailand was obligated to withdraw any military or police force stationed at the Temple.

j) Resurgence of the Preah Vihear dispute (2008)

In the lead up to the national elections in both Thailand and Cambodia, leaders in each country used the Preah Vihear temple dispute to stoke nationalism and boost their domestic political standing with the electorate. In July 2008, Cambodia applied to UNESCO to name Preah Vihear a World Heritage site, which UNESCO accepted. In the same month, Thai soldiers were sent to Preah Vihear to reclaim the territory surrounding the temple, forcing Cambodia to deploy troops too.

k) Responses to the Court's ruling in 1962 (2013)

Cambodia argues that the Court's decision grants it ownership of the land surrounding the temple. In 2011, Cambodia requested for an interpretation of the 1962 ruling by ICJ, claiming that the ruling only applied to the temple itself but not the ownership of the disputed area next to the temple. In November 2013, the ICJ declared that Cambodia had sovereignty over the whole territory of the promontory of Preah Vihear.