

THE ROLE OF DIPLOMACY ON THE ISSUE OF PREAH VIHEAR OF THAILAND AND CAMBODIA: A CASE AFTER THE JUDGMENT OF WORLD COURT SINCE 2013 TO THE PRESENT

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ABSTRACT

The research title “The Role of Diplomacy on the Issue of PREAH VIHEAR of Thailand and Cambodia: a Case After the Judgment of World Court Since 2013 to the Present” The objectives were (1) To analyzed the diplomatic roles of Thailand and Cambodia in dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013. (2) to study the diplomatic impact of Thailand and Cambodia from the dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013. And (3) to study guidelines of the problem solving of impact from diplomacy of Thailand and Cambodia in the dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013. This research was qualitative research by in-depth interviews with the experts in international relations and the experienced field related practitioners. The data collection analyzed and interpreted to objective explanations.

The results of research shown that an after the judgment of International Court of Justice in 2013, Thailand and Cambodia were operating different diplomatic, by Thailand emphasized a peaceful, compromise and maintain regional stability. As for Cambodia used aggressive policy to prevent beneficial and build righteous on the world stage. The dispute affected in both of positive and negative to relations of two nations by causing both distrust and mutual learning of the people in the border area. At the same time, the both countries used legal and peaceful diplomacy to mainly mechanism into conflict management in order to reduce confrontation and maintain peaceful relations, reflected the progress of "constructive diplomacy", which focus on changes from competition to sustainable cooperation in the regional.

Keywords: Diplomacy roles, preah vihear, border dispute

Over the past few decades, the issue of World Heritage had increasing attention on the tool of cultural diplomacy, which were the role of both central media of international collaboration and a flashpoint of geopolitical conflict (Silverman, 2011; Chechi, 2016). The inscription of archaeological sites as a world heritage site by UNESCO, although intended to the common culture of humanity preservation, but in practical becomes a “negotiation space” between the identities, historical memories and politics goals of states (Zacharias, 2010). The conceptual of world heritage was not limited to conservation but as a symbolic power. The states used to affirm sovereignty and create image on the world stage (Kwiecień, 2012). In the context of Southeast Asia, A case of

“Preah Vihear Temple” dispute of Thailand and Cambodia was clearly example of the conflict between the principle of world heritage conservation and the sovereignty of the nation-state conceptual. The dispute was a deep rooted from colonial history and the interpretation of borders based on French maps from 1907 by the International Court of Justice (ICJ) in 1962, Indicated that the Preah Vihear temple falls under Cambodian sovereignty. Because Thailand did not oppose to the map at should be done on these times, it was considered to “acquiescence ” (Ciorciari, 2014). However, unspecified surrounding areas clearly was caused the dispute to decades continuously affected the tension returned in 2015. The Cambodia unilaterally submitted Preah Vihear Temple to registered as a world heritage site and refer the rights to claiming one-sided on the judgment in 1962. While Thailand sees that Cambodia did not negotiate as a country with a stakeholder in surrounding area (Chechi, 2016). This incident leads to the military clashes between 2008-2011, resulted in numerous deaths and the people must be migrate in large numbers (Silverman, 2011). The disputes reflected the complexity of using world heritage in the context of sovereignty disputes. Although, the International Court of Justice rulings are legally binding but in the practice was still interpreted differently on beneficial (Ciorciari, 2014; Kraiwit Kosiyasirikul and colleagues, 2020). After the violence between 2008-2011 both of Thailand and Cambodia submitted applications for interpretation of the original judgment to the World Court of Justice, As a resulted in 2013. The court issued an additional ruling to surrounding area around the Preah Vihear Temple was under the control of Cambodia and the both countries were jointly management the area convention concerning the Protection of the World Cultural and Natural Heritage in 1972. (Chechi, 2016). This judgment alters the format of the dispute from military clashes to diplomatic negotiation. Especially, in the dimension of “cultural diplomacy”, which the both countries utilized symbolic tool and soft power to enhance of state image (Chechi, 2016; Kraiwit Kosiyasirikul et al., 2020)

However, the operation within the multilateral was remain limited. ASEAN been not able to intervene in disputes. Because “non-interference principle” affected to the role of ASEAN was only more coordinators than mediator (Kraiwit Kosiyasirikul et al., 2020). UNESCO, despite a crucial role on the registers World Heritage sites but did not discretionary power over borders, so there is ambiguity between conserve mission and politics constraints (Chechi, 2016).

As mentioned above this study aimed to analyzed the role of diplomacy on the issue of PREAH VIHEAR of Thailand and Cambodia: a case after the judgment of world court since 2013 to the present in order to understand dynamics of the transition from military confrontation to the use of diplomatic mechanisms. The study also focuses on analyzing the impact on bilateral to related border communities in the disputed areas, which helps reflected the role of “peaceful diplomacy” in managing border disputes under the context of a world heritage sustainable.

RESEARCH OBJECTIVES

1. To analyzed the diplomatic roles of Thailand and Cambodia in dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013.
2. to study the diplomatic impact of Thailand and Cambodia from the dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013.
3. to study guidelines of the problem solving of impact from diplomacy of Thailand and Cambodia in the dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013.

METHODOLOGY

This study used qualitative research with in-depth interview to the key informants as the principal guidelines of this study consist as follows:

1. Population and samples: this research used the population were the key informants such as the experts in international relations and the experienced field related practitioners. The sampling was non-probability samplings by the purposive and snowball sampling as follows:

1.1 Assistant Professor (Special) Police Lieutenant General Dr. Santhan Chayanon, Dean of the Faculty of Political Science and Governance, Suan Sunandha Rajabhat University.

1.2 Professor Pans Hiram, Department Chair of the Social Development Administration Program, Phetchaburi Rajabhat University.

1.3 Assistant Professor, Professor in the Faculty of Humanities and Social Sciences, Phetchaburi Rajabhat University.

1.4 Dr. Thanachet Wisaijon, Head of the Political Science Program. Ubon Ratchathani University.

1.5 Assistant Professor Dr. Krisada Promwake, Professor in the Department of International Relations, Faculty of Political Science. Ramkhamhaeng University.

2. The instruments used in the research were semi-structured interview guide to collection data, who the researchers designed according the objectives of all three studies. Included, documents and related academic works such as World Court reports, diplomatic documents, news from the Ministry of Foreign Affairs, and academic analyses related to the Preah Vihear case

3. Data Collection

3.1 The primary data was the new data collected directly by researchers through in-depth interviews with 5 experts who were knowledgeable, experienced and directly involved in foreign affairs, Thai-Cambodian relations and border disputes.

3.2 The Secondary data was data collected by researcher from document; International Court of Justice judgments and the existing research both domestically and internationally. This type of data includes academic books and textbooks related to diplomatic conceptualism, international relations, conflict theory and realism, academic articles and scholarly journals published in academic databases were as Scopus, TCI, JSTOR, and Google Scholar, includes the research published in the fields of international relations, foreign affairs and regional studies, official reports from government agencies such as Ministry of Foreign Affairs, Ministry of Defense, news and analysis reviews domestic and international and reliable online resources for considering the context of political, diplomatic and social each of times.

4. Data analysis methods

The researchers analyzed the data as follows:

An analyzed data from in-depth interviews with individual's resources which researcher performed in-depth interviews to study of "The role of Diplomatic on the Issue of PREAH VIHEAR of Thailand and Cambodia: a case after the judgment of International Court of Justice in 2013 to the present". The researcher utilized all data analyzed by interpretation, which the operation as follows;

4.1 Transcription and Data Verification: The researchers were meticulously transcribed from in-depth interview recordings into written text and checked the data completeness and accurately to reflect the words and perspectives contextual of the interviewees

4.2 Coding and Categorization: All data obtained from in-depth interviews and document studies would categorize according to the mainly of the research such as the diplomatic roles of Thailand and Cambodia in dispute resolution, the diplomatic impact on both countries from dispute resolution. By diplomatic impact both of 2 countries from dispute resolution and guidelines of resolving problems and developing future diplomatic collaborations

4.3 Data validation with triangulation was be able to enhance data reliability. The researchers used of 3 dimensions of triangulation consisted of data triangulation, methodological triangulation and theoretical triangulation.

4.4 Interpretation and Synthesis: The process of researcher utilized qualitative data through transcribed, categorized and verified for accuracy to analyze with the conceptual frameworks, theories and political or diplomatic contexts to created deep understanding in issues of the research.

RESULTS

The diplomatic roles of Thailand and Cambodia in dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013. Thailand and Cambodia were adjusting diplomatic behavior from confrontation to constructive cooperation with “peaceful diplomacy” was the primary instrument into conflict management. The both of countries used important mechanisms such as the Joint Border Commission (JBC) and the General Border Committee (GBC) to negotiate and peacefully manage overlapping areas. At the same times, Thailand maintains roles of “guardian of sovereignty” and “peacemaker” by use the cautious diplomatic policy. As for Cambodia maintains roles of “defender of historical sovereignty” and “cultural diplomacy” through refer the rights under international law and UNESCO. The diplomacy behaviors of both countries reflected according to the role theory of Kalevi J. Holsti (1970) sees that the states defined the roles according to national image. Thailand chooses a peaceful and conciliatory approach, while Cambodia used the proactive policy to historical legitimacy. As a result, both countries have adjusted their roles to become “regional peacekeepers” to maintain stability and mutual interests in ASEAN.

2. The impact of diplomatic of Thailand and Cambodia from dispute resolution of Preah Vihear after the judgment of International Court of Justice.

(1) Economic: occurred both positive and negative impacts in many dimensions. The cross-border trade between Thailand and Cambodia had bustle up after easing of situation. The investment and cross-border travel were increasing, particularly in the provinces of Sa Kaeo, Surin, and Ubon-Ratchathani, which became to border economic hubs. However, the diplomatic concession occurred structural problems such as illicit businesses, gambling dens, and informal economic activities, which was reflected "systemic effects", difficult for the state to control in the long term.

(2) Politics: the dispute became to political instrument of Cambodia in inciting nationalism, while Thailand was feeling of symbolic loss and dignity affected international political distrusting. However, the using civil diplomacy and border security coordination was reduced tensions and strengthened stability in the border area to some extent.

(3) Social and Cultural: the both countries see the Preah Vihear Temples was a national symbol to feeling of division and identity competition. But the same time, the cultural similarities was still a linkable at a community level. The marriage and cross-border trade helps strength relate to social and cultural, despite the symbolic disputes in the state levels. This outcome reflected that the cultural conflicts been ability transformed to mutual understanding among the publics.

Conclusion: The diplomatic impacts of Thailand and Cambodia after the judgment of International Court of Justice in 2013 were both of the positive and negative aspects and all of economic, political and cultural dimensions of economic, which were resulted from policy adjustments and international power dynamics.

3. the resolving problem guidelines of diplomatic impacts between Thailand and Cambodia in dispute resolution of Preah Viharn Temple dispute after the judgment of International Court of Justice: the guidelines resolving problems of the both countries were accordingly in “defensive diplomacy” and “Cooperative diplomacy” by used bilateral diplomatic mechanisms such as JBC and GBC as the primary channels for negotiation and relationship management. Thailand used a cautious guideline and focus on protecting national interests and avoiding escalating the conflict to an international level. As for Cambodia used the legal and cultural diplomacy to legitimize sovereignty and affirmation the rights of heritage conservation.

The two countries were encouragement “civil diplomacy” and “active communication” to mutual understanding, reduce misunderstandings and encourage peaceful coexistence in the border area, which reflected the development of modern diplomacy that prioritizes stability and collaboration over confrontation.

In summary, the resolving problem guidelines of diplomatic impacts between Thailand and Cambodia after the judgment of International Court of Justice was focuses on peaceful, diplomatic mechanisms and collaboration at all levels to protect national interests along with maintaining good relations and regional stability.

CONCLUSION

The research title “The Role of Diplomacy on the Issue of PREAH VIHEAR of Thailand and Cambodia: A Case After the judgment of World Court Since 2013 to the Present”. The results of study found that Thailand and Cambodia did adjusted diplomatic roles from confrontation to peaceful collaboration and using negotiating mechanisms such as the Joint Boundary Commission (JBC) and the General Boundary Commission (GBC) to resolve disputes peacefully. The diplomatic roles of both countries were reflected on the conceptual of “Diplomatic Role Theory” of Kalevi J. Holsti’s (1970). By Thailand was still the role of “defender of sovereignty” and “peacemaker”. As for Cambodia was the role of “Protector of Historical Cultural” and “Cultural Ambassador” which was consistent to Sasicha Kongka (2023) indicated that Thailand conducted the foreign policy regarding borders by using bilateral mechanisms such as the Joint Commission for maintain a good relation and avoid conflict, which reflected to structural peaceful diplomacy approach. And corresponds to Kraiwit Kosiyasirikul et al. (2020) study about “Models of Conflict management between Thailand and Cambodia to resolve the Preah Viharn Temple Dispute,” offered that Thai government and Cambodian governments were jointly developed the Preah Viharn Temple as a world heritage Site through the PEACE model, which emphasizes created close relationships and bilateral meetings to maintain border peace. Furthermore, Cambodia employed legal and cultural diplomacy to legitimize its actions. Moreover, the Cambodia used legal and cultural diplomacy to legitimize actions, which corresponds of Kezheng Zhang (2022) study of “Whether Acquiescence Constitutes the Principle of Estoppel in Territorial Dispute Cases: Case of Temple of Preah Vihear as an Example” and Sheng Luo (2022)

study of “On the Principle of Estoppel in International Disputes—Taking Preah Vihear Temple Case as an Example Introduction” affirming that Thailand’s non-objection to the map in the past was considered an “acquiescence”, which affected international legal and became the basis of Cambodia’s diplomatic strategy. Therefore, the diplomatic role after 2013 had been constantly evolving due to legal and historical basis and along with reflected the efforts to the both countries to safeguard national interests under peaceful frameworks.

The diplomatic roles of Thailand and Cambodia were dispute resolution of Preah Vihear Temple after the judgment of International Court of Justice in 2013. The results of study indicated that the positive and negative impacts all of economic, political and socio-cultural were restoration of cross-border trade, local economic development and collaboration of the public level. But there were the structural problems such as gray market businesses, political distrust and identity conflict between two nations. (Gosrisirikul, K., Srisorn, W., & Chayanon, S., 2020). The resulted with consistency to Suwanya Toesingh (2021) studied “Phum Srol: Border Communities and Spatial Politics under the Context of Nation-States and Globalization” finding that the Preah Vihear conflict affected the lives of border villagers, who were freedom limitation, stigmatizing as “unpatriotic,” and directly impacting their economy due to the border closure. Also indicated that the solution should be open to local people participating in decision-making with corresponds to the research proposing “People-to-People Diplomacy” to enhance social stability in the politics dimension. The results of research were still corresponding to Kiatichalerm Rakngam (2025) studied “Political Dynamics and the Thai-Cambodian Dispute: An Analysis Through the Framework of International Relations,” explaining that both Thailand and Cambodia use the dispute as a political instrument to legitimize domestic actions and reflected the failure of mediation mechanisms within international organizations such as ASEAN be not able to create truly binding outcomes. Furthermore, it highlights the social and cultural impacts, highlighting differences in identity with correspond to Choraphat Suranart et al. (2018) studied “Preah Vihear Temple: Shared Memories of People on the Thai-Cambodian Border between 1958-1963”, finding that the both sides had different perceptions, but there were the shared common memories of Preah Vihear Temple and proposed utilized the area jointed world heritage site to mutual understanding with the correspond to the proposed in this research indicated that the cultural relations be able to instruments for peaceful diplomacy. And this study consistent with the several research in both domestic and international, which indicated that the diplomatic impact was not only the state level of limitation but extended to the people and cultural identity. It was the crucial factors to the long-term stability of the region. The resolve guidelines to impacts from diplomatic of Thailand and Cambodia in dispute resolution of the Preah Viharn Temple after the judgment of International Court of Justice in 2013. The results of study found that the primary approaches both of countries were used "diplomacy to safeguard sovereignty," "diplomacy for cooperation," "diplomacy with caution," "diplomacy based on law," and "creative diplomacy," which emphasize the use of peaceful mechanisms and local-level collaborations. Particularly, the Joint Boundary Commission (JBC) and the Government Boundary Commission (GBC) were important mechanisms to negotiation and managing overlapping areas with correspond to Kraiwit Kosirisirikul, et al. (2020) studied "Thai-Cambodian Conflict Management Model to Resolve the Preah Vihear Dispute", proposed "Thai-Cambodian Conflict Management Model" through the PEACE Model, which emphasizes ceasefire, troop withdrawal and bilateral negotiations to mutual understanding, which was a structural preventive diplomacy approach. As for "legal diplomacy" and "cautious diplomacy" were correspond to the results of Kezheng Zhang (2022) studied to “Whether Acquiescence Constitutes the Principle of Estoppel in Territorial Dispute Cases: Case of Temple of Preah Vihear as an Example” and William Roth (2023) studied on “The Incident of 1911”: The

Real Truth in the Temple of Preah Vihear Cas". The results of these studied confirmation that The International Court of Justice were interpreted Thailand's past inaction as "implied acquiescence," which had legal effect and Thailand must be a cautious and legally sound diplomatic approach to prevent further loss of sovereignty. Moreover, the "constructive diplomacy" and "cultural diplomacy" were focus on created understanding through culture and youth, also consistent with Kimly Ngoun (2017) studied to "The Politics of Nationalism in Cambodia's Preah Vihear Conflict with Thailand The State, the City and the Border" to study about the politics of nationalism in Cambodia reveal that the construction of cultural identity were directly influence to state positions in diplomatic negotiations and ability to serve as a positive resource for peacebuilding. Therefore, the proposed guidelines of the problem solving of impact in this research had consistent with the findings from previous studies, by emphasizing a change from "confrontational diplomacy" to "collaborative and constructive diplomacy" to regional stability and shared understanding in the regions level.

New knowledge

Research on the diplomatic roles of Thailand and Cambodia in the Preah Vihear Temple: a case after the judgment of International Court of Justice in 2013 to the present were had generated a new knowledge regarding the diplomatic roles of Thailand and Cambodia in dispute resolution of the Preah Vihear Temple. The guidelines of the problem solving of impact from diplomacy of Thailand and Cambodia in the dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013. By explained in to diagram as follows;

SUMMARY AND RECOMMENDATION

The results of this research revealed that after the judgment of International Court of Justice in 2013. Thailand and Cambodia were change diplomatic roles from confrontation to the constructive use of "diplomacy of peace" to dispute resolution of the Preah Vihear Temple. Thailand was assumed the role of "defender of sovereignty" through cautious diplomacy and mechanisms of the Joint Boundary Commission (JBC) and the General Boundary Commission (GBC). As for the Cambodia used the role of "protector of historical sovereignty," leveraging mechanisms of international legal and cultural diplomacy to legitimacy on the global stage. The results aforementioned that affected to relationship between two countries had turned from tension to peaceful cooperation. Although, there are still structural impacts on economic, politics and cultural such as fragile border economy, political distrust and cultural identity competition. There had been evident collaboration of people level and economic revitalization in border areas. The guidelines of the problem solving of both countries must focus on preventive diplomacy, cooperative diplomacy and legal diplomacy to along with "creative diplomacy" and "cultural diplomacy" to understanding and reduce biases among the people. The important recommendation was government should develop a sustainable cross-border cooperation structural, encourage to people-to-people diplomacy and study conflict factors on historical, cultural, and political to develop balanced diplomatic strategies and encourage peaceful between Thailand and Cambodia.

The research on the role of diplomacy in the Preah Vihear of Thailand and Cambodia, a case of after the judgment of International Court of Justice in 2013. There were the objectives 1. To analyze the diplomatic roles of Thailand and Cambodia in the dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013. 2. To study the impact of diplomacy of Thailand and Cambodia in the dispute resolution of the

Preah Vihear after the judgment of International Court of Justice in 2013. And 3. To study guidelines of the problem solving of impact from diplomacy of Thailand and Cambodia in the dispute resolution of the Preah Vihear after the judgment of International Court of Justice in 2013. The proposed policy guidelines: 1. Encouraged intergovernmental collaboration mechanisms to develop the role of Joint Boundary Commission (JBC) and General Border Committee (GBC) and greater public participation continuity. 2. Use the culture created understanding, encourage cultural exchanges and education to reduce prejudice among people. 3. Development integrated border economics zone to prioritizes security and reduces illegal activities. And 4. Encouraged the public communication constructively, producing a balanced historical and cultural media to prevent negative incitement to nationalism.

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