
The Role of ASEAN as a Regional Governance Actor in the Conflict Resolution between Thailand and Cambodia: The Preah Vihear Temple Dispute, 2008–2011

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Abstract

This research aims to discuss the role of ASEAN as a regional institution, where this role was implemented in an effort to resolve the conflict that occurred between Thailand and Cambodia in 2008-2011. What is quite unique is that this conflict is basically cultural in nature because it is a dispute over the area around the Preah Vihear Temple which has an area of around 4.6 square km, where the area is the direct border between Thailand and Cambodia. Based on this, a transformation occurred which was initially a cultural problem. However, it later became a conflict on a regional scale, because this conflict had the potential to disrupt stability in the Southeast Asia region. Using a conflict resolution theory approach from Ralf Dahrendorf regarding the methods used to resolve the Preah Vihear Temple dispute between Thailand and Cambodia. ASEAN as a supranational organization at regional level is expected to be able to resolve the conflict between Thailand and Cambodia, including involving its member countries as mediators in the conflict.

Keywords: ASEAN Role, Preah Vihear Temple, Thailand - Cambodia Conflict, Conflict Resolution

Abstrak

Penelitian ini bertujuan untuk membahas tentang peran ASEAN sebagai sebuah institusi regional, dimana peran itu diimplementasikan dalam upaya menyelesaikan konflik yang terjadi antara Thailand dengan Kamboja pada tahun 2008-2011. Hal yang cukup unik adalah konflik ini pada dasarnya bersifat kultural karena persengketaan wilayah sekitar Kuil Preah Vihear yang memiliki luas sekitar 4,6 km persegi, dimana wilayah itu merupakan perbatasan langsung antara Thailand dengan Kamboja. Berdasarkan hal tersebut, terjadi transformasi yang mana awalnya merupakan permasalahan kultural. Namun kemudian menjadi konflik dengan skala regional, karena konflik tersebut mempunyai potensi mengganggu stabilitas di regional Asia Tenggara. Menggunakan pendekatan teori resolusi konflik dari Ralf Dahrendorf tentang metode yang digunakan untuk menyelesaikan segketa

Kuil Preah Vihear antara Thailand dan Kamboja. ASEAN sebagai organisasi supranasional di level regional diharapkan mampu untuk menyelesaikan konflik antara Thailand dengan Kamboja, termasuk melibatkan negara-negara anggotanya sebagai mediator dalam konflik tersebut.

Kata Kunci: *Peran ASEAN, Kuil Preah Vihear, Konflik Thailand – Kamboja, Resolusi Konflik*

A. Introduction

The existence of the Association of Southeast Asian Nations (ASEAN) as one of the manifestations of regional-level governance entails various roles aimed at fostering stability within its area. Particularly in the current era of globalization, the emergence of diverse conflicts extends beyond economic and security-related issues. Between 2008 and 2011, a military confrontation occurred between Thailand and Cambodia, two countries that share a direct geographical border. The conflict originated from the status of the Preah Vihear Temple, located along the Thailand–Cambodia border, which was constructed in the 11th century and was designated as a World Heritage Site in 2008 by the United Nations Educational, Scientific and Cultural Organization (UNESCO). This designation provoked strong reactions from Thai nationalists who claimed that the cultural site rightfully belonged to Thailand, despite the International Court of Justice (ICJ) ruling in 1962 that affirmed the Preah Vihear Temple as part of Cambodian territory (Sidik, 2009).

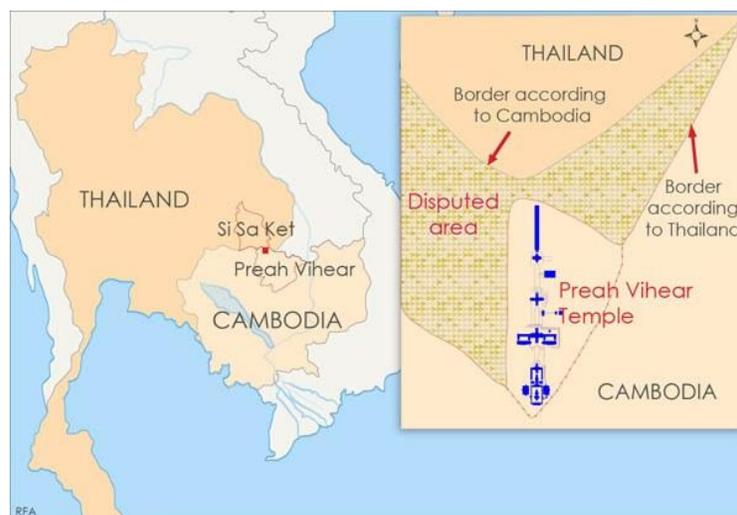


Image 1. Place of The Preah Vihear Temple

(Source: *www.rfa.org*)

Through the map, we can observe that the position of the Preah Vihear Temple is highly complex, as part of its area lies within Cambodian territory while another part extends into Thai territory. In fact, Thailand had already expressed objections to ICJ ruling in 1962, which determined that the temple belongs to Cambodia, while leaving an unresolved 4.6-square-kilometer surrounding area whose ownership—whether Cambodian or Thai—remained ambiguous (Tun, 2011). Thailand's claim is grounded in nationalist sentiment and cultural belief, asserting that the area surrounding the temple rightfully belongs to Thailand. The dispute between Thailand and Cambodia, which escalated in 2008, eventually developed into an armed conflict that resulted in casualties among soldiers on both sides. Following UNESCO's designation of the Preah Vihear Temple as a World Heritage Site, Thailand deployed military forces around the temple area, which lies directly along the Thailand–Cambodia border (Kompas, 2008). This deployment occurred due to mutual concerns regarding border security after UNESCO's recognition of the Preah Vihear Temple as one of the world's cultural heritage sites.

The existence of this dispute inevitably threatens stability in the Southeast Asian region. ASEAN, as a supranational regional institution—functioning as an actor or regime capable of binding and influencing each of its member states—has sought to serve as a mediator between

Thailand and Cambodia. The institutional framework of ASEAN emphasizes inter-state coordination aimed at mutual assistance and policy formulation to achieve a secure and stable regional environment. This is manifested through the establishment of norms that require member states to respect one another's sovereignty without interfering in domestic affairs (Fisipol UGM, 2017), as long as such domestic affairs do not endanger regional stability in Southeast Asia. Although the dispute is fundamentally cultural in nature—given that the Preah Vihear Temple is a sacred structure built by the Khmer Empire in the mid-11th century—both Thailand and Cambodia claim legitimate historical ties to this heritage. This stems from the fact that the ancient Khmer Empire once extended across much of the Indochina Peninsula, encompassing parts of eastern and southern Thailand, the northern region of present-day Laos, and most of modern-day Cambodia, whose capital at the time was located in Angkor. The Khmer Empire existed from 802 to 1432 AD (Mohtar, 2023). Below is a modern map of Thailand, Cambodia, and Laos, which in ancient times constituted the territorial domain of the Khmer Empire.



Image 2. Modern Map of Thailand-Cambodia-Laos
(Source: www.depositphotos.com)

Given the cultural nature of the dispute, it is unsurprising that both states eventually escalated the issue into a military confrontation, as disputes between two countries are often laden with political and security interests. Therefore, ASEAN’s role as a form of Regional Governance becomes essential to establishing effective governance at the regional level, ensuring that the dispute between Thailand and Cambodia does not persist indefinitely and that stability within Southeast Asia is maintained. ASEAN also possesses the authority to involve its member states in efforts to mediate the conflict between Thailand and Cambodia. Based on this background, the author formulates the research question as follows: *“How Does ASEAN Function as Regional Governance in Addressing the Cultural Conflict in the Preah Vihear Temple Dispute (2008–2011) between Thailand and Cambodia?”*.

Literature Review

In this study, the author identifies several strands of literature that can be grouped into two categories. First, literature discussing ASEAN's role in situations of cooperation and conflict. Second, literature examining the external and internal challenges faced by ASEAN. External challenges originate from outside ASEAN member states, whereas internal challenges arise within ASEAN member states themselves.

A cooperative situation faced by ASEAN is reflected in its effort to formulate cybersecurity policies, as discussed in a study by Heinl. The importance of cybersecurity cooperation was comprehensively emphasized within the Southeast Asian region, considering the growing cyber threats experienced by various ASEAN member states. Meetings held in April and July 2013 were expected to provide recommendations enabling ASEAN, as a form of regional governance, to assume its role as a regional cybersecurity regime (Heinl, 2013). In line with this perspective, Trisni, Isnarti, and Halim argue that cybersecurity constitutes a form of non-traditional security, which requires the involvement of multiple actors and cannot be addressed solely at the regional level. ASEAN, acting as regional governance, thus collaborates with Australia, a country with extensive experience in the cybersecurity domain. Through this cooperation, ASEAN is expected to benefit in strengthening its cybersecurity capacity (Trisni, Isnarti and Halim, 2020).

Prabandari, Resen, and Prameswari, in their study, argue that ASEAN's role was not particularly visible in the 2008 Thailand–Cambodia conflict, as the dispute was resolved through the International Court of Justice (ICJ). For this reason, discussions of ASEAN's function as regional governance appear limited when examining this conflict (Prabandari, Resen and Prameswari, 2020). Supporting this view, Laksmi, Mangku, and Yuliantini note ASEAN's limited efficacy in addressing conflict situations in the South China Sea (SCS). The conflict escalated when China issued a unilateral claim in mid-2009 over maritime regions in Southeast Asia, known as the “nine-dash line.” The areas claimed by China include parts of the Exclusive Economic Zones (EEZs) of five ASEAN member states: (1) the Philippines, (2) Vietnam, (3) Brunei Darussalam, (4) Malaysia, and (5) Indonesia—zones recognized under the 1982 United Nations Convention on the Law of the Sea (UNCLOS). Among these five states,

only the Philippines filed a legal case against China before the Permanent Court of Arbitration in The Hague, and even this action was not taken through ASEAN mechanisms (Laksmi, Mangku and Yuliantini, 2022).

This study seeks to deepen and expand existing scholarship on ASEAN's role in addressing internal challenges. In this case, the internal challenge refers to the 2008–2011 conflict between Thailand and Cambodia arising from the territorial dispute over the Preah Vihear Temple. This issue necessitated ASEAN's involvement because both countries are ASEAN member states, making the organization responsible for helping preserve regional stability. The 2008–2011 Thailand–Cambodia conflict represents a continuation of ASEAN's evolving role since 2004. Nevertheless, ASEAN's engagement in addressing the Thailand–Cambodia dispute during 2008–2011 was further strengthened by Indonesia's chairmanship of ASEAN at the time.

B. Research Method

The qualitative methodology is utilized in this research. The qualitative research method utilizes various scholarly sources, making the data used in this study secondary in nature. To achieve the objective of describing and understanding the phenomenon under investigation, the author applies a narrative analysis technique with a historical approach. Through this method, the author narrates a series of facts based on events or occurrences related to the research subject comprehensively and in detail, which are then correlated with the analytical framework adopted in this study. The analytical framework consists of two concepts and one theory. The concepts employed are regional governance within an international institution and the concept of cultural conflict along with its underlying causes. The theory applied is conflict resolution theory, which is used to explain mechanisms for resolving disputes between conflicting parties.

First, the concept of regional governance at the regional level is a transformation of what was previously centered at the global level. According to Herz, regional governance emerges from the desire to explore issues that involve multiple states or specific actors within regional institutions. Regional governance must carry greater significance within governance

structures that involve multiple actors. Initially, regional-level governance focused primarily on economic cooperation and defense alliances, but with the advancement of globalization, it has expanded into various sectors (Herz, 2018). Understanding regional governance requires examining three interconnected elements: (1) Region; (2) Regionalization; and (3) Regional Governance. The first element, the region, is the outcome of political and social processes in which actors construct a spatial framework for governance. A region is defined as an area of the world formed by states whose economic and political systems are mutually interdependent. The second element, regionalization, refers to a process through which regions become relevant in world politics as arenas where states engage in activities and extend their spheres of influence. Activities that emerge during the regionalization process contribute to the development of regional consciousness or what may be termed regional identity. The third element, regional governance, constitutes a broader process involving multiple state and non-state actors within a particular region. This dimension is relevant to political organization, which results in the establishment of regional institutions, and to the organization of political processes, conflicts, and cooperation within the region (Herz, 2018).

Debates persist regarding how regional and international governance should be understood. Scholars of intergovernmentalism argue that state sovereignty holds primacy, and that regional or international organizations must accommodate the national interests of individual states. Conversely, scholars of supranationalism contend that member states of regional or international organizations should delegate aspects of their sovereignty to the governing regime. From this perspective, regional or international organizations constitute a set of rules that regulate the behavior of member states within specific domains, thereby guiding states toward rational action. These sets of rules may be understood as regimes, and the existence of international or regional organizations is viewed as embodying a collective identity.

Second, the concept of cultural conflict. To elaborate on this concept, the present study adopts Fisher's explanations regarding the causes of conflict. According to Fisher, there are five primary factors that may lead to the emergence of conflict. First, social relationships. Conflict may arise due to patterns of polarization and mistrust within society between one party

and another. Second, principles of negotiation. Conflict can occur when conditions or perspectives differ significantly between parties, leading to incompatible standpoints. Third, human needs. Conflict emerges when there is a gap in the fulfillment of basic human needs such as physical, psychological, and social needs prompting disputing parties to compete in order to secure them. Fourth, identity. Conflicts often stem from threatened or vulnerable identities, which involve historical dimensions between the conflicting parties. Fifth, conflict transformation. Conflicts frequently arise from perceptions of inequality and injustice, which then transform into overt conflict. This dimension encompasses issues within the social, economic, political, and cultural spheres (Fisher and Dkk, 2001).

In this study, the author utilizes the conflict resolution theoretical approach. Referring to Levine in the Webster Dictionary as cited in Suhardono (2015), conflict resolution encompasses three essential components: (1) the act of disentangling or mapping a problem, (2) problem solving, and (3) the elimination or removal of the problem itself. Thus, conflict resolution fundamentally denotes the capability to address disputes by identifying their root causes, formulating solutions, and ultimately reaching a condition in which the conflict can be mitigated or resolved (Suhardono, 2015). Furthermore, Ralf Dahrendorf in Suhardono (2015) outlines three principal methods of conflict resolution. First, conciliation, a mechanism through which conflicting parties engage in discussions to reach an agreement without intervention from a third party that imposes or dominates the process. Second, mediation, which involves a third party such as experts or authorized institutions acting as mediators. In this method, the mediator provides advice or recommendations without possessing the authority to make binding decisions, as the final decision remains in the hands of the disputing parties. Third, arbitration, a method in which the conflicting parties agree to submit to a legally binding decision issued by an arbiter who holds the necessary authority. The arbiter's decision serves as the final resolution of the dispute (Suhardono, 2015).

Based on this theoretical foundation, the author contends that in addressing the conflict between Thailand and Cambodia, ASEAN effectively performs its role as a regional organization tasked with maintaining stability in the region. Through the instruments and

mechanisms at its disposal, ASEAN facilitates constructive conflict resolution efforts while ensuring that regional security and stability remain preserved.

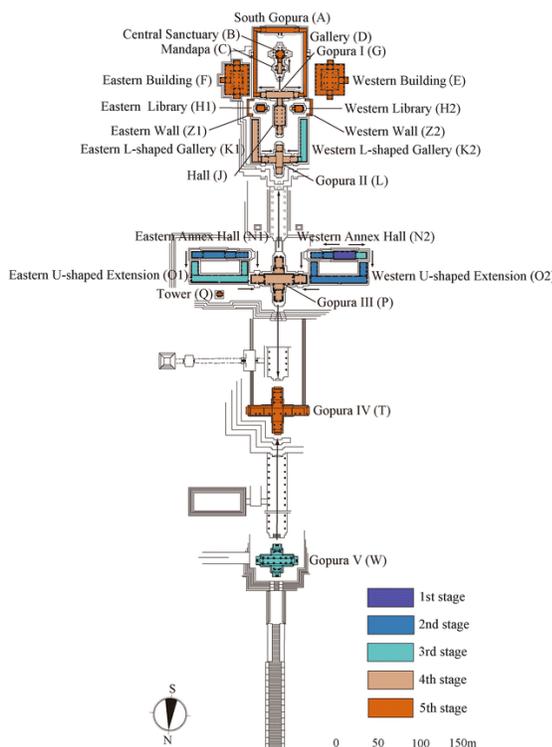
C. Discussion and Findings

1. Preah Vihear Temple Dispute (2008–2011): From a Cultural Conflict to a Regional Conflict in Southeast Asia

Geographically, the Preah Vihear Temple is located in the Dangrek mountain range, between Kantharalak District in Sisaket Province, Northeastern Thailand, and Choam Khsant District in Preah Vihear Province, Northern Cambodia. The dispute between Thailand and Cambodia emerged from competing claims over ownership of the temple, compounded by a border conflict concerning the surrounding area of the site (Pottu and Siahaan, 2021). The Preah Vihear Temple was constructed in the 11th century by the Khmer Empire as a dedication to the god Shiva in the form of Shri Shikarashvara, or the Lord of the Mountain Peak. The temple represents an extraordinary masterpiece of Khmer art, particularly in its architectural planning, decorative details, and its harmonious relationship with the spectacular surrounding landscape. Although the temple is no longer fully intact, it retains high artistic value through its architectural details, ornamentation, and beautiful landscape, and therefore continues to function as both a pilgrimage site and a tourist destination (Mohtar, 2023).

The border dispute surrounding the Preah Vihear Temple derives from colonial-era boundary arrangements, including those affecting the border between Thailand and Cambodia (Pattinussa, 2021). These colonial boundary demarcations have often triggered conflicts between neighboring states due to the presence of demarcated areas designated as status quo or neutral zones that were left unassigned following the colonial period (Mishra, 2016). The dispute over the Preah Vihear Temple and its adjacent territories began in 1953 when Thailand contested the area, despite French colonial maps identifying the temple as lying within Cambodian territory. This occurred because, after World War II, Cambodia—together with Laos and Vietnam as part of Indochina—was under French colonial rule (Pattinussa, 2021). Consequently, upon Cambodia's independence, the temple was recognized as belonging to Cambodia. Thailand, however, has maintained that the temple and its surrounding area are part of its national territory, asserting that the region was taken by France in 1904, during a period

when Thailand was the successor state of the Siamese Kingdom in the modern era (Strate, 2013). Below, the author includes a layout plan of the Preah Vihear Temple, which illustrates the basis for the conflict between Thailand and Cambodia.



Gambar 3. Layout of The Preah Vihear Temple

(Source: www.researchgate.net)

In 1953, when Thailand occupied the area surrounding the Preah Vihear Temple, Cambodia responded by bringing the matter before the International Court of Justice (ICJ). Cambodia argued that Thailand's actions constituted a violation of its sovereignty, as modern maps indicated that the territory of the Preah Vihear Temple belonged to Cambodia. Ultimately, in 1962 the ICJ ruled that the Preah Vihear Temple belonged to Cambodia, while the surrounding area of 17 square kilometers would remain a demarcated zone between the two states (Pottu and Siahaan, 2021). Although the Preah Vihear dispute had persisted for decades, it escalated into a border conflict involving armed confrontation following the designation of the temple as a World Heritage Site by the United Nations Educational, Scientific, and Cultural

Organization (UNESCO) on 7 July 2008. Seven days after the UNESCO inscription, on 15 July 2008, the Thai Government initiated a military intervention into Cambodian territory near the Preah Vihear Temple (Prabandari, Resen and Prameswari, 2020).

The military intervention in the area surrounding the temple occurred because Thailand believed that the 4.6-square-kilometer zone adjacent to the temple belonged to neither state and constituted an unintentional border zone created during the French colonial period. According to Thailand, the ICJ's 1962 ruling only clarified that the temple itself belonged to Cambodia, based on the historical legacy of the Khmer Empire and the architectural characteristics of the temple, which reflect Khmer cultural identity. As Cambodia is the modern successor of the Khmer Empire, the ICJ awarded only the temple to Cambodia. Throughout the armed conflict between Thai and Cambodian military forces from 2008 to 2011, 34 soldiers from both sides were killed and approximately 30,000 local residents were displaced from the conflict zone (Pattinussa, 2021).

Moreover, research conducted by the Research Center for Regional Resources (PSDR) of the Indonesian Institute of Sciences (LIPI) noted that the conflict not only caused the deaths of dozens of soldiers from both countries but also resulted in civilian casualties and injuries in the two states (Sandy, 2013). Initially, the conflict remained a bilateral issue between Thailand and Cambodia. However, from 2008 to 2011, artillery exchanges continued along the border near the Preah Vihear Temple, causing numerous casualties and forcing tens of thousands of residents living near the border to flee to other villages (VOA Indonesia, 2013). At the outset, both countries sought to resolve the dispute bilaterally, particularly Thailand, which strongly opposed external involvement, including that of international or regional institutions—most notably ASEAN as the regional organization in Southeast Asia (VOA Indonesia, 2011).

2. The Role of ASEAN in Conflict Resolution Regarding the Preah Vihear Temple Dispute (2008–2011) Between Thailand and Cambodia

ASEAN's efforts to realize stability in the Southeast Asian region were implemented in its handling of the Preah Vihear Temple dispute. If the armed conflict between Thailand and Cambodia had been allowed to continue, it would inevitably have threatened regional stability

in Southeast Asia. Armed clashes between the two countries occurred seven times, namely in October 2008; April 2009; January 2010; April 2010; June 2010; February 2011; and April 2011 (Sandy, 2013). Initially, both states agreed to resolve the dispute bilaterally without involving any third party. However, over time, Cambodia became more confident in involving an external actor and subsequently sought assistance from an international institution, the United Nations (UN). The UN Security Council then appointed ASEAN as the third party to facilitate the resolution of the conflict between Thailand and Cambodia. From that point onward, ASEAN, as a regional institution, became formally engaged in the dispute (Pottu and Siahaan, 2021). Indeed, ASEAN is expected to contribute whenever regional dynamics arise, whether in situations of cooperation or conflict, because ASEAN represents the presence and function of regional governance (Sudirman and Putra, 2018).

In 2011, ASEAN's chairmanship was held by Indonesia, marked by the selection of President Susilo Bambang Yudhoyono as ASEAN Chair during the closing of the 18th ASEAN Summit in Hanoi, Vietnam, held on 28–31 October 2010. Indonesia's chairmanship carried the theme "ASEAN Community in a Global Community of Nations." It was also in 2011 that the three pillars of the ASEAN Community were first formally introduced, consisting of: (1) the ASEAN Political-Security Community (APSC); (2) the ASEAN Economic Community (AEC) Council; and (3) the ASEAN Socio-Cultural Community (ASCC) Council (Dewa, 2011). Therefore, the appointment of ASEAN as mediator in the Thailand–Cambodia conflict was fitting, as in 2011 ASEAN was beginning to transform into a more comprehensive regional institution in Southeast Asia, one that was no longer limited to intergovernmental cooperation in the economic and security sectors, but increasingly expanded to include socio-cultural cooperation and the cultivation of regional identity among ASEAN societies (Sandy, 2013).

When discussing the Southeast Asian region, reference is inherently made to its regional governance framework, namely ASEAN (Bakrie, Delanova and Mochamad Yani, 2022). Consequently, ASEAN certainly possesses mechanisms for addressing disputes, embodied in the concept of the Dispute Settlement Mechanism as stipulated in the Treaty of Amity and Cooperation (TAC) and the ASEAN Charter. While the ASEAN Charter regulates the settlement of disputes specifically among ASEAN member states, the TAC extends its scope to

non-ASEAN countries that have ratified it. Non-member states may ratify the TAC under the Second Protocol Amending the Treaty of Amity and Cooperation in Southeast Asia, which has been amended three times—in 1987, 1998, and 2010. As of 2023, the number of countries that have ratified the TAC has reached 51 (ASEAN Publications, 2023). The TAC contains fundamental principles concerning the peaceful settlement of disputes, outlined in its section on Settlement of Disputes and Chapter IV on the Pacific Settlement of Disputes. It articulates universal principles of peaceful coexistence and friendly cooperation among states in Southeast Asia, serving as a legally binding code governing interstate relations within the region and beyond. Whereas the ASEAN Charter was agreed upon in 1967 when ASEAN was first established, the TAC was adopted in 1976.

In fact, the Preah Vihear Temple dispute between Thailand and Cambodia had already undergone conciliation efforts if assessed through the lens of conflict resolution methods specifically, attempts to facilitate two-way communication between the disputing parties (Suhardono, 2015). However, these efforts failed to produce meaningful results, and the conflict persisted. Initial conflict resolution efforts were conducted bilaterally through meetings between the Cambodian Minister of Defense and the Thai Army Commander on 21 July 2008, 28 July 2009, and 18–19 August 2008. Yet, no substantive agreement was reached, although the third meeting produced a preliminary understanding to involve a third party, ASEAN under the framework of a Joint Border Committee (JBC). Nevertheless, before the JBC meeting could take place, armed clashes between the militaries of the two countries erupted on 3 and 15 October 2008, and continued until 2011 (Kemlu RI, 2011).

Because the aforementioned method could not be implemented optimally, the involvement of ASEAN as a regional organization with authority over its member states—became necessary. In this context, ASEAN served as a mediator between Thailand and Cambodia, which were engaged in conflict. Nevertheless, ASEAN did not issue any unilateral decisions toward either state. This approach is consistent with Ralf Dahrendorf's conflict resolution methods as cited in Suhardono (2015). According to Sandy (2013), ASEAN's mechanisms provide two types of dispute settlement arrangements involving ASEAN as a third party to facilitate reconciliation:

1. The first type applies to disputes between ASEAN member states through Good Offices, Conciliation, and Mediation facilitated by the ASEAN Chair or the ASEAN Secretary-General. At this stage, if mediation fails, the process proceeds to a decision by the ASEAN Summit (KTT), which serves as the highest forum attended by all ASEAN member states. The basis for implementing this mechanism refers to the ASEAN Charter, with the United Nations Charter serving as its guiding framework.
2. The second type applies to ASEAN member states engaged in conflict with non-ASEAN states, utilizing Good Offices, Conciliation, Inquiry, and Mediation through the establishment of a High Council upon the request of the disputing parties. The basis for implementing this mechanism refers to the Treaty of Amity and Cooperation (TAC), with the United Nations Charter serving as its guiding framework.

As the mediator in the conflict between Thailand and Cambodia, ASEAN's role in resolving the dispute was reflected in Indonesia's position as ASEAN Chair in 2011. By facilitating various formal and informal meetings between the two countries, ASEAN employed both bilateral and trilateral mechanisms (Ministry of Foreign Affairs of the Republic of Indonesia, 2011), as follows:

1. Convening the Informal ASEAN Foreign Ministers' Meeting in Jakarta on 22 February 2011, with the following arrangements: (1) a bilateral meeting between the Indonesian Minister of Foreign Affairs and the Cambodian Minister of Foreign Affairs; and (2) a bilateral meeting between the Indonesian Minister of Foreign Affairs and the Thai Minister of Foreign Affairs.
2. Convening a formal meeting between the Ministers of Foreign Affairs of Cambodia and Indonesia within the framework of the ASEAN Ministerial Meetings (AMM) through the Joint Border Committee (JBC) mechanism in Bogor, 7–8 April 2011.
3. Convening a trilateral meeting with the Foreign Ministers of Thailand and Cambodia on the sidelines of the Special ASEAN–Japan Ministers Meeting in Jakarta, 9 April 2011.

4. Convening a meeting with the Thai Minister of Foreign Affairs during the Special Informal ASEAN Foreign Ministers' Meeting on the margins of the East Asia Summit (EAS) in Bangkok, Thailand, 10–11 April 2011.
5. Convening a bilateral meetings with the Thai Minister of Foreign Affairs and with the Cambodian Minister of Foreign Affairs in the context of the 5th ASEAN Political-Security Community (APSC), ASEAN Ministerial Meeting (AMM), and the 8th ASEAN China Center (ACC), held ahead of the 18th ASEAN Summit in Jakarta on 6 May 2011.
6. Following up with a trilateral meeting involving the Foreign Ministers of Thailand and Cambodia within the framework of the 5th APSC, AMM, and 8th ACC (ahead of the ASEAN Summit) in Jakarta, 6 May 2011.
7. Meetings during the 18th ASEAN Summit in Jakarta, 7–8 May 2011, which included: (1) a trilateral meeting between the ASEAN Chair and the Prime Ministers of Thailand and Cambodia; and (2) a bilateral meeting between the ASEAN Chair and the Prime Minister of Thailand.
8. Following the 18th ASEAN Summit, a trilateral meeting was convened between the Indonesian Minister of Foreign Affairs and the Foreign Ministers of Thailand and Cambodia in Jakarta, 9 May 2011.
9. Finally, during the 19th ASEAN Summit in Bali, 17–19 November 2011, it was agreed that the dispute over the Preah Vihear Temple between Thailand and Cambodia had been resolved.

The resolution of the interstate conflict was agreed upon due to two key factors. First, Cambodia was selected as the ASEAN Chair for 2012, during which Prime Minister Hun Sen reaffirmed Cambodia's commitment to continuing the initiatives undertaken by Indonesia in 2011 to advance ASEAN. Second, the year 2011 marked a transitional period for Thailand, as the country held general elections in August that resulted in a change of leadership from Prime Minister Abhisit Vejjajiva to Yingluck Shinawatra. Following ASEAN's facilitation, Thailand and Cambodia took the initiative to engage in bilateral dialogues and revive their bilateral forums. These included the bilateral meeting of the Regional Border Committee in August 2011

and the General Boundaries Commission (GBC) on 21 December 2011. Both parties agreed to withdraw their troops from the disputed area, a process that was ultimately implemented gradually in January 2012 and July 2012 (Putra, Utomo and Windiani, 2013). The troop withdrawal was intended to ensure the demilitarization of the 17.3-square-kilometer area surrounding the Preah Vihear Temple, which would be monitored by Indonesian observers as agreed during the 18th ASEAN Summit in Jakarta. Furthermore, the outcomes of the 18th ASEAN Summit in Jakarta were also endorsed by the International Court of Justice (ICJ), as the dispute was addressed not only through the Treaty of Amity and Cooperation (TAC) mechanism but also through the ASEAN Charter framework (Putra, Utomo and Windiani, 2013).

ASEAN's success in addressing the Preah Vihear Temple dispute is evident from several key outcomes of the trilateral meetings facilitated by Indonesia between Thailand and Cambodia on the sidelines of the 18th ASEAN Summit in Jakarta. These outcomes included: (1) the Joint Border Committee (JBC), (2) the border demarcation process, (3) the establishment of a ceasefire, and (4) the deployment of an Indonesian observer team. With the International Court of Justice (ICJ) supporting the outcomes of the 18th ASEAN Summit in Jakarta, the arbitration method—whereby a third party renders a binding decision in the conflict resolution process—was initiated (Suhardono, 2015). This development was reinforced by the ICJ's ruling on the dispute when ASEAN employed the TAC mechanism, issued on 18 July 2011 (Putra, Utomo and Windiani, 2013), as follows:

1. An order for both countries to withdraw their military forces from the designated demilitarized area, covering 17.3 square kilometers.
2. Both parties are required to grant access to the ASEAN monitoring team in this case, the Indonesian observer team, to the demilitarized zone.
3. Both parties must exercise restraint and refrain from any physical or armed contact that could further escalate the situation.

The ICJ's support affirmed that ASEAN's efforts had been successful in addressing the conflict between Thailand and Cambodia, in which a cultural dispute originating from the Preah Vihear Temple escalated into a regional conflict culminating in armed clashes. The Preah

Vihear Temple dispute was deemed resolved following the ICJ's decision of 11 November 2013, which provided a reinterpretation of the temple's ownership. While the Court had ruled in 1962 that the temple belonged to Cambodia, the new decision affirmed that the surrounding area of 4.6 square kilometers also fell under Cambodia's sovereignty. Meanwhile, the 17.3-square-kilometer demilitarized zone remained designated as such under the supervision of the ICJ as an international organization, and ASEAN as a regional organization (ICJ, 2013).

D. Conclusion

The dispute between Thailand and Cambodia was fundamentally a cultural conflict concerning the ownership status of the Preah Vihear Temple and its surrounding areas. The temple is located precisely along the border between Sisaket Province in Thailand and Preah Vihear Province in Cambodia. This initial issue subsequently expanded into a broader border dispute between the two countries. Thailand, rejecting the 2008 decision that recognized the Preah Vihear Temple as a UNESCO World Heritage Site, eventually deployed its troops to invade the areas surrounding the temple. The efforts to resolve the conflict followed Ralf Dahrendorf's conflict resolution theory as cited in Suhardono (2015), as outlined below:

1. First, the process began with conciliation between Thailand and Cambodia.
2. Second, due to the ineffectiveness of the initial step, ASEAN was involved as a mediating party.
3. Third, the process concluded with a decision by the International Court of Justice (ICJ), acting as a third party under the authority of the United Nations, which delivered the final ruling on the dispute.

ASEAN's role as a regional-level institution functions as a form of regional governance. This means that ASEAN bears the responsibility and mandate to establish effective governance within the Southeast Asian region, thereby ensuring regional stability. Indonesia, which assumed the ASEAN Chairmanship in 2011, utilized various mechanisms to address the conflict between Thailand and Cambodia. These efforts included bilateral and trilateral meetings, as well as engagement with external institutions such as the International Court of Justice (ICJ). The resolution of the conflict received appreciation not only from the disputing

parties Thailand and Cambodia, but also from other ASEAN member states. ASEAN successfully acted as a consistent mediator and facilitator in addressing intra-regional disputes. Moreover, the ICJ, as an international institution under the United Nations, explicitly supported ASEAN's initiatives in resolving the Thailand–Cambodia conflict, particularly after ASEAN adopted the Treaty of Amity and Cooperation (TAC) framework as an UN-aligned mechanism.

This study may also serve as a reference for ASEAN in once again mediating the escalating conflict between Thailand and Cambodia in 2025, involving renewed armed clashes near the Preah Vihear Temple. The renewed conflict between Thailand and Cambodia in 2025 around the Preah Vihear Temple is not only the result of both states' non-compliance with the ICJ's final ruling, but also the consequence of the absence of an institutional mechanism—either under ASEAN or operating independently within the Southeast Asian region, that functions similarly to the International Court of Justice (ICJ) at the regional level. If ASEAN or Southeast Asia possessed such an institution, the level of compliance among ASEAN member states would likely increase, as it would be embedded within a regional governance framework binding upon Southeast Asian countries. The Southeast Asian region is characterized by highly complex challenges, further compounded by shared historical, social, and cultural elements among ASEAN member states. The existence of a dedicated dispute adjudication institution would therefore strengthen ASEAN's role not only in cooperative arrangements, but also in managing conflicts or disputes. Such an institution would enable ASEAN to function as a more comprehensive regional organization, capable of addressing both cooperation and conflict dynamics within its domain.

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