

Commentary: THE INDICATION FOR PROVISIONAL MEASURES: A GOOD START!

Written by Administrator

Thursday, 21 July 2011 15:50 - Last Updated Thursday, 21 July 2011 15:52

The decision has been made by the International Court of Justice on 18 July 2011, in the case of the request of the Royal Government of Cambodia (RGC) for provisional measures prior to the judgment of the interpretation of the Judgment of the 15 June 1962 in the case concerning the Temple of Preah Vihear.

It created a provisional demilitarized zone (PDMZ) around the Temple of Preah Vihear, as shown in the sketch-map of the PDMZ identified by the Court. This PDMZ shall be delimited by straight lines connecting the following points, the co-ordinates of which are calculated on the basis of the WGS 84 system: point A, situated at latitude 14° 23' N and longitude 104° 41' E; point B, situated at latitude 14° 24' N and longitude 104° 38' 15" E; point C, situated at latitude 14° 25' N and longitude 104° 38' 40" E; and point D, situated at latitude 14° 25' N and longitude 104° 42' 20" E.

It ordered the immediate withdrawal of Thai and Cambodian military personnel from the PDMZ; both parties shall refrain from any military presence within that zone and from any armed activity directed at that zone.

It ordered Thailand not to obstruct Cambodia's free access to the Temple of Preah Vihear or Cambodia's provision of fresh supplies to its non-military personnel in the Temple.

It ordered the continuation of cooperation of Cambodia and Thailand with ASEAN.

It ordered Thailand and Cambodia to refrain from any action which might aggravate or extend the dispute before the court or make it more difficult to resolve.

It ordered Thailand and Cambodia to inform the Court as to its compliance with the above decision.

The RGC "fully supports the Order of the ICJ and calls for the Indonesian observers to carry out their mission as soon as possible in the PDMZ," said the Statement of the Royal Government of

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Cambodia, 18 July 2011.

On the Thai side, the Bangkok Post reported outgoing Prime Minister Abhisit Vejjajiva as saying: "The ruling is a temporary provisional measure and it will not have a binding commitment to Thai sovereignty and the ruling does not place Thailand at a disadvantage."

What the soon outgoing Thai Prime Minister should carefully read the ICJ Ruling is that "Order indicating provisional measures had binding effect and thus created international legal obligations with which both parties were required to comply".

In summary, the Order for provisional measures is a good start for Cambodian and Thai people!

Press and Quick Reaction Unit (PRU)

20 July 2011