



EUROPEAN PARLIAMENT

2009 - 2014

*Plenary sitting*

16.2.2011

B7-0132/2011 }  
B7-0134/2011 }  
B7-0137/2011 }  
B7-0138/2011 }  
B7-0139/2011 }  
B7-0140/2011 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 122(5) of the Rules of Procedure

replacing the motions by the following groups:

Verts/ALE (B7-0132/2011)  
ALDE (B7-0134/2011)  
GUE/NGL (B7-0137/2011)  
PPE (B7-0138/2011)  
S&D (B7-0139/2011)  
ECR (B7-0140/2011)

on the border clashes between Thailand and Cambodia

**Elmar Brok, Bernd Posselt, Mario Mauro, Cristian Dan Preda, Bogusław  
Sonik, Tunne Kelam, Elena Băsescu, Monica Luisa Macovei, Eija-Riitta  
Korhola, Sari Essayah, Jarosław Leszek Wałęsa, Martin Kastler, Csaba  
Sógor**

on behalf of the PPE Group

**Marc Tarabella**

on behalf of the S&D Group

**Marietje Schaake, Marielle De Sarnez, Ramon Tremosa i Balcells, Kristiina  
Ojuland**

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PE459.664v01-00 }  
PE459.666v01-00 }  
PE459.669v01-00 }  
PE459.670v01-00 }  
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PE459.672v01-00 } RC1

on behalf of the ALDE Group

**Barbara Lochbihler, Emilie Turunen, Christian Engström, Raül Romeva i Rueda, Gerald Häfner, Heidi Hautala**

on behalf of the Verts/ALE Group

**Charles Tannock, Geoffrey Van Orden, Tomasz Piotr Poręba, Ryszard**

**Antoni Legutko, Valdemar Tomaševski, Adam Bielan**

on behalf of the ECR Group

**Helmut Scholz**

on behalf of the GUE/NGL Group

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## European Parliament resolution on the border clashes between Thailand and Cambodia

### *The European Parliament,*

- having regard to its resolutions of 13 January 2005, 10 March 2005, 19 January 2006, 15 March 2007 and 21 October 2010 on Cambodia and its resolutions of 20 May 2010 on Thailand and of 1 December 2005 on the human rights situation in Cambodia, Laos and Vietnam,
  - having regard to the judgment of the International Court of Justice of 15 June 1962 in the case concerning the temple of Preah Vihear (Cambodia v. Thailand),
  - having regard to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which has been signed by both Thailand and Cambodia,
  - having regard to the statement by the Secretary-General of ASEAN of 5 February 2011,
  - having regard to the statement by the EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton, of 7 February 2011,
  - having regard to the statement by the UN Secretary-General, Ban Ki-moon, of 7 February 2011,
  - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas, since the beginning of February 2011, there has been fighting between the armed forces of Thailand and Cambodia on the Cambodian-Thai border, including near the temple of Preah Vihear,
- B. whereas the border clashes started after a Cambodian court sentenced two Thai nationals to up to eight years' imprisonment, having found them guilty of espionage and illegal entry after they crossed into the disputed border area in December 2010, and whereas the sentence immediately followed the successful conclusion of the seventh meeting of the Joint Commission for Bilateral Cooperation between Thailand and Cambodia (JC), on 3-4 February 2011, at which both countries had agreed to extend cooperation in all areas and to hold a meeting of the Joint Commission on Demarcation for the Land Boundary (JBC) in Thailand in the near future,
- C. whereas the temple of Preah Vihear has been the centre of recurring boundary disputes between Thailand and Cambodia over the last century,
- D. whereas the International Court of Justice ruled on 15 June 1962 that the temple of Preah Vihear is situated in territory under the sovereignty of Cambodia,
- E. whereas the temple of Preah Vihear, which was listed by UNESCO as a World Heritage site on 7 July 2008, has allegedly been damaged by shelling during the recent border clashes,

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- F. whereas the international community has a special responsibility to preserve the monuments on the UNESCO World Heritage list,
  - G. whereas reports state that there have been fatal casualties and injured soldiers and civilians on both sides, and that thousands of civilians in the surrounding area have had to be evacuated,
  - H. whereas, according to several news reports, cluster munitions may have been used, and whereas neither Thailand nor Cambodia has ratified the Convention on Cluster Munitions,
  - I. whereas the worsening of the situation on the border between Thailand and Cambodia is threatening peace and stability in the region,
  - J. whereas Indonesia, the current chair of ASEAN, has stepped up its diplomatic efforts to help the two sides reach a temporary solution so as to trigger bilateral mechanisms for realising the objectives of border demarcation and general peace in the area; whereas the chair of ASEAN is encouraging the two countries to hold talks under the existing framework of the Thai-Cambodian Joint Commission on Demarcation for the Land Boundary,
  - K. whereas the ASEAN Charter provides for the establishment of a dispute-settlement mechanism that would increase the scope for assisting in the resolution of bilateral disputes,
  - L. whereas the Director-General of UNESCO, Irina Bokova, has expressed her intention to send a mission to assess the state of the Preah Vihear temple,
1. Condemns the border clashes between the armed forces of the Kingdom of Cambodia and the Kingdom of Thailand and urges all parties to exercise the utmost restraint and take the steps necessary to reduce tension, to resume their dialogue with a view to resolving their differences peacefully, and to accept the assistance of ASEAN and the United Nations;
  2. Deplores the loss of life during the recent border clashes and expresses its sincere condolences to the families of the victims;
  3. Urges both governments to ensure that the civilians displaced as a consequence of the armed clashes are provided with the aid they need;
  4. Calls on both countries to respect the 1962 judgment of the International Court of Justice and to reach a peaceful settlement of the dispute regarding the border area close to the Preah Vihear temple;
  5. Calls on both countries to ensure that their actions do not violate Article 4(1) of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which forbids any use of cultural property situated within their own territory, or within the territory of other High Contracting Parties, which is likely to expose it to destruction or damage in the event of armed conflict, and to refrain from any act of hostility directed against such property;

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6. Calls on the Thai and Cambodian authorities to comply with the Treaty of Amity and Cooperation in Southeast Asia and, in particular, with its fundamental principles on the settlement of differences or disputes by peaceful means, renunciation of the threat or use of force, and effective cooperation among the High Contracting Parties;
7. Welcomes the efforts undertaken by Indonesian Foreign Minister Marty Natalegawa, as ASEAN chair, to facilitate dialogue between the two countries so that the dispute can be resolved in a peaceful manner;
8. Welcomes the fact that Thailand and Cambodia have agreed to participate in an urgent meeting of South-East Asian nations to discuss the border conflict;
9. Welcomes the decision by the Director-General of UNESCO to send a special envoy on a mission of good offices to Bangkok and Phnom Penh; urges both sides in the dispute to cooperate with any UNESCO mission to assess the damage caused to the Preah Vihear temple;
10. Calls on both countries to find a solution that will allow direct access from their respective territories to the Preah Vihear temple, and not to obstruct one another's citizens entering the temple or the border area;
11. Expresses its concern about the alleged use of cluster munitions and calls on both countries to refrain from using such munitions under any circumstances;
12. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the governments and parliaments of the EU Member States, the Government of the Kingdom of Cambodia, the Government of the Kingdom of Thailand, the UN Secretary-General, the UNESCO Director-General and the governments of the ASEAN Member States.