



EUROPEAN PARLIAMENT

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Plenary sitting

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B7-0132/2011

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on border clashes between Thailand and Cambodia

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on behalf of the Verts/ALE Group

European Parliament resolution on border clashes between Thailand and Cambodia

The European Parliament,

- having regard to its resolutions of 13 January 2005¹, 10 March 2005² 19 January 2006³ 15 March 2007⁴ and 21 October 2010 on Cambodia and its resolution of 20 May 2010 on Thailand as well as its resolution of 1 December 2005 on the human rights situation in Cambodia, Laos and Vietnam⁵,
 - having regard to the Judgment of the International Court of Justice of 15 June 1962 on the case concerning the temple of Preah Vihear (Cambodia vs. Thailand), I.C.J. Reports 1962m, p.6.
 - having regard to the 1954 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 of EU High Representative Catherine Ashton of 7 February 2011,
 - having regard to the statement of 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 fights have taken place between the armed forces of Thailand and Cambodia at the Cambodian - Thai border, amongst others near the disputed temple of Preah Vihear;
- B. whereas reports state that on both sides there have been casualties and injured soldiers and civilians and that in the neighbouring area thousands of civilians had to be evacuated;
- C. whereas the disputed temple has been the centre of renewed 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, based on historic French maps, a ruling which is disputed by many Thais;
- E. whereas Prasat Preah Vihear has been inscribed on the list of World Heritage sites by the UNESCO on 7 July 2008 and has allegedly been damaged by shelling during the recent border clashes;

¹ OJ C 247 E, 6.10.2005, p. 161.

² OJ C 320 E, 15.12.2005, p. 280.

³ OJ C 287 E, 24.11.2006, p. 334.

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⁵ OJ C 285 E, 22.11.2006, p. 129.

- F. whereas the military fight started three days after a Cambodian court handed down jail terms to two Thai nationals found guilty of trespassing and spying in the border region and whereas nationalist and anti-Cambodian political fractions in Thailand increase pressure on the Government ahead of elections later this year;
- G. whereas several news reports state the use of cluster bombs and whereas neither Thailand nor Cambodia have ratified the Convention on the Ban of Cluster munitions;
- H. whereas Indonesia, the present chair of ASEAN has offered to mediate between the parties supporting the two countries to hold talks under the existing framework of the Thai-Cambodian Joint Commission on Demarcation for Land Boundary and the UN Security Council held an urgent meeting on 14 February on the Thai Cambodian tensions;
- I. whereas the fragile political situation in Thailand is further underlined by the ongoing trial against the Chiranuch Premchaiporn, well-known internet freedom activist and executive director of the web newspaper Prachatai who is imprisoned on charges of not removing posts deemed offensive to the royal family from her web forum quickly enough, while the person who was accused of posting the comments was acquitted last month;
- J. whereas according to Amnesty International, Thailand said in June 2010 that it had blocked access to 43,908 websites on grounds that they violated legislation on lese majeste and national security;
1. Condemns the armed border clashes between the armed forces of the Kingdom of Cambodia and the Kingdom of Thailand and urges all parties to exercise utmost restraint and to take the necessary steps to reduce tension and to resume their dialogue in view of a peaceful solution to their differences, and to accept the assistance of ASEAN and the United Nations;
 2. Deeply regrets the loss of life during the recent border clashes and expresses its sincere condolences to the families of the victims;
 3. Calls on both governments to ensure that the civilians displaced as a consequence of the armed clashes are provided with the necessary aid;
 4. Calls on both countries to respect the border demarcations confirmed by the 1962 International Court of Justice judgment;
 5. Calls on both countries to ensure that Art. 4 (1) of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict is not violated by their actions which forbids any use of cultural property situated within their own territory as well as 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;
 6. Welcomes the attempts of mediation by Indonesia as chair of ASEAN and the planned mission of the UNESCO to assess the damage caused to the Preah Vihear temple;

7. Calls on both countries to find a solution that allows direct access from their territories to Preah Vihear Temple and not to obstruct citizens from the respective other country to enter the temple and the border area;
8. Condemns the alleged use of cluster munitions, calls on both countries to refrain from using such munitions under any circumstances and appeals to Thailand and Cambodia to ratify the Convention on the Ban of Cluster Bombs;
9. Calls on the Thai authorities to drop all charges against Chiranuch Premchaiporn, considers her trial as an attempt to silence dissenting views and urges the revision of the country's repressive computer laws
10. Instructs its President to forward this resolution to the High Representative for Foreign Affairs and Security Policy of the European Union, the EEAS, the Government of the Kingdom of Cambodia, the Government of the Kingdom of Thailand, the UN Secretary-General, the UNESCO Secretary-General and the governments of the ASEAN Member States.