



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Request for interpretation of the Judgment of 15 June 1962 in the Case concerning the Temple of Preah Vihear (Cambodia v. Thailand) (Cambodia v. Thailand)

Request for the indication of provisional measures

The Court finds that both Parties must immediately withdraw their military personnel currently present in the provisional demilitarized zone defined by it, and refrain from any military presence within that zone and from any armed activity directed at that zone

THE HAGUE, 18 July 2011. The International Court of Justice (ICJ), the principal judicial organ of the United Nations, today gave its decision on the request for the indication of provisional measures submitted by Cambodia in the case concerning the Request for the interpretation of the Judgment of 15 June 1962 in the Case concerning the Temple of Preah Vihear (Cambodia v. Thailand) (Cambodia v. Thailand).

In its Order, the Court first unanimously rejected Thailand's request for the case introduced by Cambodia to be removed from the General List.

It then indicated various provisional measures. The Court began by stating, by eleven votes to five, that both Parties should immediately withdraw their military personnel currently present in the provisional demilitarized zone, as defined in paragraph 62 of its Order (see the illustrative sketch-map appended to the Order and to this press release), and refrain from any military presence within that zone and from any armed activity directed at it.

Having noted that the Temple area had been the scene of armed clashes between the Parties and that such clashes might reoccur, the Court decided that, in order to ensure that no irreparable damage was caused, there was an urgent need for the presence of all armed forces to be temporarily excluded from a provisional demilitarized zone around the area of the Temple.

The Court also stated, by fifteen votes to one, that Thailand should not obstruct Cambodia's free access to the Temple of Preah Vihear, or prevent it from providing fresh supplies to its non-military personnel; it said that Cambodia and Thailand should continue their co-operation within ASEAN and, in particular, allow the observers appointed by that organization to have access to the provisional demilitarized zone, and that both Parties should refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.

Lastly, the Court decided, by fifteen votes to one, that each of the Parties should inform it as to its compliance with the above provisional measures and that, until the Court had rendered its judgment on the request for interpretation, it would remain seized of the matters which form the subject of the Order.

Jurisdiction and legal conditions required for the indication of provisional measures

The Court concluded (paragraphs 19 to 32 of the Order) that a dispute appeared to exist between the Parties as to the meaning or scope of its 1962 Judgment and that it therefore appeared that the Court could, pursuant to Article 60 of the Statute, entertain the request for interpretation submitted by Cambodia. Accordingly, it declared that it could not accede to the request by Thailand that the case be removed from the General List (see above) and added that there was sufficient basis for the Court to be able to indicate the provisional measures requested by Cambodia, if the necessary conditions were fulfilled. The Court then examined those conditions one by one (paras. 35 to 56), and concluded that they had been satisfied. Firstly, it considered that the rights claimed by Cambodia, as derived from the 1962 Judgment, in the light of its interpretation thereof, were plausible. Secondly, the Court considered that the provisional measures requested sought to protect the rights invoked by Cambodia in its request for interpretation and that the requisite link between the alleged rights and the measures sought was therefore established. Thirdly, it considered that there was a real and imminent risk of irreparable damage being caused to the rights claimed by Cambodia before the Court had given its final decision, and that there was urgency.

Finally, the Court recalled that orders indicating provisional measures had binding effect and thus created international legal obligations with which both Parties were required to comply. It also observed that the decision given in the present proceedings on the request for the indication of provisional measures in no way prejudged any question that the Court might have to deal with relating to the Request for interpretation.

Note: The Court's press releases do not constitute official documents. This press release is a concise summary of the decision taken by the Court, for information purposes only. A more comprehensive and detailed [summary](#) of this decision can be found in the "Cases" section of the Court's website. The history of the proceedings is presented in paragraphs 1 to 18 of the Order, the [full text](#) of which can be found in the same section of the website.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the Parties concerned); and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. It is assisted by a Registry. The official languages of the Court are French and English.

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SKETCH—MAP OF PROVISIONAL DEMILITARIZED ZONE IDENTIFIED BY THE COURT

This sketch-map has been prepared for illustrative purposes only

