

Implementation of the ASEAN Way in Resolving the Dispute Conflict between Thailand - Cambodia in 2011

Ananda Ramadhanti Utomo¹, Sidiq Ahmadi²

¹ First Author Affiliation: Department International Relation, Faculty of Social and Political Sciences, Universitas Muhammadiyah Yogyakarta, Yogyakarta, Indonesia, 55183

² Second Author Affiliation: Department International Relation, Faculty of Social and Political Sciences, Universitas Muhammadiyah Yogyakarta, Yogyakarta, Indonesia, 55183

Email: ananda.utomo.isip18@mail.umy.ac.id¹; sidiqahmadi@umy.ac.id²

ABSTRACT

This research examines the implementation of ASEAN Way in conflict resolution between Thailand and Cambodia regarding the border dispute around the Preah Vihear Temple in 2011. ASEAN is faced with many problems related to disputes in its member countries, one of which is the problem of Thailand and Cambodia. The lack of clarity of the territorial line is one of the causes. Policies have been carried out, one of which is the 1962 International Court of Justice (ICJ) decision on the Preah Vihear Temple, which caused rejection from the Thai side due to different opinions regarding the layout of the country's territorial boundaries. The ASEAN Way, as a tool of regional diplomacy, will assist member states in mediating conflicts. They should rely on peaceful settlement of disputes, not interfere in the internal affairs of other ASEAN member states, and abandon the use of force. The ASEAN Way is considered "the superior product of cultural similarities among the people of ASEAN". The ASEAN way includes consensus-seeking activities and has formal and informal characteristics. Through the ASEAN Way mechanism with the track - one & track - two diplomacy approach method, it can be a success factor for ASEAN in resolving conflicts between the two disputing countries.

Keywords: ASEAN Way, Diplomacy, Dispute

INTRODUCTION

ASEAN is an international organization in the Southeast Asian region initiated by the founding countries of Indonesia, Singapore, Thailand, the Philippines, and Malaysia. ASEAN was formed in Bangkok on 8 August 1967. When ASEAN was established, the biggest threat to the national security of each country was the rebellion of the local population which had the potential to invite outside intervention in the region (Narine, 2002). Overall, the Southeast Asian region has had an "extremely chaotic" history. This is not surprising given the region's history of conflict, from dynastic to colonial times. Southeast Asia occupies an open and strategic geographical position, inviting external actors to intervene in the region. This is clear from the fact that all Southeast Asian countries except Thailand have a common memory of European colonialism (Nguiragool, 2005).

Furthermore, even after colonialism, Southeast Asian countries still had conflicts with each other. An example of this is the rivalry between Indonesia and Malaysia and the breakup of the Federation of Malaysia which left Singapore as an independent country. It is therefore not surprising that Southeast Asian countries' perceived priorities towards each other are tinged with a high degree of distrust and survival.

However, the strategic environmental context of the 1960s forced Southeast Asian countries to establish an institution to overcome these experiences and promote cooperation among them. The successful establishment of ASEAN demonstrates the determination to achieve this goal. Through these challenges, member state diversity influence interactions among ASEAN member states and cognitive priorities influenced by the region's conflict-filled past. Patterns of interaction among ASEAN member states indicate that there are multiple norms governing relations within ASEAN. These include respect for sovereignty, non-interference, and the use of peaceful means, which can be collectively referred to as the ASEAN way. All states have the right to defend their presence from external interference, destruction, and violence. To refrain from interfering in the internal affairs of other countries. Conflicts and conflict resolution are carried out by peaceful means, and refuse to threaten violence (Cipto, 2007). One of the conflicts that often occurs is border conflict. This phenomenon can be seen in the border conflict between Cambodia and Thailand over the area around the Preah Vihear Temple.

Thailand and Cambodia are two member states of the Association of Southeast Asian Nations (ASEAN) that are

geographically identical to each other. In the Cambodia-Thailand border conflict in the area around Preah Vihear Temple, the problem is that they have different views on the area around Preah Vihear Temple, which causes both parties to claim ownership of the area around Preah Vihear Temple. In this case, according to Cambodia, the area around Preah Vihear Temple is included in its territory because Preah Vihear Temple which is located at an altitude of 525 metres from the Dangrek mountain in Preah Vihear Province, Cambodia, this temple was built by the Cambodian king of the Khmer tribe. The ICJ ruled that the Preah Vihear Temple belongs to Cambodia. On this basis, Cambodia considers the area around Preah Vihear Temple as part of its territory. But according to the Thai Government, Cambodia does not own the 4.6 km area around Preah Vihear Temple because the International Court of Justice has not yet ruled on the certainty of ownership of the area around Preah Vihear Temple (BBC Indonesia, 2013).

In the last issue, the International Court of Justice in The Hague, Netherlands, ruled that Preah Vihear Temple was part of Cambodia in 1962. Although Cambodia won in the Preah Vihear Temple ownership debate, the conflict between Cambodia and Thailand continues, because in this issue, the International Court of Justice only ruled that Preah Vihear Temple is part of Cambodia. And has not decided whether the area around Preah Vihear Temple is also part of Cambodian territory or not, because Cambodia and Thailand have different interpretations of the International Court of Justice's decision regarding the ownership of the area around Preah Vihear Temple. Regarding the tensions that occur, Cambodia and Thailand have conducted many negotiations, but bilateral negotiations have all ended in failure (Pattinussa, 2021).

Through this research, the author will discuss the issue of territorial border disputes by Thailand and Cambodia which aims to find out how far ASEAN's efforts as a mediator in handling conflicts by focusing on the use of ASEAN Way principles as a regional diplomacy tool. This is because ASEAN wants to play an active role in maintaining stable relations between countries in the Southeast Asian region.

LITERATURE REVIEW

Organizational concept of international institutions

Basically, the concept of International Government Organization (IGO) is an extension of the government. IGOs perform tasks that the government cannot do to solve problems that arise in society. According to Karns & Mingst, "IGO's act as agents of their member states focusing on the structural characteristics and decision-making processes of the programmes they run. Basically, IGOs are state-created

organizations that provide responsibility and authority. In addition, IGOs must also be able to resolve related issues to help solve problems that arise (Margaret P. Karns, 2015).

Crises or challenges in offering policy options to countries where IGOs have resources such as food, money, expertise, and weapons. These resources allow IGOs to intervene directly and take action to help countries overcome a problem. Many IGO bureaucracies play an important role in analyzing and interpreting information and can therefore provide effective assistance.

Based on Archer's theory of international organizations (Archer, 2001), the function of IGO is to effectively solve global problems without war and to facilitate the interests of nations. Members by communicating and cooperating with other member states to achieve common goals. There are 3 functions of IGO, which are:

1. It is a communication forum for cooperation, agreement and even protest in a neutral arena. This arena is a place to assert interests and express views on a certain issue before the forum.
2. Countries use IGOs as a diplomatic tool with other countries because essentially, countries form IGOs about their own national interests and with the interests of other countries in mind.
3. IGOs act as agents free from external influence when formulating policies. By having the capacity to act determined by the recommendations, resolutions, and mandates at the time of the organization's founding.

IGO's function is clearly demonstrated by ASEAN, which is a good forum to fight for the interests of member countries through its foreign policy, which basically includes improving the welfare of the community, the economy, and maintaining peace in the region. Furthermore, the policies issued are the result of each ASEAN member's thinking without the intervention of other members and from other parties. The established exchange of information will result in recommendations, resolutions and mandates that promote the common interests of ASEAN members.

ASEAN Way Concept

The ASEAN Way is a style of problem-solving that follows the norms of Southeast Asian countries where the process is conducted through in-depth and careful informal discussions to reach agreement through consensus decision-making and then applied to formal meetings.

The ASEAN Way emphasizes the importance of cooperation with members' equality, even if it takes a long time to reach an agreement. With a different interpretation, the ASEAN Way was adopted because ASEAN's effort to cooperate and

maintain regional peace is through the distinctive diplomatic participation of its member states, which is enshrined in ASEAN's fundamental principles (non-interference, non-use of force, diplomacy, and consensus-based approach) since the inception of the organisation (Tekunan, 2014). The ASEAN Way is considered an important contributor to ASEAN's success. The ASEAN Way builds trust and preventive diplomacy mechanisms for regional political dialogue and security through a formal track-one diplomacy approach and complementary track-two diplomacy where diplomatic meetings are informal (R. Wildan Pratama Indrah Kusuma, 2018).

De Magalhaes (1988) explains track-one diplomacy as a foreign policy instrument to shape and develop relationships between different governments through intermediaries recognized by each party. Whereas Montville (1991) defines track-two diplomacy as, informal unofficial interaction between members of a group or state aimed at developing strategies, to influence public opinion, organize human and material resources in a way that might help resolve their conflicts. (Mapendere, 2000)

Proponents of the ASEAN Way argue that this decision-making process helps member states to exchange ideas or express opinions that are not bound by official stances. As mentioned in the previous section, ASEAN's success in maintaining regional peace is in keeping with its original purpose as a regional organization and is recognized as one of the most successful regionalisms in the world.

METHOD

This research uses a qualitative method by utilizing secondary data sources through books and online media (Journals, Scientific Articles, News, Websites, and other official sites), by emphasizing on dispute resolution efforts which are in accordance with the topic to be researched in this article. The data that will be used will start from the proclamation of the Preah Vihear Temple by UNESCO (2008) which sparked the birth of the conflict until the peace agreement between the two countries (2012). The content will specifically explain about conflict history and tension levels, Preah Vihear Temple profile, the unclear border areas of the temple, military force involvement, dispute tensions level, ASEAN Way as the principles, and the implementation of dispute resolution.

RESULT AND DISCUSSION

Conflict History and Tension Levels

Cambodia and Thailand are two neighboring countries in Southeast Asia. Although these two countries are close to each other, it does not mean that these two countries

have a harmonious relationship. One of them is the conflict between Cambodia and Thailand over the Preah Vihear Temple area. The escalation of the conflict occurred until there was real force action by the military of both countries.

The causative factor of the conflict is the lack of clarity in the boundaries adopted by each country. In addition, other factors that support the birth of this problem are based on what is contained in the Preah Vihear Temple area which has many benefits that will be obtained if one of the two countries succeeds in acquiring this area. this area.

Preah Vihear Temple Profile

Preah Vihear in Thai means the center of the sacred mountain. The significance of the "Sacred Mountain Centre" as the main building of the spiritual life of the Thai and Cambodian people is so profound that every country tries to acquire Preah Vihear Temple through many means. (Angkor Temples in Cambodia, 2015).

Preah Vihear is the third largest province in Cambodia. Preah Vihear Province has a smaller population than the rest of Cambodia. It has an area of 13,788 km² (Minagawa, 2013). Globally, they represent an important source of natural resources relative to population. The main livelihood of the people in this region comes from the abundant natural resources in forestry, agriculture, and fisheries. As much as 80% of Preah Vihear's population earns a living as farmers, with the rest working in forestry, fisheries, and other sectors. Another natural resource is from mining, namely iron ore (Municipality and Province Investment Information, 2022).

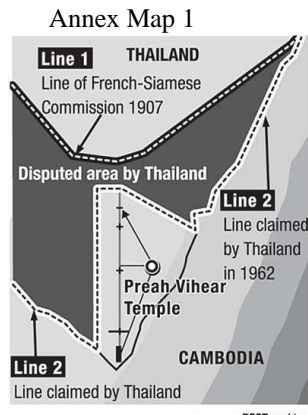
Preah Vihear Temple, through its tourism potential, plays an important role in the economic, national, and social development of Cambodia. The tourism sector is a dependency for the Cambodian state. Preah Vihear Temple contributes to Cambodia's tourism revenue as a place that many people visit.

Unclear Border Areas

Cambodia and Thailand are members of ASEAN and share a common border of 803 km (Wagener, 2011). The border is the result of an agreement between the French rulers of Cambodia and the Kingdom of Siam (Thailand). Cambodia's territory extended to the left side of the Mekong River after the Franco-Siamese conflict in 1893, the two countries made a boundary agreement in 1904-1907.

A joint committee of representatives from both countries was formed to map and delineate the border. However, the Siamese did not have the capability to do the mapping, so the French did more of the work and reported their findings to the Joint Committee. As a result, there was a delay in

communication to the Siamese government until late 1907 on the Annex I maps that had been made (Raharjo, 2013). However, in the 1940s, decades after the Annex I map was completed, there was a counter response by Siam, which had changed its name to Thailand.



Source (Bangkok Post, 2013)

Thailand has a different view of the border line, especially the Preah Vihear temple area. Preah Vihear temple is supposed to be part of Thai territory. At the time of World War II, Thailand capitalised on the Japanese presence, then conquered the area from France. However, after the defeat of Japan by the allies, forcing Thailand to surrender the area back as before. Thailand's opportunity to reclaim the area came after France granted independence to Cambodia in 1953 in defiance of the French - Siamese agreement of 1904 - 1907 (Raharjo, 2013).

Military Force Involvement

Thailand re-occupied the Preah Vihear Temple by deploying troops around the temple, leading to diplomatic as well as military tensions between Cambodia and Thailand. The current dispute claims an area of 4.6 square kilometres around the Preah Vihear temple (Tun, 2011).

The ongoing border conflict has triggered fighting between the two armies, resulting in casualties, forced displacement, destruction of property and daily activities of people in border areas, & blockade of border crossings. These people are residents of both countries. The clashes also caused property damage at the Preah Vihear Temple (Tun, 2011). As a result of the incident, Cambodia felt that the steps taken by Thailand were a denial of its sovereignty, based on the lack of agreement on the actual ownership of the temple.

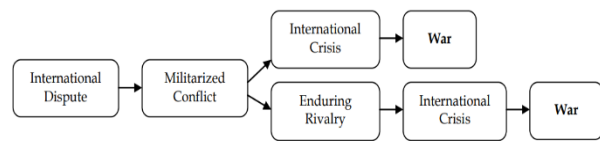
Therefore, the Cambodian government has brought the matter to the International Court of Justice so that the issue of temple ownership can be resolved. Cambodia and Thailand were summoned by the ICJ to appear in court to

determine the rightful owners of the Preah Vihear Temple. Cambodia and Thailand were ordered to bring maps used as facts to support their claims. Thailand provided a 1904 map, while Cambodia provided a 1907 map, where the ICJ found that there were major differences between the 1904 and 1907 maps in the location of Mount Donlek and Preah Vihear Temple. Another difference is that the 1907 map was drawn by the French government at the time with Thailand (Siam back then). In addition, the *International Court of Justice* considered that from the Annex I map that had been made, neither the Cambodian nor the Thai parties objected or rejected the results of the map description until 1958. So in 1962, the *International Court of Justice* ruled that the Preah Vihear temple was part of Cambodia's sovereign territory, so Thailand had to withdraw its military forces from the area (Raharjo, 2013). The escalation of the conflict between the two countries decreased after the International Court of Justice decision was announced.

Dispute Tension Becomes Conflict

The epicentre of tensions that eventually turned into conflict occurred at the border in October 2008, when the armed forces of both countries took part in fighting that claimed the lives of civilians and forced more than 85,000 people to move to safe zones. As a result, relations between Thailand and Cambodia have not been harmonious. This is in stark contrast to ASEAN's hope to form a unified community, identity, and mission (Awani Irewati, 2015). (Awani Irewati, 2015).

Flow of Change from Dispute to Conflict



Source: (Huth, 2000)

For 43 months, from January 2008 to July 2011, the intensity of conflict in Thailand never reached the level of war or ranged from *stable peace* to crisis. Cambodia called 4-7 February 2011 a war, but Thailand refused to acknowledge it. (Raharjo, 2013). This gives positive hope that negotiations to reach a solution can continue.

ASEAN Way as an ASEAN Principle ASEAN Journey

On 8 August 1967, five leaders consisting of Adam Malik (Indonesian Foreign Minister), Thanat Khoman (Thai Foreign Minister), Sinnathamby Rajaratnam (Singapore Foreign Minister), Tun Abdul Razak (Malaysian Deputy Prime Minister), Narciso Ramos (Philippine Foreign Minister), gathered together in the main hall of the Ministry

of Foreign Affairs building in Bangkok, Thailand and signed a document called the "ASEAN Declaration". Along with this document, ASEAN was formed (ASEAN, 2020).

Based on what is stated in the ASEAN Declaration, the aims, and objectives of the establishment of ASEAN are:

- Accelerate economic growth, social progress, and cultural development in the region through concerted efforts in the spirit of equality and partnership to strengthen the foundations of a prosperous and peaceful society of Southeast Asian nations.
- Promote peace and stability in the region by continuing to respect justice and the rule of law in relations among states in the region and by adhering to the principles of the United Nations Charter.
- Promote active co-operation and mutual assistance in matters of mutual interest in the economic, social, cultural, technological, scientific, and administrative fields.
- Support each other in the form of educational, professional, technical, and administrative training and research institutions and co-operate more effectively to promote further growth in agriculture, industry, and trade. This includes improving transport and communication facilities and conducting research on international trade in goods, with the overall aim of raising the living standards of ASEAN peoples.
- Promoting education about Southeast Asia; and
- Maintain close and fruitful cooperation with existing international and regional organizations with common goals and objectives and explore all avenues for closer cooperation among organizations (ASEAN, 2020).

ASEAN Principles

ASEAN's particular decision-making principles come from the region's biggest ethnic bunch, the Malays. The decision-making type is agreement, which incorporates the two terms "musyawarah" and "mufakat". They characterize the method of decision-making through discourse and discussion as "musyawarah" and the unanimity that's looked for to be achieved as "mufakat" (Saravanamuttu, 1985). This decision-making model does not permit the larger part to force its will on the minority. The larger part or the pioneer must be able to combine diverse seems to be able to draw a modern choice that grasps all the differences.

As a decision-making model, this agreement approach can oblige the interface of ASEAN individuals that change in capability or measure. Hence, whereas emphatically impacted by culture, ASEAN countries preference for this particular ASEAN decision-making model is additionally affected by the national interface that each party looks for to protect. In expansion to seeing the ASEAN Way as a frame

of ASEAN personality, the ASEAN Way can too be seen as a decision-making method. ASEAN emphasizes regional exchange and cooperation processes based on discretion, informality, consensus – building and non – confrontational negotiation styles, compared to other (regional) institutional decision-making processes, characterize this type of institutional decision-making. As an IGO, ASEAN must have many problems in its territory, one of which is the issue of disputes.

Many disputes remain unresolved in the region, but ASEAN member states consider it quite successful. In this context, success is how conflict is avoided or prevented. Conflict avoidance has become the norm in interstate conflicts. On the other hand, disputes between states are seen as domestic issues that do not need to involve ASEAN. Through the *ASEAN Way*, ASEAN combines formal methods of conflict management with informal methods called official (*First-Track*) and unofficial diplomacy by non-governmental bodies (*Second-Track*), ASEAN has achieved remarkable regional order given the diversity of its members and the many issues facing the region.

The Treaty of Amity and Co-operation in Southeast Asia, a document that strongly reflects the ideas and ideals of the United Nations Charter, sets out specific principles and policies of conflict management:

- Mutual respect for the independence, sovereignty, equality, territorial integrity, and national identity of all nations.
- The right of every State to lead its national existence free from external interference, subversion, or coercion.
- Non-interference in each other's internal affairs.
- Settling differences or disputes by peaceful means.
- Reject the threat or use of violence; and
- Effective co-operation among themselves (Kamarul zaman Askandar, 2002)

Implementation of Dispute Resolution

Phases before the Conflict was Elevated to the ICJ

In this case, ASEAN has applied both *Track One & Track Two Diplomacy* approaches into the conflict resolution between Cambodia and Thailand where ASEAN led by Indonesia has shown a proactive stance. The first way is by conducting "*shuttle diplomacy*" (*Track One Diplomacy*). The mediation process is a process that brings together several mediators involved in finding a solution or middle ground in an ongoing dispute. However, there are obstacles because both parties are not willing to participate in the mediation process, so the mediation process cannot continue (Fadhillah, 2020). Thus, some arbitration proceedings may experience events that disrupt or delay the arbitration process.

Shuttle diplomacy refers to situations in which negotiators travel long distances to meet with parties. Travel long distances to meet with other parties. The term shuttle diplomacy was originally coined in 1973 to describe U.S. Secretary of State Henry Kissinger's efforts to broker peace in the Middle East. This diplomacy involved going back and forth between the heads of the mediating countries and the leaders of the participating countries, searching for a compromise in the conflict, and achieving results in the form of cease-fires and peace agreements that had not been achieved in the previous mediation process (Fadhillah, 2020).

The term "shuttle diplomacy" has increasingly been used to resolve international issues has shown that the process of diplomacy can be carried out even when the parties involved are protecting their own pride and ego. In fact, the bond between the mediator and the two warring factions tends to last. Separate meetings in mediation may be necessary and this is not excluded as the only method that can be used to reach a solution. Acknowledge and recognise the circumstances surrounding diplomacy, including the parties, intermediaries, advisors, and others involved in the diplomacy. In addition, each party or actor has a unique role to play.

Shuttle Diplomacy conducted by ASEAN on this issue was a meeting between foreign ministers under the leadership of Indonesian Foreign Minister Marty Natalegawa, meeting with Cambodian Foreign Minister Hol Nam Hong in Phnom Penh and Thai Foreign Minister Kasit Piromya in Bangkok to seek information from the main parties. Foreign Minister Marty travelled to New York with the Foreign Ministers of Thailand and Cambodia to share his reflections and contributions on ASEAN's role in resolving internal conflicts in the region (Farida, 2014). This method has proven its value in stabilizing the disputed territory on the Thai-Cambodian border, although it is still tense, but both parties to the conflict can still exercise restraint.

Second, an informal ASEAN Foreign Minister's Meeting was organized in 2011 (*Track Two Diplomacy*). This event discussed conflict resolution between Thailand and Cambodia. The contents of this meeting were:

- Welcomes and supports the reaffirmation by Cambodia and Thailand of their strong commitment to the principles contained in the Treaty of Friendship and Co-operation in Southeast Asia and the ASEAN Charter, including the "settlement of differences or disputes by peaceful means" and the "renunciation of the threat or use of force", as well as the principles contained in the Charter of the United Nations.
- Welcomes the further engagement of Cambodia and

Thailand with Indonesia, ASEAN Chair, in these latter efforts on behalf of ASEAN; -Recalls the support given by the United Nations Security Council to ASEAN efforts.

- Support the commitment of Cambodia and Thailand, going forward, to avoid further armed clashes as reflected in the initial high-level talks between Cambodian and Thai military representatives, the latter on 19 February 2011.
- Welcomes the invitation from Cambodia and Thailand for observers from Indonesia, the current ASEAN Chair, to each side of the Cambodia-Thailand border affected areas, to observe the commitment of both sides to avoid further armed clashes between them, with the following basic mandate:
 1. to assist and support both parties in honouring their commitments to avoid further armed clashes between them, by observing and reporting accurately and impartially on complaints of violations and submitting its findings to the respective parties through Indonesia, the current Chair of ASEAN";
 2. Call on Cambodia and Thailand to resume their bilateral negotiations, including through existing mechanisms, at the earliest possible time, with the involvement of Indonesia, the current ASEAN Chair; and with the involvement of Indonesia, the current ASEAN Chair, to support the efforts of both countries to resolve this situation peacefully.
 3. Welcomes future meetings of the respective Thai-Cambodian Joint Commission on Land Boundary Demarcation and the Common Border Committee at a date to be further determined; and
 4. Request Indonesia, the Chair of ASEAN, to continue ASEAN's efforts in this regard" (ASEAN.org, 2011).

The two disputing parties have agreed on three corridors: peace dialogue through the TAC method, an absolute ceasefire, and ASEAN involvement in dispute mediation. The informal agenda, initiated by Indonesia as the chair of ASEAN, follows the UN Security Council's decision to require Thailand and Cambodia to cooperate with ASEAN as mediators to resolve border issues peacefully. This meeting was also to assign TNI monitoring troops in the Thailand-Cambodia border area. Furthermore, in May 2011, Indonesia held a three-state meeting for Thailand & Cambodia or in Bogor to continue the ASEAN Summit approach (*Track One Diplomacy*). However, Thailand's attitude hindered the settlement of the conflict negotiations, as it did not attend the meeting (Farida, 2014). However, this did not stop ASEAN from continuing to assist.

The Phase after the Conflict is elevated to the ICJ

In 2012, the International Court of Justice (ICJ) ruled that the area around the Preah Vihear Temple is a sterile zone. The

ruling by the ICJ was based on Article 73 of the Court's Rules and Article 41 of its Statute and was an interim measure indicating that Cambodia and Thailand should withdraw their military from the Temporary Demilitarized Zone (PDZ). The conflict between Cambodia and Thailand has finally found a bright spot after decades of long-running regional disputes. Both the Cambodian and Thai militaries agreed to withdraw their military forces from the disputed area. These military forces were withdrawn and replaced by police personnel and security guards from each of the disputing countries. Then, Thailand and Cambodia discussed the terms of reference for the Indonesian monitoring force (Farida, 2014), which is included in Track One Diplomacy. These monitors are located at the border of the two countries. Their task is to report regularly on border developments. The results of the monitoring will be used as input into the conflict resolution of the two countries.

The monitoring teams are military personnel from the TNI, the Ministry of Foreign Affairs and the Ministry of Defence. The monitors are unarmed as they are observers, not peacekeepers. The Indonesian government has sent a temporary team to prepare for the arrival of these observers. The observer team is estimated to number 40-50 people. The dispatch of this team is ASEAN's role in realising peace in Southeast Asia.

CONCLUSION AND RECOMMENDATION

ASEAN has proven to the international community that it has the capability to participate in conflict resolution in its member states through the ASEAN Way mechanism. This can be seen in the case of the border dispute around the Preah Vihear Temple between Thailand and Cambodia. Through the *track - one & track - two diplomacy* approach carried out by ASEAN through its representatives, namely Indonesia, when pre- and post-the case was appointed to the ICJ. At the time before the conflict was appointed to the ICJ, ASEAN had held an agenda with a *track one diplomacy* approach, namely *shuttle diplomacy* and a three-state meeting. As for the *track two diplomacy approach*, ASEAN held an *Informal ASEAN Foreign Minister's Meeting*. It has overcome the use of real force by the disputing parties,

Although the final decision rests with the *International Court of Justice*, ASEAN is still given the obligation to carry out its role with a *track one diplomacy* approach through the provision of the formulation of *terms of reference* with Cambodia and Thailand followed by the dispatch of monitoring troops in the conflict border area. This has resulted in the *outcome* that ASEAN has achieved its goals in promoting regional peace and stability as stated in the *ASEAN Declaration*.

The expected contribution is the enrichment of understanding in the concentration of Diplomacy, Organization of International Institutions, and Strategic Studies for the public. Suggestions that can be given are that with the many conflicts between countries that occur today, future researchers are able to analyze the study of border disputes and deepen the scope of discussion on the science of International Relations and evaluation for the ASEAN Way in the future to be more flexible in solving conflicts, because we will not always be silent or do not intervene directly when we know there are ASEAN member countries that are in conflict, do not get too hung up on the principle of non-interference which is still rigid and old-fashioned, but how is the best solution by being allowed to openly discuss a state's domestic affairs with cross-border effects.

REFERENCES

- Angkor Temples in Cambodia. (2015). *Preah Vihear*. Retrieved from Angkor Temples in Cambodia: <https://www.angkor-temples-in-cambodia.com/preah-vihear.html#:~:text=Preah%20Vihear%20means%20%22sacred%20shrine,%22Khao%22%20means%20hi> ll.
- Archer, C. (2001). *International Organizations, Third edition*. London & New York: Routledge.
- ASEAN. (2020). *About ASEAN*. Retrieved from Association of Southeast Asian Nations: <https://asean.org/about-us/>
- ASEAN. (2020). *ASEAN Aims*. Retrieved from Association of Southeast Asian Nations: <https://asean.org/what-we-do#fundamental-principles>
- ASEAN.org. (2011, Februari 22). *Statement by the Chairman of the Association of Southeast Asian Nations (ASEAN) following the Informal Meeting of the Foreign Ministers of ASEAN*. Retrieved from ASEAN.org: <https://asean.org/wp-content/uploads/images/archive/documents/N110222.pdf>
- Awani Irewati, C. L. (2015). *Sengketa Wilayah Perbatasan Thailand-Kamboja*. Yogyakarta: Andi.
- Bangkok Post. (2013, April 28). *Cambodia confident on ICJ verdict*. Retrieved from Bangkok Post: <https://www.bangkokpost.com/thailand/special-reports/347386/cambodia-calm-but-nervous-on-temple-case>
- BBC Indonesia. (2013, November 11). *Mahkamah PBB putuskan wilayah sengketa*. Retrieved from BBC News: https://www.bbc.com/indonesia/dunia/2013/11/131111_thailand_perebutancandi

- Cipto, B. (2007). *Hubungan Internasional di Asia Tenggara: Teropong terhadap Realita, Dinamis, dan Masa Depan*. Yogyakarta: Pustaka Pelajar.
- Fadhillah, K. F. (2020). Shuttle Diplomacy Indonesia Sebagai Upaya Penyelesaian Konflik Thailand - Kamboja. *Jurnal Kajian Wilayah Vol. 11 No. 2*, 179-192.
- Farida, E. (2014). Penyelesaian Sengketa Perbatasan antara Thailand & Kamboja melalui Mekanisme ASEAN. *MMH, Jilid 43 No. 1*, 57-66.
- Huth, P. K. (2000). "Territory: Why Are Territorial Disputes Between States a Central Cause of International Conflict. In J. A. Vasquez, *What Do We Know About War?* (p. 95). Maryland: Rowman and Littlefield Publisher.
- Kamarulzaman Askandar, J. B. (2002). The ASEAN Way of Conflict Management: Old Patterns and New Trends. *Asian Journal of Political Science Volume 10 Number 2*, 22-39.
- Luneto, R. (2021). DINAMIKA UNI EROPA: Integrasi Kawasan dan Referendum Britania Raya. *Ejournal FISIP UNJANI*.
- Mapendere, J. (2000). Track One and a Half Diplomacy and the Complementarity of Tracks. *Culture of Peace Online Journal, 2(1)*, 66-81. Retrieved from Peace Maker:
https://peacemaker.un.org/sites/peacemaker.un.org/files/TrackOneandaHalfDiplomacy_Mapendere.pdf.
- Margaret P. Karns, K. A. (2015). *International Organizations: The Politics and Processes of Global Governance*. USA: Lynne Rienner. Retrieved from <https://www.rienner.com/uploads/55b14c992d1b2.pdf>.
- Minagawa, U. S. (2013). Past Development and Present Issues of World Heritage Region of Preah Vihear in Cambodia. *土木学会論文集 F4 (建設マネジメント)*, Vol. 69, No. 4, I_313-I_322.
- Municipality and Province Investment Information. (2022). *Preah Vihear Province*. Retrieved from [landmatrix.org: https://landmatrix.org/media/uploads/cambodiainvestmentgovkhcontentuploads201403preah-vihear-province_engpdf.pdf](https://landmatrix.org/media/uploads/cambodiainvestmentgovkhcontentuploads201403preah-vihear-province_engpdf.pdf)
- Narine, S. (2002). *Explaining ASEAN: Regionalism in Southeast Asia*. London: Lynne Rienner Publisher, Inc.
- Nguitragool, J. R. (2005). *ASEAN as an Actor in International Fora: Reality, Potential, and Constraints*. Cambridge: Cambridge University Press.
- Pattinussa, J. M. (2021). Meninjau Kembali Penyelesaian Sengketa Wilayah antara Thailand-Kamboja (Perebutan Kuil Preah Vihear). *UPH Journal of International Relations Vol. 13 No. 25*, 52-62.
- Primus, J. (2011, Januari 29). *Preah Vihear Masih Membara*. Retrieved from Kompas:
<https://internasional.kompas.com/read/2011/01/29/17383664/Preah.Vihear.Masih.Membara>
- R. Wildan Pratama Indrah Kusuma, N. S. (2018). Jalan Damai Menuju Keamanan Regional: Pendekatan ASEAN dalam Upaya Penyelesaian Konflik Laut China Selatan. *FACTUM Volume 7, NO.2*, 255-268.
- Raharjo, S. N. (2013). Tantangan Konflik Perbatasan Thailand-Kamboja Bagi Stabilitas ASEAN. *Jurnal Kajian Wilayah, Vol. 4, No. 1*, 112-113.
- Saravanamuttu, P. T. (1985). ASEAN's Negotiating Style: Asset or Hindrance? In P. T. Saravanamuttu, *ASEAN Negotiations: Two Insights* (p. 11). Singapore: Institute of Southeast Asian Studies.
- Sefriyani. (2014). ASEAN Way dalam Perspektif Hukum Internasional. *Yustisia Vol. 3 No. 1*, 89-96.
- Sekretariat Nasional ASEAN - Indonesia. (2019, Januari 16). *Tujuan ASEAN, Lengkap dengan Sejarah Berdirinya dan Pembentukan Komunitas ASEAN*. Retrieved from Sekretariat Nasional ASEAN - Indonesia:
<http://www.setnas-asean.id/news/read/tujuan-asean-lengkap-dengan-sejarah-berdirinya-dan-pembentukan-komunitas-asean>.
- Sugiyono. (2009). *Metode Penelitian Kuantitatif Kualitatif, dan R & D*. Bandung: Alfabeta.
- Tekunan, S. (2014). The Asean Way: The Way To Regional Peace? *Jurnal Hubungan Internasional Vol. 3 No. 2*, 143-148.
- Tun, K. M. (2011). Towards a Peaceful Settlement of the Preah Vihear Temple Dispute. *Asia Paper Institute for Security and Development Policy*, 22-24.
- Wagener, M. (2011). Lessons from Preah Vihear: Thailand, Cambodia, and the Nature of Low Intensity Border Conflicts. *Journal of Current Southeast Asian Affairs 3*, 30.