

Memorandum of Understanding
between the Government of the Kingdom of Cambodia
and the Government of the Kingdom of Thailand
on the Survey and Demarcation of Land Boundary

THE GOVERNMENT OF THE KINGDOM OF CAMBODIA
AND THE GOVERNMENT OF THE KINGDOM OF THAILAND;

Desiring to further strengthen the existing bonds of friendship between the two countries;

Believing that the demarcation of land boundary between the Kingdom of Cambodia and the Kingdom of Thailand will help prevent border conflicts arising out of boundary questions and will further strengthen existing friendly relations between the two countries and facilitate the travel and cooperation of the peoples along the border;

Recalling the Joint Communiqué of the Prime Ministers of the Kingdom of Cambodia and the Kingdom of Thailand, dated 13 January 1994, in which it was agreed to establish the Cambodian-Thai Joint Committee on Boundary in due course;

Recalling also the Joint Statement on the Establishment of the Cambodian-Thai Joint Commission on Demarcation for Land Boundary, dated 21 June 1997, in which it was agreed to establish the Cambodian-Thai Joint Commission on Demarcation for Land Boundary, entrusted with the task of placing markers in order to indicate the land boundary between the two countries;

HAVE AGREED AS FOLLOWS:

Article I

The survey and demarcation of land boundary between the Kingdom of Cambodia and the Kingdom of Thailand shall be jointly conducted in accordance with the following documents:

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(a) La Convention entre la France et le Siam modifiant les stipulations du Traité du 3 Octobre 1893 concernant les territoires et les autres Arrangements, signée à Paris, le 13 février 1904 (Convention between France and Siam modifying the Stipulations of the Treaty of the 3 October 1893, regarding Territorial Boundaries and other Arrangements, signed at Paris, 13 February 1904);

(b) Le Traité entre Sa Majesté le Roi de Siam et Monsieur le Président de la République Française signé à Bangkok, le 23 mars 1907 (Treaty between His Majesty the King of Siam and the President of the French Republic, signed at Bangkok, 23 March 1907) and le Protocole concernant la délimitation des frontières et annexé au Traité du 23 mars 1907 (Protocol concerning the delimitation of boundaries and annexed to the Treaty of the 23 March 1907); and

(c) Maps which are the results of demarcation works of Commissions de Délimitation de la Frontière entre l' Indo-Chine et le Siam (the Commissions of Delimitation of the Boundary between Indo-China and Siam) set up under the Convention of 1904 and the Treaty of 1907 between France and Siam, and other documents relating to the application of the Convention of 1904 and the Treaty of 1907 between France and Siam.

Article II

1. There shall be a Cambodian-Thai Joint Commission on Demarcation for Land Boundary, hereinafter referred to as "the Joint Boundary Commission", consisting of two Co-Chairmen and other members appointed by their respective Governments. The Adviser to the Royal Government in charge of State Border Affairs of the Kingdom of Cambodia and the Deputy Minister of Foreign Affairs of the Kingdom of Thailand shall be the Co-Chairmen. Appointments of other members shall be communicated between the two Governments within one month after the entry into force of this Memorandum of Understanding.

2. The Joint Boundary Commission shall hold its meeting once a year alternately in Cambodia and Thailand. If necessary, the Joint Boundary Commission may hold a special meeting to discuss urgent matters within its purview.

3. The terms of reference of the Joint Boundary Commission shall be as follows:

(a) to be responsible for the joint survey and demarcation of land boundary in accordance with Article I;

(b) to consider and approve the terms of reference and master plan for the joint survey and demarcation;

(c) to determine the priority of areas to be surveyed and demarcated;

(d) to assign the survey and demarcation works to the Joint Technical Sub-Commission as referred to in Article III and to supervise and monitor the implementation of the assignment;

(e) to consider reports or recommendations submitted by the Joint Technical Sub-Commission;

(f) to produce maps of the surveyed and demarcated land boundary; and

(g) to appoint any sub-commission to undertake any particular task within its purview.

Article III

1. There shall be a Joint Technical Sub-Commission consisting of two Co-Chairmen and other members to be appointed by the respective Co-Chairmen of the Joint Boundary Commission.

2. The terms of reference of the Joint Technical Sub-Commission shall be as follows:

(a) to identify the exact location of the 73 boundary pillars set up by Commissions de Délimitation de la Frontière entre l' Indo-Chine et le Siam (the Commissions of Delimitation of the Boundary between Indo-China and Siam) in the period of 1909 and 1919, and to report its findings to the Joint Boundary Commission for its consideration;

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(b) to prepare the terms of reference and master plan for the joint survey and demarcation of land boundary;

(c) to appoint joint survey teams to carry out the survey and demarcation of land boundary as assigned by the Joint Boundary Commission;

(d) to submit reports or recommendations on the survey and demarcation works to the Joint Boundary Commission;

(e) to prepare maps of the surveyed and demarcated land boundary;

(f) to designate if necessary authorized representative to supervise the field works on behalf of the Co-Chairmen of the Joint Technical Sub-Commission; and

(g) to appoint any technical working group to assist in any particular task within its purview.

3. In carrying out the survey and demarcation works in any area, the joint survey team shall first be assured of its safety from landmines.

Article IV

1. For the purpose of survey and demarcation works, the entire stretch of the common land boundary shall be divided into sectors to be agreed upon by the Joint Technical Sub-Commission.

2. On completion of the survey and demarcation of each sector, a Memorandum of Understanding shall be signed by the Co-Chairmen of the Joint Boundary Commission. A map showing the completed sector shall also be signed and attached to the said Memorandum of Understanding.

Article V

To facilitate the effective survey along the entire stretch of the common land boundary, authorities of either Government and their agents

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shall not carry out any work resulting in changes of environment of the frontier zone, except that which is carried out by the Joint Technical Sub-Commission in the interest of the survey and demarcation.

Article VI

1. Each Government shall be responsible for its own expenses for the survey and demarcation works.

2. The costs of materials for the boundary pillars or markers and the preparation and production of maps of the surveyed and demarcated land boundary shall be borne equally by both Governments.

Article VII

1. Both Governments shall make the necessary arrangements regarding immigration, quarantine and customs clearance to facilitate the execution of the survey and demarcation works.

2. In particular, the equipment, materials and supplies, in reasonable quantities and for the exclusive use of the joint survey teams in the survey and demarcation of the land boundary, although brought across the border, shall not be considered as exports from one country or imports into another country and shall not be liable to customs duties or taxes pertaining to export or import of goods.

Article VIII

Any dispute arising out of the interpretation or application of this Memorandum of Understanding shall be settled peacefully by consultation and negotiation.

Article IX

This Memorandum of Understanding shall enter into force on the date of its signature by the duly authorized representatives of the Government of the Kingdom of Cambodia and the Government of the Kingdom of Thailand.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Memorandum of Understanding.

DONE in duplicate at ~~Phnom Penh~~ on ~~14 June 2000~~ in the Khmer, Thai and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF
THE KINGDOM OF CAMBODIA

FOR THE GOVERNMENT OF
THE KINGDOM OF THAILAND



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