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Maritime Security in Cambodia: A Critical Assessment

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Abstract:

Cambodia is facing emerging challenge in maritime security while the country has limited budget to promote capacity of her navy to combat piracy and terrorism ant to protect oil exploration and sea transportation. Being in the Gulf of Thailand and sandwiched by Thailand and Vietnam, Cambodia is a zone locked country since she is not able to gain access to the high seas except through the Exclusive Economic Zones of its neighbouring States. So Cambodia is in extremely geographically disadvantaged situation in comparison with other coastal states in this sub-region. Though Cambodia has strengthened its maritime security to fight against terrorism, transnational crimes and improve its sea environment protection, the country still needs assistance and cooperation with friends and colleagues in the world to deal with emerging threat in maritime security. The paper aims to access the maritime security policy, issues and challenges in the sector.

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Maritime Security in Cambodian: A Critical Assessment by Chap Sotharith

1. Introduction

After years of successive wars, destruction and international isolation, Cambodia has opened its new era of national reconciliation and national building marked by a growing need for national rehabilitation and development with an increasing awareness of and concern about the preservation and restoration of peace and stability.

With an area of 181,035 square kilometers, Cambodia is situated in South-East Asia (South Western part of Indochinese peninsula. Topographically, Cambodia is characterised by a vast low lying land, the central plain of the Mekong River. Cambodia is bordered with the Kingdom of Thailand in the West and the North, Laos PDR in the North, and the Socialist Republic of Vietnam in the East and South-East. In the South-west, Cambodia has a coastline of about 450 km in the province of Koh Kong, Sihanoukville, Kampot province and Kep city. In those provinces and municipalities, only about 5% of the country total population living in (See map No. 1).¹

Cambodia, literally speaking, is divided by the Mekong River systems: the Cambodian upper Mekong mainstream flows from the Khon Falls at Cambodia-Laos border down to the Phnom Penh city, where the river branches into Tonle Sap river with the Tonle Sap great lake in the central part of the country, and the lower Mekong and Basac rivers that flow to their lower delta in Vietnam and finally to the South China Sea.² The country is surrounded by mountain chain (Cardamom) on the West, mountain chain of Dangrek on the North, and hilly plateau in the east.

¹ National Environmental Plan (1998-2002), Ministry of Environment of Cambodia (Phnom Penh: 1997)
² The Mekong Secretariat, *The Annual Report of 1993*, (Bangkok: Public Information Unit, 1993) at p. 24. The Mekong river is the longest river in South East Asia and the 12th longest international river in the world at 4,800 Km. originating in Tibet, China, making its way between Myanmar, Laos and Thailand, then flowing through the Southern part of Laos and Cambodia and emptying into the South China Sea through Mekong Delta in Vietnam.



Map 1: Cambodia and Neighboring Countries

The Gulf of Thailand is a shallow semi-enclosed sea and is considered as an arm of the South China Sea. The gulf is spooned-shaped and has its greatest depth of about 80 or 86 metres in the South central parts. It is believed to have a great potential for commercial oil and gas exploitation and other invaluable natural assets.³

Being in the Gulf of Thailand and sandwiched by Thailand and Vietnam, Cambodia is a zone locked country since she is not able to gain access to the high seas except through the Exclusive Economic Zones of its neighbouring States. So Cambodia is in extremely geographically disadvantaged situation in comparison with other coastal states in this sub-region.

Cambodian relatively short coastline is difficult to access form many parts of the country due to poor road and infrastructure connection. Urban development in the coastal areas is limited and slow compared to capital city of Phnom Penh and other booming tourist attracted province of Siem Reap. The coastal natural resources remain virtually intact comparing to the neighbouring countries.

With recent recovery of oil and gas offshore in Cambodia, it is expected that the coastal zones (both on onshore and offshore) will attract substantial investment in infrastructure, and exploitation of oil and gas and tourism in the future. This will require an appropriate maritime policy and security cooperation. Moreover, the recent exploitation of coastal land for aquaculture and charcoal production in the region of the coastal town - Koh Kong - causes serious concern over its severe effect on mangrove forests and negative impact to environment.

2. Comparison of Cambodian Maritime with Neighbors

Among the three coastal States, Thai economy is much more advanced and more industrialised than Vietnam and Cambodia. Industrial activities are mainly conducted around

³ According to He Qixiang, CCOP Technical Secretariat, Bangkok, in the Pattani Basin - biggest basin in the central part of Gulf of Thailand with coverage of $20,000 \text{ km}^2$ - eleven gas field have been found since 1972. Four of them are presently producing at a daily rate of more than 600 million cubic feet of gas and over 20,000 barrels of condensate.

the inner Gulf of Thailand and now have been shifted to the South Eastern seaboard. It is clear that future industrial development in Vietnam will also likely be found along the coast.⁴

There has been heavy commercial fishing in the Gulf, especially in the Thai waters, and recently, heavy fishing effort is extended to the Cambodian and the Vietnamese waters.

The area, especially in Thai waters, has a well developed marine aquaculture at the expenses of extensive clearance of the mangroves within the Gulf. That kind of practice begins to find its way into Cambodian coastal area as well.

Coastal tourism and population settlements are developed on the Thai coast. The famous resorts of Pattaya, Koh Samui and other island resorts are based in the Gulf. Cambodia has a potential for coastal tourism development while Vietnam has plans to develop Phu Quoc (Koh Trol) island as a tourist resort as well as industrial and other developments.

The three countries have been acquired more ships to expand their shipping fleets and developed their ports to support the country's increasing foreign trade.

The gas and oil development in the Gulf and nearby area and the transportation of their products by ships or pipelines are also posing great environmental concern. Besides, the Gulf of Thailand is not immune from the overlapping sovereignty claims and other maritime boundary issues. Cambodia is now negotiating with her neighbours to solve maritime borders but this is a very difficult task.

Arising from the intense development in the Inner Gulf and some stretches of the coast, and the increasingly intensive land-based activities, such as industrial development, deforestation, agriculture, tourism, and navigation, the Gulf requires appropriate maritime management to avoid and manage the increasing potential for conflicts of interests. Especially, the issues of the ownership of the sea and appurtenant resources as well as the issue of the maritime environmental protection and management and preservation of marine living resources also require serious attention and appropriate policy to tackle them.

⁴ See eg. Douglas M. Johnstone and Mark J. Valencis, *Pacific Ocean Boundary Problems, Status and solutions*,(1981) p.136.

This proves the complexness of the international maritime issues, which, of course, requires a good national policy and preparation for a more favourable and beneficial use and development of the marine resources to advance Cambodia legitimate interests and legal rights, and peaceful relations with other countries.

3. Maritime Resource Management

Existing Legal & Institutional Framework for Marine Resources Management & Policy

Five years after the 1993 election, Cambodia is still a society almost exclusively governed by the executive decrees or regulations of the executive branch. The management and development of natural resources which in many other countries would be regulated by legislative enactments are largely governed by decrees and regulations of the Council of Ministers and the ministries with immediate supervision responsibility over the issues in question. So far, the only remarkable piece of legislation in maritime resource management is the Law on Environment and Natural Resources Management which was adopted in 1997. Hence, in general, the comprehensive maritime policy and legislation to regulate all aspects of ocean and its resources management and development are still absent.

The issues of ocean management, development and protection deal with the diversity of interests, such as human interest in navigation, food production, energy sources, industry, environmental protection, resources preservation, aesthetics and recreation, and safety at sea. Hence, the maritime policy and its management have a strong institutional implication and complication.

The government agencies remain the main users and developers of the marine resources in the country. The management and development of sea and related resources in Cambodia are assigned to several ministries, department or agencies, such as Ministry of Agriculture, Forestry and Fisheries (its General Directorate of Irrigation, Meteorology and Hydrology, Department of Agronomy, Department of Fisheries, and Department of Forestry and Wild life), Ministry of Public Works and Transport, Ministry of Industry, Mine and Energy, and Ministry of Environment.

Enforcement, controlling and monitoring measures in respect of these public users tend to be lax or lacking. In many cases, ocean related projects or activities might be developed without consideration of or harmonization with other users or sectors, or negative impact on the environment. Lack of coordination and often intense rivalry between the ministries or agencies mean that maritime policy can only be sub-optimal.

There is an urgent need to bring about changes to the national legislative and administrative structures for ocean and its resources management which should be flexible enough to accommodate future changes in priorities and perspective.

Background on Cambodian Maritime Policy

In spite of its geographically disadvantaged situation, and political and social upheavals in the country during the last two decades, Cambodia has had a long standing interests and involvement in the matters related to the maritime affairs.

Cambodia is a party to the four 1958 Geneva Conventions on the Law of the Sea (Hereinafter referred to as the 1958 Geneva Conventions).⁵ Cambodia is also a party to the Optional Protocol concerning the Compulsory Settlement of Disputes, from 1970. Cambodia has been a signatory to the 1982 United Nations Convention on the Law of the Sea (Hereinafter called 1982 UNCLOS) since 1983.⁶

The country took part in a number of meetings of the Third UN Conference on the Law of the Sea, but due to some internal problems, Cambodia's participation was not very active. And so far the necessary preparation for its ratification and national measures for to ensure its implementation at national level have not yet undertaken.

The signing of the Paris Peace Agreements for Cambodia in 1991 and the return of peace to the country make it possible for Cambodia to review and further develop the Cambodian

⁵ On 18 March 1960, Cambodia acceded to the Convention on the Territorial Sea and Contiguous Zone (came into force on 19 September, 1964), Convention on high Seas (into effect on 30 September 1962), Convention on Fishing and Conservation of the Living Resources of the High Seas (into force on 20 March 1966), and Convention on the Continental Shelf (into effect on 10 June 1964).

⁶ Cambodia signed the 1982 UNCLOS on 1/7/1983. Cambodia is yet to ratify it. the UNCLOS came into force on 14 November 1994 for those states who have ratified or acceded to it.

In international arena, Cambodia starts to take part actively in a number of initiatives to develop the world maritime policy. In July 1994 in New York, Cambodia voted in favour of the Agreement Relating to the implementation of Part XI of UNCLOS.⁷ And in Bangkok on 15 December 1995, the heads of Cambodian Government together with other 9 nations in the region, signed the Treaty on South East Asia Nuclear Weapon Free Zone - SEANWFZ, which was ratified by the Cambodian legislative body in 1997.⁸

After the 1993 General Election, the Head of State of Cambodia signed a Royal Decree on the establishment of National Boundary Authority by entrusting it with functions:⁹

- to compile and prepare all normative documents relating to land and maritime boundary delimitation;
- to study and analyse the selected maps for delimitation purpose of land and maritime boundary between Cambodia and its neighbouring countries;
- with due approval from the Royal Government, to conduct negotiations, to make necessary arrangements, settlement, and decision on the boundary issues and other border related matters; and
- \blacktriangleright to implement the border treaties.

As far as the 1982 UNCLOS is concerned, in early 1995, the Cambodian Ministry of Foreign Affairs made a submission to the Royal Government of Cambodia for the creation of an ad hoc inter-ministerial commission to study in details the implications of the UNCLOS and the plus and minus of joining the club of the Convention ratifies. Thus, Cambodia wants to see if there are any problems that would prevent Cambodia from ratifying it and issues or

⁷ For further discussion, see next section on page

⁸ The 1995 SEANWFZ provides for a creation of the third nuclear free zone in the world. The first is the 1967 Tlatelolco treaty on prohibition of nuclear weapon in Latin America, and the second one is the 1985 Arotonga South Pacific Nuclear Free Zone Treat. The SEANWFZ places an obligation on its parties not to develop, manufacture, acquire, control, posses, station, test or use nuclear weapons, or not allow other countries to do so in their respective territory. This treaty extends the area of its application to the continental shelf and exclusive economic zone of its State-Party, which a number of super powers regard as a serious threat to the freedom of navigation and their strategic interest.

⁹ Royal Decree No. 0295/19 of 25 February, 1995 signed by His Majesty the King Norodom Sihanouk.

opportunity and costs for not doing so. Moreover, the proposed commission shall evaluate whether Cambodia is in a position to fulfill all the obligations under the UNCLOS and make appropriate recommendations.

The action recommended by the Foreign Ministry reflects the usual caution exercised by any government with regard to any new international obligation having direct impact on its vital national interests.¹⁰ Due to its present conditions with lack of appropriate legal and institutional framework, qualified human resource and experience, Cambodia has worked with precaution on the maritime policy issues. At the same time, Cambodia should take into account the facts that:

- in South East Asia, to date Cambodia and Thailand have not ratified the 1982
 UNCLOS, but both are parties to the 1958 Geneva Conventions;
- As a party, Cambodia will have to commit itself to adopt all necessary national measures to ensure the fulfilment of its international obligation arising from UNCLOS, and this shall take time and, enormous efforts and resources.

National Interests in the Ocean Affairs

Cambodia always attaches great importance to the Gulf of Thailand and its great potential for national economy. Furthermore, the gulf is very important not only because of its rich natural resources, but also because it is a crucial water way, as well as it is crucial in terms of national defence and security.

Cambodia has a strong interest in patrolling its water to protect its marine resources, to enforce it law and regulations relating to pollution control, safety of navigation, customs, sanitation, fishery, immigration and son on.

The Gulf provides for route for growing international trade. It is Cambodian interests to ensure that merchant ships have unimpaired navigation rights on major sea lanes of communication, especially safe and unimpeded navigation through the gulf of Thailand to Sihanouk Ville seaport and Phnom Penh river-port.

¹⁰ CICP (2001) Maritime The Cambodian Maritime Policy: Issues, Challenges and Prospects

Fishery plays a vital role in national economy, though the number of local fishermen and fishing boats is small and primitive in comparison with its neighbouring countries. The special interest in developing the fishery industry is expressed by the government and private sector. Thus, the development and preservation of living resources is gaining more serious consideration in the national development and environment policy.27/11/2007.¹¹

Judging from that, Cambodia national interests in the maritime affairs is immense. To properly protect those interests, appropriate maritime policy should be developed and put in place by taking into account the constitutional provisions, and national strategy and vision.

The continental shelf (seabed and subsoil under the sea as part of the natural prolongation of the natural land) and the exclusive economic zone of Cambodia are abundant with living and non-living resources. As far as the marine resource is concerned, special focus is paid to the sustainable development and management of fishery, through methods of responsible fishing, fighting illegal fishing, prevention of marine environmental degradation, integrated coastal zone management, navigation and port management, as well as the improvement of marketing and related legislation.

The excessive fishing (or over-fishing) in the waters of other countries and the unregulated access to the living resources in Cambodian waters without effective measures of conservation and management and with the use of unauthorised and destructive means of fishing, may bring about biological overfishing and depletion of living resources in the Cambodian maritime zone. The government should see it as its duty to encourage appropriate fishing industry and practice. The overfishing issues require not only appropriate national measures, but also effective international or sub-regional cooperation and arrangement to carry out the necessary conservation and preservation measures.

The continental shelf of Cambodia is believed to be rich of minerals such as oil, natural gas and hard minerals. At present as totally dependent country on imported oil and gas for its consumption, the exploration and exploitation of indigenous energy resource is of vital

¹¹ See eg. *National Environmental Plan (1998 - 2002)*, Prepared by the Cambodian Ministry of Environment with technical and financial assistance from the World Bank.

importance for Cambodia. However, rich deposit of oil and gas is believed to be straddling in the areas of overlapping claims or boundary delimited has not been affected with other countries, namely Thailand and Vietnam.¹²

For Cambodia, the achievement of speedy and peaceful solution to the maritime boundary delimitation and appropriate arrangement for exploration and exploitation of these invaluable maritime resources will be of great benefit for the country's urgent need of currency and energy for development of national economy.

Cambodian is well positioned to develop efficiently its potential resources of oil and gas. Cambodian oil and gas reserves are in similar situation to many other gas and oil discoveries in the area, where domestic market too small for stand-alone development. Hence the development will depend largely on exports mainly to Thailand, who also has an interest in the resource to meet its evergrowing energy needs.

The gas and oil development would also provide a base for supply to the domestic market. Power generation and reliable, reasonably priced electricity is essential to Cambodia's social and economic development.

Cambodia has an interest in regional and international cooperation in other field such as protection and preservation of the marine environment, maritime safety and security, and the optimum use of the marine resources.

Article 2 of the 1993 Constitution of Cambodia reads "The territorial integrity of the Kingdom of Cambodia shall be absolutely inviolable within the borders as defined in the 1/100,000 scale map made between the years 1933 - 1953 and internationally recognised between the years 1963 – 1969." The constitution (Article 52) also proclaims the obligation of the Royal Government of Cambodia to protect independence, sovereignty, territorial integrity of the country. In this connection, it should be understood that though the Constitution does not specifically mentions about the territorial sea and continental shelf

¹² See eg. J.R.V. Prescott, *The Maritime Political Boundaries of the world*, (Methuen, London: 1985) at 223. It seems likely that Cambodia will have the greatest interest in finally resolving the problems of conflicting claims, because it has the smallest claim to the continental shelf. Its neighbours have large area free conflicting claims where exploration can continue; that is not the case for Cambodia.

claims made after the 1969, it is clear from the practice and official act of Cambodia that those claims made thereafter ion accordance with international law, are considered as part of its territorial integrity and thus; are inviolable.

Article 59 provides for the government duty to protect the environment and balance of natural resources and establish a precise plan for management of land, water air, geology, ecological system, mines, energy sources, oil and gas, rocks and sands, gems, forests and its by-products, wildlife, fish and aquatic resources. It thus requires for the promotion of the objectives for optimum and balance utilisation of the natural resources of Cambodia.

The basic law of the country proclaims that Cambodia shall follow policy of peaceful coexistence and cooperation with its neighbouring countries and other members of the global village.¹³ It also stipulates that all international conflicts and issues must be solved through peaceful means and based on full respect of mutual interest.

Article 55 of the constitution, based on the international Agreements on a Comprehensive Political Solution of the Cambodia Conflict, ¹⁴ reads that: "International treaty and agreement incompatible with independence, sovereignty, territorial integrity and national unity of Cambodia shall be nullified accordingly."

In the light of this stipulation, Cambodian Government has rights to review international agreements to verify their compatibility with the foresaid provisions, and other state parties to the said agreement are under an obligation to respect the lawful decision of Cambodia on that particular matter. So far Cambodia has not yet resorted to this internationally recognised right to denounce any agreement that it believes to be incompatible with Cambodia's independence sovereignty, territorial integrity and national unity.

Furthermore, the development of Cambodian maritime policy is inevitably influenced by modern international law of the sea. Among them, the 1982 UNCLOS is one of the authoritative sources of that law. Due to the fact that the 1982 UNCLOS will have a strong

¹³ The 1993 Constitution, Article 53.

¹⁴ See supra note

bearing on the formulation of the Cambodian maritime policy and law, some preliminary studies on of this convention should be made.

4. Maritime Boundary Issues

The question of national rights to territory and appurtenant maritime zones strikes at the heart of national sovereignty. The territory of a nation State is the foundation of its factual existence - statehood - and the basis for it to exercise its sovereign power.¹⁵ For this reason, the boundary conflict is one of the most intractable problems of international law, and peace and stability keeping.¹⁶ Evidently, the Gulf of Thailand is not immune from various maritime issues, such as fishing right, boundary, and maritime environment.

Between June 1971 and May 1973, the then South Vietnam Administration, Cambodia and Thailand made unilateral proclamations of their respective continental shelves in the Gulf of Thailand, causing overlapping areas totally 24,221 square nautical miles. According to some statistics, the overlapping areas were: Cambodia - the then South Vietnam some 14,580 square miles; Cambodia - Thailand around 5, 798 square miles; Thailand - Vietnam 233 square miles; and Cambodia - Thailand - Vietnam 3,610 square miles.¹⁷ However, the subsequent political development and changes to the physical and geological structure occurred in the gulf of Thailand, the areas of overlapping claims may also change.

For example, after the end of Vietnam war, the unified Vietnam canceled its claim to Poulo Wai island.¹⁸ In late 1997, Vietnam and Thailand reached an agreement on the settlement of their overlapping areas through final delimitation of their continental and exclusive economic zone.

¹⁵ See in general, Louis Hankin, *et al, supra* note 60 at 242.

¹⁶ See in general, Vaughan Louse and Colin Warbrick, eds., *The United Nations and the Principles of International Law*, London: 1994) at 205 and 218.

¹⁷ *Douglas M. Johnstone and Mark J. Valencis, supra* note 6 at 134. See and compare, Chumporn Pachusanond, "Paper on Thailand: Thailand and the settlement of disputes in the 1982 Law of the Sea Convention", in SEAPOL Studies No. 3 (Innomedia, Bangkok: 1991) at 124. There are different figures on the areas of overlapping.

¹⁸ The ownership of Cambodia over the Poulo Wai islands group is further confirmed in the 1982 Historic Waters Agreement between Cambodia and Vietnam. For more discussion, See *supra* note 106.

The overlapping claims between Cambodia and its neighbouring States, namely Thailand and Vietnam involved not only the area of the continental shelf, but also the so-called territorial sea and internal waters. And in the Southern segment, to some extent, it carries the tripartite nature.

Since the maritime boundary and the overlapping claims strike at the very heart of the national maritime policy and regional cooperation, this chapter intends to provide a very brief insight into the maritime boundary issues in the Gulf of Thailand involving Cambodia, Thailand and Vietnam.

5. Maritime Security

Cambodia's sea border is an area vulnerable to security threats, including terrorism and transnational crime. A number of incidents that might occur such as maritime border issues, infiltration of illegal fishing, loss of maritime resources, etc. have been called into question for the maritime security of the Kingdom of Cambodia.

This sea border is also a route for promoting trade with nationals around the world. The coast and islands are growing tourist destinations and they are also points of interest for foreign investment. These maritime assets must be protected. Nevertheless, responsibility should not rest solely with the Nave. Other relevant government agencies must also share responsibility for maritime security and protection. Therefore, it is necessary to create a coordinating mechanism to clearly define how this responsibility should be shared. The Navy is the Royal Government's lead agency for offshore operations. The Navy has a mandate as the nation's force with authority to control maritime areas. Therefore, it plays role in helping other government agencies to achieve their missions there.¹⁹

The maritime Exclusive Economic Zone is an important national economic resource. Cambodia has the right and authority to control exploration, conduct business, and to conserver and mange organic and inorganic natural resources of the continental shelf, under the sea and on the sea surface, and other activities leading to exploration and business.

¹⁹ Ministry of Defense (2006) Defense White Paper: Defending the Kingdom of Cambodia.

The maritime environment is a potential corridor and trade passage, but it is also vulnerable and difficult to control. To achieve the nation's objectives, it is necessary to:

- Safeguard territorial water and protect resources in Cambodia's Exclusive Economic Zone to ensure all of Cambodia's maritime assets are used for sustainable development of Cambodia.
- Maintain peace and cooperation in the region where borders are bound with neighboring countries
- Protect maritime trade access and shipping to ensure that these vital communications are assured for economic development and trade exchanges with Cambodia's trade partners.
- Prevent all illegal activities conducted in the maritime environment and contribute to maintaining regional maritime security. These include fighting against terrorism, piracy and smuggling, transportation of illegal drugs, weapons and humans and other transnational crimes.
- For safety of people's livelihood and the protection of maritime assets, be capable of responding to various disasters, whether natural caused by technical failures, or manmade.

The navy has functioned as core force in protecting the integrity and security of Cambodia's water territory by ensuring security and safety at seas and islands, which are the key contributions to creating favorable environment for national economic development.

Accordingly, the Cambodian government has announced plans to enhance the capability of the Royal Cambodian Navy (RCN), with its staff strength being increased from 1,000 to 3,000 plus soldiers from the army have been seconded to the navy to raise another force of some 2,000 marines to protect offshore resources in the Gulf of Thailand.²⁰

Also in November 2007, nine patrol boats built by China State Ship-building Corporation (CSSC), valued at nearly US\$60 million, have been added to the earlier inventory of a dozen

²⁰ *Vijay Sakhuja (2007)* Cambodian rush for a credible navy, Aerospace and Defence Network. At http://www.asd-network.com/index.asp

patrol boats including six boats gifted by China in 2005. Nevertheless, the current naval inventory is still inadequate for safeguarding Cambodia's Exclusive Economic Zone (EEZ) and protecting its maritime interests.

Besides being a potential source of oil and gas for Asia Pacific economies, Cambodia is strategically located close to the international shipping lane transiting the strategic maritime gateway of Straits of Malacca through which more than 60,000 vessels pass annually.

While fulfilling its own mission to safeguard water territory, islands and beaches of Cambodia, the navy has resisted and fought against illegal activities and crimes and saved people from disaster. In parallel, the navy has also strengthened cooperation with the other countries' navy such as the arrival of ships from other countries stopping by and visiting Cambodia, joint patrol between Cambodian and Vietnamese navy on historical water boundary and facilitating research group for the remains of American veterans on islands. These obviously reflect that Cambodian maritime security has been strengthened and expanded gradually.

6. Conclusion

Cambodia is still premature in term of maritime policy and security. The country needs assistance and cooperation with friends and colleagues in the world to deal with emerging threat in maritime security.

Indeed, the strong Maritime security opens a window for trade with other countries in the region and the world. Furthermore, the protection of islands and beaches that are the main tourist resorts and the protection of the potentials of the Cambodian sea's natural resources are the main sources of economic growth. At the same time, we also noted that Cambodian sea is geographically favorable, free from the catastrophic and frightening disaster and human suffering, such as the giant-wave Tsunami, and has enjoyed environmental protection and sustainable natural resource management.

Along with the positive points on the Cambodian Maritime security mentioned above, the navy also faces some challenges – such as some islands of their bases are too remote and infested by malaria, with shortages in human resources, methods, technical equipments, funds, etc. These adverse factors hinder the Cambodian navy from fulfilling their duties fully and timely to curb crimes and to make emergency rescue.

Reference

- Chumporn Pachusanond (1991), Thailand and the settlement of disputes in the 1982 Law of the Sea Convention", in SEAPOL Studies No. 3 (Innomedia, Bangkok: 1991)
- CICP (2001) The Cambodian Maritime Policy: Issues, Challenges and Prospects
- Douglas M. Johnstone and Mark J. Valencis (1981), Pacific Ocean Boundary Problems, Status and solutions
- J.R.V. Prescott (1985), *The Maritime Political Boundaries of the world*, (Methuen, London: 1985)
- Ministry of Defense (2006) Defense White Paper: Defending the Kingdom of Cambodia.
- Ministry of Environment of Cambodia (1997) National Environmental Plan (1998-2002)
- The Mekong Secretariat (1993), *The Annual Report of 1993*, Bangkok: Public Information Unit.
- Vaughan Louse and Colin Warbrick (1994), *The United Nations and the Principles of International Law*,
- Vijay Sakhuja (2007) Cambodian rush for a credible navy, Aerospace and Defence Network. At http://www.asd-network.com/index.asp

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