**How effective have newly independent states in Southeast Asia dealt with territorial disputes between them?**

A **territorial dispute** is a **disagreement** over the **possession or control of an area of land** or **maritime land including resources.** Southeast Asian states have generally **prevented territorial disputes from undermining interstate cooperation.** They **were effective as they often willingly allow or push for the arbitration by the international organizations signally their willingness** to **resolve the conflicts peacefully.** The independent states also use **regional and bilateral organizations to handle the territorial disputes in an amicable manner.** Despite this effectiveness, the very fact that the **territorial disputes could only be solved at the hands of the international judges** **highlights the limited value in effectiveness of the independent states** in dealing with the territorial disputes. Moreover, the **independent states were still not able to resolve the underlying causes of the territorial dispute,** thereby **resulting in the recurrence of interstate tensions.** Therefore, this essay seeks to argue that the *newly independent states in Southeast Asia were effective in dealing with the territorial disputes as they have generally resolved their conflicts over territories peacefully, however overall they still lack effectiveness as the root of the territorial dispute is often unresolved.*

**The Southeast Asian states were often willing to refer their territorial disputes to the International Court of Justice (ICJ). For arbitration, which effectively signalled the disputing states’ intentions to resolve their conflicts peacefully and hence tactfully avoid the heightening interstate tensions and possible catastrophic consequences.** This can be observed from the **case of Malaysia** and **Indonesia conflict** over the **Sipadan and Ligitan islands**, **Malaysia first created the Joint Committee Meetings (JCM)** to **facilitate and resolve the dispute.** In the **6 JCMs,** there were **no resolutions** and the **meetings were often ended by displays of power such as gunboat diplomacy.** However, **both nations tactfully choose to refer their dispute to the ICJ,** and soon on **17 December 2002**, it was decided that the **sovereignty of Sipadan and Ligitan belong to Malaysia.** Effectiveness was shown through their wisdom of passing judgement to the ICJ**. Similarly in the case of Singapore and Malaysia,** the **conflict over Pedra Branca**, in **1989,** **Singapore proposed submitting the dispute to the ICJ,** and **Malaysia agreed to this in 1994**. In **23 May 2008,** the **ICJ successfully passed their judgement whereby Singapore was to have sovereignty over Pedra Branca,** while **Malaysia was awarded the middle rocks and South Ledge**. Although these two incidents showcase the tactful and diplomatic ways of the independent states in resolving their territorial disputes, **it highlights an innate flaw of the independent states, as the ICJ is seen to be better able to deal with the territorial disputes compared to the disputing nations.**

**The Southeast Asian states also ensured that tensions arising from such territorial disputes did not disrupt other aspects of interstate relations and cooperation, by using the regional or bilateral organizations to deal with the territorial disputes in an amicable manner, thereby creating a sound multilateral basis for the peaceful handling of future conflicts, while preventing the disputes from undermining interstate cooperation.** This can be observed from the **Malaysian, Philippines and Indonesia** dispute over the **territory Sabah**. Although both **Indonesia and Philippines’ contested over the sovereignty of Sabah from Malaysia**, this constant source of bilateral tension was **temporarily eased with the creation of the Maphilindo in July 1963.** This regional organization seek to **approach issues of common concerns especially so over the territory of Sabah.** However despite their effectiveness in easing tensions temporarily, the **Maphilindo broke up** as the **Konfrontasi was initiated by Sukarno broke the bilateral relations of both Malaysia and Indonesia.** **Similarly, this can be observed in the dispute of Malaysia and Thailand over their common maritime boundary in the Gulf of Thailand** and **South China Sea.** Although both states signed a **Memorandum of Understanding (MOU)** in **1979** to put **aside the border dispute and allow for the joint exploration of natural resources in the disputed area, tensions remained due to their continuing overlapping continental shelf claims.** However, It was finally resolved by their effectiveness in employing a **bilateral organization of a joint Malaysia-Thailand commission in 1990** and **establish a joint development area in accordance with the stated objectives of the 1979 MOU,** which helped to mitigate this issue. Thus, their effectiveness in handling the territorial disputes can be observed from the creation of regional or bilateral organization which have helped to ease the tensions which arose from the territorial disputes.

**The independent Southeast Asian States proved to be ineffective as they were half-hearted in tackling the fundamental differences that underpinned the causes of the territorial disputes so as to temporarily alleviate the interstate tensions, but this bring along the consequence of recurrent conflicts over these territories between the disputing states.** This caused the **territorial disputes to be effectively lengthened** **rather than be addressed, highlighting the independent states’ weaknesses in tackling their territorial dispute problems.** This can be observed from the **territorial dispute between Thailand and Myanmar,** the territorial **disagreement of Moei and Salween Rivers** was **never resolved and the failed efforts of the states only served to prolong the conflict.** Both countries **have unilateral claims to construct dams and development projects along the Salween** and **that they had no written agreements over the river.** The **Thai cabinet appointed a committee responsible for the hydropower dam projects on the Thai-Burmese border in January 1989.** However, at the same time, Myanmar was also **planning its dam projects through the Myanmar Electric Power Enterprise.** This led to disagreement between the two countries, prolonging the conflict. The most recent standoff of such **claims occurred in May and June 1997,** and **centred on the Moei rivers changing course in Myanmar’s favour and there was a two-month long tense confrontation between the two armies.** Throughout the **1990s,** both states **could not back down from their stand and demands,** thus **prolonged the conflict as it remained unresolved.** This can also be seen from the **Thailand** and **Malaysia conflict of privilege fishing.** This **issue was continuously unresolved, to prevent fishermen from Thailand from crossing over to Malaysia’s waters, Malaysia declared its Exclusive Economic Zone (EEZ)** and a **new Fisheries Act in 1985.** Much as the **amendment clearly stated boundaries and fishing vessels caught illegally in the Malaysian EEZs** were to be **arrested and severely dealt with, many poor Thai fishing vessels were still caught in the EEZs,** despite Malaysia’s harsh punishments. These 2 territorial disputes highlights how the states’ ineffectiveness have contributed to the prolonging of territorial disputes.

**Furthermore, the inability and ineffectiveness of the states in resolving their territorial disputes have foreseen a number of interstate tensions, ranging from military to political tensions, often heavily undermining the regional stability, in some cases the regional organizations aiming to solve the territorial disputes also collapsed.** This can be observed from the **Indonesia and Malaysia dispute over the Sabah territory.** The **dispute between the 2 nations could potentially escalate into a military conflict.** Although this **dispute originated in 1969**, where both states failed to reach an agreement to **delimit the common border of their continental shelf.** It can be traced way further to **the 1960s, where Sukarno opposed fiercely to the creation of Malaysia,** during the **Konfrontasi period between 1960 to 1966.** As well as the **failure of the aforementioned Maphilindo in 1963**, this issue of Sabah sovereignty caused the worsening of relations between both states which **exacerbated existing muted uneasiness and latent apprehension in Kuala Lumpur over potential Indonesian political, economic and military aggression towards Malaysia.** This can also be observed in the **Vietnam and Cambodia** conflict of the **historically lost territories.** The Cambodians, under the **leadership of Pol Pot**, had **long chafed under the domination of the Vietnamese “big brother” and quickly showed their resentment through a series of Anti-Vietnamese policies in their country.** There was a surge in **Cambodian nationalistic pride and resistance,** which was dramatically seen in Cambodia’s goal of **recovering parts of Vietnam, for example Khmer Krom** that were once part of Cambodia. The **failure to resolve this territorial dispute lead to the increase in frequency and intensity of border clashes between the two states which eventually resulted in a full-fledged Vietnamese invasion in December 1978 and starting a 14 year long Cambodian crisis in the region.**

In conclusion, they were mostly effective as they often flexile and willing enough to allow or push for the arbitration by the international organizations signally their willingness to resolve the conflicts peacefully. The independent states also use regional and bilateral organizations to handle the territorial disputes in an amicable manner. Despite this effectiveness, the very fact that the territorial disputes could only be solved at the hands of the international judges’ highlights the limited value in effectiveness of the independent states in dealing with the territorial disputes. Moreover, the independent states were still not able to resolve the underlying causes of the territorial dispute, thereby resulting in the recurrence of interstate tensions. Therefore, this essay seeks to conclude that the newly independent states in Southeast Asia were effective in dealing with the territorial disputes as they have generally resolved their conflicts over territories peacefully, however overall they still lack effectiveness as the root of the territorial dispute is often unresolved.