

**AN ANALYSIS OF THE VIENNA CONVENTION ON
DIPLOMATIC RELATIONS 1961:
A CASE STUDY OF DIPLOMATIC RELATIONS BETWEEN
MALAYSIA AND NORTH KOREA**

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AUTHOR DECLARATION

I hereby declare that the work in this Thesis is my own except for quotations and summaries which have been duly acknowledged.

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ABSTRAK

Kajian ini bertujuan menganalisis kesan pembunuhan Kim Jong Nam terhadap hubungan diplomatik antara Malaysia dan Korea Utara serta sejarah perkembangan hubungan dua hala antara kedua buah negara sejak Malaysia mencapai kemerdekaan pada 1957. Terlalu sedikit fakta yang diketahui mengenai latarbelakang hubungan diplomatik antara Malaysia dan Korea Utara, khususnya apabila masyarakat menganggap kedua buah negara tidak mempunyai banyak persamaan. Maka, sebuah kajian yang mendalam telah dilakukan keatas faktor-faktor yang menarik minat Malaysia untuk menjalinkan dan memperkukuhkan hubungan diplomatik dengan Korea Utara. Keterangkuman Dasar Luar Negara Malaysia begitu terserlah dengan penyertaannya dalam Pergerakan Negara-Negara Berkecuali (NAM) pada 1970 yang menganjurkan penyelesaian konflik secara damai dengan semua negara di dunia tanpa mengira perbezaan fahaman politik, termasuklah negara Komunis seperti Korea Utara. Tugas untuk memelihara keselamatan dan memperkukuhkan kemakmuran ekonomi serantau adalah misi utama Wisma Putra. Dengan jumlah dagangan dua hala yang semakin meningkat antara kedua buah negara dan provokasi Senjata Pemusnah Marcapada (Weapons of Mass Destruction) yang berterusan oleh Pyongyang, rundingan damai yang bertujuan memulihkan hubungan diplomatik yang telah terjejas adalah pilihan yang terbaik untuk Malaysia dan Korea Utara. Hasil kajian ini menggalakkan agar kedua buah negara menerokai kaedah rundingcara yang melangkaui rangka kerja perundangan antarabangsa seperti yang termaktub dalam Vienna Convention on Diplomatic Relations 1961. Antara alternatif yang dicadangkan ialah dengan mengeksploitasi prinsip *Tracks of Diplomacy* dalam bentuk *Sports Diplomacy*. Kajian ini menyimpulkan bahawa meskipun hubungan diplomatik antara kedua buah negara telah terputus, adalah penting untuk Malaysia menghidupkan semula hubungan dua hala tersebut. Malah, strategi ini bermanfaat kepada Putrajaya dalam merencanakan masa hadapan polisi hubungan antarabangsa Malaysia kelak.

ABSTRACT

This research aims to analyse the aftermath of Kim Jong Nam's assassination on the diplomatic relations between Malaysia and North Korea along with the historical evolution of diplomatic relations between both countries since Malaysia's independence. Little is known about the nature of diplomatic relations between Malaysia and North Korea especially when public perceptions dictate that both countries barely share any similarities. In understanding the implications of the murder case from the perspective of international law, an analysis on the history of diplomatic relations between Putrajaya and Pyongyang is carried out. A further study is conducted on the factors of which attract Malaysia and North Korea to forge and strengthen their diplomatic relations. Malaysia's inclusive foreign policy is highlighted via her participation in the Non-Aligned Movement (NAM) in 1970 which promotes peaceful engagement with all countries regardless of their political allegiance, including the Communist-led regime in North Korea. The task of preserving regional safety and bolstering economic prosperity are on top of Putrajaya's priority list. With the volume of bilateral trade between Malaysia and North Korea steadily increasing and Pyongyang's continuous provocations with her Weapons of Mass Destruction (WMD), peaceful engagements with the aim of repairing the damaged diplomatic relations are the best option for both countries. The study encourages both conflicting countries should explore methods beyond the conventional framework of Vienna Convention on Diplomatic Relations 1961 (VCDR 1961) in order to repair and revive their severed diplomatic relations such as *Tracks of Diplomacy* in the form of *Sports Diplomacy*. This research concluded that although the relationship between the two nations was severed, it is crucial for Malaysia to consider reviving and enhancing bilateral relations with North Korea, hence benefiting Putrajaya in outlining Malaysia's future foreign policy.

المخلص

قام هذا البحث لتحليل أثر مقتل كيم جونج نام (Kim Jong Nam) على العلاقة الدبلوماسية بين ماليزيا وكوريا الشمالية وتاريخ تقدم العلاقة الثنائية بين هذين الدولتين منذ استقلال ماليزيا في 1957. إن البراهين عن تاريخ العلاقة الدبلوماسية بين ماليزيا وكوريا الشمالية قليلة جداً، إضافة إلى أن المجتمع يرى أن كلتي الدولتين لا تساويان في معظم الأمور. قد قام البحث الدقيق عن العوامل التي جذبت ماليزيا للقيام بالعلاقة الدبلوماسية مع كوريا الشمالية. قد ظهرت السياسة الخارجية الفعالة لماليزيا تجاه مشاركتها في حركة عدم الانحياز (NAM) في السنة 1970، وهي الحركة التي تقود حل النزاعات بين جميع الدول في العالم بطريقة الأمن، دون الرأي عن نظرة سياستها ومن ضمنها الدولة الشيوعية مثل كوريا الشمالية. إن المحافظة على الأمن وتقوية ثراء الاقتصاد الإقليمي هما الوظيفتان الرئيسيتان لوزارة الشؤون الخارجية (Wisma Putra). إن ارتفاع التجارة الثنائية بين هذين الدولتين والإثارة المستمرة عن أسلحة الدمار الشامل من بيونغ يانغ (Pyongyang)، مما تجعل أن مفاوضات السلام لإصلاح العلاقة الدبلوماسية هي الحل الأفضل لماليزيا وكوريا الشمالية. إن نتيجة هذا البحث تحت على هذين الدولتين للقيام بطريقة المفاوضات فوق هيكل القانون الدولي كما في اتفاقية فيينا للعلاقات الدبلوماسية السنة 1961. ومن البديل المقترح هو بانشغال مبدئ المسارات الدبلوماسية بشكل الدبلوماسية الرياضية. وخلاصة هذا البحث هي مع أن العلاقة الدبلوماسية بين هذين الدولتين قد انقطعت، فمن المهم على ماليزيا أن تقوم بهذه العلاقة مرة أخرى. إضافة إلى ذلك، هذه الاستراتيجية نافعة لبوتراجايا في تخطيط مستقبل السياسة الخارجية لماليزيا.

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