



International Boundary Study

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Burma – China Boundary

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BURMA - CHINA BOUNDARY

I. BOUNDARY BRIEF

The Burma - China boundary, which totals 1,358 miles in length, has been demarcated by a joint Sino - Burmese Boundary Commission. The Burma - China Boundary Treaty of October 1, 1960, which created the commission, eliminated all territorial disputes between Burma and the Chinese communist regime. As a consequence maps may show the new alignment as an international boundary, but, in view of the United States' recognition of the Republic of China Government, the standard boundary disclaimer should be maintained.

The Sino - Burmese boundary may be divided into two different sectors. In the first, starting from the Indian tripoint, the boundary follows sharp north-south trending Himalayan ridges, which mark the northern and eastern watershed of the Irrawaddy to 26° 00' North. One exception occurs in the northeast where the boundary crosses the Taron Wang, an Irrawaddy tributary. The region is wild and desolate with a sparse non-Burmese population. The second sector begins at the Hpimaw pass, where the boundary abandons the Salween - Irrawaddy drainage divide. This southern borderland is composed of a heavily dissected plateau. The boundary in crossing it utilizes ridges and rivers: the Taping, Namwan, Shweli, Salween, Nan-ting, Nam Hka, and Man-lu Ho all form the frontier for varying distances. After departing from the Man-lu Ho, the boundary extends eastward along a minor watershed to the Nam Nga and thence to the Mekong which it follows southward to the Laos tripoint. As in the north, the southern sector is also inhabited by tribal peoples, primarily ethnic Tai.

II. GEOGRAPHIC BACKGROUND

A. Physical

The Burma - China borderland comprises two distinct physiographic regions. In the north and west, the boundary extends along the eastern-most extension of the Himalaya Range, the greatest mountain system in the world. To the south and east, the Yunnan plateau is the setting for the boundary. As a result, the Burma - China frontier combines, as a transitional zone, the Indo - Tibetan cultural-physiographic complex of the Himalayas with the Sino - Indochinese eastern plateaus.

In the west, the Himalayas stretch approximately 3,000 miles from Kashmir in an almost unbroken chain of parallel ridges and valleys. Along the Sino - Burmese frontier, the normal east - west alignment of the ranges is altered radically to a north - south one. Furthermore, the ridges are compressed laterally leading to a convergence of valleys containing some of the world's mightiest rivers. Within a distance of 75 miles, the Irrawaddy, Salween, Mekong, and Yantze flow through parallel, narrow and steep gorges before they disperse to wend their separate ways to the sea.

The separating razor-back ridges are precipitous and possess great elevations, surpassing 20,000 feet in the north. Southward, the Himalayan elevations decrease first to 11,000 feet and finally to 9,000 feet and lower before giving way to the older block system of the Yunnan plateau. In the extreme north the higher ridges are capped with continual snow and ice and glaciers are common. In this region the boundary, for the most part, follows the prominent divide separating the Irrawaddy and Salween rivers, the main ridge of which is situated a mere 10 miles to the west of the latter river. Flat land suitable for cultivation is virtually non-existent.

As is true of most of southeast Asia, the seasonal passage of the monsoons dominate the climate of the northern borderlands. The southwestern, or wet, monsoon brings most of the annual precipitation during the period from June through September. The north - south trend of the great ridges and valleys deflects the southwest - northeast course of the monsoonal winds to one parallel to the general mountain alignment. Heavy precipitation falls on the western valleys, but it decreases markedly to the east. For example, the Irrawaddy valley receives more than the Salween which, in turn, is wetter than the Mekong. In addition, precipitation decreases with increasing latitude until, at approximately 28° North, it virtually ceases and desert-like conditions prevail. The higher mountainous slopes, however, receive considerable precipitation, most in the form of snow in the winter. For most of the region, the permanent snow-line is normally situated near 16,000 feet. Since many of the passes are located at elevations only slightly below this line, they are closed by snow for about one-third to one-half of the year.

The topography of the southern borderlands is more complex; elevations are lower and no sharp alignment pattern of ridges exists. Small basins and larger valleys provide more suitable locations for human settlement. Their presence is in sharp contrast to the forbidding northern terrain. Although the region is usually described as a plateau, the highly developed drainage pattern has cut the surface into a pattern of seemingly isolated ridges and random upland blocks. While the valleys are deep they do not reach the proportions of the gorges of the north. Further to the south, near the border of Laos, the basins and valleys become more pronounced and the "mountain" aspect of the relief is even more subdued.

Climate is similar to the northern borderland by virtue of the dominating monsoons. However, rainfall is much higher and snowfall due to lower elevations and latitude, decreases to zero. Furthermore, the monsoon commences a month earlier and remains a month longer. The average annual precipitation totals approximately 100 or more inches on the exposed slopes, and elsewhere is over 50 inches. Temperatures are in the subtropical range with winter minimums over freezing and summer maximums in the 80's.

The vegetation pattern for the border area is universally one of dense forest cover. In the north, the higher elevations and latitude combine to produce pronounced vertical striation of forests. In the lower valleys and on the mountain slopes to about 2,500 feet, vegetation is a typical tropical rain forest. Above this elevation, lower temperatures result in a temperate, mixed evergreen forest of oak, laurel, rhododendron, and chestnut, etc. Above

10,000 feet, and extending to the snow line, the forest is essentially composed of conifers. At the lower elevations a true forest exists. After several thousand feet, however, the trees become dwarfed and a coniferous, alpine scrub takes over. In the southern lands, vegetation, like the topography, is more complex. The basic cover at lower elevations is the tropical rain forest. However, the presence of a greater number of inhabitants has resulted in a certain amount of modification. In practicing their traditional "slash and burn" type of agriculture the natives have removed much of the original forest cover. While the abandoned plots eventually revert to forest, the original vegetation cover does not return. Rather a second growth, scrub forest, lacking the valuable hardwoods of the rain forest, tends to dominate. As in the north, temperate forests are situated on the middle and upper slopes. Bamboo clumps grow as a dense undergrowth in many of the valleys and in cleared areas on the slopes.

B. Socio-economic

The decided physical difference between the northern and southern borderlands seen in the physical environment is mirrored in the economic and ethnographic situations.

The northern sector, as a consequence of its physical environment, is very lightly inhabited. The major concentrations of peoples are in the valleys, which in the vicinity of the frontier offer little flat land for agriculture, while the sharp and high ridges are lightly inhabited. There is also a great diversity among the peoples. In the extreme north, Tibetan tribes are found almost exclusively. Further to the south, the mountains are occupied by Kachin, Lisu, and Lu-Tzu tribes (the latter are found only in a restricted area around the Taron valley). The Kachins are, by far, the most numerous and occupy the greatest territorial expanse. North of the Taron they have settled on the border itself. South of the Taron, they have been displaced by the Lisu. All three of these peoples are of Tibeto - Burman stock.

The Kachin peoples are bound together by a common language in the dialect of the Chingpaw tribal group. However, there is great diversity in their stages of development and political cohesion. Nevertheless, the Kachins have in the past shown a great capacity for resistance to Chinese and Burmese influences. Normally, the Kachin village is situated on a commanding slope and composed, on the average, of 50 or more long houses with several families inhabiting each one. Like most tribal people in southeast Asia, they practice "slash and burn," migratory agriculture. The fields are burned during the dry season and remain fallow until the beginning of the rains. Crops are then planted with the residual ash from the forest serving as the sole fertilizer. This type of agriculture represents a crude exploitation of the soil and fertility declines rapidly. Fields are normally abandoned after three years and village sites after 10 years. The plots revert to a tropical scrub forest or to bamboo thickets.

The southern borderlands, in contrast, have a greater density of population and a higher state of economic development. The wider valleys and more extensive basins have been settled by ethnic Tai.

These peoples have established an intensive sedentary system of agriculture based upon paddy rice. The chief Tai groups are the Shan and the Tai Lu and they have settled in the basins and the valleys of the major rivers: the Taping, Namwan, Shweli, Salween, Nan-ting, Nam Hka, Man-lu, and Mekong. Tai villages are usually small and are surrounded by the rice paddies of the lowlands or terraced hills and lower slopes.

The upland areas of the southern borderlands have been occupied by Kachin and Lisu in the north and Wa, Lolo and Akha in the south and east. Other smaller groups are also found dispersed among the larger ethnic communities. Their land use patterns are essentially the same as the Kachin and Lisu of the north.

A small Chinese minority, which exists in the larger trading centers, forms the bulk of the trading class.

Transportation in the frontier area is not highly developed. The major road, built during World War II, extends from Mandalay northeast-ward via Lashio to the valley of the Shweli which carries the route to Wan-t'ing in Yunnan. A secondary route, the Stilwell or Ledo Road, joined this "Burma Road" with India, via Bhamo and Myitkyina, after the fall of southern Burma. These roads, however, have not been maintained, and their present utility is doubtful.

A railroad grade was also established, at least in part, from Lashio to Man-k'a in Yunnan with the intention of joining to the rail system at Kunming. No work has been done on this project in years.

Elsewhere secondary roads or trails lead up to the border. Fair-weather roads cross the frontier west of Myitkyina, near Bhamo, at Man-k'a. and in the south at Mongkai. The amount of commerce using these routes, however, is very limited. The transfer of the Hpimaw region to China, as a result of the 1960 treaty, may have considerable significance. The district is separated from the Irrawaddy valley by a pass which appears to be snow free during the entire year. This route may attain a greater importance as a result of the extensive Chinese road building program in Yunnan.

C. Historical

The boundary area has been like most frontier areas in southeast Asia, peripheral to the historical developments of the two central states. The riverine cultures of the Burmese and Chinese were centered on the alluvial lands of the major rivers to the west and east of the frontier. The immediate area of the boundary has been, in fact, occupied by peoples of alien cultures. During most of their history, the Burmese and Chinese peoples were content to maintain these regions as buffers between the states. National policy was based on non-interference in the affairs of the tribal peoples while exercising only nominally suzerainty.

British occupation of Burma, however, slowly brought a change to this policy. The British,

in extending their control over Upper Burma, provided for superintendents to aid the local leaders in their administration. The process advanced slowly due to the resistance of the local tribes and was not completely accomplished until the 1930s. Even then, however, the British permitted the chiefs a great deal of latitude in local administration. In fact, in the northern Kachin areas little positive action was actually accomplished before the war.

Historically, the Chinese have always treated non-Han tribal groups along the frontiers as vassals under Han suzerainty. Equivalents to the British superintendents had been appointed for several centuries to assure at least nominal Chinese control. During the last several centuries, however, the central government had not been able to exercise effective control due, in part, to the unsettled conditions in the state itself. As Chinese influence waned and British administrative control was extended, strong diplomatic pressures were exerted to replace the buffer zone by a definite international boundary.

D. Political

In the latter part of the 19th century, Britain and Manchu China negotiated several treaties to delimit the common boundary. South of the "high conical peak" (i.e., 25°35' N.) to the Mekong, the two powers were in accord, with the exception of the Wa states. No agreement, however, could be reached for a northern boundary along or near the Salween - Irrawaddy divide. After the fall of the Imperial government, the newly-created Republic of China re-examined the Sino - Burmese frontier (among others). Protracted negotiations with the British in the 1930s lead to the final delimitation of the Wa states boundary in 1941. Again, no solution could be found for the northern boundary. China made extensive claims for all of present-day Burma north of a line extending from Myitkyina almost due west to the Indian boundary.

The communists, with their accession to power in Mainland China, continued these claims to northern Burma with certain limitations. They also repudiated the 1941 agreement on the Wa states. Newly independent Burma resisted these extensive claims as firmly as had the British administrators.

The forbidding terrain, combined with geographic isolation, made this northern Burma territory a veritable No-man's Land, or as the British botanist-explorer F. K. Ward called it, "an Any-man's Land." Chinese claims were based upon political ties dating back to the Ming dynasty in the 16th century. At this time, the Emperor Wan-li dispatched an expedition to the territory. By 1580, Chinese control presumably extended to the Hkamti plain (Putao) as a consequence of Chinese expansion from northwestern Yunnan. However, Chinese control thereafter was limited and almost indifferent.

The Burmese claim was similarly based upon historical periods of administration as well as the modern incorporation of the territory into the Union as a consequence of independence.

Sino - Burmese conversations on the border problem began in 1954. In 1956, while on a

visit to China, the Burmese premier suggested that the two states accept the boundaries in effect at the time of Burmese independence (1948). The communist regime, after a brief period, countered with the suggestion that a) the "traditional line" including the portion of the McMahon line in the north be accepted, b) the Namwan lease be abrogated, c) the 1941 line be validated, and d) Hpimaw, Gawlam, and Kangfang villages be returned to China. The Burmese Government took the offer seriously and even discussed the proposed territorial transfer with leaders of the Kachin State. The border problem had become increasingly troublesome as a result of military operations by Nationalist Chinese troops. These troops, cut off from the main force of the Republic after its evacuation to Taiwan, had crossed over the boundary and established bases of operations in Burma (as well as in Laos). Frequent incursions into Burma by communist Chinese troops followed.

In spite of the initial favorable reaction of Burma, the border settlement did not attain a successful conclusion until 1960. By the provisions of the newly-negotiated treaties, 132 square miles of Burmese territory was transferred to China (59 miles at Hpimaw and 73 miles at Panglao-Panghung) while Burma gained full title to the 85 square miles of the Namwan leased territory. The precise timing of the treaty appears to be related to the difficulties the Chinese communist regime were having maintaining a good image in Asia. The Sino - Burmese treaty was followed shortly by a Sino - Nepali boundary treaty and still later by additional ones with Pakistan and Afghanistan. These, when combined with the established boundaries with Vietnam and Cambodia, leave only the Indian boundary in dispute along China's southern borderlands.

III. ANALYSIS OF BOUNDARY ALIGNMENT

The delimitation of the Sino - Burmese treaty of October 1, 1960 is appended. The text provides a complete description of the boundary from the high conical peak northward in Article VII, section 1, while the southern sector is covered in section 2 of the same article. As a consequence, a detailed analysis of the boundary alignment need not be included here.

IV. TREATIES

The following treaties and other international acts have served to delimit the Burma - China boundary:

A. Peking Convention on Burmah and Thibet signed on July 24, 1886 with ratifications exchanged on August 25, 1887. (BFSP 77:80)

The convention recognized British protection over Burma as it became a part of the Indian Empire. Article III, dealing with Burma's boundaries was to be "given effect later".

B. London Convention signed March 1, 1894 with ratifications exchanged on August

23, 1894. (IBID., 87:1311)

Articles I through III delimited the frontier in the southern borderland leaving the portion north of 25°35' North "to be settled ulteriorly." By the terms of the treaty, China acquired a) northern Theinni, b) Kokang, c) Munglem, and d) Kiang Hung. In turn, Britain obtained the prefecture of Yung Chang and the sub-prefecture of Teng Yuen previously claimed by China.

C. Peking Agreement signed February 4, 1897 with ratifications exchanged June 5, 1897. (ibid., 89:25).

The London Convention was modified considerably by Articles III which redefined the boundary south of the "high conical peak", i.e., 25° 35' North. The new delimitation essentially created the southern border as it existed for the next 63 years. One exception, the Wa states' boundary was dealt with later. The 1897 Agreement also served as the basis for the recent delimitation.

Article II granted Britain a perpetual lease to the Namwan Assigned Tract. As in the earlier treaty, no alignment north of the high conical peak could be agreed upon and it was left to "future determination".

Between November 1897 and May 1900, a joint Sino - British boundary commission demarcated the border from the conical peak south to the Nanting River (23°30' N.) and from the Nam Hka (22°10' N.) to the Mekong. No agreement could be reached on the intervening Wa states' segment.

D. Simla conference embodied the work of the Anglo - Tibetan Agreement (Exchange of Notes) signed on February 1, 1914 with ratifications exchanged on March 25, 1914. (Note: These are contained in certain editions of Aitcheson, A Collection of Treaties, Engagements and Sanads ..., 5th ed., XIV, pp. 34 - 35.)

In negotiating a boundary between British India and Tibet, the line was drawn to include Burma as far east as the Isu Razi pass, south of the Taron River near the Irrawaddy - Salween watershed.

The lack of recognition of this agreement, of course, formed the basis for part of the Sino - Indian boundary dispute as well as the Sino - Burmese. The boundary as established has become known as the McMahon Line.

E. Chungking Agreement (Exchange of Notes) dated June 18, 1941.

From December 1, 1935 until April 24, 1937, a Sino - British boundary commission endeavored to delimit the boundary of the Wa states. The work of the commission, which has not initially been satisfactory to the Chinese authorities, was finally accepted by the 1941 Agreement. Later governments were to repudiate the agreement but it nevertheless

formed a part of the 1960 delimitation treaty. A joint committee, to demarcate the boundary, could not accomplish its task due to the war.

F. Agreement...on the Question of the Boundary... signed on January 28, 1960 (Rangoon FSD 394, February 3, 1960)

The treaty established a mixed Sino - Burmese commission to conduct surveys of the boundary, to set up markers and to draft a formal boundary treaty. Certain fundamentals were agreed to in advance:

- a) the northern boundary would follow the traditional line;
- b) the villages of Hpimaw, Gawlum, and Kangfang would be Chinese;
- c) the Namwan lease would be abrogated and the tract would be Burmese;
- d) the Panhung-Panlao tribal area would be exchanged; and
- e) with the exception of d, the 1941 boundary in the Wa states would be accepted.

G. Boundary Treaty between the People's Republic of China and the Union of Burma, signed on October 1, 1960 (Hong Kong No. 636, Oct. 12, 1960)

This treaty, resulting from the agreement earlier in 1960, completely delimits the Burma - China frontier. The territories exchanged (see Map No. 2) included Hpimaw-Gawlum-Kangfang (59 square miles) to China, the Namwan Assigned Tract (85 square miles) to Burma and the Panhung-Panlao tribal area (73 square miles) to China. It defines the remainder of the boundary in very great detail (see Appendix).

Article 10 provided for the continuation of the Joint Boundary Commission to survey and demarcate the boundary and to prepare a final protocol with maps showing the boundary will all demarcation pillars. The above-mentioned protocol, upon being concluded by the governments of the two countries, shall become an annex to the present treaty and the detailed maps shall replace the maps attached to the present treaty."

H. Protocol between the Government of the People's Republic of China and the Government of the Union of Burma relating to the boundary between the two countries, signed on October 13, 1961.

The complete text of the protocol and the large-scale maps have not yet been made available to the public. However, the great detail of the treaty description, when combined with older and available maps, permit an accurate construction of the new boundary.

V. SUMMARY

The 1960 and 1961 agreements remove the causes of boundary friction between Burma and the Communist regime on the Chinese mainland. They do not eliminate the dispute between Burma and the Republic of China which is recognized by the United States as the legitimate Government of China. As a consequence the Sino - Burmese may be considered as an accepted international boundary, i.e., one delimited and undisputed, in the defacto sense and so shown on official United States maps. However, in view of the U.S. recognition of the Republic of China, all official maps should bear the standard disclaimer that the "representation of boundaries is not necessarily authoritative."

Until the boundary maps become available to the public, the alignment may be determined from the delimitation descriptions annexed, the two changes shown on map No. 2, and existing British and Burmese published maps.

The Sino - Burmese treaties did not resolve the problem of the Sino - Indian - Burmese tripoint. Chinese claims to most of the Northeast Frontier Agency of India would place the tripoint much further south than the point claimed by India. The Treaty (1960) is vague, defining the boundary only as "passing through Gamlang La to the western extremity of the Burmese Indian boundary." There are strong hints, however, that the Protocol carries the Diphu La as the tripoint. This pass has been mentioned many times as a point on the McMahon Line as well as being on the Burmese - Indian border. Hence, according to this reasoning, the pass would be the Sino - Indian - Burmese tripoint. However, modern maps locate the Diphu La south of the Di Chhu - La Te watershed, i.e., the McMahon Line according to Indian claims. The problem appears to stem from inaccurate plotting of the Diphu Pass on earlier maps; it is quite impossible for the pass to be situated where it is shown and to be on the watershed. Since the United States has accepted the validity of the McMahon Line, in principle if not in detail, the Diphu Pass should not be identified as the tripoint.

APPENDIX

NOTE: This Appendix consists of twelve articles reflecting the agreement of the President of the Union of Burma and the Chairman of the so-called People's Republic of China in establishing the boundary between these countries.

ARTICLE I

In accordance with the principle of respect of sovereignty and territorial integrity and in the spirit of friendship and mutual accommodation, the Union of Burma agrees to return to China the area of Hpimaw, Gawlum, and Kangfang (measuring about 153 square kilometres, 59 square miles, and as indicated in the attached map) which belongs to China and the People's Republic of China agrees to delimit the section of the boundary from the junction of the Nam Hpa and the Nam Ting Rivers to the junction of the Nam Hka and the Nam Yung Rivers, in accordance with the notes exchanged between the Chinese and the British Governments on June 18, 1941, with the exception of the adjustments provided for in Article II and III of the present Treaty.

ARTICLE II

In view of the relations of equality and friendship between Burma and China, the two Parties decide to abrogate the "perpetual lease" by Burma of the Meng-Mao Triangular area (Namwan Assigned Tract) which belongs to China. Taking into account the practical needs of the Burmese side, the Chinese side agrees to turn over this area (measuring about 220 square kilometers, 85 square miles, and as indicated in the attached map) to Burma to become part of the territory of the Union of Burma. In exchange, and having regard for historical ties and the integrity of the tribes, the Burmese side agrees to turn over to China to become part of Chinese territory the areas (measuring about 189 square kilometres, 73 square miles, and as indicated in the attached map) under the jurisdiction of the Panhung and Panlao tribes, which belong to Burma according to the provision in the notes exchanged between the Chinese and the British Governments on June 18, 1941.

ARTICLE III

For the convenience of administration by each side and having regard for the intra-tribal relationship and production and livelihood needs of the local inhabitants, the two parties agree to make fair and reasonable adjustments to a small section of the boundary line as defined in the notes exchanged between the Chinese and the British Governments on June 18, 1941, by including in China Yawng Hok and Lungnai Villages and including in Burma Umhpa, Pan Kung, Pan Nawng and Pan Wai Villages, so that these boundary-line intersected villages will no longer be intersected by the boundary line.

ARTICLE IV

The Chinese Government, in line with its consistent policy of opposing foreign prerogatives and respecting the sovereignty of other countries, renounces China's right of participation in mining enterprises at Lufang of Burma as provided in the notes exchanged between the Chinese and the British Governments on June 18, 1941.

ARTICLE V

The Contracting Parties agree that the section of the boundary from the High Conical Peak to the western extremity of the Burmese - Chinese boundary, with the exception of the area of Hpimaw, Gawlum and Kangfang, shall be fixed along the traditional customary line, i.e., from the High Conical Peak northwards along the watershed between the Taping, the Shweli and the Nu Rivers and the section of the Tulung (Taron) River above Western Chingdam Village on the one hand and the Nmai Hka River on the other, to a point on the south bank of the Tulung (Taron) River west of Western Chingdam Village, thence across the Tulung (Taron) River and then further along the watershed between the section of the Tulung (Taron) River above Western Chingdam Village and the Tsayul River on the one hand and all the upper tributaries of the Irrawaddy River excluding the section of the Tulung (Taron) River above Western Chingdam Village on the other, to the Western extremity of the Burmese - Chinese boundary.

ARTICLE VI

The Contracting Parties affirm that the two sections of the boundary from the High Conical Peak to the junction of the Nam Hpa and the Nam Ting Rivers and from the junction of the Nam Hka and the Nam Yung Rivers to the south eastern extremity of the Burmese - Chinese boundary at the junction of the Nam La and the Lanchang (Mekong) Rivers were already delimited in the past and require no change, the Boundary being as delineated in the maps attached to the present Treaty.

ARTICLE VII

1. In accordance with the provisions of Article I and V of the present Treaty, the alignment of the section of the boundary line from the High Conical Peak to the western extremity of the Burmese - Chinese boundary shall be as follows:

- (1) From the High Conical Peak (Mu Lang Pum, Manang Pum) the line runs northwards, then southwards and then northeastwards along the watershed between the Taping River (Ta Ying Chiang), the Lung Chuan Chiang (Shweli) and the Nu (Salween) Rivers on the one hand and the Nmai Hka River on the other, passing through Shuei Cheng (Machyi) Pass, Panwa Pass, Tasamin Shan, Hpare (Yemawlaunggu Hkyet) Pass and Chitsu (Lagwi) Pass to the source of the Chu-lta Ho (Chu-lho Ta Ho).

(2) From the source of the Chu-lta Ho (Chu-lho Ta Ho) the line runs northwestwards along the Chu-lta Ho (Chu-lho Ta Ho) to its junction with its tributary flowing in from the north, thence northwards along this tributary to a point on the watershed between the tributaries of the Hpimaw (Htang Kyam Kyaung) River on the one hand and the Wang Ke (Moku Kyaung) River and its tributary, the Chu-lta Ho (Chu-lho Ta Ho) on the other, thence westwards along this watershed, passing through Macu Lo Waddy (Height 2423 metres, 7950 feet), thence northwards till it crosses the Hpimaw (Htang Kyam Kyaung) River west of Hpimaw Village: thence northwards along the ridge, passing through Luksang Bum and crossing the Gan (Kang Hao) River to reach the Wuchung (Wasok Kyaung) River thence westwards along the Wuchung (Wasok Kyaung) River to its junction with the Hsiao Chiang (Ngawchang Hka) River: thence northwards up the Hsiao Chiang (Ngawchang Hka) River to its junction with the Ta Hpawte (Hpawte Kyaung) River. Thence the line runs north of Kangfang Village generally eastwards and then southeastwards along the watershed between the Hsao Hpawte (Hpawshi Kyaung) River and the Wuchung (Wasok Kyaung) River on the one hand and the Ta Hpawte (Hpawte Kyaung) River on the other to a point on the watershed between the Nu (Salween) and the Nmai Hka Rivers.

(3) From the above mentioned point on the watershed between the Nu (Salween) and the Nmai Hka Rivers, the line runs generally northwards along the watershed between the Nu (Salween) River and the section of the Tulung (Taron) River above Western Chingdam Village on the one hand and the Nmai Hka River on the other passing through Kia Ngo Tu (Sajyang) Pass, Sala Pass, Ming Ke (Nahke) Pass, Nichi U (Gigi Thara) Pass, Kawchi Thara Pass, Jongjit L'Ka, Hkora Razi to Tusehpong Razi (3289 metres, 10833 feet).

(4) From Tusehpong Razi, the line runs generally northwestwards along the ridge, passing through height 2892 meters and height 2140.3 metres, to a point on the south bank of the Tulung (Taron) River to its junction with its tributary on its northern bank, and thence northwestwards along the ridge to Kundam Razi (Lung Awng Hpong, 3623 metres, 11888 feet).

(5) From Kundam Razi (Lung Awng Hpong) the line runs generally northwards and northwestwards along the watershed between the section of the Tulung (Taron) River above Western Chingdam Village on the one hand, and the upper tributaries of the Irrawaddy River (excluding the section of the Tulung (Taron) River above Western Chingdam Village) on the other passing through Thala Pass, Sungya (Amansan) L'ka to Yulang Pass.

(6) From Yulang Pass the line runs generally southwestwards along the watershed between the Tsayul (Zayul) River on the one hand and the upper tributaries of the Irrawaddy River on the other, passing through Gamlang L'Ka to the western extremity of the Burmese - Chinese boundary.

2. In accordance with the provisions of Article I, II, III, and VI of the present Treaty, the alignment of the section of the boundary line from the High Conical Peak to the southeastern extremity of the Burmese - Chinese boundary shall be as follows.

(1) From the High Conical Peak, the line runs generally southwestwards along the watershed between the upper tributaries of the Taping River, the Mong Ka Hka and the upper tributaries of the Ta Pa Chiang (Tabak Hka) Rivers on the one hand and the lower tributaries of the Nmai Hka River on the other, passing through Ta Ka Kou (Lunghkyen Hkyet) and thence northwestwards to Hsiao Chueh Pass (Tabak-Hku Hkyet).

(2) From Hsiao Chueh Pass (Tabak-Hku Hkyet) the line runs down the Ta Pa Chiang (Tabak Hka), the Mong Ka Hka and up the Shih Tzu (Pankoi Hka) River the upper stretch of which is known as the Hkatong Hka River to its source.

(3) From the source of the Shih Tzu (Paknoi Hka) River the line runs southwestwards and then westwards along the watershed between the Mong Lai Hka on the one hand and the Pajao Hka, the Ma Li Ka River and the Nan Shan (Namsang Hka) River on the other to the source of the Laisa Stream.

(4) From the source of the Laisa Stream, the line runs down the Laisa Stream and up the Mu Lei Chiang (Molechaung) and the Gayang Hka (Cheyang Hka), passing through Map Po Tzu (A-Law-Hkyet), and then runs southwards down the Nan Pen Chiang (Nampaung Hka) to its junction with the Taping River: thence eastwards up the Taping River to the point where the Taping River meets a small ridge west of the junction of the Kuli Hka Stream with the Taping River.

(5) From the point where the Taping River meets the above mentioned small ridge, the line runs along the watershed between the Kuli Hka Stream, the Husa (Namsa Hka) River and the tributaries of the Namwan River on the one hand and the tributaries of the Taping River west of the Kuli Hka Stream on the other, up to Pang Chien Shan (Pan Teng Shan).

(6) From Pang Chien Shan (Pan Teng Shan), the line runs southwards to join the Kindit Hka, then down the Kindit Hka and the Nam Wa Hka (Pang Ling River) to a point on the south bank of the Nam Wa Hka (Pang Ling River) southeast Man Yung Hai Village and north of Nawang Sa Village thence in a straight line southwestwards and then southwards to the Nam Sah (Manting Hka) River then it runs down the course of the Nam Sah (Manting Kha) River as at the time when the boundary was demarcated in the past to its junction with the Namwan River, thence down the course of the Namwan River as it was at that time to its junction with the course of the Shweli River as it was at that time.

(7) From the junction of the course of the Namwan River and the Shweli River as at the time when the boundary was demarcated in the past to the junction of the

Shweli and the Wanting (Nam Yang) Rivers, the location of the line shall be as delineated on the maps attached to the present Treaty. Thence the line runs up the course of the Wanting (Nam Yang) River as at the time when the boundary was demarcated in the past and the (Weishang Hka), then turns northwestwards along a tributary of the Nam Che Hka (Nam Hse) River to its junction with the Nam Che Hka (Nam Hse) River, thence eastwards up the Nam Che Hka (Nam Hse) River, passing through Ching Shu Pass, and thence along the Monglong Hka and the original course of Mong Ko (Nam Ko) River as at the time when the boundary was demarcated in the past, thence up the Nam Hkai and the Nam Pang Wa Rivers, passing through a pass, and then along the Man Hsing (Nam Hpawn) River (whose upper stretch is known as the Nam Tep (Nam Lep) River to its junction with the Nu (Salween) River, thence eastwards up the Nu (Salween) River to its junction with the Ti Kai Kou (Nan Men) Stream.

(8) From the junction of the Nu (Salween) River with the Ti Kai Kou (Nan Men) Stream, the line runs southwards along the Ti Kai Kou (Nan Men) Stream, then southwards along the watershed between the Meng Peng Ho the upper stretch of the Nam Peng River on the one hand and the tributaries of the Nu (Salween) River on the other up to Pao Lou Shan.

(9) From Pao Lou Shan, the line runs southeastwards along the Wayao Kou Stream, the ridge south of the Mai Ti (Mai Ti Ho) River, the Pan Chiao Ho and the Hsiao Lu Chang (Hsin Chai Kou) Stream up to the source above stream to the junction of the Nam Hpa and the Nam Ting Rivers, the location of the line shall be as delineated on the maps attached to the present Treaty. The line then runs eastwards for about four kilometres (about three miles) up the Nam Ting River and thence southeastwards along the northwest slope of Kummuta Shan (Loi Hseng) to the top of Kummuta Shan (Loi Sheng).

(10) From the top of Kummuta Shan (Loi Hseng) the line runs southeastwards along a tributary of the Kung Meng Ho (Nam Loi Hsa) River to its junction with another tributary flowing in from the southeast: thence the latter tributary to a point northwest of Maklawt (Ma Law) Village. Thence, the line runs in a straight line to a point southwest of Maklawt (Ma Law) Village, and again in a straight line crosses a tributary of the Yun Hsing (Nam Tap) River to Shien Jen Shan, located east of the junction of the above mentioned tributary with another tributary of the Yun Hsing (Nam Tap) River, thence along the watershed between the above two tributaries of the Yun Hsing (Nam Tap) to the source of the one to the west and then turn westwards and southwest along the Mong Ling Shan ridge, up to the top of Mong Ling Shan. Thence it runs eastwards and southeastwards along the Nam Pan River to its junction with a tributary northeast of Yakaw Chai (Ya Kou Sai) Village, which flows in from the southwest: thence in a southwesterly direction up that tributary to a point northeast of Yakaw Chai (Ya Kou Sai) Village, from where it turns southwards passing through a point east of Yakaw Chai (Ya Kou Sai) Village, and crosses a tributary of the Nam Pan River south of Yakaw Chai (Ya Kou Sai) Village, thence

towards to the source of the Nam It River a little east of Chao Pao (Taklyet No) Village. Thence the line runs southwards along the Nam It and the Nam Mu Rivers, and then turns eastwards along the Nam Kunglong and the Chawk Hkrak Rivers to the northeast source of the Chawk Hkrak River.

(11) From the northeast source of the Chawk Hkrak River, the line runs southwards and eastwards along the watershed between the upper tributaries of the Nam Kunglong River on the one hand and the southern tributaries of the Chawk Hkrak river and the Nan Tin (Nam Htung) River on the other, to a point on the west side of Umhpa Village. Thence it runs eastwards pass a point 100 metres north of Umhpa Village, and then eastwards up to the source of a small river, on the above mentioned watershed, then along the ridge eastwards to the source of a tributary of the Mongtum (Nam Tum) River (the upper stretch of which is called the Tatung River), which it follows in an easterly and northeasterly direction to its junction with another tributary of the Mongtu (Nam Tum) River following it from the southeast: thence it follows this tributary to its source on the watershed between the Mongtum (Nam Tung) and the Lung Ta Hsiao Ho (Nam Lawng) Rivers. It then crosses the watershed in an easterly direction to the source of the Lung Ta Hsiao Ho (Nam Lawng) River which it follows it its junction with its tributary flowing in from the north, thence in northerly direction along the above mentioned tributary passing through a point on the Kanpinau ridge, thence generally eastwards along a valley crossing the junction of two subtributaries of a tributary of the Lung Ta Hsiao Ho (Nam Lawng) River then northeastwards to the watershed between the Mongtum (Nam Tum) River on the one hand, and the Nam Ma River on the other, until it reaches height 1941.8 metres (6370 feet). Thence the line runs eastward, then southwards and then northwestwards along the watershed between the Mongtum (Nam Tum), the La Meng (Nam Meng Ho), the He (Hei Ho), the Ku Hsing Ho (Nam Hka Lam) and the Nam Hka Hkao (Nam Hsiang) Rivers on the one hand and the Nam Ma River on the other, up to a point on this watershed northwest of La Law Village.

(12) From the point on the above mentioned watershed northwest of La Law Village the line runs down the nearest tributary of the Nam Hka Hkao River and thence down the Nam Hka Hkao River to its junction with a tributary flowing in from the southwest. Thence the line runs generally southwestwards up that tributary to its source, which is northeast of and nearest to height 2180 metres (7152 feet) thence it crosses the ridge at a point 150 metres (492 feet) southeast of the above mentioned height and then turns southwards to the source of the nearest tributary of the Nam Lung (Nam Sak) River, rising at the above mentioned height. Thence it runs along this tributary to its junction with the Nam Lung (Nam Sak) River, from where it proceeds along the Nam Lung (Nam Sak), the Nam Hse and the Nam Hka Rivers to the junction of the Nam Hka and the Nam Yung Rivers, and thence up the Nam Yung Rivers, to its source.

(13) From the source of the Nam Yung River the line runs in southeasterly direction to the watershed between the Na Wu (Nam Wong) and the Nam Pai (Nam

Hpe) Rivers: thence generally eastwards along the above mentioned watershed and then eastwards along the Na Wu (Nam Wong) River, which it follows to its junction with the Nan Lai (Nam Lai) River, thence along the watershed between the Na Wu (Nam Wong) and the Nan Lai (Nam Lai) Rivers to the Ang Lang Shan (Loi Ang Lawng) ridge: thence northwards along the ridge to the top of Ang Lang Shan (Loi Ang Lawng, thence generally eastwards along the ridge, crosses the Nam Tung Chik (Nam Tonghkek) River and then follows the watershed between the tributaries on the west bank of the Nam Lei (Nam Lwe) River at the north of the La Ting (Hwe-Kye-Tai) River and the Nan La Ho a tributary of the Nam Ma River on the one hand and the tributaries of the west bank of the Nam Lei (Nam Lwe) River at the south of the La Ting (Hwe-Kye-Tai) River on the other, up to the top of Pang Shun Shan (Loi Pang Shun).

(14) From the top of Pang Shun Shan (Loi Pang Shun) the line runs generally eastwards along the La Ting-Hwe, Kye-Tai) River, the Nam Lei (Nam Lwe) River, the course of the Nan Lo (Nam Maw) Stream as at the time when the boundary was demarcated in the past, and the Nan Wo (Nambok) River to the source of the Nan Wo (Nambok) River at Nan Wo Kai Nan Shan (Loi Kwainang).

(15) From the source of the Nan Wo (Nambok) River at Nan Wo Kai Nai Shan (Loi Kwainang) the line runs generally eastwards along the watershed between the Nan La (Nam Lak) (a tributary of the Nam Lei (Nam Lwe)) River, the Nan Pai (Nam Hpe) and the Nan Hsi (Nam Haw) Rivers on the one hand and the Nan Ping (Nam Hpen), the Nan Mau (Nam Mawng) and the Nan Hsi Pang (Nam Hsi Pang) Rivers on the other, up to San Min Po (Loi Hsammong).

(16) From San Min Po (Loi Hsammong) the line runs in a general northeasterly direction to a point on the west bank of the Nam Lam River. Thence it descends the Nam Lam River to the foot of Chiu Na Shan (Kyu Nak) on the south bank of the Nam Lam River and then runs in a general southeasterly direction passing through the Hue Ling Lang (Hwe Mawk Hkio), La Ti (La Tip), Nan Meng Hao (Nammong Han) to Mai Niu Tung (Mai Nin Tawng);

(17) From Hsing Kang Lei Shan (Loi Makhinkawng) the line runs eastwards along the watershed between the Nam Nga River and its upper tributaries on the one hand and the Nam Loi River (including its tributary the Nam He River) on the other, to the top of Kwang Pien Nei Shan (Kweng Peknoi).

(18) From the top of Kwang Pien Nei Shan (Kwang Peknoi) the line runs generally northeastwards along the Hue Le (Nam Luk) River and the course of the Nam Nga River as at the time when the boundary was demarcated in the past, to the junction of the Nam Nga and the Lanchang (Mekong) Rivers: thence down the Lanchang (Mekong) River up to the southeastern extremity of the Burmese - Chinese boundary line at the junction of the Nam La and the Lanchang (Mekong) Rivers.

3. The alignment of the entire boundary line between the two countries described in this article and the location of the temporary boundary marks erected by both sides during joint survey are shown on the 1/250,000 maps indicating the entire boundary and on the 1/50,000 maps of certain areas which are attached to the present treaty.

ARTICLE VIII

The Contracting Parties agree that wherever the boundary follows a river, the mid-stream line shall be the boundary in the case of an unnavigable river, and the middle line of the main navigational channel (the deepest watercourse) shall be the boundary in the case of navigable river. In case the boundary of river changes its course, the boundary line between the two countries shall remain unchanged in the absence of other agreements between the two sides.

ARTICLE IX

The Contracting Parties agree that:

1. Upon the coming into force of the present Treaty, the Meng-Mao Triangular Area to be turned over to Burma under Article II of the Present Treaty shall become territory of the Union of Burma;
2. The area of the Hpimaw, Gawlum and Kangfang to be returned to China under Article I of the present Treaty and the areas under the jurisdiction of the Panhung and Panlao tribes to be turned over to China under Article II shall be handed over by the Burmese Government to the Chinese Government within four months after the present Treaty comes into force;
3. The areas to be adjusted under Article III of the present Treaty shall be handed over respectively by the Government of one Contracting Party to that of the other within four months after the present Treaty comes into force.

ARTICLE X

After the signing of the present Treaty, the Burmese - Chinese Joint Boundary Committee constituted in pursuance of the Agreement between the two countries of January 28, 1960, shall continue to carry out necessary surveys of the boundary line between the two countries, to set up new boundary markers and to examine, repair and remould old boundary markers, and shall then draft a protocol setting forth in detail the alignment of the entire boundary line and the location of all the boundary markers, with detailed maps attached showing the boundary line and the location of the boundary markers. The above-mentioned protocol, upon being concluded by the Governments of the two countries, shall become an annex to the present Treaty and the detailed maps shall replace the map attached to the present Treaty.

Upon the conclusion of the above-mentioned protocol, the tasks of the Chinese - Burmese Joint Boundary Committee shall be terminated and the Agreement between the two parties on the question of the boundary between the two countries as of January 28, 1960 shall cease to be in force.

ARTICLE XI

The Contracting Parties agree that any dispute concerning the boundary which may arise after the formal delimitations of the boundary between the two countries shall be settled by the two sides through friendly consultations.

ARTICLE XII

The present Treaty is subject to ratification and the instruments of ratification will be exchanged in Rangoon as soon as possible.

The present Treaty shall come into force on the day of the exchange of the instruments of ratification.