## CHINA'S BOUNDARY TREATIES AND FRONTIER DISPUTES

By LUKE T. CHANG, Ph.D.

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#### **PREFACE**

Ever since China began her relations with the Western Powers in the mid-nineteenth century, she has suffered enormous humiliation under the so-called unequal treaties. Peking's warlord government as well as the Nationalist and Communist regimes have been obsessed with the situation, as these treaties infringed upon Chinese sovereignty and territorial integrity.

In fact, the unequal treaties were paramount among the causes for the republican and communist revolutions. In 1943, the situation changed when the Nationalist government replaced former treaties by concluding some new and equal agreements with several Western Powers, but ironically, it had to sign a new, unequal treaty in 1945 with the Soviet Union as pre-arranged by the Yalta Agreements. When the Communists came to power in 1949, they had to accept the restrictions imposed by the 1945 treaty and several older treaties, especially those concerning the borderlands. This accounts for the present Peking Government's difficulties and disputes with Russia, and to a lesser extent, with India.

So far no acceptable definition of "unequal" treaty has been formulated. My concept is that any treaty between or among nations which strikes a deal not on equal footing in accordance with the principles of international law is an "unequal treaty." This covers all sorts of special positions, privileges, spheres of influence, and especially territories taken away by one nation from another.

That is why I consider that both the Nationalist Chinese Treaty of 1945 and the Communist Chinese Treaty of 1950 are "unequal treaties," although the terms of the latter instrument are somewhat improved. Evidently, common Marxist ideology and communist brotherhood do not help when national interest is involved.

My interest in the subject upon which the present volume focuses has grown out of years of

study and writing. In 1967, while in Taipei, I completed a book in Chinese on Treaty Relations Between China and Foreign Powers, covering the period of 1689-1945. Since coming to the United States in 1970, I have been engaged in research in order to write a sequel which would extend the period of the former work to the present.

This book is written from a Chinese perspective because I was born and reared in China. I deal with the treaty relations and frontier problems with Burma, Nepal, India, Pakistan, Afghanistan, Outer Mongolia and the Soviet Union. I avoid the question of Taiwan and Tibet because I consider them integral parts of China. I have striven to treat the subject dispassionately and present a fair and objective analysis.

Since the settlement of the land frontier disputes has been the major goal of Chinese foreign policy, I have concentrated on the problems relating to them and have omitted the maritime border issues such as Tiao Yu Tai, the Paracel Islands, or territorial water limits. These problems require a separate treatment.

I consider the communist ideological conflict superficial; national interest fundamental. In fact, the People's Republic of China and the Soviet Union started their disputes over territorial differences in 1954, two years before their ideological split. However strong for a time, ideology will eventually be subject to the forces of national interest or security under the present state system. Therefore, I have not made a special analysis of the Sino-Soviet ideological controversy in the midst of the frontier disputes. Michel Oksenberg was correct when he pointed out in his article, "The strategies of Peking," in the October, 1971 issue of Foreign Affairs that in the broadest terms, the goals of the Chinese foreign policy have remained the same in the past twenty-two years. "The leaders of China have searched for national security, for dignity and for the ability to make a contribution to world affairs . . . . Since the Chinese face military might deployed at their very doorstep,

they have made the quest for security fundamental." Chinese security is no doubt closely linked to their borderlands, especially with the Soviet Union.

After fifteen years (1954-1969) of bitter diplomatic bargaining, a major clash broke out on the Ussuri in 1969. Since then Chinese and Russians have attempted to settle boundary disputes through negotiations in Peking. But so far they have reached no solution; in fact numerous minor incidents have occurred including the most recent one on March 9, 1978 at Yue Ya Pao District, again near the Ussuri River. The entire situation because it is fluid poses a threat to international peace, and consequently, is worth studying and watching.

My present work will provide the historical and legal background of the Chinese boundary problems, particularly with India and the Soviet Union. The manuscript was completed during the years 1972-1974 while I was a visiting scholar at the University of California, Berkeley. It has been thoroughly up-dated recently. I am very much indebted to Professors Robert Scalapino, Diane Clemens, Hector H. Lee and Rudolf B. Schlesinger for their valuable observations and suggestions. Gratitude also goes to Clive Parry, Professor of Law, Cambridge University and Dr. Roy S. Lee, Senior Legal Officer, Office of Legal Affairs, United Nations.

Luke T. Chang

#### **FOREWORD**

The People's Republic of China and the Soviet Union share the longest land boundary in the world. Across this boundary line of 5,500 miles, the two powers since the 1950s have watched each other with hostile eyes. The hostility of their relations derives not only from ideological disputes and mutual accusations of deviationism, but - even more importantly, it would seem - from conflicting territorial claims. The Soviet - Chinese border thus is not only the longest, but also one of the most hotly disputed boundary lines in today's world.

The most serious ones of the boundary disputes that China has had, and in large part still has, with the Soviet Union and its other neighbors (such as India), are rooted in the determination of the Chinese to undo the consequences of the humiliating "unequal treaties" forced upon them by more powerful nations, including Czarist Russia, during the 19th century. This determination is supported by all Chinese - on the mainland, in Taiwan, and elsewhere - and indeed forms a strong bond of consensus among them.

Dr. Luke T. Chang, as a native of China and a former Chinese Diplomat, probably shares the emotions which the memory of the "unequal treaties" engenders in every person of Chinese origin. Nevertheless, he has managed in this book to examine the history and the legal aspects of China's boundary disputes with scholarly detachment as well as admirable thoroughness. In addition to furnishing a clear exposition and analysis of the subject, he acquaints us with the crucial source materials, many of which until now have not been easily accessible for the English-speaking reader.

Will China and the Soviet Union settle their differences in the foreseeable future? This, no doubt, is one of the truly fateful questions facing policy-makers in the western world today.

Before an answer, or even an informed guess, can be ventured, one has to acquaint oneself with the issues involved in the Soviet-Chinese differences. As the boundary disputes constitute the most important of those issues, the data collected and presented by Dr. Chang form the necessary starting point for any prediction as to the future relations between China and the Soviet Union. Dr. Chang thus has a claim to the gratitude not only of historians and students of international law, but also of those whose academic or political endeavors are devoted to the formulation of foreign policy.

> Rudolf B. Schlesinger Professor of Law. University of California, Hastings College of the Law (William Nelson Cromwell Professor of International and Comparative Law Emeritus, Cornell University School of Law)

### CHAPTER I

### Chapter I INTRODUCTION

The problem of international boundaries is closely related to modern nationalism. It is a product of nation-state systems. Lord Curzon observed at the turn of this century: "the idea of a demarcated frontier is itself an essentially modern conception, and finds little or no place in the ancient world." But, with the nation-states, he went on to point out that

Frontiers are the chief anxiety of nearly every Foreign Office in the civilised world, and are the subject of four out of every five political treaties or conventions that are concluded.... Frontier policy is of the first practical importance, and has a more profound effect upon the peace or warfare of nations than any other factor, political or economic.<sup>1</sup>

In Europe the nineteenth century was an era of search for rigid and delimited boundaries—a move to transform frontiers into border provinces. This transformation was more or less successful in integrating frontiers with the rest of the nation. So it was also in the United States. The common form to reach this goal was war or threat of war; the United States' purchases of Alaska and Louisiana through treaties are exceptions.

In this century, with the defeat of Germany in 1945, and through more than ten years of cold war, a political and territorial line of demarcation was practically established in Europe by 1960. This is what Winston Churchill first dubbed the "Iron Curtain," separating the western limits and sphere of the Soviet empire from those of the Western alliance under the hegemony of the United States. Of course, Churchill's famous coinage referred more to the

Communist and non-Communist demarcation than the national boundaries per se. The development of the existing political line-up, however, of the Soviet Empire as contrasted to the Western free world is worth noting.

In Asia, however, the process of major frontier demarcation still continues in a more fluid state than in Europe. What will be the outcome of the Korean peninsula, one or two Koreas? Where would be the final Indo-Pakistani border in Kashmir? Incidentally, many of the frontier and boundary problems of modern Asia derive from the disintegration of the colonial regimes, or as the Chinese communists say, they are "left over by imperialism."

In Asia, China is unique: no state has a longer land frontier than China and no state has become involved in more border problems over such a long The famous Great Wall, which runs from the Gulf of Chili in the Yellow Sea to the mountains on the edge of Tibet, was erected in ancient times to ward off the nomadic attacks from the north. For most of the long period of China's recorded history, the security of the Chinese state has been threatened often from what Owen Lattimore termed "the Inner Asian Frontier," including Sinkiang, Mongolia, and Manchuria. This fact remains quite true today. On the other hand, the Southeast Asian mainland posed no great danger to the integrity and security of the Chinese Empire. Nevertheless, one might speculate that the current controversy between China and Vietnam over the ethnic Chinese might develop into a major crisis; but it is not based on territorial claims.

China not only built the Great Wall but also developed a sort of "protectorate" system to insure her security. This system was quite similar to the protectorates of the European empires in the late nineteenth century. She had no design to integrate fully the frontier tracts into the empire, but the central government maintained a certain degree of control. These protectorate lands could be properly called "dependencies." Until the end of the

dynastic era, China exercised her influence in these areas in varying degrees and by different In territorial terms, one might name Tibet, Sinkiang, Mongolia, Manchuria, and Korea as "Inner Protectorates" in which China exerted more influence than in those "Outer Protectorates" such as Annam, Burma, Bhutan, Sikkim, Nepal, Ladakh, and Hunza.

The so-called tributary system further complicated the two-tier protectorate system. Traditionally, the Chinese had a special concept of foreign relations which saw China as the center of civilization or the "middle kingdom"; neighboring countries were barbarians and therefore were inferior to China. In their relations with the Chinese dynasty, they remained tributary states. possessed a sort of suzerainty over them. tributary states' relations with other countries were more or less restricted because of their ties with China. In turn, China exercised more control over those areas which would be a more direct threat to Chinese security, i.e., areas in the inner limits of the Chinese imperial frontier system.

For this reason, Chinese school children traditionally were taught that China possessed vast territories in Asia, much larger than she actually controlled in modern times. Writers in both the Kuomintang and now the Communist periods claimed that the tributary states or areas were Chinese territories lost to the modern imperialists. example, a well-known book, Chung-kuo chin-tai chien shih (A Short History of Modern China), edited by Liu P'ei-hua and first published in Peking in 1952 and reissued in 1954, contained a map depicting Chinese territorial rights as they existed in the nineteenth century. The editor included Nepal, Sikkim, Bhutan, and Assam on the Indian frontiers, Burma, the Andaman Islands, Malaya, Thailand, French Indochina, Taiwan and the Pescadores, the Sulu Archipelago of the Philippines, the Ryukyu Islands, and Korea. (See Appendix I, Map 15)

As far as Russia is concerned, the map indicates that the Czars took five regions: (a) the Great

Northwest, seized by Imperial Russia under the Treaty of Chuguchak [parts of present Soviet Kazakhstan, Kirghizia, and Tadzhikstan]; (b) Pamirs: secretly divided between England and Russia in 1896; (c) The Great Northeast: seized by Imperial Russia under the Treaty of Aigun, 1858; (d) the Great Northeast: seized by Imperial Russia under the Treaty of Peking, 1860; (e) Sakhalin: divided between Russia and Japan.

This map at first attracted little attention because its delineations were essentially similar to those which appeared on maps published during the Chinese Nationalist time. In 1925, for example, Hsieh Pin, a noted writer, even made more extensive claims in Chung-kuo sang-ti shih (A History of China's Lost Territories). But in 1960 when Nepalese students in Peking learned the contents of Liu P'ei-hua's book, they immediately drew the attention of their prime minister to it during his official visit. Later an Indian student, Ghanshyam Mehta who had obtained a copy of the book while in Peking, gave it wide publicity in India in 1962 when the Sino-Indian frontier war flared up. After this episode, the Peking authorities denied official responsibility for the sweeping territorial claims.

Such claims to all the vast areas which once paid tribute in one form or another to the Chinese dynasties have lacked official sanction, either in Kuomintang or Communist times. In fact, Peking has "regularized" a number of frontiers by concluding bilateral boundary treaties with those countries which the maps had shown as having been once part of China.

To be specific, since 1960 China has reached boundary accords with Burma, Nepal, Pakistan, Afghanistan, and Outer Mongolia. As the Peking government statement of May 24, 1969, put it:

Since the founding of the People's Republic of China, the Chinese Government has satisfactorily settled complicated boundary questions left over by

history and concluded boundary treaties with neighboring countries such as Burma, Nepal, Pakistan, the People's Republic of Mongolia, and Afghanistan, with the exception of the Soviet Union and India.... China has no territorial claims against any of her neighboring countries, and has not invaded or occupied a single inch of territory of any foreign country.4

Herein, one might immediately raise several questions: Why have Russia and India not settled their boundary questions with China? Why did China state that she did not invade any foreign territory when in 1962 she fought a war with India? Why did China assert that she had no territorial claims against any of her neighboring countries, when Mao Tse-tung in 1964 had told a group of visiting Japanese socialists that "China had not yet asked the Soviet Union for an accounting about Vladivostok, Khabarovsk, Kamchatka, and other regions east of Lake Baikal which became Russian territory about 100 years ago"? And finally, how did China reach her boundary treaties with Burma, Nepal, Afghanistan, Pakistan, and Outer Mongolia?

Attempts will be made in the following chapters to analyze and interpret these problems in the light of the most recent available sources, although in some cases very little documentation has been released by the parties concerned.

A word of caution should be added in this con-Some writers distinguish between the nection. terms boundary and frontier. A boundary is a clear division between nations which can be marked as a line on a map without setting up boundary posts or otherwise laying down the boundary on the ground by means of demarcation. On the other hand a frontier is a zone rather than a line. "It is a tract of territory separating the centers of two sovereignties which could be a very extensive area," Professor Alastair Lamb said. 5

Lamb further pointed out that the boundary disputes could be at the same time frontier disputes.

The Sino-Indian disputes, for example, concerns such a line through a frontier zone involving more than 50,000 square miles of territory. The current Sino-Soviet disputes reflect the similar condition, although there is no clear boundary line of contention. However, the news media often use these terms almost interchangeably.

With these points clarified, we may now proceed to the analysis of the current Chinese boundary problems. C.L. Sulzberger of the New York Times wrote in 1974, "When historians in the year 2000 look back on the final quarter of this century, they will see that it was the present Sino-Soviet relationship that shaped their world." If this prediction is true, then the Sino-Soviet frontier disputes must be one of the important factors in shaping the world history. So also will the Sino-Indian frontier disputes shape the relationships between India and China.

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## CHAPTER II

## Chapter II CHINESE BORDERLANDS UNDER THE NEW SINO-SOVIET TREATY COMPLEX OF 1950

Modern China has experienced two revolutions: one in 1911 with the establishment of the republic and another in 1949 when a communist regime came to power in Peking. One of the most important motivations in these revolutions was the recovering of national sovereignty and territorial integrity lost to the imperialist powers in the so-called unequal treaties. Dr. Sun Yat-sen, the founding father of the Chinese Republic long advocated the abrogation of such treaties during his revolutionary movement. When he failed in his lifetime, he admonished his followers to carry on the struggle in his testament in 1925. The Chinese communists signified their intention in 1949 to re-examine such treaties with foreign powers. They would either "recognize, abrogate, revise, or renegotiate them according to their respective contents."1

By this time most of the western powers had relinquished their special rights and privileges, having concluded with China new, equal treaties. As the Peking government noted, the problems left over by imperialism concerned residual anomalies such as were to be found in the frontier treaties imposed by Britain to settle the Sino-Burmese and Sino-Indian boundaries.

As far as the Soviet Union was concerned, it not only had inherited the longest frontier problem with China from the Czar's imperialism, but had also imposed on the Nationalist government a new unequal treaty in 1945. When Mao Tse-tung took control of China in 1949, his government remained bound by the the restrictions of this treaty. Idiologically Mao and Stalin were communist comrades, and one comrade theoretically should not exploit the other. Yet when they encountered each other in the Winter of 1949-50 in Moscow, Stalin did not follow the

teachings of Marxism in his negotiations with Mao. as may be inferred from the new Sino-Soviet Treaty of February 14, 1950.

#### 1. The New Sino-Soviet Treaty Relations

The year 1949 culminated the success of the Chinese communist revolution and also marked a new era for Sino-Soviet relations. After two months' negotiations by Stalin and Mao in person, they signed a new "Treaty of Friendship, Alliance and Mutual Assistance" and two other agreements as well. (February 14, 1950) On this occasion, the Soviet Foreign Minister, A.Y. Vishinsky declared that these instruments "based on respect for the principles of equality, state independence and national sovereignty, seal the historical bonds between the peoples of the Soviet Union and China." He further stated:

The Soviet people have always entertained profound sentiments of friendship and respect for the Chinese people, for their heroic liberation struggle against feudal and imperialist oppression.3

These words sound beautiful. But did the terms of the treaty and related agreements really measure up to them?

Earlier, in a speech on January 12, the American Secretary of State, Dean Acheson, pointed out the dramatic development in Manchuria:

The Soviet Union is detaching the northern provinces of China from China and is attaching them to the Soviet Union. process is complete in Outer Mongolia. It is nearly complete in Manchuria and I am sure that in Inner Mongolia and in Sinkiang there are very happy reports coming from Soviet agents to Moscow. ... I should like to suggest at any rate that this fact that the Soviet Union is taking the four northern provinces of China is the most significant, the most

important fact in the relations of any foreign power with Asia.4

Two ominous events reflected the Soviet strategies. As late as 1949, the Soviet Ambassador, Nikolai V. Roshchin, followed the Nationalist government to Canton from Nanking to continue negotiating over important economic concessions and aviation rights in Sinkiang. He tried to obtain for the Soviet Union a special position in that province before the Chinese Red Army occupied it. 5 But he only had the Sino-Soviet aviation agreement renewed for five years. The other event was that, at Stalin's invitation, the Communist chief in Manchuria, Kao Kang, headed a trade delegation on July 31, 1949 to Moscow and concluded a one-year barter agreement.

The Soviet press failed to mention prices or quantities of the goods to be exchanged, but it disclosed that the Manchurian provinces were to deliver soya beans, vegetables, fats, maize, rice and other products in exchange for industrial equipment, motor vehicles, petrol, textiles, paper, and drugs. 6 The Russians now shipped back some of the industrial equipment which had been taken from the Japanese for the restoration of industries in Manchuria. 7 Evidently, the Russians were in fact getting something for nothing. Stalin made these moves before Mao took the reins of the Peking government on October 1, 1949.

Facing this unpleasant economic reality and the ominous separationist tendency of Kao, Mao had to lead a delegation to Moscow, ostensibly to attend the celebration of Stalin's seventieth birthday, but as it turned out it was to negotiate with Stalin. Although he arrived in Moscow on December 16, 1949, with Chen Po-ta, Mao had to summon Chou En-lai to Moscow on January 20 of the next year when negotiations entered the serious stage with the Russians. 8 Chou was accompanied by representatives from Manchuria and Sinkiang. "The fact that Mao did not bring Chou along at the start seemed to indicate that he had no intention of concluding any treaty with Russia and that he had no confidence in his negotiation with Stalin. Otherwise he would have had Chou with him from the start." This interpretation appears justified by the events.

The negotiations lasted sixty days and clearly must have included some hard bargaining, as the press speculated. Not until February 14, 1950 did the Chinese and Russians sign a set of agreements. 10 The following three were the most important:

- A Sino-Soviet treaty of friendship, alliance and mutual assistance;
- 2. An agreement concerning joint Sino-Soviet control over the Chinese Changchun Railway, Port Arthur and Dairen;
- 3. An agreement concerning a long-term Soviet loan to Communist China (equivalent to \$300 million) to be given over a period of five years.

At the same time, in an exchange of notes, both China and Russia agreed (1) to announce that the Sino-Soviet Treaty of Friendship and Alliance of 1945 and the Agreements of the Chinese Changchun Railway, Dairen, and Port Arthur... as well as that all related annexes were declared null and void; (2) to acknowledge the independent status of Outer Mongolia "as a result of the referendum conducted in Outer Mongolia in 1945, which confirmed the aspiration for independence of that country, and as a result of its establishment of diplomatic relations with the Chinese People's Republic."

In another exchange of notes, both parties agreed to announce the decision of the Soviet Government to transfer to the Peking Government (1) the property acquired in Manchuria from private Japanese owners by Soviet economic organizations and (2) all the buildings in the former military compound in Peking without compensation. This meant that the Japanese Government-owned property in Manchuria taken by the Soviet army to Russia as "war booty" would not be returned.

According to the Treaty of Friendship, Alliance

and Mutual Assistance, both Russia and China agreed to enter into close cooperation to prevent the resumption of aggression on the part of Japan, or "any other state that may collaborate in any way with Japan," to participate "in all international actions aimed at ensuring peace and security throughout the world," to bring about "the earliest conclusion of a peace treaty with Japan," to consult with each other in regard to "all important international problems affecting the common interests of China and the Soviet Union, "and "to develop and consolidate economic and cultural ties between China and the Soviet Union." The two contracting parties also undertook "not to conclude any alliance directed against the other Contracting Party" and "not to take part in any coalition or in any actions or measures directed against the other Contracting Party." The duration of the treaty was to be for thirty years.

In comparison with the 1945 Treaty of Friendship and Alliance concluded between Russia and the Nationalist Government, the scope of the new treaty was more extensive. The alliance aimed at not only preventing aggression on the part of Japan but also "any other state that may collaborate in any way with Japan." Writers often declare that this clause refers to the United States, because Pravda, the Soviet Communist Party organ, pointed out in a special article on the day the treaty was announced that "at present, the reactionaries of Japan are becoming more fanatic and reckless under the protection of the American occupation authorities and have openly declared their attempt at revenge. At present, American imperialism is making efforts to transform Japan into a strategic bridgehead for attack on the Soviet Union and on the People's Democracy of China." In an editorial the New China News Agency offered a similar observation by stressing that the Treaty would be a blow to American imperialism and would reinforce world peace. 11

An agreement on a long-term loan by the Soviet Union underscored Sino-Soviet cooperation. Its key provisions were in Article I which stated that the

Government of the USSR would grant to the Government of the People's Republic of China a credit which, in terms of American dollars, amounted to \$300,000,000 taking thirty-five American dollars to one ounce of fine gold. The rate of interest was fixed at one per cent per annum. This amount was to be advanced in equal annual installments over a five-year period, and was to be used "for the payment of deliveries from the USSR of equipment and materials, including equipment for electrical power stations, metallurgical and machine-building plants and coal and ore mines, railway and other transport equipment, rails and other materials for the rehabilitation and development of China's national economy." Repayment by China was to be effected in raw materials, tea, gold and U.S. dollars in ten annual installments, beginning with 1954.

This credit of \$300 million allocated over five years was obviously too small in view of the size of China and her over-all needs. One French source mentioned that Mao had calculated that China would require at this time \$2 billion to \$3 billion for economic development. 12 If that was correct, the amount Mao obtained in Moscow must have been very disappointing to him, especially when one compares it, for instance, with the loan of \$450 million given to Poland by the Soviet Union a year earlier. 13

However, one should not overlook the fact that this loan constituted a considerable hardship for Russia, which at that time, was depleted of its natural resources by war. But by the same token one might suspect that Stalin had tried hard to restrain Mao and China from growing powerful, although he did not live long enough to witness the Chinese-Russian disputes over frontiers and communist ideology in the 1960's.

In spite of the effusive propaganda about the Sino-Soviet friendship, these negotiations must have been tough and difficult. At their close many unsolved differences remained between the two sides.

When Mao and Chou left Moscow on February 17, 1950, the newly joined Sinkiang delegation and the

Manchurian Vice-Chairman, Li Fu-ch'un, remained there for further talks concerning Russian special interests in these two Chinese frontier domains. Since the main treaty did not touch upon the question of Sinkiang, three economic agreements were signed on March 27, 1950. As to Manchuria, scattered reports were very vague; by inference, Li Fu-ch'un must have concluded a number of agreements mainly concerning exchange of goods and a civil air service. Later, on July 28, 1951, an agreement for setting up a "Sino-Soviet Joint Stock Company for Ship Building and Repair" at Dairen was announced in Moscow. 14

On the whole, the 1950 treaty and agreements reaffirmed the main concessions yielded by Roosevelt to Stalin at the Yalta conference and subsequently acceded to by the Nationalists in the 1945 treaty and annexes. In addition, the March 27 agreements enabled the Soviets to recover essentially those special rights enjoyed from 1934 to 1942 when Sinkiang was under the rule of Sheng Shih-ts'ai. 15 The 1950 treaty is thus as "unequal" as the 1945 treaty. The main difference is shortened time duration regarding the restoration of Chinese sovereignty in Sinkiang and Manchuria, and by 1955 Mao was able to liquidate completely the Soviet preserve in both areas.

At this juncture, a brief comparison of both treaties may be helpful. The 1945 treaty was for thirty years. During the thirty years the Soviets had the rights (a) to own and to operate jointly the Changchun Railway with the Chinese; (b) to use Darien jointly as a commercial port; (c) to station army, navy and air forces in Port Arthur. On the other hand, the 1950 treaty itself also was for thirty years and had similar provisions. The main difference was that the Russians agreed to relinquish the above mentioned special positions by 1952 in Manchuria. Actually, they returned the Changchun Railway and Dairen in 1952, but not the Port Arthur Naval Base until 1955. Outer Mongolia was kept independent from China (but not from Russia) by both treaties. As to Sinkiang, not until after

the death of Stalin was Mao able to liquidate completely the Soviet presence.

Their details will be analyzed in the following sections.

#### 2. The Soviet Special Position in Manchuria

The 1950 treaty and agreements had a great impact upon Manchuria because the Russians promised to give up their special position. At the time when Mao was negotiating with Stalin in Moscow, Manchuria was virtually a Soviet colony as the result of military occupation in 1945. The United States Department of State's "background material" in June, 1950 provided a vivid account:

The USSR has obtained special navigation and fishing rights in Manchuria; operates the only civil air service in Manchuria; controls and operates industrial facilities in Dairen, Harbin and Chia Mussu (Kiamusze): controls the power transmission from the Yalu hydroelectric plant; controls and operates several coal and gold mines.

The Sha Ho Kon Vehicle Manufacturing Works, the Dairen Shipbuilding Yard and the Dairen Sugar Works are all under Soviet military control. Munitions factories in the area are also reportedly operated by the USSR. The Soviet Union has placed the richest industrial area of China firmly behind the Far Eastern segment of the Iron Curtain. 16

As a result of Mao's negotiations, the Soviets consented to transfer "without compensation" the rail network in this borderland. Article I of the 1950 Agreement concerning the Changchun Railway, Port Arthur, and Dairen prescribed:

> Both Contracting Parties agree that the Soviet Government transfer without compensation to the Government of the People's Republic of China all its rights to joint administration of the Chinese Changchun

Railway together with all the property belonging to the railway. The transfer shall be effected immediately after the conclusion of a peace treaty with Japan, but not later than the end of 1952.

Pending the transfer, the existing Sino-Soviet joint administration of the Chinese Changchun Railway shall remain unchanged. After this Agreement becomes effective, posts (such as manager of the railway, chairman of the Board of Directors, etc.) shall be periodically alternated between representatives of China and the USSR.

As regards concrete methods of effecting the transfer, they shall be agreed upon and determined by the Governments of both Contracting Parties. 17

The Chinese Changchun Railway, formerly the Chinese Eastern Railway, consisted of one trunk line from Mancholi to Sui-fen-ho via Harbin; a branch line from Harbin to Dairen and Port Arthur, with a total length of about 3,000 kilometers. was originally built by Czarist Russia in the late 1890's (actually with French capital) and immediately became the major instrument for Russia's exploitation of Manchuria. Japan took over the southern branch (roughly from Changchun to Dairen and Port Arthur) at the conclusion of the Russo-Japanese war in 1905, and bought the main trunk line in 1935 after prolonged negotiations in Tokyo. 18 When Japan was defeated in 1945, the whole line had been placed again under Russian domination, in spite of the "Sino-Soviet joint control" provisions prescribed in the 1945 treaty system with the Chinese Nationalists. Therefore, in 1950, it appeared unusual for the Russians to relinquish their privileged position almost voluntarily.

It is important to consider why Stalin consented to the transfer of the valuable Chinese Eastern Railway complex to Chinese possession in 1950. First, the official reasons were fourfold: they all appeared in the Agreement concerning the Chinese

Changchun Railway, Port Arthur, and Dairen, namely: (1) imperialist Japan had suffered defeat; (2) the reactionary Kuomintang Government had been overthrown; (3) China had become a People's Democratic Republic; (4) and a new People's Government had been established in China which had unified the whole of China, carried out a policy of friendship and cooperation with the Soviet Union and proved its ability to defend the national independence and territorial integrity of China and the national honor and dignity of the Chinese people.

Second, we may agree with the observation of Mr. Robert North that Mao negotiated from a position of strength: "One cannot be sure, but this much is clear, that the careers of Mao and Stalin have been characterized by conflicting applications of revolutionary dialectics. The Chinese leader rode to power, furthermore, by harnessing a pecu-liarly Chinese horse and up to the moment of his arrival in Moscow owed relatively little to Stalin. Thus he occupied in all respects a more powerful bargaining position than has been enjoyed by any other foreign Communist vis-à-vis the Soviet Union."19

These are good reasons to believe that Mao in 1950 offered a much better and deeper argument to convince Stalin to surrender Russian interests in the Chinese Eastern Railway. That argument must have been, first, that Russia had built the line with French capital through floating treasury bonds which were later repudiated by the Bolshevik Revolution; and second, she had sold this Railway system to Japan-Manchukuo in 1935 and had her shares paid accordingly. Thus, the Russians should have had nothing to do with the Chinese Eastern Railway even under the pretext of restoring the rights and privileges lost to Japan in the 1904 war. Perhaps the South Manchuria Branch could have been an exception. As it had been under Japanese control known as the South Manchurian Railway since 1904, it was of course not included in the 1935 sales deal.

Fundamentally speaking, moreover, Soviet Russia

had renounced the Czarist interests and rights in the Chinese Eastern Railway as well as other special privileges by the Karakhan Declarations of 1919 and 1920. It will be recalled that in 1929 when the Sino-Soviet crisis over the Chinese Eastern Railway was threatening to develop into a war, the Russian Communist Party had heated debates on fighting a weak nation for the privilege of operating a railroad on its territory. Many seemed disgusted at subjugating a semi-colonial nation like China, not an imperialist power. They wanted the railway relinquished to China. "A mere twelve years after the November Revolution, the Communist Party still had some remnants of its initial idealism left."20 Others, however, found a good excuse to keep the line in Soviet hands so long as there was no Communist Government in China. Therefore, the final official justification, however insufficient, was as follows:

The Soviet proletariat carries out the administration of the Chinese Eastern Railroad jointly with the Chinese (bourgeoislandowners) Government in the interests of preventing the transfer of the railroad into the hands of the imperialists subjugating China; in the interests of an earlier transfer of the railroad into the hands of the Chinese people after the (genuine, and not social democratic) victory of the national revolution—to the Chinese people which will have done away with the imperialists, their bourgeois-landlord pillars within China proper; and finally in the interests of the defense of the Soviet Union itself—that country which is building socialism—from the threat of invasion on the part of hostile capitalist countries.21

On these bases, one might assume that Mao Tsetung must have used these reasons to convince Stalin that it was time for Russia to relinquish her share of interests in the railway system because the Peking Government was a People's government and it would prevent Western imperialistic designs on

China. In fact, the above mentioned official reasons gave a strong clue to this argument.

As to the Port Arthur Naval Base, Russia agreed to withdraw her troops and to turn over to the Peking Government all the installations within the same time schedule. But "the Chinese Government will compensate the Soviet Union for expenses which it has incurred in restoring and constructing installations since 1945." In the interim period, the civil administration would be in the hands of the Chinese Government; whereas military affairs would be run by a joint military commission to be composed of an equal number of members from both contracting parties. In the event of war with Japan or any state that may collaborate with Japan, however, the USSR might again "use the naval base of Port Arthur for the purpose of conducting joint military operations against the aggressor" (Art. II).

In spite of the compensating clause, this provision was more favorable to China than the 1945 Agreement on Port Arthur according to which the Soviet troops were not to withdraw before the end of thirty years-1975. Under the new agreement, the Soviets pledged to do so "not later than the end of 1952." Subsequently, however, in September 1952, they persuaded the Chinese to request an extension until the conclusion of a peace treaty with Japan in the form of an exchange of notes, possibly under pressure from Russia. The official reason, given by China and Russia was that Japan's refusal to conclude a peace treaty with Russia and China had created "conditions dangerous to the cause of peace."

Actually one might speculate that it was as a quid pro quo Russia turned the Chinese Changchun Railway over to China; China agreed to the extension of Russian control of the Port Arthur Naval Base. In other words, Stalin must have given in on the Changchun Railway issue very reluctantly.

On the other hand, Port Arthur was too important for the Soviet fleet to give up. When Stalin obtained it under the treaty of 1945, the naval base covered the whole Liaotung Peninsula, which Japan

had renamed Kwantung Peninsula. It encompassed Dairen and comprised an area of 1,338 square miles with a population of 1,370,000. The Soviets had the right to maintain in the area its army, navy, and air force, and determine their location just as if they were in their own territory. In the 1950 Agreement, Paragraph 3 of Article 2 specified: "Pending the withdrawal of Soviet troops, the zone of billeting Soviet troops in the area of Port Arthur will remain unaltered in conformity with existing frontiers." This clause practically assured that the Soviet troops would enjoy the same privileges as those under the 1945 treaty complex.

Regarding Dairen, Russia agreed that during the course of the year 1950 "all the property in Dairen now temporarily administered by or leased to the Soviet Union, shall be taken over by the Government of the People's Republic of China."

While according to the same instrument, the administration of Dairen was to pass on to the Peking Government, it was also stated that "the question of (the) Dairen harbour be further considered on the conclusion of a peace treaty with Japan." It was apparent that in the meantime Dairen harbour would be, as it had been, under Soviet supervision and control. Therefore, Dairen was in fact no longer an international free port as stipulated in the 1945 Agreement. Only Russian vessels could use the harbour alongside those flying the Communist Chinese flag.

It might be safe to say, therefore, that the new Sino-Soviet Treaty and Agreements were slightly better for China than the corresponding aspects in the 1945 treaty and agreements. The analyst Robert North thus concluded that "Mao, according to the published terms of the agreements, conceded nothing but the independence from China of the Mongolian People's Republic, an area already within the Soviet orbit..."22 A Chinese writer expressed the same view: "The treaty and the supplementary agreements seem, in general, advantageous to China, and the terms of the treaty do not prove China under Communist rule is an obedient tool of the Kremlin."23

As a matter of fact, Mao Tse-tung after two months' hard bargaining, received only what clearly belonged to China with the notable exception of Outer Mongolia. Subsequent agreements dated March 27, 1950, allowing the Russians to exploit oil and non-ferrous and rare metals in Sinkiang for thirty years smacked of a perpetuation of Soviet imperialism.<sup>24</sup> In other words, Stalin did not treat Mao or China as an equal. Only after the October 12, 1954 Agreements did China under Mao attain complete independence from Russian control. 25 Evidently it was Khrushchev who acknowledged Mao as an equal partner in international relations, ideological rivalry notwithstanding. This was confirmed in a conversation with Professor Robert Scalapino who recalls his interview with Mikhail S. Kapista. According to this Russian Foreign Office expert, Mao told Khrushchev: "You gave me what Stalin would not."

In summary, during 1950 to 1952, according to the terms of the 1950 Treaty and Agreements, Russia would remain on in Manchuria. She would jointly run the Changchun Railway with China; she would continue to garrison the Port Arthur Naval Base. Only Dairen, the main port of the southern terminus of the Changchun Railway, would be solely under the Chinese civil administration.

To implement these stipulations a new joint company for the Changchun Railway was formally inaugurated on April 25, 1950 with a Russian as the first general manager. A number of Sino-Soviet mixed commissions were organized in 1950 to deal with the transfer to China of property in Soviet hands in Dairen, and also of property acquired by the Soviet economic organizations from Japanese owners in Manchuria, and the former Russian military compounds in Peking. On February 10, 1951, Pravda published a list of the property thus transferred to China. This list did not cover all the property the Russians had acquired, most notably the "war booties."

3. The Soviet Privileges in Sinkiang
Sinkiang, which literally means "new frontier,"

is another area in which Moscow and Peking have been traditional rivals. The Soviets had been hoping to convert it into a Russian province. As previously mentioned, as late as 1949, the Soviet Ambassador Nikolai V. Roshchin moved to Canton from Nanking with the Nationalist government, ostensibly following the meticulous diplomatic protocol, but actually pressing for important economic concessions in Sinkiang. Later it was known that in May the Sino-Soviet aviation agreement for operating between Urumchi and Alma-Ata had been renewed for five more years but the Nationalists had flatly declined to make any commitment to the Russian demand for joint economic development of Sinkiang. 27

Before the Chinese Communist troops were able to drive into Sinkiang, Stalin made a last attempt to detach it from Mao's control. In late 1949, the Russian consul-general in Urumchi intimated that the Nationalist General. Tao Chih-yüeh might wish to declare Sinkiang independent, on the precedent of Outer Mongolia. But Tao refused to entertain the offer and turned to the Chinese communists. 28 through the medium of Chang Chih-chung who had defected from the Nationalists earlier.

When Mao took control of China, Russia and China became fraternal socialist states. In theory, they should have seen things eye to eye and worked together. For theoretical and practical purposes this is what the Peking government expected. But also for practical purposes the Soviets looked at things differently. They managed to hang on to their special position in Manchuria. Now they made it very clear that they wanted to keep their special privileges or interests in Sinkiang as well, the same kind of "special privileges" that Czarist Russia had had, and the same kind of privileges the Soviets had had when Sinkiang was under Sheng-to set up joint stock companies to exploit the resources of the Chinese province.

Therefore, at the last stage of negotiations with Stalin, Mao called in the Sinkiang delegation with Saifudin, its Chief, to deliberate this matter.

The results were three separate agreements signed on March 27, 1950, after Mao and Chou had left Moscow. 29 Two thirty-year accords provided for the establishment of two Sino-Soviet joint stock companies in Sinkiang, one for prospecting and mining non-ferrous and rare metals, and one for prospecting, extraction and refining of petroleum. The third agreement provided for the establishment of a civil aviation company to operate air service for ten years over three routes between the two countries: Peking-Chita, Peking-Irkutsk, and Peking-Alma-Ata. They were virtually the replica of the instruments signed by Sheng before 1943 with the exception of the air routes that had been limited to Alma-Ata to Urumchi.

Roughly speaking the terms of the three joint stock companies were as follows: capital, control, and profits were to be shared equally between the Chinese and the Russians. One side was to name the chairman of the board of each company and the other, the general manager, with deputies from the other side. Although the positions were to be alternated every three years, the first general managers were to be Russians. The Russians secured their control at least for the first three-year period.

Knowing such joint stock companies represent a form of foreign control, and that foreign control is a sore spot for the Chinese, the Soviet press came out and defended them. They argued that in spite of the element of foreign participation, the enterprise was designed to be constructive instead of "exploitative" and the terms had been so stipulated as to assure China full respect for her sovereignty. 30

The Chinese communists knew very well that to exercise China's sovereignty over Sinkiang they had to provide it with an adequate and integrated system of modern transportation. As early as 1950, they began to push the Lunghai Railway westward; by October, 1952 the Tienshui-Langchow section was opened to traffic. Late in that year, they started laying track on a new Langchow-Sinkiang line which

was scheduled to extend up to Urumchi via the important Yumen oil district.

During this period, 1950-1952, the joint Sino-Russian companies in Sinkiang were also becoming active, but had not gone beyond the preparatory state-planning, geological surveying, prospecting for petroleum and other mineral deposits, and the initial training of staff and workers. In 1953 and 1954 reports from Sinkiang indicated the expansion of oil drilling and completion of an automatic cracking plant equipped with Soviet machinery. The training of technical personnel progressed on schedule. But at this crucial juncture, Nikita Khrushchev decided to withdraw Russia's participation in these companies to satisfy Chinese dignity and national aspirations. 31 One wonders, had Stalin been alive, what would have been his decision.

4. Triangular Relations of Russia, China, and Outer Mongolia

It is well known that in a 1936 interview with Edgar Snow, Mao Tse-tung prophesied that "when the People's revolution has been victorious in China, the Outer Mongolian Republic will automatically become a part of the Chinese federation, at their own will."32 The status of Outer Mongolia could not be easily forgotten by the Chinese communists.

Another significant event was that in 1936 the remains of Genghis Khan were removed to Kansu province by the Nationalists and in 1949 to a farther west lama temple in Tsinghai, whereupon they were captured by advancing Chinese communist units. 1954, the communist authorities carried the remains in a bier back to its "original burial place" and constructed a new Genghis Khan mausoleum at Ezen Horoo, a town in Inner Mongolia:

It is a gesture which cannot be dismissed lightly. It suggests that the Chinese Communist leaders in Peking are aware of the long-range political implications of the fact that they now have in their possession historic relics of great significance to all Mongols.<sup>33</sup>

Historically speaking, Outer Mongolia had become a communist state under the Soviet influence dating from 1921 and their relations were formalized in a defensive alliance in 1936. But the Chinese had always regarded it as a part of China. The subject was discussed in February, 1945 at the Yalta conference which resulted in an Agreement that "the status quo in Outer Mongolia [the Mongolian People's Republic] shall be preserved." Later the Nationalists acceded to the provision in the Sino-Soviet Treaty of August 14, 1945, on condition that the wishes of the Outer Mongolian people should be ascertained by a plebiscite. That the vote in this plebiscite would be affirmative was a foregone conclusion. The Nationalist Government was bound to accept the verdict of the voting and accorded official recognition to the independence of the Mongolian People's Republic on January 5, 1946.

How the issue was negotiated between Stalin and Mao in the winter of 1949-1950 remains unknown to the outside world. The outcome, as noted above, was an exchange of notes in which the new Peking Government acknowledged the independent status of Outer Mongolia. In 1952, Chou En-lai signed two agreements with the Outer Mongolian leader, Tsedenbal, one for economic and cultural cooperation, another for settlement of boundary discrepancies. In 1954, however, Mao sought unsuccessfully to reopen the question of Mongolia's independence when Khrushchev made his first visit to Peking after Stalin's death. Since Mao's ideas remain the guiding force of China, this issue cannot be considered completely closed. 34

5. The Liquidation of the Soviet Special Position and Privileges

During the years 1952 to 1955, the Soviet special interests in China were gradually liquidated. The strategic Chinese Changchun Railway and Port Arthur Naval Base in Manchuria were turned over to Chinese control in 1952 and 1955 respectively. The Soviet

shares in various joint stock companies in Sinkiang and Manchuria were sold to China by the end of 1954. Henceforth, China was able to exercise her complete political and economic sovereignty over her territory. No doubt it has historical significance and therefore merits a brief account:

A. The Reversion of the Chinese Changchun Railway

At long last the Chinese Changchun or Chinese Eastern Railway was transferred to Chinese possession by December 31, 1952. Pending this transfer, according to the February 14, 1950 Agreement, the existing Sino-Soviet administration would remain unchanged, but posts such as manager of the railway, chairman of the Board of Directors, and others, would be periodically alternated between representatives of China and the USSR.

This new stipulation itself was a better and more equitable arrangement because all the old instruments gave the post of general manager invariably to Russia, who in turn became practically the dictator of the railway. The Chinese chairman of the Board of Directors could do very little if anything toward the railway administration.

To implement this new stipulation, a protocol was signed on April 25, 1950, in Peking after nearly a month's negotiation. 35 On the same day, the Chinese Changchun Railway Company was formally inaugurated and leading posts in the company were filled in the following manner:

> Board of Directors: Chairman: Chinese Vice-chairman: Soviet

Board of Supervisors: Chairman: Soviet Chief Auditor: Chinese

Railway Administrators: Manager: Soviet Vice-manager: Chinese

The protocol further stipulated that "these

posts will alternate between Chinese and Soviet parties each year beginning from April 25, 1950... until the date of transference to the Government of the People's Republic of China." The Board of Directors held its first meeting on April 25, and upon the nominations of the two governments, N.A. Grunichev was appointed Manager and Liu Chü-yin, Vice-Manager, and Yu Kwang-sheng became the Chairman of the Board and M.S. Yerogov, Vice-Chairman. 36 Later these posts were alternated, in June 1951, and 1952.

Then in August, 1952, Premier and Foreign Minister Chou En-lai, accompanied by Chen Yun, Deputy Premier, Li Fu-chun, Deputy Chief of the Commission on Financial and Economic Affairs, and Su Yu, Deputy Chief of the Army General Staff, went to Moscow to negotiate with Stalin, Foreign Minister Vyshinsky, and trade Minister Kumykin. Evidently there was much give and take. Only after Chou had requested that the period for joint Sino-Soviet use of the Port Arthur Naval Base be extended until the conclusion of peace with Japan, a "Joint Communique on the Transfer of Soviet Rights in the Management of the Chinese Changchun Railway to the People's Republic of China" was issued on September 15, 1952. 37 According to this instrument, a joint Sino-Soviet Commission was to be formed for the purpose of carrying out measures for implementing the 1950 Agreement, and the Commission "must complete the transfer of the Chinese Changchun Railway to the People's Republic of China not later than by December 31, 1952."

At last a final protocol was signed in Harbin on December 31, 1952, declaring that "the Government of the USSR has transferred without compensation all its rights in the joint administration of the Chinese Changchun Railway with all the property belonging to the railway to the full possession of the Government of the People's Republic of China" and the Peking Government "has accepted the full ownership without compensation of all the rights of the Soviet Government in the joint administration of the Chinese Changchun Railway with all the property belonging to the railway. 38

Thereupon, Mao in a telegram expressed his gratitude to Stalin for "the Soviet side has contributed immensely to the Chinese people in railway construction," and on January 1, 1953, an obelisk was erected in Harbin to commemorate the "unprecedented historical friendship."40 Actually there was not much to be thankful for or commemorated.

In order to be fair, however, we must accept the credit attributed to the Russians by the Jen-Min Jih-Pao's editorial. On the occasion of the transfer of the Chinese Eastern Railway to China by Russia on December 31, 1952, it pointed out that "in the past three years, there were over one thousand Soviet Railway experts who trained some 20,000 Chinese railway personnel and technicians, provided them with experience and examples of how to manage railway enterprise scientifically and effectively."41 This may be the only benefit that China got from this troublesome railway in the end. Of course, the world was a hostile place for China in the early 1950's; she should have been grateful for the help and support from Russia, however small.

At this juncture one might ask what were those properties included in the transference? The same protocol mentioned them clearly:

- (1) trunk lines, running from the station of Manchouli to the station of Suifenho and from Harbin and Dairen and Port Arthur with the land, railway structures and equipment:
- (2) rolling stock—locomotives, freight cars, passenger coaches, and diesel trains;
- (3) locomotive and coach repair factories;
- (4) power stations;
- (5) telephone and telegraph stations;
- (6) Installations and lines of inter-communications:
- (7) auxiliary branch lines;
- (8) administrative-technical and civil building;

- (9) economic organizations, subsidiary and other enterprises and establishments serving the railway:
- (10) also the property "purchased, restored and newly constructed during the period of the joint Sino-Soviet administration."

This Protocol further stated that "the Chinese Changchun Railway Company...has made important achievements and progress in rehabilitating and further developing the railway enterprises wrecked by the Japanese imperialists and the Kuomintang" and that "the Chinese and Soviet railway personnel ... have contributed immensely to the further strengthening of Sino-Soviet friendship which is built on the principle of equality and mutual assistance."42 Thus ended the long history of Russian control of the Chinese Eastern Railway, and its name changed again from "Changchun" to "Harbin Railway."

B. The Soviet Withdrawal from the Port Arthur Naval Base

Stalin had agreed to the return of the Port Arthur Naval Base to China by the end of 1952. But the Russian occupation was extended ostensibly at the Chinese request "until the conclusion of peace with Japan." This extension was arranged through an exchange of notes between Chou and Vyshinsky in Moscow on September 15, 1952. Stalin had hoped to tighten its hold on this naval base, together with the possible domination of all of Korea, to consolidate Russia's position as a Pacific power. 43

Soon the situation changed. Stalin died in March, 1953, and by the autumn of 1954 fighting in both Korea and Indochina stopped. The new leadership in the Kremlin had second thoughts about the whole range of Sino-Soviet relations under the existing treaty of alliance. But not until October, 1954, nineteen months after Stalin's death, were there discussions of genuine consequence. This time Khrushchev and Bulganin made the pilgrimage to Peking. The former delivered a long speech at the

celebration of the fifth anniversary of the founding of the People's Republic of China on September 30, 1954. He showed that he understood China's past and present:

> What China's oppressors—the foreign imperialists - have always feared is the unity of the great Chinese people. What they need is not a united, closely-knit and powerful China, but a loosely-knit, feeble country, rent by internal dissension, and an easy prey for the foreign monopolies.

The Chinese People's Republic has entered the international arena as a great power. The role which China is playing, and influence she is exerting, have already become an international force preventing the imperialists from continuing their enslavement of Asian peoples...44

After two weeks of secret talks, major decisions were announced on October 12 in a joint communique in which the Russians agreed to withdraw all their forces from Port Arthur and to transfer all installations in that area to the Peking government. (At the same time, Russia also sold to China her shares in four joint Soviet-Chinese companies in Sinkiang and Dairen as "the Chinese themselves can manage the activity of these enterprises.") They offered three reasons for this about-face: (1) the changes in the international situation in the Far East following the termination of the war in Korea and the restoration of peace in Indo-China; (2) the strengthened national defenses of the People's Republic of China; (3) "the relations of friendship and cooperation between the two countries which are being daily strengthened."45 The last reason was of course hard to believe. 46 However, the Russians at this time carried out their pledge. According to the joint communique of May 25, 1955, the Peking Government received the installations "without compensation" and took full control of the base. Both sides assured the public that "the measures regarding the withdrawal of the Soviet armed forces

from the naval base of Port Arthur and the transfer of the installations in this area to the Government of the People's Republic of China have been carried out by the joint Sino-Soviet Military Commission in a spirit of thorough mutual understanding and friendly cooperation."47

On the surface all went very well, but in retrospect we may perceive that "the talks between Khrushchev, Bulganin, and their associates and Mao and Chou En-lai continued the pattern of inward bitterness which had so long marked Russian-Chinese relations."48 Why? One reason was that when the senior officers of the High Command of the Soviet Armed Forces departed from Suifenho on the Manchurian border on May 29, 1955, for Vladivostok, they exploited their Chinese Communist comrades for nearly six years (1949-1955). In addition it was not clear whether the Russians were still to enjoy the "joint use" of the Port Arthur base in the event of a war with Japan and her allies if the treaty had still been in force.

C. The Soviet Sale of Shares in the Joint Stock Companies

In Sinkiang, Russia also had a long history of infringement of Chinese political and economic sovereignty. But in the autumn of 1954, the Khrushchev-Bulganin visiting team chose to surrender the Soviet interest in the joint stock companies which had been set up in 1950 at the insistence of Stalin. On October 12 a joint communique announced the Soviet agreement to transfer them to the sole control of China. Beginning from January, 1955, the Soviet shares in these companies would be sold to the Chinese, who agreed to pay for them with the exports to Russia "over the course of several years."49

Accordingly, two protocols were signed by both sides in Peking on December 30, 1954, on "Termination of Sino-Soviet Civil Aviation Joint Stock Company and Transfer of Soviet Shares to the People's Republic of China" and on "Termination of Sino-Soviet Joint Stock Company for Non-ferrous and

Rare Metals and Transfer of Soviet Shares to the People's Republic of China." These Soviet shares were formally transferred to China on December 31, 1954, and on January 1, 1955 respectively. 50 Then on December 31, 1954, two more protocols were concluded, also in Peking, for termination and transfer of the Soviet shares in the joint companies for petroleum in Sinkiang and for shipbuilding and repair in Dairen. 51 These companies were immediately reorganized as Chinese state-owned enterprises. At the same time, a new Sino-Soviet Air Service Agreement was reached providing for flights between the two countries.

Thus the Soviets in Sinkiang, as in Manchuria, had relinquished their special interests in 1955. China was now free of the myriad complications involved in operating bi-national joint stock companies and could direct and develop Sinkiang's economy in her own way.

Anyway, Khrushchev felt he did the right thing and he was proud of that when he said:

After Mao came to power, his relations with Stalin soon became strained at the level of trade and industrial cooperation as well as at the level of ideology. At one point, Stalin concluded a treaty with China for the joint exploitation of mineral resources in Sinkiang. The treaty was a mistake on Stalin's part. I would even say it was an insult to the Chinese people. For centuries the French, English, and Americans had been exploiting China, and now the Soviet Union was moving in. This exploitation was a bad thing, but not unprecedented. ... Later we liquidated all these companies. 52

Not only that. According to Khrushchev, Stalin also wanted to "build a pineapple cannery" in China and had a message sent to Mao. Mao replied: "We accept your proposal. If you are interested in canned pineapples, then give us a credit loan and we will build the cannery ourselves. We will then

pay back your loan with the produce from this cannery." Then Stalin cursed and fumed. Just as Khrushchev had said, "Stalin had offended Mao."53

So far so good. But ironically enough, Khrushchev admitted that he himself suggested to Stalin setting up a rubber plantation in China, which was politely turned down by Mao. 54 When Khrushchev was in full power in 1958-1959, he wanted to have a radio station in China to keep in contact with the Russian fleet in the Pacific, and a submarine base in China for "refueling, repairs, shore leaves and so on." These were, according to Khrushchev, angrily refused by Mao. Mao's reply was: "We've had the British and other foreigners on our territory for years now, and we're not ever going to let anyone use our land for their own purposes again."55

Given these events, the comment by Andrei Amalik, a young Russian historian and playwright seems apt:

China has already had a chance to appraise the methods of her "ally-enemy" during the so-called period of "eternal friendship" between the two countries. Then the Soviet Union, taking advantage of China's economic and military dependence, did all it could to subordinate China completely to its influence. When this failed, the Soviet Union cut off all economic aid and then tried to play on the nationalism of the small nations within China's borders. 56

In such a situation, China did all she could to extend her authority and influence into border regions for the sake of national security and survival. From the beginning of the 1960's, inevitably there have been numerous border disputes and military clashes in Manchuria and Sinkiang. This gives the historical background of the Sino-Soviet boundary problem. We shall return to this problem in chapter five as it is still a pending issue and closely related to China's territorial claims. requires separate study just as the Indian-Chinese frontier conflict. Both the Soviet and the Indian issues were growing serious in the 1960's and will last for many years.

#### Chapter II: Notes

- Article 15 of the Common Program of September 1. 29, 1949. English text in Fundamental Legal Documents of Communist China, ed. by Albert P. Blaustein (South Hackensack, N.J.) 1962, p. 53.
- For details, see this author's Chung Wai Tiao 2. Yueh Tsung Lun (Treaty Relations Between China and Foreign Powers), p. 33.
- Text of Vyshinsky's speech in the Sino-Soviet 3. Treaty and Agreements. (Foreign Languages Press, 1950), pp. 19-21.
- 4. State Department Bulletin, January 23, 1950.
- Howard Boorman, in Moscow-Peking Axis, p. 178. 5. See also Sec. 3 of this chapter.
- Pravda, February 1, 1950. 6.
- 7. Kao Kang was denounced later by Peking as a traitor because he attempted to set up a separate "kingdom" of his own in Manchuria and to detach it from China. He committed suicide shortly after Stalin's death. Cf. Harrison Salisbury, War Between Russia and China, pp. 95-97.
- Jen-Min Jih-Pao (People's Daily), January 20, 8. 1950, p. 1. Chou brought important personalities from the economic field, with the Manchurian interest well represented, notably the Northeast People's Government Vice-Chairman Li Fu-ch'un, Vice-Ministers of Trade and Industry, Chang Hua-tung and Lü Tung.
- Quoted from Chin Szu-kai, Communist China's 9. Relations with the Soviet Union, 1949-1957. p. 4.
- 10. The original Chinese texts of the Treaty of Alliance and the Agreement on the Chinese Changchun Railway, etc., may be found in Chung-hua Jen-min Kun-ho Kuo Tiao Yueh Chi (Collections of Treaties of the People's Republic of China), Vol. I, pp. 1-5, and the Loan

Agreement, pp. 45-46, edited by the Peking Ministry of Foreign Affairs and published in 1952. For the English version see Sino-Soviet Treaty and Agreements, Peking Foreign Languages Press, 1951, pp. 5-8. Also an official English translation was provided by the USSR Information Bulletin, Washington, D.C., Vol. 10, no. 4, February 24, 1950, p. 108 ff. (reproduced in the American Journal of International Law, Sup. of Documents, Vol. 44, no. 3, July, 1950, pp. 85-86.

- 11. For the text of the editorial, see Jen-Min Jih-Pao, February 15, 1950, p. 1.
- Francois Fejto, Chine-USSR, La fin d'une hegemonie (2 vols., Paris, 1964), I Les ori-12. gines du grand schisme communiste, 1950-1957, p. 73.
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- 31. Howard Boorman, "The Borderlands and the Sino-Soviet Alliance," in Moscow-Peking Axis, p. 182.
- 32. Snow, Red Star Over China, p. 96.
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# CHAPTER III

## Chapter III BOUNDARY TREATIES WITH BURMA AND NEPAL

By 1955, when the Soviets withdrew from Port Arthur Naval Base and relinquished their special economic privileges in Sinkiang, the last vestige of unequal treaties withered away. Earlier China had brought Tibet and Sinkiang under control but recognized the independence of Outer Mongolia. Yet there were boundary problems "left over by history" remaining to be solved.

There were numerous boundary treaties which the People's Republic of China considered as part and parcel of the unequal treaty system. They must be abrogated, revised, or renegotiated. Therefore, a major diplomatic goal of the Peking Government has been to settle frontier problems with the neighboring countries. But China shares her boundary problem with a large number of states. Her land frontier stretches from Vietnam, Burma, Nepal, India, Pakistan, Afghanistan in the south, southwest Asia and Korea, Outer Mongolia to Russian Siberia and Inner Asia in the north and northeast.

Premier Chou En-lai has spoken of "unremitting endeavors to achieve a settlement fair and reasonable for both sides." Therein lay the problem, for what constitutes a fair and reasonable solution for one side may not be for the other. Consequently, two principal methods can be employed to ameliorate the different points of view: one is negotiations on the basis of compromise, and the other is a test of force. The first has been adopted by the smaller states adjacent to China, namely Burma, Nepal, Pakistan and Afghanistan. The second has been taken by states which are themselves contenders for power and influence. India and Russia are notably in this category. This chapter will attempt to analyze these problems which China has had with Burma and Nepal.

#### 1. The Sino-Burmese Boundary Treaty of 1960

#### A. New China's Foreign Policy Lines

Since 1949, China has made three major foreign policy declarations: (1) The Common Program of 1949 which embodied a clause stating that she "shall examine all treaties and agreements concluded between the Kuomintang and foreign governments and recognize, abrogate, revise or renew them according to their respective contents." (2) The much publicized "Five Principles" (or Panch Shila as the Indians called it) first stipulated on April 29, 1954, in the Sino-Indian Agreement on Trade and Intercourse between the Tibet Region of China and India and then endorsed by Chou En-lai and the Burmese Prime Minister, U Nu, on June 29, 1954. These were mutual respect for each other's territorial integrity and sovereignty, mutual non-aggression, mutual non-interference in each other's affairs, equality and mutual benefit, and peaceful co-existence. 3 Actually, these are usual norms in the practice of international relations. (3) At the famous Bandung Conference of 1955, Chou announced China's attitude toward the border question.

At this latter time, Chou specified two policy points: (a) China was ready to delineate the borderline with her neighboring countries. Before so doing, "We are willing to maintain the present situation by acknowledging that those parts of our border are parts which are undetermined." (b) As to the determination of common borders, "We shall use only peaceful means and we shall not permit any other kinds of methods. In no case shall we change this." The only specific border-problem mentioned by Chou was that with Burma, and here he pointed out the presence of the remnants of Chinese Nationalist forces under General Li Mi as threatening the security of both countries. He presented the matter in an interesting way. To quote his own words:

The problem at present is not that we are carrying out subversive activities against the governments of other countries, but that there are people who are establishing

bases around China in order to carry out subversive activities against the Chinese Government. For instance, on the border between China and Burma, there are in fact remnant armed elements of the Chiang Kaishek clique who are carrying out destructive activities against both China and Rurma 4

#### B. Sino-Burmese Frontier Incidents

So far so good. But soon in November, 1955, an armed clash was reported. Peking alleged that it was due to a "misunderstanding between the outpost units of the two countries in the border region."5 However, Peking's military moves were intensified along the border in 1956. This led the Rangoon English daily. The Nation, to report on July 31 the Chinese occupation of a large tract of the Burmese territory. In a statement the Burmese Government itself refuted such reports but pointed out that the actual position was that "some Chinese troops entered Burmese territory and established outposts on Burmese soil in the Wa State in close proximity to the China-Burma border." The Burmese Government further stated that it had brought this matter to the attention of the Peking Government and that negotiations were in progress.6

But an "observer" in an August 4th article in Jen-Min Jih-Pao declared The Nation's report was groundless because normal relations had always been maintained in the northern area of the Sino-Burmese border. As for the Burmese Government statement, the "observer" pointed out that it failed to notice that "the area mentioned in the statement is an unsettled zone in the southern part of the Sino-Burmese border." Thus the latent boundary difference between the two countries was brought up and the "observer" immediately stated that this difference should be settled by negotiation and not by any other means. "Before any settlement of the demarcation, both sides should maintain the status quo."

C. Sino-Burmese Negotiations: Chou's Three-Point Proposal and U Nu's Reactions

But the real, important negotiations did not get started until U Nu arrived in Peking in his capacity as Chairman of the Burmese Anti-Fascist People's Freedom League on October 24, 1956. He declared that he foresaw no difficulty in reaching understanding and agreement if there were varying points of view. "Our mutual approach will be in the spirit of the five principles to which we have subscribed and to which we have adhered."

After a number of talks with Chou En-lai, U Nu received from Chou a three-point proposal for settling the boundary question. 8 The first point concerns the section in the Kawa area. The proposal stated that this section was not demarcated because the provisions prescribed in two Sino-British treaties of 1894 and 1897 are self-contradictory. create a fait accompli, Britain sent troops in the early part of 1934 to attack the areas of the Panhung and Panlao tribes." The result was the creation of the so-called "1941 line" which gave Burma an advantage. But no markers were erected along the line because the Pacific War soon broke out. Now, in order to create a favorable atmosphere for "a fair and reasonable settlement," the Peking Government expressed its readiness to withdraw its troops from the area to the west of the 1941 line, provided that the Burmese troops would refrain from entering this area evacuated by the Chinese troops.

The second point deals with the Meng-Mao triangular area, otherwise known as the Namwan triangular area, which measures about 250 square kilometers. The proposal pointed out that "this is Chinese territory." But Britain in 1897 obtained from China a "perpetual lease" and without China's consent had built a highway through this area to join Bhamo with Namkan. At present, "it would be inconsistent with the relations of equality and friendship now existing between China and Burma for Burma to continue the 'perpetual lease' of a piece of Chinese territory." Both governments should decide upon the

concrete steps to abrogate this "perpetual lease."

The third point covers the section to the north of the High Conical Peak. The proposal said that the boundary line had never been delimited in the past. After the "Hpimaw Incident" aroused the indignation of the whole Chinese people, the British Government acknowledged in its note of April 10, 1911, to China that "the villages of Hpimaw, Kangfang and Gawlum area belong to China, but it continued unreasonably to occupy this area." Therefore. this area should be returned to China. Then Chou went on to propose a mutual withdrawal of troops to lessen frontier tensions: "During the same period as Chinese troops would withdraw from the area to the west of the 1941 line, the Burmese Government should withdraw its troops from Hpimaw, Kangfang and Gawlum." China would refrain from sending its troops to these places.

After receiving the proposal, U Nu conceded that it was a "fair and reasonable proposal taking account of the interests of both sides."9 Back in Rangoon, he again said at a press conference that in the course of discussions, Chou En-lai had shown "a sense of justice and fairness" toward the settlement of the border question. Referring to the Wa State incidents, he pointed out that the Chinese communist troops did not commit any aggression on the Wa State but had entered "originally at the heels of Kuomintang troops."10

Later U Nu also disclosed that "China has agreed to recognize the McMahon line in the interests of an overall settlement of frontiers between Burma and China." The McMahon line, of course, was a product of the Simla conference, 1913-1914 which was repudiated by the Chinese Government. 11 In the northeast section, Chou might have actually accepted in principle the McMahon line; but did not allow the use of the name "McMahon" because it smacked of imperialism. So, also, he hated the name "perpetual lease," for which he had plenty of historical reasons. Consequently, he emphasized the existing "relations of equality and friendship." Then on

December 10, Chou En-lai arrived in Rangoon for a ten-day sojourn, returning U Nu's visit. Four days later. Peking announced that Chinese troops had completed their withdrawal "from areas to the west of the 1941 Sino-Burmese border line on Decmeber 12. 1956."12 But his discussions with the Burmese Premier, U Ba Swe only led to a "further clarification of the Chinese and Burmese points of view" and brought the problem closer "to a solution satisfactory to both the countries." This diplomatic language simply covered the failure to achieve concrete results.

Soon after becoming Prime Minister, U Nu told a press conference on March 7, 1957, that the Kachin State Council had agreed in principle to the transfer of the three villages, Hpimaw, Kangfang and Gawlum, to China and that his previous government had informed Peking of this agreement. 14 But later, on April 9, he told the press that there were other points to be "ironed out" because the issue was "a wide one, covering more than just the three villages...." However, "it will not be long\_before we reach the final stage of negotiations." 15

#### D. Sino-Burmese Boundary Agreement

On July 9, 1957, Chou made a report to the Fourth Session of the First National People's Congress on the boundary negotiations. He revealed inferentially quite a few significant points defending the Chinese position. (a) "By the end of 1956, the two governments had completed the withdrawal of troops respectively." Thus a good start was made for the settlement of the Sino-Burmese boundary question; (b) "The stand which our Government takes in solving this question is based on a desire to protect our national interests as well as promote Sino-Burmese friendship and the solidarity among Asian and Africal countries. This marked the first time Chou stressed Chinese national interests. (c) Regarding the Chinese attitude toward historical data, he said, "We must take a correct stand and viewpoint, so as to make scientific analysis and appraisal of such data, and to distinguish between

the data which can be used as a legal and reasonable basis, and those which have only reference value as a result of changed conditions." He concluded that both Burma and China treasure their national independence and national interests. 16

In 1958 while Burma had a political crisis, the negotiations on the boundary question came to a standstill. By 1959 there was still no significant progress, but on January 24, 1960, when Burmese Prime Minister Ne Win arrived in Peking, the situation completely turned around. After several exchanges of views with Chou, they made public on January 28 the conclusion of not only a Sino-Burmese boundary agreement but also a treaty of friendship and mutual non-aggression.

By comparison, the new Sino-Burmese boundary agreement merely put into effect the 1956 threepoint proposal with more definite language. Article II gave the most substantial part: (a) "The Burmese Government has agreed to return to China the areas of Hpimaw, Gawlum and Kangfang which belong to China"; (b) The Chinese Government agreed to return its territorial rights in the "perpetual lease" of the Namwan area to Burma in exchange for "the areas under the jurisdiction of the Panhung and Panlao tribes." As to the extent of these areas, both parties decided to set up a joint committee to discuss and determine the concrete boundaries. The committee was responsible for conducting surveys, setting up boundary markers, and drafting a Sino-Burmese boundary treaty.

In Article III, the Chinese Government announced that "in line with its policy of being consistently opposed to foreign prerogatives and respecting the sovereignty of other countries," China renounced her right of participation in mining enterprises at Lufang, Burma, as provided in the notes exchanged between China and Great Britain in 1941. 17 This announcement represents an important declaration of principle.

E. An Alalysis of the Sino-Burmese Boundary Treaty

The formal boundary treaty was signed by Chou En-lai and the Burmese Premier, U Nu, in Peking on October 1, 1960.18 It was expanded to twelve articles, but the main features were very similar to the boundary agreement of January 28, 1960. Its wording, however, was more in line with the principle of state equality and sovereignty but was also based on historical data.

In the extreme north and west, as has already been noted, the McMahon line was practically accepted. But the Treaty failed to say so because the name was distasteful to the Chinese. In the extreme south, near the Salween (Mekong) section, both China and Burma accepted the historical boundary without any modification.

The contested areas between the extreme south and north were settled in this way: (a) Burma returned to China the three villages in Hpimaw, otherwise known as Pienma, Gawlum and Kangfang, involving 153 square kilometers or 59 square miles; (b) China agreed to cede to Burma the residual rights of the "Namwan (or Meng-Mao) Assigned Tract" prescribed in the 1897 treaty under the name of "perpetual lease." This tract constitutes 220 square kilometers or 85 square miles; (c) In exchange and for ethnic and historical reasons, Burma agreed to turn over to China the Penhung and Panlao tribal areas which involve 189 square kilometers or 73 square miles. This district is located just to the southwest of Kunlong in the Chinese province of Yunnan. (d) From the Panhung-Panlao areas, further south, lies the famous Wa State. Both parties consented "for convenience of administration," to adjust the 1941 line (originally awarded by the Iselin Boundary Commission of the League of Nations) so that the bisected villages would be placed either entirely on the Chinese or the Burmese side. The result was that four villages (Umhpa, Pan Kung, Pan Naqang, Pan Wai) went to Burma and three (Yawng, Hok, Lungnai) to China. In addition, China renounced her mining rights at Lufang in this area. (See Map 1)

The above are the territorial adjustments according to the 1960 treaty. The remaining articles

reflected the usual arrangements concerning boundary lines of rivers, settlement of future disputes, etc., according to international law and practice.

Of the Sino-Burmese Boundary Agreement, concluded on January 28, 1960, one analyst has written that "in five days, General Ne Win had secured for his country the frontier which had been claimed all along, with differences only of square miles in Hpimaw area and in that of Panhung-Panlao which were left for a joint committee to settle on the spot." 19

Indeed, when the Boundary Treaty was signed, all China gained was 47 square miles. She also surrendered her residual sovereignty in the Namwan perpetual leased area and her mining privileges in the Lufang silver mines. This led to Alastair Lamb's comment: "In the Sino-Burmese boundary agreement of 1960, the Chinese communists accepted without modification the greater part of the British-created boundary to which the Kuomintang and the Manchus had been extremely reluctant to accord formal recognition." <sup>20</sup> This indicates China's willingness to compromise on such matters under certain circumstances.

In the High Conical Peak area, China used to claim a territory north of Myitkyina amounting to over 10,000 square miles. In December, 1950, a Communist regime map even carried farther south to Bhamo. Early the next year, the Chinese Embassy in Rangoom openly displayed similar maps. 21 Why was Peking willing to settle for the three villages involving an area of 59 square miles when she was stronger in 1960 than in 1950? Furthermore, in 1897 the British, in addition to the forcible creation of the Namwan perpetual lease, annexed a narrow strip along the east bank of the Salween near Kunlong with the intention of building a railway through it. This whole tract was accepted as Burmese territory without special mention in the 1960 agreement. 22 Why was Peking so conciliatory toward Rangoon then when in her later attitude toward India she was so insistent?

There were four reasons behind the Chinese decisions:

First, China was looking for a stable and reasonably defined boundary. When Burma decided to accede to a non-aggression pact with China, the Chinese border security with Burma was virtually assured. Therefore, in the few cases where the Chinese possessed valid traditional rights, they insisted upon some modification of the old British boundary; they were prepared to abandon sweeping territorial claims which would invite lengthy argument and insoluble disputes.

Second, China sought a new and equal treaty without obtaining "perpetual lease" or "mining privileges" in a foreign country as was the case with imperialist powers in old China. These were stigmas of imperialism during the colonial era of Burma and the semi-colonial period of China. In other words, China wanted to break away from the old unequal treaty terms and emphasize equality and mutual benefit. In this respect, there is no significant difference between the Nationalist and Communist policies.

Third, strategically and politically Burma was no threat to China and the Chinese Communists had no strategic routes in the disputed area. The important factor led to the boundary settlement for mutual benefit of Burma and China.

Fourth, the signing of the Sino-Burmese treaty was a broad hint to all countries having boundary problems with China. The terms of the settlement were territorially beneficial to Burma and they were reached through peaceful negotiations between two countries with different ideologies. China's surrender of her unequivocal residual sovereignty in the Namwan tract resulted because Burma had built a highway linking the Shan and Kachin states of Burma to the rest of the country. Therefore the whole settlement was rational, taking into consideration "the existing reality." It could be argued by the Chinese that if China could turn over some territory to Burma, there was no good reason why

India could not do the same to China in the Aksai Chin area where China needed a road for the control and defense of Tibet. 23

On the whole, the Sino-Burmese boundary settlement benefited Burma. Since U Nu was so satisfied with the boundary alignmnet and the task of the Joint Committee, he went to Peking again and signed a Boundary Protocol of 100,000 words with Chou on October 3, 1961.<sup>24</sup> Since then, the Sino-Burmese borders have been tranquil and peaceful. Both countries' leaders frequently visited each other's capital. Chinese Vice Premier Teng Hsiao-ping visited Rangoon in August, 1978; the Burmese Prime Minister, U Manng Mawng Kha, returned his visit to China July 12-13, 1979. Most recently, the new Chinese Premier, Zhao Zi-yang just concluded his visit to Rangoon in early February, 1981.

There have been reports that the Chinese continue supporting the Burmese White Flag Communist Party in the border area, but apparently there is no way yet to prove such connections. At any rate, this issue has not constituted a major problem between China and Burma.

### 2. The Sino-Nepalese Treaty of 1961

We have analyzed the Sino-Burmese Treaty of 1960 in detail not only because Burma and China have a common frontier of 2,000 kilometers, but also because the Boundary Treaty was the first of its kind to be signed by the Chinese communist regime since it came to power. The Burmese settlement might have given some clues to other countries which have common boundaries with China.

The most obvious case one can find is in the Sino-Nepalese relations. Nepal signed a boundary treaty similar in nature with China in the following year--1961. The treaty was also preceded with a boundary agreement. Nepal had a traditional tributary tie with China as had Burma. In 1950-51, the Nepalese people, out of dislike for the pro-India Rana dynasty of hereditary prime ministers, restored the monarchy to power. In 1955 King Mahendra,

immediately after ascending to the throne, decided to establish diplomatic relations with China in order to counter Indian pressure.

Since then, the relations between China and Nepal have improved steadily. 25 In the years between 1956 and 1961, five major treaties or agreements were negotiated and signed. The first was an agreement regarding trade and intercourse between "the Tibet region of China" and Nepal, signed on September 20, 1956, and effective since January 17, 1958. This instrument reaffirmed the five principles or Panch Shila in Sanskrit as the "fundamental principles guiding the relations between the two countries." Then it was followed by an article to abrogate "all treaties and documents which existed in the past between China and Nepal" including those relative to the Tibet region. In other words, Nepal relinquished her special facilities acquired in Tibet in 1856, and China by clear implication abandoned her claims to some form of suzerainty over Nepal. Instead, the agreement set up trade agencies and markets in Tibet and Nepal on the basis of reciprocity and of "long-standing friendship."

Then, on October 7, 1956, an economic aid agreement was signed in Peking in which China was to make a free grant to Nepal in three years in an amount of 60,000,000 Indian rupees. Early the next year, 1957, Chou En-lai made his first visit to Katmandu and received an enthusiastic welcome.

Thereafter, events moved quickly. The Communist Chinese sent strong armies in October, 1959, to cope with the open rebellion in Tibet. Nepal immediately felt the pressure because the Chinese detachments were close to her frontier. This led her Prime Minister, B.P. Koirala, to declare on October 4, 1959, that his country would resist any Chinese invasion. In November he again said in an interview: "If we are invaded we have our army-20,000 men, poorly armed perhaps, but suitable for our terrain to stem the first attack until the United Nations can act."26

Evidently the Nepalese were very nervous in

facing the situation. Rumors abounded about the "Chinese expansion and aggression." But events turned out differently. On March 11, 1960, Nepalese Prime Minister Koirala was welcomed to Peking on a "friendly visit." During his two weeks' stay, a new economic aid agreement was concluded, according to which China would grant another 100,000,000 Indian rupees to Nepal and, more importantly, a boundary agreement was reached on March 21.27

The preamble of the boundary agreement stated that the guidelines for delineation and demarcation of the border would be "on the basis of the existing traditional customary line," and "with a view to bringing about the formal settlement of some existing discrepancies in the boundary line between the two countries and the scientific delineation and formal demarcation of the whole boundary."

The most important provision was that both parties agreed to determine the boundary lines in accordance with three different cases: either by following delineations that are identical on maps of the two sides, or in accordance with concrete terrain features and the actual jurisdiction of each side, or by conducting on-the-spot surveys and making adjustments after investigation by a joint committee in accordance with the principles of equality, mutual benefit, friendship and mutual accommodation. The two parties also decided that, to ensure tranquility and amity along the border, neither would send armed personnel to patrol the area on its side within 20 kilometers of the border. but would keep only administrative personnel and civil police there. Thus military tensions would be eliminated in the meantime.

Chou and Koirala also concluded a treaty of peace and friendship when Chou returned his visit to Nepal. Chou did this the very next month and signed the document at Katmandu on April 26.28 This treaty represents the second of its kind that Peking reached with a neighboring country, the first one being that with Burma. While the Burmese treaty contained a clause enjoining the signatories in a

military alliance directed against the other, the Nepalese Treaty simply specified that the two parties "undertake to settle all disputes between them by means of peaceful negotiations." In other words, Nepal could keep on maintaining an independent policy of neutrality and Chou expressed his willingness to support it. 29 Therefore, the wording of the treaty was praised as "the marks of negotiating restraint and sophistication on the part of China."30

This series of agreements in 1960 paved the way for definitive and substantive negotiations on the border between the two countries. The joint committee set up by the two governments held three fairly long sessions: first, at Katmandu in August, 1960; second, at Peking in January and February, 1961; and the final one at Katmandu in August and September, 1961. Between sessions, joint teams were sent out for actual surveying and the setting up of markers on the frontiers.

In December, 1960, King Mahendra took over direct reign of his government. This helped improve Nepalese relations with China. When the Sino-Nepalese boundary treaty was ready for signatures, he went to Peking and signed it with Liu Shao-ch'i, then China's President, on October 5, 1961. The occasion was given much publicity by the Peking authorities. The King himself on that day said:

According to the treaty on the boundary which has been signed, the entire boundary line between the two countries has been delimited on the basis of the equality, customary boundary in accordance with the principles of equality, mutual benefit, friendship and mutual accommodation. All outstanding problems regarding the boundary between the two countries have been solved to the satisfaction of both parties. 31

The treaty itself prescribed the formal delimitation of the entire boundary which passes for the greater part of its length through some of the

world's most formidable mountains. Therefore, the delineation work was very difficult inasmuch as there existed problems of correlation between Nepalese and Chinese maps. Alastair Lamb said in this connection:

As far as the author can make out by applying the verbal description in the 1961 agreement to 1:1,000,000 maps available to him, the agreed boundary follows almost precisely that shown during the period of the British Raj, with the exception of a small tract just to the east of Mount Everest (Jolmo Lungma or Sagar Matha) where it would seem that a few square miles have passed from Nepal to China. But this apparent cession may imply no more than defective cartography. 32

Article I of the boundary treaty pointed out that both parties "after having jointly conducted necessary on-the-spot investigations and surveys," made certain adjustments to the traditional customary boundary line. Before concluding the treaty, Chou said at Katmandu in reply to a reporter's question that divergencies on the maps of the two countries were not necessarily divergencies in actuality. "Actual divergencies are very small and easy to settle."33

In contrast to the Burmese boundary treaty, the Nepalese counterpart failed to specify where the discrepancy was. Chou En-lai refused to tell the exact nature of the discrepancy when questioned by the press. 34 The exact reason for the failure to specify the discrepancy remains open to speculation only.

So far as it is possible to ascertain at this time, the discrepancy lay principally at the so-called Mount Everest region. Chou, at the same press conference, asserted that China had never laid any territorial claims to Mount Jolmo Lungma [name in Tibetan] or Sagar Matha. During the talks in Peking, the two parties exchanged maps of the two countries and their delineations were different.

## He continued, revealing:

At that time, Prime Minister Koirala made the point that Nepal had always regarded this peak as Nepal's. Chairman Mao Tse-tung, when he received Prime Minister Koirala, expressed the view that we could follow the Nepalese delineation which shows the northern half of the peak belonging to China and the southern half of the peak belonging to Nepal. Since Chairman Mao Tse-tung's talk with Prime Minister Koirala, our Government has all along maintained this attitude."35

Chou went on to say that, according to Koirala, historically anyone who climed Mount Jolmo Lungma from the south had to secure a visa from the Nepalese Government, while anyone who climed the mountain from the north had to secure a visa from the Chinese Government. 36 Therefore, the final settlement of the boundary was a line passing through the summit, "enabling both the Nepalese and the Chinese to look on Everest, the world's highest peak, as their mountain."37

It has been reported that the Chinese have meticulously observed the boundary treaty, in spite of occasional unsettled conditions in Tibet. Not only that, a new agreement between the two countries was signed in 1966 for constructing a highway from Tibet to Katmandu with Chinese assistance. This was made possible only when the borders had been defined and one can now travel by motor vehicle from Katmandu to Lhasa, albeit a long and difficult journey. This road gives Nepal an alternate route to the outside world whereas before, the Nepalese could only pass through Indian territory. Trade volume would also be increased between China and Nepal in time. 38

Similarly, the Nepalese foreign policy now had a possible alternative course of action. She could be more independent in the sense of resisting the constant and heavy pressure from the south. By

walking a tight rope between China and India, Nepal could maintain her desired neutrality. Nepal thus serves as a buffer between the two big neighbours and therefore keeps her neutrality as much as possible.

On the whole, the Chinese accepted the boundary settlement with Nepal in an attempt at wooing the Himalayan States. Nepal, of course, utilized the new friendly relations with China to lessen political and military pressures from India.

## Chapter III: Notes

- Article 55 of the Common Program of September 1. 29, 1949. English text in Department of State Bulletin, XXIII (1950), p. 238.
- 2. Text in People's China, No. 15, August 1, 1957.
- Supplement to People's China, No. 14, July 16. 3. 1954, p. 5.
- China and the Asian-African Conference, Foreign 4. Languages Press, Peking, 1955, p. 26. Actually, the Nationalist remnants problem had been solved through the efforts of the United Nations at this time.
- Speech by Chou En-Lai at the Fourth session of 5. the First National People's Congress on July 9, 1957; Supplement to People's China. No. 15. August 1, 1957.
- Quoted by Girilal Jain in his Chinese "Panch 6. Shila" in Burma, p. 20.
- New China News Agency, Peking, October 24, 1956. 7.
- Text in Supplement to People's China, No. 15, 8. August 1, 1957.
- People's China, No. 23, December 1, 1956, p. 41. 9.
- New China News Agency, November 11, 1956. 10.
- Statesman, Calcutta, November 12, 1956. The McMahon 11. line will be further discussed in Chapter IV, 1c
- New China News Agency, Peking, December 14,1956. 12.
- 13. Ibid, Rangoon, December 20, 1956.
- Ibid, Rangoon, March 6, 1957. 14.
- 15. Ibid, Rangoon, April 10, 1957.
- 16. Supplement to People's China, No. 15, August 1, 1957.
- New China News Agency, Peking, January 31, 1960. 17.
- 18. Jen-Min Jih-Pao, October 2, 1960, p.1.

- Dorothy Woodman, The Making of Burma. p. 536. 19.
- Alastair Lamb, Asian Frontiers, p. 156. 20.
- 21. Francis Watson, The Frontiers of China, p. 81.
- 22. Lamb, Asian Frontiers, p. 155.
- 23. The Sino-Burmese territorial arrangements discussed in this section are strictly in accordance with the provisions of the boundary treaty of 1960. Therefore, some discrepancies result between the present analysis and other works touching on the subject because they fail to take this fact into account. Most of the English texts concerning the statements, speeches, communiques, and related documents can be found in A Victory for the Five Principles of Peaceful Co-Existence, Foreign Languages Press, Peking, 1960.
- 24. New China News Agency, October 13, 1961. Cf. also Woodman, The Making of Burma, p.539; and "China Warms up to Wary Neighbors," Wall Street Journal, February 3, 1981, p. 27.
- 25. Leo E. Rose, Nepal Strategy for Survival, pp. 208-249.
- 26. Quoted from Watson. The Frontiers of China, p. 132.
- 27. English texts in New Development in Friendly Relations Between China and Nepal, Foreign Languages Press, pp. 21-28
- 28. Ibid., p. 29.
- 29. Ibid., p. 39
- 30. Arthur Lall, How Communist China Negotiates, p. 199.
- 31. Nepalese Department of Publicity, Major Foreign Policy Speeches by His Majesty King Mahendra, (1964 ed.) p. 43. Text of the boundary treaty, Jen-Min Jih-Pao, October 6, 1961.
- 32. Lamb, Asian Frontiers, p. 136.
- 33. Cf. Note 27, op. cit., p. 75.
- 34. Lamb, Asian Frontiers, p.74.

- 35. *Ibid.*, p. 70.
- 36. *Ibid.*, p. 70.
- 37. Ibid., p. 136n.
- 38. Professor Clemens wrote in longhand on the 1973 manuscript of this study commenting: "Something here is on the obvious mutual benefits derived from these agreements, China acting in a decent, restrained manner."

# CHAPTER IV

## Chapter IV THE FRONTIER WAR WITH INDIA, 1962

When Mao Tse-tung took power in 1949, India under Pandit Jawaharlal Nehru became the second non-communist country in Asia to recognize the communist regime in Peking. In accordance with his non-alignment policy, Nehru cultivated the friendship of the new China with good intentions. At the time of the Bandung conference of Asia-African countries in 1955, he cooperated closely with Chou En-lai.

But in regard to the boundary issues, as we shall see, Nehru claimed more frontier territories in the Aksai Chin area as well as along the McMahon line including TAWANG than the British had, and pursued a vigorous forward policy by setting frontier posts. At the same time, he refused to open negotiations with China to settle the boundary question in a general way. Therefore, the controversy eventually culminated in a frontier war with China in 1962.

It was a strange war. China fought and won, but immediately declared a unilateral ceasefire and withdrew to her claimed lines upon her own initiative. The Colombo powers offered their good offices but without contributing any result toward the settlement of the outstanding issues of the Sino-Indian border. But an armed truce has existed ever since. The following analyses will tell the story.

## 1. The Historical Background

Generally speaking, the Sino-Indian boundary can be divided into three sectors: the western, eastern, and the middle, among which the western is by far the most important. But the 1962 war was mainly fought in the eastern sector because there the Indians had pushed forward most energetically, yet were militarily the weakest.

A. The Western Sector

The western sector of the boundary covers the

1,000-mile-long frontier from Afghanistan to Nepal. The contested area is somewhere around 15,000 square miles. The trouble started when the British conquered Kashmir in 1846, and created the state of Jammu and Kashmir with Gulab Singh as its head to serve as "the guardian of the northern frontier. without the hostility, expense and added responsibilities which its annexation would involve. 11 But Gulab Singh, several years before, had conquered the little kingdom of Ladakh.

Until Ladakh won her independence in the tenth century, she was part of Tibet. Since then, she has lost her independence several times. In 1840 the Tibetans sent forces to liberate Ladakh but they were stopped by Gulab Singh's reinforced army just short of Leh. Eventually, in 1842, the commanders of the two forces signed what amounted to a nonaggression pact. Both sides agreed to respect "the old, established frontiers," without specifying a boundary between them.

Now the British interest required a boundary line in order to limit Gulab Singh's expansionist policy. The British could achieve this unilaterally even without the cooperation of the Chinese or Tibetans. Working in 1846-1847, British commissioners drew a boundary from a little north of the Pangong Lake to the Spiti River; but between the Pangong Lake and the Karakoram Pass, one of them viewed it as "terra incognita," which means "cannot be correctly defined." In 1865, however, W. H. Johnson, an officer of the Survey of India, visited this region, later known as Aksai Chin meaning "desert of white stone." This region is a desolate plateau 17,000 feet above sea level, lying between the towering ranges of the Karakoram and the Kuen Lun. An ancient trade route ran across it. During its brief summer, caravans of yaks carrying silk, jade, hemp, salt or wool crossed the plateau from what is now Sinkiang to Tibet along the ancient route.

Afterwards, Johnson drew up a map on the strength of this visit showing Aksai Chin, together with a broad slice of territory to the north of

the Karakoram Pass, as being within the domain of Kashmir. At the time other Englishmen viewed this claim skeptically. R.B. Shaw, for example, wrote: "The Maharajh [of Kashmir] has no more rights in Shahidulla [north of the Karakoram Pass] than I have."3 Nevertheless, the Johnson line appeared in an atlas of 1868 as the boundary of Kashmir.

When Captain Younghusband was sent to the Pamirs in 1890 for the purpose of tracing the theoretical limits of China's claim there, the Chinese told him that her boundary stretched along the Karakoram range and the watershed between the Indus and the Tarim basin. 4 Two years later, 1892, the Chinese erected a boundary marker in the Karakoram Pass with an inscription stating that Chinese territory began there. The British were receptive to this move. They "expressed themselves in favor of the Chinese filling up the no-man's-land beyond the Karakoram." The Chinese action was in line with the British policy of maintaining buffer zones to prevent direct contact between their territory and that of Russia in Central Asia.6

Therefore the British did not challenge this Chinese move. The Karakoram Pass became a fixed and mutually accepted point on the Chinese-Indian boundary, but on either side of that pass the alignment remained undefined. By the mid-1890's, the Chinese authorities, through the exploration of an official, Li Yuan-ping, possessed some knowledge of the border sector from the Karakoram Pass to the Changchenmo River and claimed Aksai Chin as their territory. They made known their claim in 1896 to George Macartney, then Britain's representative in Kashgar. When he presented a copy of the Johnson map showing Aksai Chin within British territory, the Chinese objected to this version and asserted that Aksai Chin was theirs. Hence, Macartney reported that "probably part [of Aksai Chin] was in Chinese and part in British territory." A British intelligence report on the same subject took note of Macartney's comment, and expressed its agreement with it.9

Meanwhile, Sir John Ardagh, Director of Military Intelligence for the British General Staff proposed that, in order to ward off a Russian advance to India, the British should include within their boundaries not only the whole of Aksai Chin, but also the upper courses of the Yankand and Karakash river systems as well, 10 i.e., almost all the areas that Johnson's alignment of 1865 had given to Kashmir.

But the then Viceroy of India, Lord Elgin, disagreed with the armchair strategist and expressed the view that, since the Chinese claimed Aksai Chin, any implementation of Ardagh's line would strain relations with China and might precipitate the very Russian ambition which Ardagh wished to avoid. 11 Elgin went on to suggest to London that they should adopt Macartney's proposal that Aksai Chin be dissected between Britain and China along a boundary following the Lak Tsang range, a line of hills stretching roughly east to west, and dividing the Aksai Chin proper on the north side from the Lingzi Tang salt plains, to the south. London adopted this suggestion and formally proposed it to China's Tsung-li Yamen (Foreign Office) on March 14, 1899, through its minister in Peking, Sir Claude MacDonald. 12 Later this line became known as the Macartney-MacDonald line.

As this was the only move which London ever formally proposed to Peking, it has a particular significance. Actually, this 1899 line represented a compromise by leaving China with the entire Karakash valley, a trade route and an ancient source of jade, and almost all of Aksai Chin proper, and keeping for India the Lingzi Tang salt plain and the whole Changchenmo valley, as well as the Chip Chap River farther north. 13 Since China had learned the lessons of the unequal treaties elsewhere, particularly on the Russian frontiers, she refused to engage in boundary demarcations. Therefore she never replied to this important British proposal. Had she accepted this alignment, there would have been no dispute in the 1960's with India. But since China did not expressly reject the 1899 line, the British Government in fact held to it. This was indicated in the map which accompanied the Simla Convention in 1914.

Aksai Chin appeared in that map as part of Tibet. If the McMahon line ever had legal validity, then this fact would give the Chinese much weight against the Indian claim to Aksai Chin.

In 1947 when India and Pakistan inherited the British power and partitioned the sub-continent, Kashmir was divided at the Karakoram Pass and this fact was confirmed by the first Indo-Pakistan war over Kashmir. To the west of the Pass the frontier became Pakistan's responsibility; to the East, India's. Pakistan, much weaker than India, solved her border issue with China in 1963 without serious conflict; 14 whereas India and China fought, in 1962, full-fledged war but without naming it as such.

### B. The Middle Sector

Historically the middle sector mainly covers the three Himalayan states: Nepal, Bhutan and Sikkim. They more or less maintained a sort of dual relationship with British India and China. When the British power reached the Himalayas, these states were in varying degrees of allegiance to the Chinese empire.

Nepal was created by the Gurkhas (a Hindu clan) in the middle of the eighteenth century. When they went on to attack Tibet, they were defeated by the Chinese army and accepted the status of a Chinese tributary, sending a mission to Peking once in every five years. But their defeat in a war with the British gave the Indian government control over their foreign relations. In order to avoid the Chinese reactions, the British made no protest to the Nepalese quinquennial missions to China up to 1908. With the boundary treaty signed with Communist China in 1961, Nepal gained a fully sovereign state status and thereafter there have been no major disputes.15

In the case of Bhutan, the British considered it a part of the Chinese sphere. Early in the nineteenth century they even explored the possibility of using Bhutanese mediation as a method of establishing diplomatic contacts with Peking which were

seen "as a possible solution to the problem of British trade at Canton..."16 It was not until 1910 that an Anglo-Bhutanese agreement was signed in which all Bhutanese foreign relations were placed under the supervision of the Indian government. But the Bhutanese continued to regard themselves as in some way dependent upon the Tibetan regime in Lhasa until 1950. In 1949, an Indian-Bhutanese treaty confirmed the provisions of the 1910 agreement, and therefore India considered it had assumed the right to control Bhutanese foreign relations. In October, 1958, the Bhutanese government sent a note to Peking through the accepted Indian channel on the subject of Chinese claims to more than 300 square miles in northeastern Bhutan. In a note of December 26, 1959, however, the Peking Government played down the question saying that "concerning the boundary between China and Bhutan there is only a certain discrepancy between the delineation on the maps of the two sides in the sector south of the so-called McMahon line. But it has always been tranquil along the border between the two countries."17 After the war with India in 1962, it seems that Peking has dropped the claim, 18

Sikkim in the earlier nineteenth century was far closer in relations with Tibet than either Bhutan or Nepal; but the British managed to place Sikkim under their protection since 1860. The Sikkim-Tibet border was defined in the Anglo-Chinese Convention of 1890. Although this was described as an "unequal treaty," the Chinese communists have not contested its validity. Instead, the Peking government on December 26, 1959, informed the Indian Government: "The boundary between China and Sikkim has long been formally delimited and there is neither any discrepancy between the maps, nor any dispute in practice." 19 Therefore this remains the only border defined by a treaty along the long Sino-Indian boundary. The later dispute in 1963 was due to the Chinese claim that the Indians had failed to respect the Sikkim-Tibet border as it was prescribed in the Anglo-Chinese Convention of 1890.20 After the relations between India and the Chogual deteriorated, due to the latter's nationalist drive -- in which

his U.S. born wife played a significant role-India unilaterally, in early September, 1974 annexed Sikkim in spite of her 1950 treaty with Sikkim recognizing the latter's "self-governing" status. China announced immediately that she would never recognize the Indian annexation. The Hindustan Times of the New Delhi commented:

No country or people voluntarily chose self-effacement and the Indian Government is not going to be able to persuade the world that Sikkim's 'annexation' repre-21 sents the will of the Sikkimese people.

Since Sikkim is a tiny country of only 2,744 square miles and with a population of 200,000, any attempt to regain independence is easily suppressed by the Indian government.

Besides the Himalayan states, the middle sector also covers a disputed boundary between India and China about 400 miles long. It stands from the southeastern end of the western sector to the border of China, India and Nepal. The main points of conflict are near the Shipki Pass, in the Nilang region, and in Spiti. They have not posed as grave a problem as the other two sectors have. Even during the 1962 war, this frontier remained in the background. Therefore, this study will pay no further attention to this sector.

#### C. The Eastern Sector

The eastern sector of the boundary is famous because of the controversial McMahon line. It runs from the crest of Assam Himalaya between Bhutan and Burma over a length of more than 700 miles. It covers a contested area of about 32,000 square miles. In India this area is now referred to as the North East Frontier Agency (NEFA). But China has always denied the validity of the McMahon alignment. The McMahon line, named after the chief British delegate, was a product of the Simla Conference of 1913-1914. At this time China was brought to the conference table by the British to sit together with the Tibetan delegate because the Manchu

Dynasty had just been overthrown and the Republican Government had hardly stood on its own feet. The British policy aimed to exclude effective Chinese power by taking measures to treat Tibet as a buffer between the Chinese and the British. Therefore, the British goal at the conference was to make China accept a division of Tibet into two zones, Inner and Outer Tibet. Although China's suzerainty was recognized over the whole of Tibet, she would enjoy no administrative rights in Outer Tibet. Hence, she would be kept back from the borders of India. But the Chinese knew the seriousness of the measure and resisted the British pressure by opposing the proposed line of division. In early April, 1914, however, the Chinese delegate, Ivan Chen, was induced by McMahon to initial the draft treaty which had been under discussion, and its illustrative map. Nevertheless, Chen did this "on the clear understanding that to *initial* and to *sign* them were two separate actions."22 The Peking Government immediately repudiated his action as soon as they learned

McMahon was not discouraged. He went on redrafting the convention and had the Tibetan delegate sign a joint declaration with him, which would be binding on both their Governments. China again denied its binding force as Tibet had no treaty-making power. Therefore, the Simla Conference produced no agreement which might bind China. McMahon himself wrote in his report to London: "It is with great regret that I leave India without having secured the formal adherence of the Chinese Government to a Tripartite Agreement." 23

The McMahon line was a by-product of the Simla Conference. This boundary agreement was negotiated in Delhi in February and March, 1914, between the British and the Tibetans. The Chinese were not invited to participate, although they might get wind of these secret dealings. The Assam-Tibetan boundary was drawn on two map sheets at a scale of eight inches to a mile and was accepted by the Tibetan representative in an exchange of letters on March 24th and 25th, 1914.<sup>24</sup> These maps were only recently published.<sup>25</sup>

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The most outstanding feature of the McMahon alignment was to push the Indian boundary northward about sixty miles, including the Tawang tract to the west which had always been treated as Tibet's and the Walong area to the east in which the Chinese had already established themselves by effective occupation. It is not known how the Tibetan delegate was persuaded to surrender the Tawang tract but he was "much blamed" later by his Government. 26 In other words, McMahon moved up the Indian boundary from the exposed foothills to the crest lines of the Assam Himalayas. It did not really follow a watershed line, as was later claimed by India, because it cut several rivers, including the Tsangpo-Brahmaputra, flowing south.

The Tibetans later argued that they were unaccountable for the McMahon line since they regarded this boundary line as part of a package deal in which "they were to be recompensed for the cession of some territory to the British by gaining, with Britain's help, a satisfactory boundary with, and a large degree of independence from, China. 27 Therefore, these documents—the draft convention, the secret Anglo-Tibetan declaration accepting the draft as binding, and the secret exchange of letters between the British and the Tibetans on the Assam-Tibet border, were not immediately published. As late as 1929, Aitchison's Treaties, the authoritative record, only noted the Simla Conference in those words:

In 1913 a conference of Tibetan, Chinese, and British plenipotentiaries met in India to try and bring about a settlement with regard to matters on the Sino-Tibetan frontier, and a Tripartite Convention was drawn up and initialed in 1914. The Chinese Government, however, refused to permit their plenipotentiary to proceed to full signature.

For many years, the Tibetans continued collecting taxes (or dues) in the Tawang tract. In 1938, when Captain Lightfoot of the Indian army reached Tawang, the Tibetan officials did the same under his nose

and the Lhasa Government lodged a formal protest against his presence. 28 The Governor of Assam, Sir Robert Reid, objected to the policy of establishing control over Tawang. Even his acting-governor at the beginning of 1936 was opposed to the scheme on practical and legal grounds. He wrote to the Viceroy (Lord Linlithgow) asking: "Are we on absolutely firm ground juridically as regards our rights under the convention of 1914? ... If one of three parties to a Tripartite convention does not ratify, can another party to the convention claim that it is binding between itself and the third party?" He intimated that the fact that the Government had taken no steps to implement the McMahon line from 1914 to 1938 "must adversely affect its position, both in equity and in international law." He also viewed the letters exchanged in 1914 between McMahon and the Tibetan delegate as "lacking in the formalities associated with a treaty." 29

In 1946, a year before India became independent, Jawaharlal Nehru published his first edition of Discovery of India, which had a map showing the northeastern boundary at the foot of the hills instead of the Himalayan crest line. It had no indication of the McMahon line. Therefore, one might reach the conclusion regarding the McMahon line that it was repudiated by China at the beginning, ignored by the Tibetans in practice because it was not implemented by the British, and even Nehru neglected it before Indian independence. Nehru's attitude would change drastically once he came to power.

## 2. The Nehru-Chou En-lai Honeymoon, 1950-1959

When India became independent in 1947, she inherited certain special rights in Tibet. One of these rights she exercised was the retention of the last British representative in Lhasa, H.E. Richardson, to represent India. Richardson was the man who cherished the cause of an independent Tibet. 30 No doubt this was in India's interest and therefore was denounced by the Chinese communists before they came to power as "imperialist designs for the annexation of Tibet."31

However, after the Government of the People's Republic of China was established in Peking in 1949, India was not only the second non-communist country which recognized it but also agreed in September. 1952, to convert her Lhasa mission to the status of a consul general. In return, China was allowed to establish a consulate general in Bombay. This fact implied Indian recognition of China's sovereignty over Tibet.

Moreover, on April 29, 1954, India and China concluded in Peking a very important agreement, namely the "Agreement between the Republic of Índia and the People's Republic of China on Trade and Intercourse between the Tibet Region of China and India." By referring to Tibet as the "Tibet region of China," India unequivocally recognized China's sovereignty in Tibet and buried whatever her remaining special right in Tibet in toto. 32 In its preamble the famous "Five Principles of Peaceful Co-Existence" or "Panch Shila" as the Indians called them, were for the first time incorporated in an international document. Among them, "mutual respect for each other's territorial integrity and sovereignty" and "mutual non-aggression" had very vague reference to national boundaries. The agreement mainly dealt with trade routes and conditions of entry, provided for the examination of documents at check-points, and specified six Himalayan passes to be used by "traders and pilgrims of both countries." The boundary question did not come up directly during the negotiations; rather, both sides tried to avoid raising the question.

On October 19, 1954, Nehru went to visit China. Before embarking on his trip, a reporter wrote the following concerning the motive for his trip: "His top assistants tell me that Nehru's dearest wish is to end China's isolation from the West and thus give it a chance of pursuing an independent policy ...which he believes will be peacelike."33 One might suspect that the actual motives of the Indian statesman were a bit more complex. Nehru, at this time, cherished the hope that China and India could cooperate to supplant Europe and the U.S. in determining Asia's future. When Nehru arrived in Peking for a twelve-day visit, it was reported that nearly a million Chinese greeted him as his motorcade passed along the ten-mile route to the city and the crowd shouted slogans of friendship:

> "Hindi-Chini Bhai Bhai" (Indians and Chinese are brothers)

This slogan became very popular in India when Chou En-lai returned Nehru's visit in 1956. He was cheered by large crowds wherever he went and his visit represented the high point of China-India friendship. Then, of course, there was the famous Bandung Conference in Indonesia in April, 1955. Nehru and Chou were recognized as the two leaders of Panch Shila which became widely used in Asian politics.

But Chou, on this occasion, took the initiative to raise the subject of the McMahon line. In Nehru's account of his conversation with Chou, the latter expressed the opinion that China had accepted the McMahon line as the boundary with Burma because, although "this line, established by the British imperialists, was not fair...it was an accomplished fact and because of the friendly relations which existed between China and the countries concerned, India and Burma, the Chinese Government was of the opinion that they should give recognition to this McMahon line."34

What Chou failed to make clear was that China would respect the McMahon alignment, but it had to be re-negotiated as in the case of Burma to erase the stain of the old "unequal treaties." In this connection, Neville Maxwell, a London Times correspondent, speculated about why Chou did not raise the subject of the western sector of the Sino-Indian border at this time. It seems that Nehru had no inkling then that since 1954 Indian maps had been claiming Aksai Chin, an area which China regarded and used as her own. Then Maxwell went on to express the following opinion:

> Chou's failure to bring up the western sector when he was discussing the eastern

border with Nehru in 1956 had farreaching and malign consequences. If, in the context of what Chou certainly saw, and Nehru probably accepted, as a Chinese concession on the McMahon line. he had gone on to point out that Indian maps were showing an incorrect boundary in the western sector, it is highly probable that the dispute would have been avoided.

The glow, almost euphoria, of Hindi Chini Bhai Bhai was then at its zenith and Nehru would surely have seen a marginal modification of Indian maps, bringing them into accordance with actuality on the ground, as a negligible price for its continuance—indeed, he might have welcomed the opportunity to match Chou's pragmatism about the McMahon line. But the opportunity passed unseen, and two years later the situation was wholly changed.35

But Chou might have had different considerations. He might have thought that if he offered China's recognition of the McMahon line on pragmatic grounds at this time, then Nehru might in turn offer India's recognition of the Chinese possession of Aksai Chin later. He also avoided bringing up the western sector because the strategic highway from Sinkiang to Lhasa with a section of 150 kilometers passing through Aksai Chin, although under construction, had not been completed. In other words fait accompli had to be accomplished first, before he would raise the issue.

China started construction of this motor road in 1956 and completed it in October, 1957. The Indians learned about this fact from gratuitous notices in the Chinese press about the completion of this major road-building feat. The Indians did not make direct inquiry to China as to where the road ran. Instead, because of the extreme weather conditions during the winter, they waited until

the next summer to send patrols to investigate the route of the road.

As soon as the Indian Government discovered the Aksai Chin road, it sent a note to Peking on October 18, 1958, claiming that the territory traversed by the road had been "part of the Ladakh region of India for centuries," and further pointing out that it was a matter of surprise and regret that "the Chinese Government should have constructed a road through indisputably Indian territory without first obtaining the permission of the Government of India." The note concluded by asking if China had any information about a missing patrol. 36

The Chinese reply was a counter-complaint. It asserted that Indian armed personnel had unlawfully intruded into Chinese territory and had been detained. "In the spirit of Sino-Indian friendship," the patrol had already been deported. The note concluded with a request for a guarantee that there would be no repetition of the incident. In a prompt reply (November 8, 1958), the Indian Government admitted that the question of whether the area was China or India was "a matter in dispute." Thus the Sino-Indian issue of conflicting claims over Aksai Chin came into the open.

Then in December, 1958, Nehru initiated the prime ministerial exchanges of letters concerning the border disputes. Their letters were cordial in tone but neither backed down from their position. Chou was as categorical about Aksai Chin as Nehru had been about the entire boundary. In a letter, Chou declared that this area "has always been under Chinese jurisdiction" because it had been continually under Chinese border patrol and the Sinkiang-Tibet highway passed through it." Concerning the McMahon line, he said "it cannot be considered legal"; but "the Chinese Government...finds it necessary to take a more or less realistic attitude" toward it. In conclusion, he expressed his belief that, on account of the friendly relations between China and India, a friendly settlement can eventually be found for this section of the boundary line."38

In reply, Nehru argued in his March 22, 1959 letter, that in all of its three sectors the boundary claimed by India was already clearly and firmly set. He based his argument on geography, and tradition as well as, in most parts, "the sanction of specific international agreements between the then Government of India and the Central Government of China."<sup>39</sup> Regarding Chou's proposal that, pending agreement on the boundary, the two sides should maintain the *status quo*, Nehru said:

I agree that the position as it was before the recent disputes arose should be respected by both sides and that neither should try to take unilateral action in exercise of what it conceives to be its right. Further, if any possession has been secured recently, the position should be rectified.

Evidently, what Nehru demanded was the restoration of the status quo ante, not what Chou meant when he called for the joint maintenance of the status quo. In other words, if Chou agreed with him, China should vacate the Aksai Chin highland. This divergence on the status quo was a crucial point during the whole course of diplomatic exchanges before the war broke out in 1962.

When the Tibetan rebellion spread in early 1959, the Sino-Indian relations were further strained. On March 28, China charged that "the Tibetan rebels looked to India for support," and that for years Kalimpong had served as "the command center of the rebellion."40 When the Dalai Lama escaped to India, Nehru visited him in Mussoorie on April 23, and later expressed his sympathy toward the Tibetan cause in the Indian Lok Sabha (lower house): "We have every desire to maintain the friendship between India and China, but at the same time we have every sympathy for the people of Tibet, and we are greatly distressed at their helpless plight."41 These remarks drew a furious anti-Indian campaign in China. In India, on the other hand, there were anti-Chinese demonstrations in many places protesting "China's invasion of Tibet."

As the hostility grew, the danger of widespread incidents and clashes on the border increased. But it was the Longju incident in the eastern sector which sparked the major confrontation on August 25th. China immediately accused Indian troops of intruding in the south of Migyitun and charged that they had first fired on Chinese border guards. 42 The next day India countered by protesting "deliberate aggression" on the part of the Chinese because they had moved into Indian territory and fired first. 43 Each position was debatable because each side claimed the particular piece of territory as theirs. Nehru admitted openly for the first time in the Lok Sabha the situation of the border disputes with China and existence of the Chinese road across Aksai Chin. He asserted that "it is a question of fact. whether this village or that village or this little strip of territory is on their side or on our side. Normally, however, these are relatively petty disputes.... But where national prestige and dignity is involved it is not the two miles of territory, it is the nation's dignity and self-respect that becomes involved in it.

He further declared that regarding the McMahon line, he was prepared to discuss any interpretation of the line, "minor interpretation here and there.... But the broad McMahon line has to be accepted." As to the western sector, however, he was not so sure. He said in part:

The exact line of the frontier (in the Ladakh area) is not at all clear as in the case of the McMahon line.... This place, Aksai Chin area, is in our maps undoubtedly, but I distinguish it completely from other areas. It is a matter for argument as to what part of it belongs to somebody else. It is not at all a dead clear matter.44

In this context, Nehru was really in doubt about the ownership of the Aksai Chin area, but he gave no hint of such open-mindedness in his communications to Peking. In those, he claimed a boundary for India in the western sector including Aksai

Chin and the McMahon line because they had "always been the historic frontiers" of India. 45

After the Longju incident, Nehru's attitude toward China hardened as did Chou En-lai's toward India. In his second letter, dated September 8, 1959, answering Nehru's letter of six months before, Chou was less cordial than in his previous one. He pointed out that the "Sino-Indian boundary has never been formally delimited." The McMahon line was not even a product of the Simla Conference proper; it "was determined by the British representative and the representative of the Tibetan local authorities behind the back of the representative of the Chinese Central Government through an exchange of secret notes at Delhi on March 24, 1914." As to the western sector, he insisted that the customary boundary line lay where the Chinese maps showed it to be and therefore Aksai Chin was Chinese territory. Chou again proposed a settlement of boundary claims through friendly negotiations. 46

After the Longju incident, India had ordered that the defense of the NEFA be placed under the responsibility of the army. Now the same measure was adopted for the western sector of the border, too.

Soon after another major clash at the Kongka Pass in East Ladakh on the Tibet-Indian border on October 20-21, 1959, Nehru told the Lok Sabha: am quite confident that our defence forçes are well capable of looking after our security."47 In the meantime, Indian forces had been pushing forward on two fronts: at Khinzemane, Longju and Tamaden along the McMahon line and around the Pangong Lake in the western sector. One may say that India was prepared for any eventuality.

## 3. The Undeclared War in the Frontier, 1962

After the Kongka Pass clash, the notes exchanged between Peking and New Delhi were full of charges and counter charges of "aggression, intrusion, provocation, attack, and self-defense." A major diplomatic confrontation took place when Chou and Nehru

met in New Delhi on April 19-26, 1960, and a military operation along the border occured in October-November, 1962. The Colombo Powers mediation was its aftermath.

#### The Diplomatic Confrontation in 1960 Α.

In order to defuse the tense situation on the border and avoid further unhappy events, Chou proposed holding talks with Nehru on the border disputes in a November 7th letter to him. Chou further suggested that the armed forces of both sides should be withdrawn twenty kilometers from the McMahon line and from "the line up to which each side exercises actual control" in the western sector. 48

In his reply to Chou on November 16, 1959, Nehru agreed to hold talks, but refused to comply with Chou's proposal for withdrawal of armed forces from both sides. 49 Instead, he suggested:

We think that there should not be the slight risk of any border clash if each Government instruct its outposts not to send out patrols. It is only when armed patrols go out in these difficult mountainous areas that there is likelihood of clashes taking place....

On December 17, 1959, Chou accepted Nehru's proposal of not sending out patrols. After a lengthy discussion of the disputed areas, he concluded that "under these circumstances, the speedy holding of talks between the two prime ministers is our unshirkable responsibility not only to our two peoples but also to world peace. This time Chou suggested that he and Nehru should meet on December 26th, i.e., nine days after the letter was delivered, and at any place in China as "there are in China no activities hostile to Sino-Indian friendship" (a reference to the Anti-China demonstrations in Indian cities). If, however, Chinese cities were not convenient for Nehru, and if Burma agreed, Rangoon was a good place for them to meet. 50

Nehru did not reply to this letter of Chou's until February 5, 1960. Nehru expressed:

But, I found that the respective viewpoints of our two governments in regard to the matters under discussion were so wide apart and opposed to each other that there was so little ground left for useful talks...

Still. I think it might be helpful for us to meet. I am afraid it is not possible for me to leave India during the next few months.... I would, however, be glad if you could take the trouble to come to Delhi for this purpose at a time convenient to you and us.... I would suggest some time in the second half of March.

After a few further consultations, both sides finally agreed that Chou would come to New Delhi for an eight-day visit beginning on April 19, 1960.

It was a difficult diplomatic mission for the Chinese premier. He was not only greeted with official coldness but also encountered hostile mass demonstrations. The Indian press continued its criticism and adverse comment throughout the period before Chou's arrival. Even after Nehru's appeal for "Courtesy to Chou as Invited Guest," the news media still insisted that there should be no public receptions for him and described his visit as the "most unusual and uncomfortable diplomatic encounter."

Amidst such a hostile atmosphere, Chou and his party including Foreign Minister Chen Yi arrived in Delhi on April 19. At the airport, Chou declared that both "China and India are now engaged in a large scale and long term construction... Both of us need peace, both of us need friends. There is no reason why any question between us cannot be settled reasonably through friendly consultation."52

At the end of six days of deliberation, including twenty hours of talks between the two leaders, no agreement was in sight. The New York Times made a speculative report:

China might have been prepared to relinquish its claims to 36,000 square miles in the eastern sector if India would recognize China's claim to 15.000 square miles in the Ladakh sector.

This might have been a good solution. China at this time would have no difficulty conceding the McMahon line because she had already accepted the McMahon alignment as a part of the Sino-Burmese boundary. But India maintained her position steadfastly. Consequently, nothing came out of the meetings.

In order to keep diplomatic options, China suggested, and India agreed, at the end of the summit that officials of the two governments would meet and "examine, check, and study all historical documents, records, accounts, maps, and other materials relevant to the boundary question on which each side relied in support of its stand, and draw up a report for submission to the two governments."53 After the New Delhi meeting, the officials of the two governments held three sessions to discuss the boundary question: first in Peking from June 15 to July 25; second in New Delhi from August 19 to September 28: third in Rangoon from November 7 to December 12 of 1960. They completed a 600-page, 500,000-word report and submitted it to their respective governments.

This report, entitled Report of the Officials of the Governments of the People's Republic of China and India on the Boundary Question, was published by the Chinese Ministry of Foreign Affairs on April 13, 1962, and issued by the New China News Agency on April 28 of the same year. The Indian Government published this same report in late 1961.

Earlier, on February 20, 1961, Nehru told the Lok Sabha that the report had "largely put an end to doubts about the real facts....Our case with regard to the border is almost foolproof and it does not require high intelligence to realize this." He continued, "So far as we are concerned, this is not a normal dispute, but a claim on our territory." His conclusion was that the border dispute "can only be settled when they [Chinese] vacate this territory."54

However, K. S. Hasan and K. Qureshi of the Pakistan Institute of International Affairs held a different view:

The report of the officials shows that there is serious divergence between the two sides in their comprehension of the facts concerning the boundary question. But the factual material provided and the comments made by the two sides objectively and indisputably testify that the position of the Chinese Government is correct, namely, the Sino-Indian boundary indeed has not been formally delimited, and the Sino-Indian traditional customary line as pointed out by China is well-grounded, while the boundary line claimed by India has no treaty, historical or factual basis, and there is between it and the traditional customary line pointed out by China a difference of about 120,000 square kilometers. The Indian side can in no way negate these facts. The report further proves that the Chinese Government's advocacy of a settlement of the Sino-Indian boundary question through friendly negotiations and formal delimitation is logical; while the Indian Government's position of refusing to negotiate and insisting on China's acceptance of the alignment by India is totally untenable.55

## B. A Border War in 1962

Up until 1959, Peking apparently did not expect that the settlement of the boundaries with India would be any more difficult than with their other Asian neighbors. After the diplomatic confrontation of 1960, the Chinese attitude to India began to change. Nehru was characterized by Chou as impossible to negotiate with, "being both unreliable

and impenetrable."56 On the other hand, Nehru further hardened his stand, telling the Raiva Sabba (Upper House):

I want to be quite frank to the House. Whatever the results of this immediate issue might be, there are basic issues which will always create tension between India and China, and we have to prepare for it, prepare a great deal for meeting that situation, meanwhile hold it the best way we can. 57

Nevertheless, 1961 was a fairly quiet year on the frontier, except for a continuation of the exchange of notes of protest and counter charges between the governments.

But on the international scene, the situation changed rapidly. First, in order to demonstrate China's reasonableness, Chou signed a few boundary treaties with her neighbors. It will be recalled China concluded a boundary treaty with Burma in October, 1960, and another with Nepal in October, 1961. Earlier, on January 15, 1961, the Pakistani Foreign Minister, Z. A. Bhutto, announced that China had agreed "in principle" to Pakistan's proposal that the frontier should be defined. Thus, China indirectly endorsed Pakistan's stand in Kashmir on its side of the ceasefire line because, except for Kashmir, there was no border between the two countries. On March 8, Pakistan sent a note to China requesting consideration of a border agreement. India resented, and protested vigorously, this move on May 10, 1961. Pakistan and China, however, did not enter actual negotiations until 1962.58

Second, India gradually shifted her non-alignment policy to the side of the United States. Eisenhower's visit to New Delhi in 1959 was returned by Nehru in 1961, but more telling was the increasing flow of American aid. The more aid India received, the stiffer grew her attitude toward the boundary stand with China. From 1947 to 1959, India received from the United States economic aid less than \$2,000,000,000, but from 1959 to 1962 more

than twice as much was granted or promised. Apparently these were unfavorable signals to the Chinese. Before the Eisenhower visit, Secretary of State Herter replied to a question at a press conference asking who was right in the Sino-Indian border disputes. He said:

The United States has not taken sides.... the border has been for many years ill defined...particularly from the point of view of the Northwestern area Ladakh and Aksai Chin with respect to the definitive border that could rightly be claimed by either side 59

As to the McMahon line, he said he did not know if the United States ever endorsed it. But he went on to point out:

We naturally presume that the claims made by the Indians are entirely valid claims, but from the point of objective reading we have no basis to go on. We have only the word of a friend. 60

Later, the Kennedy administration shifted the Herter stand to the recognition of the McMahon line, which drew a protest from the Republic of China on Taiwan. 61 A protest which shows the nationalistic as opposed to the ideological nature of such border disputes.

Third, as the Sino-Russian relations were worsening in 1959-1961, India improved hers with the Soviets. According to the Chinese Communist Party documents, Khrushchev, after his unsuccessful attempt to bring China under Soviet military control, refused to give assistance to China in its atomic energy development and abruptly withdrew all the Soviet technical assistance and personnel then working in China, together with their blueprints. After the Longju incident, the Tass news agency reported on September 9, 1959, "Leading circles" in the Soviet Union regretted the incident and expressed their confidence that "both Governments will settle the misunderstanding that has arisen." This neutral stand was indeed as Nehru assessed, "a more or less

dispassionate view of the situation." But in the Chinese view, since the Soviets were their ally, the Tass report by implication favored India and condemned China. The Jen-Min Jih-Pao said that this was "the first instance in history in which a socialist country, instead of condemning the armed provocation of the reactionaries of a capitalist country, condemned another fraternal socialist country when it was confronted by armed provocation."62

Then on February 17, 1960, Khrushchev came to visit India and followed by providing India with economic assistance. After Brezhnev's visit of December 15, 1961, India received Soviet military aid, including Mig 21's and a Mig 21 factory to be built on Indian soil. When the Sino-Soviet split came into the open at the Rumanian Party congress in Bucharest in June, 1960, Nehru was content and felt sure to have the Russians on India's side.

Why did Russia side with India in the Sino-Indian boundary disputes? Plainly, the Soviets saw the parallels between the Sino-Indian and the Sino-Russian boundary questions. Khrushchev knew very well that there remained unsolved a far greater boundary problem with China. Chou En-lai had intimated the matter with him three years earlier.63 From the Russian point of view it was logical that the Chinese would not press hard with the Soviets while they were busy on the Indian front.

Fourth, with the American and Soviet as well as British aid, and seeing the Chinese situation deteriorating, Nehru was bold enough to escalate the Indian forward policy, mainly in the western sector. In order to assert that Aksai Chin was traditionally India's she had to construct a road to solve the problem of communication from Kashmir to Ladakh and they did this in 1960.64 By the autumn of 1962, there were forty new outposts built in Chinese claimed territory by the Indians roughly one hundred miles away from and parallel to the Chinese Aksai Chin road. 65 They were scattered along the Chip Chap River and on the Changchenmo River and they were very close to the Chinese posts. Nehru characterized the situation as "a game of military chess with each side maneuvering for position.66

The Chinese reaction to the Indian posture was to order their frontier guards to resume border patrols "in the sector from Karakoram Pass to Kongka Pass which they had ordered unilaterally to stop at the end of 1959." India protested on May 14, 1962, and continued demanding Chinese withdrawal, saying:

The Government of India is prepared, in the interest of a peaceful settlement, to permit, pending negotiations and settlement of the boundary question, the continued use of the Aksai Chin road for Chinese civilian traffic.67

China replied on September 20 with an announcement of the resumption of patrolling on the entire border, i.e., including the McMahon line. The Indian Defense Ministry named on October 5, Lieutenant General B. M. Kaul as the commander-in-chief of a new border command in the NEFA. A week later, the Jen-Min Jih-Pao cautioned the Chinese Army to be ready because "a massive invasion of Chinese territory by Indian troops in the eastern sector of the Sino-Indian boundary seems imminent."

Both sides were ready for a showdown. The American-Russian confrontation over the Cuban missile issue kindled the spark. As the Russians were preoccupied in the Carribean, the Chinese launched the counter-offensive in the Himalayas on October 20, 1962. China did not have to worry about her northern front at this time. In fact, this was the only time Russia took the position of China's ally. Said Pravda:

We have always believed, and continue to believe, that there were no reasons for the border conflict between India and China.... and all the less for turning it into an armed clash. ... There is no doubt that had the two sides sat down at a conference table and discussed their mutual charges calmly, soberly and without

bias, the conflict would have been settled long ago....The most difficult talks are better than wars, and disputed questions must be solved by peaceful means, at a conference table, and not by military methods...<sup>68</sup>

At any rate, the Chinese Government declared on October 20 that "the Chinese frontier guards were compelled to strike back in self-defense." This action lasted only four days. It was a relatively minor attack when compared with the November offensive. The Indians were driven out of the territory which China claimed on the western sector and they fell back south of the McMahon line, and also the Tawang tract was taken by the Chinese. In a statement on October 24, Chou reviewed the entire situation from the autumn of 1959 and put forward a three-point proposal:

- (1) Both parties affirm that the Sino-Indian boundary must be settled peacefully through negotiations. Pending a peaceful settlement, the Chinese Government hopes that the Indian Government will agree that both parties respect the line of actual control between the two sides along the entire Sino-Indian border, and the Armed Forces of each side withdraw 20 kilometers from this line and disengage.
- (2) Provided that the Indian Government agrees to the above proposal, the Chinese Government is willing through consultation between the two parties, to withdraw its frontier guards in the eastern sector of the border to the north of the line of actual control; at the same time, both China and India undertake not to cross the line of actual control, i.e., the traditional customary line, in the middle and western sectors of the horder.
- (3) The Chinese Government considers that, in order to seek a friendly settlement of

the Sino-Indian boundary question, talks should be held once again by the Prime Ministers of China and India. At a time considered to be appropriate by both parties, the Chinese Government would welcome the Indian Prime Minister to Peking; if this should be inconvenient to the Indian Government the Chinese Premier would be ready to go to Delhi for talks. 69

While still in the midst of the Cuban missile crisis, Pravda endorsed Chou's proposal as constructive and urged Nehru to accept it "in the interest." of the people, in the Name of Universal Peace." PRAVDA also said, "the notorious McMahon line, which was never recognized by China, was foisted on the Chinese and Indian Peoples." On the other hand, Nehru did not reject the proposal but inquired, on October 27, as to the line of actual control. To him, it should be the one prior to September 8, 1962. Later he declined the advise of Bertrand Russell, who suggested that "in the interest of world peace" India agree to the Chinese terms. 71 He argued that "the Red terms would imply a major loss of Indian territory."72

On November 4, Chou wrote to Nehru and explained in detail the Chinese version of the line of actual control in the following way:

So far as the eastern sector is concerned, I believe the Indian Government must be in possession of the 1914 original map of the so-called McMahon Line. According to the original map, the western end of the so-called McMahon Line clearly starts from 27°44.6' N. Yet, the Indian Government arbitrarily said that it started from 27°48' N. and, on this pretext, it not only refused to withdraw the Indian troops from the Kechilang River area north of the Line, but made active dispositions for a massive military attack, attempting to clear the area of Chinese frontier guards defending it. Such was the position in the eastern sector of the Sino-Indian boundary

prior to 8 September, 1962. How can the Chinese Government agree to revert to such a position? As for the western sector, the Aksai Chin area has always been under China's jurisdiction. It was through this area that back in 1950 the Chinese People's Liberation Army entered the Ari district of Tibet from Sinkiang. Again, it was through this area that, from 1956 to 1957. the Chinese Government constructed the Sinkiang-Tibet Highway involving gigantic engineering work. Yet the Indian Government arbitrarily said that it was not until 1957 that the Chinese side came to this area and, on this pretext, unilaterally altered the state of the boundary in the western sector by force from 1961 onwards. occupied large tracts of Chinese territory east of the 1959 line of actual control and set up over 40 military strongpoints. Such was the position in the western sector of the Sino-Indian boundary prior to 8 September 1962. How can the Chinese Government agree to revert to such a position. ?73

In other words, Chou insisted on the line that the two countries held before significant border disputes started. Coincidentally, it was the same line that the two countries held on November 7, 1959 while they were on good terms. But on November 14, 1962, Nehru formally rejected Chou's threepoint proposal of October 24. Nehru argued:

In the Western sector: the line of November 7, 1959 not only includes all the Chinese posts established in the three years since 1959, but also includes all the Indian posts in the territory till 20th October and extends even farther westwards, thus taking in an additional 5000 to 6000 square miles since their 7th November 1959 position....[In the Middle sector] the suggestion that the line of "actual control" whether on 7th November or now, coincides

only 'in the main' with traditional and customary boundary is absolutely without foundation. The Chinese have never had any authority south of the main Himalayan watershed ridge, which is the traditional boundary in this sector.... And in the Eastern sector the proposed withdrawal would leave Chinese forces in command of the passes leading into India while Indian forces would be twenty kilometers to the south, leaving the entire Indian frontier defenceless and at the mercy of any fresh invasion. 74

On November 16, 1962, the Chinese army started a second offensive. It lasted one week until November 21. They took Walong, Bomdi La. Many Indians abandoned their homes and fled down to Bengal; on the western sector, the Indians fled to Kashmir. But the world was astonished to learn on November 21st, 1962, that the fighting in the Himalayas between two neighbors was to be ended by China's unilateral ceasefire and withdrawal. Just before midnight on November 20th, the Chinese Government declared a ceasefire beginning "from 00.000 hours" the following day. The statement also announced that "beginning from December 1st, 1962" the Chinese frontier guards would withdraw to positions 20 kilometers behind the line of actual control which existed between China and India on November 7, 1959." The Chinese Government then carried out its word on the two self-imposed promises.

According to the Time (Weekly) report, the Chinese employed 100,000 men in this border war under the command of General Chang Kuo-hua, a veteran of the Communist Party and Communist wars, including the Korean war. The Indian forces amounted to about the same number under the command of General B. M. Kaul, a veteran of the Burma front during World War II and the commander of the Kashmir war against Patistan. 75 But the Indians were defeated, defeated devastatingly. It was said that their defeat was "due not so much to a lack of military preparation as to a complete misunderstanding of

China's military strategy." Furthermore, the analysis continued:

Although Indian soldiers had fought in two world wars, Indian officers had fought only with Pakistan in 1947 and 1948. The officer corps of India and Pakistan were evenly matched in their ignorance and inexperience. The officer corps of India and China could not be compared. After all, there is some truth in the Maoist saying that men are more important than weapons. Among other things, India's defeat in 1962, like Egypt's defeats from 1948 to 1967, arose from the inability of her officer corps. 76

### C. The Columbo Powers Mediation and Aftermath

Appealing to the leaders of Asian and African countries, Chou En-lai on November 15, 1962, expressed the Chinese Government's desire for these statesmen to mediate the Sino-Indian disputes. The letter was accompanied by thirteen maps of the disputed border supporting China's claim. 77 In response to the Chinese appeal, Ceylon called a Conference for December 10-12 at Colombo to include six Afro-Asian nations (Burma, Ceylon, Cambodia, Ghana, Indonesia, and the United Arab Republic) in order to consider the question. To the great surprise of India, the non-aligned world, long sponsored by Nehru, could work against her. The Afro-Asian nations urged a negotiated settlement but refused to take sides because they were not sure about the merits of the case.

Nevertheless, the Conference made a six-point draft proposal and empowered Mrs. Bandaranaike, Ceylonese Prime Minister, to consult Peking and New Delhi before releasing it. As later revealed on January 20, 1963, the proposal represented a compromise between the Chinese and Indian positions. 78 In the eastern sector, the Colombo powers proposed that the line of actual control (i.e. the McMahon line) "could serve as a ceasefire line to their respective positions." They modified China's

stipulation that both sides should keep their armed forces twenty kilometers back from the McMahon line. except at the two points where the location of the line itself was in dispute.

The crucial point lay in the western sector. The Colombo Conference proposed that China should carry out the twenty-kilometer withdrawal as she had promised in the ceasefire announcement and the Indians could stay where they were. Then, "pending a final solution of the border dispute, the area vacated by the Chinese military withdrawal will be a demilitarized zone to be administered by civilian posts of both sides to be agreed upon; without prejudice to the rights of the previous presence of both India and China in that area."

This was a key passage but ambiguous as to its meaning. So after first visiting Peking and then New Delhi, Mrs. Bandaranaike issued on January 13, 1963, "clairifications," saying: "The demilitarized zone of twenty kilometers created by the Chinese military withdrawals will be administered by civilian posts of both sides."79 Then Chou En-lai rejected it in the form of "interpretation" because it pointed to the return of the Indians to the area they had penetrated under the forward policy and would be "tantamount to recognizing as legitimate the Indian armed invasion of this area and its setting up of forty-three strongposts there between 1959 and 1962."80 But Chou said such differences would not be a reason for postponing direct talks between India and China. On the other hand, Nehru was persistent in demanding that China meet Indian preconditions. He told the Lok Sabha:

We cannot have any kind of talks, even preliminary talks, unless we are satisfied that the condition we had laid down about the 8 September 1962 position being restored, is met.81

On March 1, 1963, the Chinese Defense Ministry announced the completion of the withdrawal of the Chinese frontier guards along the entire border. The Indians did not recognize the Chinese terms

but observed the ceasefire in practice. The New China News Agency reported on May 26, 1963, that "the Chinese side had handed over all the 3.942 Indian military personnel captured during the Sino-Indian border conflict in October and November, 1962, as well as the bodies and ashes of 26 captured Indian military personnel who died." In contrast. no Chinese prisoners were taken by the Indians.

Yet, the hostile situation on the front remained unresolved. On November 21, 1963, the Jen-Min Jih-Pao put out an editorial on the occasion of the anniversary of the ceasefire saying that Peking was still hoping for direct negotiations with India:

As far as China is concerned, the door is wide open for reopening Sino-Indian negotiations and for a peaceful settlement of the boundary question. China has patience. If it is not possible to open negotiations this year, we will wait until next year; if it is not possible next year, then the year after next.

If the purpose of the limited use of force on the part of China was to bring India to the negotiation table, then China failed, as some writers have asserted. 82 If her intention was to create a de facto ceasefire and a de facto disengagement along the border as Chou En-lai wrote in his March 3rd, 1963 letter, 83 then China was successful. Whatever the purpose, China still needs to obtain a de jure recognition from India regarding the territory she has recovered during the war.

In December, 1971, when India intervened militarily in the cause for an independent Bangladesh and aroused armed clashes with Pakistan in Kashmir as well, she did not reopen a front war with China. Evidently China and India must be prepared to live with de facto alignment for a long time to come.

An armed truce has existed since the 1962 border war. In the western sector, Aksai Chin is under the Chinese firm control; in the eastern sector both the Chinese and Indian forces stay behind their own side of the McMahon line, as China specified that

India must not move her troops right up to the Zone. The March 12, 1979 report of Time (weekly) said: "Today a few Chinese and Indian troops still face each other, in the mountain passes of the former battleground. And on the official maps of both countries, the borders are still drawn in exactly the same places as they were before China's invasion."84

### D. On the future Hindi Chini Bhai Bhai

China and India were united by the most intimate cultural ties. The two nations enjoyed uneventful coexistence for thousands of years. During 629-645 A.D., the famous Chinese scholar Monk Hiuan Tsang travelled to and stayed in India for ten years. After his return to China, he continued to write his friends in India: "I returned ten years ago. The frontiers of the two countries are far away from each other. I had no news from you. My anxiety went on increasing."85 As late as 1924, Rabindranath Tagore's visit to China aroused a very enthusiastic reception among Chinese communities especially in the intellectual circles. This led the North China Standard to speculate on an explanation. It is because, they said, "TAGORE belongs to the East and in honoring him, the Chinese intellectuals are honoring the civilization of the East."86 Civilization spread between two nations with no boundaries.

Their friendship was strained only after the British introduced opium from India and Indian troops were used by the British to shoot down Chinese workers and students in Hong Kong, Shanghai, and other cities, thus creating ill-will in China. In 1962 war was another example which strained the relations between the two peoples.

An analysis of data for the present study indicates that Nehru's dual personality was the main cause of the 1962 bloodshed. He preached peace, non-interference and friendship in the 1950's and previously with China but actually hid a hostile suspicion and identified China, with Pakistan, as "the two enemies whom India would have to confront." For example, by the 1954 treaty with China, India

recognized Chinese sovereignty over Tibet, yet he had the Intelligence Bureau under B. N. Malik and other close associates to continue recruiting and training Tibetan refugees for guerrilla action in their homeland. He not only visited Dalai Lama in 1954 after he had fled to India, but also was "very keen that the morale of the Tibetans was kept up."87 Malik said.

Moreover, Nehru, while talking Panch Shila with Chou En-lai, had the Intelligence Bureau push the forward policy "with single-minded effort." Malik continued:

[The I. B.] had to secure the frontiers by pushing the checkposts throughout this northern frontier right up to the McMahon Line in NEGA and the claimed frontier in the other areas, whether delimited or demarcated or not.88

As soon as the Indians discovered in 1958 the road the Chinese had built across Aksai Chin, Malik recommended to set up posts near the ends of the sector of the road that crossed Indian-claimed territory. His proposal, however was turned down by the external affairs, which offered a very practical reason:

> [Aksai Chin] was useless to India; even if the Chinese did not encroach into it, India could not make any use of it. The boundary had not been demarcated and had been shifted more than once by the British. There was an old silk route which was a sort of international route. The Chinese had only improved it. It would be pointless to pick quarrels over issues in which India had no means of enforcing her claims. 89

Neville Maxwell called the 1962 war "India's China War." Perhaps it would be more accurate to call it a "Nehru's war against China." Why? It was Nehru who consistently refused to negotiate with China. The 21,000 square kilometer border, which he claimed was India's, was not negotiable. At one time, Chou En-lai put up a question to Nehru: "In

the past you always advised other countries to settle disputes peacefully through negotiations without setting any preconditions; why has the Indian Government taken a diametrically opposite attitude towards the Sino-Indian boundary question?"90 Armed clashes were inevitable in view of the aforementioned Nehru's policies.

With the end of the Nehru generation, we can see the light of improving relations between the two most populous countries in the world; witness the exchange of ambassadors in 1976 and the Indian Foreign Minister, Atal Bihari Vajpayee's mission to China in February, 1979.91 The Chinese Foreign Minister, Huang Hua, had scheduled to return the visit in 1980 but it was postponed because of India's recognition of the Soviet-backed Heng Samrin government in Cambodia.

However, since China's aim in Asia is to contain the Soviet expansionism and hegemonism, Huang made the trip to India in June, 1981, and had five-days' talks with the Indian leaders, including Prime Minister Indira Gandhi in New Delhi. 92

As a result of Huang's talks, the relations between China and India is a good deal more cordial. Mrs. Gandhi would visit China at a mutually convenient time. As to the long deadlocked border dispute, Huang and Gandhi agreed to have negotiations later at an "appropriate level" to seek equitable solutions. At a news conference, the Chinese Foreign Minister said that he was "optimistic and positive" about a "fair, comprehensive and reasonable" settlement of the boundary question. 93

Though one may not forget that the cultural differences and divergent national interests always remain a possible stumbling block, the friendly relationship enjoyed before the boundary disputes surely would re-emerge between the two nations provided that the new generation in India can shake off the British imperialistic mantle a little. Hindi Chini Bhai Bhai. (Indians and Chinese are brothers and sisters.)

4. Boundary Treaties with Pakistan and Afghanistan

Reference has been made to the Sino-Pakistan agreement to delimit their boundary. Because Pakistan had been a member of SEATO and CENTO, her relations with China had not been friendly since she established diplomatic relations with Peking in 1951. But Pakistan changed her course at the end of 1959, when she made overtures toward the settlement of her boundary with China.

On January 15, 1961, the two countries had agreed "in principle" to the demarcation of their common border in northern Kashmir. As both India and Pakistan were contesting the jurisdiction over Kashmir, China's agreement to talk with Pakistan about proper demarcation indicated virtual acceptance of the division of the State of Kashmir along the ceasefire line of 1947-1948. She was willing to recognize Pakistan's de facto sovereignty, if not de jure occupation, of a part of Kashmir. After Pakistan voted for the first time for the seating of the People's Republic of China in the United Nations in December, 1961, a simultaneous announcement was made by the two governments in May, 1962, declaring their agreement to demarcate Sinkiang and the contiguous areas which were "under the actual control of Pakistan."

The announcement further stated that the boundary between Chinese Sinkiang and its contiguous areas has never been formally delimited and demarcated in history. With a view to ensuring tranquility on the border and developing good neighborly relations, the two countries agreed to conduct negotiations so as to attain an agreed understanding on the location and alignment of the boundary and to sign on that basis an agreement of a provisional nature. This agreement could be renegotiated if necessary after India and Pakistan settled the Kashmir dispute. Then this provisional agreement would be transformed into a formal treaty.

Even so, the announcement aroused vehement protest from India. The protest stated that there was no common border between China and Pakistan, and

that the proposal to delimit "a non-existent common border" over territory that was legally India's was "a step in furtherance of the aggressive aims that China has been pursuing toward India in recent years." Any agreement, the note concluded, reached by Pakistan and China would not be binding on India. 94 When the Sino-Indian border war broke out, the Pakistani president said that India precipitated the clash. The Pakistani press charged that India was the aggressor by trying to magnify a minor border trouble into a major conflict in order to secure arms and equipment from the United States and other western powers to overawe Pakistan into submission 95

After four rounds of talks, the Foreign Ministers of Pakistan and China signed in Peking on March 2, 1963, the Kashmir border demarcation agreement. 96 The border set up by this agreement followed for the greater part of its length the line that the British had offered to China in 1899. In the Shimshal Pass and the Muztagh River sector, Pakistan was favored in an area which had been under Chinese administration. On the whole, "while Pakistan gave up only map claims, China actually ceded some 750 square miles of territory. 97 Therefore, the Indian charge that "Indian territory was given to China by Pakistan" was unsubstantiated. According to the Karachi estimate, the figures run down like this:98

3,400 square miles Area in previous dispute:

Agreed as China's territory (Shaksgam-Muztagh Valley) 2,050 square miles

Agreed as Pakistan's territory (including 750 square miles which had been under Chinese control) 1,350 square miles

The 1963 Agreement further stipulated that a boundary commission would be established by both governments for setting up border markers and drawing up a final protocol. Subsequently, both teams visited Gilgit, Hunza, and Nagar, and made ground surveys, took aerial photographs and erected

boundary markers along the border. And, finally, a protocol was signed in Rawalpindi on March 26, 1965. On the eve of signature, the Chinese Foreign Minister, Chen Yi, said: "The landscape of the Karakoram Mountains remains unchanged, but they have become closer to the heart of our two peoples." He further expressed his thanks to the boundary commission teams for their hard work: "The hundreds of personnel who took part in boundary survey, mapping, security work and logistic support," he pointed out, had "marvelously accomplished the task by overcoming hardship under extremely difficult geographical and climatic conditions."99 Thus came to a close the 150-mile boundary question between Pakistan and China.

Concerning Afghanistan's short border with Chinese Sinkiang, when Chen Yi travelled to Kabul for the signing of a Sino-Afghan Treaty of Friendship and Mutual Non-Aggression in August, 1960, he mentioned the boundary agreements China had reached with Burma and Nepal as being "good examples of the implementation of the principles of peaceful coexistence." Following the Sino-Pakistani boundary agreement, Afghanistan also concluded a boundary treaty with China in Peking in November, 1963. At this time, Chen Yi expressed his confidence: "The Sino-Indian boundary question would be fairly and reasonably settled in the end as China's boundary questions with other southwestern neighbors had heen "100

At the time when this Afghan-Chinese treaty was signed, little was heeded by the world press. But when Afghanistan was invaded by Russia in December, 1979, the world started to notice that China also shared a boundary with Afghanistan.

The Soviets knew this very well from the beginning. According to a recent London Telegraph dispatch (November 4, 1980) from Islamabad, Pakistan, the Soviets are annexing an important piece of Afghan territory with the purpose of closing the only direct Chinese access to Afghanistan and of providing the Soviet Union with a common border with Pakistan. 101

This piece of land is known as the Wakhan Salient. The Russians simply moved their inducted troops from the adjoining Soviet province of Tadzhikistan in the second half of 1980. "The Soviets have found the task of annexation of the Wakhan Salient easy due to insignificant insurgency in the area. The new Soviet move escaped the world's attention in view of its preoccupation with the reports of resistance and disturbances in the rest of Afghanistan. "102

This annexation is a very clever move on the part of the Russians. It gives them a strategic edge over China and Pakistan and at the same time it deprives China of the only common border between China and Afghanistan. It also made Pakistan a direct neighbor of the Soviet Union. Pakistan should think twice henceforth before making any move concerning Afghanistan. 103

### Chapter IV: Notes

- 1. G. J. Alder, British India's Northern Frontier, 1865-1895, p. 100.
- 2. Report by Dr. Thomson, October, 1849, cited by Alastair Lamb, *The China-India Border*, 1964 (cited as Lamb, 1964), p. 68.
- 3. Quoted from Lamb, 1964, p. 85.
- 4. Lamb, "The Aksai Chin," an unpublished paper cited by Neville Maxwell in his *India's China War*.
- 5. Dane to Ritchie, July 4, 1907, quoted by Lamb, 1964, p. 101.
- 6. Neville Maxwell, India's China War, p. 28.
- 7. Fisher, Rose and Huttenback, Himalayan Battle-ground: Sino-Indian Rivalry in Ladakh, p. 69.
- 8. Ibid.
- 9. Northwest Frontier Intelligence Report, Dec. 1896, quoted by Lamb's paper on "The Aksai Chin."
- 10. Text of the Ardagh memorandum in Dorothy Woodman, Himalayan Frontiers, pp. 360-363.
- 11. Elgin to Hamilton, Dec. 23, 1897. Text in Woodman, op. eit., pp. 364-365
- 12. Text of this proposal in Public Record Office, London, in H. O. Box-Ironside, Dispatch no. 81 of 1899, Peking, April 7, 1899 (Also in Lamb, 1964, pp. 180-182).
- 13. Lamb, The McMahon Line, 1966 (Cited as Lamb, 1966), p. 553.
- 14. See Section 4 of this chapter. India, however, claimed legal responsibility for the Pakistanheld sector, too.
- 15. Cf. Sec. II, Chap. III and Lamb, Asian Frontiers, 1968 (Cited as Lamb, 1968), pp. 133-137.
- 16. Lamb, 1968, p. 138.

- Francis Watson, Frontiers of China, p. 144. 17.
- 18. Ibid., p. 144.
- 19. Ibid., p. 143.
- Lamb, 1968, p. 144. 20.
- Quoted from R. P. Martin, "While India Preaches Peace—The Record Shows Something Else," U.S. 21. News and World Report, September 23, 1974, Vol. 77, pp. 78-79.
- Lamb. 1966, p. 505. 22.
- P. O. 535/18 Indian to Bell: Simla, September 3, 23. 1915, quoted by Woodman, Himalayan Frontiers. p. 186.
- 24. Texts of exchange of notes in Lamb, 1966, p. 618 and Woodman, p. 548.
- 25. Published in reduced scale in the Sino-Indian Boundary Question, English Edition (Foreign Languages Press, Peking, 1962) and Atlas of the Northern Frontier of India (Government of India). New Delhi. 1960.
- 26. Sir Charles Bell, quoted from Woodman, p. 194.
- 27. Neville Maxwell, India's China War, p. 52; Sir Robert Reid, History of the Frontier Areas Bordering on Assam (Government of Assam Press. Shillong, 1942), p. 296.
- 28. Ibid., p. 296.
- 29. The letter, dated March 17, 1939, is in the India Office Library, quoted from Maxwell, p. 58.

The McMahon line is discussed extensively in the works of Dorothy Woodman's Himalayan Frontiers, Alastair Lamb's The China-India Border and the McMahon Line, Francis Watson's The Frontiers of China, and Neville Maxwell's India's China War, as well as in the Chinese documents and books on Chinese diplomatic History. By comparison, I believe I have made a fair presentation on this issue. Even based

upon Woodman's description of the Simla conference, one cannot rule that the British-Tibetan secret exchanges have any legal force in international law. Pravda was right when it said: "The notorious McMahon Line, which was never recognized by China, was foisted on the Chinese and Indian peoples." It was a piece of British imperialist design, how could a leader like Nehru who championed for national sovereignty, accept its face value in toto?

- 30. Richardson, Tibet and Its History, pp. 173-178.
- 31. World Culture, quoted by Girilal, Panch Shila and After (Asian Publishing House, Bombay, 1960) p. 8.
- Text and related notes in White Paper I 32. (Indian), pr. 98-107, Jen-Min Jih-Pao, April 30, 1954.
- Philip Deane wrote from New Delhi in the 33. Singapore Standard, October 14, 1954, quoted from George Netto. India Face to Face with China, p. 7.
- 34. Nehru in Prime Minister on Sino-India Relations, p. 137.
- 35. Maxwell, pp. 94-95.
- White Paper I, p. 26. 36.
- Ibid., p. 28. 37.
- 38. Ibid., p. 53.
- Ibid., pp. 55-77. 39.
- 40. New China News Agency, March 28, 1959.
- 41. Nehru, India's Foreign Policy, p. 325.
- Note of August 27, 1959, White Paper I, p. 43. 42.
- 43. Ibid., p. 44.
- Prime Minister on Sino-Indian Relations, p. 49. 44.
- 45. White Paper II, p. 42.
- 46. See full text, Documents on the Sino-Indian Boundary Question (Peking, 1960), pp. 1-13

- 47. Maxwell, pp. 131-134.
- Text in Documents on the Sino-Indian Boundary 48. Question (1960), pp. 14-17.
- Text, ibid., pp.129-138. 49.
- Text, *ibid*., pp. 14-28. 50.
- 51. Text, *ibid*., pp. 142-144.
- 52. The New York Times, April 20, 1960, p. 8.
- The Hindustan Times, April 26, 1960. 53.
- 54. South China Morning Post, Hongkong, February 21, 1961.
- Hasan, China, India, Pakistan, p. 190. 55.
- 56. Quoted from Walter Crocker, Nehru: A Contemporary Estimate (Allen & Unwin, London, 1966) p. 107.
- Rajya Sabba Debate, Aug. 23, 1961, quoted from 57. Dorothy Woodman, Himalayan Frontiers, pp. 273-274.
- 58. Cf. Section IV of this chapter.
- 59. "Secretary Herter's News Conference," Department of State Bulletin, Vol. XLI, No. 1045-1070, p. 783.
- Ibid., p. 786. 60.
- Hasan, op. cit., p. 373. 61.
- Jen-Min Jih-Pao. February 27, 1963; Peking 62. Review, August 11, 1963.
- 63. Chou, quoted in Dennis J. Doolin, Territorial Claims in the Sino-Soviet Conflict, P. 71.
- 64. The New York Times, February 6, 1960, p. 3.
- 65. Ibid., July 25, 1962, p. 6.
- 66. "Light on Ladakh," Economist (July 28, 1962), p. 344.
- 67. Quoted from Indian note of May 14, 1962, in Hinton, Communist China in World Politics (1966), p. 297.

- 68. Pravda, September 9, 1963.
- 69. The Sino-Indian Boundary Question (Enlarged Ed.) Peking, 1962, pp. 1-5.
- 70. Pravda, October 25, 1962.
- 71. Time (Weekly), November 16, 1962, p. 16.
- 72. Ibid.
- 73. Hasan, China, India, Pakistan, p. 304.
- 74. New China News Agency, annex to Nehru's letter to Chou En-lai, November 14, 1962, pp. 14-16.
- 75. Time, November 30, 1962, p. 25.
- 76. Ishwer Ojha, Chinese Foreign Policy in an Age of Transition, p. 166.
- 77. The Sino-Indian Boundary Question (Enlarged Ed.), pp. 6-37.
- 78. Text, in White Paper IX, p. 185, also The Sino-Indian Boundary Question II, (Peking, Foreign Languages Press, 1965) p. 41.
- 79. Ibid., p.43.
- 80. Peking Review, February 1, 1963, p. 12.
- 81. Lok Sabha Debates, Vol. XII, No. 29, col. 5996
- 82. Ojha, op. cit., p. 167.
- 83. Cf. Watson, The Frontiers of China, p. 160.
- 84. Time, March 12, 1979, Vol. 113, p. 35.
- 85. Bagchi, P. C., *India and China*, Hind Kitabs, Bombay, 1950, p. 82.
- 86. Quoted from Woodman, Himilaya Frontiers (Praeger, 1969) p. 10.
- 87. Malik (Mulik), B. N., My Years with Nehru; the Chinese Betrayal (Allied Publishers, New Delhi, 1971), p. 84.
- 88. Ibid., p. 131; Emphasis added.
- 89. *Ibid.*, p. 204-5.
- 90. Cf. Neville Maxwell, "Reconsiderations-

Jawaharlal Nehru: of Pride and Principle," Foreign Affairs, Vol. 52, No. 3, April, 1974, pp. 633-43. Indira Gandhi, "India and the World," Foreign Affairs, Vol. 51, No. 1, October, 1972, pp. 63-77.

- New York Times, February 18, 1979, E3; 91. February 19, 1979, A10.
- Christian Science Monitor, June 26, 1981, p. 1. 92.
- New York Times, June 29, 1981, p. 2, 4. 93.
- White Paper VI, pp. 96-105. 94.
- 95. B. L. Sharma, The Pakistan-China Axis, pp. 92-93.
- 96. Text in Woodman, Himalaya Frontier, pp. 408-411
- Maxwell, p. 217. 97.
- 98. Watson, p. 166.
- 99. Dawn, Karachi, March 27, 1965.
- Watson, p. 139. For Chinese texts, see Jen-Min Jin-Pao of November 26, 27, 1963. 100. Earlier, on October 13, 1962, China also signed a boundary treaty with Outer Mongolia in Peking in the hope of improving her relations with this strategically important country. But their friendship did not last long. Cf. Chapter VI, Section 1.
- This London Telegraph dispatch was reproduced 101. in the San Francisco Examiner, November 5. 1980, p. B-16.
- 102. Ibid., At this point, the reader should review Khrushchev's vivid description of the Soviet benevolent aid to Afghanistan in contrast with American imperialistic aid. The reader will be able to tell who is imperialist following the 1979 events.
- 103. The Wakhan Salient, 15,000 feet above sea level, has historically been an important east-west passage. The British, while ruling India, had a committee set up in 1895-96 with Russia and Afghanistan to demarcate the

northern border. of the area with Russia. This border was recognized by the world and was re-affirmed in the 1946 Soviet-Afghanistan agreement. Beijing Review, February 16, 1981, p. 10.

## CHAPTER V

# Chapter V RUSSO-CHINESE TERRITORIAL DISPUTES AND FRONTIER CLASHES

Mention has already been made about Mao's protracted negotiations with Stalin in the winter of 1949-1950 for a new Sino-Soviet treaty of Friendship, Alliance, and Mutual Assistance. Comparatively speaking, if the Nationalist Chinese treaty of 1945 with Russia was an "unequal treaty," the 1950 treaty between the two Communist governments was still an unequal treaty, although its terms were much improved. But, by 1955, the Soviet special position in Manchuria, including the Port Arthur Naval Base and the Chinese Changchun Railway were relinquished, and in the Sinkiang area, the Sino-Soviet joint stock companies set up in 1950 for the exploitation of oil, minerals and other resources were also abolished. Thus ended the long involvement of Russia in Chinese internal affairs and China thus regained her complete sovereignty in these areas. Mongolia, however, completely separated itself from China while maintaining nominal independence in the Soviet orbit.

These were five happy years (1950-1955) in the new Sino-Soviet relations. The Russians provided some economic and technical aid to China and "Chinese volunteers" were fighting in Korea at the behest of Stalin. But signs of strain already existed. First, Mao Tse-tung spent sixty days negotiating the above-mentioned treaty (December, 1949, to February, 1950) at the time when he was most needed in China. Although detailed information about the negotiations is still not available, one can imagine how hard the bargains were driven. Second, the Russians originally promised to return the Port Arthur base to China by the end of 1952 but they retained the control until 1955 ostensibly at the Chinese "invitation."

Therefore it is very clear that the Russians

continued practicing her century-old imperialism while China was championing her territorial integrity and sovereign equality. It was no longer a weakened China and a strong Russia, but both were now dynamic powers. Under such circumstances. troubles were bound to come up. By 1956-1957, the Sino-Soviet split was definite both in Marxist ideology and frontier disputes. The outside world learned of the ideological split earlier than the territorial questions, because both sides kept them in utmost secrecy. Chou En-lai himself explained in July, 1964, that "the issue was kept secret because the Sino-Soviet dispute was not public at that time "l

The Sino-Russian frontier problem is particurly important not only because Russia is a super power but also because the two countries share the longest land boundary in the world. Its total length is approximately 5,500 miles: 2,000 miles in Manchuria, 2,000 miles in Sinkiang, and 1,500 miles with Outer Mongolia which is practically a part of the Soviet Union. This chapter will be devoted to the exploration of some of the problems involved in border dispute resolutions.

### 1. Chinese Territorial Claims Against Russia

The Western world began to learn through the news media of the Chinese-Soviet territorial question in 1962-1963. But it was Mao Tse-tung who brought the problem into the open when he talked to a Japanese Socialist Party delegation in Peking on July 10, 1964. In the interview he supported Japanese claims to the Kurile Islands and criticized the Soviet Union for its territorial ambitions. The key passage was as follows.<sup>2</sup>

There are too many places occupied by the Soviet Union. In accordance with the Yalta Agreement, the Soviet Union, under the pretext of assuring the independence of Mongolia, actually placed the country under its domination. ... In 1954, when Khrushchev and Bulganin came to China, we

took up this question but they refused to talk to us. They [i.e., the Soviet Union] also appropriated part of Rumania. Having cut off a portion of East Germany to Poland, they chased the local inhabitants into West Germany. They detached a part of Poland, annexed it to the Soviet Union, and gave a part of East Germany to Poland as compensation. The same thing took place in Finland. The Russians took everything they could. Some people have declared that the Sinkiang area and the territories north of the Amur River must be included in the Soviet Union. The Soviet Union is concentrating troops along its border.

In the above statement, Mao disclosed three important points: (1) the Mongolian problem with the Soviets in 1954, (2) the Soviet Union's designs in Sinkiang and territories north of the Amur River and (3) consentration of troops along the Chinese border posing a threat to Peking.

In the same interview, Mao also stated that "the Soviet Union has an area of 22 million square kilometers and its population is only 220 million. It is about time to put an end to this allotment." He further mentioned the territories which China had lost to Russia and would make a list to account for the matter. In Mao's own words:

About a hundred years ago, the area to the east of [Lake] Baikal became Russian territory, and since then Vladivostok, Khabarovsk, Kamchatka, and other areas have been Soviet territory. We have not yet presented our account for this list.

On July 19, Chou En-lai in supporting Mao's claim, revealed that he, too, in January, 1957, raised the territorial issues covering Japan, China, the Middle East, and the Eastern European countries including Finland, but he also "could not get a satisfactory answer" from Khrushchev.3

Therefore it is safe to say that the Sino-Soviet

territorial disputes emerged in 1954, two years before the ideological split in 1956. But the first open disagreement on the territorial issue resulted from the Cuban missile crisis of October, 1962. At this time. China and India were in the midst of a frontier war. Russia supported India and reproached China. The Chinese came out and criticized the Soviet "adventurism" in stationing the missiles in Cuba and "capitulationism" by removing the missiles to avert a possible nuclear collision with the United States. Then Khrushchev attacked the Chinese stand in regard to Hongkong and Macao as being a "double standard" because they were remnants of colonialism on Chinese territory. He said this, however, in a rather cunning way:

But does anyone accuse China because remnants of colonialism remain untouched on her territory? It would be incorrect to prod China into taking actions that she regards as premature. If the Government of the People's Republic of China endures Macao and Hongkong, then there must obviously be good reasons for this.4

The Chinese reacted sharply in the form of an editorial, "A Comment on the Statement of the Communist Party of the USA," in Jen-Min Jih-Pao dated March 8, 1963. At this time, the Chinese Communist Party brought up the entire subject of the unequal treaties. They listed nine of them, three of which were imposed upon China by Czarist Russia, and which remained in force despite the Karakhan declarations. The Chinese statement ended in a threatening tone:

You are not unaware that such questions as those of Hongkong and Macao relate to the category of unequal treaties left over by history, treaties which the imperialists imposed on China. It may be asked: In raising questions of this kind, do you intend to raise all the questions of unequal treaties and have a general settlement? Has it ever entered your heads what the consequences will be?... $^{5}$ 

The first unofficial accounts of the border violations between Russia and China appeared shortly after the Chinese statement. On September 6, the Jen-Min Jih-Pao and Hung-chi jointly stated that in April and May, 1962, the leaders of the Soviet Communist Party used their organs and personnel in Sinkiang to carry out "large-scale subversive activities in the Ili region and enticed and coerced several tens of thousands of Chinese citizens into going to the Soviet Union." The Soviets in reply accused the Chinese of provoking more than 5,000 border incidents in the single year of 1962.

On January 3, 1965, Khrushchev sent a message to the heads of state of other countries proposing to conclude an international agreement or treaty on the renunciation of the use of force in resolving territorial disputes or questions of frontiers. Since at this time the Sino-Indian frontier war was just over, Khrushchev in a way also spoke for India. Hence, the Central Committee of the Chinese Communist Party in a letter of February 29 to the Soviet counterpart placed the Soviet leaders in the same category as the "reactionary nationalists of India who have deliberately created border disputes with China," and declared that China had satisfactorily settled complicated boundary questions with Burma, Nepal, Pakistan, and Afghanistan. 8 In addition, the same letter disclosed that the two governments' delegations had started boundary negotiations in Peking on February 25, 1964, and reiterated China's standing on this issue: "Although the old treaties relating to the Sino-Russian boundary are unequal treaties, the Chinese Government is nevertheless willing to respect them and take them as the basis for a reasonable settlement of the Sino-Soviet boundary question."

But, prior to the negotiations, Khrushchev had made it known that the Russians would wholeheartedly keep the territories they had inherited. This signified the Soviet determination to keep the fruits of Czarist aggression. In other words, the Sino-Soviet boundaries were not negotiable, in a way similar to the stand which Nehru took with the Sino-Indian boundaries. Moreover, Mikhail Suslov,

an influential member of the Soviet Presidium in a speech to the Central Committee of the Soviet Communist Party on February 14, 1964, assailed the Chinese violation of border lines and declared that "our standpoint is that any territorial problem between Soviet Russia and China does not exist, and that the Sino-Soviet border is historical and habitual. Only those particular localities which are controversial in nature can be respectively examined." Therefore, the boundary negotiations were doomed to failure. According to news dispatches, they were broken off without results in September, 1964.

In response to the statement by Chairman Mao concerning the historical bases of China's border claims, Pravda issued a lengthy editorial on September 2, charging the Chinese with an expansionist program to acquire lebensraum in Soviet territory with far-reaching pretensions: (1) The editorial refuted the "historical arguments" by pointing out that they do not correspond in any way to the facts. "It is well known that in the middle of the seventeenth century China's possessions reached only to the Khingan Mountain Range, i.e., considerably to the south of the Amur River. The territories to the north of Khingan were populated by local indigenous tribes -- Evenks, Daurs, and so forth -- who were subjected from time to time to raids by the Manchu and Chinese population in the Amur Valley. The process of the definition of actual borders took place with the annexation by Russia of the northern half of the Amur Basin and of the southern part by China. More than a hundred years ago, this state of the border was fixed in the Aigun and Peking treaties. Have those who question the inclusion in the Soviet Union of a territory of more than one and a half million square kilometers considered how these claims will be taken by Soviet people who have lived and worked on this land for several generations and consider it their homeland, the land of their ancestors? That is why we say that the present border has developed historically and was fixed by life itself, and past treaties regarding border cannot be disregarded." (2) The editorial attacked Mao's

assessment on Outer Mongolia. "Everybody knows that the Mongolian People's Republic has been a sovereign socialist state for more than forty years and enjoys all the rights to settle their destiny themselves. ... N. S. Khrushchev naturally refused to discuss this and told the Chinese leaders that the destiny of the Mongolian people is not determined in Peking or Moscow but in Ulan Bator and that the question of Mongolia's statehood can be settled only by that country's working people and nobody else."10

Although the Pravda editorial did not touch upon Sinkiang, apparently Khrushchev thought that it should not be omitted. When he gave an interview to a Japanese Diet delegation on September 19, he singled Sinkiang out:

Let us take Sinkiang, for example, Have the Chinese been living there from time immemorial? The Sinkiang indigenous population differs sharply from the Chinese ethnically, linguistically, and in other respects. They are Uighur, Kazakh, Kirghiz, and other peoples. Chinese emperors conquered them in the past and deprived them of their independence. 11

This statement infuriated the Chinese communists because it claimed that Sinkiang did not belong to China. Saifudin answered Khrushchev on October 1. in one of the fiercest statements in the Sino-Soviet conflict:12

If the Khrushciev revisionists dare to stretch out their evil hands to invade and occupy our territory, they will certainly be repulsed. ... Their evil hands will be cut off as relentlessly as were those of the Indian reactionaries when they invaded China.

Such outspokenness justified the Wall Street Journal's opinion that "in the heartland of central Asia, the split between Soviet Russia and Communist China is very obvious. The border dispute is more difficult to solve than their ideological differences." (February 23, 1964, p. 9)

Sinkiang, Outer Mongolia and Manchuria were the main frontier regions in which borders were contested by the Russian and Chinese powers. Russia wanted to penetrate into more Chinese territories. but China now decided to claim the lost territories along these frontiers. Mao said that "we have not yet presented our account for this list" in 1964. Later, on May 24, 1969, the Peking Government announced in a formal statement:

There exists a boundary question between China and the Soviet Union not only because Czarist Russia annexed more than 1.5 million square kilometers of Chinese territory by the unequal treaties it imposed on China but also because it crossed in many places the boundary lines stipulated by the unequal treaties and further occupied vast expanses of Chinese territory. 13

So far as treaty stipulations are concerned, there are four principal treaties: (1) the Treaty of Aigun of May 28, 1858 in which the Russians obtained a big area north of the Amur and west of the Sungari rivers; (2) the Treaty of Peking of November 14, 1860, by which the Russians annexed territory east of the Sungari and Ussuri rivers; (3) the Tahcheng Protocol to the Treaty of Peking of October 7, 1864, when Russia acquired additional territories in western China; (4) the Treaty of St. Petersburg (sometimes referred to by the Chinese as the Treaty of Ili) of February 24, 1881, when China lost more territories to Russia nearby Ili.

According to Peking calculations, these territories amount to close to 1.5 million square kilometers. The breakdown is as follows: 600.000 square kilometers by the Aigun Treaty; 400,000 by the Peking Treaty; 440,000 by the Tahcheng Protocol; and 70,000 by the St. Petersburg Treaty. These calculations of lost territories by China correspond with the amounts given by Pravda in its editorial of September 2, 1964, and the above-mentioned statement of Mikhail Suslov. The total territory lost by China to Russia in these four treaties can therefore be estimated to amount to approximately 1,510,000 square kilometers. This corresponds to 579,000 square miles, a land area forty times the size of Taiwan, five times the size of the Philippines, larger than France and West Germany combined, and more than three times the size of California.

In addition, the Chinese Communists also claimed another 2.6 million square kilometers of territory now constituting the Soviet republics of Kazakhstan, Kirighizia, Uzbekistan, and Tadzhikstan, as well as 1.44 million square kilometers which are now occupied by Outer Mongolia. The grand total thus claimed by the Chinese would be 5.5 million square kilometers, encompassing 20 million Soviet and Mongolian residents.14

The question remains, of course, how serious are the Chinese claims. According to one observer: "the Chinese give every evidence of a genuine ambition to recover the actual lands lost to Czarist Russia, or at least substantial portions." At one time, the Chinese Communists believed that the Russians might return the lost territories as a comradely act. 15 Theoretically, such belief has an historical foundation. Lenin, for example, was the first Communist official who condemned the Czarist predatory seizure of Chinese lands as "a criminal policy" and charged the European imperialists, including Russia, with the deliberate partitioning of China. Therefore, he announced the unimpeachable principle of restoration of lands seized by the czars and national determination by subject peoples.

Moreover, Leo Karakhan, Acting Commissar of Foreign Affairs issued the famous declaration of July 25, 1919, proclaiming that "all secret treaties made before the revolution with China, Japan, or the allies are hereby abrogated," and that "the Soviet government has renounced the conquests made by the Czarist government which deprived China of Manchuria and other areas. ... The Soviet government abolishes all special privileges and gives up all factories owned by Russian merchants on Chinese soil." He specifically renounced the Russian rights on the Chinese Eastern Railway and Russia's share

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of the Boxer indemnity. Then he proposed to enter negotiations with the Chinese government on the abrogation of the treaties and agreements disadvantageous to China and return to the Chinese people everything that was taken from them by the Czarist government independently or together with Japan or the allies. 16

The Karakhan declaration caused a tremendous stir in China and reaped enormous good will toward the Soviets. His declaration was the immediate reason for Mao Tse-tung's decision to join the Chinese Communist Party which was founded the following year, and was also one of the factors influencing Dr. Sun Yat-sen to lead the Kuomintang to cooperate with the Chinese Communists. But when the time came for actual negotiations in 1924, the Soviets did not relinquish any territorial rights. They refused to discuss the question on the basis of the declaration. From 1919 to the present day, the Soviets not only have not given up to China a single square kilometer of territory taken by the Czars, but also detached Outer Mongolia from China and formally annexed the Tannu-Tuva region between Sinkiang and Mongolia in 1944. This annexation was kept secret until 1948. Since October 10, 1961, this region has been part of the Soviet Union known as the "Autonomous Socialist Republic of Tuva." 17 In addition, the Soviets retained their special position in Manchuria up to 1955 and promoted the separatist movement in Sinkiang even after the Chinese Communists had come to power.

### 2. The 1969 Armed Chashes on the Ussuri

Before taking up the 1969 armed clashes, a brief account of the problems involved in the 1964 negotiations between China and Russia on the border disputes may be helpful. It is interesting to note that both sides claimed that they had initiated the 1964 negotiations. 18 Since the negotiations were secret, it is still difficult to ascertain which side really began the discussion. At any rate, the Soviet side was represented by a Deputy Foreign Minister, P. I. Zyryanov, and his Chinese counterpart was Tseng Yung-chuan. They started meeting

on February 25, 1964, in Peking and discussions terminated in September, 1968, when the Russians called for a change of site to Moscow.

At these discussions, there were three areas of contention: (a) The Chinese based their claim on ideology. They asserted that all pre-1917 treaties were unequal and hence invalid. In other words, the Chinese presented a case of rebus sic standibus, i.e.. the old treaties become null and void when conditions have changed. The Russians rejected this view, claiming the continuing validity in international law of the old treaties and pointing to the historical practice of the inhabitants of the area. In other words, they stood for the principle of pacta sunta servanda, i.e., treaties remain valid unless altered by the parties concerned. In international relations, the law and practice diverge: in law, the decision always goes to the latter argument; but in practice, the exigencies of power politics often allow the former contention to prevail.19

- (b) The Chinese steadfastly upheld the principle of Thalweg in the river boundaries, i.e., the dividing line of an international river follows the center of the main channel. According to this principle of international law, most of the riverine islands would belong to China and Soviet occupation of them would be illegal. But the Soviets refused to accept this principle and offered maps and other "legal evidence" to challenge the Chinese claim.
- (c) There was a controversy over maps. The Chinese rejected the Soviet-presented map based on the Treaty of Peking of 1860. It is a scale of 1:1,000,000 which was far too small to be used to determine ownership with accuracy. Therefore the Chinese submitted a larger-scale map of the border to support their position.

The major areas of contention which were addressed in the 1964 negotiations were not yet satisfactorily resolved when, on March 11, 1969, the two incidents of bloodshed occurred at Chenpao or Damansky Island. The Information Department of the Waichiao pu (Ministry of Foreign Affairs) issued a statement recapitulating the Chinese stance on the unequal treaties and accusing the Soviet side of unreasonableness. The statement said in part:

It refused to recognize the treaties relating to the present Sino-Soviet boundaries as unequal treaties and obstinately refused to take these treaties as the basis for settling the boundary question between the two countries in its vain attempt to force China to accept a new unequal treaty, and thus to perpetuate in legal form its occupation of the Chinese territory which it seized by crossing the boundary line defined by the unequal treaties.... The Chinese side clearly pointed out that if the Soviet side should obdurately insist on such a stand and inexorably refuse to mend its ways, the Chinese side will have to reconsider its position as regards the Sino-Soviet boundary question as a whole. 20

The border situation became worse along the Ussuri River in January, 1967, because of the severity of a new set of river regulations promulgated by China a year earlier. <sup>21</sup> The Russians also accused the Chinese of wildly provocative behavior in connection with Cultural Revolution activities. <sup>22</sup>

Thus, the stage had been set for military activities along the border. Roughly in the years of 1950 to 1960, Russia surpassed China in weaponry and logistics support. But China remained unconcerned about the disparity because she had friendly relations with Russia. In the early 1960's, the Chinese kept fourteen infantry divisions in Manchuria, five divisions in Inner Mongolia, and five more in Sinkiang. In addition, the Chinese also stationed border guards equivalent in number to two to three divisions and supplemented them with the Production and Construction Corps in Sinkiang and in Inner Mongolia. Altogether, this would constitute 420,000 to 450,000 men. The Soviets displayed some twenty to forty divisions, figuring 250,000 to 300,000

men. Despite long lines of communications, the Soviets enjoyed a much more favorable logistical posture as well as equipment. Therefore, the border strength of both sides was in a rough balance.

In 1966, the Soviets not only transferred their highly trained forces from Eastern Europe to the Far East, but also stationed strong military units in Outer Mongolia some time after the renewal of the twenty-year defense pact with the Ulan Bator government in January, 1966.23 By November, 1967, the Soviets had even established missile bases on Mongolian soil. 24 In the following summer, the Soviets were able to stage their first series of large-scale maneuvers in the Mongolian area. It was reported that there were six divisions of the Russian troops, including one tank division. 25 By 1969, this number reportedly reached eight to ten divisions. 26 These numbers of divisions could have been exaggerated; but the balance of power between the Chinese and Soviet forces was apparently upset. especially when the Soviets moved their troops and equipment close to the Sino-Mongolian border. Although the Chinese also moved additional forces and equipment to Inner Mongolia and Manchuria, the maneuver was not enough to offset the Soviet buildup, especially when the Chinese army was heavily engaged in the complex responsibility of the Cultural Revolution during this period. 27 In terms of distance, the Soviet forces were closer to Peking, especially when measured from the Chinese border city of Erhlieng, Inner Mongolia, rather than Harbin, Manchuria.

However, the 1969 bloodshed did not occur on the Mongolian border; rather it occurred at Chenpao or Damansky Island because of longstanding disputes over the river boundaries. This island is located at 133°51'E longitude and 40°51'N latitude on the Ussuri River, which forms the boundary between Russia and China in accordance with the Treaty of Peking of 1860. The nearest Russian settlement is Nizhne Mikhailovsky, and the nearest Chinese village is Kung-szu. As the main channel of the Ussuri River passes to the east of the island, the Chinese claim ownership in line with the Thalweg principle

of international law. The island and channel have been described by one authority: "From the location of navigation markers on the two shores and the curvature of the river, it would appear that ships traverse the eastern channel. The island itself is, by testimony of both sides, uninhabited, although Chinese fishermen apparently use it for drying their nets, and both nationalities may do some logging on it. It is about one mile in length, about one-third mile wide, and is flooded during the spring thaw."28

Despite its apparent lack of attractive attributes, the island was the spot where the Chinese and Russians fought two battles on March 2 and March 15, 1969. The first was actually a two-hour skirmish which resulted in more than thirty Soviet border guards and a number of Chinese soldiers being killed or wounded. The second engagement was a regular battle, involving much larger forces, higher losses, and lasted much longer-nine hours. Sources indicated that the Russians lost sixty men and the Chinese eight hundred. According to one observer: "The breakdown between dead and wounded is not clear in the statistics of either side. Surely the Chinese figure, even if accurate, represents both dead and wounded."29 The figures of Soviet casualties was lower probably because they had better equipment.

Although each side accused the other of initiating the blood bath, a more objective observer noted that the first skirmish could have been initiated accidently by the Chinese in response to the intrusion of the Soviet guards, but that the second was definitely Russian revenge with the additional purpose of putting pressure on the Chinese to negotiate a settlement of the border issues. One author cited the Soviet domestic propaganda to bear out the

These military actions were the first such incidents between these two communist giants. Right after the March 2 skirmish, Jen-Min Jih-Pao and Jiefangjun Pao in a common editorial of March 4, called for "Down with the new Czars!" Learning that

the Soviet government had sent China a note of protest because of the March 2 incident, the editorial said:

It shamelessly described Chenpao Island as its territory, alleging that Chinese frontier guards "crossed the Soviet state frontier" and carried out a "provocative attack" on Soviet revisionist frontier troops protecting the area of Chenpao Island. This is sheer nonsense! It is an indisputable, iron-clad fact that Chenpao Island is Chinese territory. Even according to the "Sino-Russian Treaty of Peking," an unequal treaty imposed on the Chinese people by Czarist Russian imperialism in 1860, the area of Chenpao Island belongs to China. It has always been under China's jurisdiction and patrolled by Chinese frontier guards since long ago. 31

The Chinese editorial mentioned the 1860 Sino-Russian Treaty of Peking to defend the Chinese position. Indeed, the Treaty provided a relevant provision in Article I which stipulated: "From the estuary of the Ussuri River southward to Hsingkai Lake, the boundary line shall be along the Ussuri and Sungacha Rivers. The land lying east of these rivers belongs to Russia and the land west of these rivers belongs to China."

The Information Department of the Peking Waichiao pu issued a statement amplifying the editorial stand on March 11 by pointing out:

According to established principles of international law, in the case of navigable boundary rivers, the central line of the main channel shall form the boundary line which determines the ownership of islands. Chenpao Island and the nearby Kapotzu and Chilichin Islands are all situated on the Chinese side of the central line of the main channel of the Ussuri River and have always been under China's jurisdiction. Chinese frontier guards have always been patrolling these

islands and Chinese inhabitants have always been carrying on production on these islands. During the Sino-Soviet boundary negotiations in 1964, the Soviet itself could not but admit that these islands are Chinese territory. 32

On the same day, March 15, of the second bloodshed, the Waichiao pu sent a note to the Soviet embassy in Peking charging that a large number of Soviet forces accompanied by armored cars and tanks had intruded on Chenpao and "the Chinese waterway to the west of the island." While the Chinese frontier guards were compelled to fight back, the Soviets kept on sending reinforcements, with more armor, and then "opened artillery fire on areas deep within Chinese territory." The note concluded with a warning: "The Soviet government must be held fully responsible for all the grave consequences arising therefrom."33

In Moscow, the Soviet Government also protested, on the very day of the clash, to the Chinese Embassy. The note accused the Chinese authorities of the "new and impudent provocation." It also contained a warning: "If new attempts are made to violate the integrity of Soviet territory, the Soviet Union and all of its peoples will defend it resolutely and will oppose a crushing riposte to such violations." It was reported that the Chinese Chargé refused to accept the message but he certainly wired its contents to his government. 34

On March 29, the Soviet Government issued a statement regarding the Soviet-Chinese relations in general and the boundary question in particular. As to the Ussuri boundary it stated: "In 1861, the two sides signed a map on which the frontier line in the Ussuri region was traced. Near Damansky Island, that line passed directly along the Chinese shore of the River. The originals of those documents are held by the Chinese Government as well as by that of the USSR." It further asserted that the Chinese Government had signified its acceptance of the existing frontiers by concluding an agreement on shipping on the Amur and the Ussuri in 1951 and

by obtaining permission from the Soviet authorities to use certain islands in these rivers for logging and hay-making. In conclusion, the statement warned Peking against further resorting to force, denied that the nineteenth century treaties were unequal but proposed the resumption of 1964 border "consultations" as soon as possible. 35

# 3. Points of Dispute and the Protracted Negotiations in Peking

In a note to Peking on April 11, 1969, the Soviet Government formally proposed to hold "consultation" on the boundary issue by inviting China to send a delegation to Moscow within four days. Without waiting for a reply from the Chinese Government, it made public the note on April 12, in an action which is contrary to the usual diplomatic practice. The Chinese Government, however, replied on April 14, stating in explicit terms that "We will give you a reply; please calm down a little and do not get excited. 36

Then the Soviet Government rebuked the Chinese Government for employing every possible means to conceal from the Chinese people the content of the statement of March 29. In response, the Chinese Government issued a long statement on May 24, concerning its position on the boundary question and published in full the text of the Soviet statement simultaneuously. In doing so, the New China News Agency added a note, challenging the Soviets with these words: "Here we would like to ask the Soviet Government to do the same and publish in full the text of the statement of the Chinese Government in the Soviet press. Please do so if you do not have a guilty conscience and are not cowardly and if you do not want to 'conceal' it from the Soviet people!" To this author's knowledge, nevertheless, the Soviets did not do so. 37

But the Soviet statement of March 29, 1969, and the Chinese statement of May 24 are very important documents in the whole boundary dispute. They included the positions, and points of dispute of both sides. Analysis of these two statements

indicates that the principal problems involved in the disputes are: (1) the question of river borders. (2) the possibilities that present Sino-Soviet treaties are unequal treaties, (3) the issue of whether there is a valid boundary problem and (4) which country violated the status quo of the bound-

(1) According to the Treaty of Peking of 1860, should the Sino-Russian boundary be the center of the main channel of the Ussuri River or along the Chinese bank of the Ussuri River? The Treaty itself only stipulated that the Ussuri River should form part of the boundary between China and Russia. The Chinese interpretation goes along with the established principle of international law, i.e., in the case of navigable boundary rivers, the central line of the main channel shall form the boundary line and determine the ownership of islands therein. Being situated on the Chinese side of the central line of the main channel of the Ussuri River, "Chenpao Island indisputably belongs to China and has always been under China's jurisdiction."

But the Soviet Government invoked the map attached to the Peking Treaty asserting that in the area of Damansky Island the demarcation line shown on this map "passes directly along the Chinese bank of the Ussuri River" and therefore the island in dispute should belong to Russia. The Chinese, however, asserted that the attached map was drawn unilaterally by Czarist Russia before the boundary was surveyed in 1861. "And in 1961, China and Russia surveyed and marked only the land boundary south of the Hsingkai Lake but not the river boundary on the Wusuli [i.e., Ussuri] and Heilung [Amur] Rivers, and a red line was drawn on the attached map on a scale smaller than 1:1,000,000 only to indicate that the two rivers form the boundary between the two countries. The red line on this attached map does not, and cannot possibly, show the precise location of the boundary line in the rivers, still less is it intended to determine the ownership of the islands."

The Chinese cited three factors in support of

their position: (a) On May 8, 1908, the Russian commissar of the Amur Region, Kuzmin, in his letter to a Chinese official said that "if countries are divided by a river, then the line running along the middle of the river should be taken as the boundary line between them. On Navigable rivers, this line should be drawn along the channel." On September 6 of the same year, he again wrote: "Islands in the rivers are divided by the river channel." (b) During the Sino-Soviet boundary negotiations in 1964, the Soviet representative "could not but agree that the central line of the main channel should be taken for determining the boundary line on the rivers and the ownership of islands." (c) Chenpao was originally not an island, but a part of the bank on the side of the Ussuri River. It later became an island as a result of erosion by the river water. "To this day, Chenpao Island still connects with the Chinese bank at low water, and the river-arm to the west of the Island has never become a waterway."

To dispute Chinese claims, a Soviet note of June 13, 1969, pointed out that the protocol on the exchange of maps was signed in 1863 by the representatives of both countries and that a red line on the map showing the Russo-Chinese border "runs directly along the Chinese bank of the river" in the vicinity of of Damansky. The Soviet note then proceeded to challenge the applicability of the Thalweg principle in this dispute:

It is common knowledge that in international law there is no norm that automatically establishes the border line on frontier rivers as running along the middle of the river's main channel. In concluding treaties involving such situations, states mark the border in a way that they believe most suitable and in accordance with the circumstances. There are examples in interstate relations in which a border has been established along the bank of a river, not along its channel. The 1858 treaty between Costa Rica and Nicaragua stipulates that the border line runs along the right bank of the

San Juan River, and that "the Republic of Nicaragua has the exclusive right of possession and sovereign jurisdiction with respect to the waters of this river." ... The 1860 Russo-Chinese Treaty of Peking is another such example. 38

One day after it had agreed to resume negotiations with the Soviet representative in Peking, the Chinese Government issued another statement on October 8, 1969, and repeated its disagreement with the Soviet position on the map: "The attached map is on a scale smaller than 1:1,000,000. The red line on it only indicates that the rivers form the boundary; it does not, and cannot possibly, show the precise location of the boundary lines in the rivers." The communiqué went on to refute the Soviet interpretation of the Thalweg principle:

> In order to deny the principle of international law that the central line of the main channel shall form the boundary line in the case of navigable boundary rivers, the Soviet Government cited as an example the treaty concluded between Costa Rica and Nicaragua in 1858...moreover, it imprudently alleged that the "Sino-Russian Treaty of Peking" was likewise a case in point. Of course, there are exceptions to any established principle of international law, and the same is true of the principle that the central line of the main channel shall form the boundary in the case of navigable boundary rivers. But explicit stipulations must be made in treaties for any exceptional case. Articles II and VI of the 1858 boundary treaty between Costa Rica and Nicaragua do contain such stipulations. Now we want to ask the Soviet Government: Where is it stipulated in the "Sino-Russian Treaty of Peking" that the boundary line between China and Russia runs along the Chinese bank of the Heilung [Amur] and Wusuli [Ussuri] Rivers? And where is it stipulated that Tsarist Russia

"enjoys exclusive right of possession and sovereign jurisdiction" over the Heilung and Wusuli Rivers? 39

There is merit in the Chinese argument that it is impossible to denote a boundary along a river bank using a map on a scale smaller than 1:1,000,000. As it is an issue of interpretation of treaties, the problem might be solved by third-party arbitration or by the International Court adjudication.

(2) Are the existing treaties relating to the present Sino-Soviet boundary unequal treaties? The Soviet statement insisted that the current Russian-Chinese boundary in the Far East had been shaped "as a result of historical processes" over a long period. This boundary had been legally stipulated through the Treaties of Aigun (1858), Tientsin (1858) and Peking (1860). Hence, the Soviet Government considered those treaties which delimited boundaries as not being unequal treaties. It is true that the Bolshevik Government led by Lenin stood for the annulment of unequal treaties concluded by the Czarist Government with China. However, unequal treaties did not include the treaties for defining the boundaries between the two countries. Therefore, there is no question as to their annulment or revision."

But the Chinese statement took vigorous issue with the Russians, pointing out that Czarist Russia, a European country, was originally not contiguous to China. In the sixteenth century Russia began to expand eastward and not until the latter half of the seventeenth century, did the question of a boundary with China arise. In 1689, both countries concluded the first boundary treaty, the treaty of Nerchinsky which defined the eastern sector of the Sino-Russian boundary. In 1727, both countries con-cluded another treaty (Burisky Treaty) delimiting the middle sector of the boundary which now forms the Mongolian-Soviet boundary. As for the western frontier of China, "it was then at the Balkhash Lake, a great distance from the boundary of Czarist Russia." The boundaries defined by the Treaties of

Nerchinsky and Burisky indeed took shape through centuries of historical processes.

It has been mentioned that the treaties signed by China with Russia in the second half of the nineteenth century were the result of Czarist collusion with the Western imperialist countries "in pursuing the aggressive policy of carving up China." "Within the short space of half a century, the Czarist Government forced China to sign a series of unequal treaties, by which it annexed more than 1.5 million square kilometers of Chinese territory..." These included the Treaty of Aigun, 600,000 square kilometers; the Treaty of Peking, 400,000 square kilometers, both in the Manchurian area; the Tahcheng Protocol of 1864, 440,000 square kilometers, and the "Sino-Russian Ili Treaty" of 1881, 70,000 square kilometers, both in the Sinkiang area.

All of these treaties, the Chinese statement of May 24 further pointed out, were declared "null and void" by Lenin on September 27, 1920. Lenin did not make any exception because the declaration stated that the Soviet Government "declares null and void all the treaties concluded with China by the former Governments of Russia, renounces all seizure of Chinese territory, and all Russian concessions [emphases supplied] in China, without any compensation and forever, all that had been predatorily seized from her by the Czar's Government and the Russian Bourgeoisie." Furthermore, by the 1924 Agreement with China, the Soviet Government agreed to "annul all Conventions, Treaties, Agreements, Protocols, Contracts, et cetera, concluded between the Government of China and the Czarist Government and to replace them with new treaties, agreements, et cetera, on the basis of equality, reciprocity and justice, as well as the spirit of the Declarations of the Soviet Government of the years of 1919 and 1920" and "to re-demarcate their national boundaries..."

But the Russians countered the Chinese position in a note of June 13, 1969. It reiterated that the nineteenth century treaties were "equal" treaties signed by both governments' representatives and

"should retain their force as inter-state documents of both countries up to the present time." As to the Soviet renunciation of "unequal" treaties following the Bolshevik Revolution, the Russians argued that it involved only such treaty rights as extraterritoriality and sphere of influence. The Soviet declaration of 1919, 1920 and the Sino-Soviet agreement of 1924 contained no indications that: the treaties defining the location of the present Soviet-Chinese border were included among the unequal or secret treaties. Naturally, there was also no discussion of their abrogation or revision."

In theory, it appears that the Chinese view all treaties imposed on China in the past as "unequal" and therefore illegal and void. In practice, however, the Peking Government has not taken unilateral action to denounce them simply because of their "inequality." What Peking has insisted on is to have the Soviets admit that they are "unequal treaties" and to negotiate new "equal" treaties in their place. Although the Peking Government has not invoked directly the doctrine of rebus sic stantibus, their attitude and actions conform with it. In spite of the divergent opinions on the application of this doctrine, international lawyers generally agree that a vital change of circumstances can be a legitimate reason for demanding the revision or termination of a treaty and that a party invoking the doctrine should seek release from treaty obligations through diplomatic negotiations and not through unilateral denunciation. 40

But the Russian Government has refused to recognize the "unequal" nature of these boundary treaties for fear of putting themselves in an untenable legal position, thus opening the door for the Chinese to ask for more concessions on the entire frontier in the future, and perhaps open the door for other countries such as Finland, Rumania or Poland to ask for similar concessions.

(3) Is there a boundary question between China and Russia? The March 29 Soviet statement pointed out that the 1924 Agreement did not "consider" the boundary treaties "as being among the unequal

treaties" and that "there was no talk of their being annulled." The May 24 Chinese statement characterized the Soviet assertion as "juggling with history, adapting it to its territorial claims." In fact, China and the Soviet Union, in pursuance of the 1924 Agreement, held talks in 1926 to discuss the re-demarcation of the boundary and the conclusion of a new treaty, but no new agreement was reached. "Owing to the historical conditions at the time, no agreement was reached by the two sides on the boundary question, no re-demarcation of the boundary between the two countries was made and no new equal treaty was concluded by the two countries." This was quite true historically speaking.

But the Chinese statement further asserted: "There exists a boundary question between China and the Soviet Union not only because Czarist Russia annexed more than 1.5 million square kilometers of Chinese territory by the unequal treaties it imposed on China, but also because it crossed in many places the boundary line stipulated by the unequal treaties and further occupied vast expanses of Chinese territory." The statement pointed out two examples: (a) In the Pamir area, Czarist Russia occupied more than 20,000 square kilometers of Chinese Territory in violation of the "Protocol on Sino-Russian Boundary in the Kashgar Region" of 1884. (b) In the Ussuri and Amur Rivers sector, the Soviet Government, in violation of the Treaty of Aigun and the Treaty of Peking as well as the established principles of International Law, had gone so far "as to draw the boundary line almost entirely along the Chinese bank and in some places even on China's inland rivers and islands, marking as Soviet territory over 600 of the 700 and more Chinese islands on the Chinese side of the central line of the main channel, which covers an area of more than 11,000 square kilometers." Finally, the Chinese statement said that the mere concluding of the "Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance" did not signify the settlement of the boundary question or the non-existence of a boundary question between the two countries.

(4) Which country initially violated the status quo of the boundary? The Chinese accused the Soviets of incessant violation of the boundary status quo. The Soviet frontier troops pushed their patrol routes into Chinese territory, built military installations within Chinese territory, assaulted or kidnapped Chinese border inhabitants, sabotaged their production, and carried out all sorts of provocative and subversive activities. "From October 15, 1964, to March 15 this year, the Soviet side provoked as many as 4,189 border incidents, two and one-half times the number of those it provoked from 1960 to 1964, with its tactics getting even more vicious and its behavior even more unbridled."

For their part, the Soviet Government accused the Chinese Government of pursuing a policy of expansion and pointed out that China was not on good terms with neighboring countries because of its claims against their territories. The Chinese characterized the accusation as "clumsy tactics," pointing out that "the whole world knows that since the founding of the People's Republic of China, the Chinese Government has satisfactorily settled complicated boundary questions left over by history and concluded boundary treaties with neighboring countries such as Burma, Nepal, Pakistan, Mongolia, and Afghanistan, with the exception of the Soviet Union and India. "China does not have a single soldier stationed in any foreign country. China has no territorial claims against any of her neighboring countries, and has not invaded or occupied a single inch of territory of any foreign country."

On the contrary, the Chinese statement said, "it is the Soviet Government that expands its territory everywhere." The Soviet Government also advanced new theories for aggression—the theories of "limited sovereignty," of "international dictator-ship" and of the "socialist community." "It has already turned some East European countries and the People's Republic of Mongolia into its colonies and military bases."

These four principal controversial points in the Chinese and Russian statements represented the

bases for disagreement between the two powers. For resolution of the disagreement, the Russians suggested "consultations" and "clarification on individual sectors of the Soviet-Chinese state border line." The Chinese Government stood for peaceful negotiations for the overall settlement of the boundary question and "the conclusion of a new equal treaty to replace the old unequal ones." Evidently, the Chinese did not abandon at this time insisting on Soviet admission of the "unequal nature of the nineteenth century border treaties as a condition for entering negotiations" as one writer asserted, 41

In the midst of a steady stream of border incidents, the relations between the two countries were so tense that, following a new clash at Pacha (Goldinsky) Island of Fuyuan District in Heilungkiang Province on July 8, 1969, a Soviet journalist, Victor Louis, hinted that the Russians might launch a preemptive attack on China. 42 The New York Times also expressed "fear" of a Moscow-Peking conflict. Its September 1st editorial said that, incredibly, the Kremlin could be seriously considering a preventive war against China or even an aerial strike at Chinese nuclear facilities. Yet little more than a year earlier it seemed equally incredible that Soviet troops would invade Czechoslovakia. It concluded: "A decision to strike at China would be the most disastrous miscalculation of all, yet, tragically, there can be no guarantee this decision will not be taken."

Following the sudden visit to China of Aleksei Kosygin who talked with Chou En-lai at the Peking airport on September 11, both sides agreed to have full-scale negotiations on the boundary question in October, 1969, in Peking. Later, the news dispatches disclosed that Kosygin also proposed to discuss the resumption of trade talks, reinstatement of ambassadors in Moscow and Peking, and an accord allowing Soviet planes to fly through China to Hanoi. 43

On October 7, 1969, the Peking Government in a formal statement announced that China had agreed with the Soviet Union to hold negotiations on their

border disputes, adding: "There is no reason whatsoever for China and the Soviet Union to fight a war over the boundary question." It also disclosed that Chou En-lai had proposed to Kosygin when they met at the Peking airport that the two sides "first of all should reach an agreement on the provisional measures for maintaining the status quo of the border, for averting armed conflicts and for disengagement. In the words of the statement:

The Chinese side further proposed that the armed forces of the Chinese and Soviet sides disengage by withdrawing from, or refraining from entering, all the disputed areas along the Sino-Soviet border, that is, those areas where the two sides disagree in their delineations of the boundary line on the maps exchanged during the 1964 Sino-Soviet boundary negotiations.44

This October 7 statement also declared two important principles: First, "the Chinese Government has never demanded the return of the territory Czarist Russia had annexed by means of unequal treaties." Thus China officially defined her position, abandoning claims to 1.5 million square kilometers of China's "lost territories." She just wanted to set-tle the disputed areas which Russia took even without a treaty sanction. The note pointed out that it was the Soviet Government which "has persisted in occupying still more Chinese territory in violation of the stipulations of these treaties, and moreover, peremptorily demanded that the Chinese Government recognize such occupation as legal." Second, as the Soviets had insinuated that China intended to launch a nuclear war against the Soviet Union, the statement added: "China develops nuclear weapons for defense and for breaking the nuclear monopoly. The Chinese Government has declared solemly on many occasions that at no time and under no circumstances will China be the first to use nuclear weapons.... But at the same time China will never be intimidated by war threats, including nuclear war threats."

Thus, the Peking Government clarified or modified its position in regard to its territorial claims against Russia in this way: (a) China did not demand the return of territory that Czarist Russia annexed in Siberia and Central Asia during the nineteenth century under "unequal treaties." To effect such a return, would require the conclusion of a new equal treaty to "replace the old unequal Sino-Russian treaties," and the carrying out of boundary surveys and the erection of boundary markers. (b) "Any side which occupies the territory of the other side in violation of these treaties must, in principle, return it unconditionally to the other side, but necessary adjustment of the areas concerned on the border may be made..."

With the Chinese position thus cleared, the Soviet Government sent First Deputy Foreign Minister Vasily V. Kuznetsov to Peking. He held the first meeting with his Chinese counterpart, Chiao Kuanhua, on October 20, 1969. Then, Brezhnev came out to voice a conciliatory line. He said that the Soviet Union was in favor of a solution of frontier and other problems with China on a lasting and just basis in a spirit of equality, mutual respect and consideration of the interests of both countries. "If the Chinese side also shows goodwill, then this will be possible."

Up to December of 1969, there were neither more skirmishes nor polemical attacks. But there were reports of border buildups in Peking and in the interior of China. The Chinese even began constructing air raid shelters.<sup>47</sup>

By mid-December, Kuznetsov and his deputy, Major General Vadim A. Matrosov, chief of staff of the Soviet border troops, left China for Moscow for consultation because the negotiations were stalemated. Later, the Soviet chief delegate said in Moscow that the two sides were merely reiterating their positions and had not come to grips with an agreed agenda. 48

The negotiations, however, were resumed upon the return of Kuznetsov to Peking in mid-January, 1970.

He was reported to have expressed that the Soviet Union was willing to make minor concessions if the Chinese renounced claims to the entire Soviet Far East which the Chinese had charged was taken from China through "unequal treaties" in the nineteenth century. Chinese sources indicated that Peking refused to talk about the border until Moscow agreed to a mutual withdrawal of troops to a distance of about sixty miles and renounced the use of force to settle the disputes. But the Soviets refused the requests, insisting that negotiations must be conducted without preconditions. 49

Very soon the Chinese received a thinly veiled warning from Pravda. A pseudonym author named J. Alexandrov, who had painted a bloodcurdling picture of the anti-Communist riot in Prague and thus paved the way for the Soviet army occupation of Czechoslovakia in 1968, wrote on China this time. He saw the Chinese Government deliberately provoking anti-Soviet and war psychoses, trying to use pressure tactics on Moscow's delegation in the current Sino-Soviet negotiations in Peking, and cooperating with the United States in aiding the imperialists to split world communism. The employment of this same pseudonym was a clear signal to Mao to remember the fate of Czechoslovakia and the inherent meaning of the Brezhnev Doctrine if his government remained stubbornly defiant.  $^{50}$  Then followed more exchanges of polemical blasts between Moscow and Peking. Needless to say, border tension was again heightened.

But the Chinese and Russian communists are strange bedfellows. On July 2, 1970, Peking agreed to accept a new Soviet ambassador, Vladimir I. Stepakov. At the same time, Kuznetsov reportedly returned to Moscow due to a urinary ailment. Later, Stepakov did not go to China to assume his position because of his heart condition. On August 15, a new Soviet negotiator, Deputy Foreign Minister Leonid F. Ilyichev, arrived in Peking for continuing talks. But Chou En-lai still saw China in peril. In an interview on December 11 with Edgar Snow, an American journalist, he said: "In the north and in the

west is the Soviet Union with a million men and missile forces, and in the east, the United States allied with Japan which is feverishly rearming."51

After China tested an ICBM in May, 1971, and President Nixon announced on July 15 his projected visit to Peking, the Soviet press came out and said that China had fabricated the Russian invasion fear. 52 Then, both sides made further moves to ease tension by concluding a new trade pact in Moscow on August 5, 1971, calling for three times the current trade volume, and by mutually stationing ambassadors in each other's capital. The new Soviet envoy, Vasily S. Tolstikov, arrived in Peking in mid-October, 1971. Thus, what the communists called "state to state" relations were back to normal status. In May, 1972, after Nixon had visited China, the Soviet negotiating team in Peking were reportedly allowed to travel to see the country. 53 The situation seemed to become less tense but remained very fluid and unpredictable.

During the border negotiations, each side has attempted to present itself as the reasonable party and ascribed the other as opposing a settlement of their disputes. This reflects the fact that neither was in a hurry; both parties rather preferred to play time in order to gain their respective goal. The Western concept of "efficiency" has no place here.

This, among others, is one of the reasons why the Sino-Soviet border negotiations have not yet come to an end.

## 4. The Most Recent Developments

The Sino-Soviet territorial dispute is not an isolated issue in the world political scene. Since the Nixon Visit to China in February, 1972, which opened the door for normal relations between China and the United States in accordance with the Shanghai communiqué of February 27, 1972, the world power structure has been realigned greatly. Of course, militarily Russia is far stronger than China but she has to count on a possible American

move now in case of a showdown with China. Although both China and Russia have accused each other of war-mongering, their relations have not been acutely worsening since 1969 and on occasion they have even attempted reconciliations. The border river agreement of 1977 is one of the examples. But to date there is no indication of a major breakthrough in the boundary negotiations.

A brief analysis of the most recent developments up to 1981 indicates that there are four areas of concern: deadlocked negotiations, no acceptance of a non-aggression pact proposal, fruitful negotiations on riverine borders and navigation and good prospects for Sino-Soviet reconciliation.

First, the boundary negotiations have led nowhere. So far as we can assess, the Sino-Soviet boundary negotiations still seem at deadlock. These negotiations have been held off and on at the viceministerial level in Peking in strict secrecy since October, 1969, with Soviet Deputy Foreign Minister Ilyichev spending a few months in Peking and a few months back in Moscow. Up to date, both sides have yet to agree on an agenda. In other words, they have been in basic disagreement about what the talks should cover.

Briefly stated, there are two stumbling blocks to overcome: (a) China insisted on reaching an agreement on provisional measures to maintain the status quo and stop armed conflict before the negotiations on the boundary alignment. (b) China repeatedly demanded that Russia acknowledge for the record that the present Sino-Soviet boundary is the result of "unequal treaties" imposed on China by the Czars, and therefore a new "equal treaty" should be concluded instead.

The Soviets refused to accede to these main points, asserting that "we do not lay down any preliminary conditions for the normalization of relations with China." They only expressed a willingness to make minor adjustments in particular frontier areas where boundaries and geography are in obvious conflict. In the words of Chou En-lai: The

Russians refuse even to recognize "objective facts like the existence of disputed areas." 55

Now on April 3, 1979, when China announced her decision not to renew the 1950 Treaty of Friendship, Alliance and Mutual Assistance which expired in 1980, she proposed that she would be prepared to talk about outstanding issues. Russia, although denouncing the Chinese action at first responded favorably about a fortnight later. Observers stated that as China is pressing ahead for the four modernization programs, it would be beneficial to her if tensions on the Soviet border could be lessened. 56 Therefore, some sort of modus Vivendi arrangement might be developed.

The news dispatch seems to point to the direction. On July 19, 1979, the Soviet embassy in Peking announced that Russia and China had agreed upon negotiations for improving their relations. The talks took place in late September, with the site alternating between Peking and Moscow. This time China agreed to the Soviet proposal, possibly without preconditions, as Brezhnev wanted time and again in recent years.

The first round of talks was held in Moscow. The Chinese delegation, headed by Deputy Foreign Minister Wang You-ping arrived on September 23, 1979, and left Moscow in early December. In mid-October the two sides agreed to stop arguing about the agenda, and the first full session followed. Mikhail S. Kapista, the Soviet Foreign Ministry's ranking expert on China was a member of the delegation led by the Deputy Foreign Minister, Leonid F. Ilvichev. 58

It is significant that during the course of negotiations, the Soviets presented the Chinese with a draft declaration of principles for future relations on October 25, 1979. After Wang had left for China, Pravda published this declaration which was essentially a non-ideological document, similar to the "basic principles of relations" between the U.S. and the Soviet Union, subscribed to in May, 1972. Yet Pravda asserted that the realization

of these principles now had become central to the efforts to normalize Soviet-Chinese relations. Chinese sources, however, indicated that Peking probably would not agree to any signing of the declaration until the charges of hostility had been given a good airing and major differences were discussed. 59

Both sides agreed to resume the next round of talks in Peking at a date yet to be fixed. China's Foreign Minister, Huang Hua told the North Atlantic Treaty Organization delegates in Strasbourgh, France on September 30, 1980, that the Soviet intervention in Afghanistan constituted "a major obstacle." Consequently the Chinese had canceled a scheduled second round of talks for next January, although they still want to discuss their border differences with Moscow as well as to discuss other areas of cooperation 60

However, in June, 1981, a Chinese official, Li Huichuan, accused Moscow of reneging on an agreement on border nogotiations reached in September, 1969 between the Chinese Prime Minister, Chou En-lai and the Soviet Prime Minister, Aleksei N. Kosygin in Peking Airport. The agreement was not only for negotiating settlement of border disputes but also for seeking "provisional measures for maintaining the status quo of the border and averting armed conflict." Li, a deputy chief of the original Chinese negotiation team, made his points in an article first published in June 17, 1981 The Peoples' Daily, then appeared in English in Beijing Review on July 27, and on August 3, 1981. He viewed that the Soviet military threat and hegemonistic policy against China were "the fundamental obstacle to the settlement of the Sino-Soviet boundary question and the improvement of Sino-Soviet state relations."

The second concern was that the non-aggression pact, a closely related issue to the boundary problem, has been spurned by both sides. On September 24, 1973, Leonid I. Brezhnev in a speech in the Central Asian city of Tashkent declared that the Soviet Union offered China a non-aggression pact in mid-June but the Chinese leaders failed to

reply and challenged Chou En-lai to follow up his recent statement of desiring normal relations with Moscow by taking concrete actions. 61 Earlier, on December 21, 1972, the Soviet leader disclosed that on January 15, 1971, the Soviet Union had presented a draft treaty which required that the two sides "shall not use against each other armed forces employing any type of arms, including conventional missile or nuclear." 62

In reply to the Kremlin leader's challenge, Chou on November 7, 1974, asked for a non-aggression meeting, but he linked the idea to a pull back of forces along the disputed frontier. He further disclosed that the idea of a non-aggression pact was part of an understanding reached by him with premier Aleksei N. Kosygin when they met at the Peking airport on September 11, 1969. At that time there was a provision to separate military forces along the border, at which Moscow balked. Some observers interpreted that the Soviet balked at the Chinese proposal for a separation of forces on the ground that it would concede some legitimacy to Chinese territorial claims. 63

Premier Chou's message further stated:

The Chinese Government has frequently proposed that both sides should hold talks to achieve relations of friendship and good-neighborliness. Above all, the mutual understanding achieved in September, 1969, at the meeting of the premiers of the two States—that an agreement should be signed on non-aggression, non-use of force, maintenance of the status quo on the frontier, the prevention of military conflict, and clashes, the separation of forces in disputed regions, and the solution of all frontier questions through talks—should be adhered to. 64

But this concept was rejected by Brezhnev as "absolutely unacceptable" in a speech in Ulan Bator in November, 1974, on the occasion of the fiftieth anniversary of Mongolia's proclamation of a people's

republic only 750 miles from Peking. The Soviet leader portrayed the Soviet Union as a reasonable party by saying that "we do not advance any preliminary condition of improving relations with China." But he pointed out that "Peking advances as a preliminary condition...the demand for withdrawal of Soviet frontier guards from a number of areas of our territory to which the Chinese leaders have now decided to make claims and so started calling them disputed areas." The whole matter ended there.

The third area of concern was the China and Russia River Accord formulated in 1977. In the 1950's when Russia and China were friendly, the Chinese designated the Amur River as the River of Friendship. Then both the Soviet and Chinese boats traded across the Argun, Amur, and Ussuri rivers; navigation procedures were set up by the joint Sino-Soviet Commission for Navigation on Boundary Rivers in 1951. The Commission met alternately in Soviet and Chinese border cities. Regarding the riverine boundary question, the agreement stipulated that traffic in the rivers should follow the main navigational channels regardless of their relationship to the State frontier. 66 A later agreement (December, 1957) even relaxed the shipping and navigation rules to "mutually provide preferential treatment." Both sides would "take measures in providing gratis whatever transit services are possible for the merchant ships of the two countries -- any time of the day as well as night during the navigation season."67

As discussed above, one of the factors leading to the 1969 Ussuri border clashes was that China issued some new stringent boundary river regulations. On June 7, 1969, as a measure of de-escalating the tension of the Sino-Soviet relations, the Peking Government agreed to the Soviet proposal of May 23 to reopen meetings of the joint Sino-Soviet Commission for Navigation on Boundary Rivers at Khabarovsk on June 18. However, that date was changed at the Chinese request in a mid-June note for allowing "good preparations to make the meeting a success. "58

A later development was the Chinese charge on July 8, 1969, that the Soviet forces had violated Chinese territory by intruding into Pacha (Goldinsky) Island in the Amur near Khabarovsk. Moscow replied that the incident was a Chinese "provocation" designed to abort the river-navigation negotiations. But this time the Chinese heeded the Soviet protest. Very soon, they reached an agreement with the Soviets at the Khabarovsk Conference on the governing of navigation of the border rivers for the current year. Further talks regarding the matter were held in 1970.69

From now on, as the general border negotiations in Peking, the Khabarovsk Conference on river navigations was fruitless for nearly five years. On May 23, 1974, the Soviets suddenly became more conciliatory and receptive to the Chinese request for the use of an alternate channel in order to avoid using the seasonal low water channel along the confluence of the Ussuri and Amur near the city of Khabarovsk. Some observers had the theory that it was designed by the Soviets to put more public pressures on Peking to release a captured Soviet helicopter and its crew, which had strayed into China's Sinkiang region on March 14, 1974. The Chinese claimed the helicopter was on an espionage mission; but the Russians said it was on a mercy flight to help an ailing bodyguard. 70

Tass reported at this time that a Soviet note had been handed to the Chinese charge d'affaires saying that "The Soviet side, displaying goodwill, has always favorably received requests from the Chinese side concerning passage of its vessels through Soviet inland waterways near Khabarovsk." To claim the waterway as the "Soviet inland waterways" is always debatable for the Chinese. consider these two channels as China's proper border. 71

At any rate, the Chinese released\_the Soviet helicopter at the beginning of 1976.72 However, the Chinese and the Soviets did not hold the first border river meeting until August 12, 1977; it had taken three years to reestablish the meeting. It

was reported that the Chinese were seeking improved passage for their vessels at the junction of the Amur and Ussuri rivers. "Peking is also complaining of harassment by Soviet boats."

But on October 7, 1977, both Moscow and Peking news agencies announced that they had reached limited agreement on rules of navigation on the Ussuri River on their disputed border.

According to the agreement, Chinese vessels would be permitted to pass through the north channel of the Ussuri around the Hsia-tzu Islands, where the Ussuri and Amur rivers meet, in spite of the Soviet claim that the channel lies within its territory. "Both sides made it clear when they resumed these talks in the summer that they were focusing on very technical navigation problems and nothing else," a Western diplomat in Moscow pointed out. 74

Apparently the agreement does not affect the larger problem of the Chinese territorial claims against Russia. Still it is a significant step toward reconciliation between the two communist rivals.

Finally, the fourth problem noted above is the question: Are the Sino-Soviet differences reconcilable? In view of the above analysis, this writer believes that there are good prospects for a Sino-Soviet reconciliation. With the question of river navigation out of the picture, the Chinese and the Soviets should be ready to move to solve their general territorial issues. As of 1981, at least, several clues are apparent. First, on October 27, 1973, Chou En-lai reaffirmed that China had never expressed the desire to recover "all the territories" lost to Russian control during the nineteenth century as a result of "unequal treaties." The Russians, however, insisted that China made such a claim. As recently as December, 1975, the Soviet press still cited the inflated figure of 1.5 million kilometers (600,000 square miles) as that claimed by China; but on April 28, 1976, a *Pravda* article conceded that the Chinese territorial claim involved 33,000 square kilometers (about 13,000 square

miles). 76 It was a significant concession, which provides both sides a reasonable basis for negotiation and greatly narrows the areas of disputes.

Second, in May 1978, a border incident occurred in Hulin County of Heilungkiang Province. The Chinese version was that a Soviet helicopter, eighteen boats, and thirty soldiers landed on the Chinese bank and penetrated two and a half miles inland, shooting, wounding and kicking a number of people. The Soviets quickly offered apology after receiving the Chinese note of protest, but said a border patrol mistakenly landed on the Chinese river bank in search of an "armed criminal." Although the Chinese disputed the Soviet version of the incident they made no further demands. 77 This time the Chinese not only refrained from armed counter-attack but also settled the issue amicably. Moreover, the two countries' two-way trade volume in 1978 reached \$516 million, and in August, 1979, the two signed a \$750 million trade agreement, a record since ties deteriorated in the early 1960's. In 1970, the trade figure was as low as \$41.9 million; it has risen gradually, a fact which had been little noticed.  $^{78}$ 

Third, China in 1979 was in the hands of pragmatic leaders, such as Hua Kuo-feng, Teng Hsiaoping, and Chan Yun, different leaders from those in power in the late 1960's. The present leaders are pushing four modernizations, to make China a real world power. Therefore, lessening the northern border tension and accommodating to certain extent the border issues are the natural courses to take. On the other hand, the Soviet opportunity for preemptive strikes against China has considerably diminished since the Chinese exploded atomic bombs in 1964 and tested the intercontinental ballistic missile (ICBM) in 1971. In other words, the Soviets have lost their military superiority. Internationally, China has improved relations not only with the United States and Japan, but also with the Common Market countries in Western Europe as well as with India, leaving Vietnam on the Southern border the only adversary besides Russia. To compose their differences with the Soviets is the best

way to put pressure on Vietnam to be "reasonable" especially on the question of expulsion of ethnic Chinese.

Therefore, the possibility of a full scale war between China and Russia is greatly reduced. Should there be a Sino-Soviet conflict, the result would no doubt, not only undermine Soviet predominance in Eastern Europe but split the world communist movement along racial lines and even totally destroy the movement itself without guaranteeing an end to the conflict."79

Needless to say, the road of reconciliation leading toward a comprehensive settlement of the borderland issues is long and treacherous. But frontier tranquility between the two nations could emerge only in the aftermath of such settlement.

#### Chapter V: Notes

- 1. Doc. 16 in Dennis J. Doolin, Territorial Claims in the Sino-Soviet Conflict, Hoover Institution Studies: 7, p. 45.
- 2. Doc. 14, *ibid*., (text of the interview first appeared in *Sekai Shūhō*, Tokyo, August 11, 1964). The Japanese are getting serious for their claims of the Kuriles in 1981. According to the February 8 Associated Press reports, the Soviet Union strongly condemned the Japanese proclamation of "Northern Territory Memorial Day" on February 7, 1981.
- 3. Doc. 16, ibid.
- 4. Doc. 1, ibid.
- 5. Doc. 3, *ibid.*, Chinese text in *Jen-Min Jih-Pao*, Peking, March 8, 1963.
- 6. English text of the joint statement in *Peking Review*, No. 37, September 13, 1963, pp. 6-23.
- 7. Doc. 5 in Doolin, op. cit., p. 32.
- 8. Text in Peking Review, No. 19, May 8, 1964.
- 9. Quoted from Tsai Ping-yuan, An Analytical Survey of Border Disputes Between Soviet Russia and Communist China, p.7. Jen-Min Jih-Pao editorially criticized this speech as "Anti-Chinese Report," April 27, 1964.
- 10. Pravda, September 2, 1964; English text reproduced in Doolin op. cit., pp. 47-57.
- 11. Tass International Service, Moscow, September 19, 1964. Reproduced in Doolin, p. 70.
- 12. Saifudin was chairman of the Sinkiang Uighur Autonomous Region. The speech was broadcast over Urumchi radio for a National Day rally in Urumchi.
- 13. Statement of the Government of the People's Republic of China, May 24, 1969 (Foreign Languages Press, Peking, 1969); as for the English texts of the four principal boundary

- treaties, see Appendix: 7, 9, 11, 12 in Tai Sung An. The Sino-Soviet Disputes. For details see next section of this chapter.
- Harrison Salisbury, War Between Russia and 14. China, p. 136.
- 15. *Ibid.*, p. 137.
- 16. For details, see this writer's book, International Controversies Over the Chinese Eastern Railway, Shanghai, 1936.
- Interdoc, Russia and China, A Guide to the 17. Sino-Soviet Conflict, p. 40. For detailed background, cf. Peter S. H. Tang, Russian and Soviet Policy in Manchuria and Outer Mongolia, pp. 399-425, 427-428; Chiang Kai-shek, Soviet Russia in China.
- For instance, the Chinese government in a 18. statement of May 24, 1969, said: "As early as August 22 and September 21, 1960, the Chinese Government twice took the initiative in proposing to the Soviet Government that negotiations be held."
- 19. See Herbert W. Brigg's The Law of Nations, pp. 917-918.
- 20. Published in Jen-Min Jih-Pao, March 11, 1969, English translation in Down With the New Tsars, p. 23.
- 21. The 1966 "regulations" were published in New China News Agency, April 19, 1966.
- 22. Thomas Robinson, The Sino-Soviet Border Dispute, p. 19; the military figures are from New York Times, August 17, 1966.
- 23. Cf. the New York Times, August 17, 1966.
- 24. Ibid., January 3, 1969.
- 25. Los Angeles Times, July 10, 1968.
- 26. New York Times, May 24, 1969.
- 27. See Le Monde, April 14, 1969.
- 28. Robinson, op. cit., p. 34.

- 29. Le Monde, March 15-18.
- 30. Ibid., pp. 65-68.
- 31. The editorial dated March 4, 1969.
- 32. Text in Down With the New Tsars, pp. 26-30.
- 33. *Ibid.*, pp. 14-15.
- 34. O. Edmund Clubb, China and Russia: The Great Game, p. 501.
- 35. Text broadcast by Tass, March 29; Le Monde, April 11, 1969.
- 36. New China News Agency, May 24, 1969.
- 37. Chi Hsing, Chenpao Tao Shih-chien Chen-hsing (A True Story of the Chenpao Island Incident), Hongkong, Chi-ssu Book Co., p. 59.

The following analysis of the four problems is based on the March 24 Soviet statement and the May 29 Chinese statement. There will be no footnotes added unless other sources are cited.

- 38. Current Digest of Soviet Press, XXI:24 (July 9, 1969), p. 11.
- 39. Peking Review, 12:41 (October 10, 1969), pp. 14-15.
- 40. Cf. Briggs, The Law of Nations, pp. 917-918. In regard to border disputes, it should be noted that Article 62 of the 1969 Convention on the Law of Treaties specifically excludes the application of the doctrine, rebus sic stantibus, to treaties establishing boundaries See International Legal Materials, Vol. 8, No. 4 (July, 1969), p. 702. However, the PRC is not a signatory to the convention and has not yet acceded to it.
- 41. Robinson, op. cit., p. 73
- 42. New York Times, September 18, 1969, p. 5.
- 43. New York Times, September 12, 1969, p. 1, and October 1, 1969, p. 12.

- This writer has not yet been able to obtain 44. such maps exchanged during the Sino-Soviet negotiations in 1964.
- Cf. Document of the Ministry of Foreign Affairs 45. of the People's Republic of China, October 8, 1964, p. 47. This document and the October 7th statement are published separately by the Foreign Languages Press, Peking, 1969.
- New York Times, October 28, 1969, p. 1. 46.
- 47. Ibid., November 7, 1969, p. 14, November 21, 1969. p. 3.
- Ibid., December 14, 1969, p. 1; December 21, 48. 1969, p. 1. 17.
- Ibid., March 20, 1970, p. 3. 49.
- 50. Cf. the New York Times Editorial, March 30, 1970, p. 42.
- 51. New York Times, December 11, 1970, p. 11.
- 52. Ibid., August 21, 1971, p. 2.
- 53. Sing-Tao Jih-Pao, Hongkong, May 27, 1972, p.1.
- 54. See Brezhnev speech, in November, 1974 in Ulan Bator, Mongolia, New York Times, February 23, 1975, p. 13.
- 55. Quoted from the New York Times, October 29, 1973. p. 8.
- New York Times. May 23, 1979, p. A2 and April 56. 4, 1979, p. A7.
- 57. Wall Street Journal, July 20, 1979, p. 1.
- 58. New York Times, December 1, 1979, p. 26.
- 59. New York Times, December 9, 1979, p. 11.
- 60. New York Times, October 1, 1980, p. 4.
- 61. New York Times. September 25, 1973, p. 1.
- 62. Ibid., November 5, 1974, p. 2.
- 63. *Ibid.*, November 5, 1974, p.
- 64. *Ibid.*, November 5, 1974, p.

- 65. The Christian Science Monitor, November 27, 1974, p. 1.
- 66. Douglas M. Johnston & Hungdah Chiu, Agreements of the People's Republic of China 1949-1967; A Calendar, (Harvard University Press, 1968) p. 30, 34.
- 67. Jen-Min Jih-Pao, December 23, 1957; Harold Munthe-Kass, "Amur Amendments," Far East Economic Review, May 26, 1966, p. 556.
- 68. Text in Peking Review, May 16, 1969, p. 3.
- 69. O. Edmund Clubb, China and Russia: The "Great Game" p. 505-506.
- 70. New York Times, May 24, 1974, p. 1.
- 71. *Ibid*.
- 72. Ibid., April 29, 1976, p. 10.
- 73. *Ibid.*, August 13, 1977, p. 7.
- 74. Ibid., October 8, 1977, p. 8.
- 75. New York Times, October 29, 1973, p. 8.
- 76. Ibid., April 29, 1976, p. 10.
- 77. Ibid., May 12, 1978, p. 1; May 14, 1978, p. 3. Cf. Neville Maxwell, "Why the Russians lifted the blockade at Bear Island?" Foreign Affairs, Fall, 1978, pp. 138-145.
- 78. *Ibid.*, May 23, 1979, p. A2.
- 79. Tai Sung An, The Sino-Soviet Territorial Disputes, p. 124.

# CHAPTER VI

# Chapter VI THE DANGEROUS BORDERLANDS WITH RUSSIA

Before studying possible ways for settlement of the Chinese territorial claims, we must examine more closely the Chinese borderlands—Mongolia, Manchuria, and Sinkiang. Historically they have figured prominently in Sino-Russian relations. They always were an important factor in the national security of both countries. Currently, the Soviet Union has stationed well over 25 per cent of its active military forces in these border areas (i.e., over one million men and missile forces).

Failing to gain further influence here, the Soviet Union succeeded in encircling China through its close ally, Vietnam, in the south. But the most dangerous area still lies in the north.

In the past few hundred years, the stability of the Chinese borderlands—Sinkiang, Mongolia, and Manchuria—has depended upon the relative power of Russia and China. In periods when the central political authority in China was weak and divided, other powers have been able to expand their influence into these areas. When the national authority was strong, aggressive, and effective, China has been able to reassert her ascendancy in these borderlands. The pendulum is still swinging today, even though the international situation has undergone a great change.

Through the Yalta Agreement and the Sino-Soviet Treaty of Friendship in 1945, Russia had successfully detached Outer Mongolia from China. Up until the Chinese Communist takeover in Manchuria and conquest of Sinkiang, the Soviets had intended to make these two hinterlands dependent on the Soviet Union as well. The Soviet systematic looting of the industrial machinery in Manchuria and the last minute Soviet maneuvering to obtain economic privileges in Sinkiang from the Nationalist authorities would explain the over-all ambition of the Soviet

Union. The success of the Communist Revolution in China compelled the Soviets to withdraw in one way or another from both Manchuria and Sinkiang, a process which took five years. Although they did not do so out of their own volition, it was unprecedented in Russian history. Since then, the Chinese Communists have taken every step to integrate and ensure wherever necessary the ultimate sinification of these lands because previously they were not truly integrated into the national life of China,

On the whole, the People's Republic of China has gone to great length to maintain effective control of Manchuria and Sinkiang since 1949, especially since 1955 after the Russian special positions were eliminated. They are no longer loosely connected with the Chinese central government as before.

Since 1955, Sinkiang and Manchuria no longer have been buffer zones between China and Russia; instead, they have become a direct boundary of the Soviet Union vis-à-vis the People's Republic of China. In the case of Outer Mongolia, her status has changed greatly because she became nominally independent but actually a part of Russia. Hence, it is worthwhile to give a brief analysis of the developments in these three areas since 1950 in the context of the Sino-Russian boundary confrontation.

## 1. Mongolia

Outer Mongolia, with a population of 1,594,800 in 1979 and an area of 1,565,000 square kilometers, was for many years a persistent political and dip-lomatic issue for China and Russia. Stalin managed to keep Mongolia out of the Chinese orbit even after the Chinese Communist victory in China proper. By the terms of the 1950 treaty, Mao merely gained a fine point by the recognition of the "independent status" rather than the "independence" of the Mongolian People's Republic as Chiang Kai-shek had acknowledged. Following the establishment of diplomatic missions in each other's capitals in July, 1950, a ten-year Sino-Mongolian Agreement on

Economical and Cultural Cooperation was concluded on October 4, 1952, about which the Mongolian premier, Tsedenbal, described as "opening a new era in the relations between the Mongolian people and the Chinese people."1

The most significant development was the Sino-Soviet-Mongolian announcement in October, 1954, in Peking of an agreement for the construction of the Tsining-Ulan Bator railway. The agreement was actually concluded in September, 1952, at Moscow. The Russians and Mongols jointly were to lay the section from Ulan Bator south through Chamuut to the Sino-Mongolian border, while the Chinese were responsible for constructing the section from Tsining on the railroad between Peking and Paotow via Erhlien to the Sino-Mongolian border. The Chinese section, about 210 miles in length, started in the spring of 1953, was completed at the end of 1954; whereas the Russian-Mongol section was completed in 1955. The whole line adopted the Russian broad-gauge and was opened to through traffic in January, 1956. Some observers profess to see a danger for China in this railway. "In case of Sino-Soviet conflict, Russian-made cars could roll on the broad-gauge right into Inner Mongolia, whereas standard-gauge Chinese cars could not move past Tsining."2 In addition, the Russians had made links in 1949 between Ulan Bator and the city of Ulan Ude on the Trans-Siberian line.

Moreover, as the result of the Japanese and Soviet-Mongolian military clash in the Nomonhan-Buir Nor area in the summer of 1934, the Russians had strengthened the defenses of the area by constructing a strategic railway from Chita on the Trans-Siberian line to Tamtsak Bulak, near the extreme eastern tip of Outer Mongolia. "Tamtsak Bulak provided the launching point for the Russian invasion of Manchuria in 1945 on the eve of the Japanese surrender, and it remains today capable of supporting any Russian project for a drive to the Gulf of Chili to cut China off from the heartland of its industrialization."3

The Chinese Communists endeavored to win the

Outer Mongolians. As there were extensive, unsettled tracts along the border between Outer Mongolia and Sinkiang, Inner Mongolia and Manchuria, the Chinese signed a boundary agreement in 1962 with the Mongolian People's Republic. Although the details of the terms were not known, it was understood that in the majority of instances, the Chinese abandoned their claims in favor of the Mongols. At this time, Tsedenbal was accorded a mass rally in Peking in which he expressed his appreciation for the occasion.4

Evidently the Mongols were able to balance one neighbor against another, much as the Nepalese balance Indian and Chinese influences up to this time. But these opportunities were quickly disappearing. As soon as the Sino-Soviet ideological rift and the boundary disputes became increasingly acute, the Mongols gradually moved toward Russia. This was only natural because Russia had greater influence, more economic aid, and unmistakably a stronger military presence in Outer Mongolia. Of course, there was no question that the Chinese Communists, like the Nationalists, had hoped that one day she would return to the Chinese fold. However, due to the Russian presence, the Chinese did no apparent harm to the Mongolian national interest.

Outer Mongolia not only buttressed her legal position with China by concluding the above-mentioned boundary agreement in 1962, but also, under Soviet auspices, was admitted into the United Nations a year earlier. In June 1962, she also became the only Asian member of the Soviet bloc economic organization COMECON. And most important of all, in accordance with the 1946 military pact with Russia, she continued under Soviet military protection.<sup>5</sup>

The population of China has been reported to be 975 million, 6 while Outer Mongolia only has a little over one million. Naturally, the Mongolians are wary to be swallowed by the sheer weight of numbers. But does not this argument hold for Russia too, since there are 262 million Russians?

In April, 1964, Outer Mongolia requested that the Chinese construction workers and others be recalled to China. Numbering 20,000, they were sent in from 1955 onward to implement the economic aid program. They were accused at this time of subversive activities. Now the events were moving very rapidly. On July 10, 1964, Mao talked to the Japanese socialists, saying that the Soviet Union "under the pretext of guaranteeing the independence of Mongolia, actually placed that country under its domination." Then, in September, the Ulan Bator government issued a formal statement declaring that "the Chinese nationalists' shady schemes to do away with the state independence of the Mongolian People's Republic are absurd and unrealizable."7 It laid down its own rationale:

Every MPR worker clearly realizes that if our people did not link their destiny with that of the Soviet Union, Mongolia would not be independent and would not have those successes which it has attained. It is clear that if the plans of the Chinese leaders were realized, our people would share the fate of the Inner Mongolians and other national minorities of China who are dealt with on the basis of a policy of great-Han chauvinism....

No doubt, the statement offered a very good argument, but it exposed that the Mongolian People's Republic had been a satellite of the Soviet Union. There is no genuinely independent state in the world which would make a similar statement.

After the Chenpao Island incident in March, 1969, Premier Tsedenbal joined with Russian President Podgorny in denouncing the Mao regime on May 20. He again referred to the Mongolian association with the Soviet Union while at the same time the Soviets had moved some 1.5 million troops east of Irkutsk. There were some 100,000 to 200,000 Soviet troops, including missile-launching units, deployed in Mongolia within easy reach of China's nuclear centers at Paotow and Lanchow as well as Peking.

Consequently, the Chinese frontier in Outer Mongolia is the most critical area because the land has lost its buffer zone quality and the Soviet forces there could strike the Chinese capital or its nuclear centers in Paotow and Lanchow on short notice. The Chinese loss of Outer Mongolia opened up a big expanse of territory for the Russian army to maneuver in. No wonder both the Nationalists and Communists always held hopes for the return of Outer Mongolia to China and Mao personally prophesied in 1936 that the land "will automatically become" part of China of "their own free will." Naturally this hope is disliked by the present regime of Outer Mongolia and particularly the Soviet Union.

## 2. Sinkiang

Sinkiang, or Chinese Turkestan, is a mysterious and complicated land covering 1,600,000 square kilometers (650,000 square miles) in area with but only about 12.56 million people, slightly more than the city of Shanghai. For centuries it was the channel for cultural and commercial contacts between the ancient civilizations of China, India, and the Hellenized West of Asia. Here the Chinese power has ebbed and flowed for many centuries while its myriad minorities, mainly the Uighurs, Kazakhs, and Kirghiz, kept their own way of life.

The Russians have been active in Sinkiang for nearly a century now, and have made repeated efforts to establish Russian authority in the region and thus detach it from China. When the Chinese Communist forces marched near the border from Kansu province, the Soviet consul general in Urumchi approached Nationalist General Tao Shih-yueh. "According to a reliable source, the Russians proposed that Tao declare Sinkiang independent, on the precedent of Outer Mongolia." Moreover, as late as 1949, the Soviet ambassador followed the Nationalist Government to Canton demanding important economic and transportation concessions in Sinkiang in the hope of establishing a special position there before the Communist takeover. 11 Earlier, Russia also incited the Uighur revolt, attempting to establish the "East Turkestan Republic" in

Sinkiang. It was short-lived because the Chinese Communists soon came to power.

After the failure of these moves, the Russians then worked on Mao Tse-tung. When he was in Moscow in December, 1949, to February, 1950, negotiating a new treaty of alliance to replace the 1945 one, a separate delegation from Sinkiang under the leadership of Saifudin flew to Moscow in January, 1950, to join in the discussions. But the Sinkiang question was not covered in the main treaty of February 14, 1950. Evidently it required further negotiation. On March 27, 1950, Peking agreed to the establishment of two joint stock companies in Sinkiang for exploiting oil, nonferrous and rare metals. This agreement was for thirty years, until 1980. Another agreement set up a Sino-Soviet Civil Aviation Company, valid for ten years, for an air route between Peking and Alma Ata by way of Sian, Lanchow, and Urumchi.

No doubt these joint stock companies smack of Soviet imperialism. They have been used by Russia to penetrate and control foreign territories. But Mao Tse-tung was not disposed to tolerate unlimited Russian influence. Before the activities of these companies had gone beyond planning, geological survey, prospecting for petroleum and other mineral deposits, and the initial training of workers and staff personnel, the Russians, after the death of Stalin, had to agree to transfer these companies to exclusive Chinese control in October, 1954. They were converted to Chinese state enterprises in January, 1955. The Sino-Soviet Civil Aviation Company was also passed to Chinese hands at the same time. Thus China consolidated her control and eliminated the Soviet special position in Sinkiang.

Moreover, in October, 1954, China and Russia reached an agreement for construction of the Lanchow-Urumchi-Alma Ata railroad. Since 1952, the Chinese had been building the Lanchow-Sinkiang line, which was to be extended to Urumchi, and then to the Russian border, Khorgos, with a spur from Aktogai on the Turk-sib Railway. The whole length of the Chinese section would be about 1,700 miles. It was

to be built by the Chinese with the standard gauge. The Soviet portion, from Alma Ata, capital of the Kazakh Republic, to the Sinkiang border was to be built by the Russians. But the line runs across some of the most difficult terrain in Asia which requires prodigious effort and toil. In 1956, when Soviet Deputy Premier Mikoyan was visiting Peking, both governments agreed to take all necessary steps to complete the gigantic undertaking by 1960.

But by 1960, the Soviet-Chinese relations were rapidly deteriorating. Although the Soviets had finished construction of their section in January, 1961, the Chinese decided to stop construction at Urumchi. By September, 1962, the Soviet consulates in Urumchi and Kuldja [Ining] were ordered by Peking to be closed down. 12

In the same year, a crucial one in Sino-Soviet relations, China attacked Russia for provoking the Cuban missile crisis and for supporting India in her frontier war against China. In Sinkiang, border incidents had arisen intermittently, but a critical outbreak occurred also in 1962. It is hard to establish which side provoked the trouble. The Chinese of course put all the blame on the Russians. The Jen-Min Jih-Pao alleged that Soviet agencies and personnel in April and May of 1962 carried out "large-scale subversive activities in the Ili region of Sinkiang and incited and coerced several tens of thousands of Chinese citizens [the Kazakhs and Uighurs] into going to the Soviet Union. 13 The Russians in reply charged the Chinese had "systematically violated" the Soviet border, with over 5,000 Chinese violations occurring in 1962 alone. 14

The truth is that the Soviets had never ceased exploiting the Sinkiang situation, even in the years of comrade friendship. According to the Soviet defector, Alexander Kaznacheev, the special department of the Soviet International Relations Institute never stopped training security cadres for work in Sinkiang. He reported in 1962 that "it was made even more efficient and staffed with even more strictly selected students." Harrison Salisbury, a New York Times correspondent, also wrote:

"There were many Russian residents there and an underground (or even overground) network of Russian sympathizers and agents" to incite the minorities into trouble. 16

Therefore, China was forced to send in additional troops to Sinkiang in 1964 to clear and fortify a security zone twenty miles in depth along hundreds of miles of the border with the Soviet Union. $^{17}$  In 1969, there were several reports that fresh clashes occurred on the Sinkiang-Kazakhstan frontier, with each side accusing the other of border incursions. In recent years, although there were no skirmishes, minor incidents have occurred intermittently. No wonder Alastair Lamb prophesied in 1966: "Should the present Chinese regime ever lose control of its Sinkiang minorities, then Russia could hardly avoid once more taking an active interest in events beyond this border."18

#### 3. Manchuria

Regarding China's northeastern provinces or Manchurian developments since 1950, much has been analyzed in Chapter II in respect to the 1950 treaty complex and in Chapter V in respect to the 1969 bloodshed on the Ussuri River. In this connection, it may be worthwhile to examine or speculate a little behind the events to help understand the underlying causes of the Sino-Russian frontier tension.

Manchuria is often regarded as China's richest and most strategic borderland. It had been a focus of friction for the rival power of China, Russia, Japan, and at mid-century it became the center of rivalry between the two Communist giants.

The rivalry started right at the time of the Chinese Communist's takeover of Manchuria. Even nowadays it is debatable whether the Soviet systematic looting of Manchurian industrial establishments in 1945 was intended to hurt Chiang Kai-shek or Mao Tse-tung. Another question is whether Russia's delay in withdrawal of her occupying forces in Manchuria was to aid the Nationalists or the Communists. The well-informed New York Times

correspondent, Harrison Salisbury, offered the following observation:

> The Russians had pursued a curious course in Manchuria. First, they looted it; then they hung on for a while, helping Chiang take over; finally they withdrew, conveniently leaving arms for the Communists. probably in the hopes that neither side would be able to establish itself firmly, leaving Russia free to tip the balance or to move in to "maintain law and order." 19

This hidden design became obvious when the Northeast China Region was set up early in 1949 and a man named Kao Kang became its head. Soon Kao, a veteran Chinese Communist, led a delegation of the Region to Moscow and concluded a trade agreement between the Northeast Region and the Soviet Union. "Since all of China was to be within a few months under Communist domination, and a general trade agreement would have to be concluded then, this action suggested an ostentatious declaration by Russia of her interest in Manchuria."20

Subsequently, Kao made a number of trips to Moscow but his regime collapsed not long after Stalin's death in 1953 when he was removed to Peking to take up his post as Vice Premier and chief of the State Planning Commission. Shortly thereafter, the outside world learned that he had committed suicide in 1954. Later in April, 1955, Teng Hsiaoping, speaking on behalf of the Communist Party central committee, announced that Kao had attempted to set up an "independent kingdom" in Manchuria and was active as "an agent of imperialism." Again, to quote Salisbury: "Kao Kang...seems to have been Stalin's agent; secretly and without Mao's know-ledge, Stalin had placed his own man in command of the most important and critical single area of China. At any moment Stalin could detach Manchuria from China or employ it as a base for Soviet maneuver."22

The next question is whether Mao, as rumored in Peking at the time, made his first trip to Moscow

at the end of 1949 reluctantly and whether his long-time bargains with Stalin came out satisfactorily. There are, of course, no available means to establish the facts in these matters. But as far as Manchuria is concerned, Stalin retained the Russian special position in Manchuria and the Liaotung Peninsula in the same way as their Czar had been first established in the 1890's, with minor concessions to Mao. By inference, Mao was naturally not happy at the outcome. It was years later when the talkative Khrushchev gave out some proof of the secret dealings at the Kremlin. He asserted that Stalin had treated Mao like a suppliant. "Stalin had acted the role of the great power chauvinist with a dependent client country. His attitude was so domineering, his posture so overbearing that relations between the two countries came to the verge of a split. Only China and Russia's shared hostility toward the United States saved the day."23

Another speculative question is also closely related to Manchuria. Who started the Korean War-Mao or Stalin? The general belief in the West is that Stalin ignited the spark because the North Korean leader, Kim Il-sung, had been trained in the Soviet Union. In 1971, O. Edmund Clubb, former American consular officer in Russia and China, seemed to charge that it was due to Mao's initiative. He reasoned that "even in its bitterest polemical moments" Peking "has never put the blame on Moscow."24 But the truth is that in recent years Peking has repeatedly said that the Korean war was started by Russia. Harrison Salisbury holds the same view. According to his study. Stalin not only ordered the war to be started but intended to use it as a means to squeeze Mao as well. 25

However, Nikita Khrushchev asserted firmly that Kim II-sung started the war with Stalin's approval. To quote: "I (Khrushchev) must stress that the war wasn't Stalin's idea but Kim Il-sung's. Kim was the initiator. Stalin, of course, didn't try to dissuade him." But how about Mao Tse-tung's position? Again, according

to Khrushchev, Stalin did ask Mao's opinion. Mao's answer was affirmative. He put forward the same opinion as the one of Stalin and Kim that "the U.S.A. would not intervene since the war would be an internal matter which the Korean people would decide for themselves. 26

The United Nations intervened unexpectedly. The result of the Chinese volunteers' intervention made the North Korean government closer to Peking rather than to Moscow.

Therefore the Russians', especially Stalin's record in Manchuria was anything but a success. Perhaps, the only instance when the two Communist powers cooperated in the 1950's for the good of Manchuria was a program for joint development of hydroelectric and other resources of the Amur-Ussuri basin. It seemed that the program was not affected by the reduction of Soviet aid to and the withdrawal of Soviet experts from China in the early 1960's. 27 There is no way to tell its status after the 1969 clashes in Chenpao Island on the Ussuri River.

Although the Soviets have given up the Chinese Eastern Railway and returned Port Arthur to China since 1955, they have not forgotten the strategic and economic importance of the rail network and the naval base. Should the opportunity present itself, they would not feel embarrassed in regaining control of them, especially since Port Arthur is a better naval and submarine base than Vladivostok for their Pacific fleet.

## 4. Minority Problems

Both Russia and China are big countries in size and population, and sharing the world's longest land boundary. They also share a large number of minority problems.

According to the 1979 Chinese government statistics, China has a population of 970 million, 6 per cent of which are ethnic minorities, accounting for 55 groups, mostly Chung, Uighurs, and Mongols. But they occupy more than 50 per cent of the country's land areas, mostly in the frontiers. Of the

Soviet Union's population of 262 million (in 1979), 48 per cent are minorities, mostly Ukrainians. Germans, Poles, Moldavians, Georgians, Lithuanians and Moslems in Caucasus and Central Asia, (officially recognized 109 groups in 1959).

The Russian slavs are down from 53.4 per cent in 1970 to 52.4 per cent in 1979. The Soviet Moslem population has increased to 43.1 million (16.5 per cent of the 262 million population) in 1979 from 24.2 million (11.6 per cent of the population) in 1959. The Christian Science Monitor correspondent, David K. Willis predicts: "If the current trends continue, Moslems in Central Asia will approach one-third of the Soviet population by the year 2000 . 1130

It would seem, therefore, that ethnic minorities could cause domestic problems but at the same time, they might affect the foreign relations, too. So far as the Chinese borderlands are concerned, since Outer Mongolia is no longer within the Chinese orbit and Manchuria is 95 per cent inhabited by the Han Chinese, it seems appropriate to concentrate our discussion on Sinkiang where the minority problem is acute. It could cause trouble for China and for Russia as well.

Officially designated as the Uygur Autonomous Region, Sinkiang with an area of 1,600,000 square kilometers (635,000 square miles) is bigger than Alaska. It borders Mongolia, the Soviet Union, Afghanistan, Pakistan, and India. Its strategic importance is far beyond that indicated by the size of the population of 12 million. In 1949, at the time of the Communist takeover, there were 6 per cent Chinese in this province's 4 million people. Today (1980) the Chinese population has increased to 42 per cent of the total population, with the arrival of new Chinese settlers. The other major groups are: Uighurs, Kazakhs, Uzbeks, Tartars and Mongols. The ratio of Uighurs and the Han Chinese are 564,000 to 522,000. Vighurs are generally hostile to the Chinese; minor incidents did occasionally expand to armed clashes. They happened mostly in early 1960's and a latest one in October,

1980. But the Chinese authorities attempted to call for and maintain unity. It is reported that China keeps nearly 300,000 troops in this Westernmost oil and mineral rich province in order to preserve and defend against a Soviet attack. 31

To date, Sinkiang's political power is largely in the hands of the Chinese Government and army officials sent to govern the region. Peking has fostered considerable industrial and agricultural growth. The Uighurs people generally earn more than the Chinese do in China proper. But language appears to remain a key source of division between races. 32

The Soviet Union's Kazakh Soviet Socialist Republic shares the longest boundary with this Sinkiang Uygur Automous Region. The Sino-Soviet conflict and mutual suspicions have a human dimention: "Almost 100,000 Kazakh and Uighurs moved from Sinkiang into Russia between 1958 and 1962 at the height of Sino-Soviet tensions. Moscow accuses the Chinese persecution; the Chinese charge that the emigrants were Soviet agents, and most refugees contend that they moved to find food."33

Such bonds across the border still exist today. "The 200,000 Uighurs in Russia retain close cultural and religious ties to up to 5 million Uighurs in China, who are also Sunni Moslems. Many Uighurs in Kazakhstan still listen to Uighurs music broadcasts from Sinkiang."34

A number of Kazakhs and Uighurs in Sinkiang and Kazakhstan move back and forth. When there is racial tension in Sinkiang, they move to Kazakhstan; when there is harsh oppression from the Russians, they come back to Sinkiang. Moreover, some of these people still keep their nomadic tradition, too.

This Kazakh S.S.R. is the second largest in the Soviet Union with an area of 2,717,300 square kilometers, four times the size of Texas, and 14,685,000 population (1979). In theory, Kazakhs enjoy the same rights and privileges as Russians in Kazakhstan. But in practice, Russians control everything at every level, a situation similar to the Chinese

in Sinkiang. The Russians and Kazakhs do not learn each other's language and "the Moslem way of life in Central Asia remains separate from the way in which Slavic Russians live."35

Beyond worries concerning the Moslem's cultural independence, "Moscow is nervous that the rich province of Kazakhstan may one day fall prey to China.... China regards Russia as an occupying colonial power, while Russia insists that Peking is trying to roll back a frontier that "has been given definite and clear legal formulation by treaties, protocols and maps."36

The above brief analysis tells us that Sinkiang and Kazakhstan have their similarities and dissimilarities. Because of racial and cultural differences, Sinkiang could give trouble to Chinese central government as could Kazakhstan to the Soviet Union. Internationally, because the Uighurs and Kazakhs in Sinkiang and Kazakhs in Kazakhstan are all Moslems. they might swing as the political wind changes.

For now, Russia enjoys military superiority along the rugged frontier. What the situation will be twenty years later, it is difficult to predict. But a Russian in Kazakhstan warns: "the Chinese will be too strong and too many for us."37 As we perceive it, it will be definitely one of the most dangerous areas on the Sino-Russian frontier. 38

#### 5. Possible Ways for Settlement of the Chinese Territorial Claims

There is no doubt that the Soviet Union has long had a basic strategic interest in Manchuria, Mongolia and Sinkiang, and this remains no less true today. On the other hand, any Chinese government which aims to unify China also wishes to exercise full control over these borderlands. As Mongolia is moving more and more toward Russia, the entire Chinese frontier is quickly becoming a region of direct confrontation between the two highly dynamic nationalistic states. The Chinese borderlands are so insecure that they are exposed to Russian attacks at any time and vice-versa. In 1969, there were

repeated rumors and speculations about Soviet nuclear brinksmanship or the possibility of starting a preemptive war. For example, Harrison Salisbury in 1969 even speculated about the Soviet war plans against China. He said that they called for a quick strike at the industrial and port areas of Manchuria. the Peking region, the principal center of Inner Mongolia, and North China. "The Soviet timetable... calls for a blitz attack timed to require not more than a fortnight and quite possibly as little as ten days. 39 That was the reason that Chou En-lai repeatedly since 1970 told foreign visitors that there were one million Soviet troops on the Chinese border threatening the Chinese national security.

Therefore, the Chinese northern border situation has been very tense and dangerous, with or without China's territorial claims against the Soviet Union. So far as the Chinese negotiating principles are concerned, Russia will not back down. Historically speaking, the Soviet withdrawal from Manchuria and Sinkiang in 1955 was very unusual. At present, Russia will not discuss further retreat by granting concessions to Mao's sweeping territorial claims without a war.

In this writer's opinion, peaceful negotiations seem possible only on the following issues:

- (a) The Pamir area where the Chinese claim that Russia has occupied more than 20,000 square kilometers of Chinese territory in violation of the stipulations of the Protocol on Sino-Russian boundary in the Kashgar Region; 40
- (b) The sector of the Ussuri and Amur Rivers where the Chinese charge Russia with violating the treaties of Aigun and Peking by drawing the boundary line along the Chinese bank, thus causing some six hundred islands amounting to 1,000 square kilometers to become Soviet territory;
- (c) Another possible area is the Ili boundary in Sinkiang. By the 1881 Treaty of St. Petersburg, Russia retained some territory near Ili even though she had promised to return all the occupied area to China in 1871.41

Outer Mongolia remains the knotty problem. It shields almost a third of the length of the Sino-Soviet frontier. But both the Nationalist and Communist Chinese have claimed it as a part of China. From a purely geographical point of view. China looked like a heart; but now, without Outer Mongolia, the heart shape is incomplete. In a way, when Mongolia is in enemy hands, it becomes a dagger in China's heart. When Chinese general Tso Tsungtang advocated in 1864 the military recovery of Sinkiang, he argued that "to recover Sinkiang is for the protection of Mongolia; to protect Mongolia is for the safety of the national capital."42 In other words, Mongolia is vital for Peking's own safety.

But, having no alternative, both the Nationalist and Communist regimes have accepted the independent status of Outer Mongolia. In 1962, a boundary agreement was reached with the Chinese favoring the Mongolians all along the lengthy border with Sinkiang and Inner Mongolia. 43 The best China can do now is to convert Outer Mongolia into a real buffer zone by matching Russian influence in Ulan Bator. China should feel safe if Outer Mongolia could exercise a neutral role as did Nepal and also Afghanistan before the Russian invasion in 1979. This possibility is, of course, very remote since the Mongolian premier, Tsendenbal, has been nearly Sovietized.

There is another territory closely related to Outer Mongolia, Urianghai, or generally known as Tann Tuva, in the northwest, which China could well claim. It involves 64,000 square miles, a population of 70,000, and considerable natural resources. 1864 Tahcheng Protocol (or Tarbagatai), though it principally dealt with the Sino-Russian frontier in Turkestan, touched upon the northern frontier of Outer Mongolia. Later the Russians admitted that Urianghai was within the Chinese dominions. The Russians, however, first occupied it in 1911 in connection with the support of the Outer Mongolian autonomy movement. Three years later, they detached it as a Russian protectorate. But the Chinese troops recovered it when they returned to Outer

Mongolia after the Russian Revolution. In 1922, however, the Red Army was able to create a Communist regime in Outer Mongolia and a "Tuvanian People's Republic" in Urianghai. By 1944, it was absorbed into the Soviet Union as an autonomous region and later as an autonomous republic. 44 The Republic of China has never ceased protesting this situation and has claimed it in her maps. Both the 1945 and 1950 treaties with the Soviets ignored the problem; but the Peking government could certainly reassert her claim with a strong case.

As an overall view, C.L. Sulzberger of the New York Times expressed in 1974 that the Russo-Chinese differences should be the "Coldest War" and predicted: "When historians in the year 2000 look back on the final quarter of this century, they will see that it was the present Sino-Soviet relationship that shaped their world." If this prediction is true, then the Sino-Soviet frontier disputes must be one of the important factors in shaping the world history.

## Chapter VI Notes

- Quoted from Boorman in Moscow-Peking Axis, p. 169. 1.
- 2. Ouoted from Douglas Jackson, Russo-Chinese Borderlands, p.88.
- Ouoted from Lamb, Asian Frontiers, p. 203. 3.
- Cf. Watson, The Frontiers of China, p. 176. 4.
- The 1946 "Treaty of Friendship, Cooperation, 5. and Mutual Aid between the USSR and MPR" explicitly gave Russia the right to station troops on Mongolian soil. This was replaced by a new 20-year treaty in 1966. In July, 1979, Vietnam became the second Asian member of Comcon.
- The PRC Statistical Bureau gave this figure, 6. New York Times, June 28, 1979, p. 27.
- First appeared as radio broadcast on September 7. 10, 1964, in Ulan Bator. Text reproduced in Doolin, Territorial Claims in the Sino-Soviet Conflict, pp. 61-65.
- 8. Harrison Salisbury in New York Times, May 24, 1969.
- Mao's statement in Edgar Snow's Red Star Over 9. China, p. 96.
- 10. Allen Whiting and Sheng, Sinkiang: Pawn or Pivot?, p. 117.
- 11. These negotiations at this time were known to the writer because he was with the Nationalist Waichiaopu in Canton at this time.
- 12. New York Times, November 30, 1962; see also, Clubb, China and Russia, p. 496.
- Christian Science Monitor, September 7, 1963. 13.
- Ibid., October 2, 1963. 14.
- 15. Quoted from Watson, p. 172.
- See Salisbury, op. cit., p. 124. 16.

Mongolia after the Russian Revolution. In 1922, however, the Red Army was able to create a Communist regime in Outer Mongolia and a "Tuvanian People's Republic" in Urianghai. By 1944, it was absorbed into the Soviet Union as an autonomous region and later as an autonomous republic. 44 The Republic of China has never ceased protesting this situation and has claimed it in her maps. Both the 1945 and 1950 treaties with the Soviets ignored the problem; but the Peking government could certainly reassert her claim with a strong case.

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- 15. Quoted from Watson, p. 172.
- 16. See Salisbury, op. cit., p. 124.

- 17. New York Times, April 16, 1964.
- 18. Lamb, Asian Frontiers, p. 197.
- 19. Salisbury, p. 95.
- 20. Adam Ulan, Expansion and Coexistence, Sec. Ed., p. 490.
- 21. Clubb, China and Russia: the Great Game, p. 406. According to Clubb, Khrushchev at the Bucharest Communist meeting of June, 1960, "obliquely observed that Kao Kang's only crime had been to oppose his party's incorrect policy, vis-à-vis the Soviet Union." p. 406.
- 22. Salisbury, p. 96.
- 23. *Ibid.*, p. 106.
- 24. Clubb, op. cit., p. 388.
- 25 Salisbury, p. 97.
- 26. Khrushchev Remembers, p. 368.
- 27. Watson, p. 177.
- 28. Zhongguo Baike Nianjian (China Yearbook) 1980, p. 1.
- 29. Statistics from the Europa Yearbook, 1980, p. 1220.
- 30. Quoted from the Christian Science Monitor, January 15, 1981, p. 14.
- 31. New York Times, October 29, 1980, p. Y9.
- 32. Ibid.
- 33. Robert P. Martin, "Promise and Peril in Soviet Heartland," U.S. News and World Report, August 25, 1980, p. 72.
- 34. Ibid.
- 35. Ibid.
- 36. Ibid.
- 37. Ibid.
- 38. There is a great deal of literature on the background of the minority problems in Chinese

and Russian. In English, the best on China are June T. Dreyer, China's 40 Millions: Minority Nationalities and National Integration in PRC, Harvard University Press, 1976; and Edward Allworth, Soviet Asia, N.Y. Praeger. 1975; and Geoffrey Wheeler, The Modern History of Soviet Central Asia, Fred A. Praeger, New York. 1964.

- 39. Salisbury, p. 161.
- For English text of this treaty, see Tai Sung 40. An. The Sino-Soviet Territorial Disputes., Appendix 10.
- Chang, Chung Wai Liao Yueh Tsung Lun (Treaty Rela-41. tions between China and Foreign Powers), p. 33.
- Thid. 42.
- 43. The Chinese Mongolian Boundary Agreement so far has not been officially translated and published by either government. But it was understood that in the majority of instances the Chinese abandoned their claims in favor of the Mongols. Cf. F. Watson, The Frontier of China: An Historical Guide, p. 176. However. for the Chinese text, see Chung Hwa Jen Min Kung Ho Kuo Tiao Yueh Tsi (Collections of Treaties, PRC) Series 11, 1962, pp. 19-36.
- 44. Cf. in particular, Chiang Kai-shek, Soviet Russia in China.
- 45. C. L. Sulzberger, The Coldest War: Russia's Game in China, p.6.

This writer quotes from Sulzberger's work for the second time because he also strongly believes that the Sino-Soviet relationship will shape the world history. Watch for the ever-shifting role of Russia, China, and the United States in world politics and thereby the equilibrium of the international balance of power as well as world peace.

# CHAPTER VII

## Chapter VII PROSPECTS AND CONCLUSIONS

Ever since the middle of the nineteenth century, when the West began to force open the door to China, the Chinese have been preoccupied with the question of survival as a nation. China was compelled to sign a series of unequal treaties with a number of Western powers; Japan joined them later. China was not only stripped of her jurisdiction over the socalled treaty ports, settlements, and leased territories, but also lost big chunks of territory on most of her frontiers. In the territorial realm, Russia has been the chief of her despoilers.

Hence, to restore the lost dominions has been the principal goal of both the Nationalist and Communist revolutions. After a review of thirtytwo years (1949-1981) of Peking's foreign relations, we can conclude that a major diplomatic goal of China has been the settling of frontier problems with neighboring countries through revising or rewriting the existing unequal treaties. China thus proposed the creation of a new, equal basis for her position in the world community.

On February 29, 1964, the Chinese Communist party in a letter to its Soviet counterpart was able to say:

> Among all our neighbors it is only the leaders of the CPSU and the reactionary nationalists of India who have deliberately created border disputes with China. The Chinese Government has satisfactorily settled complicated boundary questions, which were legacies from the past, both with all its fraternal socialist neighbors, except the Soviet Union, and with its nationalist neighbors such as Burma. Nepal, Pakistan, Afghanistan, with the exception of India. I

India and China fought a war in 1962 over frontier disputes. The Sino-Soviet relations have been increasingly strained ever since the frontier problems came into the open in 1964. As one can see from the discussions of the previous chapters, the Chinese statement contains a degree of truth.

Both India and Russia have accused China of aggression and expansionism, and have denied that the existing treaties were unequal treaties. According to them, they are valid compacts. India and Russia believe that the frontiers these treaties prescribe and delimit are valid and are not subject to major changes.

Hence, India and Russia have had a common interest in opposing the Chinese stand. That explains why, when the Sino-Indian border clash first erupted in 1959, the Soviets refused to support China. This led one scholar to label the 1959 case as the "point of no return." Beginning in the summer of 1960, Khrushchev even backed India, a non-Communist country, against a Communist one, with a program of military assistance to India. 3 In 1969, Kosygin, upon visiting New Delhi, made remarks about the desirability of a "land route" between Russia and India. China immediately suspected the move as a convenient method for collaborating in military operations against Tibet. 4 By mid-August, 1971, India and Russia had sealed their entente by concluding a nonaggression pact, which at once unleashed India to support the independence of Bangladesh by military action and at the same time weakened the Chinese ally, Pakistan. Consequently, China must be worried about the next Soviet-Indian move. Over-all, the Chinese policy for settlement of frontier disputes has in a way driven India and the Soviet Union together.

But theoretically and historically, the Chinese assault on unequal treaties is unassailable. China was the aggrieved party to these engagements. The imperialists rode roughshod over China based upon the so-called treaty rights. The famous gunboat policy was one of the results. As late as April 20-21, 1949, the British gunboat "Amethyst"

practiced this policy on the Yangtze River, which is one of the Chinese inland waterways. India also wanted to defend British imperialism and safeguard the fruits of British aggression on the Himalayan borders with China.

During their talks in 1960 in Peking, the major points of disagreement between the Indian and Chinese delegates concerned British imperialism. The Chinese insisted that boundaries imposed through unequal treaties were invalid and that therefore such boundary settlements would have to be renegotiated: "This psychological argument was favorable to China's bargaining position.... A debate on this subject broke out between the two delegations at Peking, but results were inconclusive. The Chinese continued to insist that the question of British imperialism was relevant. The Indians refused to accept this topic."<sup>5</sup> In short, to quote Gunnar Myrdal: "The first and almost instinctive reaction of every new government was to hold fast to the territory bequeathed to it. What the colonial power had ruled, the new state must rule."6 Thus, Nehru's stand concerning the frontier disputes with China was absolutely nonnegotiable. He told the Lok Sabha on November 20, 1956:

Our maps show that the McMahon Line is our boundary and that is our boundary. map or no map. That fact remains and we stand by that boundary, and we will not let anybody come across that boundary. 7

The result was the 1962 war with the Chinese occupying the portion of the frontier which they argue should belong to China.

As to the Soviet Union, the Karakhan declaration of July, 1919, declared null and void "the treaties which were to enable the Russian Government of the Czar and his allies to enslave...the people of China." The second declaration of 1920 was more explicit by announcing the policy to annul "all the treaties concluded with China by the former governments of Russia" and to "renounce all the annexations of Chinese territory." Furthermore, by

Article VII of the 1924 Agreement on General Principles for the Settlement of the Questions between China and the Soviet Union, the two governments agreed "to re-demarcate their national boundaries... and pending such re-demarcation, to maintain the present boundaries."8 These documents clearly indicate that the Sino-Russian treaties concerning their national boundaries are unequal treaties which in turn need to be re-negotiated. As recently as 1961, the Diplomatic Dictionary, published under the editorship of the Soviet Foreign Minister, Andrei Gromyko and others, stated that the "Sino-Russian Treaty of Peking" is an unequal treaty. But at the negotiating table, the Soviet delegate not only refused to admit the true nature of these treaties but also upheld them on the ground of traditional international law principles. In other words, he claimed that they are legitimate documents between states. Their validity or binding force should not be subject to question.

Although the Chinese attitude is revolutionary and supportive of their nation's prestige, they did not make an irridentist claim to all the territories lost to Russia a century before. They made their approach clear to the Soviets: "Although the old treaties relating to the Sino-Russian boundary are unequal treaties, the Chinese government is nevertheless willing to respect them and take them as the basis for a reasonable settlement of the Sino-Soviet boundary question." But the Soviet Union adopted exactly the same attitude to the boundary question as had India. The Russians insisted that "throughout its length this frontier is clearly and precisely determined by treaties, protocols, and maps."10 They prepared only to "discuss the question of specifying the frontier line over individual stretches," but declined to enter into general boundary negotiations. To the Chinese, the Soviet approach was tantamount to insisting that "China recognize as belonging to the Soviet Union all the territory which it had occupied or attempted to occupy in violation of the treaties,"11 in addition to the territory to which they were entitled under the treaties.

These were plain parallels between the Sino-Indian and the Sino-Russian boundary questions. Therefore, the Sino-Russian negotiations in Peking in 1964 and again in 1969 have been to date fruitless. As the Russians are militarily more powerful, many observers tend to wonder whether they are really prepared to start a devastating punitive blow to pacify the border and to stop the Chinese challenge or "threat."

A question closely related to the Chinese demand of adjusting frontiers is whether China has committed aggression or pursued an expansionist policy. At the time of the Sino-Indian frontier war in 1962, there was a clamor in India that China had committed aggression against India. Slogans like "no settlement until vacation of aggression" were common. Actually it is hardly tenable to name another country an aggressor without ascertaining one's boundaries.

The immediate cause of the Chinese military action was to forestall the Indian forward policy to clear Chinese troops from the disputed territories along the McMahon Line in the eastern sector and in the Aksai Chin area in the western sector. As soon as the Indian troops were driven off the controversial border lines, China promptly imposed the unilateral declaration of a ceasefire and withdrew her troops to the areas which the Chinese considered to be their own. Even the nonaligned Colombo powers, in offering mediation, refused to side with India in naming the Chinese action as aggression.

At this stage, all China did was to safeguard her territorial integrity and consolidate her political sovereignty. She was determined to wipe out past humiliations and restore national dignity and regain a respectable place in the family of nations. On the other hand, India, although also interested in consolidating her territorial sovereignty, does not automatically have the right to inherit all the disputed areas under British imperialist rule.

Russia also accused China of pursuing a policy of expansion in raising the border problem. In a statement of June 13, 1969, the Soviet government

asserted that China's territorial claims on other countries occupy a very large place in China's present foreign policy and propaganda. It also charged that today the Chinese leaders claimed lands which, in the past, Chinese conquerors had invaded or had intended to invade.

In countering the Soviet accusation, the Chinese document of October 7, 1969, stated that "the label of expansionism cannot be pinned on China" because China had no territorial claims against any country and had no troops stationed in any foreign country. With regard to the boundary questions left over by history between China and her neighboring countries, the Peking government maintained that "a fair and reasonable settlement should be sought on the basis of mutual understanding and mutual accommodation, taking into consideration both the historical background and the actual conditions." The document further stated:

- (1) It is the Soviet Union, and not China, that has sent large numbers of troops to be stationed in the People's Republic of Mongolia. It is the Soviet Union, and not China, that has dispatched hundreds of thousands of troops to occupy Czechoslovakia. And it is again the Soviet Union, and not China, that is making a show of force everywhere, in Eastern Europe, the Mediterranean Sea, the Indian Ocean, and the Pacific Ocean.
- (2) In the past the old Czars colluded with the Western imperialist powers in carving up China; today the Soviet government is attempting to ally itself with U.S. imperialism and Japanese and India reactionaries for realizing its ambitious design of carving up China or dividing spheres of influence in China.
- (3) There was a Brezhnev proposal for an "Asian collective security system." Its "aim is not merely to form an anti-China ring of encirclement and further its

aggression against China, its more immediate and practical aim is to use the name of "collective security" and regional cooperation to control Asian countries....

(4) It goes without saying that there was the Brezhnev doctrine of "limited sovereignty" for international dictatorship: "the Soviet Union has the right to encroach upon the sovereignty of another socialist country at will."12

On the other hand, China, although big and populous, is still relatively weak. She has repeatedly announced that she would not play the role of a superpower. The Chinese Foreign Minister, Chiao Kuan-hua, for instance, declared at the United Nations General Assembly in November, 1971, that his country, unlike the Soviet Union, would "never be a superpower, subjecting others to its aggression, control, interference, or bullying," remaining instead a member of the economically backward, still developing "Third World."

In other words, China's foreign policy at that time was defensive in character. She was making efforts to reassert control over her frontier areas because she did not have much power beyond her border. Lyman P. Van Slyke, a Stanford University historian, recently wrote:

By comparison with U.S. and Russia, China is militarily weak and largely defensive in her posture. Formidable as her forcesand her people-would be in resisting invasion, they are capable of offensive operations only within walking distance beyond China's borders. 13

That is quite true. Witness the Vietnamese conflict of 1979. The Chinese forces restrained themselves to the desired striking area and declared ceasefire shortly afterwards.

As the Nixon doctrine progressively disengaged American troops in Asia and as the Russians quickly moved into the vacuum, China welcomed the Nixon

visit in February, 1972. The Shanghai communiqué said nothing about Russia; but Russia understood the Sino-American thaw had practically led to a mutual coexistence pact. The Russians were very much surprised and concerned about the news that President Nixon, while visiting Peking, had agreed to provide the Chinese with certain photographs and materials regarding the Sino-Russian border activities taken by American satellites. 14 From this, one can imagine the depth of the Nixon-Chou conversations.

Apparently, the Soviet move to encircle and isolate China has driven China and America closer. just as the Chinese move to consolidate the Tibetan frontier had pushed India and the Soviet Union together.

Presently, the triangular relation of China, Russia, and the United States is very delicate and complicated. Technically, Russia and China had been allies, yet China fears Russia more than America: America and China have just established their diplomatic ties, but they are gradually moving toward cooperation against Soviet hegemony. On the whole, all three countries are extremely interested in how the others' relations are developing. None of the three wants to see the other two allied against it, and yet each has problems in moving closer to either of the others. But China and the United States will probably move closer and closer as time goes on because American capitalism wants nothing from China, and there is no common border for contention. Witness the cordial exchanges of views during Secretary of State Alexander Haig's recent visit to Peking in June, 1981, 15 and the establishment of a jointly operationed station in Sinkiang for monitoring missile tests by the Soviets at Leninsk and Sary-Shagan. 16 Evidently the two nations have forged friendships closely.

As far as the border issues are concerned, the Sino-Indian talks have stalemated since 1962-1963; and the animosity of the two nations lingers in spite of recent exchange of ambassadors and the Indian foreign minister, Vajpayee's visit to Peking

in February, 1979, and the Chinese foreign minister, Huang Hua's mission in New Delhi in June, 1981. The Sino-Russian negotiations are continuing intermittently in Peking, but no breakthrough can be foreseen. The Chinese are known to be prepared to have the negotiations go on for many, many years. Unless the Russians yield, the Chinese are not anxious to make any basic concession. They believe that the struggle with imperialism will extend through a long period of history before they achieve victory. 17 At any rate, up to the year of 1981, indications are that the border negotiations have made no evident progress. The Russians and the Chinese have moved to discussions on general issues for normalizations of state-to-state relations. Starting in mid-September, 1979, in Moscow, these talks were also at the vice minister level as those of the boundary negotiations. The normalization talks between Wang Yu-ping and Leonid Ilyichev ended their first stage at the beginning of December, 1979. They would be resumed in Peking in 1980; but they did not up to the end of 1981, mainly due to the Russian occupation of Afghanistan. Concerning the border negotiations, the two parties have not yet agreed on an agenda. For the Americans and for the rest of the world, it is interesting to watch this new development.

On the whole, the boundary negotiations have now become a game. In the past, each side has attempted to present itself as the reasonable party and pictures the other as opposing a settlement of the issues. Each side has accused the other of betrayal of the Marxism-Leninism, yet they share the same ideology and push for the world communist movement.

In theory, communism should be an international movement. A century and a half ago, Karl Marx professed that the world proletariat against bourgeoisie could win its war only through unity; yet communism today is more fragmented than ever before in its history: China and Russia vilify each other in terms as harsh as either uses against any capitalist state. In the minds of Chinese communist

leaders, the Soviet Union has replaced the United States as public enemy number one. They have just fought a war in early 1979 against the Soviet ally, Vietnam, a new communist country.

Therefore, we have to answer the question: Why is the communist world so divided? What has caused its dissension? From what can be seen now, the fundamental cause of the split of the two communist giants is over the conflict of national interest. especially boundary disputes. China and Russia started their disputes over territorial differences in 1954, two years before their ideological split. However strong for a time, ideology will eventually be subject to the forces of national interest or security under the present international state system.

Take Russia as an example. In Chapter V, we cited what Mao said in 1964 about Russian expansion since World War II. Russia dominated Outer Mongolia, appropriated part of Rumania, and annexed a part of Poland and Finland. "The Russians took everything they could." Since 1964, Russia further extended her influence to Angola, Ethiopia, middle east, and Vietnam, all in the name of communist ideology. Actually Soviet Communism has become imperialistic for national interest, not for the proletariat cause.

For a more incisive observation, note the words of Stefan T. Possony:

> Communism is theoretically an international movement but Soviet communism is eminently a Russian phenomenon. There are, to be sure, Ukrainian and Uzbek Communists, but the CPSU's main strength is based on its Russian membership. The USSR is often referred to as 'Soviet Union,' in order to suggest it is a united state populated by mystical people called soviet people. The reality is that the USSR is an empire created and held together by Russian imperialists who have been using the communist ideology as a tool of empire building. 18

In this connection, it is interesting that during the Bangladesh independence war in 1971, a TASS statement expressed the Soviet concern over the war and stated fighting was "occurring in direct proximity to the border of the USSR and. hence, involve its security interest." On December 6, the Chinese ambassador to the U.N., Huang Hua charged: the "security boundaries" of the Soviet Union had suddenly been extended to the Indo-Pakistan subcontinent and the Indian Ocean. The aim of the Soviet leaders is to gain control over the subcontinent, encircle China, and strengthen its position in contending with the other superpowers for world hegemony. What the Soviet leaders of today are frantically seeking is the establishment of a great empire which the old Czars craved after but were unable to realize, a great empire controlling the whole Eurasian nation.

Therefore, the aggressive design of Russian imperialism, under the cloak of international communist movement, knows no bounds. Moscow's domination of world communist movement has a new challenge. Its anathema is the Euro-communist movement. The Spanish Communist party under Santiago Carrillo, together with Italy's Enricho Berlinguer and France's Georges Marchais, advocates the pursuit of independent policy from Moscow and declare their support for parliamentary democracy. Carrillo was particularly denounced by the Soviet New Times in July 1977, because he, in his book, Euro-Communism and the State, urged European Communists to pursue their own line of development, independent of Moscow. Some analysts perceive that the confrontation between the Kremlin and Carrillo could become the third schism in the communist movement, comparable to the defection of Tito's Yugoslavia in 1948 and the breakaway by Mao Tse-tung's China in the 1950's. According to a Kremlinologist, Victor Zorza, the Soviet leaders saw Western European communists as "a greater menace to the Soviet system than any political threat posed to it by Western capitalists."<sup>20</sup> The Russian imperialistic scheme of dominating the world has not materialized smoothly.

The last question is: Since Russian communism has been characterized as imperialistic, then what about the Chinese communism? Is it or will it become imperialistic?

The answer is that the Chinese communists at this stage are nationalists; they are campaigning for national sovereignty and territorial integrity. The 1949 Program was to "recognize, abrogate, revise or renegotiate" the unequal treaties and it still is their main foreign policy goal. Boundary problems are yet to be solved with India and Russia. These problems are from the unequal treaties which were "left over by history." In short, the Chinese communists are struggling for national dignity and equality in the world community. Since Russia and China share the longest land boundary in the world, and there are disputed areas not even stipulated by the unequal treaties, they are bound to remain under the inexorable law of power struggle.

While the Russians have moved from nationalism to imperialism in order to dominate the world, the Chinese communists are struggling for completion of national independence. In this connection, Dorothy Woodman echoed the view of this writer:

Nationalism, contrary to the normal thinking of any generation, has proved more emotive, more provocative and more menacing to world stability than ideology. This area of maximum danger might now shift to the long frontier between communist China and communist Russia. 21

We have repeatedly pointed out that unless states really wither away as suggested by the Marxist theory, these kinds of disputes or struggles will continue. Therefore, if we see national interest as the dominant force in the present state system, then one can predict the future international development better.

## The Author's Postscript

In summary, the border areas constitute part of the national territory. Often they are at the roots of international crisis, especially where minority populations are involved. If they are abetted by foreign power(s), the situation immediately becomes very complicated as the national security is at stake. Witnessing the past 150 years of Chinese international relations, I fully support the idea behind the PRC's foreign policy to resolve the conflict concerning the disputed borders so as to eradicate the future problem.

Ideally, I am for one world without national boundaries, as evidenced by the Sino-Indian relations centuries ago. But the fact of contemporary international life is completely different. Soviet Russia has schemed to have India act as a counter poise to China. It is also obvious that India's influence, not to mention her military power, cannot itself neutralize China.

Therefore, the Sino-Soviet confrontation is still acute. So long as there remains a world balance of power, it is unlikely that Russia or China will resort to war. Hence, any great change in the power balance could precipitate a major conflict, and it is the United States who holds the key to the power balance and world peace.

## Chapter VII: Notes

- 1. Text in Peking Review, No. 19, May 8, 1964.
- 2. Cf. William E. Griffith, The Sino-Soviet Rift, 1964.
- 3. Neville Maxwell, India's China War, p. 285.
- 4. Harrison Salisbury, War Between Russia and China, p. 189.
- 5. Quoted from Ishmer Ojha, Chinese Foreign Policy in an Age of Transition, p. 164.
- 6. Gunnar Myrdal, Asian Drama, p. 185.
- 7. Parliamentary Debates, Lok Sabha, Vol. V, No.4, cols. 155-156.
- 8. The 1924 agreement which meant to re-demarcate Russian-Chinese borders in accordance with the Soviet declarations was strongly upheld by Fang Ming in an article in *Li Shih Yen Chiu*, No. 6, December 15, 1980, pp. 63-76.
- 9. Letter from Chinese Communist Party to CPSU, February 29, 1964, in Doolin, Territorial Claims in the Sino-Soviet Conflict, December 9, p. 38.
- 10. Statement of the Soviet Government, June 13, 1969.
- 11. Statement of the Chinese Government, May 24, 1969.
- 12. The fourth point covered in the May 24, 1969, statement, p. 26.
- 13. Lyman P. Van Slyke, "China and the United States Through a Glass Darkly," The Stanford Observer, April, 1972, p. 8.
- 14. Sing Tao Jih Pao, Hongkong, March 29, 1972, p. 1.
- 15. Cf. Kenneth T. Young, Negotiating With the Chinese Communists.
- 16. New York Times, June 18, 1981, p. 10, and August 7, 1981, p. 2.

- Ibid., June 18, 1981, p. 10. 17.
- Stefan T. Possony, "The Geopolitics of the 18. Sino-Soviet Conflict," a draft prepared for the Third Sino-American Conference on Mainland China, pp. 5-6.
- Quoted from William J. Barnds, "China and 19. America: Limited Partners in the Indian Subcontinent," in Sino-American Detente, edited by Gene T. Hsiao, p. 242.
- Quoted from U.S. News and World Report, 20. August 1, 1977, p. 30.
- 21. Woodman, Himalaya Frontiers, p. X.



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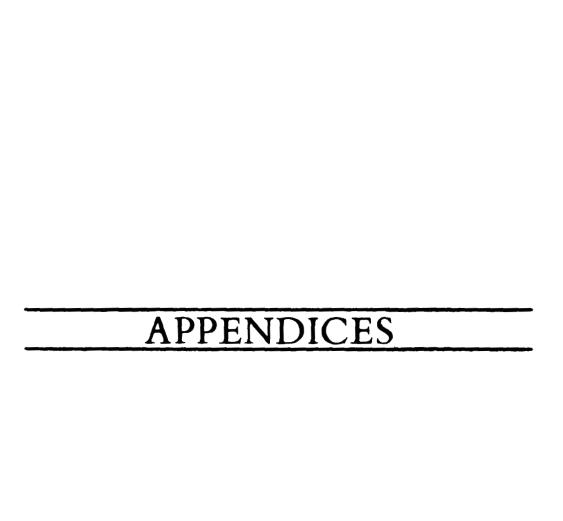
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## APPENDIX SECTION

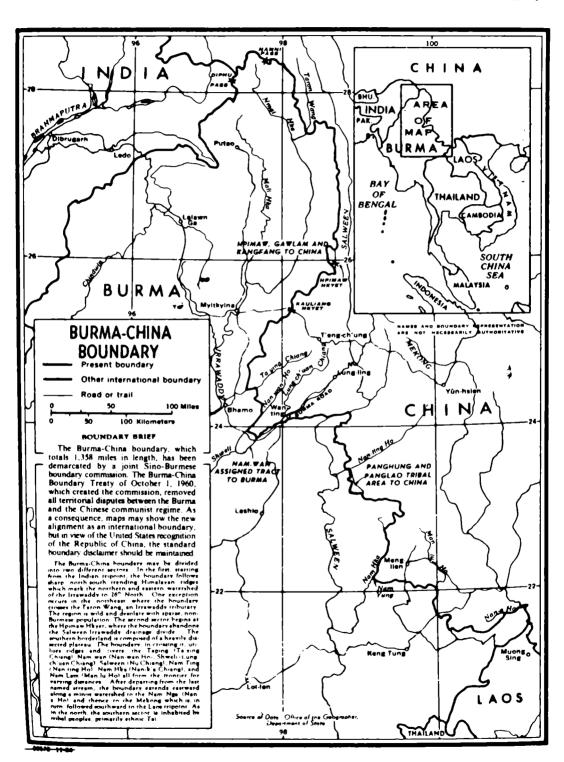
- I. Maps concerning China's Boundaries
- II. Documents on Sino-Burmese, Sino-Nepalese, and Sino-Afghan Boundaries
- III. Documents on Sino-Indian Boundaries
  - IV. Documents on Sino-Russian Frontier Disputes
    - V. Chronological List of Major Events since 1949

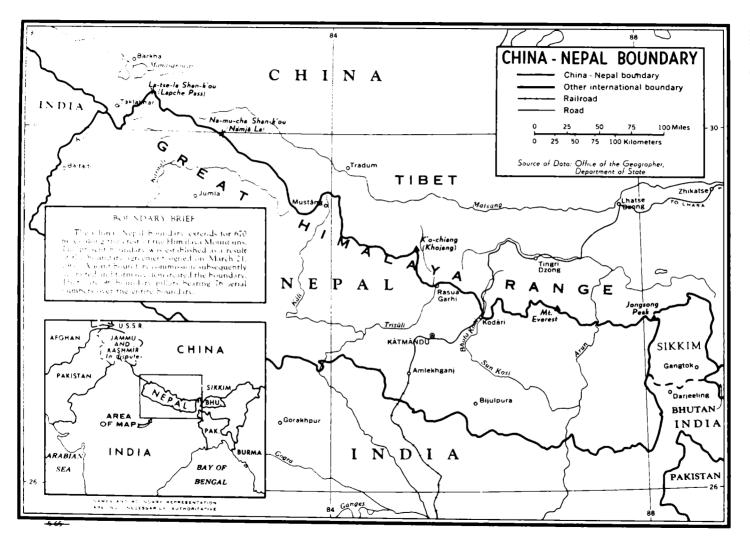
# Appendix I MAPS CONCERNING CHINA'S BOUNDARIES

The following maps concerning China's boundaries are collected from different sources. For example: the two important maps about the Sino-Russian boundaries are from the State Department's map library; most others are from the Library of Congress and the University of California/Berkeley's map room. Herein is the list:

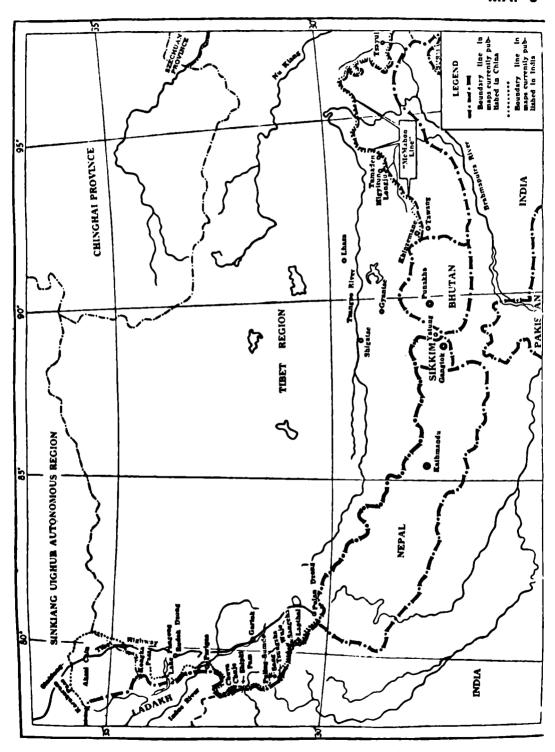
- 1. Burma-China Boundary
- 2. China-Nepal Boundary
- 3. Sketch Map of the Sino-Indian Boundary
- 4. China-India Border Area
- 5. Western Sino-Indian Border Area
- 6. Eastern China-Indian Frontier Area
- 7. Aksai Chin Area
- 8. China-USSR Border: Eastern Section
- 9. Sketch Map Showing Sino-Soviet Boundary Line in Area Around Chepao Island (Damansky Island)
- 10. China-USSR Border: Western Section
- 11. Northwest China-USSR Boundary Area Orientation Map
- 12. Northwest China-USSR Boundary Area Treaty Application
- 13. Additional Map: The Traditional Boundary Line Between China and India (The PRC official version).
- 14. Sino-Mongolia Border
- 15. Liu P'ei-hua's Map Depicting Chinese Territorial Rights in the 19th Century.

MAP 1



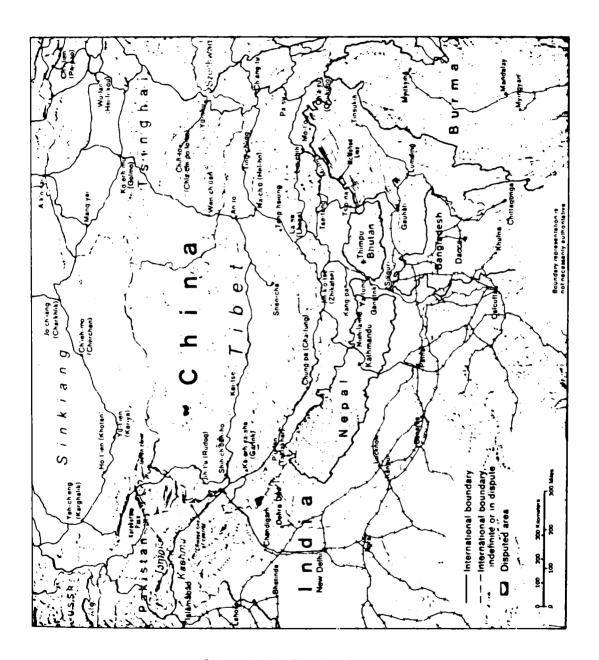


MAP 3



Sketch Map of the Sino-Indian Boundary

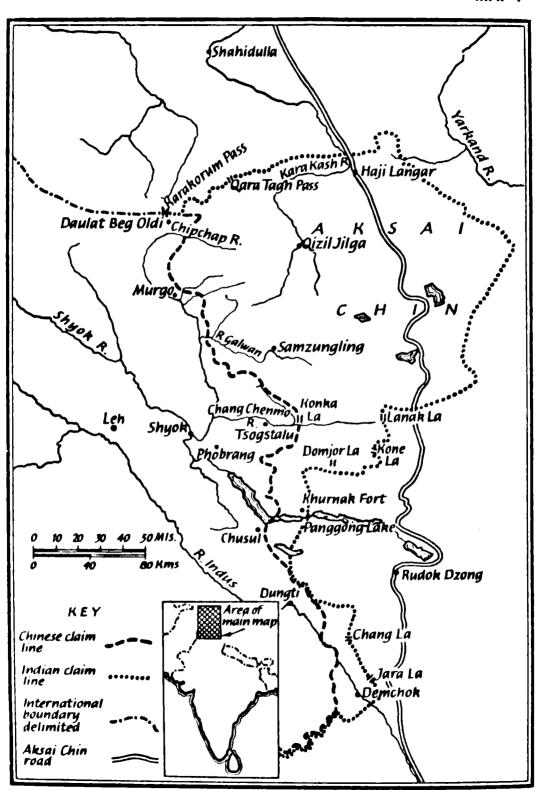
MAP 4



China-India Border Area

MAP 5





Aksai China Area

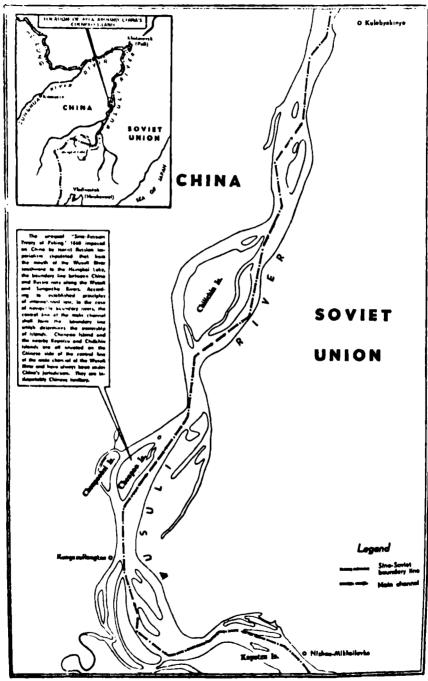
MAP 8

03522 11-77 (541858)

210

MAP 9

The PRC version-from Down with the New Czar.

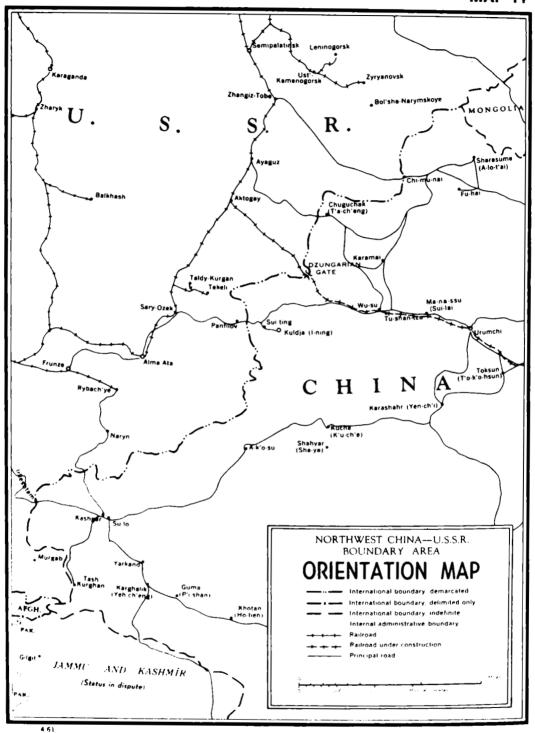


Sketch Map Showing Sino-Soviet Boundary Line in Area Around Chinese Territory Chenpao Island

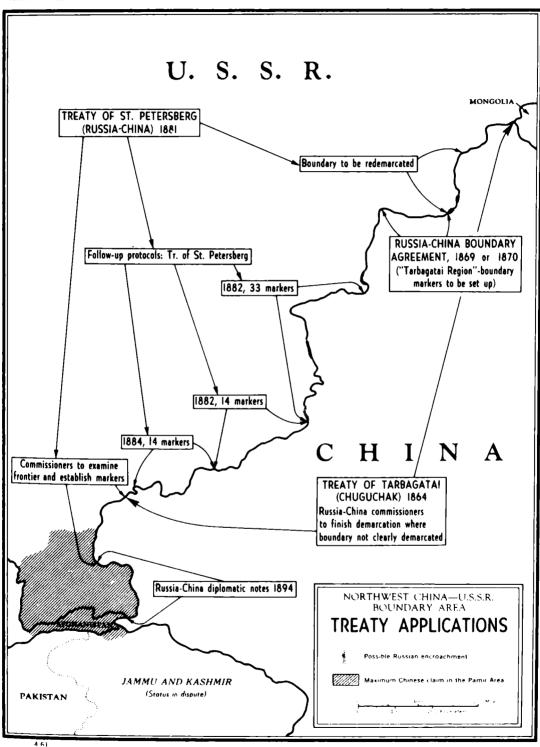
### **MAP 10**

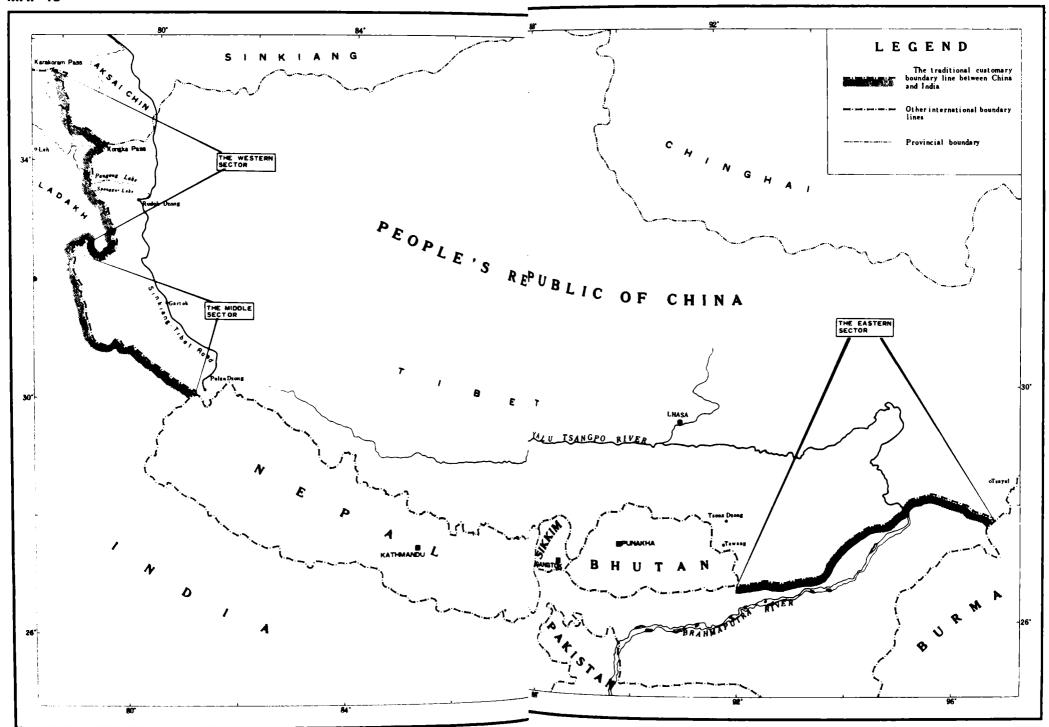


**MAP 11** 



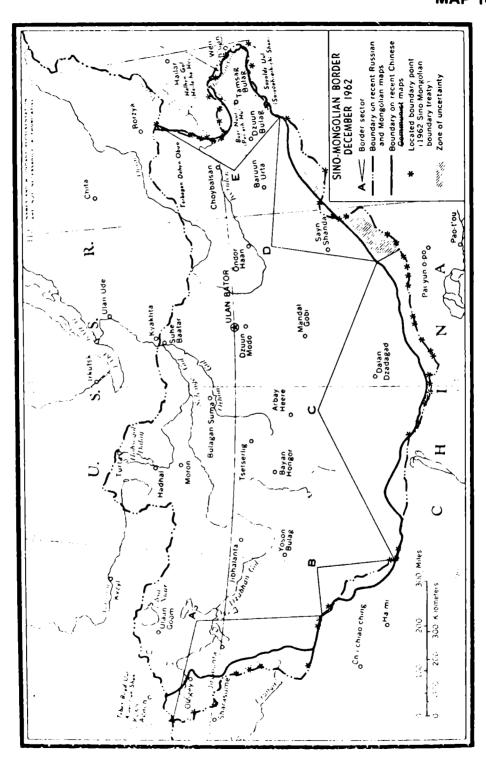
**MAP 12** 





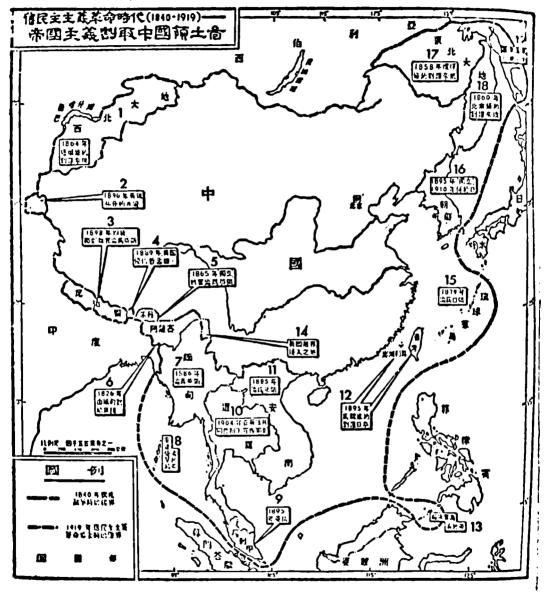
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**MAP 14** 



**MAP 15** 

"Chinese Territories Taken by Imperialism in the Old Democratic Revolutionary Era (1840-1919)" from A Short History of Modern China (first published in Peking in 1954), a text used in Chinese secondary schools.



#### KEY TO MAP

(Translation of the information given in boxes on the map.)

1. The Great Northwest: seized by Imperial Russia under the Treaty of Chuguchak, 1864. [Parts of present Soviet Kazakhstan, Kirghlzia, and Tadzhikstan.]

- 2. Pamirs: secretly divided between England and Russia in 1896.
- 3. Nepal: went to England after "independence" in 1898.
- 4. Sikkim: occupied by England in 1889.
- 5. Bhutan: went to England after "independence" in 1865.
- 6. Assam: given to England by Burma in 1826.
- 7. Burma: became part of the British Empire in 1886.
- 8. Andaman Archipelago: went to England.
- 9. Malaya: occupied by England in 1895.
- 10. Thailand: declared "independent" under joint Anglo-French control in 1904.
- 11. Annam: occupied by France in 1885 [covers present North Vietnam, South Vietnam, Laos, and Cambodia.]
- 12. Taiwan and Peng-hu Archipelago [Pescadores]: relinquished to Japan per the Treaty of Shimonoseki, 1895.
- 13. Sulu Archipelago: went to England.
- 14. Region where the British crossed the border and committed aggression.
- 15. Ryukyu Archipelago: occupied by Japan in 1879.
- 16. Korea: "independent" in 1895-annexed by Japan in 1910.
- 17. The Great Northeast: seized by Imperial Russia under the Treaty of Aigun, 1858.
- 18. The Great Northeast: seized by Imperial Russia under the Treaty of Peking, 1860.
- 19. Sakhalin: divided between Russian and Japan.
- Translations based on Salisbury's War Between Russia and China.

# Appendix II DOCUMENTS ON SINO-BURMESE, SINO-NEPALESE, AND SINO-AFGHAN BOUNDARIES

- 1. Sino-Burmese Boundary Treaty, 1960
- 2. Sino-Nepalese Boundary Treaty, 1961
- 3. Sino-Afghan Boundary Treaty, 1963

# 1. Boundary Treaty between the Union of Burma and the People's Republic of China

## THE PRESIDENT OF THE UNION OF BURMA AND THE CHAIRMAN OF THE PEOPLE'S REPUBLIC OF CHINA,

Being of the agreed opinion that the long outstanding question of the boundary between the two countries is a question inherited from history, that since the two countries successively won independence, the traditional friendly and goodneighbourly relations between the two countries have undergone a new development, and the fact that the Prime Ministers of the two countries jointly initiated in 1954 the Five principles of Peaceful Co-existence among nations with different social systems as principles guiding relations between the two countries has all the more greatly promoted the friendly relations between the two countries and has created conditions for the settlement of the question of the boundary between the two countries:

Noting with satisfaction that the successive Governments of the Union of Burma and the Government of the People's Republic of China, conducting friendly consultation and showing mutual understanding and mutual accommodation in accordance with the Five Principles of Peaceful Co-existence, have overcome various difficulties, and have eventually reached a successful and overall settlement of the question of the boundary between the two countries: and

Firmly believing that the formal delimitation of the entire boundary between the two countries and its emergence as a boundary of peace and friendship not only represent a milestone in the further development of the friendly relations between Burma and China, but also constitute an important contribution to the safeguarding of Asian and world peace:

Have resolved for this purpose to conclude the present Treaty in the basis of the Agreement on the Question of the Boundary between the two Countries signed by Prime Minister Ne Win and Premier Chou En-lai on 28 January 1960 and appointed their respective plenipotentiaries as follows:

U Nu, Prime Minister, for the President of the Union of Burma, and

Chou En-lai, Premier of the State Council, for the Chairman of the People's Republic of China,

Who having mutually examined their full powers and found them in good and due form, have agreed upon the following:

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### Article I

In accordance with the principle of respect for 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 Kanfgang (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 Government on 18 June 1941, with the exception of the adjustments provided for in Articles 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 kilometres, 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 Government, on 18 June 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 18 June 1941 by including in China Yawng Hok and Lungnai Villages and including in Burma Umpha, 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 Government on 18 June 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 on 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 Kha and the Nam Yung Rivers to the southeastern extremity, of the Burnese-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

- I. In accordance with the provisions of Articles 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-Ita Ho (Chu-Iho Ta Ho).
- (2) From the source of the Chu-Ita Ho (Chu-Iho Ta Ho) the line runs northwestwards along the Chu-Ita Ho (Chu-Iho 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 Kvam Kyaung) River on the one hand and the Wang Ke (Moku Kyaung) River and its tributary, the Chu-Ita Ho (Chu-Iho Ta Ho) on the other, thence westwards along this watershed,

passing through Macu Lo Waddy (Height 2,423 metres, 7,950 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 Chiao 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 south-eastwards 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 Kai 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 (3,289 metres, 10,833 feet).

(4) From Tusehpong Razi, the line runs generally northwestwards along the ridge, passing through height 2,802 metres and height 2,140.3 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,

3,623 metres, 11,888 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 Tsavul (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.

II. 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 south-eastern 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 Pa Ta

Chiang (Tabak Hka) Rivers on the one hand and the lower tributaries of the Nmai Kka River on the other, passing through Ta Ka Lou (Lunghkyen Kyet) and thence north-westwards 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 (Panjoi 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 (Namsand 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 Chang (Molechaung) and the Gayang Hka (Cheyang Hka), passing through Ma 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 abovementioned 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) southeast Man Yung Hai Village and north of Nawang Sa Village thence in a straight line south-westwards and then southwards to the Nam Sah (Mantin Hka) River then it runs down the course of the Nam Sah (Manting Hka) 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 when the course of the Shweli River as it was at that time.
- (7) From the junction of the course of the Namyan 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 Kka 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 (Nam 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 Pal Lou Shan, the line runs south-eastwards along the Wayao Kou Stream, the ridge south of the Mai Ti (Mai Ti Ho) River, the Pan Chaio Ho and the Hsiao Lu Chang (Hsin Chai Kou) Stream up to the source of the Hsiao Lu Chang (Hsin Chai Kou) Stream. From the source of the 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 south-eastwards along the north-west 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 north-west of Maklawt (Ma Law) Village. Thence, the line runs in a straight line to a point south-west 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) River to the source of the one to the west and then turn westwards and south-west along the Mong Ling Shan ridge, up to the top of Mong Ling Shan. Thence it runs eastwards and south-eastwards along the Nam Pan River to its junction with a tributary, north-eastof the Yakaw Chai (Ya Kou Sai) Village, which flows in from the southwest: thence in a southwesterly direction up that tributary to a point north-east of Yakaw Chai (Ya Kou Sai) Village, from where it turns southwards, passing through a point east of Yakaw Chai (Ye Kou Sai) Village, and crosses a tributary of the Nam Pan River south of Yakaw Chai (Ya Kou Sai) Village, thence westwards 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 north-east course of the Chawk Hkrak River.
  - (11) From the north-east 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 passing a point 100 metres north of Umpha 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 north-easterly direction to its junction with another tributary of the Mongtum (Nam Tum) River following it from the southeast: thence it follows this tributary to its source on the watershed between the Mongtum (Nam Tum) and the Ling 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 to 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 sub-tributaries of a tributary of the Lung Ta Hsiao Ho (Nam Lawng) River then northeastwards to the water shed between the Mongtum (Nam Tum) River on the one hand, and the Nam Ma River on the other, until it reaches height 1,941.8 metres, (6,370 feet). Thence the line runs eastward, then southwards and then north-westwards along the watershed between the Mongtum (Nam Tuin), 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 others, 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 Kkao River and thence down the Nam Hka Hkao River to its junction with a tributary flowing in from the south-west. Thence the line runs generally southwestwards up that tributary to its source, which is north-east of and nearest to height 2,180 metres (7,152 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 River to its source.
- (13) From the source of the Nam Yung River the line runs in south-easterly 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 Nan 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 Nam Lo (Nam Law) 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 (Nam-

bok) River at Nan Wo Kai 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 Hsamming).

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 south-easterly direction passing through Hue Ling Lang (Hwe Mawk-Hkio), La Ti (La Tip), Nan Meng Mao (Nammong Hau) to Mai Niu Tung (Mai Niu Tawng): thence the line runs in a general north-easterly direction passing through Lung Man Tang (Longman Tawng) to the Hui La (Hwe La) Stream, which it follows northwards to its junction with the Nam Lam River. Thence the line runs eastwards and southwards along the Nam Lam, the Nan Chih (Nam Se) Rivers and the Nam Chia (Hwe Sak) Stream, to Lei Len Ti Fa Shan (Loi Len Ti Hpa). The line then follows the Nam Mot (Nan Mai), the Nan Tung (Nam Tung) and the Nam Ta Rivers to Hsing Kang Lei Shan (Loi Makhinkawng).

(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 Picn

Nei Shan (Kweng Peknoi).

(18) From the top of Kwang Pien Nei Shan (Kwang Peknoi) the line runs generally north-eastwards 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 south-eastern extremity of the Burmese-Chinese boundary line at the junction of the Nam La and the Lanchang

(Mekong) Rivers.

III. 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 midstream 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 it 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 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 28 January 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 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 maps 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 of 28 January 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.

Upon the coming into force of the present Treaty, all past treaties, exchanged notes and other documents relating to the boundary between the two countries shall be no longer in force, except as otherwise provided in Article X of the present Treaty with regard to the Agreement between the two parties on the Question of the Boundary between the Two Countries of 28 January 1960.

DONE in duplicate in Peking on the first day of October 1960, in the Burmese, Chinese and English languages, all three texts being

equally authentic.

(Sd.) MAUNG NU Plenipotentiary of the Union of Burma.

(Sd.) CHOU EN-LAI Plenipotentiary of the People's Republic of China.

### 2. Boundary Treaty between the People's Republic of China and the Kingdom of Nepal\*

The Chairman of the People's Republic of China and His Majesty the King of Nepal,

Being of the agreed opinion that a formal settlement of the question of the boundary between China and Nepal is of fundamental interest to the peoples of the two countries;

Noting with satisfaction that the friendly relations of long standing between the two countries have undergone further development since the establishment of diplomatic relations between the two countries and that the two Parties have, in accordance with the Five Principles of Peaceful Coexistence and in a spirit of fairness, reasonableness, mutual understanding and mutual accommodation, smoothly achieved an overall settlement of the boundary question between the two countries through friendly consultations;

Firmly believing that the formal delimitation of the entire boundary between the two countries and its consolidation as a boundary of peace and friendship not only constitute a milestone in the further development of the friendly relations between China and Nepal, but also are a contribution towards strengthening peace in Asia and the world;

Have resolved for this purpose to conclude the present Treaty on the basis of the Agreement Between the Government of the People's Republic of China and His Majesty's Government of Nepal on the Question of the Boundary Between the Two Countries of March 21, 1960 and have agreed upon the following:

#### Article 1.

The Contracting Parties, basing themselves on the traditional customary boundary line and having jointly conducted necessary on-the-spot investigations and surveys and made certain adjustments in accordance with the principles of equality, mutual benefit, friendship and mutual accommodation, hereby agree on the following alignment of the entire boundary line from west to east, Chinese territory being north of the line and Nepalese territory south thereof:

<sup>\*</sup>New China News Agency, English service, Nov. 5, 1961.

#### Article 3.

After the signing of the present Treaty, the Chinese-Nepalese Joint Boundary Committee constituted in pursuance of the Agreement of March 21, 1960 between the two Parties on the question of the boundary between the two countries shall set up permanent boundary markers as necessary on the boundary line between the two countries, and then draft a protocol setting forth in detail the alignment of the entire boundary line and the location of the permanent boundary markers, with detailed maps attached thereto showing the boundary line and the location of the permanent boundary markers. The above-mentioned protocol, upon being signed by the Governments of the two countries, shall become an annex to the present Treaty and the detailed maps shall replace the maps now attached to the present Treaty.

Upon signing of the above-mentioned protocol, the tasks of the Chinese-Nepalese Joint Boundary Committee shall be terminated, and the Agreement of March 21, 1960 between the two Parties on the question of the boundary between the two countries shall cease to be in force.

### Article 4.

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

### Article 5.

The present Treaty shall come into force on the day of the signing of the Treaty.

Done in duplicate in Peking on October 5, 1961, in the Chinese, Nepalese and English languages, all three texts being equally authentic.

Liu Shao-Chi Chairman of the People's Republic of China.

Mahendra Bir Bikram Shah Deva His Majesty the King of Nepal.

### 3. Boundary Treaty between the People's Republic of China and the Kingdom of Afghanistan\*

The Chairman of the Chinese People's Republic and His Majesty the King of Afghanistan; with a view of insuring the further development of the friendly and good neighborly relations which happily exist between the two independent and sovereign states, China and Afghanistan;

Resolving to delimit and demarcate formally the boundary existing between China and Afghanistan in the Pamirs in accordance with the principles of respect for each other's sovereignty and territorial integrity and mutual nonaggression and the Ten Principles of the Bandung Conference, and in the spirit of friendship, cooperation and mutual understanding;

Firmly believing that the formal delimitation and demarcation of the boundary between the two countries will further strengthen the peace and security of this region;

Have decided for this purpose to conclude the present treaty, and appointed as their respective plenipotentiaries;

For the Chairman of the Chinese People's Republic: Chen I, Minister of Foreign Affairs:

For His Majesty the King of Afghanistan: Al-Qayyum, Minister of the Interior:

Who, having examined each other's full powers and found them to be in good and due form, have agreed upon the following:

### Article 1.

The contracting parties agree that starting from a peak with a height of 5,630 meters--the reference coordinates of which are approximately 37 degrees 03 minutes north, 74 degrees 36 minutes east--in the southern extremity, the boundary line between the two countries runs along the Mustagh Range water divide between the Karachukur Su River, a tributary of the Tashkurghan River, on the one hand, and

<sup>\*</sup>New China News Agency, English Service, Nov. 22, 1963

the sources of the Aksu River and the Wakhjir River, the upper reaches of the Wakhan River, on the other hand, passing through South Wakhjir Deban (called Wakhjir Pass on the Afghan map) at the elevation of 4,923 meters, North Wakhir Daban (named on the Chinese map only), West Koktorok Daban (named on the Chinese map only), East Koktorok Daban (called Kara Jilgo Pass on the Afghan map), Tok Kan Su Daban (called Mihman Yoli Pass on the Afghan map), Sirik Tash Daban (named on the Chinese map only), Kokrash Kol Daban (called Tigarman Su Pass on the Afghan map) and reaches Peak Kokrash Kol (called Peak Povalo Shveikovski on the Afghan map) with a height of 5.698 meters.

The entire boundary line as described in the present article is shown on the 1:200,000 scale map of the Chinese side in Chinese and the 1:253,440 scale map of the Afghan side in Persian, which are attached to the present treaty. Both of the above-mentioned maps have English words as an auxiliary.

#### Article 2.

The Contracting Parties agree that whenever the boundary between the two countries follows a water divide, the ridge thereof shall be the boundary line, and wherever it passes through a deban--pass--the water-parting line thereof shall be the boundary line.

### Article 3.

The contracting parties agree that:

(1) As soon as the present treaty comes into force a Chinese-Afghan joint boundary demarcation commission composed of an equal number of representatives and several advisers from each side shall be set up to carry out on location concrete surveys of the boundary between the two countries and to erect boundary markers in accordance with the provisions of Article 1 of the present treaty and then draft a protocol relating to the boundary between the two countries and prepare boundary maps setting forth in detail the alignment of the boundary line and the location of the boundary markers on the ground.

- (1) The Chrinese-Nepalese boundary line starts from the point where the watershed between the Kali River and the Tinkar River meets the watershed between the tributaries of the Mapchu (Karnali) River on the one hand and the Tinkar River on the other hand, thence it runs southeastwards along the watershed between the tributaries of the Mapchu (Karnali) River on the one hand and the Tinkar River and the Seti River on the other hand, passing through Niumachisa (Lipudhura) snowy mountain ridge and Tinkarlipu (Lipudhura) Pass to Pehlin (Urai) Pass.
- From Pehlin (Urai) Pass, the boundary line runs along the mountain ridge southeastwards for about 500 meters, then northeastwards to Height 5655 meters, thence continues to run along the mountain ridge northwards to Tojan (Tharodhunga Tuppa), then northeastwards passing through Height 5580.6 meters to Chimala Pass, thence it runs generally northwestwards, passing through Chimals to Lungmochiehkuo (Numoche Tuppa); thence the boundary line runs generally eastwards, passing through Paimowotunkuo (Kitko Tuppa) and then runs along Chokartung (Kikto) mountain spur down to the Chilungpa (Yadangre) stream, then it follows the Chilungpa (Yadangre) stream northwards to its junction with the Mapchu (Karnali) River, then it follows the Mapchu (Karnali) River generally eastwards to Yusa (Hilsa). At Yusa (Hilsa), the boundary line departs from the Mapchu (Karnali) River and runs northeastwards along the mountain spur up to Chialosa (Takule), then along the mountain ridge, passing through Kumalatse (Kumalapche), Kangpaochekuo (Ghanbochheko) and Mainipaimikuo (Manepamango) to Kangkuona (Kangarje), then northwards passing through Kangchupeng (Kandumbu) and Height 6550 meters to Nalakankar.
- (3) From Nalakankar, the boundary line runs generally northeastwards along the watershed between the tributaries flowing into the Manasarowar Lake and the tributaries of the Humla Karnali River passing through Nalakankar Pass to Latsela (Lapche) Pass; thence it runs generally southeastwards along the watershed between the tributaries flowing into the Manasarowar Lake and the tributaries of the Machuan River on the one hand and the tributaries of the Humla Karnali River, the Mugu Karnali River and the Panjang Khola on the other hand, passing through Changla mountain, Namja Pass, Khung (Thau) Pass and Marem Pass to Pindu Pass,

then it continues to run southeastwards along the watershed between the tributaries of the Machuan River on the one hand and the tributaries of the Barbung River and the Kali Gandaki River on the other hand gradually turning northeastwards to Height 6214.1 meters.

- (4) From Height 6214.1 meters, the boundary line runs northeastwards along the mountain spur, passing through Height 5025 meters and crossing the Angarchubo (Angarchhu) stream to Height 5029 meters; thence it runs generally eastwards along Tuchu (Thukchu) mountain spur, passing through Height 4730 meters and Bungla (Panglham) to the foot of Tingli Bhodho spur at its northwestern end, then turns northeastwards and runs along the southern bank of the Roumachushui (Rhamarchhushu) seasonal stream to the foot of Tingli Bhodho spur at its northeastern end; thence southeastwards, crosses the junction of two seasonal streams flowing northwards, and runs to the junction of three seasonal streams flowing northwards, and then up the eastern stream of the above three seasonal streams to Height 4696.9 meters, then turns southwestwards crossing a seasonal stream to Height 4605.8 meters; thence it runs generally south-eastwards passing through Pengpengla (Phumphula) and then along Chukomaburi (Chhukomapoj) mountain ridge, passing through Height 4676.6 meters and Height 4754.9 meters to Height 4798.6 meters, meters, thence along the mountain ridge northeastwards passing through Hsiabala, then generally eastwards passing through Height 5044.1 meters to Chaklo.
- (5) From Chaklo, the boundary line runs generally southwards along the watershed between the tributaries of the Yalu Tsangpo River and the Tributaries of the Kali Gandaki River, passing through Height 6724 meters to Lugula Pass, thence it runs generally eastwards along Lugula snowy mountain and the watershed between the tributaries of the Yaul Tsangpo River and the tributaries of the Marshiyangdi River to Gya (Gyala) Pass.
- (6) From Gya (Gyala) Pass, the boundary line runs along the mountain ridge eastwards to Height 5728 meters, then south southeastwards to Lajing Pass, then it runs along Lajing mountain ridge, passing through Height 5442 meters and Lachong (Lajung) Pass to Height 5236 meters, then turns

southwestwards to Sangmudo snowy mountain; then generally southesatwards and continues to run along Lajing mountain ridge, passing through Height 6139 meters to Height 5494 meters, and then in a straight line crosses the Dougar (Tom) River to Height 5724 meters; thence the boundary line runs generally northeastwards along the snowy mountain ridge. passing through Height 6010 meters, Height 5360 meters and Height 5672 meters to Thaple Pass.

- From Thaple Pass, the boundary line runs generally northeastwards along the snowy mountain ridge, passing through Tsariyangkang snowy mountain to Khojan; thence it continues to run generally southwards along the snowy mountain ridge, passing through Mailatsaching Pass, Pashuo snowy mountain and Langpo snowy mountain to Yangrenkangri (Yangra) snowy mountain.
- From Yangrenkangri (Yangra) snowy mountain, the boundary line runs along the mountain ridge southwards to Tsalasungkuo and then generally eastwards and then northeastwards along a dry stream bed and passes through Jirapo (Kerabas) to reach the Sangching (Sanien) River, then follows the river southeastwards, passes through its junction with the Changchieh (Bhryange) River and continues to follow the Sangching (Sanjen) River to a point where a small mountain spur south of Genjungma (Pangshung) pasture ground and north of Chhaharey pasture ground meets with the Sangching (Sanjen) River; then it runs along the above small mountainspur eastwards and then southeastwards to Height 4656.4 meters, then runs eastwards to the Black Top; thence it runs along a mountain spur to the junction of the Bhurlung River and the Tanghsiaka (Khesadhang) stream, then runs eastwards along the Bhurlung River to its junction with the Kyerong River; thence follows the Kyerong River southwards and then eastwards to its junction with Tungling Tsangpo (Lende) River; then runs northeastwards up the Tungling Tsangpo (Lende) River, passing through Rasua Bridge to the junction of the Tungling Tsangpo (Lende) River and the Guobashiachu (Jambu) stream; thence turns eastwards up the Guobashiachu (Jambu) stream, passing through the junction of the Chusumdo Tsangpo River and the Phuriphu Tsangpo River, both the tributaries of the upper Guobashiachu (Jambu) stream, to reach the boundary marker point at Chusumdo.

- (9) From the boundary marker point at Chusumdo, the boundary line runs generally southeastwards along the ridge of Tsogakangri (Seto Pokhari) snowy nountain, Langtang snowy mountain, Dorley mountain and Gulinchin (Phurbo Chyachu) mountain to Chakesuma (Kharaney) mountain; thence runs down to reach the Changnibachu (Kharaney) River and then follows that river southwards to its junction with the Bhochu (Bhote Kosi) River; then follows the Bhochu (Bhote Kosi) River southwards, passing through Dalaima (Bhaise) Bridge to the junction of the Bhochu (Bhote Kosi) River and the Junchu (Jum) River; thence eastwards up the Junchu (Jum) River to its source at Tsaje mountain (Jum Khola Ko Sir Ko Tuppa); thence the boundary line runs generally northwards along the mountain ridge to Chomo Pamari (Height 6208.8 meters).
- (10) From Chomo Pamari (Height 6208.8 meters), the boundary line runs generally northwards along the mountain ridge to Height 5914.8 meters, then generally northeastwards along Shondemo Kangri (Sudemo) snowy mountain passing through Height 5148 meters, and then crosses two tributaries of the Shondemo Chu (Shongdemo) stream, passing through Shondemo (Sudemo) which lies between the above two tributaries to Gyanbayan, then it runs along Gyanbayan mountain spur downwards, crosses the Pinbhu Tsangpo River (the western tributary of the Lapche River), and then along the mountain spur to Height 5370.5 meters at Sebobori (Korlang Pari Ko Tippa); thence the boundary line turns southeastwards along the mountain spur downwards, crosses the Lapche Khung Tsangpo River (the eastern tributary of the Lapche River), then it runs along Bidin Kangri (Piding) snowy mountain to Height 5397.2 meters; thence the boundary line turns westwards along the mountain ridge to Height 5444.2 meters at Kobobri (Raling), then generally southwards along Rasum-Kungpo (Rishinggumbo) mountain ridge to Niehlu (Niule) Bridge.
- (11) From Niehlu (Niule) Bridge, the boundary line runs generally eastwards to Chejenma (Gauri Shankar), and then eastwards along the mountain ridge and then northwards along the watershed between the Rongshar River and the Rongbuk River on the one hand and the tributaries of the Dudhkosi River on the other hand to Nangpa Pass, and then it runs generally southeastwards along the mountain ridge, passing through Cho Oyu mountain, Pumoli mountain (Gnire Langur), Mount Jolmo Lungma (Sagar Matha) and Lhotse, to Makalu mountain; then runs southeastwards and then eastwards along the mountain ridge to Popti Pass.

- From Popti Pass, the boundary line runs along the mountain ridge eastwards passing through Tsagala (Kepu Dada) to Kharala (Khade Dada), and then generally northeastwards passing through Lanapo (Lhanakpu) and Chebum (Chhipung) to the source of the Sunchunchu (Shumjung) River; then it follows the Sunchunchu (Shumjung) River to its junction with the track leading from Kimathangka to Chentang, then it runs along the track to the bridge on the Karma Tsangpo (Kama) River: thence it runs generally southeastwards along the Karma Tsangpo (Kama) River passing through its junction with the Pengchu (Arun) River to its junction with the Nadang River, then continues to follow the Pengchu (Arun) River westwards to its junction with the Tsokangchingpo (Chhokang) River; thence the boundary line departs from the Pengchu (Arun) River and runs generally eastwards along a mountain spur passing through Angde and Dalai (Tale) Pass to Dalaila (Tale), and then runs along the mountain ridge passing through Jungkan (Dukan), Kaijungkan (Khachunkha), Renlangbu (Relinbu) and Sulula to reach Ragla (Rakha) pass.
- From Ragla (Rakha) Pass, the boundary line runs generally eastwards along the watershed between the tributaries of the Nadang River and the tributaries of the Yaru River on the one hand and the tributaries of the Tamur River on the other hand, passing through Ombola (Ombak) Pass, Theputala (Tiptala) Pass, Yangmakhangla (Kangla) Pass and Chabukla to the terminal point where the watershed between the Khar River and the Chabuk River meets the watershed between the Khan River and the Lhonak River.

The entire boundary line between the two countries as described in the present Article is shown on the 1:500,000 maps of the entire boundary attached to the present Treaty; the location of the temporary boundary markers erected by both sides and the detailed alignment of certain sections of the boundary are shown on the 1:50,000 maps of those sections attached to the present Treaty.

#### Article 2.

The Contracting Parties have agreed that wherever the boundary follows a river, the midstream line shall be the boundary. In case a boundary river changes its course, the original line of the boundary shall remain unchanged in the absence of other agreements between the two parties.

- The protocol and the boundary maps mentioned in paragraph one of the present article, upon coming into force after being signed by the representatives of the two governments, shall become annexed to the present treaty, and the boundary maps prepared by the joint boundary demarcation commission shall replace the maps attached to the present treaty.
- Upon the signing of the above-mentioned protocol and boundary maps, the tasks of the Chinese-Afghan joint boundary demarcation commission shall be terminated.

### Article 4.

The contracting parties agree that any dispute concerning the boundary which may arise after the formal delimitation of the boundary between the two countries shall be settled by the two parties through friendly consultation.

#### Article 5.

The present treaty shall come into force on the day of its signature.

Done in duplicate in Peking on 22 November 1963, in the Chinese, Persian, and English languages, all three texts being authentic.

> Chen I, plenipotentiary of the People's Republic of China

Al-Qayyum, plenipotentiary of the Kingdom of Afghanistan

# Appendix III DOCUMENTS ON SINO-INDIAN BOUNDARIES

The following documents are principally from the public record office, London, the India office Library, New Delhi, Hsinhua News Agency, Peking Review, Sino-Indian Boundary Question, Foreign Language Press, Peking 1962 as well as Sir Charles Aitchison's Collection of Treaties, Engagements and Sanada Relating to India and Neighboring Countries, Vol. 14, 1929-33 and Dorothy Woodman's HIMALAYAN FRONTIERS'appendices.

### The list is as follows:

- 1. Convention between Great Britain and China relating to Sikkim and Tibet (1890).
- Major General Ardagh's paper on the Northern Frontier of India from the Pamir to Tibet (1897).
- India's Foreign Department's secret paper to Lord George
   Hamilton, Secretary of State of India (1897).
- 4. Sir C. MacDonald to the Tsungli Yamen (1899).
- 5. A. H. McMahon to Major General H. Bower (1911).
- 6. Confidential note by chief of General Staff.
- 7. Extract from memorandum from Sir J. Jordan to Wai-Chiao Pu (1912).
- 8. Exchange of Notes between the British and Tibetan Plenipotentiaries (1914).
- 9. Note of acknowledgement from Lonchen Shata, Tibetan representative.
- 10. Convention between Great Britain, China and Tibet (1914).
- 11. (Simla) Trade regulations between Great Britain and Tibet (1914).
- 12. Trade agreement between India and the People's Republic of China (1954).
- Full text of Chou En-lai's Press Conference, April 30, 1960 at New Delhi.

- 14. Colombo proposal regarding Sino-Indian Frontier Conflict (1963).
- 15. Sino-Pakistan Agreement: note from India to Pakistan (1962).
- 16. Sino-Pakistan Agreement: note from Pakistan to India (1962).
- 17. Sino-Pakistan Agreement: note from India to China (1962).
- 18. Text of the Boundary Agreement between China and Pakistan (1963).
- 19. Chinese Foreign Ministry's note to the Indian Embassy in China on India's refusal to negotiate and conclude a new agreement on trade, May 11, 1962.
- 20. Chou En-lai's press conference at Cairo on the Sino-Indian Boundary Question, December 20, 1963.
- 21. Statement of the Chinese Government, October 9, 1964.

### 1. Convention between Great Britain and China relating to Sikkin and Tibet (1890)

Whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exists between their respective Empires; and whereas recent occurrences have tended towards a disturbance of the said relations, and it is desirable to clearly define and permanently settle certain matters connected with the boundary between Sikkim and Tibet, Her Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject and have, for this purpose, named Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, His Excellency the Mest Hon'ble Henry Charles Keith Petty Fitzmaurice, G.M.S.I., G.C.M.G., G.M.I.E., Marquess of Landsdowne, Viceroy and Governor-General of India.

And His Majesty the Emperor of China, His Excellency Sheng Tai, Imperial Associate Resident in Tibet, Military Deputy Lieutenant-Governor.

Who having met and communicated to each other their full powers, and finding these to be in proper form, having agreed upon the following Convention in eight Articles:

- (1) The boundary of Sikkim and Tibet shall be the crest of the mountain range separating the waters flowing into the Sikkim Teesta and its affluents from the waters flowing into the Tibetan Mochu and northwards into other rivers of Tibet. The line commences at Mount Gipmochi on the Bhutan frontier and follows the abovementioned water-parting to the point where it meets Nepal territory.
- (2) It is admitted that the British Government, whose protectorate over the Sikkim State is hereby recognised, has direct and exclusive control over the internal administration and foreign relations of the State, and except through and with the permission of the British Government, neither the Ruler of the State nor any of its officers shall have official relations of any kind, formal or informal, with any other country.
- (3) The Government of Great Britain and Ireland and the Government of China engage reciprocally to respect the boundary as defined in Article (1), and to prevent acts of aggression from their respective sides of the frontier.
- (4) The question of providing increased facilities for trade across the Sikkim-Tibet frontier will hereafter be discussed with a view to a mutually satisfactory arrangement by the High Contracting Powers.
- (5) The question of pasturage on the Sikkim side of the frontier is reserved for further examination and future adjustment.
  - (6) The High Contracting Powers reserve for discussion and arrangement the

method in which official communications between the British authorities in India and the authorities in Tibet shall be conducted.

- (7) Two Joint Commissioners shall, within six months from the ratification of this Convention, be appointed, one by the British Government in India, the other by the Chinese Resident in Tibet. The said Commissioners shall meet and discuss the questions which by the last three preceding Articles have been reserved.
- (8) The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same and affixed thereunto the seals of their arms.

Done in quadruplicate at Calcutta this seventeenth day of March in the year of our Lord one thousand eight hundred and ninety, corresponding with the Chinese date the twenty-seventh day of the second moon of the sixteenth year of Kuang Hsü.

> LANSDOWNE Chinese Seal and Signature

### 2. Major Gen. Ardagh's Paper on the Northern Frontier from the Pamirs to Tibet

The collapse of China in the late China-Japan war showed the futility of our trusting to that Power as a possible ally, and there is every reason to believe that she will be equally useless as a buffer between Russia and the Northern Frontier of India.

The war was followed by a serious Mahomedan rebellion in the provinces of Kansu which has been dragging on ever since, and has lately received an additional stimulus by the adhesion of the Kolao Secret Society, the most powerful and ubiquitous organization of its kind in China.

China maintains her hold on Kashgaria by one single line of communication. namely the road between Kashgar and Peking which passes through the disaffected Mahomedan district of Kansu, and is some 3,500 miles in length.

Though this alone is sufficient to demonstrate the precarious nature of China's sovereignty in Kashgaria, it may be added that in July last Mr. Macarmey reported that the stability of Chinese rule in Kashgaria had been much shaken and that riots were taking place, not so much due to the inhabitants as to the unruly Chinese soldiers quartered there.

The general history of Russian expansion in Central Asia, the eagerness with which she has advanced her borders towards India over such inhospitable regions as the Pamirs, the comparative fertility and natural wealth of Kashgaria as well as the political activity displayed by the Russian representative in Kashgar lead one to suppose that an eventual Russian occupation is far from improbable. In this connection too it is worthy of remark that Russia has not demarcated her frontier with Kashgaria further south than the Uzbel Pass between the latitudes of Kashgar and Yarkand thus leaving herself untrammeiled in the natural process of expansion from the Pamirs eastward.

The rumours current during the summer of 1896 of an impending Russian advance into Kashgaria appear to have been unfounded. Mr. Macartney confirming this view, is of opinion that the Russians have made no preparations for intervening, as the time is not yet ripe, and as a Russian demonstration, unless it were immediately followed up by annexation, would only serve to strengthen the hands of the Chinese by intimidating the rebels.

If then the eventual annexation of Kashgaria by Russia is to be expected, we may be sure that Russia, as in the past will endeavour to push her boundary as far south as she can, for political reasons, even if no real military advantage is sought. It is evident therefore that sooner or later we shall have to conclude a definite agreement regarding the Northern Frontier of India.

We have been accustomed to regard the great mountain ranges to the north of Chitral, Hunza, and Ladak as the natural frontier of India; and in a general sense they form an acceptable defensive boundary, easy to define, difficult to pass, and fairly dividing the peoples on either side. But the physical conditions of these mountains, their great extent, high altitude, general inaccessability, and sparse population, render it impossible to watch the actual watershed; and the measures requisite for security, and for information as to the movements of an enemy, cannot be adequately carried out unless we can circulate freely at the foot of the glacis formed by the northern slope, along these longitudinal valleys which Nature has provided on the northern side at a comparatively short distance from the crest – a configuration which, it may be observed, does not present itself on the southern slope of the range.

For military purposes therefore, a frontier following the highest water-sheds is defective, and we should aim at keeping our enemy from any possibility of establishing himself on the glacis, occupying these longitudinal valleys, and there preparing to surprise the passes. We should therefore seek a boundary which shall leave all these longitudinal valleys in our possession or at least under our influence.

The application of this principle to the further demarcation of the northern frontier of India leads to the following results. The Hindu-Kush, the Mustagh Range, and the Karakorum Range, form the principal line of water-parting between the basin of the Indus on the south, and the basins of the Oxus and the Yarkand rivers on the north.

On this range are situated, inter alia, the Kilik, Mintaka, Khunjerab, Shimshal, Mustagh, and Karakorum passes: access to which we desire to debar to a possible enemy, by retaining within our territory the approaches to them on the northern side, and the lateral communications between these approaches.

This object is to be obtained by drawing our line of frontier so as to include the basins of the Danga Bash river and its affluents above Dehda, at the junction of the Ili Su and Karatchukar, called by Captain Younghusband Kurghan-i-Ujadbai; of the Yarkand river above the point where it breaks through the range of mountains marked by the Sargon and Ilbis Birkar Passes, at about latitude 37° north and longitude 75° 50′ east on Mr Curzon's map, published by the Royal Geographical society; and of the Karakash river above at a point between Shahidullah and the Sanju or Grim Passes. Those three basins would afford a fully adequate sphere of influence beyond the main crests.

During the disturbances in Kashgaria Shahidullah was occupied by Kashunir.

At the time of Sir Douglas Forsyth's mission to Yarkand in 1873 the frontier post of Kashgaria was situated at Shahidullah. When Captain Younghusband visited that place in 1889 the fort had long been abandoned and he granted money to a Kirghiz chief to rebuild it and keep it in repair, as a protection to the trade route from Leh to Yarkand. He forestalled Captain Grombtchevsky, whom he met on the Yarkand River.

In 1890 the Chinese pulled down the Shahidullah fort, and built another near the Sujet Pass, where, in 1892, Lord Dunmore saw a notice board to the effect that 'anyone crossing the Chinese frontier without reporting himself at this fort will be imprisoned'.

In 1874, Dr Bellew found an abandoned Chinese outpost at Kirghiz Tam near Shiragh Saldi. In 1889 Captain Younghusband likewise found Shiragh Saldi outside the recognized Chinese Frontier. We are therefore justified in claiming up to the crests of the Kuen-Lun Range.

We now represent on our maps the Yarkand River as a boundary - the Taghdumbash Pamir is claimed by China, at least as far as Bayik. It is therefore clear that the three basins described above may encroach upon Chinese territory to a certain extent which may be difficult to define, and our solicitude should be to obtain from China an agreement that any part of those basins which may eventually be found to lie outside our frontier, shall not be ceded to any country but Great Britain. If China were strong enough to maintain possession, and to act the part of a buffer state, this assurance would not be needed; but in view of her decadence, and of the prospect of Kashgar, Yarkand and Khotan falling before long into the hands of Russia, it will be well to take timely precaution to prevent her from becoming so close a neighbour to the mountain rampart of India as she has lately become on the Chitral Frontier.

The present value of this very sparsely inhabited country is insignificant, but its importance as a security to the Indian Frontier is considerable.

The same principles and arguments may have to be applied at a future period to the Upper Basins of the Indus, the Sutlej and even the Brahmaputra, in the event of a prospective absorption of Tibet by Russia. At the present moment however, we are only concerned in the definition of a frontier between British India and Kashgar, Yarkand and Khotan.

Dealing first with the main portion of the line, marked on our maps as following the Yarkand River, we find that Captain Younghusband in 1889 pointed out that this stream would form a bad boundary, as it is fordable, and the road along the valley frequently crosses from one side to another. This objection is well founded. If we are to keep this valley which contains mines of iron and copper, hot springs, and possibly petroleum and gold; and which, formerly cultivated, has within late years become depopulated in consequence of Kanjuti raids - now at an end in consequence of our occupation of Hunza: we should include the northern slope of its basin up to the crests of the Kuen Lun Mountains. It is not likely that China in her present state would offer much objection, or indeed that her influence extends to the south of the Kuen Lun. This then is the line which it would be preferable to claim. But, if it be found that there should arise inseparable objections to the Kuen Lun Line, and that we cannot adopt the line of the river, there is yet a third alternative which will still give us a glacis in front of the Mustagh - viz: the mountain crest commencing at the summit marked 14680, near the Kurbu Pass, passing by the Uruk Pass to the summit marked 8815, crossing the mouth of the Mustagh or Uprang river, and following the line of waterparting between that river and the Yarkand River, to which it would descend at a point near the ruins of Kugart Auza and mount on the northern side at some point between the Sokh-buluk and Sujet Passes, following the latter range castward across the Karakash, and onwards to the point where the frontier makes its great bend southward.

This second line as defined by river basins would comprise within our territory the basin of the Mustagh River from its junction with the Yarkand river or Raskarn Daria, the basin of the Upper Yarkand River above the ruins of Kugart Auza, and the basin of the Karakash above latitude 36° north.

At the western extremity of both this line and the Kuan Lun Line we have to

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deal with Chinese claims to the Taghdumbash Pamir. The Chinese have their furthest post up the valley at Chadir Tash or Bayik, where the road from the Bayik Pass meets the Karatchukar river. Above that point the nomad Kirghiz pay taxes to both China and Hunza, and we may claim on behalf of Hunza the basin of the Karatchukar above some point between the Bayik Chinese post, and Mintaka Aksai, the boundary to the north of the river being one of the spurs descending from the Fovalo Shveikovski Peak. This would cover the debouches from the Tagerman-su, Mikhman-Guli, Kuturuk, Wakh-jir, Kilik, Mintaka and Karchenai Passes. It is therefore of much importance to secure the possession of Mintaka Aksai.

On the eastern side of the Tagdumbash Painir, the debouches of the Khunjerab and Kurbu passes can be secured by the possession of Mazar Sultan Sayid Hassen. A parallel of latitude south of the Bayik post is the simplest mode of laying down a boundary here so as to include Mazar Sayid Hassan. From thence the boundary should mount to the waterparting near the Zeplep Pass, and thence join the Kuen Lun, the Yarkand River or the Uruk lines, already described.

Under the circumstances of China quoted at the commencement of this paper, the settlement of this frontier question appears now to be urgent. If we delay, we shall have Russia to deal with instead of China, and she will assuredly claim up to the very farthest extent of the pretensions of her predecessors in title – at least to the very summits of the Mustagh and the Himalayas.

I venture therefore to recommend that the matter should now be brought to the notice of the Government of India, if the proposal meets with approval at the Foreign and India Offices.

When the Government of India has studied the question, and pronounced an opinion as to the line which would be most advantageous, the matter will, on our part, be ripe for further action. But, as it may happen that, at that moment, other considerations may render it unadvisable to communicate with China, it may be well to the point out that there are other steps, short of actual delimitation of international agreement, which would tend greatly to strengthen our position, while awaiting a favourable opportunity for arriving at a definite settlement.

The Governor-General's Agents and Officers adjacent to the frontier may arrange to procure the recognition of our supremacy and protection by the chiefs of the local tribes; and to assert it by acts of sovereignty, annually exercised within the limits decided upon; and in this manner acquire a title by prescription.

(Sd) J. C. Ardagh, Major General D. M. I.

1st. January, 1897.

### 3. The Indian Foreign Department's Secret Paper

To

THE RIGHT HON'BLE LORD GEORGE F. HAMILTON, Her Majesty's Secretary of State for India.

FORT WILLIAM, the 23rd December 1897.

My Lord,

Your Lordship's Secret despatch No. 5, dated the 12th February 1897, transmitted for our consideration a letter from the Foreign Office, enclosing a memorandum by the Director of Military Intelligence on the northern frontier of India, contiguous to the Chinese dominions. We understand that Her Majesty's Government remain of opinion that it would not be politic to bring before the Chinese Government the question of the settlement of their boundaries with Kashmir, Hunza and Afghanistan. The matter for examination is therefore whether it is advisable to take any other steps in the direction of consolidating the boundaries of India in the region under notice.

- 2. Sir John Ardagh considers a frontier following the highests watersheds defective for military purposes, and suggests that we should aim at keeping our enemy from any possibility of establishing himself on the glacis, occupying the longitudinal valleys, and there preparing to surprise the passes; he proposes that, if it is unadvisable to communicate with China on the subject, our frontier officers might arrange to procure the recognition of our supremacy and protection by the chiefs of the local tribes, and to assert it by acts of sovereignty, annually exercised within the limits decided upon, and in this manner acquire a title by prescription. He thinks it unlikely that China, in her present state, would offer much objection. Our experience leads to an opposite conclusion.
- 3. The Chinese have, on more than one occasion, evinced a determination to assert their territorial rights in the direction of the Indian frontier. Your Lordship will remember the pertinacity with which they insisted on what they consider their suzerain rights over Hunza, as demonstrated by the 'tribute' of gold which Hunza still pays to Kashgar. They have erected boundary pillars on the Karakoram. In October last year the Taotai of Kashgar, purporting to act under instructions from the Governor of the New Dominion, made a verbal representation to Mr. Macartney to the effect that, in a certain copy of a Johnston's Atlas, Aksai Chin had been marked as within British territory, while the tract belonged entirely to China. Still more recently, in replying to an application for a passport for one of the officers of the Gilgit Agency to cross the Kilik to shoot, the Taotai evinced his interest in China's rights to the Taghdumbash up to the very borders of Hunza, by conceding the request subject to the condition that the British officer should not stay more than ten days in Chinese territory. Again, during the month of October 1897, a report reached

us from our Political Agent at Gilgit that the Chinese authorities have arrested some Kanjutis who were cultivating a small piece of land in Raskam, and have written to the Mir of Hunza that he must not allow his subjects to come there again. We believe that any attempt to incorporate within our frontier either of the zones mentioned by Sir John Ardagh would involve real risk of strained relations with China, and might tend to precipitate the active interposition of Russia in Kashgaria, which it should be our aim to postpone as long as possible.

4. We are unable to concur altogether in Sir John Ardagh's suggestions on military grounds. He advocates an advance beyond the great mountain ranges which we regard as our natural frontier, on the ground that it is impossible to watch the actual watershed. Sir John Ardagh is no doubt right in theory, and the crest of a mountain range does not ordinary form a good military frontier. In the present instance, however, we see no strategic advantage in going beyond mountains over which no hostile advance is ever likely to be attempted. Moreover, the alternative frontiers which Sir John Ardagh proposes practically coincide with the watersheds of other ranges. Our objection is mainly based on the opinion of officers who have visited this region. They unanimously represent the present mountain frontier as perhaps the most difficult and inaccessible country in the world. The country beyond is barren, rugged, and sparsely populated. An advance would interpose between ourselves and our outposts a belt of the most difficult and impracticable country, it would unduly extend and weaken our military position without, in our opinion, securing any corresponding advantage. No invader has ever approached India from this direction where nature has placed such formidable barriers.

We have the honour to be.

My Lord,

Your Lordship's most obedient, humble servants,

(Signed) ELGIN.

G. S. WHITE.

I. WESTLAND. M. D. CHALMERS.

F. H. H. COLLEN.

A. C. Trevor.

C. M. RIVAZ.

### 4. Sir C. MacDonald to the Tsung-li Yamen

MM. les Ministres.

Peking. 14th March 1899.

I have the honour, by direction of Her Majesty's Government. to address your Highness and your Excellencies on the subject of the boundary between the Indian State of Cashmere and the new dominion of Chinese Turkestan.

In the year 1891 the Indian Government had occasion to repress by force of arms certain rebellious conduct on the part of the Ruler of the State of Kanjut, a tributary of Cashmere. The Chinese Government then laid claim to the allegiance of Kanjut by virtue of a tribute of 11 ounces of gold dust paid by its Ruler each year to the Governor of the new dominion, who gave in return some pieces of silk.

It appears that the boundaries of the State of Kanjut with China have never been clearly defined. The Kanjutis claim an extensive tract of land in the Tagdumbash Pamir, extending as far north as Tashkurgan, and they also claim the district known as Raskam to the south of Sarikol. The rights of Kanjut over part of the Tagdumbash Pamir were admitted by the Taotai of Kashgar in a letter to the Mir of Hunza, dated February 1896, and last year the question of the Raskam district was the subject of negotiations between Kanjut and the officials of the new dominion, in which the latter admitted that some of the Raskam land should be given to the Kanjutis.

It is now proposed by the Indian Government that for the sake of avoiding any dispute or uncertainty in the future, a clear understanding should be come to with the Chinese Government as to the frontier between the two States. To obtain this clear understanding, it is necessary that China should relinquish her shadowy claim to suzerainty over the State of Kanjut. The Indian Government, on the other hand, will, on behalf of Kanjut, reliquish her claims to most of the Tagdumbash and Raskain districts.

It will not be necessary to mark out the frontier. The natural frontier is the crest of a range of mighty mountains, a great part of which is quite inaccessible. It will be sufficient if the two Governments will enter into an agreement to recognise the frontier as laid down by its clearly marked geographical features. The line proposed by the Indian Government is briefly as follows: It may be seen by reference to the map of the Russo-Chinese frontier brought by the late Minister, Hung Chun, from St. Petersburg, and in possession of the Yamên.

Commencing on the Little Pamir, from the peak at which the Anglo-Russian Boundary Commission of 1895 ended their work, it runs south-east, crossing the Karachikar stream at Mintaka Aghazi; thence proceeding in the same direction it joins at the Karchenai Pass the crest of the main ridge of the

Mustagh range. It follows this to the south, passing by the Kunjerab Pass, and continuing southwards to the peak just north of the Shimshal Pass. At this point the boundary leaves the crest and follows a spur running east approximately parallel to the road from the Shimshal to the Hunza post at Darwaza. The line turning south through the Darwaza post crosses the road from the Shimshal Pass at that point, and then ascends the nearest high spur, and regains the main crests which the boundary will again follow, passing the Mustagh, Gusherbrun, and Saltoro Passes by the Karakoram. From the Karakoram Pass the crests of the range run east for about half a degree (100 li), and then turn south to a little below the thirty-fifth parallel of north latitude. Rounding then what in our maps is shown as the source of the Karakash, the line of hills to be followed runs north-east to a point east of Kizil Gilga, and from there in a south-easterly direction follows the Lak Tsung Range until that meets the spur running south from the K'un-lun range, which has hitherto been shown on our maps as the eastern boundary of Ladakh. This is a little east of 80° east longitude.

Your Highness and your Excellencies will see by examining this line that a large tract of country to the north of the great dividing range shown in Hung Chun's map as outside the Chinese boundary will be recognised as Chinese territory.

I beg your Highness and your Excellencies to consider the matter, and to favour me with an early reply.

I avail, &c.,
(Signed) CLAUDE M. MACDONALD.

### 5. A.H. McMahon to H. Bower

From The Secretary to the Government of India in the Foreign Department,

To, Major-Ceneral H. Bower, C.B., Commanding the Abor Expeditionary Force

Dated Simla, the 25th September 1911.

SIR,

Its continuation of the instructions issued for your guidance by His Excellency the Commander-in-Chief, I am directed to forward, for your information, a copy of the marginally cited despatch\* outlining the policy which, subject to the approval of His Majesty's Government, the Government of India propose to follow on the north-east frontier, and to convey to you the following instructions regarding the political aspect of the punitive expedition against the Abors which will be under your command.

2. The Governor-General in Council is pleased to vest you with full political control during the progress of military operations, and Messrs. Bentinck and Dundas have been appointed as Assistant Political Officers to accompany the expedition, and as such will give you every possible assistance in political matters. Your authority and responsibility will, however, be complete.

You should address all communications on political questions to the Government of Eastern Bengal and Assam, repeating them to the Government of India in the Foreign Department and the Chief of the General Staff, noting in each case that this has been done.

- 3. The objects of the expedition are -
- (1) to exact severe punishment and reparation for the murder of Mr. Williamson, Dr. Gregorson, and their party in March last; and, by establishing our military superiority in the estimation of the tribe, to endeavour to compel the Minyongs to surrender the chief instigators and perpetrators of the massacre;
- (2) to visit as many of the Minyong villages as possible, and to make the tribe clearly understand that, in future, they will be under our control, which, subject to good behaviour on their part, will for the present be of a loose political nature;
- (3) to visit the Bor Abor or Padam village of Damroh, which the expedition of 1893-94 failed to reach. Provided that the Padam Abors behave themselves, the visit to their country will not be of a punitive nature. (They have already sent in word that they wish to be friends and have proposed to send in a deputation to Sadiya. Orders have been issued to Mr. Dundas, the Assistant Political Officer, Sadiya, to receive the deputation, if it is a representative one, and to inform the Padam Abors that there is no desire to attack them, povided that
- \* To His Majesty's Secretary of State for India, No. 105 (Secret-External), dated September 21, 1911.

(P.S.F. 1910/1918 p. 1)

they conduct themselves in a friendly manner, but that a friendly visit will be

paid to Damroh);

(4) if during the course of the expedition Chinese officials or troops are met, endeavour should be made to maintain amicable relations. If, however, such officials or troops be met within the territory of tribes on this side of recognised Tibetan-Chinese limits, they should be invited to withdraw into recognised Tibetan-Chinese limits, and, if necessary, should be compelled to do so:

(5) to explore and survey\* as much of the country as possible, visiting, if practicable, the Pemakoi falls and incidentally settling the question of the

identity of the Tsangpo and Brahmaputra rivers; and

(6) to submit proposals for a suitable frontier line between India and Tibet in general conformity with the line indicated in paragraph 6 of the despatch enclosed. No boundary must, however, be settled on the ground without the orders of Government except in cases where the recognised limits of the Tibetan-Chinese territory are found to conform approximately to the line indicated above, and to follow such prominent physical features as are essential for a satisfactory strategic and well-defined boundary line. A memorandum by the General Staff on the subject is enclosed for your guidance.

4. I am to add that instructions will be issued to the officer in charge of the Mishmi Mission, which will explore and survey the country to the east of the scene of your operations, to endeavour to get into touch with the expedition, and to connect his results with yours; and, in the event of the sanction of His Majesty's Government to the despatch of a mission to the Miri and Dafla country being received, similar instructions will be issued to the officer in

charge of that mission.

I have the honour to be,
SIR,
Your most obedient servant,
A. H. McMahon,
Secretary to the Government of India.

<sup>\*</sup>A survey party will be attached to the expedition consisting of -2 British officers, 2 Surveyors, 26 Khalasis, With reserve at base of -2 Surveyors. 10 Khalasis.

### 6. Confidential Note by Chief of General Staff

#### NOTE ON NORTH-EAST FRONTIER

1. Although the survey and exploration work of the past season has not been so fruitful in results as might have been hoped for, and much yet remains to be done before we shall be in a position accurately to define our frontier with China, much useful geographical and political information has been gained from which an indication can be given of the line the frontier should take.

Taking the area section by section as dealt with by the various Missions during the past season, i.e., Miri, Abor, Mishmi and Hkamti Sections, the politico-geographical information will be summarised, a rough definition made of the proposed frontier line, recommendations put forward for the completion of the work, and past errors discussed with a view to profiting in future by the experience gained.

A rough sketch map of the whole area, the latest survey sheets of the Abor and Mishmi work are attached.

2. The Miri Section. The Mission did not penetrate far enough to examine or survey a suitable frontier line and the information gathered is not complete nor definite, but the survey parties were able to fix a few peaks by triangulation and these, together with points previously fixed, and evidence obtained through the tribesmen and from observation and deduction, lead to fairly positive conclusions regarding the existence of a continuous range of snowy mountains which would serve as a suitable frontier line in this section.

Starting from the east this range may be described thus:

From about Long. 94°, Lat. 28° 25' to Long. 93°, Lat. 28° 20', a high range varying in height from 13,000 to 16,000 feet was seen, and peaks in it fixed. It appeared to be without a break and to form a well-defined barrier. Immediately west of Long. 93°, there appeared to be a knot of high peaks from which a lofty range, in which peaks had been previously fixed, ran in a south-westerly direction towards Tawang. This range was also apparently without a break, the two thus forming a continuous mountain barrier.

Regarding the rivers draining this area, all evidence tends to show that the Subansiri and Kamla both rise south and east of the range and do not pierce it, while the evidence to the same effect is almost equally strong in the case of the Khru river. The Nia chu is said to flow north of the range into the Tsang po.

In the Miri country only two passes appear to cross the range; one towards the eastern end at the head of a tributary of the Subansiri, from all accounts not difficult and much used by the Miris to cross into Tibet for salt: the other leads from the Khru valley into Tibet, is high, difficult and little frequented. The

(Annexure F. P.S.F. 1910/1918/Pt 2 Register 3057a)

small amount of trade carried on between the western Miris and Tibet appears to cross by a pass in Daphla country.

The first named pass is the most important connection with Tibet throughout this section, it affords the easiest and most direct line by which any effort could be made from Tibet to influence the Miris.

The Northern Mitis are in no way under Tibetan influence.

The mountain barrier above-mentioned would therefore appear to be a suitable frontier line but more definite information is necessary, especially as regards the Khru river, and it is important that the pass from the Subansiri in the eastern part of the section should be reconnoitred.

The direction of the frontier line about Tawang requires careful consideration. The present boundary (demarcated) is south of Tawang, running westwards along the foothills from near Odalguri to the southern Bhutan border, and thus a dangerous wedge of territory is thrust in between the Miri country and Bhutan. A comparatively easy and much used trade route traverses this wedge from north to south by which the Chinese would be able to exert influence of pressure on Bhutan, while we have no approach to this salient from a flank, as we have in the case of the Chumbi salient. A rectification of the boundary here is therefore imperative, and an ideal line would appear to be one from the knot of mountains near Long. 93°, Lat. 28° 20' to the Bhutan border north of Chona Dzong in a direct east and west line with the northern frontier of Bhutan. There appears to be a convenient watershed for it to follow.

Future exploration. The conflict with the Miris at Tali is reported to have had a great effect throughout the whole country of the Miris and neighbouring tribes. Reports of their losses, greatly exaggerated, spread rapidly over the country, causing a great impression. There is little sympathy with the Tali people over the punishment they have received, and there is a general appreciation of the fact that those who receive us well have little to fear from us. The probability is that future expeditions will have a friendly reception, and the chances of opposition have decreased instead of increased.

Recommendations. It is very desirable to obtain exact information of the pass north of Mara, and the extent of communication carried out across it, to discover whether the range observed is the main range, and to put beyond question of doubt the courses of the rivers Subansiri, Kamla, Khru and Nia chu. The months in which the best weather is enjoyed are November and December, and allowing for the best transport and supply services, and a start being made from the base at the earliest possible date after the monsoon, it is improbable that exploration and survey work could be commenced on the higher hills till about the beginning of December in the case of the Subansiri, and the middle of December in the case of the Kamla.

There is reason to believe, however, that a considerable stretch of the Subansiri river is navigable above the Subansiri-Sidan confluence, and if this is so the difficulties of supply on this line will be considerably lessened.

It is recommended that an exploring party and two survey parties with escort should proceed to Mara in the Subansiri valley, whence small parties should be sent up to the pass north of Mara, and up the main valley of the Subansiri. That a similar party be sent through the Daphla country to the upper waters of the Khru river.

To give the parties a good chance of success, early arrangements should be made in the hot weather and supplies collected at the bases (the furthest points accessible by water) by 15th October. To ensure this, arrangements should be commenced in August at the latest.

The difficulties of reaching the northern ranges by the Kamla and Subansiri routes at a season when snowfall has not rendered high altitudes inaccessible. suggests the possibility of using a route which would give access to points whence all doubts could easily be cleared up. Should political considerations admit of a party moving north by the Tawang route, this line appears to offer a solution of the difficulty. Leading, as it does, at once into high country, where the summer rainfall is light, operations might be undertaken in the hot weather. By a move eastwards from about the Se la, north of Chona Dzong, the courses of the rivers, and the existence, or otherwise, of a line of mountains north of Lat. 28° 20' affording a better frontier line, would be ascertained.

3. The Abor Section. At about Long. 95° 10', Lat. 29° 35', near the Tibetan district of Pemakoi a very high peak, altitude 25,700 has been fixed - we may call this 'Pemakoi Peak'. From this peak a lofty snowy range runs in a southwesterly direction and, from, evidence obtained locally and the conclusions of survey officers, it is said to be highly improbable that any river breaks through this range, i.e., west of Pemakoi peak. It is therefore probable that this range joins that mentioned in the Miri Section and is the main range of the Himalavahs. The range continues to the east of the Dihang, but its direction and peaks in it have not been observed. At the eastern base of Pemakoi peak the Dihang breaks through by a deep gorge with many windings.

North of the Yamne river a minor snowy range lies east and west at about Lat. 28° 45', and this is joined to the main range to the north by a low lying range on the east bank of the Dihang. The Yamne river rises south of the minor snow range, and only small tributaries of the Dihang rise on the west of the latter, lowlying range. No rivers pierce either range.

Abors state that north of Pemakoi a large rapid river runs into the Tsang po from the north-east. This river they call the Yigrung, and say that it flows out of the Po country, and that it was this river that caused the great flood in the Dihang in 1899, and bodies of Pobas were washed down by it. The Nagong chu has also been called the Nyagrong chu,\* a name sufficiently like Yigrung to support the idea that this river does not drain into the Dibang, but becomes the Yigrung and drains into the Tsang po.

East of Jido, the northernmost Abor village on the left bank of the Dihang, Abors state is a hill, whence they can see part of the distance up the gorge of the Dihang, and can also see to the east a large river flowing eastwards, but they have no knowledge of the eventual course the latter takes. The river must either join the Nagong chu and become the Yigrung, or, be one of the head waters of the Dibang river system, or, flow into the Rong Thod chu. The last is the most unlikely course, as it would be difficult then to account for the Dibang river having a larger discharge than the Lohit with a much lesser drainage area.

We can therefore come to the conclusion that there exists either:

<sup>\*</sup> Tibetan Route Book.

(1) a continuous mountain range running east to south-east from the gorge of the Dihang, joining the Mishmi hills which form the watershed between the Rong Thod chu and the Delei, with the unknown river tising east of Jido flowing into the Dibang;

(2) or, a continuous range from the gorge of the Dihang, formed by the low lying range east of Jido joining the minor snow range north of the Yanne, and continuing on to join the Mishmi hills which form the watershed between the Rong Thod chu and the Delei, with the unknown river east of Jido flowing

into the Yigrung and thence into the Tsang po.

It would appear that (1) is the more likely conclusion and that we shall probably find the mountain barrier suitable for our frontier along such a line.

Ethnological evidence also supports the choice. The Tibetans and Abors both recognise the Pemakoi range as the boundary, while Abors state that to the north-east of their country is a region of uninhabited, inhospitable mountains.

North of the Pemakoi range the people are called Menba, and in the snows to the north-west of Abor country are said to dwell a cannibal race called Miniat (the Galongs call them Nyimek). The people are Abors as far as Jido on the left bank of the Dihang, and pure Abors extend nearly as far on the right bank, the last three villages below the gorge being mixed Abor and Menba, who act as trade intermediaries between Tibet and Aborland.

As regards passes. There is no route up the Dihang left bank from Jido, the river must be crossed to the right bank, when the route into Tibet crosses the Doshung la. There is said to be a pass at the head of the Sigon and also at the head of the Siyom river. Kinthup visited a pass on the left bank of the Dihang which he called the Zik la; this is probably at the head of the Sik river shown on the map and leads to the source of the unknown river flowing east. No pass leads northwards from the Yanne river region

The best route to reach the northernmost limits of Abor Territory and Tibet is viâ Rotung, across the Dihang to Pongging, thence a short distance up the Yamne, across the Yamne-Dihang watershed to Geku, thence viâ Simong and the left bank of the Dihang to Jido. This route, from Pongging onwards, passes through the territory of the Panggi and Simong-Panggi Abors, sections most friendly to us. These sections are cut off from access to the plains of Assam by the Minyongs and Padams on either side, inimical to them; they are very desirous of opening trade relations with India, and welcomed the idea of a post at Rotung and a road through their country accordingly; moreover they are the sections of the Abors who have intercourse with Tibet, the Minyongs and Padams have none. The withdrawal from Rotung is therefore most unfortunate; posts at that place and at Geku would keep open the road to the north and afford an avenue by which information regarding Chinese activities in eastern Tibet could reach us.

Recommendations. Both Simong and Riga have made promises to conduct exploring parties next cold weather into the northern limits of the country.

Mr. Bentinck believes that small parties could now proceed through most parts of the country.

A small exploring and survey party, capable of living on the country, should be sent vid Pongging and Simong to Jido to visit the Doshung la.

A similar party, which might be accompanied by a police patrol as far as Dosing if necessary, should proceed via Riga to explore the sources of the Siyom and Sigon rivers. The Boris, at the head of the Siyom, are friendly.

4. The Mishini Section. The work of the mission has revealed little to solve the riddle of the Dibang. The Dri tributary of this river has been fixed as rising in the southern slopes of a high range to the north in about Long. 95° 52' Lat. 29° 5'. The source of the main river, which flows from the east remains undiscovered; one branch of it probably rises north-west of the Glei Dakbru Pass; the river flowing due cast from near Jido may take a southerly turn and supply the main

In the Lohit valley the work of the mission has thrown into prominence certain facts which bear closely upon the choice of a frontier line.

As regards Passes -

On the left bank: (1) A comparatively easy route from the Lohit valley runs up the Sa alti valley by an easy gradient, and crosses the Taluk la into Hkainti Long. It is considerably used by Tibetan traders.

- (2) From this route another branches off southwards and leads into the Ghalum valley.
- (3) A route leads up the Ghalum valley and crosses the Krong Jong pass into Hkamti Long.

On the right bank: (4) A route leads up the Torchu valley over the Dou Dakhru pass and down again to the Lohit by the Dou valley.

- (5) A route leads up the Delei valley and, crossing the Glei Dakhru pass, leads to Dri in the Rong Thod chu valley a short distance above Rima. It traverses a thickly populated area, enjoys considerable traffic, and affords, next to the Lohit valley, the best access from Tibet into Mishini country. It was by this route that the Chinese entered in 1911 and issued passports to the Taroan Mishmis of the Delei valley.
  - (6) Further west is a less used pass, the Hadigra, connecting the same regions.
- (7) Three routes lead from the Delei valley, across passes into the Bebejiya

Political and Strategical. The Lohit valley is exceedingly sensitive to interterence by any of the above-mentioned routes.

The Chinese are reported to be increasing their garrison and building more barracks at Rima.

The Taroan and Miju Mishmis trade freely between Assam and Tibet, acting the part of middlemen. The Chinese made a determined effort in 1911 to bring the Taroans of the Delei and Dou valleys under their sway, informing the headmen there that they were to look to China for protection, in earnest of which yassports were distributed, and in the wording of these passports occurs the expression 'has tendered submission.' Furthermore, they demanded that the Taroans should plant the dragon flag at the confluence of the Delei and Lohit rivers. This is eloquent testimony to Clunese ambitions.

The Tibetans of Zayul are desirous of exchanging the Chinese for the British yoke. This fact is known to the Chinese and renders them suspicious of our intentions. The attitude of the Mishmis, on the other hand, is tinctured with caution, and is non-committal, those of them who have migrated to Zayul have been well treated by the Chinese, provided with land, and their taxes remitted. They have seen our columns winding laboriously over their rugged paths at the rate of 5 or 6 miles a day, and realise that some time must elapse before an appeal for assistance could be answered. Their period of greatest danger from the Chinese is when the passes are open in May, June and July, and this is precisely the season when we are least able to help them, a roadless tract and unbridged torrents separate us from them.

The Glei Dakhru pass can be reached from Rima in 5 days, and it is 20 marches from Sadiva.

One of the first necessities therefore is the construction of a graded and bridged road up the valley of the Lohit which will be open throughout the year. Frontier Posts. It is necessary to establish posts in the Mishini country for the following reasons.

- (1) The Mishmi mountains impose a screen behind which the progress of the policy and movements of the Chinese near our vulnerable north-east salient cannot be observed from within our administrative border, and it is imperative that we should be in a position to watch this progress. Native information, necessarily unreliable, would often arrive too late to be of value.
- (2) A wrong construction will be placed, both by the Mishmis and the Chinese, upon our failure to establish posts after the withdrawal of the Mission. The fact that the mission started on its return journey just at a time when a considerable concentration of Chinese troops was taking place at Rima, will be given undue significance, and the Chinese are skilful in turning such matters to
- (3) The Taroans of the Delei valley, who were induced to surrender their Chinese passports to us, will find themselves in a false position if the Chinese demand an explanation, were we not in a position to support them.
- (4) The difficulty of future negotiations with China will be much enhanced by an apparent renunciation of territory by us, and our failure to set up boundary marks or occupy any position will be construed to mean that we are not justified in regarding the country as under our control, and acquiesce in the Chinese demarcation.
- (5) Mishmis of all clans are anxious to obtain firearms. They have been informed that they cannot expect them from India. The establishment of posts in their country will minimise the danger of their obtaining them from the Chinese.
- (6) Advantage should be taken of the present friendly attitude and primitive armament of the Mishmis to consolidate our position.

Sites for Frontier Posts. Menilkrai, the spot where the Chinese planted their dragon flags to mark their southernmost limits in the Lohit valley, affords no indication of a line of frontier and has been chosen by them with the evident intention of denying to us the only suitable site in the valley for a frontier post -Walong\* - an ideal site, in an elevated situation, commanding the valley to the north on either bank, lending itself to the construction of defensible post and offering little difficulty in the matter of watter-supply, as three streams flow through the elevated plateau on which it stands.

<sup>\*</sup> See map showing ground in the vicinity of Walong.

Frontier Line. It is imperative to deny to the Chinese access to the routes up the Sa alti into Hkamti Long and up the Torchu valley into the Dou valley; the frontier line should therefore cross the Lohit valley at some point north of where these two routes leave the valley and from which it would rise by convenient spurs to the mountain chains on either side, and it should also include the Glei Dakhru pass on our side. The point of crossing should therefore be a few miles north of Walong.

Walong was a Mishmi settlement at about the middle of last century and is now a spot where Tibetan herdsmen maintain cattle for Mishmi owners. Three Tibetan hamlets on the left bank of the Lohit, Kahao, Dong and Tinai, of one or two houses each, would then have to be included on our side of the border and their section would have to be arranged for. The two last mentioned are recent settlements, and have existed on sufference. The inhabitants, of all three, who in the aggregate do not exceed 50 persons, are employed by the Mijus to assist in keeping and pasturing their cattle.

Recommendations. (1) A matter of the first importance is the construction of a road up the Lohit valley as far as Walong. This should be a cart road in the plans section (constructed by the Public Works Department) and in the hill section a good bridle path, with permenent bridges above flood level over the Tidding, Delci and Dou rivers.

For this work the employment of 2 Companies, Sappers and Miners and 2 double Companies Pioneers is recommended, the whole under an Engineer Major of experience in such work. The question of the economical strength of the party resolves itself into one of supply and transport. The above party is the minmum that could hope to complete the work in one season, and the maximum for which supplies, together with the bridging material, etc., could be forwarded. Half the strength of the above party, with a road survey party should advance from Sadiva on 15th September to commence preliminary work from the terminus of the Public Works Department cart track, in order to facilitate supply matters. The remainder of the party should leave Sadiya on 1st November, and at once commence work on the bridges.

An early decision on this point is necessary in order that the officer in charge may be appointed at once, that the details of the scheme may be worked out and the arrangements for supplies and materials made betimes. For a proper economy of time and money all supplies and materials should be delivered at rail head by 15th August:

- (2) The construction of Military Police Posts at Walong, Minzang and near the mouth of the Delei river.
- (3) Later on, tracks up the Delei river to the Glei Dakhru pass, and up the Ghalum river to the Krong Jong pass should be improved, and a bridge thrown across the Lohit river near Minzang.
- (4) An exploring party, accompanied by a survey party, should proceed up the Delei valley to the top of the Glei Dakhru pass. Last season the Mission only penetrated as far as Tajobum in this valley, and the position of the Glei Dakhru pass does not appear to have been correctly fixed, according to tribal evidence It is necessary to determine the configuration of the watershed proposed as a frontier line in this region.

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(5) An exploring and survey party should proceed up the Dibang valley to determine the course of the main river and configuration of the mountain ranges.

5. The Hkamti Long Section. Very little of the information gathered by the recent Mission to Hkamti is yet to hand, but Captain Pritchard, on his return from his journey of exploration, has been able to supply a great deal of essential matter. The results of the survey work received to date are shown approximately on the accompanying sketch map.

Captain Pritchard has furnished the following information:

Geographical. There are four known passes over the Salween-Irrawaddy watershed from Sachangbum to Lat. 27° 25'.

There is no natural feature up to this Latitude, other than this watershed, which would make a satisfactory frontier line.

The upper reaches of the Tamai, the Taziwang and Taron remain unknown, as do the passes over the snow clad ranges separating them, but Captain Bailey crossed one or two of these rivers in their northernmost reaches, if not indeed at their actual sources.

Political. Excepting the incursion of Chinese and tribesmen from Tenkeng in 1911, there is not a trace of Chinese influence up the valley of the N'mai, and north of the Mekh confluence Chinese are almost unheard of. It is significant that while a few Chinese petty traders are said to come annually down the valley of the Laking, they never cross by the existing passes north of Sachangbum, nor do they use the Mekh valley route, the reason being that by the Laking route Lisus are not met with, whereas these passes, as well as the Mekh valley route lead through Lisu country. This emphasises the importance of the Hpimaw-Laking-N'mai-Hkamti route from the Chinese point of view, enabling them, as it would, to avoid Lisu country.

The Chinese are said to be subduing the Lisus on the Salween, and their main object in so doing must be presumed to be the extension of their influence further west.

We should take steps to prevent their activity furnishing us with another Hpimaw incident further north.

Up to Lat. 27° 25′, the people of the N'mai valley are Marus; the Naingvaws, hitherto miscalled black Marus, are merely an isolated clan of the Maru tribe; their southern boundary is the Laking valley. North of this Latitude the people are known as Nungs or Khanungs identical in reality with the Naingvaws, but there is now no communication between them. North of the Khanungs again are the Kinungs, who are probably the Lutze described by Prince Henri d'Orleans. The Naingvaws of some of the N'mai villages paytribute in kind toi Lisus residing both east and west of the Salween, and they suffer greatly from their depredations. Several influential Naingvaws openly asked that we should definitely take over their country, but the majority were afraid to express this sentiment, though they shared it, fearing the subsequent vengeance of the Lisus.

These Lisus have been attracted from their original abode in the valley of the Salween by the gold found at the Mekh-N'mai confluence and further up the N'mai as well, and many of their villages are to be found up the valley of the

Akhyang and on the left bank of the N'mai above the confluence of these two rivers. Some of this gold is exported to China through the Lisu country by the valley of the Akhyang, while some of it goes to that country by the Laking-Hpimaw route. (It is worthy of note that the Lisus dig for gold and do not merely wash for it.)

Except for the almost ridiculous tribute of monkey skins and bees-wax, said to be gathered by the headman of Ze-chi (on the Mekong) among the Khanungs and Kinungs in the valley of the Taron, or similar tribute paid by these tribes to Tibetans further north, the Chinese cannot be said to have any influence, direct or indirect, in the valleys of those rivers which go to form the N'mai. This is probably the case almost up to the Latitude where Captain Bailey crossed the upper waters of these tributaries.

Frontier Line. There are therefore political, ethnological and geographical grounds to support our claim for a frontier line running from some point north of the Taluk la, along the Zayul chu-Irrawaddy watershed, to the junction of this range with the Salween-Irrawaddy watershed in the vicinity of Menkong, and thence in a southerly direction down this watershed, and so branching off

along the offshoot from the main range to Pangseng chet.

On further exploration of the extreme apex of the north-east salient and the main tributaries of the N'mai, strategical and geographical considerations may come to light which may render it expedient to align our frontier along one of the inner-lying ranges separating these tributaries. Should this be the case we hold in our hands a handle for negotiation if we claim, as we should in the first instance, the main watersheds described above.

Recommendations. (1) The despatch of a couple of officers, accompanied by a surveyor, is recommended to explore the routes leading from the Lohit into Hkainti Long, and thence to carry out the exploration of the upper reaches of the Nam Tamai, Taziwang and Taron rivers, more particularly to report on any routes leading from China into this territory south of the line traversed by Captain Bailey in 1911, and on routes over the snow clad ranges separating the above rivers. This officer to be also accompanied, if possible, by Maung Chit su, the Burman Myok, who was with Mr. Bernard.

Appointment orders could be issued by these officers to all villages to which Chinese or Tibetan influence has not yet extended. This might be done by

pushing Hkamti influence beyond its present limits.

(2) That the Civil Officer at Laukhaung should tour up the N'mai valley at least as far as the Akhyang confluence with a sufficient escort to permit of the detachment of an officer to visit the Lisus of the Akhyang, and another to visit the Lisus on the left bank of the N'mai south of latitude 27° 40', with the object of issuing appointment orders to these Lisus, and warning them that they are under British protection and are not to enter into any relations with the Chinese.

A Public Works Department Officer might accompany to prospect on an alignment for a mule road.

The gold, reported at the N'mai-Mekh confluence, the silver mine said to be at Ritjaw, and the mineral wealth of Hkamti (Shan-'gold land'), might repay the despatch of an officer of the Geological Department to these regions.

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(3) The despatch of two survey parties, to survey the country west of the Salween-Irrawaddy watershed, including the range itself, to complete the work eastwards of the surveyor who accompanied Captain Pritchard.

It is important that the Mekh and Akhyang rivers should be traced to their sources.

(4) The time appears to be propitious, owing to the success of the Hkamti Mission, for the despatch of a friendly mission into the Hukawng valley from Burma, to further British influence there and gather information regarding routes from that valley into Hkamti Long.

No recommendations as to situations for frontier posts can be made until fuller information is available, but the valley of the N'mai at about Lat. 27° 40' or that vicinity, appears to be indicated for the location of a post whence the activities of the Chinese towards the North-East salient could be watched.

6. The proposed Frontier line. Subject to alteration which may be necessitated as our knowledge increases, the proposed frontier can be described as a line following the watersheds of:

The Subansiri river, with its tributaries the Kamla and the Khru,

the Dihang as far as the gorge in about Long. 95° 10' Lat. 29° 40' and all its tributaries south of that point,

the Dibang and all its tributaries,

the Lohit and all its tributaries south of about Lat. 28° 20',

thence along the Zayulchu-Irrawaddy watershed to its junction with the Salween-Irrawaddy watershed, which latter it will follow southwards to about Lat. 25° 50', from which point it will follow the Nam Ti and Taping-N'maihka watershed to Pang-seng-chet.

This line is shown by a red chain-dotted line on the accompanying sketch map, and corresponds very closely with the line proposed in paragraph 6 of Government of India letter No. 105 of 1911.

7. Weak points in the past season's work. It was in the operations of the Miri Mission chiefly that weaknesses in the preliminary arrangements militated against the successful accomplishment of the task allotted, entailing extra expenditure in the endeavour to remedy them at a later stage, and it was in the supply and transport work that the main errors occurred. The following are some of the points brought to light:

The coolies were in many cases of unsuitable classes, unfitted for the work and insufficient in number.

An estimate of the transport required in a difficult and unknown country can only be made out by an experienced officer who is put in possession of all existing information and the objectives of the expedition. It would be advisable to utilise the services of a skilled Supply and Transport or other military officer.

To ensure proper control over supply depots and along a line of communications and to prevent waste of supplies and of transporting power, a small staff of Non-Commissioned Officers from the Indian Army (preferably Gurkhas on this frontier) should be employed with one or more officers to command, and an organisation similar to a coolie corps on a military expedition adopted.

In order that Supplies may be sent forward in the correct proportions, a British Supply Subordinate should be placed in control of supplies at the base.

The collection of supplies should be commenced at a very early date so that the expedition may start directly weather conditions are favourable.

The Officer Commanding the escort should have command of the whole Supply and Transport Staff and control of these arrangements. This officer is responsible for the safety of the expedition and that safety is intimately bound up with the Supply and Transport question and the organisation of the line of communication.

A Medical Officer should accompany an expedition of any size where opposition is a possibility.

8. Throughout this note the assumption is made that the pertinacity of the Chinese will not long permit of their acquiescence in the present state of affairs in Tibet. Although their activity on our frontier may have received a temporary check on account of the Revolution, history proves that succeeding a Revolution, as a rule, a period of national vigour and expansion follows. A renewal of activity may therefore be expected. Moreover the Republican Government has revealed its intention of making the new China a Military Power, and we have received news that the Chinese are already sending parties to align the frontier with the Republican flag on the borders of Assam.

There is therefore no time to be lost in declaring to the Chinese in unmistakeable terms the line the frontier is to follow, in making our occupation of that line effective in so far as placing ourselves in positions whence we can watch developments and prevent further encroachments is concerned, and in improving communications on our side. By reason of the effect produced by the expeditions of last season - although the effect may have been discounted to some extent, in the case of the Abors, by the withdrawal from Rotung -, the present time is a propitious one to carry on and complete the work of survey and exploration throughout these regions. It is therefore worth while to make the effort now; if we delay, the necessity for so doing may, later on, be forced on us at a greater expenditure of force and money.

9. It is obviously dangerous to attempt to delimit a frontier on incomplete geographical knowledge, and the time for demarcation may come before many years are past. When that time comes we should endeavour to avoid the heavy pecuniary loss which has occurred in past demarcations in other parts of the world owing to inexact geographical expression in the definition of the frontier, and consequent delay and constant reference of points of dispute, by being ready with such complete geographical information that vague definition will not occur and that technical accuracy of expression will be assured.

10. To sum up, the recommendations for next season's work are:

In the Miri Section. (1) An exploring and Survey party with escort to proceed to Mara in the Subansiri valley and explore the pass and upper waters of the valley.

(2) A similar party through the Daphla country to the upper waters of the Khru river.

In the Abor Section. (3) Exploring and Survey parties to the Doshung la and to the head waters of the Siyom and Sigon rivers.

In the Mishmi Section. (4) The employment of 2 Sapper Companies and 2 double companies of Pioneers in the construction of a bridged bridle track up the Lohit valley to Walong.

- (5) The construction of Military Police Posts at Walong, Minzang and near the mouth of the Delei river.
- (6) The exploration and survey of the Delei valley to the top of the Glei Dakhru pass.

(7) The exploration and survey of the upper waters of the Dibang.

The Hkamti Long Section. (8) The despatch of a couple of officers with a surveyor to explore the passes from the Lohit into Hkamti Long and the upper waters of the northern tributaries of the N'mai hka, i.e., the Nam Tamai, Taziwang and Taron.

- (9) Tour by the Civil Officer, Laukhaung up the N'mai valley to visit the Lisus in that valley and tributary valleys.
- (10) The despatch of Survey parties to complete the survey east of the N'mai and west of the Salween-Irrawaddy watershed.
- (11) The despatch of a friendly Mission into the Hukawng valley. Dated 1st June 1912.

# 7. Extract from Memorandum communicated to Wai-chiao Pu by Sir I. Jordan, 17 August 1912

His Majesty's Government consider it to be in the interest of harmonious relations that they should now state clearly their policy in regard to Thibet. His Majesty's Minister had the honour to inform his Excellency Yuan Shih-kai that a communication in this respect would shortly be submitted to the Chinese Government, and he now begs, under instructions from Sir Edward Grey, to make following definite statement of that policy:

- 1. His Majesty's Government, while they have formally recognised the 'suzerain rights' of China in Thibet, have never recognised, and are not prepared to recognise, the right of China to intervene actively in the internal administration of Thibet, which should remain, as contemplated by the treaties, in the hands of the Thibetan authorities, subject to the right of Great Britain and China, under Article 1 of the Convention of the 27th April 1906, to take such steps as may be necessary to secure the due fulfilment of treaty stipulations.
- 2. On these grounds His Majesty's Government must demuraltogether to the conduct of the Chinese officers in Thibet during the last two years in assuming all administrative power in the country, and to the doctrine propounded in Yuan Shih-kai's presidential order of the 21st April 1912, that Thibet is to be 'regarded as on an equal footing with the provinces of China proper,' and that 'all administrative matters' connected with that country 'will come within the sphere of internal administration.'

His Majesty's Government formally decline to accept such a definition of the political status of Thibet, and they must warn the Chinese Republic against any repetition by Chinese officers of the conduct to which exception has been taken.

- 3. While the right of China to station a representative, with a suitable escort, at Lhassa, with authority to advise the Thibetans as to their foreign relations, is not disputed, His Majesty's Government are not prepared to acquiesce in the maintenance of an unlimited number of Chinese troops either at Lhassa or in Tibet generally.
- 4. His Majesty's Government must press for the conclusion of a written agreement on the foregoing lines as a condition precedent to extending their recognition to the Chinese Republic.
- 5. In the meantime all communication with Thibet via India must be regarded as absolutely closed to the Chinese, and will only be reopened on such conditions as His Majesty's Government may see fit to impose when an agreement has been concluded on the lines indicated above.

(F.O. 535/15. No. 193 and P.E.F. 1912/69 No. 3460/12)

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This does not apply to the withdrawal of the present Chinese garrison at Lhassa, who, as Yuan Shih-kai has already been informed, are at liberty to return to China viâ India if they wish to do so.

Sir John Jordan has the honour to request the Wai-chiao Pu to favour him with a reply to this Memorandum.

# 8. India-Tibet Frontier (1914). Exchange of Notes between the British and Tibetan Plenipotentiaries

To

Lönchen Shatra.

Tibetan Plenipotentiary.

In February last you accepted the India-Tibet frontier from the Isu Razi Pass to the Bhutan frontier, as given in the map (two sheets)\*, of which two copies are herewith attached, subject to the confirmation of your Government and the following conditions:

- (a) The Tibetan ownership in private estates on the British side of the frontier will not be disturbed.
- (b) If the sacred places of Tso Karpo and Tsari Sarpa fall within a day's march of the British side of the frontier, they will be included in Tibetan territory and the frontier modified accordingly.

I understand that your Government have now agreed to this frontier subject to the above two conditions. I shall be glad to learn definitely from you that this is the case.

You wished to know whether certain dues now collected by the Tibetan Government at Tsöna Jong and in Kongbu and Kham from the Monpas and Lopas for articles sold may still be collected. Mr. Bell has informed you that such details will be settled in a friendly spirit, when you have furnished to him the further information, which you have promised.

The final settlement of this India-Tibet frontier will help to prevent causes of future dispute and thus cannot fail to be of great advantage to both Governments.

DELHI. 24th March 1014

A. H. McMahon. British Plenipotentiary.

\* This map (eight miles to the inch) was first published in 'An Altas of the Northern Frontier of India', by the Ministry of External Affairs, New Delhi, 1960.

(Simla Conference Report F.O. 371/1931)

# 9. Note of Ackowledgment from Lonchen Shatra, Tibetan Representative, to McMahon (Translation)

To

Sir Henry McMahon,

British Plenipotentiary to the China-Tibet Conference.

As it was feared that there might be friction in future unless the boundary between India and Tibet is clearly defined, I submitted the map, which you sent to me in February last, to the Tibetan Government at Lhasa for orders. I have now received orders from Lhasa, and I accordingly agree to the boundary as marked in red in the two copies of the maps signed by you subject to the conditions, mentioned in your letter, dated the 24th March, sent to me through Mr. Bell. I have signed and sealed the two copies of the maps. I have kept one copy here and return herewith the other.

Sent on the 29th day of the 1st Month of the Wood-Tiger year (25th March 1914) by Lonchen Shatra, the Tibetan Plenipotentiary.

[Seal of Lonchen Shatra].

## 10. Convention between Great Britain, China and Tibet (1914)

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, His Excellency the President of the Republic of China, and His Holiness the Dalai Lama of Tibet, being sincerely desirous to settle by mutual agreement various questions concerning the interests of their several States on the Continent of Asia, and further to regulate the relations of their several Governments, have resolved to conclude a Convention on this subject and have nominated for this purpose their respective Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Arthur Henry McMahon, Knight Grand Cross of the Royal Victorian Order, Knight Commander of the Most Eminent Order of the Indian Empire, Companion of the Most Exalted Order of the Star of India, Secretary to the Government of India, Foreign and Political Department;

His Excellency the President of the Republic of China, Monsieur Ivan Chen, Officer of the Order of the Chia HO;

His Holiness the Dalai Lama of Tibet, Lonchen Ga-den Shatra Pal-jor Dorje; who having communicated to each other their respective full powers and finding them to be in good and due form have agreed upon and concluded the following Convention in eleven Articles:

### ARTICLE I

The Conventions specified in the Schedule to the Present Convention shall, except in so far as they may have been modified by, or may be inconsistent with or repugnant to, any of the provisions of the present Convention, continue to be binding upon the High Contracting Parties.

### ARTICLE 2

The Governments of Great Britain and China recognising that Tibet is under the suzerainty of China, and recognising also the autonomy of Outer Tibet, engage to respect the territorial integrity of the country, and to abstain from interference in the administration of Outer Tibet (including the selection and installation of the Dalai Lama), which shall remain in the hands of the Tibetan Government at Lhasa.

The Government of China engages not to convert Tibet into a Chinese province. The Government of Great Britain engages not to annex Tibet or any portion of it.

### ARTICLE 3

Recognising the special interest of Great Britain, in virtue of the geographical position of Tibet, in the existence of an effective Tibetan Government, and in the maintenance of peace and order in the neighbourhood of the frontiers of

(F.O. 371/1931)

India and adjoining States, the Government of China engages, except as provided in Article 4 of this Convention, not to send troops into Outer Tibet, nor to station civil or military officers, nor to establish Chinese colonies in the country. Should any such troops or officials remain in Outer Tibet at the date of the signature of this Convention, they shall be withdrawn within a period not exceeding three months.

The Government of Great Britain engages not to station military or civil officers in Tibet (except as provided in the Convention of September 7, 1904, between Great Britain and Tibet) nor troops (except the Agents' escorts), nor to establish colonies in that country.

### ARTICLE 4

The foregoing Article shall not be held to preclude the continuance of the arrangement by which, in the past, a Chinese high official with suitable escort has been maintained at Lhasa, but it is hereby provided that the said escort shall in no circumstances exceed 300 men.

### ARTICLE 5

The Governments of China and Tibet engage that they will not enter into any negotiations of agreements regarding Tibet with one another, or with any other Power, excepting such negotiations and agreements between Great Britain and Tibet as are provided for by the Convention of September 7, 1904, between Great Britain and Tibet and the Convention of April 27, 1906, between Great Britain and China.

#### ARTICLE 6

Article 3 of the Convention of April 27, 1906, between Great Britain and China is hereby cancelled, and it is understood that in Article g(d) of the Convention of September 7, 1904, between Great Britain and Tibet the term 'Foreign Power' does not include China.

Not less favourable treatment shall be accorded to British commerce than to the commerce of China or the most favoured nation.

### ARTICLE 7

(a) The Tibet Trade Regulations of 1893 and 1908 are hereby cancelled.

(b) The Tibetan Government engages to negotiate with the British Government new Trade Regulations for Outer Tibet to give effect to Articles 2, 4 and 5 of the Convention of September 7, 1904, between Great Britain and Tibet without delay; provided always that such Regulations shall in no way modify the present Convention except with the consent of the Chinese Government.

#### ARTICLE 8

The British Agent who resides at Gyantse may visit Lhasa with his escort whenever it is necessary to consult with the Tibetan Government regarding matters arising out of the Convention of September 7, 1904, between Great Britain and Tibet, which it has been found impossible to settle at Gyantse by correspondence or otherwise.

#### ARTICLE 9

For the purpose of the present Convention the borders of Tibet, and the

boundary between Outer and Inner Tibet, shall be as shown in red and blue

respectively on the map attached hereto.

Nothing in the present Convention shall be held to prejudice the existing rights of the Tibetan Government in Inner Tibet, which include the power to select and appoint the high priests of monasteries and to retain full control in all matters affecting religious institutions.

#### ARTICLE 10

The English, Chinese and Tibetan texts of the present Convention have been carefully examined and found to correspond, but in the event of there beng any difference of meaning between them the English text shall be authoritative.

### ARTICLE II

The present Convention will take effect from the date of signature.

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, three copies in English, three in Chinese and three in Tibetan.

Done at Simla this third day of July, A.D., one thousand nine hundred and fourteen, corresponding with the Chinese date, the third day of the seventh month of the third year of the Republic, and the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

Initial\* of the Lonchen Shatra. Seal of the

Lonchen Shatra.

(INITIALLED) A.H.M. Seal of the British Plenipotentiary.

#### SCHEDULE

- (1) Convention between Great Britain and China relating to Sikkim and Tibet, signed at Calcutta the 17th March 1890.
- (2) Convention between Great Britain and Tibet, signed at Lhasa the 7th September 1904.
- (3) Convention between Great Britain and China respecting Tibet, signed at Peking the 27th April 1906.

The notes exchanged are to the following effect:

- (1) It is understood by the High Contracting Parties that Tibet forms part of Chinese territory.
- (2) After the selection and installation of the Dalai Lama by the Tibetan Government, the latter will notify the installation to the Chinese Government, whose representative at Lhasa will then formally communicate to His Holiness the titles consistent with his dignity, which have been conferred by the Chinese Government.
- (3) It is also understood that the selection and appointment of all officers in Outer Tiber will rest with the Tibetan Government.
- (4) Outer Tibet shall not be represented in the Chinese Parliament or in any other similar body.
- (5) It is understood that the escorts attached to the British Trade Agencies in Tibet shall not exceed seventy-five per centum of the escort of the Chinese Representative at Lhasa.
- \* Owing to it not being possible to write initials in Tibetan, the mark of the Lönchen at this place is his signature.

- (6) The Government of China is hereby released from its engagements under Article 3 of the Convention of March 17, 1890, between Great Britain and China to prevent acts of aggression from the Tibetan side of the Tibet-Sikkim
- (7) The Chinese high official referred to in Article 4 will be free to enter Tibet as soon as the terms of Article 3 have been fulfilled to the satisfaction of representatives of the three signatories to this Convention, who will investigate and report without delay.

Initial\* of Lonchen Shatra Seal of the Lonchen Shatra

(Initialled) A.H.M. Seal of the British Plenipotentiary.

\* Owing to it not being possible to write initials in Tibetan, the mark of the Lonchen at this place is his signature.

### 11. Simla Trade Regulations between Great Britain and Tibet (1914)

Whereas by Article 7 of the Convention concluded between the Governments of Great Britain, China and Tibet on the third day of July, A.D., 1914, the Trade Regulations of 1893 and 1908 were cancelled and the Tibetan Government engaged to negotiate with the British Government new Trade Regulations for Outer Tibet to give effect to Articles 2, 4 and 5 of the Convention of 1904;

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, and His Holiness the Dalai Lama of Tibet have for this purpose named as their Plenipotentiaries, that is to say:

His Majesty the King of Great Britain and Iteland and of the British Dominions beyond the Seas, Emperor of India, Sir, A. H. McMahon, G.C.V.O., K.C.I.E., C.S.I.;

His Holiness the Dalai Lama of Tibet - Lonchen Ga-den Shatra Pal-jor Dorje; And whereas Sir A. H. McMahon and Lonchen Ga-den Shatra Pal-jor Dorje have communicated to each other since their respective full powers and have found them to be in good and true form, the following Regulations have been agreed upon:

(1) The area falling within a radius of three miles from the British Trade Agency site will be considered as the area of such Trade Mart.

It is agreed that British subjects may lease lands for the building of houses and godowns at such Marts. This arrangement shall not be held to prejudice the right of British subjects to rent houses and godowns outside the Marts for their own accommodation and the storage of their goods. British subjects desiring to lease building sites shall apply through the British Trade Agent to the Tibetan Trade Agent. In consultation with the British Trade Agent the Tibetan Trade Agent will assign such or other suitable building sites without unnecessary delay. They shall fix the terms of the leases in conformity with the existing laws and

(2) The administration of the Trade Marts shall remain with the Tibetan authorities, with the exception of the British Trade Agency sites and compounds of the rest-houses, which will be under the exclusive control of the British Trade Agents.

The Trade Agents at the Marts and Frontier Officers shall be of suitable rank, and shall hold personal intercourse and correspondence with one another on terms of mutual respect and friendly treatment.

(3) In the event of disputes arising at the Marts or on the routes to the Marts between British subjects and subjects of other nationalities, they shall be enquired into and settled in personal conference between the British and Tibetan Trade Agents at the nearest Mart. Where there is a divergence of view the law of the country to which the defendant belongs shall guide.

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All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British Authorities.

British subjects, who may commit any crime at the Marts or on the routes to the Marts, shall be handed over by the Local Authorities to the British Trade Agent at the Mart nearest to the scene of offence, to be tried and punished according to the laws of India, but such British subjects shall not be subjected by the Local Authorities to any ill-usage in excess of necessary restraint.

Tibetan subjects, who may be guilty of any criminal act towards British subjects, shall be arrested and punished by the Tibetan Authorities according to

law.

Should it happen that a Tibetan subject or subjects bring a criminal complaint against a British subject or subjects before the British Trade Agent, the Tibetan Authorities shall have the right to send a representative or representatives of suitable rank to attend the trial in the British Trade Agent's Court. Similarly in cases in which a British subject or subjects have reason to complain against a Tibetan subject or subjects, the British Trade Agent shall have the right to send a representative or representatives to the Tibetan Trade Agent's Court to attend the trial.

(4) The Government of India shall retain the right to maintain the telegraph lines from the Indian frontier to the Marts. Tibetan messages will be duly received and transmitted by these lines. The Tibetan Authorities shall be responsible for the due protection of the telegraph lines from the Marts to the Indian frontier, and it is agreed that all persons damaging the lines or interfering with them in any way or with the officials engaged in the inspection or maintenance thereof shall at once be severely punished.

(5) The British Trade Agents at the various Trade Marts now or hereafter to be established in Tibet may make arrangements for the carriage and transport of their posts to and from the frontier of India. The couriers employed in conveying these posts shall receive all possible assistance from the Local Authorities, whose districts they traverse, and shall be accorded the same protection and facilities as the persons employed in carrying the despatches of the Tibetan Government.

No restrictions whatever shall be placed on the employment by British officers and traders of Tibetan subjects in any lawful capacity. The persons so employed shall not be exposed to any kind of molestation or suffer any loss of civil rights, to which they may be entitled as Tibetan subjects, but they shall not be exempted from lawful taxation. If they be guilty of any criminal act, they shall be dealt with by the Local Authorities according to law without any attempt on the part of their employer to screen them.

(6) No rights of monopoly as regards commerce or industry shall be granted to any official or private company, institution, or individual in Tibet. It is of course understood that companies and individuals, who have already received such monopolies from the Tibetan Government previous to the conclusion of this agreement shall retain their rights and privileges until the expiry of the period fixed.

(7) British subjects shall be at liberty to deal in kind or in money, to sell their goods to whomsoever they please, to hire transport of any kind, and to conduct

in general their business transactions in conformity with local usage and without any vexations, restrictions or oppressive exactions whatever. The Tibetan Authorities will not hinder the British Trade Agents or other British subjects from holding personal intercourse or correspondence with the inhabitants of the country.

It being the duty of the Police and the Local Authorities to afford efficient protection at all times to the persons and property of the British subjects at the Marts and along the routes to the Marts, Tibet engages to arrange effective police measures at the Marts and along the routes to the Marts.

(8) Import and Export in the following Articles: arms ammunition, military stores, liquors and intoxicating of narcotic drugs

may at the option of either Government be entirely prohibited, or permitted only on such conditions as either Government on their own side may think fit to impose.

- (9) The present Regulations shall be in force for a period of ten years reckoned from the date of signature by the two Plenipotentiaries; but, if no demand for revision be made on either side within six months after the end of the first ten years the Regulations shall remain in force for another ten years from the end of the first ten year; and so it shall be at the end of each successive ten years.
- (10) The English and Tibetan texts of the present Regulations have been carefully compared, but in the event of there being any difference of meaning between them the English text shall be authoritative.
- (11) The present Regulations shall come into force from the date of signature. Done at Simla this third day of July, A.D., one thousand nine hundred and fourteen, corresponding with the Tibetan date, the tenth day of the fifth month of the Wood-Tiger year.

	Seal of the	Dalai Lama.	
Signature of the Lonchen Shatra.		A. Henby McMahon,	
Seal of the Lonchen Shatra.		Briti	ish Plenipotentiary. Seal of the British Plenipotentiary.
Seal of the Drepung Monastery.	Seal of the Sera Monastery.	Seal of the Gaden Monastery.	Scal of the National Assembly.

# (White Paper I. pp. 98-101)

# 12. Agreement between the Republic of India and the People's Republic of China on Trade and Intercourse between Tibet Region of China and India (1954)

The Government of the Republic of India and the Central People's Government of the People's Republic of China.

Being desirous of promoting trade and cultural intercourse between Tibet Region of China and India and of facilitating pilgrimage and travel by the peoples of China and India.

Have resolved to enter into the present Agreement based on the following

principles:

(1) mutual respect for each other's territorial integrity and sovereignty,

(2) mutual non-agression.

(3) mutual non-interference in each other's internal affairs,

(4) equality and mutual benefit, and

(5) peaceful co-existence.

And for this purpose have appointed as their respective Plenipotentiaries:

The Government of the Republic of India, H.E. Nedyam Raghavan, Ambassador Extraordinary and Plenipotentiary of India accredited to the People's Republic of China; the Central People's Government of the People's Republic of China, H.E. Chang Han-fu, Vice-Minister of Foreign Affairs of the Central People's Government, who, having examined each other's credentials and finding them in good and due form, have agreed upon the following:

#### ARTICLE I

The High Contracting Parties mutually agree to establish Trade Agencies:

- (1) The Government of India agrees that the Government of China may establish Trade Agencies at New Delhi, Calcutta and Kalimpong.
- (2) The Government of China agrees that the Government of India may establish Trade Agencies at Yatung, Gyantse and Gartok.

The trade Agencies of both Parties shall be accorded the same status and same treatment. The Trade Agents of both Parties shall enjoy freedom from arrest while exercising their functions, and shall enjoy in respect of themselves, their wives and children who are dependent on them for livelihood freedom from search.

The Trade Agencies of both Parties shall enjoy the privileges and immunities tor couriers, mail-bags and communications in code.

#### ARTICLE 2

The High Contracting Parties agree that traders of both countries known to be customarily and specifically engaged in trade between Tibet Region of China and India may trade at the following places:

- (1) The Government of China agrees to specify (1) Yatung, (2) Gyantse and (3) Phari as markets for trade. The Government of India agrees that trade may be carried on in India, including places like (1) Kalimpong, (2) Siliguri and
- (3) Calcutta, according to customary practice.
- (2) The Government of China agrees to specify (1) Gartok, (2) Pulanchung (Taklakot), (3) Gyanima-Khargo, (4) Gyanima-Charkra, (5) Rampura, (6) Dongbra, (7) Puling-Sumdo, (8) Nabra, (9) Shangtse and (10) Tashigong as markets for trade; the Government of India agrees that in future, when in accordance with the development and need of trade between the Ari District of Tibet Region of China and India, it has become necessary to specify markets for trade in the corresponding district in India adjacent to the Ari District of Tibet Region of China, it will be prepared to consider on the basis of equality and reciprocity to do so.

### Article 3

The High Contracting Parties agree that pilgrimage by religious believers of the two countries shall be carried on in accordance with the following provisions:

- (1) Pilgrims from India of Lamaist, Hindu and Buddhist faiths may visit Kang Rimpoche (Kailas) and Mavam Tso (Manasarovar) in Tibet Region of China in accordance with custom.
- (2) Pilgrims from Tibet Region of China of Lamaist and Buddhist faiths may visit Banaras, Sarnath, Gaya and Sanchi in India in accordance with custom.
- (3) Pilgrims customarily visiting Lhasa may continue to do so in accordance with custom.

### ARTICLE 4

Traders and pilgrims of both countries may travel by the following passes and route:

(1) Shipki La Pass, (2) Mana Pass, (3) Niti Pass, (4) Kungri Bingri Pass, (5) Darma Pass, and (6) Lipu Lekh Pass.

Also, the customary route leading to Tashigong along the valley of the Shangatsangpu (Indus) River may continue to be traversed in accordance with custom.

### ARTICLE 5

For travelling across the border, the High Contracting Parties agree that diplomatic personnel, officials and nationals of the two countries shall hold passports issued by their own respective countries and visaed by the other Party except as provided in Paragraphs 1, 2, 3 and 4 of this Article.

(1) Traders of both countries known to be customarily and specifically engaged in trade between Tibet Region of China and India, their wives and children who are dependent on them for livelihood and their attendants will be allowed entry for purposes of trade into India or Tibet Region of China, as the case may be, in accordance with custom on the production of certificates duly issued by the local government of their own country or by its duly authorised agents and examined by the border checkposts of the other Party.

(2) Inhabitants of the border districts of the two countries who cross the border to carry on petty trade or to visit friends and relatives may proceed to the border districts of the other Party as they have customatily done heretofore and need not be restricted to the passes and route specified in Article 4 above and shall not be required to hold passpotts, visas or permits.

(3) Porters and mule-team drivers of the two countries who cross the border to perform necessary transportation services need not hold passports issued by their own country, but shall only hold certificates good for a definite period of time (three months, half a year or one year) daily issued by the local government of their own country or by its duly authorised agents and produce them for registration at the border checkposts of the other Party.

(4) Pilgrims of both countries need not carry documents of certification but shall register at the border checkposts of the other Party and receive a permit for pilgrimage.

(5) Notwithstanding the provisions of the foregoing paragraphs of this

Article, either Government may refuse entry to any particular person.

(6) Persons who enter the territory of the other Party in accordance with the foregoing paragraphs of this Article may stay within its territory only after complying with the procedures specified by the other Party.

### ARTICLE 6

The present Agreement shall come into effect upon ratification by both Governments and shall remain in force for eight (8) years. Extension of the present Agreement may be negotiated by the two Parties if either Party requests for it six (6) months prior to the expiry of the Agreement and the request is agreed to by the other Party.

Done in duplicate in Peking on the twentyninth day of April, 1954, in the Hindi, Chinese and English languages, all texts being equally valid.

(SD.) NEDYAM RAGHAVAN,
Plenipotentiary of the
Government of the
Republic of China.

(SD.) CHANG HAN-FU,
Plenipotentiary of the
Central People's Government,
People's Republic of China.

# 13. Full Text of Chou En-lai's Press Conference, April 30, 1960

New Delhi, April twenty-ninth (Hsinhua) - following is the report of the full proceedings of Premier Chou En-lai's press conference in New Delhi:

Premier Chou En-lai gave a press conference in Rashtrapati Bhavan in India from ten thirty p.m. April twenty-fifth to zero one zero zero a.m. April twentysixth. More than one hundred fifty correspondents of India and from other countries attended the press conference. Premier Chou En-lai first issued a written statement (which was released on April twenty-fifth). He then said that he was willing to answer any question put by the correspondents. However, he expressed the hope that the newspapers or news agencies would publish the full proceedings or the full text of their respective questions and the answers to them. The major Chinese newspapers would also publish the proceedings in full and the English language Peking Review would also print them so that a copy would be made available to everyone of them. Following are the questions and answers:

Question (K. Sabarwel, an Indian correspondent for Press Syndicate of Japan): Your Excellency has invited Prime Minister Nehru to visit China. Has Nehru accepted the invitation?

Answer: Prime Minister Nehru told me that he would consider according to how the work between the officials of the two sides proceeds.

Question (C. Raghavan of the Press Trust of India): In India, your letters to Prime Minister Nehru have all been published in full. But the Chinese newspapers have not published Prime Minister Nehru's letters to you. Speaking about freedom of speech, would you also take steps to publish the letters sent by our Prime Minister in the Chinese press?

Auswer: This gentleman has probably not read Chinese newspapers. The Chinese papers long ago published in full Prime Minister Nehru's letters to me and my replies to him.

Question (Mahesh Chandra of The Statesman, India): What has prevented you to return to the Status quo ante, that is the position of the border as obtained one or two years ago? For it was one or two years ago that actions were taken.

Answer: On the part of China, in the last one or two years as well as in the past, the Chinese Government has never taken action to change the existing state of the border.

Question (K. Rangaswami of Hindu, India): In which sector in the talks did the two Prime Ministers find the greatest difference?

Answer: There are disputes both with regard to the eastern sector and the western sector. As regards the middle sector, the dispute is comparatively small. Regarding the eastern sector: the boundary line which appears on our maps

(Hsinhua News Agency, 30 April 1960)

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is to the south of the boundary line one Indian maps. The area included in India on Indian maps had long been under Chinese administrative jurisdiction. Since its independence, India has gradually moved forward up to the line delineated on its present maps. The Indian Government asks us to recognise this line which it sometimes even openly said is the McMahon Line. We absolutely cannot recognise this line, because it was illegally delineated through an exchange of secret notes by British imperialism with the Tibetan local authorities of China, and the successive Chinese Governments have never recognised it. Nevertheless, pending a settlement of the Sino-Indian boundary question, we are willing to maintain the present state and will not cross this line; in negotiations on the Boundary question, too, we have not put forward territorial claims as preconditions. Since we have adopted such an attitude of understanding and conciliation, it appears that comparatively less time has been spent on discussions of the eastern sector of the boundary.

With regard to the western sector: the way of delineation of the boundary on Chinese maps is different from that on Indian maps. Despite small discrepancies which exist in the delineations of this sector on past Chinese maps, these maps are in the main consistent. The Indian maps, however, have changed many times. China has always exercised administrative jurisdiction in accordance with the line on Chinese maps, that is, the line which runs from the Karakoram pass southeastward roughly along the watershed of the Karakoram Mountain to the Kongka Pass, then turns southward from the Kongka Pass and extends to the vicinity of the Pare river. The border area to the north and east of this line has historically been under the jurisdiction of China. The greater part of it, including the Aksai Chin area, is under the jurisdiction of Sinkiang of China, and the smaller part under the jurisdiction of Tibet of China. We have many historical documents and materials to prove this historical administrative jurisdiction. Since the founding of New China, it has always exercised jurisdiction in this area as the main communication artery linking southern Sinkiang and the Ari area of Tibet. With regard to this area, the delineation of the boundary on Indian maps before the middle of the nineteenth century was approximate to that on Chinese maps. During the period from eighteen sixtyfive to nineteen forty-three, the more important maps of India were quite vague with regard to the delineation of this sector of the buondary. The official Indian map of nineteen fifty used colour shades to indicate an outline of this sector of the Boundary as is now advocated by India. Nevertheless, this map still marked the area as undelimited. Finally, in nineteen fifty-four, the line, just like the eastern sector of the boundary, became as if it had been formally delineated as shown on the map you now see in Indian newspapers. Therefore, even the changes of the Indian maps during the past one hundred years and more can also fully prove that the boundary in this area is undelimited. We have asked the Indian Government to adopt an attitude towards this area similar to the attitude of the Chinese Government towards the area of the eastern sector, that is, it may keep its own stand, while agreeing to conduct negotiations and not to cross the line of China's administrative jurisdiction as shown on Chinese maps. The Indian Government has not entirely agreed to this. Therefore, there exists a relatively bigger dispute and the two Prime

Ministers have spent a particularly long period of time on discussions in this connection.

With regard to the middle sector: there are also disputes, but they are questions concerning individual places.

Question (B. G. Verghese of the Times of India): What are the Chinese claims in regard to Bhutan?

Answer: I am sorry to disappoint you. We have no claim with regard to Bhutan, nor do we have any dispute with it. You may recall that in its letters to the Indian Government, the Chinese Government twice mentioned that China has no boundary dispute with Sikkim and Bhutan and that China respects India's proper relations with Sikkim and Bhutan.

Question (S. G. Roy of Pakistan Times): Prime Minister Koirala of Nepal said that China laid claim to Mt. Jolmo Longma. What is the situation?

Answer: Thank you for reminding us of this question. Tomorrow we are going to Nepal. I believe that we shall be able to settle this question in a friendly manner. Question (Telang of the Press Trust of India): I mean to ask P. M. whether it

is true that China regards that mountain as its own.

Answer: The course of events is not like what you have learned. Since this is a question of foreign relations, I do not intend to disclose the detailed contents of the talks between the Prime Ministers of our two countries.

Question (L. P. Atkinson of the British Daily Mail): Is the Chinese Prime Minister pleased with his talks in Delhi inasmuch as he has not given an inch to India? It is to be remembered in this connection that India's basis for these talks is that China should vacate aggression.

Answer: China has never committed agression against the territory of any country. Moreover, China in its history has always suffered from agression by others. Even now, we still have territory, Taiwan for instance, which has been invaded and occupied by others. I am very glad that both the Chinese and Indian Prime Ministers in their talks fully agreed that territorial claims should not be made by either side as pre-conditions for negotiations. This proves that the talks have proceeded on a friendly basis, Speaking about aggression against others' territory, since this gentleman represents a British newspaper, he of course knows what Chinese territory Britain is still occupying up till now.

Question (]. P. Chaturvedi of the Hindi Daily Aj of Banaras): when the Indian Government drew the attention of the Chinese Government to Chinese maps, the Chinese Government said that they were drawn during the period of the Kuomintang without systematic and careful surveys and that they would be adjusted once careful surveys are made. Is this true? Why didn't you raise the question of the maps during your first and second talks with Nehru? And why do you now want to press forward Chinese claim on the basis of the Chinese history while you want us to forget about the things which happened during the British period?

Answer: Chinese maps have been drawn according to the situation which has prevailed throughout history. At some places there are differences between these maps and the actual state of jurisdiction. And this is what we have always been saying. The same holds true not only between China and India, but also between China and other neighbouring countries. To put it the other way

around, such a situation also exists on the maps of other countries with regard to the areas bordering on China. Therefore, we have for many times told Prime Minister Nehru that in connection with the Chinese maps, after both sides conduct surveys and delimit the boundary, we shall revise our respective maps in accordance with the agreement between both sides. Regarding this point, you gentlemen can find proof in the boundary agreement between China and Burma. That is to say, once we have signed a Sino-Burmese boundary treaty, both sides will revise their respective maps. However, pending the survey and delimitation through negotiations, certainly neither side can unilaterally impose its maps on the other side and ask the other side to revise maps according to its demands. This is not a friendly attitude, nor a fair attitude. Therefore we cannot do it this way.

Question (S. V. Bedi of the Weekly magazine Link): What is the position of Longiu?

Answer: Longju lies to the north of the so-called McMahon Line and this is proved by historical materials. The Indian Government, however, alleges that it is to the south of the so-called McMahon Line and within its jurisdiction.

Question (Anand Swarup of The Hindustan Times): During your talks with Indian leaders and after, are you carrying the impression that great changes have taken place in India and that the friendship and faith of the Indian people towards the Chinese people are changing? And what drastic steps are you taking to change this situation?

Answer: I do not share your views. I have already said in my written statement that the friendship between the Chinese and the Indian peoples was immortal and that the disputes over the boundary question were temporary. The two governments, in the course of negotiating a settlement, may meet with temporary barriers. However, as a result of the talks this time, the understanding between the two sides has been further enhanced. I believe that the dark clouds hovering for the time being will disappear, because there is no conflict of fundamental interests between the Chinese and Indian peoples. We have been friendly to each other in the past and shall remain so for thousands and tens of thousands of years to come. I would like to tell you, and particularly the broad masses of the Indian people, that the Chinese people and government do not claim any territory from India or any of our neighbouring countries. We will never commit aggression against a single inch of territory of any country. And of course we will never tolerate aggression by others against us. As for the relations between China and India, I firmly believe that the temporary disputes over the boundary can be settled, that the peoples of the two countries will remain friends forever, and that on the part of the overwhelming majority of the Indian people their ideas of friendship with China have not changed. This was shown by the fact that the broad masses of the Indian people appreciated and attached importance to the Chinese agricultural exhibition held not long ago in Delhi. I would like to avail myself of this opportunity to express through you our thanks to the broad masses of the Indian people. My colleagues and I of course can do some work in promoting Sino-Indian friendship, but the most important thing is the solidarity of the one thousand million people of the two great countries which cannot be undermined by any forces of reaction.

Ouestion (Miss Elaine Shepard of the North America News Alliance and Women's News Service): Would you consider inviting President Eisenhower to visit Peking provided it does not involve recognizing Red China?

Answer: Your good wishes are annulled by the condition you put forward. Since the United States does not recognize New China, how could China invite President Eisenhower, the head of the state of the U.S., to visit Peking?

Ouestion (Elaine Shepard): Now my second question which I ask on behalf of the Women's News Service. The Prime Minister looks exceptionally fit for his sixty-two years of age. How does he look after his health? Does he maintain a particular diet or does he always exercise?

Answer: Thank you. I am an oriental and I follow an oriental way of life.

Question (Charles Wheeler, B.B.C. correspondent in Delhi): In your consultations with the Indian leaders, was there any suggestion from these leaders that China committed aggression against India? How did you remove such a basic difference in your talks? And how could the officials of the two countries remove such a difference in view of the fact that you and Prime Minister Nehru failed to do so?

Answer: This is an idea entertained by western imperialists. During our talks this time, this question has not been raised. If the leaders of the Indian government bring up such a question, it would not only be out of keeping with objective reality, but would also be extremely unfriendly. I would only say that our two friendly countries have no intention to satisfy the desire of the western countries in this regard.

Question (K. N. Sharma of Assam Tribune): In view of the fact that negotiations about such a tiny spot as Bara Hoti went on for three years without a settlement, have the two Prime Ministers agreed on some special instructions to be given to the officials so that their forthcoming negotiations may be expedited?

Answer: With regard to Bara Hoti which we call Wu-Je in China, although the dispute has existed for a long time, it has never led to clashes, and, moreover, it will eventually be resolved. As for the terms of reference of the meetings of officials, they have been made public in the joint communiqué. Of course, to facilitate their work, the two governments will respectively give them further instructions. The communiqué has expressed the hope that the work of the officials of the two countries will be helpful to the two governments in their further consideration of a settlement of the boundary question.

Question (Inder Jit of The Times of India): You said that no country should impose its map on the other country. Does it not follow in the interests of the immortal friendship as you said that you should agree, as Prime Minister Nehru suggested, to neutralise the disputed area of Ladakli?

Answer: During the talks this time, Prime Minister Nehru did not insist on such a demand. If Prime Minister Nehru should ask China to withdraw from the Aksai Chin area, that is what you call Ladakh, the Chinese government similarly could also ask India to withdraw from the area in the eastern sector, that is, from the area in the eastern sector where the delineations on Indian and Chinese maps show very great discrepancies. How could the Indian Government accept this? Of course the Chinese Government has not raised such a demand.

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Question (Bedi of the weekly magazine Link): Could one observe any shift in the position taken by you before you started the talk?

Answer: China's position is to find a friendly, reasonable and fair settlement of the border disputes between the two countries, and first to reach an agreement in principle. This position has not changed. As for specific questions, we have not been able to touch upon many of them during these talks.

Question (B. B. Saxena of the Hindi daily Nai Duniya): Did the two Prime Ministers, apart from the boundary question, touch on any other grievances, like the Tibet question, political asylum for the Dalai Lama, observance of the five principles of peaceful coexistence. Did the Indian people or government take any action which offended your sentiment?

Answer: Speaking about the Tibet question, the Dalai Lama and mainly his followers started the rebellion in order to maintain the system of serfdom in Tibet. But the rebellion failed and they fled to India and in India they were given political asylum. This is normal international practice and we have no objection to it. However, their activities after they came to India have gone beyond that limit. The Indian Government has repeatedly told the Chinese Government that it would not allow the Dalai Lama and his followers to carry out in India any political activity against New China. But the Dalai Lama and his followers have on quite a few occasions carried out within and without India, activities against China. We feel regret over this.

Tibet is a part of China and this is what the Indian Government has recognised. I can tell this gentleman that the overwhelming majority of the Tibetan people have now been freed from serfdom. Land has been distributed among them and democratic reform has been carried out. The economy in Tibet will continuously develop and the population there will grow. Tibet will forever be a member of the great family of the various nationalities of China. Any act of foreign interference in China's internal affairs is doomed to failure. Such an act is in itself a violation of the five principles jointly initiated by China and India.

Question (Walter Friendenberg of the Chicago Daily News): In your formal statement this evening, in the fifth point, it is said that pending a settlement by the two sides, they may keep to the line of actual control. If no settlement can be made, would it be your suggestion that both sides keep to that line of control?

Answer: This line of actual control exists not only in the eastern sector, but also in the western sector and the middle sector. For both sides, to keep to this line of actual control and stop patrolling along all sectors of the boundary will avoid border clashes and facilitate the proceeding of negotiations. This is what we insist on.

Question (Dusab Ruppeldt of the Czechoslovak Broadcasting Corporation): In the joint communiqué it was mentioned that the two parties discussed the World situation. Could you tell us some of the contents of the talks in this respect and especially China's attitude to the Summit Conference?

Answer: In the joint communiqué it was already said that we heid hopes for the forthcoming conference of the Big Powers, hoping that it would help to ease international tension, to prohibit nuclear weapons and promote disarmament. As for the attitude of the Chinese Government, it has repeatedly stated its full support for the Soviet Government's propositions with regard to general disarmament, the Berlin question and a number of other questions.

Question (S. G. Roy of the Pakistan Times): You find Prime Minister the same as in nincteen fifty-six or a little different?

Answer: Prime Minister Nehru and myself alike have expressed the common desire to maintain Sino-Indian friendship. On the boundary question, we have expounded our respective views and stands and devoted more time in our talks to it.

Question (Roderick Macfarquhar of the British Daily Telegraph): when the Dalai Lama came to India the Chinese Government issued a statement suggesting that he was under duress and forced to come to India by his followers. Presumably bearing this in mind when you created the new government in Tibet, the seat of chairman was left for the Dalai Lama to occupy. In your answer to a question just now you stated that the Dalai Lama and his followers had been carrying out certain political activities against China. It would appear from this that the Dalai Lama is a free and independent agent in India. I therefore ask: One. What made the Chinese government change its earlier view? Two. What action is taken by you to describe to the Chinese people the Dalai Lama as carrying on in India activities against the Chinese Government? Three. Is the position of the head of the autonomous region of Tibet still open for the Dalai Lama?

Answer: The three letters written by the Dalai Lama to the Chinese authorities at the time before he left Lhasa proved that he was held under duress by those persons surrounding him. After he came to India, the Dalai Lama also admitted that he wrote those three letters. The Chinese people left room for the Dalai Lama, reserving for him not only the chairmanship of the preparatory committee for the Tibet autonomous region, but also the vice-chairmanship of the standing committee of the National People's Congress. The persons surrounding the Dalai Lama, however, have made him go farther and farther, pushing him into betrayal of the Motherland and trying their utmost to prevent his return to the fold of the Motherland. As to how much free will the Dalai Lama can now exercise, I cannot answer the question because I have not seen him.

Question (D. G. Kulkarni of the Tamil daily Dina Scithi): Besides inviting Prime Minister Nehru, did you invite any other ministers to visit China?

Answer: When we met the other ministers of the Indian Government, we expressed the wish to invite them to visit China. Of course formal invitations have yet to be sent by the Chinese Government.

Question (Kulkarni of Dina Scithi). Did you invite all the ministers?

Answer: We have not invited all the ministers. If they would like to visit China, they are welcome.

Question (K. R. Malkani of the Organizer): What would follow if the officials of the two sides do not agree as the Prime Ministers have not agreed?

Answer: I would not take such a pessimistic view. We have confidence in the friendship between China and India and events after all will develop in a favourable direction. Of course this will take some time. If we did not have sincere desire and confidence, we wouldn't have come to Delhi. I myself or someone else would come to Delhi again for the sake of the friendship of the great Chinese and Indian peoples, END ITEM.

### (White Paper IX)

14. Colombo Proposals together with clarifications (in italics) offered to the Government of India on behalf of the Colombo Conference by representatives of Ceylon, United Arab Republic and Ghana during talks in Delhi between January 11 and 13, 1963

'r. The Conference considers that the existing de facto cease fire period is a good starting point for a peaceful settlement of the Indian-Chinese conflict.

- '2. (a) With regard to the WESTERN SECTOR, the Conference would like to make an appeal to the Chinese Government to carry out their 20 kilometres withdrawal of their military posts as has been proposed in the letter of Prime Minister Chou En-lai to Prime Minister Nehru on November 21 and November 28, 1962.
- (b) The Conference would make an appeal to the Indian Government to keep their existing military position.
- (c) Pending a final solution of the border dispute, the area vacated by the Chinese military withdrawals will be a demilitarised zone to be administered by civilian posts of both sides to be agreed upon, without prejudice to the rights of the previous presence of both India and China in that area.

#### CLARIFICATION

- (i) The withdrawal of Chinese forces proposed by the Colombo Conference will be 20 kilometres as proposed by Prime Minister Chou En-lai to Prime Minister Nehru in the statement of the Chinese Government dated 21st Nevember and in Prime Minister Chou En-lai's letter of 28th November, 1962, i.e., from the line of actual control between the two sides as of November 7, 1959, as defined in Maps III and V circulated by the Government of China.
- (ii) The existing military posts which the forces of the Government of India will keep to will be on and up to the line indicated in (i) above.
- (iii) The demilitarised zone of 20 kilometres created by Chinese military with-drawals will be administered by civilian posts of both sides. This is a substantive part of the Colombo Conference proposals. It is as to the location, the number of posts and their composition that there has to be an agreement between the two Governments of India and China.
- '3. With regard to the EASTERN SECTOR, the Conference considers that the line of actual control in the areas recognised by both the Governments could serve as a cease fire line to their respective positions. Remaining areas in this sector can be settled in their future discussion.

#### CLARIFICATION

The Indian forces can, in accordance with the Colombo Conference proposals, move right up to the south of the line of actual control, i.e., the McMahon Line, except for the two areas on which there is difference of opinion between the Governments of India and China. The Chinese forces similarly can move right up to the north of the McMahon

Line except for these two areas. The two areas referred to as the remaining areas in the Colombo Conference proposals, arrangements in regard to which are to be settled between the Governments of India and China according to the Colombo Conference proposals, are Che Dong or the Thagla ridge area and the Longju area, in which cases there is a difference of opinion as to the line of actual control between the two Governments.

'4. With regard to the problems of the MIDDLE SECTOR, the Conference suggests that they will be solved by peaceful means, without resorting to force.

#### CLARIFICATION

The Colombo Conference desired that the status quo in this sector should be maintained and neither side should do anything to disturb the status quo.

- '5. The Conference believes that these proposals, which could help in consolidating the cease fire, once implemented, should pave the way for discussions between representatives of both parties for the purpose of solving problems entailed in the case fire position.
- '6. This Conference would like to make it clear that a positive response for the proposed appeal will not prejudice the position of either of the two Governments as regards its conception of the final alignment of the boundaries.'

### 15. Sino-Pakistan Agreement

Note given by the Ministry of External Affairs, New Delhi to the High Commission of Pakistan in India, 10 May 1962

The Ministry of External Affairs present their compliments to the High Commission of Pakistan in India and have the honour to state that according to a communiqué issued by the Government of Pakistan on 3rd May 1962, the Governments of Pakistan and China have agreed to enter into negotiations to locate and align that portion of boundary between India and China west of the Karakoram Pass which is presently under Pakistan's unlawful occupation.

When earlier reports about these proposed negotiations appeared in the Pakistan press, the Acting High Commissioner of India had, in his letters Nos. CH/CO/9/61 dated 4th May 1961 and HC/180/61 dated 12th June 1961 to the Foreign Secretary to the Government of Pakistan, conveyed the surprise and concern of the Government of India and pointed out that these reports were confusing as Pakistan and China had no common boundary between them. The Acting High Commissioner of India had also taken the precaution to warn the Government of Pakistan that the Government of India would not be bound by the results of any such bilateral discussions between Pakistan and the People's Republic of China, should these discussions concern the boundaries of the State of Jammu & Kashmir.

Despite numerous reports in the press and the Pakistan Government's refusal to provide the clarification sought from them, the Government of India had all this time been disinclined to believe that the Government of Pakistan would in fact enter into negotiations with China in respect of the territory of the State of Jammu & Kashmir which forms an integral pert of the Indian Union. The Government of Pakistan are obviously not entitled to negotiate with China or any other country about territory that is not their own.

As the Government of Pakistan are aware the international boundary alignment in the sector west of the Karakoram Pass of the boundary of Jammu & Kashmir State of India follows well-known natural features, has been recognised in history for all these years, and does not require fresh delimitation. The position regarding this boundary was made clear in the Note given to the Pakistan Government at the time of Indian Prime Minister's visit to Pakistan in Setpember 1960. The Government of India will never agree to any arrangements, provisional or otherwise, between the Governments of China and Pakistan regarding territory which constitutes an inalienable part of the Indian Union.

The Government of India lodge an emphatic protest with the Government of Pakistan and warn them of the grave consequences of their action.

The Ministry of External Affairs avail themselves of the opportunity to renew to the High Commission of Pakistan the assurances of their highest consideration.

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### 16. Sino-Pakistan Agreement

Note given by the High Commission of Pakistan in India to the Ministry of External Affairs, New Delhi, 9 August 1962

The High Commission of Pakistan presents its compliments to the Ministry of External Affairs of the Government of India and has the honour to refer to the Note of the Ministry of External Affairs of 10th May, 1962 on the subject of Sino-Pakistan border negotiations as announced in the Government of Pakistan communiqué of 3rd May, 1962.

The High Commission has been instructed to state that the Government of India's 'emphatic protest' against the forthcoming border negotiations between the Governments of Pakistan and China is based on their claim to the territory of the State of Jammu and Kashmir as constituting 'an integral' and 'inalienable part of the Indian Union'. This claim, as the Government of India must be only too well aware, has never been recognised by Pakistan nor by the United Nations. The Government of India has been left in no doubt about the stand of Pakistan with regard to the status of the State of Jammu and Kashmir. According to the relevant Security Council and UNCIP resolutions which constitute an international agreement between Pakistan and India under the aegis of the United Nations Security Council, the State of Jammu and Kashmir cannot be considered to be 'an integral' or 'inalienable part of the Indian Union'. The State is a territory in dispute between Pakistan and India, the question of whose accession to Pakistan or to India is to be decided in accordance with the freely expressed wishes of the people of the State through an impartial plebiscite to be held under the auspices of the United Nations.

Accordingly, the High Commission of Pakistan has been instructed to advise the Government of India that the Government of Pakistan consider the Note of protest of the External Affairs Ministry of 10th May, 1962 to be totally unjustified and must, therefore, reject it.

In that Note the Government of India have considered it fit to warn the Government of Pakistan of the 'grave consequences of their action' with reference to the decision of the Government of the Pakistan to enter into negotiations with the Government of the People's Republic of China with a view to reaching an agreed understanding of the location and alignment of the border between the Chinese province of Sinkiang and the contiguous areas the defence of which is under the control of Pakistan and, to sign on this basis, an agreement of a provisional nature.

Such an agreement can in no way prejudice a peaceful and just settlement of the dispute between Pakistan and India over Kashmir - a dispute which remains unsettled since 1947 due solely to the refusal of the Government of India to honour their solemn pledge to the people of Kashmir, to Pakistan and to the world, to respect the right of the people of Kashmir to self-determination. It is strange that the Government of India should first obstruct and frustrate the

attempts of the United Nations and of Pakistan, over the past fourteen years, to settle by peaceful procedures the status of the territory of the State of Jammu and Kashmir and then proceed to question the right of Pakistan to enter into negotiations with China to reach an understanding on the alignment of that portion of the territory for the defence of which Pakistan is responsible.

The High Commission is instructed to state that in proposing to enter into negotiations of this kind, the Government of Pakistan is motivated by its declared and accepted policy of settling all border questions with its neighbours peacefully and by negotiation and to remove any factors which may tend to create any misunderstandings or friction with its neighbours. The conclusion of an agreement of a provisional nature, embodying an agreed understanding of the common border between Pakistan and China, would be a positive contribution to the strengthening of peace in Asia. Therefore, the threat of 'grave consequences' to which the Indian Note refers, would appear to be not only gratuitous and wholly unnecessary, but calculated to threaten or intimidate and to to prevent Pakistan from pursuing its steadfast policy of removing any possible causes of friction or tension between states by recourse to the peaceful procedure of negotiations in accordance with the Charter of the United Nations.

The High Commission of Pakistan avails itself of this opportunity to renew to the Ministry of External Affairs the assurances of its highest consideration.

# 17. Sino-Pakistan Agreement

Note given by the Ministry of External Affairs, New Delhi to the Einbassy of China in India December 31, 1962

The Ministry of External Affairs presents its compliments to the Embassy of the People's Republic of China and has the honour to refer to the communiqué issued by the Chinese and Pakistan Governments on 26th December on their agreement in principle on the alignment of the border between China (Sinkiang) and the territory of Kashmir illegally occupied by Pakistan.

In their note of 30th June 1962, the Government of India had drawn attention to the attempts of the Chinese Government to exploit, for its own ends, the differences on Kashmir between the Indian and Pakistan Governments. Despite the assertion by the Chinese Government that it does not wish to get involved in the dispute, the calculated release of this communique at a time when delegations from India and Pakistan were attempting to resolve their differences on Kashmir and related matters is clear evidence of China's desire to exploit Indo-Pakistan differences for its own selfish and expansionist designs.

The joint communiqué is a brazen attempt at legitimisation of the gains of aggression in the hope that the Chinese Government will thereby secure Pakistan support to Chinese aggression on India and the gains of this aggression.

The Government of India protest strongly against this aggressive and expansionist move by the Government of China. They repudiate firmly the validity of any agreement involving Indian territory between parties who have no legal or constitutional locus standi whatever in respect of this territory.

The Ministry of External Affairs avails itself of this opportunity to renew to the Embassy of the People's Republic of China the assurances of its highest consideration.

(Ibid. p. 22)

# 18. Sino-Pakistan Boundary Agreement, March 2, 1963

The Government of the People's Republic of China and the Government of Pakistan:

Having agreed, with a view to ensuring the prevailing peace and tranquillity on the border, to formally delimit and demarcate the boundary between China's Sinkiang and the contiguous areas the defence of which is under the actual control of Pakistan, in a spirit of fairness, reasonableness, mutual understanding and mutual accommodation, and on the basis of the ten principles as enunciated in the Bandung conference;

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Being convinced that this would not only give full expression to the desire of the peoples of China and Pakistan for the development of good-neighbourly and friendly relations, but also help safeguard Asian and world peace.

Have resolved for this purpose to conclude the present agreement and have

appointed as their respective plenipotentiaries the following:

For the Government of the People's Republic of China Chen Yi, Minister of Foreign Affairs;

For the Government of Pakistan; Mr. Zulfikar Ali Bhutto, Minister of External Affairs:

Who, having mutually examined their full powers and found them to be in good and due form, have agreed upon the following:

## ARTICLE I

In view of the fact that the boundary between China's Sinkiang and the contiguous areas the defence of which is under the actual control of Pakistan has never been formally delimited, two parties agree to delimit it on the basis of the traditional customary boundary line including natural features and in a spirit of equality, mutual benefit and friendly co-operation.

#### ARTICLE 2

In accordance with the principle expounded in Article 1 of the present agreement, the two parties have fixed, as follows the alignment of the entire boundary line between China's Sinkiang and the contiguous areas the defence of which is under the actual control of Pakistan:

- (1) Commencing from its north-western extremity at height 5,630 metres (a peak, the reference coordinates of which are approximately longitude 74 degrees 34 minutes east and latitude 37 degrees 03 minutes north), the boundary line runs generally eastward and then southeastward strictly along the main watershed between the tributaries of the Tashkurgan river of the Tariin river system on the one hand and the tributaries of the Hunza river of the Indus river system on the other hand, passing through the Kilik Daban (Dawan), the Mintake Daban (pass), the Kharchanai Daban (named on the Chinese map only), the Mutsjilga Daban (named on the Chinese map only), and the Parpik Pass (named on the Pakistan map only), and reaches the Khunjerab (Yutr) Daban (Pass).
- (2) After passing through the Khunjerab (Yutr) Daban (pass), the boundary line runs generally southward along the above-mentioned main watershed upto a mountain-top south of this Daban (pass), where it leaves the main watershed to follow the crest of a spur lying generally in a southeasterly direction, which is the watershed between the Akjilga river (a nameless corresponding river on the Pakistan map) on the one hand, and the Taghumbash (Oprang) river and the Koliman Su (Oprang Jilga ) on the other hand.

According to the map of the Chinese side, the boundary line, after leaving the southeastern extremity of this spur, runs along a small section of the middle line of the bed of the Keliman Su to reach its confluence with the Elechin river. According to the map of the Pakistan side, the boundary line, after leaving the southeastern extremity of this spur, reaches the sharp bend of the Shaksgam

or Muztagh river.

(3) From the aforesaid point, the boundary line runs up the Kelechin river (Shaksgam or Muztagh river) along the middle line of its bed to its confluence (reference co-ordinates approximately longitude 76 degrees 02 minites east and latitude 36 degrees 26 minutes north) with the Shorbulak Daria (Shimshal river or Braldu river).

#### Main watershed

- (4) From the confluence of the aforesaid two rivers, the boundary line, according to the map of the Chinese side, ascends the crest of a spur and runs along it to join the Karakoram range main watershed at a mountain-top (reference co-ordinates approximately longitude 75 degrees 54 minutes east and latitude 36 degrees 15 minutes north) which on this map is shown as belonging to the Shorgulak mountain. According to the map of the Pakistan side, the boundary line from the confluence of the above-mentioned two rivers ascends the crest of a corresponding spur and runs along it, passing through height 6,520 metres (21,390 feet) till it joins the Karakoram range main watershed at a peak (reference co-ordinates approximately longitude 75 degrees 57 minutes east and latitude 36 degrees 03 minutes north).
- (5) Thence, the boundary line, running generally southward and then eastward, strictly follows the Karakoram range main watershed which separates the Tarim river drainage system from the Indus river drainage system, passing through the east Mustagh pass (Muztagh pass), the top of the Chogri peak (K-2), the top of the broad peak, the top of the Gasherbrum mountain (8,068), the Indirakoli pass (names on the Chinese maps only) and the top of the Teram Kankri peak, and reaches its southeastern extremity at the Karakoram pass.

(Two) The alignment of the entire boundary line as described in section one of this article, has been drawn on the one million scale map of the Chinese side in Chinese and the one million scale map of the Pakistan side in English which are signed and attached to the present agreement.

(Three) In view of the fact that the maps of the two sides are not fully identical in their representation of topographical features the two parties have agreed that the actual features on the ground shall prevail, so far as the location and alignment of the boundary described in Section one is concerned, and that they will be determined as far as possible by joint survey on the ground.

#### ARTICLE 3

The two parties have agreed that:

(1) Wherever the boundary follows a river, the middle line of the river bed shall be the boundary line; and that

Wherever the boundary passes through a deban (pass), the water-parting line thereof shall be the boundary line.

#### ARTICLE 4

One: The two parties have agreed to set up, as soon as possible, a joint boundary demarcation commission. Each side will appoint a chairman, one or more members and a certain number of advisers and technical staff. The joint boundary demarcation commission is charged with the responsibility, in accordance with the provisions of the present agreement, to hold concrete discussions on and carry out the following tasks jointly:

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(1) To conduct necessary surveys of the boundary area on the ground, as stated in Article 2 of the present agreement, so as to set up boundary markers at places considered to be appropriate by the two parties and to delineate the

boundary line of the jointly prepared accurate maps.

(2) To draft a protocol setting forth in detail the alignment of the entire boundary line and the location of all the boundary markers and prepare and get printed detailed maps, to be attached to the protocol, with the boundary line and the location of the boundary markers shown on them.

Two: The aforesaid protocol, upon being signed by the representatives of the Governments of the two countries, shall become an annex to the present agreement, and the detailed maps shall replace the maps attached to the present agreement.

Three: Upon the conclusion of the above-mentioned protocol, the tasks of

the joint boundary demarcation commission shall be terminated.

## ARTICLE 5

The two parties have agreed that any dispute concerning the boundary which may arise after the delimitation of the boundary line actually existing between the two countries shall be settled peacefully by the two parties through friendly consultations.

#### ARTICLE 6

The two parties have agreed that after the settlement of the Kashinir dispute between Pakistan and India, the sovereign authority concerned will reopen negotiations with the Government of the people's Republic of China on the boundary, as described in Article Two of the present agreement, so as to sign a formal boundary treaty to replace the present agreement, provided that in the event of that sovereign authority being Pakistan, the provisions of the present agreement and of the aforesoid protocol shall be maintained in the formal boundary treaty to be signed between the Peoples Republic of China and Pakistan.

#### ARTICLE 7

The present agreement shall come into force on the date of its signature. Done in duplicate in Peking on the second day of March, 1963, in the Chinese and English languages, both texts being equally authentic.

19. Chinese Foreign Ministry's Note of May 11, 1962 to the Indian Embassy in China on India's Refusal to Negotiate and Conclude a New Agreement on Trade and Intercourse Between the Two Countries\*

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and has the honour to acknowledge receipt of the Indian Government's note of April 11, 1962 on the subject of the agreement on trade and intercourse between China and India.

- The Chinese Government expresses its regret at the fact that the Indian Government once again turned down the proposal for negotiating and concluding a new agreement on trade and intercourse to replace the 1954 Agreement on Trade and Intercourse Between the Tibet Region of China and India. The various excuses made by the Indian Government in its note are totally unreasonable. In order to distinguish between right and wrong, the Chinese Government wishes to take this opportunity to restate its position.
- The Indian Government asserted that, as the 1954 Agreement laid down the Five Principles as a code governing relations between two friendly Governments and as each side gave a solemn undertaking that it would respect the other's territorial integrity and sovereignty,

From Selected Documents in Sino-Indian Relations, (Dec. 1961 - May 1962) Foreign Languages Press, Peking, pp. 53-60.

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it meant that the Chinese Government had accepted the Sino-Indian boundary line unilaterally claimed by India. In its note, the Indian Government pretentiously said. "The Chinese side had full knowledge at the time of the negotiations of what constituted the territorial boundaries of India. If it had any doubt, what was the purpose of the undertaking which it gave to respect India's territorial integrity? Surely, it is not open to a government which enters into a solemn agreement on the basis of the Five Principles, first to give such an undertaking and then to claim part of the other's territory as its own." But the first of the Five Principles is "mutual respect for each other's territorial integrity and sovereignty," and does not stipulate that one party must accept the boundary claimed by the other party. If acceptance of the principle of "mutual respect for each other's territorial integrity and sovereignty" should be construed to mean the Chinese Government's acceptance of the boundary line claimed by India, then, by the same logic, can it not be construed also as meaning the Indian Government's acceptance of the boundary line maintained by China? Obviously, such argumentation can only be regarded as unilateral bigotry and is purely a distortion of an international document.

3. The fact is that the 1954 Agreement settled only those questions relating to trade, cultural relations and friendly intercourse between China's Tibet region and India; it did not settle all the questions existing between China and India, and did not even touch on the boundary question. As for maps, the fact is that only after the signing of the 1954 Agreement did the Indian Government bring up the question of maps with the Chinese Government, and only in 1958 did the Indian Govern-

ment call the attention of the Chinese Government to the boundary alignment claimed by it and cite the Indian map published in 1956. How can it be said that at the time of the negotiation and signing of the 1954 Agreement the Chinese Government already accepted the boundary alignment which has come to be drawn on Indian maps only in recent years? This is absurd.

- Then there is the question of Puling-Sumdo. is a crystal-clear fact that Puling-Sumdo has been invaded and occupied by India. On the Indian maps published in recent years, it is included in Indian territory and renamed Pulam-sumda. To cover up the fact, the Indian Government arbitrarily alleged that Poling, which is situated deep within Chinese territory, is Puling-Sumdo. To say that Puling-Sumdo continues to be held by China while in fact to have invaded and occupied China's Puling-Sumdo — such practice, to put it mildly, cannot but be considered unseemly.
- The Indian note, reviewing the development of Sino-Indian relations in the past ten years and more, alleged that responsibility for the deterioration of Sino-Indian relations lies with China and that, "from the very start, after India became independent, the Government of India have consistently followed a policy of friendly relations with China." This allegation is groundless. It is true that, through the joint efforts of China and India, Sino-Indian relations were friendly. Our two countries early established diplomatic relations, jointly initiated the Five Principles of Peaceful Coexistence and co-operated in international affairs in a friendly way. Even now the Chinese side is still making efforts to restore such friendly relations. But there is no reason to deem that the Indian side too has always done so. If one respects the

- objective historical facts, one cannot but acknowledge that there has been a dark side to the Sino-Indian relations since their very beginning.
- 6. In 1950 the Chinese People's Liberation Army advanced into Tibet. In a series of notes delivered to the Chinese Government between August and November in the same year, the Indian Government described China's exercise of its sovereignty in its own territory Tibet as "invasion" of Tibet, as being "deplorable" and "with no justification whatsoever" and asserted that China's action "has greatly added to the tensions of the world and to drift towards general war" and "affected these friendly relations (between India and China) and the interest of peace all over the world." After that the Indian Government has all along allowed a batch of Tibetan fugitives to carry out disruptive and subversive activities against China's Tibet in Kalimpong and other places in India. All this clearly constitutes interference in China's internal affairs.
- In 1959 the Indian Government described China's exercise of its sovereignty in putting down the rebellion in Tibet as "armed intervention," "oppressing and suppressing" the "autonomy" of Tibet and held that by doing so the Chinese Government has not kept "the assurances given to India." The Indian Government connived at the political activities carried out in India by the Tibetan rebels, distributed traitorous statements for them, allowed them to stage demonstrations against the People's Republic of China and even publish a so-called draft constitution for an "inderendent Tibet." All this has gone far beyond the scope of giving political asylum and can in no way be justified by any international law or practice. Obviously the Indian Government is not reconciled

to the fact that the Chinese Government is exercising its sovereignty in Tibet.

8. As soon as the Chinese Government put down the rebellion in Tibet in 1959, the Indian Government made comprehensive territorial claims on the Chinese Government and exerted pressure on China. In August and October 1959 respectively. Indian troops attacked with superior force Chinese frontier personnel at Migyitun in the eastern sector and at Kongka Pass in the western sector of the Sino-Indian boundary, giving rise to the two unfortunate incidents of bloodshed. Thus began the period of speedy deterioration of Sino-Indian relations. Anybody who respects historical facts is clear about the long-term and immediate reasons for the sharpening of the Sino-Indian boundary question. But the Indian Government arbitrarily distorted the history, saying that it was only in 1957 that Chinese troops went to the Aksai Chin area in the western sector of the Sino-Indian boundary. Such clumsy tactics are not worthy of refutation. The Chinese Government has stated many times and now states again: The Aksai Chin area has always been China's territory; it is the communication artery linking Sinkiang and the Ari district in Tibet of China and has always been under the jurisdiction of the Chinese Government; in 1950 the Chinese People's Liberation Army entered Ari, Tibet, through this area from Sinkiang; from 1954 to 1957 China carried out in this area large-scale engineering work of road-building; both in law and in fact there is no room for dispute about China's sovereignty over this area. The September 1958 incident of the detention of an Indian patrol referred to in the Indian Government's note precisely proves that this area is China's territory and has always been under China's

- jurisdiction. If it had always been under India's jurisdiction, how is it conceivable that the Sinkiang-Tibet road across Aksai Chin involving gigantic engineering work should have been completed without the knowledge of the Indian Government?
- Since the talks between the Prime Ministers of the two countries and the meeting of Chinese and Indian officials in 1960, the Indian side has stepped up its invasion and occupation of Chinese territory in the western sector of the Sino-Indian boundary and, taking advantage of the cessation of patrolling by Chinese frontier guards, has been pushing farther and farther into Chinese territory. At the same time, the Indian authorities have placed further restrictions on the normal functioning of China's Trade Agency in Kalimpong, reducing it to virtual paralysis. Of late the Indian side has further penetrated into Chinese territory to establish new military posts, thus threatening the security of a Chinese outpost and increasingly aggravating the situation on the Sino-Indian border. In its previous notes, the Chinese Government has already set forth in detail the facts regarding the above two aspects and refuted the Indian Government's groundless charges about alleged violations of the 1954 Agreement by the Chinese Government and no repetition will be made here.
- 10. The above-mentioned facts show that it is India, and not China, that has violated the 1954 Agreement and the Five Principles of Peaceful Coexistence. Although China is the wronged party both on the question of the implementation of the 1954 Agreement and on the question of the maintenance of the status quo of the boundary, the Chinese Government, however, has never set any pre-conditions in proposing re-negotiation for the con-

clusion of a new agreement on trade and intercourse. The Chinese Government had hoped that to negotiate and conclude such a new agreement would ease the tense relations between China and India, create the necessary friendly atmosphere and open the way to settling other questions between China and India. But the Indian Government in its notes, while saying that it did not object to China's proposal, insisted on outrageous preconditions which demand China's subjugation. shows that the Indian Government is not at all willing to negotiate and conclude a new agreement on trade and intercourse to replace the 1954 Agreement due to expire on June 3, 1962.

11. Since the founding of the People's Republic of China, the Chinese Government has attached great importance to friendship with India and has made unremitting efforts to safeguard and consolidate this friendship. However, the liberated new China can in no circumstances allow itself to be plunged back to the position of the injured old China. China does not interfere in the internal affairs of any other country, nor will it allow any country to interfere in its internal affairs. China does not encroach on the sovereignty and territorial integrity of any other country, nor will it allow any country to encroach on its sovereignty and territorial integrity. China is willing to settle through negotiations its boundary questions left over by history with all its neighbouring countries concerned, but China will never accept any illegal territorial claims imposed upon it. This position of China's is in full conformity with the Five Principles of Peaceful Coexistence and has won the sympathy and understanding of many of China's Asian neighbours. Although the Indian Government has vio304

lated the Five Principles and repeatedly rejected the friendly proposals of the Chinese Government, friendship between the peoples of China and India is a matter of thousands and tens of thousands of years and the Chinese Government will continue to make unremitting efforts to improve Sino-Indian relations.

The Ministry of Foreign Affairs of the People's Republic of China avails itself of this opportunity to renew to the Indian Embassy the assurances of its highest consideration.

Peking, May 11, 1962

# 20. Premier Chou En-lai's Talk on the Sino-Indian Boundary Question\*

(Excerpts of His Speech at the Cairo Press Conference)

December 20, 1963

Dealing with the efforts made by the U.A.R. and other Colombo Conference countries to promote Sino-Indian reconciliation, Premier Chou En-lai stated: Since the Colombo Conference. China has appreciated and supported the efforts made by the U.A.R. and other Colombo Conference countries to mediate in the Sino-Indian border dispute and bring about direct negotiations between China and India. China backs their continued efforts to bring about direct talks between China and India at an early date and to settle the border dispute peacefully.

A correspondent of an Indian paper asked whether China was ready to renounce its reservations about the Colombo proposals. Premier Chou En-lai replied that he did not think there was any question of renouncing reservations in this matter. This was because the Colombo proposals were recommendations put forward by the mediating countries and not an award given by arbitrating powers. This was what all the government heads of the six Colombo Conference countries had told him. He said that the attitude of the Chinese Govern-

From The Sino-Indian Boundary Question, II, Foreign Languages Press, Peking, 1965, pp. 33-35.

ment is that in principle it accepts the Colombo proposals as the basis for direct Sino-Indian negotiations, and that China and India should come to the conference table to settle the border question peacefully without advancing any preconditions.

Premier Chou En-lai said: The measures taken by China on its own initiative since November last year have far exceeded the requirements set forth in the Colombo proposals. For instance, the proposals asked China to withdraw 20 kilometres from the western sector of the Sino-Indian boundary, while China, acting in accordance with its own statement, withdrew 20 kilometres along the whole line, in the western sector, the middle sector, and the eastern sector. This has enabled the Chinese frontier guards and civilian administrative personnel to disengage from the Indian side and to avoid further border clashes. That is why, generally speaking, the Sino-Indian border situation has been quiet in the past year and the tension has been eased.

He added: Another example is the further step taken by China in vacating the areas on the Chinese side of the 1959 line of actual control which had been occupied by India and also other areas disputed by the two sides in their ceasefire arrangements, without even setting up any civilian check-posts there, pending a negotiated settlement with India. These initiatives were taken to create a favourable atmosphere for direct negotiations between the two countries, to bring about a peaceful solution of the boundary question. In taking these steps. China has taken into consideration the dignity and prestige of both sides. China suggests that both sides sit down at the conference table without setting any preconditions, that during the negotiations either

side may put forward any proposals, and that the two sides may also discuss the specific details of the Colombo proposals as well as their interpretations of these proposals.

# 21. Statement of the Government of the People's Republic of China\*

October 9, 1964

Of late the Indian Prime Minister and the Indian Minister of External Affairs have made successive statements in Cairo attacking China on the Sino-Indian boundary question. The Chinese Government cannot but regret that the Indian leaders should have taken advantage of the Conference of Non-Aligned Countries held in Cairo to make anti-Chinese clamours. The Chinese Government firmly believes that such a line of action taken by India runs diametrically counter to the wishes of the overwhelming majority of the states to the Conference of Non-Aligned Countries.

The Chinese Government has already published a large amount of documents concerning the Sino-Indian boundary question and has no intention of repeating them here. It will only make the following statement in refutation of the distortions and slanders made by the Indian leaders.

1. The Indian Prime Minister's allegation that China has made no positive or friendly response to the Colombo proposals is a travesty of the facts. In order to promote a peaceful settlement of the Sino-Indian boundary question, the Chinese side adopted a series of measures such as the ceasefire and withdrawal effected on its own

initiative, which have far exceeded what was requested in the Colombo proposals. The Colombo Conference nations know, and the Indian Government is aware too. that had it not been for these measures all taken on China's own initiative, the Chinese frontier guards could not possibly have withdrawn in Chinese territory 20 kilometres from the line of actual control along the whole Sino-Indian border and the present relaxation on the Sino-Indian border could not have been achieved. While talking glibly about accepting the Colombo proposals in toto, the Indian Government has in fact not only done nothing to relax the border situation, but has incessantly intruded into Chinese territory for harassment and provocations in an attempt to create new tensions.

2. The Chinese Government has from the very outset stated that it accepted the Colombo proposals as a basis for direct Sino-Indian negotiations. The responsibility for the failure up to now to hold negotiations lies entirely with the Indian side. The Indian External Affairs Minister asserted that in taking the position as it does. China wanted to benefit from aggression. This is turning the truth upside down. On the contrary, the fact is that India is still illegally occupying more than 90,000 square kilometres of Chinese territory south of the so-called McMahon Line, whereas China has never occupied a single inch of India's territory. Is it not clear who has been committing aggression? As for India's demand for China's withdrawal from the seven civilian posts as a precondition for negotiations, it is utterly unreasonable. The land on which these civilian posts are situated has always been Chinese territory under effective jurisdiction of the Chinese Government,

and no Indian troops have ever been there. What right has India to ask China to withdraw? China will not withdraw from any of the seven civilian posts. On the contrary, China has every right to ask India to withdraw from the more than 90,000 square kilometres of China's territory south of the illegal McMahon Line. However, in order to seek a peaceful settlement of the Sino-Indian boundary question through negotiations, China has up to now not raised such a demand as a precondition for negotiations.

3. The Chinese Government always welcomes the efforts at impartial mediation on the part of the Colombo Conference nations in promoting direct negotiations between China and India without involving themselves in the dispute. And the Chinese Government has no objection to any new consultations by the Colombo Conference nations to this end. But as is well known, the consent of both interested parties must be obtained before there can be effective mediation. And any proposal put forward by the mediators can only be a recommendation for the consideration of both sides and must in no case be an arbitral award to be imposed on either side. At present, exploiting the opportunity of his participation in the Conference of Non-Aligned Countries in Cairo, the Indian Prime Minister is making distortions and slanders about China over the Sino-Indian boundary question, and is doing his utmost to make use of the Colombo Conference nations to bring pressure to bear upon China. Moreover, the Indian Prime Minister is in Cairo while the Chinese Premier is not. The Chinese Government holds that in these circumstances to motivate consultations among the Colombo Conference nations behind China's back is unfair and therefore the Chinese Government cannot agree. Such consultations not only cannot be of any help to the promotion of direct Sino-Indian negotiations, but will place more obstacles in their way, making it more difficult for the six Colombo Conference nations to conduct mediation in the future. Any substantive discussion about the Sino-Indian boundary question must be held with China present. Any mediation or any proposal made without the agreement and not in the presence of China will be unacceptable to the Chinese Government.

4. As a matter of fact, India does not really want to settle the Sino-Indian boundary question through negotiations. If it really has a desire for negotiations. it may raise in the course of the negotiations questions which it thinks necessary to raise, just as China may in the negotiations raise questions which it thinks necessary to raise. The Indian Government is fully aware that China will not agree to its unreasonable demand for China's withdrawal from the seven civilian posts as a precondition for negotiations. It also knows full well that the Colombo Conference nations will not agree that the Colombo proposals should be regarded as an arbitral award to be accepted by China in toto. And it knows equally well that China will never submit to any international pressure. In continuously calling for the acceptance of the Colombo proposals in toto, China's withdrawal from the seven civilian posts, etc., the Indian Government aims solely at opposing China, so as to divert the attention of the people at home, seek U.S. and Soviet military aid, and pursue its policy of double alignment under the cover of non-alignment. practice of the Indian leaders is being seen through by more and more countries. The Sino-Indian border sit-

uation has on the whole eased. China does not feel threatened by India which has gained large quantities of foreign aid, it is the other neighbours of India that are really being threatened. The Chinese Government hereby declares once again that if the Indian Government really wishes to hold negotiations, the Chinese Government is ready to start them with the Indian Government at any time and at any place with the Colombo proposals as a basis. Otherwise, mere talk about reconciliation will be of no avail.

# Appendix IV DOCUMENTS ON SINO-RUSSIAN FRONTIER DISPUTES

The following documents are mainly collected from the Chinese Maritime Customs' Treaties, Conventions, etc., between China and Foreign States, Sir Edward Hertslet, Treaties between Great Britian and China and Foreign Powers (1918), JVA MacMurray, Treaties and Agreements with and concerning China (1921), WGW Woodhead edited: China yearbook, 1924, League of Nations, Treaties Series, and other sources including Tai Sung An's Sino-Soviet Territorial Disputes, published by Westminster Press, 1973

#### Herein is the list:

- 1. Treaty of Nerchinsk, 1689.
- 2. Kiakhta Treaty, 1727
- 3. Kiakhta Supplementary Treaty, 1768.
- 4. Aigun Treaty of Friendship and Boundaries, 1858.
- 5. Treaty of Tientsin, 1858.
- 6. Treaty of Peking, 1860.
- 7. Additional Article to the Treaty of Peking, 1861.
- 8. Tchuguchak Protocol of Boundary, 1864.
- 9. Treaty of St. Petersburg, 1881.
- 10. Sino-Russian Secret Treaty of Alliance, 1896.
- 11. Contract for the Construction and Operation of the Chinese Eastern Railway, 1896.
- 12. Convention for the lease of the Liaotung Penninsula, 1898.
- 13. Agreement Concerning the Southern Branch of the Chinese Eastern Railway, 1898.
- 14. The Two Karakhan Declarations.
- 15. Sino-Soviet Agreements, May 31, 1924.
- 16. Agreement between USSR and the Government of the Autonomous Three Eastern Provences of the Republic of China, 1924.

- 17. Yalta Secret Agreement, 1946.
- 18. Treaty of Friendship and Alliance Between the Republic of China and the USSR, 1945.
- 19. Treaty of Friendship, Alliance, and Mutual Assistance between the People's Republic of China and the USSR, 1950.
- 20. The Soviet Union and China: Agreement on Granting Credits to the People's Republic of China.
- 21. China and Soviet Union to Form Joint Stock Companies of Petroleum and Non-Ferrous and Rare Metals, 1950.
- 22. Communique on the Establishment of a Sino-Soviet Joint Civil Aviation Co., 1950.
- 23. Sino-Soviet Trade and Barter Agreements, 1950.
- 24. Ratifications of Sino-Soviet Treaty and Five Other Agreements, Oct. 7, 1950.
- 25. Documents Concerning Soviet Withdrawal from the Port Arthur Naval Base and the Sale of Soviet Shares in Joint Stock Companies to China.
- 26. Chinese Decision not to Extend the 1950 Treaty with Russia.
- 27. The Latest Disputes over the Pamirs.

# 1. Nerchinsk Treaty of Peace and Boundaries, signed at Nerchinsk on August 27, 1689

#### ARTICLE I

The river Gorbitza, which joins the Schilka from its left side near the river Tchernaya, is to form the boundary between the two Empires. The boundary from the source of that river to the sea will run along the top of the mountain chain (in which the river rises). The jurisdiction of the two Empires will be divided in such a way that (the valleys of) all the rivers or streams flowing from the southern slope of these mountains to join the Amur shall belong to the Empire of China (lit., of Han), while (the valleys of) all the rivers flowing down from the other (or northern) side of these mountains shall be similarly under the rule of His Majesty the Czar of the Russian Empi-e. As to (the valleys of )the other rivers which lie between the Russian river Oud and the aforesaid mountains running near the Amur and extending to the sea, which are now under Chinese rule, the question of the jurisdiction over them is to remain open. On this point the (Russian) Ambassadors are (at present) without explicit instructions from the Czar. Hereafter, when the Ambassadors on both sides shall have returned (to their respective countries), the Czar and the Emperor of China (Han) will decide the question on terms of amity, either by sending Plenipotentiaries or by written correspondence.

#### ARTICLE II

Similarly, the river Argun, which flows into the Amur, will form the frontier along its whole length. All territory on the left bank is to be under the rule of Emperor of China (Kian of Han); all on the right bank will be included in the Empire of the Czar. All habitations on the south side will be transferred to the other.

From Treaties, Conventions, etc., Between China and Foreign States, 2d ed. (Shanghai: Statistical Department of the Inspectorate General of Customs, 1917), Vol. I, pp. 4-7. Translated from the Russian by a member of the Chinese customs service.

#### ARTICLE III

The fortified town of Albazin, built by His Majesty the Czar, is to be completely demolished, and the people residing there, with all military and other stores and equipment, are to be moved into Russian territory. Those moved can take all their property with them, and they are not to be allowed to suffer loss (by detention of any of it).

#### ARTICLE IV

Fugitives (lit. runaways) from either side who may have settled in the other's country previous to the date of this Treaty may remain. No claims for their rendition will be made on either side. But those who may take refuge in either country after the date of this Treaty of Amity are to be sent without delay to the frontier and at once handed over to the chief local officials.

#### ARTICLE V.

It is to be understood by both Governments that from the time when this Treaty of Amity is made, the subjects of either nation, being provided with proper passports, may come and go (across the frontier) on their private business and may carry on commerce (lit., buy and sell).

#### ARTICLE VI.

All the differences (lit., quarrels) which may occurred between the subjects (of each nation) on the frontier up to the date of this Treaty will be forgotten and (claims arising out of them will) not be entertained. But if hereafter any of the subjects (lit., traders or craftsmen) of either nationality pass the frontier (as if) for private (and legitimate) business, and (while in the foreign territory) commit crimes of violence to property and life, they are at once to be arrested and sent to the frontier of their own country and handed over to the chief local authority (military). who will inflict on them the death penalty as a punishment of their crimes. Crimes and excesses committed by private people on the frontier must not be made the cause of war and bloodshed by either side. When cases of this kind arise, they are to be reported by (the officers of) the side on which they occur to the Sovereigns of both Powers, for settlement by diplomatic negotiation in an amicable manner.

If the Emperor of China desires to engrave (on stone) the Article of the above Treaty agreed upon by the Envoys for the determination of the frontier, and to place the same (at certain positions) on the frontier as a record, he is at liberty to do so. Whether this is to be done or not is left entirely to the discretion of His Majesty the Emperor of China.

# 2. Kiakhta Treaty of Peace and Boundary, signed at Kiakhta on October 27, 1727

(Partial Text)

#### Article I

The present treaty was signed for the eternal conservation of peace between the two empires......

From Edward Hertslet, China Treaties, 3d ed. (London: Harrison and Son. 1908), Vol. I, pp. 439-446. This translation was made from the French by William C. Stallings, Jr.

## Article III

The officials of the Chinese Empire and the Illyrian Count Sawa Wladislawitche, ambassador from the Russian Empire, determined that the principal objective of their work was the settlement of the boundaries between the two empires but that governing those boundaries without scrupulous inspection of the terrain would be impossible. Toward this end:

The Illyrian Count Sawa Wladislawitche, ambassador from the Russian Empire, went to the frontier accompanied by Tsereng, adjunct general of the Chinese Empire, Doroi-giyon, viceroy of several Mongolian tribes and son-in-law of the emperor.

Be-szuge, commander of the imperial guard, and Toulichin, vice-president of the ministry of war. They agreed in the following manner on the locations through which the boundary should pass. The land situated between the guardhouse of the Russian Empire, near the stream Kiaktou and the Obo (a pile of stones which serves as a marker) of the Chinese Empire, which is situated at the top of the mountain Orkhoitou, should be equally divided and another Obo should be erected to serve as a marker of the boundary. At the same location, a warehouse of business should be established and commissars should be sent there.

From this location to the east, the border passes through the ridge of Bourgoutei up to the guardhouse of Kiran. Past the guardhouse of Kiran are those of Tsiktei, Arou-Kidoure and Arou-Khandangsou; the boundary runs through these four guardhouses in a straight line along the Tchoukou (Tchikoi) and Arou-Khandangsou rivers toward the location of the Mongolian guardhouse Tsagan-Oola (a white mountain). The desert between the land inhabited by subjects of the Russian Empire, and between the points of the Mongolian guardhouses, will be equally divided as at Kiaktou. Wherever there are, in the neighborhood of the land inhabited by the subjects of the Russian Empire, mountains, summits of mountains, and rivers, these will serve to determine the boundary;

and also wherever there are mountains or rivers in the neigh. borhood of the Mongolian guardhouses. These will similarly be chosen to determine the boundary. But wherever there are only vast plains without rivers or mountains, these have been equally divided and markers have been erected at the center to determine the boundary which has been settled to be from the marker of the guardhouse of Tsagan-Oola to the banks of the Argun River.

Those sent from the two empires to inspect the areas situated beyond the marker of the Mongolian guardhouse of Tsagan-Oola, agreed to run the boundary from the two markers at the center, erected at Kiaktou and on the mountain Orkhoitou, to the west through the following places: mounts Orkhoitou, Toumen, Koudchoukhoun, Bitsiktou, Kochogo, or Kochonggo.

The center of this equally divided chain of mountains was agreed upon as the boundary. Wherever there are mountains or rivers at the center, these have been equally divided, as they are presently; from the Chabinai-Dabagan to the banks of the Ergoune River, all that which is to the south (of the new boundary) belongs to the Chinese Empire, and all that is to the north to the Russian Empire.

After having finished the division of the land and having printed a description and exact map of it, the two parties reciprocally discussed these descriptions. They were sent to the heads of the two empires. The subjects who were illegally on the other side of the determined border and who had established residence there were sought out and taken back into their own country. The same action was undertaken in regard to vagabonds so that the frontier might be totally rid of them. . . .

## Article IV

Now that the boundaries to the frontier of the two empires have been determined and since fugitives can not be admitted, it is agreed with the Illyrian Count Sawa Wladislawitche, ambassador from the Russian Empire, to establish a free commerce between the two States.

## Article VII

As to the bordering areas situated near the Oud River and others, they have already been the subject of negotiations between the Head of the Interior, Sounggoutou and Fioo-for Aliyeksiyei (Feodor Alexiewithcy Golowin). For the present, these lands will remain undecided between the two parties; but they will be subsequently determined by ambassadors or by correspondence. At this time, the following remark was made to the Illyrian Count Sawa Wladislawitche, ambassador from the Russian Empire: "Since you have been sent as a plenipotentiary of your empress to settle all affairs, we ought to also settle the following. Presently your subjects often cross the border to go into a country called Khinggan-Tougourik, and if, as a result, a settlement about this is not made during this negotiation, it is to be feared that this will cause quarrels between bordering subjects. Since similar quarrels are prevented in the contents of the Peace Treaty between the two empires, we ought to settle this matter immediately." The ambassador from the Russian Empire responded: "My Empress did not give me the authority to negotiate the lands situated toward the east. We do not have an exact knowledge of these lands: it is therefore necessary that everything remain as it has been settled; but, so as to prevent any of our subjects from crossing the border, I will forbid it in the future." Our representatives replied; "If your empress did not give you the authority to negotiate the lands to the east, we will say nothing more about it, and we must leave things as they are. But, after your return, warn your subjects against crossing the border because, if someone entering our territory were scized, we would punish him. You would therefore not be able to say that we had violated the Peace Treaty. If, on the contrary, one of our subjects crosses your border, you will equally have the right to punish him; finally, since nothing has been decided about the River Oud and the cantons which neighbor it, they will remain as before; but your subjects may not settle there any closer than they are at present. . . ."

# 3. Kiakhta Supplementary Treaty, Amending Article X of the Kiakhta Treaty of 1727, signed at Kiakhta on October 18, 1768

# (Partial Text)

Although the eleven Articles of the Peace Treaty [the Treaty of Kiakhta of 1727] were to be maintained as eternally invariable, it has, however, become necessary to move the Russian boundary markers from the area of Mount Bourgoutai to Bitsiktou, Kochou, and other locations to supervise the frontier on the ridge of the mountains; but everything will remain as settled previously near the two commercial warehouses at Kiaktou and Tsourkhaitou where there is no entrance duty. Some errors having gone unnoticed in the Russian and Latin copies, and several essential points having been forgotten, it was thought appropriate to correct and rectify them. Further, the discussions which took place between the two empires previously will be disregarded and the fugitives will not be called back. What was stated in Article X of the preceding Convention [the Treaty of Kiakhta of 1727] concerning the method of preventing robbery and desertion among respective subjects living around the border appeared too equivocal and indeterminate. Article X of the Convention

From Treaties, Conventions, etc., Between China and Foreign States, Vol. I, pp. 61-63. This translation was made from the French by William C. Stallings, Jr.

was therefore completely rejected; another, in place of the former, was drawn up and put into effect. According to the present Convention, each party must hereafter govern its subjects to prevent similar matters from recurring. If, at the new assembly, which should take place at the frontier, any evidence is discovered or other irregularities are reported, the commanders will be required to examine them without delay and with loyalty. If, on the contrary, they neglect their duty, each party must punish them according to its own laws. As to the search and apprehension of the brigands and the punishment of those who illegally cross the border, the following has been drawn up and agreed upon. . . .

# 4. Aigun Treaty of Friendship and Boundaries, signed at Aigun on May 16/28, 1858

(Partial Text)

## Article I

The left bank of the Amur River, beginning at the Argun River, to the mouth of the Amur, will belong to the Russian Empire, and its right bank, down to the Ussuri River, will belong to the Chinese Empire; the territories and locations situated between the Ussuri River and the sea will, as they are presently, be commonly owned by the Chinese Empire and the Russian Empire until the boundary between the two States is settled. Navigation on the Amur, the Soungari, and the Ussuri is permitted only to vessels of the Chinese Empire and those of the Russian Empire; Navigation on these rivers

From Treaties, Conventions, etc., Between China and Foreign States, Vol. I. pp. 81-82. This translation was made from the French by William C. Stallings, Jr.

will be forbidden to vessels of all other States. The Manchu inhabitants settled on the left bank of the Amur, to the Zeya River up to the village of Hormoldzin to the south, will forever retain their former domiciles under the administration of the Manchu Government, and the Russian inhabitants will not be allowed to give them any offense nor cause them any vexation.

## Article II

In the interest of satisfactory mutual relations of the respective subjects, the riverside inhabitants of the Ussuri, the Amur, and the Soungari, subjects of both Empires, are permitted to trade among themselves, and on both banks, the authorities must reciprocally protect the traders.

## Article III

The stipulations, settled in common consent by the Plenipotentiary of the Russian Empire, the Governor-General Mouraview, and the Commander in Chief on the Amur, the Plenipotentiary of the Chinese Empire, I Chan, will be exactly and inviolably executed forever; to this effect, the Governor-General Mouraview, representing the Russian Empire, placed a copy of the present Treaty, written in the Russian and Manchu languages, in the hands of the Commander in Chief Prince I Chan, representing the Chinese Empire, and the Commander in Chief Prince I Chan gave a copy of the present Treaty, written in the Manchu and Mongolian languages, to the Governor-General Mouraview, representing the Russian Empire. All the stipulations recorded in the present [Treaty] will be published for the information of those inhabitants of both Empires living near the border.

# 5. Treaty of Tientsin, 1858, signed at Tientsin on June 1/13, 1858

# (Partial Text)

## Article IX

The undetermined areas of the frontier between China and Russia should be examined without delay at these areas themselves.

The two Governments will for this purpose appoint delegates who will determine the line of demarcation and will conclude from their examination with an Agreement, which will be annexed as a Separate Article to the present Treaty.

Maps and detailed descriptions of the frontier will then be drawn up and will serve as incontestable documents for the future.

From Treaties, Conventions, etc., Between China and Foreign States, Vol. I, pp. 85-91. This translation was made from the French by William C. Stallings, Jr.

> 6. Peking Additional Treaty of Commerce, Navigation and Limits, signed at Peking on November 2/14, 1860

# (Partial Text)

## Article I

In order to corroborate and elucidate Article I of the Treaty signed in the city Aigun, May 16, 1858, and in execution of

From Edward Hertslet, China Treaties, Vol. 1, pp. 461-471. This translation was made from the French by William C. Stallings, Jr.

Article IX of the Treaty signed on the first of June of the same year in the city Tientsin, it is stipulated that:

Henceforth the eastern frontier between the two empires shall commence from the juncture of the rivers Shilka and Argun, will follow the course of the River Amur to the junction of the River Ussuri with the latter. The land on the left bank (to the north) of the River Amur belongs to the empire of Russia, and the territory on the right bank (to the south) to the junction of the River Ussuri to the empire of China. Further on, the frontier line between the two empires ascends the rivers Ussuri and Sungacha to where the latter issues from Lake Kinka: it then crosses the lake, and takes the direction of the River Belen-ho or Tur: from the mouth of that river it follows the mountain range to the mouth of the River Huptu (a tributary of the Suifan), and from that point the mountains situated between the River Hun-Chun and the sea, as far as the River Tumen-Kiang. Along this line the territory on the east side belongs to the empire of Russia, and that on the west to the empire of China. The frontier line rests on the River Tumen at twenty li above its mouth into the sea.

Further, in execution on the same Article IX of the Treaty of Tientsin a map was prepared on which, for more clarity, the boundary line is traced in a red line and indicated by letters of the Russian alphabet. This map is signed by the Plenipotentiaries of the two Empires and sealed with their stamps.

If there should exist lands colonized by Chinese subjects (in the above-mentioned areas) the Russian Government promises to allow these inhabitants to remain there and also to permit them to engage, as in the past, in hunting and fishing.

After the frontier boundaries have been settled, the line of demarcation of the frontier ought to remain forever invariable.

#### Article II

The boundary line to the west, undetermined until now, should henceforth follow the direction of the mountains, the courses of the larger rivers and the presently existing line of Chinese pickets. Beginning at the last lighthouse, called Chabindabaga [in Mongolia] which was established in 1728 after the signing of the Treaty of Kiakhta, the boundary line will run southwest toward the Lake Dsai-sang, and then extends to the mountains called Tengri-chan or Alatau of the Kirghises or Thian-chan-nana-lou (southern branches of the mountains Celestes), which are situated to the south of the Lake Issik Kul, and from this point down to the possessions of Kokand along the above mountains.

## Article III

Henceforth all questions regarding the frontiers which could subsequently arise will be settled according to the stipulations of Articles I and II of the present Treaty. For the settlement of the eastern boundary from the Lake Hinkai to the Tumen River and the western boundary from the lighthouse Chabindabaga [in Mongolia] down to the possessions of the Kokand, the Russian and Chinese Governments will appoint Commissars. For the inspection of the eastern frontiers, the Commissars should meet at the junction of the Ussuri River during the month of the next April. For the inspection of the western frontier, the meeting of the Commissars will take place at Tarbagatai, but the date is not set.

As determined in Articles I and II, four maps and detailed descriptions (two in the Russian language and two in the Chinese or Manchu language) will be prepared by the Commissars. These maps and descriptions will be signed and sealed by the Commissars, after which two copies, one in Russian and one in Chinese or Manchu, will be returned to

the Russian Government and two similar copies will be returned to the Chinese Government to be kept by them.

For the return of the maps and descriptions of the frontier line, a corroborated protocol will be set up by the signature and the affixing of the seals of the Commissars; this will be considered as an Additional Article to the present Treaty.

#### Article IV

Over the entire frontier line established by Article I of the present Treaty, commerce free of all duty or restrictions is established between the subjects of the two States. The local chiefs of the frontier should grant particular protection to this commerce and to those who engage in it.

The settlements pertaining to commerce established in Article II of the Treaty of Aigoun are confirmed by the present Treaty.

## Article V

In addition to the commerce existing at Kiakhta, the Russian merchants will enjoy their former right of going from Kiakhta to Peking for commercial business.

It is equally permitted for them to trade on the road at Urga and at Kalgan without being still obligated to establish there a wholesale business.

The Russian Government will have the right to install a Consulate at Urga and its staff, and also construct there a building for this function. The Governors of Urga should be consulted about the grant of land for this building, the settlement of its dimensions, and also the grant of land for a pasture.

The Chinese merchants are equally permitted to go into Russia to trade.

## Article IX

The extent to which the commercial relations between the subjects of the two Empires have developed and the settlement of the new boundary line henceforth renders inapplicable the former regulations established in the Treaties signed at Nerchionsk and at Kiakhta, as well as by the Conventions which served as supplements to these treaties; the relations between the authorities of the frontiers and the regulations established for the inspection of frontier affairs no longer correspond to the present circumstances. . . .

7. Additional article to the Treaty of Peking, signed at the Mouth of the Belenkhe on June 16/28, 1861

# (Partial Text)

[The joint border commission created under the Additional Treaty of Peking of 1860] met at the mouth of the Belenkhe (Toure, in Russian) for the purpose of signing and exchanging the maps and detailed descriptions of the frontier, executed according to Articles I and II of the Additional Treaty of Peking.

After definite verification of all copies of the maps and descriptions, these parties found themselves to be in complete agreement.

The Commissars of the Empires of Russia and Manchu China then affixed their signatures and seals to two maps written in the Russian language and in the Manchu language which are an addition to the Treaty of Peking; they did the

From Treaties, Conventions, etc., Between China and Foreign States, Vol. I, pp. 123-124. The translation was made from the French by William C. Stallings, Jr.

same to four maps and descriptions of the frontier from the Ussuri River to the sea, two of which were in Russian and two in Chinese.

Then, the first Commissar of the Russian Empire placed in the hands of the first Commissar of the Chinese Empire a copy of the detailed map of the frontier, written in the Russian and Manchu languages, and the first Commissar of the Chinese Empire, having received said map, in turn, gave to the first Commissar of the Russian Empire an analogous map, written in the same languages. In the same manner, the other four maps with descriptions of the Ousouri to the sea were exchanged.

> 8. Protocol of Conference between Russia and China Defining the Boundary between the Two Countries signed at Tchuguchak [Tarbagatai] on September 25/October 7, 1864

In fulfilment of the Treaty of Peking and with the view of strengthening the good relations existing between the two Empires, it was by mutual accord determined in the town of Tarbagatai with respect to the delimitation of the country subject to partition between the two countries, and commencing from Shabin-dabaha to the Tsun-lin range bordering on Kokan territory, to mark the line of frontier along the ridges of mountains, large rivers, and existing Chinese pickets, and having constructed a map of the country adjoining the frontier to indicate on it by a red line the boundary between the two Empires. Wherefore they have drawn up the present Protocol, in which they have set forth the names of the places defining the line of frontier determined at the present Conference, and adopted the rules for defining such frontier, which are embodied in the following Articles:

From Edward Hertslet, China Treaties, Vol. I, pp. 472-478.

#### Article I

Commencing from the boundary mark of Shabin-dabaha the frontier will first run westward, then southward along the Sayan ridge; on reaching the western extremity of the Tannuola range, it will turn to the south-west, following the Sailingem range, and from the Kuitun mountains it will run westward along the great Altai range. On reaching the mountains situated between the two Kalguty rivers (Kaliutu in Chinese), which flow north of Tzaisan-nor lake, the frontier will turn to the south-west, and following along the above mountains will extend to Tchakilmes mountain, on the north shore of Tzaisan-nor mountains. From hence, making a turn to the south-east, the frontier is to extend along the shore of Tzaisannor lake, and along the Black-Irtysh river to Manitugatul Khan picket.

Along this whole extent the watershed is to be adopted as the basis for defining the frontier between the two Empires, in such a manner that all the country along which rivers flow to the eastward and southward is to be apportioned to China, and all the country through which rivers flow to the west and north shall be allotted to Russia.

#### Article II

From the picket of Manitugatul Khan, in a south-easterly direction, the line of frontier is to abut on the Sauri mountains (Sairi-ola in Chinese); beyond this it will first trend to the south-west, and then west along the Tarbagatai range. On reaching the Khabar-asu pass (Hamar-dabakhan in Chinese) it will turn to the south-west and proceeding along the picket road, the frontier will extend along the pickets Kumurchi, Karabulak, Boktu, Veitan-tszi (Kok-tuma in Russian), Manitu, Sara-bulak, Chelan-togoi, Ergetu, Barluk, Modo-barluk. From hence the frontier is to extend along the valley between the Barluk and Alatau ranges, and beyond, between the Aruzindalan and Kabtagai pickets, the line is to be drawn along the most elevated point of this valley, abutting on the eastern extremity of the Altan-Tebshi mountains. The watershed is to be taken as a basis for the line of demarcation between the two Empires along this whole extent of country, and in such a manner that all country along which waters flow eastward and southward is to be assigned to China, and all country with waters flowing westward is to be allotted to Russia.

#### Article III

From the western extremity of the Altan-Tebshi mountains the frontier is to run westward along the great range of mountains known under the general name of the Alatau range, namely, along the summits of the Altan-Tebshi, So-Daba, Kuke-tom, Khan-Karchagai, and others. Along this extent all the country through which rivers flow northward is to become Russian territory, and all the country having rivers flowing southward is to be allotted to China.

On reaching the Kongor-obo mountains, which serve as the watershed of the rivers Sarbaktu flowing eastward, the Kok-su (the Kuke-olom of the Chinese) flowing westward, and the Kuitun (the Ussek of the Russians) flowing southward, the boundary is to deflect to the south.

Along this extent all the country through which rivers such as the Kok-su and others flow to the westward is to be assigned to Russia, and all the country along which rivers such as the Sarbaktu and others flow to the eastward is to become Chinese territory.

From hence, proceeding along the summits of the Koitas mountains, situated west of the Kuitun river, and reaching the point at which the river Turgen flowing southward issues out of the mountains, the boundary is to extend along the Turgen river and through the Borohudzir, Kuitun, Tsitsikhan, Horgos pickets, and be carried to the Ili-buraitsikin picket. Here, crossing the Ili river, the line of boundary is to run

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southward to the Tchun-tszi picket; from thence, turning to the south-east, the boundary shall be extended to the source of the Temurlik river. Thence, deflecting to the eastward, the line of frontier shall proceed along the summits of the Temurlik range, otherwise known under the name of the Nan-Shan range, and skirting the camping-grounds of the Khirghizes and Buruts (Dikkokamenni Khirghizes), the boundary shall turn in a south-westerly direction at the source of the Kegen river (the Gegen of the Chinese).

Along this extent all the country through which rivers run westward of the Kegen and other rivers shall belong to Russia, while all the country through which run rivers east of Undubulak and other rivers shall be allotted to China.

Further, proceeding to the south-west, the boundary shall run along the summits of Karatau mountains, and reaching the Birin-bash mountains (Bir-basha of the Chinese), the line of frontier shall extend along the river Daratu, flowing southward toward the Tekes river. The boundary, after crossing the Tekes river, shall extend along the Naryn-Nalga river and then abut on the Tian-Shan range. From hence, proceeding in a south-westerly direction, the frontier shall run along the summits of the Khan-Tengere, Savabsti, Kukustluk (Gunguluk of the Chinese), Kakshal (Kakshan of the Chinese), and other mountains, situated to the southward of Temurtunor lake, and known under the general name of the Tian-Shan range, separating Turkestan from the camping-grounds of the Buruts; and the boundary shall then abut on the Tsun-lin range which extends along the Kokandian frontier.

#### Article IV

At points occurring along ridges of mountains, large rivers, and permanent picket stations, which, after the present boundary delimitation shall have become Russian territory, and which are consequently situated on the side of the boundary line, there formerly existed Chinese pickets, as in the Ulusutai

and Kobdo districts, on the northern side of the great Altai and other ranges; Ukek and other pickets in the Tarbagatai district on the northern side of the Tarbagatai range; Olon-Bulak and other pickets, on the northern side of the Alatau range; Aru-Tsindallan and other pickets in the Ili district; Konur-Olen (Kongoro-olon of the Chinese) and other pickets. Until the boundary marks shall have been placed, the Chinese authorities may, as formerly, send their soldiers to these points for frontier service. With the arrival next year of the Commissioners from both sides for placing the boundary marks, the above-mentioned pickets must be removed to the Chinese side of the boundary in the course of one month, counting from the time of placing the boundary mark at that point from which the picket must be withdrawn.

#### Article V

The present delimitation of the boundary has been undertaken with a view of consolidating permanently friendly relations between the two Empires; consequently, in order to avoid disputes respecting the inhabitants of the conterminous zone, it is hereby determined to adopt as a basis the day of exchange of this Protocol, i.e., wherever such inhabitants may be seated at that time, there they are peaceably to abide and to remain in enjoyment of the means of existence assigned to them, and to whichever Empire the camping-grounds of these inhabitants may have passed, to such Empire shall such inhabitants and their land belong, and by such Empire shall they be governed. And if, after this, any of them shall remove from their previous place of residence and cross the border, such people shall be sent back, and thus all confusion and uncertainty on the boundary terminated.

#### Article VI

On the expiration of 240 days after the exchange of this Protocol respecting the boundary now defined, the Commissioners of both sides shall for the purpose of placing the boundary marks meet at appointed places, viz., from the Russian side the Commissioners shall assemble at a place situated between the Aru-Tsindallan and Kaptagai localities and here divide into two parties, one of which, together with the Commissioners from the Ili district, shall, for the purpose of placing the boundary marks, proceed to the southwest along the line of frontier now fixed, and place such marks. The other party, together with the Commissioners from the Tarbagatai district, shall proceed to the north-east, along the line of boundary now determined, and place the boundary marks.

To the Manitugatul Khan picket shall proceed the Commissioner from the Kobdo district for the purpose of placing the boundary marks, and he shall, conjointly with the Russians, place such marks along the boundary line now fixed; to the Sogok picket shall proceed the Commissioner empowered by the Ulusutai district to place the boundary marks, and he shall conjointly with the Russians, place such boundary marks along the line of frontier as far as the Shabin-dabaha picket.

For placing the marks the following rule shall be observed: where the boundary runs along high mountains, the summits of the mountains are there to be taken as the boundary line; and where it runs along large rivers, there the banks of the rivers are to serve as the line of frontier; at places where the boundary runs across mountains and rivers, new boundary marks are to be placed at all such places. In general, along the whole frontier the direction of the course of waters is to be taken into consideration when placing the boundary marks, and these marks are to be erected according to the nature of the locality. If, for instance, there is no pass through the mountains and consequently the placing of boundary marks would at such points be attended with difficulty, then the range of mountains and the course of flowing waters must be taken as the basis for the boundary line. In placing the marks in a valley, 30 fathoms (20 Chinese fathoms) must be left as intermediate ground.

All products of mountains and rivers to the left of the erected boundary marks shall belong to China, and all products of mountains and rivers on the right side of the boundary marks shall belong to Russia.

#### Article VII

After the boundary marks shall have been placed the Commissioners appointed by both sides for the erection of such marks must, in the following year, draw up a memorandum of the number of boundary marks erected by them, and specify the names of the localities where the marks have been placed by them, and they shall exchange such memoranda.

#### Article VIII

After the boundary marks shall have been erected by them along the whole line of frontier now determined between the two Empires, should it anywhere appear that the source of a river is situated within Chinese territory, and its course run within the confines of the Russian Empire, in such case the Chinese Empire must not alter the former bed of the river nor dam its course; and so conversely, should the source of the river be situated in Russian territory, and its course run within Chinese limits, the Russian Empire must not alter its former bed or dam its course.

#### Article IX

Hitherto the Amban rulers of Urga have alone been in communication with the Governor of Kiakhta on public matters, and the Tzian-Tziun of Ili and the Hobei-Amban of Tarbagatai have similarly had relations with the Governor-General of Western Siberia. Now, with the establishment of the present frontier, should any matter arise within the Ulusutai and Kobdo districts necessitating mutual relations.

the Tzian-Tziun of Ulusutai and the Hobei-Amban of Kobdo shall in such case enter into communication with the Governor of the Province of Tomsk and with the Governor of the Semipalatinsk region. The correspondence between them may be conducted either in the Manchurian or Mongolian tongue.

#### Article X

Prior to this, some inhabitants of Tarbagatai had established farms and ploughed up land in five places in the Tarbagatai district, west of Baktu picket, on the river Siao-Shui, and had paid rent for the same to the Government. With the establishment of the present boundary the above localities have become Russian territory; the immediate removal of the abovementioned agriculturists would, however, be attended with hardship to them. A period, therefore, of ten years shall be allowed them, counting from the time of erection of the boundary marks, and during this term they shall be gradually transferred to the interior parts of China.

In this manner the Commissioners imperially appointed on both sides for the delimitation of the boundary have at their present meeting determined by mutual accord the boundary line, have prepared in quadruplicate a map of the whole frontier as now fixed, and inscribed on this map in the Russian and Manchurian languages the names of the places situated on the boundary, and have affixed their seals and signatures to such maps. They have likewise drawn up this Protocol in the Russian and Manchurian languages and, having prepared four copies in each language, they, the Boundary Delimitation Commissioners of both sides, have attested these documents by affixing their seals and signatures thereto.

When mutually exchanging these documents the Commissioners of both Empires shall retain a copy of the map and a copy of the Protocol for their guidance; the remaining two copies of the map, and two copies of the Protocol, the Commissioners of both Empires shall present to their respective

Ministries of Foreign Affairs for embodiment in the Treaty of Peking, and in supplement thereto.

> 9. Treaty of St. Petersburg, Signed at St. Petersburg on February 12/24, 1881

### (Partial Text)

#### Article I

His Majesty the Emperor of All the Russias consents to the reestablishment of the authority of the Chinese Government in the country of Ili, temporally occupied since 1871 by the Russian armies.

Russia remains in possession of the western part of this country, within the boundaries indicated in Article VII of the present Treaty.

#### Article II

His Majesty the Emperor of China has undertaken to enact the proper measures to protect the inhabitants of the country of Ili, no matter what their race or religion, from any danger to their property or persons, for acts committed during or after the disturbance which took place in this country. A proclamation to this effect will be prepared by the Chinese authorities, in the name of His Majesty the Emperor of China, to the population of the country of Ili, before the return of this country to the said authorities.

From Edward Hertslet, China Treaties, Vol. I, pp. 483-492. This translation was made from the French by William C. Stallings, Jr.

#### Article III

The inhabitants of the country of Ili will be free to remain on at the place of their present residence as Chinese subjects, or to emigrate to Russia and adopt Russian dependence. They will be called upon to declare themselves on this matter before the reestablishment of the Chinese authority in the country of Ili, and a delay of one year from the day of the return of the Chinese authorities will be granted to those who show the desire to emigrate to Russia. The Chinese authorities will in no way oppose the exportation of their movable property and voluntary emigration.

#### Article IV

Russian subjects possessing lands in the country of Ili will keep their property rights, even after the reestablishment of the authority of the Chinese Government in this country.

This resolution is not applicable to the inhabitants of the country of Ili who will adopt Russian subjection at the time of the reestablishment of the Chinese authority in this country.

Russian subjects whose lands are situated outside of the sites appropriated at the Russian trading depots, as a result of Article XIII of the Treaty of Kouldja of 1851 will have to pay the same tax and contributions as Chinese subjects.

#### Article V

The two Governments will delegate to Kouldia Commissars who will proceed with one party's return and the other's withdrawal from the administration of the province of Ili, and who, in general, will be charged with the execution of the stipulations of the present Treaty with regard to the reestablishment of the authority of the Chinese Government in this country.

The said Commissars will discharge their duties, conform-

ing to the agreement which will be established with regard to the withdrawal of one party and the return of the other, of the administration of the country of Ili, under the Governor-General of Turkestan and the Governor-General of the Provinces of Chan-si and of Kan-sou, charged by the two Governments with the direction of this affair.

The withdrawal of the administration of the country of Ili will be completed within three months, or as soon as possible, from the date of the arrival at Tashkend of the officer, who will be delegated by the Governor-General of Chan-si and of Kan-sou in conjunction with the Governor-General of Turkestan, to notify it of the ratification and promulgation of the present Treaty by His Majesty the Emperor of China.

#### Article VI

The Government of His Majesty the Emperor of China will pay the Russian Government the sum of 9,000,000 metal roubles, to cover the expenses occasioned by the occupation of the country of Ili by the Russian troops since 1871 to satisfy all the pecuniary demands given rise to, up to this time, by the loss of goods, pillaged of Chinese territory, that the Russian subjects have sustained, and to furnish aid to the families of the Russian subjects killed in the armed attacks in which they were victims on Chinese territory.

The above-mentioned sum of 9,000,000 metal roubles will be discharged, within a two-year term from the day of the exchange of the ratifications of the present Treaty, according to the order and the conditions agreed upon by the two governments in the special Protocol annexed to the present Treaty.

#### Article VII

The western part of the country of Ili is incorporated with Russia to serve as a place of settlement for inhabitants of the country who will adopt Russian dependence, and who, by that fact, will have to abandon the lands they hold.

The frontier between the Russian possessions and the Chinese province of Ili will run, from the Bedjin-Taou Mountains, along the course of the Khorgos River, to the point where it meets the Ili River, and crossing the latter, will run southward, to the Ouzontaou mountains, with the village of Koldjat to the west. From this point it will follow, running southward, the line fixed by the Protocol signed at Tchougoutchak in 1864 (No. 83).

#### Article VIII

One segment of the boundary line, settled by the Protocol signed at Tchougoutchak in 1864 to the east of Lake Zai Pan, having been found defective, the two governments will appoint Commissars who, by common agreement, will modify the former line so as to eliminate these flaws, and to establish an efficient separation between the Kirghise tribes under the two Empires.

The new line will be, as much as possible, in an intermediary direction between the former boundary and a straight line running from the Kouitoun Mountains to the Saour Mountains crossing the Tcherny-Irtych.

#### Article IX

Commissars will be appointed by the two Contracting Parties to provide with the planning of the demarcation stakes on with the line determined in the preceding Articles VII and VIII and those areas not yet staked. The time and place of the meeting of the Commissars will be settled by an agreement between the two Governments.

The two Governments will similarly appoint Commissars to examine the frontier and to install the demarcation stakes between the Russian Province of Ferganah and the western

part of the Chinese Province of Kachgar. These Commissars will use the existing boundary as the basis for their work.

#### Article XVIII

The stipulations of the Treaty concluded at Aigoun, May 16, 1858 (No. 80), concerning the rights of the subjects of the two Empires to navigate the Amur, the Soungari, and the Oussouri and to trade with the people of the riverside localities are and remain confirmed.

The two Governments will proceed to establish an agreement concerning the method of administering the said stipulations.

#### Article XIX

The provisions of the former Treaties between Russia and China not modified by the present Treaty remain in full force.

# 10. Sino-Russian Secret Treaty of Alliance May, 1896

The secret Sino-Russian Treaty of Alliance of May, 1896 was a "scam", ostensibly aimed at Japanese, but actually served as an instrument for Russian expansion into Manchuria. The existence of this important document was then kept absolutely secret. Only in connection with the Boxer uprising, the Empress Dowager in a telegram to the Czar in 1900 made an allusion to this effect, saving:

On a former occasion I deputed Li Hung-chang to proceed to Your Majesty's capital as my special envoy; he drew up on our behalf and concluded with your country a secret treaty of alliance which is duly recorded in the Imperial Archives. 1

Yet, the full text of the treaty has never been officially published by either party-note even during the Bolshevik Revolution. Requested to present all treaties ever concluded by China with foreign Powers the Chinese delegation at the Washington Conference of 1921 made a telegraphic summary of this treaty as follows:

Article I. The High Contracting Parties engage to support each other reciprocally by all the land and sea forces at any aggression directed by Japan against Russian territory in Eastern Asia, China, and Korea.

Article II. No treaty of peace with an adverse party can be concluded by either of them without the consent of the other.

Article III. During military operations all Chinese ports shall be open to Russian vessels.

Article IV. The Chinese Government consents to the construction of a railway across the provinces of Amur and Kirin in the direction of Vladivostok. The construction and exploitation of this railway shall be accorded to the Russo-Chinese Bank. The contract shall be concluded between the Chinese minister at St. Petersburg and the Russo-Chinese Bank.

Article V. In time of war Russia shall have use of the railway for the transport and provisioning of her troops. In time of peace Russia shall have the same right for the transit of troops and provisions.

Article VI. The present treaty shall come into force from the day on which the contract stipulated in Article IV shall have been confirmed. It shall have force for fifteen years. 2

1. Bland and Backhouse, China under the Empress Dowager, p. 336.

2. Conference on the Limitation of Armament, p.1414. See also Tao Shing Chang, International Controversies Over the Chinese Eastern Railway, pp. 9-15.

# 11. Contract for the Construction and Operation of the Chinese Eastern Railway\*

September 8, 1896

(Between the undersigned, His Excellency Shu King-chen, Minister Plem potentiary of His Majesty the Emperor of China, at St. Petersburg, acting by virtue of an Imperial Edict, dated Kuang Hsu, 22nd year, 7th month, 20th day (August 16/28, 1896), of the one part, and the Russo-Chinese Bank, of the other part, it has been agreed as follows.)

The Chinese Government will pay the sum of five million Kuping tads.

Ratifications exchange at Peking, October 20, 1890.

<sup>\*</sup> Translation from the French text as printed in Soglashenia, p.4. French text printed also in Customs, Vol. I, p.208. English text in MacMurray, I, pp.74-77.

(Kuping Tls. 5,000,000.) to the Russo-Chinese Bank, and will participate in proportion to this payment in the profits and losses of the bank, on conditions set forth in a special contract.

The Chinese Government having decided upon the construction of a railway line, establishing direct communication between the city of Chita and the Russian South Ussuri Railway, entrusts the construction and operation of this railway to the Russo-Chinese Bank upon the following conditions:

The Russo-Chinese Bank will establish for the construction and operation of this railway a company under the name of the Chinese Eastern Railway Company.

The seal which this Company will employ will be given to it by the Chinese Government. The statutes of this Company will be in conformity with the Russian usages in regard to railways. The shares of the Company can be acquired only by Chinese or Russian subjects. The president of this Company will be named by the Chinese Government, but paid by the Company. He may have his residence in Peking.

It will be the duty of the president to see particularly to the scrupulous fulfilment of the obligations of the Bank and of the Railway Company towards the Chinese Government; he will furthermore be responsible for the relations of the Bank and of the Railway Company with the Chinese Government and the central and local authorities.

The president of the Chinese Eastern Railway Company will likewise be responsible for examining all accounts of the Chinese Government with the Russo-Chinese Bank.

To facilitate local negotiations, the Russo-Chinese Bank will maintain an agent at Peking.

The route of the line will be determined by the deputies of the president (named by the Chinese Government) of the Company, in mutual agreement with the engineers of the Company and the local authorities. In laying out this line, cementries and tombs, as also towns and villages, should so far as possible be avoided and passed by.

- The Company must commence the work within a period of twelve months from the day on which this contract shall be sanctioned by imperial decree, and must so carry it on that the whole line will be finished within a period of six vears from the day on which the route of the line is definitely established and the lands necessary therefor are placed at the disposal of the Company. The gauge of the line should be the same as that of the Russian railways (5 Russian feet - about four feet, two and one-half inches, Chinese).
- The Chinese Government will give orders to the local authorities to assist the Company to the extent of their ability in obtaining, at current prices, the materials necessary for the construction of the railway, as also laborers, means of transport by water and by land, the provisions necessary for the feeding of men and animals, etc.

The Chinese Government should, as needed, take measures to facilitate such transportation.

5. The Chinese Government will take measures to assure the safety of the railway and of the persons in its service against any attack.

The Company will have the right to employ at will, as many foreigners or natives as it may find necessary for the purpose of administration, etc.

Criminal cases, lawsuits, etc., upon the territory of the railway, must be settled by the local authorities in accordance with the stipulations of the treaties.

The lands actually necessary for the construction, operation, and protection of the line, as also the lands in the vicinity of the line necessary for procuring sand, lime, etc., will be turned over to the Company freely, if these lands are the property of the State; if they belong to individuals, they will be turned over to the Company either upon a single payment or upon an annual rental to the proprietors, at current prices. The lands belonging to the Company will be exempt from all land taxes (impot foncier).

The Company will have the absolute and exclusive right of administration of its lands. (La Societe aura le droit absolu et exclusif de l'administration de ses terrains.)

The Company will have the right to construct on these lands buildings of all sorts, and likewise to construct and operate the telegraph necessary for the needs of the line.

The income of the Company, all its receipts and the charges for the transportation of passengers and merchandise, telegraphs, etc., will likewise be exempt from any tax or duty. Exception is made, however, as to mines, for which there will be a special arrangement.

- 7. All goods and materials for the construction, operation, and repair of the line, will be exempt from any tax or customs duty and from any internal tax or duty.
- The Company is responsible that the Russian troops and war material, despatched in transit over the line, will be carried through directly from one Russian station to another, without for any pretext stopping on the way longer than is strictly necessary.
- 9.\* Passengers who are not Chinese subjects, if they wish to leave the territory of the railway, should be supplied with Chinese passports. The Company is responsible that passengers, who are not Chinese subjects, should not leave the territory of the railway if they do not have Chinese passports.
- 10. Passengers' baggage, as well as merchandise despatched in transit from one Russian station to another, will not be subject to customs duties; they will likewise be exempt from any internal tax or duty. The Company is bound to despatch such merchandise, except passengers' baggage, in special cars, which, on arrival at the Chinese frontier, will be sealed by the office of the Chinese Customs and cannot leave Chinese territory until after the office of the Customs shall have satisfied itself that the seals are intact; should it be established that these cars have been opened on the way without authorization, the merchandise would be confiscated.

Merchandise imported from Russia into China by the railway, and likewise merchandise exported from China into Russia by the same route, will respectively pay the import and export duty of the Chinese Maritime Customs, less one-third.

If merchant is transported into the inter-or it will pay in addition the transit duty - equivalent to a half of the import duty collected - which frees it from any further charge.

Merchandise not paying the transit tax will be subject to all the barrier are likin duties imposed in the interior.

The Chinese Government must install customs offices at the two frontier points on the line.

- 11. The charges for the transportation of passengers and of merchandise, as well as for the loading and unloading of merchandise, are to be fixed by the Company, but it is obliged to transport free of charge the Chinese official letter post, and, at half price, Chinese land or sea forces and also Chinese war materials.
- 12. The Chinese Government transfers to the Company the complete and exclusive right to operate the line on its own account and risk, so that the Chinese Government will in no case be responsible for any deficit whatsoever of the Company, during the time allotted for the work and thereafter for a further eighty years from the day on which the line is finished and traffic is in operation. This period having elapsed, the line, with all its appurtenances, will pass free of charge to the Chinese Government.

At the expiration of thirty-six years from the day on which the entire line is finished and traffic is in operation, the Chinese Government will have the right to buy back this line upon repaying in full all the capital involved, as well as all the debts contracted for this line, plus accrued interest.

If - in case the profit realized exceeds the dividends allowed to the shareholders - a part of such capital is repaid, the part will be deducted from the price of repurchase. In no case may the Chinese Government enter into possession of this line before the appropriate sum is deposited in the Russian State Bank.

The day when the line is finished and traffic is in operation, the Company will make to the Chinese Government a payment of five million Kuping taels (Kuping Ts. 5,000,000).

Kusang Hsu, 22nd year, 8th month, 2nd day (Signed) SHU

> Berlin, August 27/ September 8, 1896. RUSSO-CHINESE BANK (Signed) ROTHSTEIN. (Signed) PRINCE OUKHTOMSKY.

# 12. Convention for the lease of the Liaotung Peninsula.\*-March 27, 1898.

His Majesty the Emperor and Autocrat of all the Russias, and His Majesty the Emperor of China, being desirous of still further strengthening the friendly relations existing between the two Empires and mutually wishing to insure the means whereby to show reciprocal support, have appointed as their Plenipotentiaries, for the purpose of arriving at an agreement on this matter:

His Majesty the Emperor of Russia - M. Alexander Paylow. Gentleman of the Court, and His Majesty's Charge d'Affaires accredited to the Government of H. M. the Emperor of China.

His Majesty the Emperor of China - Count Li, Chancellor, Member of the Ministry of Foreign Affairs, and Senior Preceptor of the Heir to the Throne, and Chang, Assistant Minister of Finance, and Member of the Ministry of Foreign Affairs, with Ministerial rank.

The above-named Plenipotentiaries, furnished with due powers, have decided upon the following stipulations:

- Art. I. For the purpose of ensuring that the Russian naval forces shall possess an entirely secure base on the littoral of northern China, H. M. the Emperor of China agrees to place at the disposal of the Russian Government, on lease, the Ports Arthur (Liou-choun-kown) and Ta-lien-wan, together with the water areas contiguous to these ports. This act of lease, however, in no way violates the sovereign rights of H. M. the Emperor of China to the above-mentioned territory.
- Art. II. The frontier of the territory leased on the abovespecified basis, will extend northwards from the Bay of Ta-lien-wan for such distance as is necessary to secure the proper defence of this area on the land side. The precise line of demarcation and other details respecting the stipulations of the present Convention will be determined by a separate Protocol which shall be concluded at St. Petersburg with the dignitary Siou-tzin-ch'eng immediately after the signature of the present Convention. the determination of this line of demarcation, the Russian Government will enter into complete and exclusive enjoyment of the whole area of the leased territory together with the water areas contiguous to it.

- Art. III. The term of the lease shall be twenty-five years from the date of the signature of the present agreement and may be prolonged subsequently by mutual consent of both Governments.
- Art. IV. During the above-specified period, on the territory leased by the Russian Government and its adjacent water area, the entire military command of the land and naval forces and equally the supreme civil administration will be entirely given over to the Russian authorities and will be concentrated in the hands of one person who however shall not have the title of Governor or Governor-General. No Chinese military land forces whatsoever will be allowed on the territory specified. Chinese inhabitants retain the right, as they may desire, either to remove beyond the limits of the territory leased by Russia or to remain within such limits without restriction on the part of the Russian authorities. the event of a Chinese subject committing any crime within the limits of the leased territory, the offender will be handed over to the nearest Chinese authorities for trial and punishment in accordance with Chinese laws, as laid down in Article VIII of the Treaty of Peking of 1860.
- Art. V. A neutral zone shall be established north of the above-specified frontier of the leased territory. The frontiers of this zone will be fixed by the dignitary Siou-tzin-ch'eng and the Ministry of Foreign Affairs in St. Petersburg. Within this specified neutral zone the civil administration will be entirely in the hands of the Chinese authorities; Chinese troops will be admitted within this zone only with the consent of the Russian authorities.
- Art. VI. Both the Governments agree that Port Arthur, as an exclusively military (naval) port, shall be used solely by Russian and Chinese vessels and shall be considered as a closed port to war-ships and merchant vessels of other States. As regards Ta-lien-wan, this port, with the exception of one of the inner bays which, like Port Arthur, shall be set apart exclusively for the use of the Russian and Chinese fleets, shall be considered open to foreign commerce and free entry to it will be granted to the merchant vessels of all nations.

Art. VII. - The Russian Government takes upon itself at its own expense and with its own resources to erect all buildings ne-essary for its fleet and land forces on the area leased to it and especially in the ports Arthur and Ta-lien-wan, to erect fortifications, maintain garrisons in them and generally to take all necessary steps for the proper defence of the specified locality from hostile attack. Similarly the Russian Government binds itself at its own expense to erect and maintain light-houses and other precautionary signs requisite for the security of navigation.

Art. VIII. - The Chinese Government agrees that the concessions granted by it in 1896 to the Chinese Eastern Railway Company, from the date of the signature of the present agreement shall be extended to the connecting branch which is to be built from one of the stations of the main line to Ta-lien-wan, and also, if deemed necessary, from the same main line to another more convenient point on the littoral of the Liaotung Peninsula between the town of In-tzu and the estuary of the River Yalu. All the stipulations of the contract concluded by the Chinese Government with the Russo-Chinese Bank on August 27 (September 8), 1896, shall apply scrupulously to these supplementary branches. direction and points through which the above-mentioned lines shall pass will be determined upon the dignitary Siou-tzinch'eng and the administration of the Chinese Eastern Railway. Consent to the construction of the railway on the basis indicated shall never under any form serve as a pretext for the seizure of Chinese territory or for an encroachment on the sovereign rights of China.

Art. IX. - The present Convention shall come into force from the date of exchange of copies thereof by the Plenipotentiaries of the two States.

The exchange of ratifications will take place in St. Pettersburg with the least possible delay.

In virtue of which the respective Plenipotentiaries of the two parties have signed and affixed their seals to two copies of the present Convention in the Russian and Chinese languages. Of the two texts which, upon comparison, have been found to be in agreement, the Russian text shall be that used for the interpretation of the Convention.

Done in duplicate at Peking, this 15th day of March (March 27), 1898, and by the Chinese calendar of the 3rd moon of the 24th year of the reign of Kuang-Hsu.

(Seal) (Signed) A. PAVLOW (Seal) (Signed) Li-CHANG (Seal of the Tsung-li-yamen)

<sup>\*</sup> Translation from the Russian text as printed in Recueil. p. 331. Printed also in Russian and Chinese texts, in customs, Vol. II, pp. 219, 223; and, in a translation from unofficial versions, in Rockhill, p. 50; Hertslet, p. 505; Am. Int. Law Journal, Supplement, 1910, p. 289.

# 13. Agreement concerning the southern branch of the Chinese Eastern Railway.\*

July 6, 1898.

Hsu(Ching-ch'eng), Ambassador (?) of the Imperial Chinese Government, and Yang(-ju), Minister of the Imperial Chinese Government to Russia, have received an Imperial Decree of the 7th of the Fifth Moon, XXIV Year of Kuanghsu, that is the 13th of June, 1898, Russian Calendar (June 25th, 1898, New Style), authorizing them to draw up a contract with the Chinese Eastern Railway Company in accordance with the provisions of the Treaty between China and Russia, entered into at Peking on the 6th of the Third Moon, XXIV Year of Kuanghsu, i.e. March 15, 1898, Russian Calendar (March 27th, 1898, N.S.) and those of the Special Supplementary Articles to the same, agreed upon at St. Petersburg on the 17th of the Intercalary Third Moon - April 25, 1898 - (May 7th, 1898, N.S.) to the effect that, from the date of the signing of said Treaty by the Chinese Government, in accordance with the permission given in the XXII Year of Kuanghsu (1896) to the Chinese Eastern Railway Company to construct certain railways, a branch line might be built and operated, which should begin at a station, to be selected on the main line of the Chinese Eastern Railway, and extend to the sea-ports, Dalny and Port Arthur in the Liao-tung Peninsula; the said branch line to be dealt with in careful compliance with the terms of the Contract of the 2d of the Eighth Moon, XXII Year of Kuanghsu, August 27, 1896, Russian Calendar (Sept. 8, 1896, N.S.) between the Chinese Government and the Russo-Chinese Bank.

In accordance with the foregoing provisions, the following Articles relating to the construction and operation of a railway through Manchuria are now agreed upon, to-wit:

Article I. - This branch of the Chinese Eastern Railway, extending to the sea-ports of Port Arthur and Dalny, shall be known as the Southern Manchurian Branch of the Chinese Eastern Railway.

Article II. - In accordance with Article IV of the Contract of the 2d. of the Eight Moon, XXII Year of Kuanghsu, August 27, 1896 (Sept. 8th, 1896. N.S.), which provides that the Chinese Government shall take steps as occasion may require to facilitate the bringing in of the materials needed for the construction of the line, whether transported by water or by land, it is now agreed that the Company may employ steamers or other vessels, and such vessels flying the Company's flag ship be permitted to proceed up the Liao River or any of its branches, and to enter Ying-K'ou (the port of Newchwang) or any port in the Neutral Territory which may prove advantageous to the work of constructing this line, and may there discharge cargo.

Article III. - In order to facilitate the bringing in by the Chinese Eastern Railway Company of the materials and provisions needed in the construction of the Southern Manchurian Branch, it is permitted the Company to build temporary branch lines from this road to Ying-k'ou and to sea-ports in the Neutral Zone, but when the work of building the line is completed and the road is open for traffic the Company must at the notice of the Chinese Government remove these branch railways; that is to say, within eight years from the date of the survey and determination of the line and the appropriation of the land for its construction these temporary branch lines must be removed.

Article IV. - In accordance with the permission granted to the Company in the XXIII Year of Kuanghsu (1897) to cut timber and mine coal for the use of the railway, it is now agreed to allow the Company to fell timber at its pleasure in the forests on government lands, each tree to be paid for at a price to be fixed by the Engineer-in-Chief or his-deputy in consultation with the local authorities, but not higher than the local market rate. But no forests on property in the province of Shengking belonging to the Imperial Family, or on sites that affect the feng-shui being under the direct control of the Peking Government may be injured or distrubed.

The Company shall also be allowed in the regions traversed by this branch line to mine such coal as may be needed for the construction or operation of the railway, the price of which coal shall be fixed by the Engineer-in-Chief or his Deputy in consultation, with the local authorities but shall not exceed the royalty paid by other parties in the same locality.

Article V. - Within the leased territory on the Liao-tung Peninsula Russia may fix the Customs Tariff to suit herself, and China may levy and collect duties at the boundaries on all goods going from the leased territory to the interior or from the interior to the leased territory. In dealing with this matter China may arrange with Russia for the latter Government to establish the Customs at Dalny and from the date of the opening of the said port to international trade to appoint the Chinese Eastern Railway Company to act as the Agent of the Chinese Imperial Board of Revenue to open and manage the Customs and in its behalf to levy and collect duties. The said Customs shall be under the sole control of the Peking Government, to which the said Agent shall from time to time report its management. In addition there shall be appointed a Chinese civil official to be stationed as Deputy at the said All baggage of passengers and all good brought from railway stations within the Russian boundaries by the said line into the territory leased to Russia in the Liao-tung Peninsula, or shipped from the said leased territory into the Russian Empire shall be entirely free of all Customs duties as well as of all Inland Transit and Likin dues. Goods shipped by rail from the interior of China to the leased territory or from the leased territory to the interiormust pay export or import duties respectively according to the Imperial Maritime Customs Tariff without increase or reduction.

Article VI. - The Company may at its pleasure assume the responsibility of establishing a line of sea-going vessels flying the Company's flag, to be operated under the Regulations for Foreign Mercantile Shipping. Should these vessels or the management of the business in connection therewith occasion any financial loss, the Chinese Government shall not be held responsible. Passenger fares and freight rates shall be established by the Company to suit itself, and shall in no wise concern the railway. The period of the management of the said enterprise being of course unlimited, the provisions of Article XII of the Contract between the Chinese Government and the Russo-Chinese Bank of the XXII year of Kuanghsu (1896) fixing a price for the purchase of railway, and a date for its reversion to China without payment, shall not apply to this undertaking.

Article VII. - As to the location of the Southern Manchurian Railway Line, and the determination of the places through which it shall pass, it will be necessary to wait until the Engineer-in-Chief shall have surveyed the route through Manchuria and made report of the conditions to the Head Office of the Company, when the Company or its Agent in Peking shall consult with the Director General of the Railway and decide the matter.

<sup>\*</sup> Chinese text as printed in Customs, Vol. II, p. 233. English text in MacMurray, Treaties and Agreement with and concerning China, Vol.  $\overline{I}$ , pp. 145-156

## 14 The Two Karakhan Declarations\*

#### THE DECLARATION OF 1919

The text of the 1919 Declaration, as translated by the Chinese Ministry of Foreign Affairs from the original French text is as follows:

Telegram No. 5/15. Irkutsk date March 26, 1920 time: 12. To the Ministry of Foreign Affairs - Peking.

To the Chinese people and the government of North and South China. At the time when the Soviet troops after having defeated the army of the counter-revolutionary Despot Koltchak supported by foreign bayonets and money, entered into Siberia and marched together with the revolutionary people of Siberia the Council of the Commissaries of the people addressed to all the people of China the following brotherly words:-

The Russia of the Soviets and her red armies after two years of struggle and after making incredible efforts, are marching towards the East beyond the Urals, not for the purposes of oppressing nor with the spirit of tyrannizing or conquest. All the peasants and workmen of Siberia are already aware of We are marching to free the people from the yoke of the military force of foreign money which is crushing the life of the people of the East, and principally the people of China. We are not only bringing help to our working classes but also the Chinese people; and we want once more to remind them of that which we have continually told them, since the great revolution of October 1917, and which the public press in the pay of the Americans, Europeans and Japanese have perhaps suppressed. since the government of workmen and peasants took the power into their hands in October, 1917 that government has in the name of the Russian people called upon the people of the whole world to establish an enduring peace. This peace must be based upon mutual renouncement of all seizure of other peoples' land, and of all forced contribution from any people; all people whether they are great or small, whether they have lived until now with a free life or whether they form against, their own will, a part of another country, shall be free in their inner life and no power shall interfere with them within this limit. The government of workers and peasants has then declared null and void all the secret treaties

reproduced in China Yearbook, 1924, pp.868-873.

concluded with Japan, China and the ex-Allies, the treaties which were to enable the Russian government of the Tsar and his Allies to enslave the people of the East and principally the people of China by intimidating or buying them for the sole interests of the capitalists, financiers and the Russian generals. The Soviet governmentinvites henceforth the Chinese government to enter into negotiations with the object of cancelling the treaty of 1896, the protocol of Peking of 1901 and all the agreements concluded with Japan from 1907 to 1916. That is to say to give back to the Chinese people all the power and authority which were obtained by the government of the Tsar by tricks or by entering into understandings with Japan and the Allies. The negotiations on this subject lasted until March 1918. But the Allies suddenly took the government of Peking by the throat, filled the pockets of the Mandarins and the Chinese newspapers with money and forced the Chinese government to refuse to have any relations whatever with the government of workers and peasants of Russia. Without waiting for the restoration of the railway of Manchuria to the people of China, Japan and the Allies seized it for themselves, invaded Siberia and forced the Chinese soldiers to assist them in this unheared of and criminal act of brigandage. And the people, the workmen and the peasants of China have not the slightest knowledge of either the truth or the reason of the invasion of Manchuria and Siberia by the greedy Europeans, Americans and Japanese. We herewith address the Chinese people with the object of making them thoroughly understand that the Soviet Government has given up all the conquests made by the government of Tsars which took away from China Manchuria and other territories. The population of these territories shall decide for themselves to which country they would like to belong, as well as the form of government which they would like to adopt in their own countries. Government returns to the Chinese people without demanding any kind of compensation, the Chinese Eastern Railway, as well as all the mining concessions, forestry, gold mines, and all the other things which were seized from them by the government of Tsars, that of Kerensky, and the Brigands, Horvat, Semenoff, Koltchak, the Russian Ex-generals, Merchants and capitalists. The Soviet government gives up the indemnities payable by China for the insurrection of The Soviet government is obliged to repeat this Boxers in 1900. assertion for the third time, for we are told that, in spite of our willingness to forego and give it up, this indemnity money is still held in the hands of the allies for the payments of the salary and imaginary expenses of the former imperial minister at Peking and the former imperial consuls in China. The rights and powers of all those slaves of the Tsar have long been taken away

Nevertheless, they still continue to remain in from them. their posts and cheat the Chinese people by the help of Japan and the Allies. The Chinese people should know this and kick these liars and thieves out of their country. Soviet government has abolished all the special privileges and all the factories owned by the Russian merchants in the Chinese territory; no Russian official priest or missionary should be allowed to interfere with Chinese affairs; and if they should commit any crime, they must be judged according to the local laws in local law courts. No authority or law court, whatever, should be allowed to exist in China except the authority and law court of the Chinese people. these principal points, the Soviet government represented by its plenipotentiaries, is ready to negotiate with the Chinese people, all the other questions and to settle once for all, all the cases of acts of violence and injustice which were committed towards China by the former government of Russia, acting together with Japan and the Allies. Soviet government knows perfectly well that the Allies and Japan will do what they can in order that the voice of the Russian workmen and peasants should not, this time again, reach the ears of the Chinese people, so that the people of China will not understand that it is for the restoration of everything which was taken away from them. It is, therefore, necessary to put a stop first of all to the predatory instruction in Manchuria and Siberia. It is for this reason that we give to-day to the Chinese people this news from their real friends that our red armies are marching towards the East beyond the Urals to help the Siberian peasants and workmen in order to set them free from the domination of the Koltchak bandits and their allies, the Japanese. Chinese people, following the example of the Russian people, wish to become free and to avoid the fate reserved for them by the Allies at Versailles in their object of making China into a second Korea or another India, the Chinese people should understand that they have no other ally or brother in their struggle for liberty except the Russian peasants and workmen and their red Army. The Soviet government, therefore, offers to the Chinese people through the interposition of its government, to establish with us from now some official relations and to send some representatives to the front of our Acting for the Commission of Foreign Affairs, signed by Karachan, as a true copy certified.

#### **DECLARATION OF 1920**

The text of the 1920 Declaration, as published by the Soviet Mission, follows:-

To the Ministry of Foreign Affairs of the Chinese Republic.-

More than a year ago, on July 25, 1919, the Council of Peoples Commissaries of the Russian Socialist Federated Soviet Republic issued a Declaration to the Chinese people and the Government of South and North China, wherein the Russian Government, renouncing all the former Tsarist treaties concluded with China and returning to the Chinese people all that had been seized from it by force and grabbed by the Tsar's Government and the Russian bourgeoisie, proposed to the Chinese Government to enter upon official negotiations with a view to establishing friendly relations.

We have had now information conveyed to us to the effect that this Declaration has been received by the Chinese Government and that the various layers and organisations of the people of China are voicing their sincere desire that the Chinese Government should start negotiations with us with a view to establishing friendly relations between China and Russia.

The Government of the Chinese Republic has delegated to Moscow a Military and Diplomatic Mission, headed by General Chang Su-lin: we heartily welcome the arrival of the Chinese Mission to Moscow, hoping that through direct negotiations with your Representatives we may establish a mutual understanding of the common interests uniting China and Russia. We are satisfied that there do not exist any such questions between the Russia and Chinese people as could not be solved to the common advantage of both of them. We are aware that the enemies of the Russian and Chinese people are trying hard to prevent our friendship and our closer rapprochement, for they understand that the friendship of two great peoples and their reciprocal help to each other will so much strengthen China that no foreigners will then be able to put such fetters on and rob the Chinese people as is being done to-day.

Unfortunately, however, there seems to be something standing in the way of an early establishment of friendly relations between China and Russia. Your Mission, which could perfectly well ascertain our sincere and friendly attitude towards China, has not up till now received the proper instructions which could empower it to enter upon the path of formal friendly relations between both peoples.

Whereas it expresses its regret at the rapprochment being delayed and important interests, commercial and others, of both States failing to materialise - the People's Commissariat of Foreign Affairs, prompted by its desire to be helpful and to speed up the establishment of friendship between our two peoples, declares by these presents that it will unswervingly abide by those principles which were laid down in the Declaration of the Russian Soviet Government of July 25th, 1919, basing on them the friendly agrement between China and Russia.

In development of the principles contained in this Declaration, the People's Commissariat of Foreign Affairs deems necessary, for the benefit of both Republics, to propose the following main points of agreement to the Ministry of Foreign Affairs of the Chinese Republic:

#### ARTICLE I

The Government of the Russian Socialist Federated Soviet Republic declares null and void all the treaties concluded with China by the former Governments of Russia, renounces all seizure of Chinese territory and all Russian concessions in China and restores to China, without any compensation and for ever all that had been predatorily seized from her by the Tsar's Government and the Russian bourgeoisie.

#### ARTICLE II

The Governments of both Republics shall take necessary measures for immediately establishing regular trade and economic relations. A special treaty to this effect shall be subsequently concluded on the principle of the clause of the most favoured nation, applying to both contracting parties.

#### ARTICLE III

The Chinese Government pledges itself: (1) not to proffer any aid to Russian counter-revolutionary individuals, groups or organisations, nor to allow their activities in Chinese territory; (2) to disarm, intern and hand over to the Government of the Russian Socialist Federated Soviet Republic all the detachments and organisations to be found in Chinese territory at the time of the signing of this Treaty, which are fighting against the R.S.F.S.R. or States allied with her and to gover over to the Government of the R.S.F.S.R. all their arms, munitions and property.

(Note: - This clause is reciprocal, a sub-paragraph to this effect having admittedly been omitted.-Ed.)

#### ARTICLE IV

All the Russian citizens residing in China shall be subject to all the laws and regulations acting in the territory of the Chinese Republic and shall not enojoy any rights of extraterritoriality. The Chinese citizens residing in Russia shall be subject to all the laws and regulations acting in the territory of the Russian Socialist Federated Soviet Republic.

#### ARTICLE V

The Government of The Chinese Republic pledges itself: (1) immediately upon the signing of the present treaty to sever connections with persons styling themselves as diplomatic and consular representatives of the Russian State without having any powers from the Government of the Russian Socialist Federated Soviet Republic and to deport such persons from China: (2) to hand over to the Russian State in the person of the Government of the Russian Socialist Federated Soviet Republic, the building of the Embassy and consulates and other property and archives of the same, situated in Chinese territory and belonging to Russia.

#### ARTICLE VI

The Government of the Russian Socialist Federated Soviet Republic renounces any compensation paid out by China as indemnity for the Boxer Rising, provided that under no circumstances shall the Government of the Chinese Republic pay any money to the former Russian consuls or to any other persons or Russian organisations putting up illegal claims thereto.

#### ARTICLE VII

Following immediately upon the signing of the present Treaty, there shall be mutually established diplomatic and consular representatives of the Republic of China and the Russian Socialist Federated Soviet Republic. The Russian and the Chinese Governments agree to sign a special treaty on the way of working the Chinese Eastern Railway with due regard to the needs of the Russian Socialist Federated Soviet Republic, and in conclusion of the treaty there shall take part, besides China and Russia, also the Far Eastern Republic.

The above points of agreement the People's Commissariat of Foreign Affairs advances as the main clauses, which can be discussed in a friendly way with your representatives, and amendments made which the Chinese Government shall deem necessary for common benefit.

The relations between the two great peoples are not exhausted by the agreement as stated above, and representatives of both States will have to settle subsequently trade, frontier, railway, customs and other questions, embodying them in special treaties.

All measures will be taken on our part with a view to establishing closest and sincere friendship between both parties, and we hope that on the part of the Chinese Government there will also be made an equally sincere and prompt proposition, thus making it possible to proceed at an earliest date to the conclusion of a friendly treaty.

(Signed) L. Karahan, Acting Commissary for Foreign Affairs. Moscow, 27 September, 1920.

It is significant that the second Declaration was handed to the Chinese representative in Moscow a few days after the Mandate of the President, dated September 23, withdrawing the recognition of the Diplomatic and Counsular representatives of the old Government, and authorising control by Chinese of all Russian rights and interests in China. Presumably Moscow was alarmed at the literal interpretation placed upon the 1919 Declaration of Renunciation, by the Chinese Government. Certainly it is a remarkable coincidence that the proposed Treaty of 1920, stipulating that a special Treaty regarding the Chinese Eastern Railway "with the due regard to the needs" of Russia, must be signed, should have been issued so soon after China's assumption of a "trusteeship" over Russian rights.

Chinese suspicions of Russian good faith were intensified as the result of the dispute over the text of the 1919 Declaration, and a further disquieting factor was the recrudescence of reports that M. Karahan proposed to leave Peking.

# 15. Sino-Soviet Agreements, May 31, 1924\*

AGREEMENT ON GENERAL PRINCIPLES FOR THE SETTLEMENT OF THE OUESTIONS BETWEEN THE REPUBLIC OF CHINA AND THE UNION OF SOVIET SOCIALIST REPUBLICS

THE Republic of China and the Union of Soviet Socialist Republics, desiring to re-establish normal relations with each other, have agreed to conclude an agreement on general principles for the settlement of questions between the two countries, and have to that end named as their Plenipotentiaries, that is to say:

His Excellency the President of the Republic of China: VI KYUIN WELLINGTON KOO.

The Government of the Union of Soviet Socialist Republics: LEV MIKHAILOVITCH KARAKHAN.

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

Article I. Immediately upon the signing of the present Agreement, the normal diplomatic and consular relations between the two Contracting Parties shall be re-established.

The Government of the Republic of China agrees to take the necessary steps to transfer to the Covernment of the Union of Soviet Socialist Republics the Legation and Consular buildings formerly belonging to the Tsarist Government.

Article II. The Governments of the two Contracting Parties agree to hold, within one month after the signing of the present Agreement, a Conference which shall conclude and carry out detailed

Text of May 31, 1924 Agreements in League of Nations: Treaty Series, Vol. XXXVII, p. 176 ff: Aitchen K. Wu, China and Soviet Union, p. 347 ff.

arrangements relative to the questions in accordance with the principles as provided in the following Articles.

Such detailed arrangements shall be completed as soon as possible and, in any case, not later than six months from the date of the opening of the Conference as provided in the preceding paragraph.

Article III. The Governments of the two Contracting Parties agree to annul at the Conference as provided in the preceding Article, all Conventions, Treaties, Agreements, Protocols, Contracts, et cetera, concluded between the Government of China and the Tsarist Government and to replace them with new treaties, agreements, et cetera, on the basis of equality, reciprocity and justice, as well as the spirit of the Declarations of the Soviet Government of 1919 and 1920.

Article IV. The Government of the Union of Soviet Socialist Republics, in accordance with its policy and Declarations of 1919 and 1920, declares that all Treaties, Agreements, et cetera, concluded by the former Tsarist Government and any third party or parties affecting the sovereign rights or interests of China, are null and void.

The Governments of both Contracting Parties declare that in future neither Government will conclude any treaties or agreements which prejudice the sovereign rights of either Contracting Party.

Article V. The Government of the Union of Soviet Socialist Republics recognizes that Outer Mongolia is an integral part of the Republic of China, and respects China's sovereignty therein.

The Government of the Union of Soviet Socialist Republics declares that as soon as the questions for the withdrawal of all the troops of the Union of Soviet Socialist Republics from Outer Mongolia—namely—as to the time limit of the withdrawal of such troops and the measures to be adopted in the interests of the safety of the frontiers—are agreed upon at the Conference as provided in Article II of the present Agreement, it will effect the complete withdrawal of all the troops of the Union of Soviet Socialist Republics from Outer Mongolia.

Article VI. The Governments of the two Contracting Parties mutually pledge themselves not to permit, within their respective territories. the existence and/or activities of any organizations or groups whose aim is to struggle by acts of violence against the Governments of either Contracting Party.

The Government of the two Contracting Parties further pledge themselves not to engage in propaganda directed against the political and social systems of either Contracting Party.

Article VII. The Governments of the two Contracting Parties agree to re-demarcate their national boundaries at the Conference as provided in Article II of the present Agreement, and pending such re-demarcation, to maintain the present boundaries.

Article VIII. The Governments of the two Contracting Parties agree to regulate at the aforementioned Conference the questions relating to the navigation of rivers, lakes and other bodies of water which are common to their respective frontiers, on the basis of equality and reciprocity.

Article IX. The Governments of the two Contracting Parties agree to settle at the aforementioned Conference the question of the Chinese Eastern Railway in conformity with the principles as hereinafter provided:

1. The Governments of the two Contracting Parties declare that the Chinese Eastern Railway is a purely commercial enterprise.

The Governments of the two Contracting Parties mutually declare that with the exception of matters pertaining to the business operations which are under the direct control of the Chinese Eastern Railway, all other matters affecting the rights of the National and Local Governments of the Republic of China—such as judicial matters, matters relating to civil administration, military administration, police, municipal government, taxation and landed property (with the exception of lands required by the said Railway)—shall be administered by the Chinese Authorities.

- 2. The Government of the Union of Soviet Socialist Republics agrees to the redemption by the Government of the Republic of China, with Chinese capital, of the Chinese Eastern Railway, as well as all the appurtenant properties and to the transfer to China of all shares and bonds of the Railway.
- 3. The Governments of the two Contracting Parties shall settle at the Conference as provided in Article II of the present Agreement, the amount and conditions governing the redemption as well as the procedure for the transfer of the Chinese Eastern Railway.
- 4. The Government of the Union of Soviet Socialist Republics agrees to be responsible for the entire claims of the shareholders, bondholders, and creditors of the Chinese Eastern Railway incurred prior to the Revolution of March 9, 1917.
- 5. The Governments of the two Contracting Parties mutually agree that the future of the Chinese Eastern Railway shall be determined by the Republic of China and the Union of Soviet Socialist Republics, to the exclusion of any third party or parties.
- 6. The Governments of the two Contracting Parties agree to draw up an arrangement for the provisional management of the Chinese Eastern Railway, pending the settlement of the questions as provided under Section 3 of the present Article.
- 7. Until the various questions relating to the Chinese Eastern Railway are settled at the Conference as provided in Article II of the present Agreement, the rights of the two Governments arising out of the Contract of August 27/September 9, 1896, for the Construc-

tion and Operation of the Chinese Eastern Railway, which do not conflict with the present Agreement, and the Agreement for the provisional management of the Chinese Eastern Railway, and which do not prejudice the sovereign rights of China, shall be retained.

Article X. The Government of the Union of Soviet Socialist Republics agrees to renounce the special rights and privileges relating to all Concessions in all parts of China acquired by the Tsarist Government under various Conventions, Treaties, Agreements, et cetera.

Article XI. The Government of the Union of Soviet Socialist Republics agrees to renounce the Russian portion of the Boxer Indemnity.

Article XII. The Government of the Union of Soviet Socialist Republics agrees to relinquish the rights of extra-territoriality and consular jurisdiction.

Article XIII. The Governments of the two Contracting Parties agree to draw up simultaneously with the conclusion of a Commercial Treaty at the Conference as provided in Article II of the present Agreement, a Customs tariff for the two Contracting Parties in accordance with the principles of equality and reciprocity.

Article XIV. The Governments of the two Contracting Parties agree to discuss at the aforementioned Conference the questions relating to the claims for the compensation of losses.

Article XV. The present Agreement shall come into effect from the date of signature.

In witness whereof, the respective Plenipotentiaries have signed the present Agreement in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirtyfirst day of May, One thousand nine hundred and twenty-four.

> (Seal) V. K. WELLINGTON Koo. (Seal) L. M. KARAKHAN.

# AGREEMENT FOR THE PROVISIONAL MANAGEMENT OF THE CHINESE EASTERN RAILWAY

The Republic of China and the Union of Soviet Socialist Republics mutually recognizing that, inasmuch as the Chinese Eastern Railway was built with capital furnished by the Russian Government and constructed entirely within Chinese territory, the said Railway is a purely commercial enterprise and that, excepting for matters appertaining to its own business operations, all other matters which affect the rights of the Chinese National and Local Governments shall be administered by the Chinese authorities, have agreed to conclude an agreement for the Provisional Management of the Railway with a view to carrying on jointly the management of the said Railway until its final settlement at the Conference as provided in Article II of the Agreement on General Principles for the Settlement of the Questions between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924, and have to that end named as their Plenipotentiaries, that is to say:

His Excellency the President of the Republic of China: VI KYUIN WELLINGTON KOO.

The Government of the Union of Soviet Socialist Republics: LEV MIKHAILOVITCH KARAKHAN.

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:

Article I. The Railway shall establish, for discussion and decision of all matters relative to the Chinese Eastern Railway, a Board of Directors, to be composed of ten persons, of whom five shall be appointed by the Government of the Republic of China and five by the Government of the Union of Soviet Socialist Republics.

The Government of the Republic of China shall appoint one of the Chinese Directors as President of the Board of Directors, who shall also be the Director General.

The Government of the Union of Soviet Socialist Republics shall appoint one of the Russian Directors as Vice-President of the Board of Directors, who shall also be the Assistant Director General.

Seven persons shall constitute a quorum, and all decisions of the

Board of Directors shall have the consent of not less than six persons before they can be carried out.

The Director and the Assistant Director General shall jointly manage the affairs of the Board of Directors and they shall both sign all the documents of the Board.

In the absence of either the Director General or the Assistant Director General, the respective Governments may appoint another Director to officiate as the Director General or the Assistant Director General (in the case of the Director General, by one of the Chinese Directors, and in that of the Assistant Director General, by one of the Russian Directors).

Article II. The Railway shall establish a Board of Auditors to be composed of five persons, namely, two Chinese auditors, who shall be appointed by the Government of the Republic of China and three Russian Auditors, who shall be appointed by the Government of the Union of Soviet Socialist Republics.

The Chairman of the Board of Auditors shall be elected from among the Chinese Auditors.

Article III. The Railway shall have a Manager, who shall be a national of the Union of Soviet Socialist Republics, and two Assistant Managers, one to be a national of the Republic of China and the other to be a national of the Union of Soviet Socialist Republics.

The said officers shall be appointed by the Board of Directors and such appointments shall be confirmed by their respective Governments.

The rights and duties of the Manager and the Assistant Managers shall be defined by the Board of Directors.

Article IV. The Chiefs and Assistant Chiefs of the various departments of the Railway shall be appointed by the Board of Directors.

If the Chief of a Department is a national of the Republic of China. the Assistant Chief of the Department shall be a national of the Union of Soviet Socialist Republics, and if the Chief of the Department is a national of the Union of Soviet Socialist Republics, the Assistant Chief of the Department shall be a national of the Republic of China.

Article V. The employment of persons in the various departments of the Railway shall be in accordance with the principle of equal representation between the nationals of the Republic of China and those of the Union of Soviet Socialist Republics.

Article VI. With the exception of the estimates and budgets, as provided in Article VII of the present Agreement, all other matters on which the Board of Directors cannot reach an agreement shall be referred for settlement to the Governments of the Contracting Parties.

Article VII. The Board of Directors shall present the estimates and budgets of the Railway to a joint meeting of the Board of Directors and the Board of Auditors for consideration and approval.

Article VIII. All the net profits of the Railway shall be held by the Board of Directors and shall not be used pending a final settlement of the question of the present Railway.

Article IX. The Board of Directors shall revise as soon as possible the statutes of the Chinese Eastern Railway Company, approved on December 4, 1896, by the Tsarist Government, in accordance with the present Agreement and the Agreement on General Principles for the Settlement of the Questions between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924, and in any case, not later than six months from the date of the constitution of the Board of Directors.

Pending their revision, the aforesaid statutes, in so far as they do not conflict with the present Agreement on General Principles for the Settlement of the Questions between the Republic of China and the Union of Soviet Socialist Republics and do not prejudice the rights of sovereignty of the Republic of China, shall continue to be observed.

Article X. The present Agreement shall cease to have effect as soon as the question of the Chinese Eastern Railway is finally settled at the Conference as provided in Article II of the Agreement on Gneral Principles for the Settlement of the Questions between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924.

Article XI. The present Agreement shall come into effect from the date of signature.

In witness whereof, the respective Plenipotentiaries have signed the present Agreement in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirtyfirst day of May, One thousand nine hundred and twenty-four.

(Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

#### DECLARATION I

The Government of the Republic of China and the Government of the Union of Soviet Socialist Republics declare that immediately after the signing of the Agreement on General Principles between the Republic of China and the Union of Soviet Socialist Republics

of May 31, 1924, they will reciprocally hand over to each other all the real estate and movable property owned by China and the former Tsarist Government and found in their respective territories. For this purpose each Government will furnish the other with a list of the property to be transferred.

In faith whereof, the respective Plenipotentiaries of the Governments of the two Contracting Parties have signed the present Declaration in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirty-first day of May, One thousand nine hundred and twenty-four.

(Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

### DECLARATION II

The Government of the Republic of China and the Government of the Union of Soviet Socialist Republics hereby declare that it is understood that with regard to the buildings and landed property of the Russian Orthodox Mission belonging as it does to the Government of the Union of Soviet Socialist Republics, the question of the transfer or other suitable disposal of the same will be jointly determined at the Conference provided in Article II of the Agreement on General Principles between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924, in accordance with the internal laws and regulations existing in China regarding property-holding in the inland. As regards the buildings and property of the Russian Orthodox Mission belonging as it does to the Government of the Union of Soviet Socialist Republics at Peking and Patachu, the Chinese Government will take steps to immediately transfer same as soon as the Government of the Union of Soviet Socialist Republics will designate a Chinese person or organization, in accordance with the law and regulations existing in China regarding property-holding in the inland.

Meanwhile the Government of the Republic of China will at once take measures with a view to guarding all the said buildings and property and clearing them from all persons now living there.

It is further understood that this expression of understanding has the same force and validity as a general declaration embodied in the said Agreement on General Principles.

In faith whereof, the respective Plenipotentiaries of the Governments of the two Contracting Parties have signed the present Declaration in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirtyfirst day of May, One thousand nine hundred and twenty-four.

> (Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

#### DECLARATION III

The Government of the Republic of China and the Government of the Union of Soviet Socialist Republics jointly declare that it is understood that with reference to Article IV of the Agreement on General Principles between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924, the Government of the Republic of China will not and does not recognize as valid any agreement, treaty, et cetera, concluded between Russia since the Tsarist régime and any third party or parties, affecting the sovereign rights and interests of the Republic of China. It is further understood that this expression of understanding has the same force and validity as a general declaration embodied in the said Agreement on General Principles.

In faith whereof, the respective Plenipotentiaries of the Governments of the two Contracting Parties have signed the present Declaration in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirtyfirst day of May, One thousand nine hundred and twenty-four.

(Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

#### DECLARATION IV

The Government of the Republic of China and the Government of the Union of Soviet Socialist Republics jointly declare that it is understood that the Government of the Republic of China will not transfer either in part or in whole to any third Power or any foreign organization the special rights and privileges announced by the Government of the Union of Soviet Socialist Republics in Article X of the Agreement on General Principles between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924. It is further understood that this expression of understanding has

the same force and validity as a general declaration embodied in the said Agreement on General Principles.

In faith whereof, the respective Plenipotentiaries of the Governments of the two Contracting Parties have signed the present Declaration in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirty-first day of May, One thousand nine hundred and twenty-four.

(Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

### DECLARATION V

The Government of the Republic of China and the Government of the Union of Soviet Socialist Republics jointly declare that it is understood that with reference to Article XI of the Agreement on General Principles between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924:

- 1. The Russian share of the Boxer Indemnity which the Government of the Union of Soviet Socialist Republics renounces, will after the satisfaction of all prior obligations secured thereon be entirely appropriated to create a fund for the promotion of education among the Chinese people.
- 2. A special Commission will be established to administer and allocate the said fund. The Commission will consist of three persons, two of whom will be appointed by the Government of the Republic of China and one by the Government of the Union of Sovict Socialist Republics. Decisions of the said Commission will be taken by unanimous vote.
- 3. The said fund will be deposited as it accrues from time to time in a Bank to be designated by the said Commission.

It is further understood that this expression of understanding has the same force and validity as a general declaration embodied in the said Agreement on General Principles.

In faith whereof, the respective Plenipotentiaries of the Governments of the two Contracting Parties have signed the present Declaration in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirty-first day of May, One thousand nine hundred and twenty-four.

(Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

### DECLARATION VI

The Government of the Republic of China and the Government of the Union of Soviet Socialist Republics agree that they will establish equitable provisions at the Conference as provided in Article II of the Agreement on General Principles between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924, for the regulation of the situation created for the citizens of the Government of the Union of Soviet Socialist Republics by the relinquishment of the rights of extraterritoriality and consular jurisdiction under Article XII of the aforementioned Agreement, it being understood, however, that the nationals of the Government of the Union of Soviet Socialist Republics shall be entirely amenable to Chinese jurisdiction.

In faith whereof, the respective Plenipotentiaries of the Governments of the two Contracting Parties have signed the present Declaration in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirtyfirst day of May, One thousand nine hundred and twenty-four.

(Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

#### DECLARATION VII

The Government of the Republic of China and the Government of the Union of Soviet Socialist Republics, having signed the Agreement on General Principles between the Republic of China and the Union of Soviet Socialist Republics of May 31, 1924, hereby agree, in explanation of Article V of the Agreement for the Provisional Management of the Chinese Eastern Railway of the same date, which provides for the principle of equal representation in the filling of posts by citizens of the Republic of China and those of the Union of Soviet Socialist Republics, that the application of this principle is not to be understood to mean that the present employees of Russian nationality shall be dismissed for the sole purpose of enforcing the said principle. It is further understood that access to all posts is equally open to citizens of both Contracting Parties, that no special preference shall be shown to either nationality, and that the posts shall be filled in accordance with the ability and technical as well as educational qualifications of the applicants.

In faith whereof, the respective Plenipotentiaries of the Governments of the two Contracting Parties have signed the present Declaration in duplicate in the English language and have affixed thereto their seals.

Done at the city of Peking this Thirty-first day of the Fifth month of the Thirteenth year of the Republic of China, which is the Thirtyfirst day of May, One thousand nine hundred and twenty-four.

> (Seal) V. K. WELLINGTON KOO. (Seal) L. M. KARAKHAN.

#### **EXCHANGE OF NOTES**

Peking, May 31, 1924.

Mr. L. M. KARAKHAN,

Extraordinary Plenipotentiary Representative of the Union of Soviet Socialist Republics to the Republic of China, Peking.

### DEAR MR. KARAKHAN.

On behalf of my Government, I have the honour to declare that an Agreement on General Principles for the Settlement of the Questions between the Republic of China and the Union of Soviet Socialist Republics having been signed between us to-day the Government of the Republic of China will, in the interest of friendship between the Republic of China and the Union of Soviet Socialist Republics, discontinue the services of all the subjects of the former Russian Empire now employed in the Chinese army and Police forces, as they constitute by their presence or activities a menace to the safety of the Union of Soviet Socialist Republics. If you will furnish my Government with a list of such persons, the authorities concerned will be instructed to adopt the necessary action.

> I have the honour to remain. Yours faithfully, V. K. WELLINGTON KOO.

Minister for Foreign Affairs of the Republic of China.

Peking, May 31, 1924.

DEAR DR. KOO,

I have the honour to acknowledge the receipt of the following note from you under this date:

'On behalf of my Government, I have the honour', etc.

In reply I beg to state, on behalf of my Government, that I have taken note of the same and that I agree to the proposition contained therein.

I have the honour to be,

Very truly yours, L. M. KARAKHAN.

Extraordinary Plenipotennary Representative of the Union of Soviet Socialist Republics to the Republic of China.

# 16. Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the Autonomous three Eastern Provinces of the Republic of China

September 20, 1924.

The Government of the Union of Soviet Socialist Republics and the Government of the Autonomous Three Eastern Provinces of the Republic of China desiring to promote friendly relations and regulate the questions affecting the interests of both Parties, and to that end named as Plenipotentiaries, that is to say:

The Government of the Union of Soviet Socialist Republics: NIKOLAI CYRILOVITCH KOUZNETSOFF.

The Government of the Autonomous Three Eastern Provinces of the Republic of China:

CHEN TSIAN, LUI JUN-HUAN and JUN SHI-MIN.

The above-mentioned delegates, having communicated to each other their respective full powers found to be in good and due form, have agreed upon the following Articles:

# Article I. Chinese Eastern Railway

The Governments of the two Contracting Parties agree to settle the question of the Chinese Eastern Railway as hereinafter provided:

1. The Governments of the two Contracting Parties declare the Chinese Eastern Railway is a purely commercial enterprise.

The Governments of the two Contracting Parties declare that with the exception of matters pertaining to the business of operations which are under the direct control of the Chinese Eastern Railway, all other matters affecting the rights of the national and local governments of the Republic of China, such as judicial matters, matters relating to civil administration, military administration, police. municipal government, taxation and landed property (with the exception of lands required by the Chinese Eastern Railway itself) shall be administered by the Chinese Authorities.

2. The time limit as provided in Article XII of the Contract for the Construction and Operation of the Chinese Eastern Railway of August 27, 1896, shall be reduced from eighty to sixty years, at the expiration of which, the Chinese Government shall enter gratis into possession of the said Railway and its appurtenant properties.

<sup>\*</sup>Aitchen K. Wu, China and the Soviet Union pp. 360-365; Manchuria Treaties and Agreements, pp. 148-152.

Upon the consent of both Contracting Parties the question of a further reduction of the said time limit (that is, sixty years) may be discussed.

From the date of signing the present Agreement the Government of the Union of Soviet Socialist Republics agrees that China has the right to redeem the Chinese Eastern Railway. At the time of redemption the two Contracting Parties shall determine what the Chinese Eastern Railway had actually cost, and it shall be redecmed by China with Chinese capital at a fair price.

- 3. The Government of the Union of Soviet Socialist Republics agrees in a Commission to be organized by the two Contracting Parties to settle the question of the obligations of the Chinese Eastern Railway Company in accordance with Section 4 of Article IX of the Agreement on General Principles for Settlement of the Questions between the Union of Soviet Socialist Republics and the Republic of China, signed on May 31, 1924, at Peking.
- 4. The Governments of the two Contracting Parties mutually agree that the future of the Chinese Eastern Railway shall be determined by the Union of Soviet Socialist Republics and the Republic of China to the exclusion of any third party or parties.
- 5. The Contract for the Construction and Operation of the Chinese Eastern Railway of August 27, 1896, shall be completely revised, in accordance with the terms specified in this Agreement, by a Commission of the two Contracting Parties in four months from the date of signing the present Agreement.

Pending the revision, the rights of the two Governments, arising out of said Contract, which do not contradict the present Agreement, and do not prejudice China's rights of sovereignty, shall be maintained in force.

6. The Railway shall establish for discussion and decision of all matters relating to the Chinese Eastern Railway a Board of Directors composed of ten persons, of whom five shall be appointed by the Union of Soviet Socialist Republics and five by the Government of China.

China shall appoint one of the Chinese Directors as President of the Board of Directors, who shall be ex officio the Director General.

The Union of Soviet Socialist Republics shall appoint one of the Russian Directors as the Vice-President of the Board of Directors. who shall also be ex officio the Assistant Director General.

Seven persons shall constitute the quorum, and all decisions of the Board of Directors shall have the consent of not less than six persons before they can be carried out.

The Director General and the Assistant Director General shall jointly manage the affairs of the Board of Directors and shall both sign all the documents of the Board.

In the absence of either the Director General or the Assistant Director General, their respective Governments may appoint another Director to officiate as the Director General or Assistant Director General (in the case of the Director General, by one of the Chinese Directors, and in that of the Assistant Director General, by one of the Russian Directors).

7. The Railway shall establish a Board of Auditors, to be composed of five persons, namely, three Russian Auditors, who shall be appointed by the Union of Soviet Socialist Republics, and two Chinese Auditors, who shall be appointed by China.

The Chairman of the Board of Auditors shall be elected from among the Chinese Auditors.

8. The Railway shall have a Manager, who shall be a citizen of the Union of Soviet Socialist Republics, and two Assistant Managers, one to be a citizen of the Union of Soviet Socialist Republics and the other to be a citizen of the Republic of China.

The said officers shall be appointed by the Board of Directors, and such appointments shall be confirmed by their respective Governments.

The rights and duties of the Manager and Assistant Managers shall be defined by the Board of Directors.

9. The Chiefs and Assistant Chiefs of the various Departments of the Railway shall be appointed by the Board of Directors.

If the Chief of a Department is a national of the Union of Soviet Socialist Republics, the Assistant Chief of the Department shall be a national of the Republic of China, and if the Chief of a Department is a national of the Republic of China, the Assistant Chief shall be a national of the Union of Soviet Socialist Republics.

10. The employment of persons in the various departments of the Railway shall be in accordance with the principle of equal representation between the nationals of the Union of Soviet Socialist Republics and those of the Republic of China.

(Note.—In carrying out the principle of equal representation the normal course of life and the activities of the Railway shall in no case be interrupted or injured, that is to say, the employment of the people of both nationalities shall be based in accordance with experience, personal qualification and fitness of the applicants.)

- it. With the exception of the estimates and budgets, as provided in Section 12 of Article I of the present Agreement, all other matters, on which the Board of Directors cannot reach an agreement, shall be referred to the Governments of the Contracting Parties for a just and amicable settlement.
  - 12. The Board of Directors shall present the estimates and budgets

of the Railway to a joint meeting of the Board of Directors and the Board of Auditors for consideration and approval.

- 13. All the net profits of the Railway shall be held by the Board of Directors and shall not be used pending a final settlement, in a joint Commission, of the question of its distribution between the two Contracting Parties.
- 14. The Board of Directors shall make a complete revision, as soon as possible, of the Statutes of the Chinese Eastern Railway Company approved on December 4, 1896, by the Czarist Government, in accordance with the present Agreement and, in any case, not later than four months from the date of the constitution of the Board of Directors.

Pending their revision, the aforesaid Statutes in so far as they do not conflict with the present Agreement and do not prejudice the rights of sovereignty of the Republic of China, shall continue to be observed.

15. As soon as the conditions of redemption by China of the Chinese Eastern Railway are settled by both Contracting Parties, or as soon as the Railway reverts to China upon the expiration of the time limit as stipulated in Section 2 of Article I of the present Agreement, all parts of this Agreement concerning the same shall cease to have any effect.

# Article II. Navigation

The Governments of the two Contracting Parties agree to settle, on the basis of equality, reciprocity and the respect of each other's sovereignty, the question relating to the navigation of all kinds of their vessels on those parts of the rivers, lakes, and other bodies of water, which are common to their respective borders, the details of this question to be regulated in a Commission of the two Contracting Parties within two months from the date of signing of this present Agreement.

In view of the extensive freight and passenger interests of the Union of Soviet Socialist Republics on the River Sungari up to and including Harbin, and the extensive freight and passenger interests of China on the lower Amur River into the sea, both Contracting Parties agree on the basis of equality and reciprocity to take up the question of securing the said interests in the said Commission.

#### Article III. Boundaries

The Governments of the two Contracting Parties agree to redemarcate their boundaries through a Commission to be organized by both Parties, and pending such redemarcation to maintain the present boundaries.

# Article IV. Tariff and Trade Agreement

The Governments of the two Contracting Parties agree to draw

up a Customs tariff and conclude a Commercial Treaty in a Commission to be organized by said parties on the basis of equality and reciprocity.

# Article V. Propaganda

The Governments of the two Contracting Parties mutually pledge themselves not to permit within their respective territories the existence and (or) activities of any organization of groups whose aim is to struggle by acts of violence against the Government of either Contracting Party.

The Governments of the two Contracting Parties further pledge themselves not to engage in propaganda directed against the political and social systems of either Contracting Party.

### Article VI. Commissions

The Commissions as provided in the Articles of this Agreement shall commence their work within one month from the date of signing this Agreement, and shall complete their work as soon as possible and not later than six months. This does not apply to those Commissions whose time limits have been specified in the respective articles of this Agreement.

#### Article VII.

The present Agreement shall come into effect from the day of signature.

In witness whereof, the respective Plenipotentiaries have signed the present Agreement in duplicate in the Russian, Chinese and English languages, and have affixed thereto their seals.

In case of dispute, the English text shall be accepted as the standard.

Done at the City of Mukden, this Twentieth day of September, One thousand nine hundred and twenty-four, which corresponds to the Twentieth day of the Ninth month of the Thirteenth year of the Republic of China.

> (Seal) CHEN TSIAN. (Seal) LUI JUN-HUAN. (Seal) JUN SHI-MIN. (Seal) N. C. KOUZNETSOFF.

#### DECLARATION I

The Government of the Union of Soviet Socialist Republics and the Government of the Autonomous Three Eastern Provinces of the Republic of China hereby declare that immediately after the signing of the Agreement of September 20, 1924, between the Governments of the two Contracting Parties, the Government of the Autonomous Three Eastern Provinces of the Republic of China will hand over to the Government of the Union of Soviet Socialist Republics the consular buildings formerly belonging to the Tsarist Government.

In faith whereof the Plenipotentiaries of the two Contracting Parties have signed the present Declaration in duplicate in the Russian, Chinese and English languages and have affixed thereto their seals.

In case of dispute, the English text shall be accepted as the standard.

Done at the City of Mukden, this Twentieth day of September. One thousand nine hundred and twenty four, corresponding to the Twentieth day of the Ninth month of the Thirteenth year of the Republic of China.

#### DECLARATION II

The Government of the Union of Soviet Socialist Republics and the Government of the Autonomous Three Eastern Provinces of the Republic of China mutually declare that after the signing of the Agreement of September 20, 1924, between the Governments of the two Contracting Parties, if there are at present any Chinese in any employ of the Government of the Union of Soviet Socialist Republics which by their presence and/or activity constitute a menace to the interests of the Autonomous Three Eastern Provinces of the Republic of China or if there are at present in the employ of the Government of the Autonomous Three Eastern Provinces of the Republic of China former Russian subjects, which constitute by their presence and/or activity a menace to the interests of the Union of Soviet Socialist Republics, the respective Governments shall communicate to the other Party a list of names of such persons and shall instruct the respective authorities to take measures necessary to put an end to the activities or the employment of the aforesaid persons.

In witness whereof the Plenipotentiaries of the two Parties have signed the present Declaration in duplicate in the Russian, Chinese and English languages and have affixed thereto their seals.

In case of dispute, the English text shall be accepted as the standard.

Done at the City of Mukden, this Twentieth day of September, One thousand nine hundred and twenty-four, corresponding to the Twentieth day of the Ninth month of the Thirteenth year of the Republic of China.

# 17. Yalta Secret Agreement\*

(Entered into by Marshal Joseph Stalin, former Prime Minister Winston Churchill, and the late President Roosevelt on February 11. 1945, and published on February 11, 1946, simultaneously in Washington, London and Moscow.)

THE leaders of the three great Powers—the Soviet Union, the United States of America, and Great Britain—have agreed that in two or three months after Germany has surrendered and the war in Europe has terminated, the Soviet Union shall enter into the war against Japan on the side of the Allies on conditions that:

Firstly, The status quo in Outer Mongolia (The Mongolian People's Republic) shall be preserved;

Secondly, The former rights of Russia violated by the treacherous attack of Japan in 1904 shall be restored, viz.:

- (a) The southern part of Sakhalin as well as all the islands adjacent to it shall be returned to the Soviet Union;
- (b) The commercial port of Dairen shall be internationalized, the pre-eminent interests of the Soviet Union in this port being safeguarded and the lease of Port Arthur as a naval base of the U.S.S.R. restored:
- (c) The Chinese Eastern Railroad and the Southern Manchurian Railroad which provided outlet to Dairen shall be jointly operated by the establishment of a joint Sino-Soviet Company, it being understood that the pre-eminent interests of the Soviet Union shall be safeguarded and that China shall retain full sovereignty in Manchuria;

Thirdly, The Kurile islands shall be handed over to the Soviet Union.

It is understood that the agreement concerning Outer Mongolia and the ports and the tailroads referred to above all require the concurrence of Generalissimo Chiang Kai-shek. The President will take measures in order to obtain this concurrence on advice from Marshal Stalin.

The Heads of the three Great Powers have agreed that these claims of the Soviet Union shall be unquestionably fulfilled after Japan has been defeated.

For its part the Soviet Union expresses its readiness to conclude with the National Government of China a pact of friendship and alliance between the U.S.S.R. and China in order to render assistance to China with its armed forces for the purpose of liberating China from the Japanese yoke.

(Signed) JOSEPH V. STALIN. FRANKLIN D. ROOSEVELT. WINSTON CHURCHILL.

February 11, 1945.

<sup>\*</sup>Aitchen K. Wu, China and the Soviet Union, Appendix C, pp. 396-97.

# 18. Treaty of Friendship and Alliance between the Republic of China and the Union of Soviet Socialist Republics<sup>1</sup>, 1945

The President of the National Government of the Republic of China, and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics,

Desirous of strengthening the friendly relations that have always existed between China and the U.S.S.R. through an alliance and good neighbourly post-war collaboration,

Determined to assist each other in the struggle against aggression on the part of enemies of the United Nations in this world war, and to collaborate in the common war against Japan until her unconditional surrender.

Expressing their unswerving aspiration to co-operate in the cause of maintaining peace and security for the benefit of the peoples of both countries and of all the peace-loving nations,

Acting upon the principles enunciated in the Joint Declaration of the United Nations of January 1, 1942, in the Four Power Declaration signed in Moscow on October 30, 1943, and in the Charter of the International Organization of the United Nations,

Have decided to conclude the present Treaty to this effect and appointed as their Plenipotentiaries:

The President of the National Government of the Republic of China:

His Excellency Dr. Wang Shih-chieh, Minister of Foreign Affairs of the Republic of China,

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics:

His Excellency Mr. V. M. Molotov, the People's Commissar of Foreign Affairs of the U.S.S.R.,

Who, after exchanging their full powers, found in good and duc form, have agreed as follows:

Article 1. The High Contracting Parties undertake in association with the other United Nations to wage war against Japan until final victory is won. The High Contracting Parties undertake mutually

1 Translation of the text of the Treaty which was published as White Book of the Ministry of Foreign Affairs, No. 67, November 1945.

to render to one another all necessary military and other assistance and support in this war.

Article II. The High Contracting Parties undertake not to enter into separate negotiations with Japan and not to conclude, without mutual consent, any armistice or peace treaty either with the present Japanese Government or with any other government or authority set up in Japan which do not renounce all aggressive intentions.

Article III. The High Contracting Parties undertake after the termination of the war against Japan, to take jointly all measures in their power to render impossible a repetition of aggression and violation of the peace by Japan.

In the event of one of the High Contracting Parties becoming involved in hostilities with Japan in consequence of an attack by the latter against the said Contracting Party, the other High Contracting Party shall at once give to the Contracting Party so involved in hostilities all the military and other support and assistance with the means in its power.

This Article shall remain in force until such time as the Organization, 'The United Nations', may on request of the two High Contracting Parties be charged with the responsibility for preventing further aggression by Japan.

Article IV. Each High Contracting Party undertakes not to conclude any alliance and not to take part in any coalition directed against the other High Contracting Party.

Article V. The High Contracting Parties, having regard to the interests of the security and economic development of each of them, agree to work together in close and friendly collaboration after the coming of peace and to act according to the principles of mutual respect for their sovereignty and territorial integrity and of noninterference in the internal affairs of the other High Contracting

Article VI. The High Contracting Parties agree to render each other every possible economic assistance in the post-war period with wiew to facilitating and accelerating reconstruction in both countries and to contributing to the cause of world prosperity.

Article VII. Nothing in this Treaty shall be so construed as to iffect the rights or obligations of the High Contracting Parties as members of the Organization 'The United Nations'.

Article VIII. The present Treaty shall be ratified in the shortest cossible time. The exchange of the instruments of ratification shall tike place as soon as possible in Chungking.

The present Treaty shall come into force immediately upon its tatification and shall remain in force for a term of thirty years.

If neither of the High Contracting Parties has given notice, a year efore the expiration of the term, of its desire to terminate the Treaty, it shall remain valid for an unlimited time, each of the High Contracting Parties being able to terminate its operation by giving notice to that effect one year in advance.

IN FAITH WHEREOF the Plenipotentiaries have signed the present Treaty and affixed their seals.

Done at Moscow, this Fourteenth day of the Eighth month of the Thirty-fourth year of the Republic of China, corresponding to the Fourteenth day of August, 1945, in duplicate, in the Chinese and Russian languages, both texts being equally authoritative.

The Plenipotentiary of the President of the National Government of the Republic of China.

(L. S.) WANG SHIH-CHIEH.

The Plenipotentiary of the Presidium the Supreme Soviet of the U.S.S.R.

(L. S.) V. Molotov.

# Exchange of Notes

### (I) Soviet Note to the Chinese Plenipotentiary

## Your Excellency,

With reference to the Treaty of Friendship and Alliance signed to-day between the Republic of China and the U.S.S.R., I have the honour to put on record the understanding between the High Contracting Parties as follows:

- 1. In accordance with the spirit of the aforementioned Treaty. and in order to put into effect its aims and purposes, the Government of the U.S.S.R. agrees to render to China its moral support as well as aid in military supplies and other material resources, such support and aid to be entirely given to the National Government as the Central Government of China.
- 2. In the course of conversations regarding Dairen and Port Arthur and regarding the joint operation of the Chinese Changchun Railway, the Government of the U.S.S.R. regarded the Three Eastern Provinces as part of China and reaffirmed its respect for China's full sovereignty over the Three Eastern Provinces and recognized their territorial and administrative integrity.
- 3. As for the recent developments in Sinkiang the Soviet Government confirms that, as stated in Article V of the Treaty of Friendship and Alliance, it has no intention of interfering in the internal affairs of China.

If Your Excellency will be so good as to confirm that the under-

standing is correct as set forth in the preceding paragraphs, the present Note and Your Excellency's reply thereto will constitute a part of the aforementioned Treaty of Friendship and Alliance.

I avail myself of this opportunity to offer Your Excellency the assurances of my highest consideration.

(Signed) V. Molotov.

# Reply

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of Your Excellency's Note of to-day's date reading as follows:

'With reference to the Treaty of Friendship and Alliance signed to-day between the Republic of China and the U.S.S.R., I have the honour to put on record the understanding between the High Contracting Parties as follows:

- '1. In accordance with the spirit of the aforementioned Treaty, and in order to put into effect its aims and purposes, the Government of the U.S.S.R. agrees to render to China its moral support as well as aid in military supplies and other material resources, such support and aid to be entirely given to the National Government as the Central Government of China.
- '2. In the course of conversations regarding Dairen and Port Arthur and regarding the joint operation of the Chinese Changchun Railway, the Government of the U.S.S.R. regarded the Three Eastern Provinces as part of China and reaffirmed its respect for China's full sovereignty over the Three Eastern Provinces and recognized their territorial and administrative integrity.
- '3. As for the recent developments in Sinkiang the Soviet Government confirms that, as stated in Article V of the Treaty of Friendship and Alliance, it has no intention of interfering in the internal affairs of China.
- 'If Your Excellency will be so good as to confirm that the understanding is correct as set forth in the preceding paragraphs, the present Note and Your Excellency's reply thereto will constitute a part of the aforementioned Treaty of Friendship and Alliance.'

I have the honour to confirm that the understanding is correct as set forth above.

I avail myself of this opportunity to offer Your Excellency the assurances of my highest consideration.

(Signed) WANG SHIH-CHIEH.

# (II) CHINESE NOTE TO THE SOVIET PLENIPOTENTIARY

#### YOUR EXCELLENCY,

In view of the desire repeatedly expressed by the people of Outer Mongolia for their independence, the Chinese Government declares that after the defeat of Japan should a plebiscite of the Outer Mongolian people confirm this desire, the Chinese Government will recognize the independence of Outer Mongolia with the existing boundary as its boundary.

The above declaration will become binding upon the ratification of the Treaty of Friendship and Alliance between the Republic of China and the U.S.S.R. signed on August 14, 1945.

I avail myself of this opportunity to offer Your Excellency the assurances of my highest consideration.

(Signed) WANG SHIH-CHIEH.

# Reply

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note reading as follows:

'In view of the desire repeatedly expressed by the people of Outer Mongolia for their independence, the Chinese Government declares that after the defeat of Japan should a plebiscite of the Outer Mongolian people confirm this desire, the Chinese Government will recognize the independence of Outer Mongolia with the existing boundary as its boundary.

'The above declaration will become binding upon the ratification of the Treaty of Friendship and Alliance between the Republic of China and the U.S.S.R. signed on August 14, 1945.

The Soviet Government has duly taken note of the above communication of the Government of the Chinese Republic and hereby expresses its satisfaction therewith, and it further states that the Soviet Government will respect the political independence and territorial integrity of the People's Republic of Mongolia (Outer Mongolia).

I avail myself of this opportunity to offer Your Excellency the assurances of my highest consideration.

(Signed) V. Molotov.

#### AGREEMENT BETWEEN THE REPUBLIC OF CHINA AND THE U.S.S.R. CONCERNING THE CHINESE CHANGCHUN RAILWAY

The President of the Republic of China and the Presidium of the Supreme Soviet of the U.S.S.R., desiring to strengthen the friendly relations and economic bonds between the two countries on the basis of the full observation of the rights and interests of each other, have agreed as follows:

Article 1. After the Japanese armed forces are driven out of the Three Eastern Provinces of China the main trunk lines of the Chinese Eastern Railway and the South Manchurian Railway from Manchuli to Suifenho and from Harbin to Dairen and Port Arthur united into one railway under the name of 'Chinese Changchun Railway' shall be in joint ownership of the U.S.S.R. and the Republic of China and shall be operated by them jointly.

There shall be joint ownership and operation only of those lands acquired and railway auxiliary lines built by the Chinese Eastern Railway during the time of Russian and joint Sino-Soviet administration and by the South Manchurian Railway during the time of Russian administration and which are designed for direct needs of these railways as well as the subsidiary enterprises built during the said periods and directly serving these railways. All the other railway branches, subsidiary enterprises and lands shall be in the complete ownership of the Chinese Government.

The joint operation of the aforementioned railway shall be undertaken by a single management under Chinese sovereignty and as a purely commercial transportation enterprise.

Article II. The High Contracting Parties agree that their joint ownership of the Railway shall be in equal shares and shall not be alienable in whole or in part.

Article III. The High Contracting Parties agree that for the joint operation of the said Railway the Sino-Soviet Company of the Chinese Changchun Railway shall be formed. The Company shall have a Board of Directors to be composed of ten members of whom five shall be appointed by the Chinese Government and five by the Soviet Government. The Board of Directors shall be in Changehun.

Article IV. The Chinese Government shall appoint one of the

Chinese Directors as President of the Board of Directors and one as the Assistant President. The Soviet Government shall appoint one of the Soviet Directors as Vice-President of the Board of Directors, and one as the Assistant Vice-President. Seven persons constitute a quorum. When questions are decided by the Board. the vote of the President of the Board of Directors shall be counted as two votes.

Important questions on which the Board of Directors cannot reach an agreement shall be submitted to the Governments of the two High Contracting Parties for consideration and settlement in an equitable and friendly spirit.

Article V. The Company shall establish a Board of Auditorwhich shall be composed of six members of whom three are appointed by Chinese Government and three appointed by the Soviet Government. The Chairman of the Board of Auditors shall be elected from among the Soviet Auditors, and Vice-Chairman from among the Chinese Auditors. When questions are decided by the Board the vote of the Chairman shall be counted as two votes. Five persons shall constitute a quorum.

Article VI. For the administration of current affairs the Board of Directors shall appoint a Manager of the Chinese Changchun Railway from among Soviet citizens and one Assistant Manager from among Chinese citizens.

Article VII. The Board of Auditors shall appoint a General-Comptroller from among Chinese citizens and an Assistant General-Comptroller from among Soviet citizens.

Article VIII. The Chiefs and Assistant Chiefs of the various departments, Chiefs of sections, station masters at important stations of the Railway shall be appointed by the Board of Directors. The Manager of the Railway has the right to recommend candidates for the above-mentioned posts. Individual members of the Board of Directors may also recommend such candidates in agreement with the Manager. If the chief of a department is a national of China. the assistant chief shall be a national of the Soviet Union, and vice versa. The appointments of the chiefs and assistant chiefs of departments and chiefs of sections and station masters shall be made in accordance with the principle of equal representation between the nationals of China and nationals of the Soviet Union.

Article IX. The Chinese Government will bear the responsibility for the protection of the said Railway.

The Chinese Government will also organize and supervise the railway guards who shall protect the railway buildings, installations and other properties and freight from destruction, loss and robbery. and shall maintain the normal order on the Railway. As regards the duties of the guards in execution of this Article, they well be determined by the Chinese Government in consultation with the Soviet Government.

Article X. Only during the time of war against Japan the Railway may be used for the transportation of Soviet troops. The Soviet Government has the right to transport by the above-mentioned Railway for transit purpose military goods in scaled cars without Customs inspection. The guarding of such military goods shall be undertaken by the railway guards and the Soviet Union shall not send any armed escort.

Article XI. Goods for through transit and transported by the Chinese Changchun Railway from Manchuli to Suifenho or vice versa and also from Soviet territory to the ports of Dairen and Port Arthur or vice versa shall be free from Chinese Customs duties or any other taxes and dues, but on entering Chinese territory such goods shall be subject to Chinese Customs inspection and verifica-

Article XII. The Chinese Government will ensure, on the basis of a separate agreement, that the supply of coal for the operation of the Railway will be fully secured.

Article XIII. The Railway shall pay the same taxes to the Government of the Republic of China as are paid by the Chinese State railways.

Article XIV. Both High Contracting Parties agree to provide the Board of Directors of the Chinese Changchun Railway with working capital the amount of which will be determined by the Statutes of the Railway.

Profits and losses in the operation of the Railway shall be equally divided between the two Parties.

Article XV. For the working out in Chungking of the Statutes of joint operation of the Railway each of the High Contracting Parties undertakes within one month of the signing of the present Agreement, to appoint three representatives. The Statutes shall be worked out within two months and reported to the two Governments for their approval.

Article XVI. The determination, in accordance with the provisions in Article I, of the properties to be included in the joint ownership and operation of the Railway by China and the U.S.S.R. shall be made by a Commission to be composed of three representatives each of the two Governments. The Commission shall be constituted in Chungking within one month after the signing of the present Agreement and shall terminate its work within three months after the joint operation of the Railway shall have begun. The decisions of the Commission shall be reported to the two Governments for their approval.

Article XVII. The term of this present Agreement shall be thirty

years. After the expiration of the term of the present Agreement, the Chinese Changchun Railway with all its properties shall be transferred without compensation to the ownership of the Republic of China.

Article XVIII. The present Agreement shall come into force from the date of its ratification.

Done at Moscow, this Fourteenth day of the Eighth month of the Thirty-fourth year of the Republic of China, corresponding to the Fourteenth day of August, 1945, in duplicate, in the Chinese and Russian languages, both texts being equally authoritative.

The Plenipotentiary of the President of the National Government of the Republic of China.

(Signed) WANG SHIH-CHIEH.

The Plenipotentiary of the Presidium theSupreme Soviet of the U.S.S.R.

(Signed) V. MOLOTOV.

#### AGREEMENT ON DAIREN

In view of a Treaty of Friendship and Alliance having been concluded between the Republic of China and the U.S.S.R. and of the pledge by the latter that it will respect Chinese sovereignty in the control of all of Manchuria as an integral part of China; and with the object of ensuring that the U.S.S.R.'s interest in Dairen as a port of entry and exit for its goods shall be safeguarded, the Republic of China agrees:

- 1. To declare Dairen a free port open to the commerce and shipping of all nations.
- 2. The Chinese Government agrees to apportion in the mentioned port for lease to U.S.S.R. wharves and warehouses on the basis of a separate agreement.
- 3. The administration in Dairen shall belong to China. harbour-master and deputy harbour-master will be appointed by the Manager of the Chinese Changehun Railway and in agreement with the Mayor. The harbour-master shall be a Soviet national, and the deputy harbour-master shall be a Chinese national.
- 4. In peace time Dairen is not included in the sphere of efficacy of the naval base regulations, determined by the Agreement on Port Arthur of August 14, 1945, and shall be subject to the military supervision or control established in this zone only in case of war against Japan.
- 5. Goods entering the free port from abroad for through transit to Soviet territory on the Chinese Changchun Railway and goods coming from Soviet territory on the said Railway into the free port for export, or materials transported from Soviet territory to meet the requirement of the harbour equipment in the free port, shall be free from Customs duties. Such goods shall be transported in sealed cars.

Goods entering other parts of China from the free port shall pay the Chinese import duties, and goods going out of other parts of China into the free port shall pay the Chinese export duties as long as they continue to be collected.

- 6. The term of the present Agreement shall be thirty years.
- 7. The present Agreement shall come into force from the date of its ratification.

IN FAITH WHEREOF the Plenipotentiaries have signed the present Agreement and affixed thereto their seals.

Done at Moscow, this Fourteenth day of the Eighth month of the Thirty-fourth year of the Republic of China, corresponding to the Fourteenth day of August, 1945, in duplicate, in the Chinese and Russian languages, both texts being equally authoritative.

The Plenipotentiary of the President of the National Government of the Republic of China.

(L. S.) WANG SHIH-CHIEH.

The Plenipotentiary of the Presidium the Supreme Soviet of the U.S.S.R.

(L. S.) V. Molotov.

#### PROTOCOL RELATIVE TO THE AGREEMENT ON DAIREN

- 1. At the request of the U.S.S.R. the Chinese Government leases to the U.S.S.R. free of charges one half of all port installations and equipment. The term of lease shall be thirty years. The remaining half of port installations and equipment shall be reserved for the use of China. The expansion or re-equipment of the Port shall be made by agreement between China and the U.S.S.R.
- 2. It is agreed that the sections of the Chinese Changchun Railway running from Dairen to Mukden that lie within the region of the Port Arthur naval base, shall not be subject to any military supervision or control established in this region.

The Plenipotentiary of the President of the National Government of the Republic of China.

(Signed) WANG SHIH-CHIEH.

The Plenipotentiary of the Presidium the Supreme Soviet of the U.S.S.R.

(Signed) V. Molotov.

### AGREEMENT ON PORT ARTHUR

In conformity with, and for the implementation of, the Treaty of Friendship and Alliance between the Republic of China and the U.S.S.R., the High Contracting Parties have agreed as follows:

Article I. With a view to strengthening the security of China and of the U.S.S.R. against further aggression by Japan, the Government of the Republic of China agrees to the joint use by the two countries of Port Arthur as a naval base.

Article II. The precise boundary of the area provided in Article I is described in the Annex and shown in the map. (See Annex.)

Article III. The High Contracting Parties agree that Port Arthur, as an exclusive naval base, will be used only by Chinese and Soviet military and commercial vessels.

There shall be established a Sino-Soviet Military Commission to handle the matters of joint use of the above-mentioned naval base. The Commission shall consist of two Chinese and three Soviet representatives. The Chairman of the Commission shall be appointed by the Soviet side and the Vice-Chairman shall be appointed by the Chinese side.

Article IV. The Chinese Government entrusts to the Soviet Government the defence of the naval base. The Soviet Government may erect at its own expense such installations as are necessary for the defence of the naval base.

Article V. The Civil Administration of the whole area will be Chinese. The leading posts of the Civil Administration will be appointed by the Chinese Government, taking into account Soviet interests in the Area.

The leading posts of the Civil Administration in the city of Port Arthur are appointed and dismissed by the Chinese Government in agreement with the Soviet military command.

The proposals which the Soviet military commander in the said Area may address to the Chinese Civil Administration in order to safeguard security and defence will be fulfilled by the said Administration. In case of disagreement, such cases shall be submitted to the Sino-Soviet Military Commission for consideration and decision.

Article VI. The Government of the U.S.S.R. has the right to

maintain in the region mentioned in Article II, its army, navy and air forces and to determine their location.

Article VII. The Government of the U.S.S.R. also undertakes to establish and maintain lighthouses and other installations and signs necessary for the security of navigation of the Area.

Article VIII. After the termination of the present Agreement all the installations and public property installed or constructed by the U.S.S.R. in the Area shall revert without compensation to the Chinese Government.

Article IX. The term of the present Agreement shall be thirty years. The present Agreement shall come into force from the date of its ratification.

IN FAITH WHEREOF the Plenipotentiaries of the High Contracting Parties have signed the present Agreement and affixed thereto their seals. The present Agreement is made in duplicate, in the Chinese and Russian languages, both texts being equally authoritative.

Done at Moscow, this Fourteenth day of the Eighth month of the Thirty-fourth year of the Republic of China, corresponding to the Fourteenth day of August, 1945.

The Plenipotentiary of the President of the National Government of the Republic of China.

(L. S.) WANG SHIH-CHIEH.

The Plenipotentiary of the Presidium the Supreme Soviet of the U.S.S.R.

(L. S.) V. Molotov.

#### ANNEX

With respect to the boundary of the Area of the naval base provided in Article II of the Agreement on Port Arthur, there shall be drawn a line starting from a point to the south of Hou-shan-tao Bay on the western coast of the Liaotung Peninsula, and thence running eastward across Shih-ho Station and Tsou-chia-jui-tze to the eastern coast of the said Peninsula. All the land situate to the south of this line shall constitute the land area of the naval base, the city of Dairen being excepted.

On the water to the west of the Area provided by the Agreement in the Liaotung Peninsula, all the islands situate to the south of a line connecting a point at lat. 39° N., long. 120° 49' E. and a point at lat. 39° 20' N., long. 121° 31' E., and thence running northcastward towards Pu-lan-tien until it meets on its south the starting point of the boundary line on land are included in the Area of the naval base.

On the water to the east of the Area in the Liantung Peninsula, all the islands situate to the south of a line starting from the terminal point of the boundary line on land, thence running eastward across a point at lat. 39° 20' N., long. 123° 08' E., and thence south-eastward to a point at lat. 39° N., long. 123° 16' E. are included in the Area of the naval base. (Attached hereto is a Russian map scaled 1:500,000.)

The boundary of the Area shall be determined on the spot and marked with boundary signs on land and, if necessary, also on the water by a Sino-Soviet Mixed Commission. Land and sea maps shall be drawn by the Commission, with detailed descriptions attached, the land map to be scaled 1:25,000 and the sea map, 1:300,000.

The date for the said Commission to commence its work shall be determined by the two Contracting Parties.

The descriptions and the maps showing the boundary of the Area so prepared by the said Commission shall be subject to the approval of the Governments of the two Contracting Parties.

(Initialed) SHIH-CHIEH.

(Initialed) V. M.

19. The full texts of the Sino-Soviet Treaty of 1950, and the most relevant accompanying documents, are given in this annex. The subsequent agreements of 1952 and 1954 first extending, and then terminating, the Soviet military base rights at Port Arthur are also given. All are unofficial translations of official texts in Chinese and Russian.

Treaty of Friendship, Alliance, and Mutual Assistance Between The People's Republic of China and the U.S.S.R. # (February 14, 1950)

The Central People's Government of the People's Republic of China and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics:

Fully determined jointly to prevent, by strengthening friendship and cooperation between the People's Republic of China and the Union of Soviet Socialist Republics, the revival of Japanese imperialism and the resumption of aggression on the part of Japan or any other state that may collaborate in any way with Japan in acts of aggression;

Imbued with the desire to consolidate lasting peace and universal security in the Far East and throughout the world in conformity with the aims and principles of the United Nations:

Profoundly convinced that the consolidation of good neighborly relations and friendship between the People's Republic of China and the Union of Soviet Socialist Republics meets the vital interests of the peoples of China and the Soviet Union:

Resolved toward this end to conclude the present Treaty and have appointed as their plenipotentiary representatives:

Chou En-lai, Premier of the Government Administration Council and Minister of Foreign Affairs, acting for the Central People's Government of the People's Republic of China; and Andrei Yanuaryevich Vyshinsky, Minister of Foreign Affairs of the U.S.S.R., acting for the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics.

Both plenipotentiary representatives having communicated their full powers, and found them in good and due form, have agreed upon the following:

ARTICLE 1: Both High Contracting Parties undertake jointly to adopt all necessary measures at their disposal for the purpose of preventing the resump-

<sup>\*</sup>English text from R. Garthoff, Sino-Soviet Military Relations, Appendix A, pp. 203-13.

<sup>\*</sup>The official Russian version in English of the Treaty can be found in USSR Information Bulletin, Washington, DC, Feb. 24, 1950, reproduced in Harold Hinton, ed. the People's Republic of China, 1949-1979, Vol. I pp. 123-125 (pub. by Scholarly Resources, Inc. 1980)

tion of aggression and violation of peace on the part of Japan or any other state that may collaborate with Japan directly or indirectly in acts of aggression. In the event of one of the High Contracting Parties being attacked by Japan or any state allied with her, and thus being involved in a state of war, the other High Contracting Party shall immediately render military and other assistance by all means at its disposal.

The High Contracting Parties also declare their readiness to participate in a spirit of sincere cooperation in all international actions aimed at ensuring peace and security throughout the world, and to contribute their full share to the earliest implementation of these tasks.

ARTICLE II: Both High Contracting Parties undertake in a spirit of mutual agreement to bring about the earliest conclusion of a peace treaty with Japan, jointly with the other powers which were allies in the Second World War.

ARTICLE III: Both High Contracting Parties undertake not to conclude any alliance directed against the other High Contracting Party, and not to take part in any coalition or in any actions or measures directed against the other High Contracting Party.

ARTICLE IV: Both High Contracting Parties will consult with each other in regard to all important international problems affecting the common interests of China and the Soviet Union, being guided by the interests of consolidating peace and universal security.

ARTICLE V: Both High Contracting Parties undertake, in a spirit of friend-ship and cooperation and in conformity with the principles of equality, mutual benefit, mutual respect for national sovereignty and territorial integrity, and noninterference in the internal affairs of the other High Contracting Party, to develop and consolidate economic and cultural ties between China and the Soviet Union, to render the other all possible economic assistance, and to carry out necessary economic cooperation.

ARTICLE VI: The present Treaty shall come into force immediately after its ratification; the exchange of instruments of ratification shall take place in Peking.\*

The present Treaty shall be valid for thirty years. If neither of the High Contracting Parties gives notice a year before the expiration of this term of its intention to denounce the Treaty, it shall remain in force for another five years and shall be further extended in compliance with this provision.

Done in Moscow on February 14, 1950, in two copies, each in the Chinese and Russian languages, both texts being equally valid.

• The treaty was separately but simultaneously ratified by both Governments on April 11, 1950; the instruments of ratification were exchanged in Peking on September 30, 1950. On the authorization of the Central People's Government of the People's Republic of China

Chou En-lai

On the authorization of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics

A. Ya. Vyshinsky

Agreement Between the People's Republic of China and the U.S.S.R. Concerning the Chinese Changehun Railway, Port Arthur and Dairen (February 14, 1950)

The Central People's Government of the People's Republic of China and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics record that since 1945 fundamental changes have occurred in the situation in the Far East, namely: Imperialist Japan has suffered defeat; the reactionary Kuomintang Government has been overthrown; China has become a People's Democratic Republic; a new People's Government has been established in China which has unified the whole of China, has carried out a policy of friendship and cooperation with the Soviet Union, and has proved its ability to defend the national independence and territorial integrity of China and the national honor and dignity of the Chinese people.

The Central People's Government of the People's Republic of China and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics consider that this new situation permits a new approach to the question of the Chinese Changchun Railway, Port Arthur, and Dairen.

In conformity with these new circumstances, the Central People's Government of the People's Republic of China and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics have decided to conclude the present Agreement on the Chinese Changchun Railway, Port Arthur, and Dairen:

ARTICLE 1: Both High Contracting Parties agree that the Soviet Government transfer without compensation to the Government of the People's Republic of China all its rights in the joint administration of the Chinese Changchun Railway, together with all the property belonging to the Railway. The transfer shall be effected immediately upon the conclusion of a peace treaty with Japan, but not later than the end of 1952.

Pending the transfer, the existing Sino-Soviet joint administration of the Chinese Changchun Railway shall remain unchanged. After this Agreement becomes effective, posts (such as Manager of the Railway, Chairman of the Board of Directors, and others) will be periodically alternated between representatives of China and the U.S.S.R.

As regards concrete methods of effecting the transfer, they shall be agreed upon and determined by the Governments of both High Contracting Parties.

ARTICLE II: Both High Contracting Parties agree that Soviet troops shall be withdrawn from the jointly utilized naval base of Port Arthur, and that the installations in this area be handed over to the Government of the People's Republic of China, immediately upon the conclusion of a peace treaty with Japan, but not later than the end of 1952. The Government of the People's Republic of China will compensate the Soviet Union for expenses which it has incurred in restoring and constructing installations since 1945.

For the period pending the withdrawal of Soviet troops and the transfer of the above-mentioned installations, the Governments of China and the Soviet Union will each appoint an equal number of military representatives to form a joint Chinese-Soviet Military Commission which will be alternately presided over by each side and which will be in charge of military affairs in the area of Port Arthur; concrete measures in this sphere will be drawn up by the joint Chinese-Soviet Military Commission within three months after the present Agreement comes into force, and shall be implemented upon approval of these measures by the Governments of both countries.

The civil administration in the aforementioned area shall be under the direct authority of the Government of the People's Republic of China. Pending the withdrawal of Soviet troops, the zone for billeting Soviet troops in the area of Port Arthur will remain unaltered in conformity with existing borders.

In the event that either of the High Contracting Parties becomes the victim of aggression on the part of Japan or any state that may collaborate with Japan, and as a result thereof becomes involved in hostilities, China, and the Soviet Union may, on the proposal of the Government of the People's Republic of China and with the agreement of the Government of the U.S.S.R., jointly use the naval base of Port Arthur for the purpose of conducting joint military operations against the aggressor.

ARTICLE III: Both High Contracting Parties agree that the question of Dairen Port be further considered on the conclusion of a peace treaty with Japan. As regards the administration of Dairen, it is in the hands of the Government of the People's Republic of China.

All the property in Dairen now temporarily administered by or leased to the Soviet Union, shall be taken over by the Government of the People's Republic of China. To carry out the transfer of the aforementioned property, the Governments of China and the Soviet Union shall appoint three representatives each to form a Joint Commission which, within three months

after the present Agreement comes into effect, shall draw up concrete measures for the transfer of the property; these measures proposed by the Joint Commission shall be fully carried out in the course of 1950 after their approval by the Governments of both countries.

ARTICLE IV: The present Agreement shall come into force on the day of its ratification. The exchange of instruments of ratification shall take place in Peking.

Done in Moscow on February 14, 1950, in two copies, each in the Chinese and Russian languages, both texts being equally valid.

> On the authorization of the Central People's Government of the People's Republic of China

> > Chou En-lai

On the authorization of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics

A. Ya. Vyshinsky

Exchange of Notes Between the People's Republic of China and the U.S.S.R. Extending Soviet Participation in the Joint Use of the Chinese Naval Base at Port Arthur (September 15, 1952)

#### Dear Comrade Minister:

Inasmuch as Japan has refused to conclude an over-all peace treaty and concluded a separate treaty with the United States and certain other countries, as a result of which Japan has not and apparently does not want to have any peace treaty with the People's Republic of China and the Soviet Union, conditions dangerous to the cause of peace and favorable for recurrence of Japanese aggression have arisen.

In view of this and for the purpose of ensuring peace, and also on the basis of the Treaty of Friendship, Alliance, and Mutual Assistance between the People's Republic of China and the Union of Soviet Socialist Republics, the Government of the People's Republic of China suggests and asks the Soviet Government to agree to postpone the withdrawal of the Soviet troops from the jointly used Chinese naval base of Port Arthur, provided for in

Article Two of the Sino-Soviet Agreement on Port Arthur, until the time when a peace treaty between the People's Republic of China and Japan and • peace treaty between the Soviet Union and Japan are concluded.

If the Soviet Government agrees to the aforestated proposal of the Government of the People's Republic of China, the present note and your note of reply will be regarded as a competent part of the agreement of February 14, 1950, between the People's Republic of China and the U.S.S.R. concerning the naval base of Port Arthur, and will go into force on the day of the exchange of notes.

I beg you, Comrade Minister, to accept assurances of my profound respect for you,

September 15, 1952

Chou En-lai

A. Ya. Vyshinsky, Minister of Foreign Affairs Union of Soviet Socialist Republics

#### Dear Comrade Premier and Minister:

I acknowledge the receipt of your note of September 15th of the current year which says:

Inasmuch as Japan has refused to conclude an over-all peace treaty and concluded a separate treaty with the United States and certain other countries, as a result of which Japan has not and apparently does not want to have any peace treaty with the People's Republic of China and the Soviet Union, conditions dangerous to the cause of peace and favorable for recurrence of Japanese aggression have arisen.

In view of this and for the purpose of ensuring peace, and also on the basis of the Treaty of Friendship, Alliance, and Mutual Assistance between the People's Republic of China and the Union of Soviet Socialist Republics, the Government of the People's Republic of China suggests and asks the Soviet Government to agree to postpone the withdrawal of the Soviet troops from the jointly used Chinese naval base of Port Arthur, provided for in Article Two of the Sino-Soviet Agreement on Port Arthur, until a time when a peace treaty between the People's Republic of China and Japan and a peace treaty between the Soviet Union and Japan are concluded.

The Soviet Government agrees to the aforementioned proposal of the Government of the People's Republic of China and also to the proposal that your note and this reply to it become a component part of the aforementioned agreement of February 14th, 1950, concerning the naval base of Port Arthur from the day of exchange of these notes.

I beg you, Comrade Premier and Minister, to accept assurances of my profound respect for you.

September 15, 1952

A. Ya. Vyshinsky

Chou En-lai. Premier, State Administrative Council, and Minister of Foreign Affairs. Central People's Government, Chinese People's Republic

> Joint Communique on the Transfer of Soviet Rights in the Management of the Chinese Changchun Railway to the People's Republic of China (September 15, 1952)

In accordance with the established relations of friendship and cooperation between the People's Republic of China and the U.S.S.R., an Agreement on the Chinese-Changchun Railway was signed in Moscow on February 14, 1950, under which the Soviet Government transfers without compensation to the Government of the People's Republic of China all its rights to point administration of the Chinese-Changchun Railway together with all property belonging to the railway. Under this agreement the transfer of the aforementioned Chinese-Changchun Railway shall be effected not later than by the end of 1952.

At present the Government of the People's Republic of China and the Soviet Government have begun carrying out measures for implementing this agreement and with this end in view have agreed to form a joint Sino-Soviet Commission.

The joint Sino-Soviet Commission shall complete the transfer of the Chinese-Changchun Railway to the People's Republic of China not later than by December 31, 1952.

Joint Communiqué of the People's Republic of China and the U.S.S.R. on the Withdrawal of Soviet Armed Forces from the Port Arthur Naval Base Area (October 12, 1954)

The Government of the People's Republic of China and the Government of the Soviet Union, in view of the changes in the international situation in

the Far East following the termination of the war in Korea and the strengthened national defenses of the People's Republic of China, and in the light of the relations of friendship and cooperation between the two countries which are being daily strengthened, have agreed that Soviet armed forces will withdraw from the jointly used naval base of Port Arthur and that the installations in this area be transferred without compensation to the Government of the People's Republic of China.

Both sides agree that the joint Sino-Soviet Commission at Port Arthur set up in accordance with the agreement of February 14, 1950, be responsible for carrying out measures connected with the withdrawal of Soviet armed forces and the transfer of the installations in the area of the Port Arthur naval base to the Government of the People's Republic of China.

The withdrawal of the Soviet armed forces and the transfer of the installations in the area of the Port Arthur naval base to the Government of the People's Republic of China shall be completed by May 31, 1955.

## 20. Soviet Union and China: Agreement on Granting Credit to the People's Republic of China\*

In connection with the consent of the Government of the Union of Soviet Socialist Republics to grant the request of the Central People's Government of the People's Republic of China on giving China credits for paying for equipment and other materials which the Soviet Union had agreed to deliver to China, both Governments have agreed upon the following:

Article I. The Government of the Union of Soviet Socialist Republics grants the Central People's Government of the People's Republic of China credits, calculated in dollars, amounting to 300 million American dollars, taking thirty-five dollars to one ounce of fine gold.

In view of the extreme devastation of China as a result of prolonged hostilities on its territory, the Soviet Government has agreed to grant credits on favourable terms of one per cent annual interest.

Article II. The credits mentioned in Article I will be granted in the course of five years, as from January 1, 1950, in equal portions of one-fifth of the credits in the course of each year, for payments for deliveries from the U.S.S.R. of equipment and materials, including equipment for electric power stations, metallurgical and engineering plants, equipment for mines for the production of coal and ores, railway and other transport equipment, rails and other material for the restoration and development of the national economy of China.

The assortment, quantities, prices and dates of deliveries of equipment and materials will be determined under a special agreement of the Parties; prices will be determined on the basis of prices obtaining on the world markets.

Any credits which remain unused in the course of one annual period may be used in subsequent annual periods.

Article III. The Central People's Government of the People's Republic of China redeems the credits mentioned in Article I, as well as interest on them, with deliveries of raw materials, tea, gold, American dollars. Prices for raw materials and tea, quantities and dates of deliveries will be determined on the basis of prices obtaining on the world markets.

Redemption of credits is effected in the course of ten years in

<sup>\*</sup>English text from Aitchen K. Wu, China and the Soviet Union, Appendix D, pp. 420-21.

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equal annual parts—one-tenth yearly of the sum total of received credits not later than December 31, 1954, and the last on December 31, 1963.

Payment of interest on credits, calculated from the day of drawing the respective fraction of the credits, is effected every six months.

Article IV. For clearance with regard to the credits envisaged by the present Agreement the State Bank of the U.S.S.R. and National Bank of the People's Republic of China shall open special accounts and jointly establish the order of clearance and accounting under the present Agreement.

Article V. The present Agreement comes into force on the day of its signing and is subject to ratification. The exchange of instruments of ratification will take place in Peking.

Done in Moscow on February 14, 1950, in two copies, each in the Russian and Chinese languages, both texts having equal force.

Signed:

By authorization of the Central People's Government of the People's Republic of China—Chou En-Lai.

By authorization of the Government of the Union of Soviet Socialist Republics—A. Y. VYSHINSKY.

# 21. China and Soviet Union to form joint Stock Companies for Petroleum and non-ferrous and rare Metals\*

(NCNA, Peking, March 29, 1950)

Two Sino-Soviet joint stock companies are to be formed to undertake the prospecting, producing and refining of petroleum and coal gas in one case and non-ferrous metals in the other, as a result of agreements signed in Moscow on March 27.

The communique on the conclusion of agreements on the establishment of two Sino-Soviet joint stock companies by the People's Republic of China and the U.S.S.R. reads as follows:

Agreements on the establishment of two Sino-Soviet joint companies, one a petroleum company and one a non-ferrous metals company, were signed in Moscow on March 27. companies are formed on the principle of equal rights and partnership with the purpose of fostering the development of the Chinese national industry and strengthening the economic cooperation between China and the Soviet Union. the petroleum company is to undertake the prospecting, producing and refining of petroleum and coal gas in Sinkiang Province in the People's Republic of China. The task of the non-ferrous metals company is to undertake the prospecting, and producing of non-ferrous metals in Sinkiang Provance. The products of the two aforementioned companies will be shared equally between both parties -- China and the Soviet The expense for running the companies and the profits returned will also be equally shared between both parties. The method of filling the leading posts in the companies alternately by representatives of both parties will be carried out. The agreements stipulated that during three years of their activities, the Chairman of the Management Committee will be elected form among the Chinese representatives, the Vice Chairman from the Soviet representatives. The general managers of the two companies will be appointed from among the Soviet citizens and the assistant general managers from the Chinese citizens. Every three years, the posts filled by the representatives of one part during this

period will be replaced by representatives of the other party. The employees of the companies will be elected in equal numbers from the Chinese and the Soviet citizens. The principle of alternate appointments will be carried out in all circum-The agreements will be valid for a period of thirty The negotiations proceeded in a friendly atmosphere of mutual understanding. The agreements were signed:

On authorization of the People's Republic of China by Ambassador Extraordinary and Minister Plenipotentiary Wang Chia-hsiang:

On authorization of the Government of the Union of Soviet Socialist Republics by Minister of Foreign Affairs A.Y. Vyshinsky.

(NCNA is the abbreviation of the New China News Agency)

<sup>\*</sup>From CURRENT BACKGROUND, U.S. Consulate, Hong Kong Publication, June 1950-July 1951 Issue, p. 10

## 22. Communique on the Establishment of a Sino-Soviet Joint Civil Aviation Company

(NCNA Peking, April 1, 1950)

An agreement on the establishment of a Sino-Soviet Civil Aviation Company was signed in Moscow on March 27, 1950. This Company was formed on the principle of equal rights and partnership with the purpose of fostering the development of civil aviation in China and strengthening the economic co-operation between China and the Soviet Union. stipulated in the Agreement that the following civil air lines will be organized and operated: (1) Peking-Chita, (2) Peking-Irkutsk, and (3) Peking-Alma Ata. The expenses for running the Company and the profits returned will be equally shared between both parties. The leadership of the Company will be carried out by the system of the leading posts in the Company being filled alternately by representatives of both parties. The Agreement also stipulated that during the first two years of its activities, the Chairman of the Executive Committee will be appointed from among the Chinese representatives, the Vice-Chairman from the Soviet representatives, while the General Manager of the Company will be appointed from among the Soviet citizens and the Assistant General Manager from the Chinese citizens. Every two years, the posts filled by the representatives of one party will be replaced by representatives of the other party. The employees of the Company are to be citizens of China and the Soviet Union. The Agreement will be valid for a period of ten years. negotiations proceeded in a friendly atmosphere of complete mutual understanding. The Agreement was signed:

On authorization of the People's Republic of China by Ambassador Plenipotentiary Wan Chia-hsiang;

On authorization of the Government of the Union of Soviet Socialist Republics by Minister of Foreign Affairs A.Y. Vyshinsky.

\*1. From <u>Current Background</u>, U.S. Consulate, Hong-Kong, publication, June 1950-July 1951 Issue, p. 13

(NCNA - abbreviation for New China News Service)

## 23. Sino-Soviet Trade and Barter Agreements Protocol signed\*

(NCNA) Peking, April 21, 1950

As a result of negotiations between the trade delegation of the People's Republic of China and the Ministry of Foreign Trade of the U.S.S.R., which proceeded in an atmosphere of friendly mutual understanding, a trade agreement and a barter agreement for 1950 were signed in Moscow on April 19, 1950. Under the barter agreement the Soviet Union will supply industrial equipment while China will supply raw materials.

At the same time there was signed a Protocol for the supplying by the Soviet Union to the People's Republic of China of industrial equipment and materials for the period 1950-1952 against the credit granted under the Sino-Soviet Agreement of February 14, 1950.

The agreements and protocol were signed by Yeh Chi-chuang, Minister of Trade of the Central People's Government, on behalf of China, and by M.A. Menshikov, Minister of Foreign Trade, on behalf of the Soviet Union.

From Current Background, U.S. Consulate, Hong-Kong June 1950 - July 1951 Ussue, p. 11.

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From Current Background, U.S. Consulate, Hong-Kong June 1950 - July 1951 Ussue, p. 11.

(NCNA is the abbreviation for New China News Agency)

# 24. Ratifications of Sino-Soviet Treaty and five other Agreements exchanged\*

(NCNA, Peking, October 7, 1950)

Ratifications of the Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance and five other agreements have been exchanged between China and the Soviet Union at Peking. Following is the official statement on the exchange of ratifications:

The official statement relating to the exchange of ratifications of the Treaty of Friendship, Alliance and Mutual Assistance and five other agreements between the People's Republic of China and the Union of Soviet Socialist Repbulics.

On September 30, 1950, the following ratifications were exchanged in Peking between Chou En-lai, Premier of the Government Administration Council and Foreign Minister of the Central People's Government of the Peoples Republic of China, and N.V. Roschin, Ambassador Extraordinary and Plenipotentiary of the Soviet Union to the People's Republic of China.

Ratifications of the Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance, the Agreement on the Chinese Changchun Railway, Port Arthur and Dairen, and the agreement between the Governments of China and the Soviet Union on the granting of credit to the People's Republic of China, which were signed in Moscow on February 14, 1950, and ratified by the Central People's Government Council of the People's Republic of China and by the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics on April 11, 1950.

Ratifications of the agreements between the Governments of China and the Soviet Union to establish a Sino-Soviet Joint Stock Oil Company and a Joint Stock Non-Ferrous and Rare Metals Company in Sinkiang, which were signed in Moscow on March 27, 1950 and ratified by the Central People's Government of the People's Repbulic of China on April 21, 1950, and by the Presidium of the Supreme Soviet of the

Union of Soviet Socialist Repbulics on June 3, 1950.

Ratifications of the trade agreement between the governments of China and the Soviet Union which was signed in Moscow on April 19, 1950 and ratified by the Central People's Government of the People's Republic of China on May 19, 1950 and by the Presidium of the Supreme Soviet of the Union of Soviet Repbulics on June 3, 1950.

Present at the exchange of ratifications were: side of China -- Vice-Chairman of the Central People's Government Chu Teh, Vice Premiers of the Government Administration Council Tung Pi-wu, Chen Yun, Kuo Mo-jo, Huang Yen-pei Vice-Minister of the Ministry of Foreign Affairs Chan Hanfu, Deputy Directors of the General Office of the Foreign Ministry Yen Pao-hang and Lai Yah-li, Director of the Department of the Soviet Union and Eastern European Affairs of the Foreign Ministry Wu Hsiu-chuan, Minister of Fuel Industry Chen Yu and Vice-Minister of Railways Lu Cheng-tsao. On the side of the Soviet Union -- Trade Representative V. Piap Migunov, Counsellors of the Soviet Embassy N.T. Fedorenko, P.A. Shivaev, N.P. Vazdnov, Secretaries of the Soviet Embassy F.A. Saffonuff and A.A. Ovepow.

(NCNA - abbreviation for New China News Service)

<sup>\*</sup>From CURRENT BACKGROUND, U.S. Consulate, Hong-Kong-Publication, June 1950-July 1951 Issue, p.15.

25. Documents concerning Soviet withdrawal from the Port Arthur Naval Base, and the Sale of Soviet Shares in joint Stock Companies to China\*

A. Premier Chou En-lai's Speech at Soviet Embassy Reception

(NCNA, Peking, October 12, 1954)

Following is the full text of the speech made by Premier Cho En-lai at the reception given by the Soviet Ambassador today:

Dear Comrade Krushchev and Members of the Soviet Government Delegation, Comrade Ambassador, Comrades and Friends:

On the occasion of the 5th anniversary of the founding of the People's Republic of China, the Delegation of the Government of the Soviet Union, headed by Comrade N.S. Khrushchev, came all the way to China and joined the Chinese people in celebrating the National Day. they attended the opening ceremony for the Exhibition on Economic and Cultural Achievements of the Soviet and visited several of the major cities of China. This has given us great pleasure and we feel highly honored. Allow me to tender, on behalf of the Government and people of China, our heartfelt thanks to our dearest Comrades and friends - all members of the Government Delegation of the Soviet Union.

During the visit of the Soviet Government Delegation to China, talks were held between China and the Soviet Union, in an atmosphere of sincere friendship and mutual understanding, on question concerning Sino-Soviet relations and the international situation, and we reached at full agreement.

On the basis of the results of these talks, we issued today the joint declaration on Sino-Soviet relations and the international situation, the joint declaration on relations with Japan and the joint communique on the withdrawal of Soviet armed forces from the jointly-used Chinese naval base of Port Arthur and placing the base completely at the disposal of the Peoples Republic of China.

These declarations and commiques not only epitomise the genuine cooperation between China and the Soviet Union and their joint efforts to preserve peace in the Far East and the world during the past five years based on the great Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance, they not only epitomise the great achievements of China and the Soviet Union in their struggle to ease tension in the Far East and the world, but they also show that the great people of the Soviet Union and the people of China are determined to further consolidate and enhance the fraternal friendship between the two countries and struggle jointly and unswervingly for the defense of peace and security of Asia and the world and the safeguarding of national independence and rights of the Asian peoples.

These declarations and communiques also show that the peoples of China and the Soviet Union will continue to strenghen their solidarity with all fraternal countries and peaceloving people throughout the world, strive to develop friendly cooperation and economic and cultural relations between the peoples of all countries, establish and develop relations with all countries in Asia and in the Pacific Region as well as with other countries, in strict observance of the principles mutual respect for each other's sovereignty and territorial integrity, non-aggression, non-interference in each other's intenal affairs, mutual benefit and peaceful co-existence. The governments of China and the Soviet Union have expressed their willingness to establish normal relations with Japan.

There is no doubt that close cooperation between the two great countries. China and the Soviet Union, which has been demonstrated in these talks, not only corresponds to the interests of the peoples of China and the Soviet Union, but is also compatible with the interests of all peace-loving people in Asia and throughout the world. I believe that the declarations and communiques issued today are not only heartily supported by the Chinese and Soviet peoples, but will receive the sympathy and support of all peace-lovers throughout the world.

On the basis of the results of these talks, we also issued today a joint communique on the existing Sino-Soviet joint stock companies jointly, a joint communique on the

Scientific and Technical Cooperation Agreement, a joint communique on the construction of the Lanchow-Urumchi-Alma Ata Railway, the new Agreement on the Granting of a Loan to China by the Soviet Union and the protocol for increased supply of factory equipment to China. In addition the Soviet people have presented to the Chinese people machinery and equipment necessary for the organization of a large-scale state grain farm. At the same time, the Government of the Soviet Union has presented to the Chinese Government the machine tools and agricultural machinery now on display at the Soviet Exhibition Center.

The signing and publication of these documents and the presentation of machinery, machine tools and equipment fully demonstrate the noble, internationalist concern and help shown by the Government of people of the Soviet Union towards China's cause of Socialist construction and transformation.

From these friendly acts, the people of China have once again keenly realized that, marching along the glorious road which the Soviet Union has traversed, China will never fail to receive the friendly cooperation and active support of the Government and people of the Soviet Union. In view of this, the Chinese people are ever more convinced that, in the words of Comrade Khrushchev, the Soviet poeple are forever our most trustworthy and most faithful friends.

The great, over-all and technically superb fraternal aid given by the Soviet Union to China springs from genuine friendship and a genuinely constructive nature. It demonstrates to the world a new international realtionship. This relationship is based on mutual help and on a genuine desire for the promotion of common progress and prosperity.

On behalf of the Government and people of the People's Republic of China, I am very glad to have this opportunity to express our heartfelt gratitude and respects to all the Soviet specialist who have come, and those specialists who will shortly come, to China from distant homes to assist our construction. They come to help our workers and peasants, our technicians and office workers, our scientists and artists in speedily restoring and developing our economy and pushing forward the victorious march of the cause of China's

Socialist construction.

The Chinese people are now making great efforts to carry out the first five-year construction plan. Just as Comrade Mao Tse-tung has frequently urged us, we should learn honestly and assidously from the advanced Soviet experience in Socialist construction, in order to ensure the success of our con-What the Soviet Union is today will be China's tommorow. Countless facts in the past five years have shown that the magnificent example of Socialist construction set by the great Soviet Union is illuminating our march forward. We will do our best to fulfill the glorious task of learning from the Soviet Union.

Let me now propose a toast to the health of the leaders of the Soviet Government and the Communist Party of the Soviet Union; and a toast to the health of Comrades Khrushchev. Bulganin, Mikoyan and all the Comrades of the Soviet Government Delegation. (NCNA-English)

#### В. Khrushchev's Speech at Airport

(NCNA, Peking October 13, 1954)

The speech delivered by N.S. Khrushchev, head of the Government Delegation of the Soviet Union, at the airport before leaving China today follows in full:

Dear Comrades, Our Close Friends:

Our Delegation is about to leave Peking, Capital of the People's Republic of China. We feel we should take the occasion to express our deep gratitude for the great care and warm hospitality accorded to our Delegation during our visit to various places.

We appreciate this sincere friendship and esteem, which we understand, of course, to be an expression of the fraternal friendship between the great peoples of our two countries, of the unbreakable alliance between the People's Republic of China and the Soviet Union. This fruitful friendship is growing and daily becoming stronger. The past five years show that the more consolidated is our friendship and brotherly mutual assistance, the stronger are the People's

Republic of China and the U.S.S.R. and the more powerful is the camp of peace, democracy and Socialism.

In five years of peaceful development, the People's Republic of China has made great achievements, under the leadership of the long-tested Chinese Communist party. We saw evidence of this everywhere in China during our tour of the country. The Chinese people today are united as never before, are consolidating their people's democratic state with inexhaustible enthusiam and transforming the life of the country in all spheres on the basis of democracy.

The successes of the Chinese people on the road of Socialist transformation are successes of the entire camp of peace, democracy and Socialism. The consolidation of the People's Republic of China and its growing strength represent growth of our common strength and this contributes to staving off the danger of war.

We are happy to say that in the course of our short visit to the People's Republic of China, we have, with fullest mutual understanding, arrived at decisions on all questions discussed, and have concluded agreements which are designed to promote the well-being and happiness of the peoples of the People's Republic if China and the Soviet Union, and to develop and consolidate the impregnable friendship between us and strengthen world peace.

The agreements are based on the principle of profound mutual respect, brotherly solicitude and mutual assistance. Precisely because of this, the agreements will be welcomed by the peoples of the Soviet Union and the People's Republic of China whose relations with the peoples of other countries are found on the basis of full respect for the vital interests of these peoples.

The views we have exchanged and the work we have jointly and fruitfully undertaken show that the Soviet Union and the People's Republic of China are in full agreement on all questions concerning our future development and all questions concerning the international situation.

Now we are leaving Peking. With still greater confidence

we shall continue to devote ourselves to our common cause: The promotion of the prosperity of our two countries, the further development of the great friendship between the U.S.S.R. and the People's Repbulic of China and the strengthening of the entire powerful camp of peace, democracy and Socialism.

Long live the great Chinese people, eternally our tried and trusted friends and brothers.

May the fraternal unity and friendship of the peoples of the Soviet Union and the People's Republic of China. powerful factor in world peace, grow and endure forever. (NCNA-English)

C. Jen Min Jih Pao Editorial on Sino-Soviet Friendship (NCNA, Peking, October 13, 1954)

Today's Peking Jen Min Jih Pao greets the solidarity between China and the Soviet Union in an editorial on negotiations between China and the Soviet Union. These "will fruther promote close cooperation between China and the Soviet Union and consolidate peace in the Far East and the world" the paper says.

On February 17, 1950, the Jen Min Jih Pao recalls, at the time of the Treaty of Friendship, Alliance and Mutual Assistance between China and the Soviet Union, Chairman Mao Tse-tung said, "it is hard to express in words the complete mutual understanding and the profound friendship which are formed on a basis of fundamental interests of our great peoples of China and the Soviet Union. Everybody sees that the unity of the great Chinese and Soviet peoples sealed by the Treaty is lasting, inviolable and unswerving. This unity will inevitably influence not only the florescence of the Great Powers-China and the Soviet Union-but also the future of all humanity and the victory of justice and peace the world over." This truth had been eloquently proved by past events and the recent Sino-Soviet negotiations, says the editorial.

"The unanmity between China and the Soviet Union is based on their identical desire to safeguard peace. It is founded on the further close cooperation between the two

States in accordance with the principles of equality, mutual benefit, mutual respect for national sovereignty and territorial integrity. It conforms with the fundamental interests of the peoples of all lands, including the people of Asia."

Obviously, the editorial delcares, the icentity of policy toward the present international situation of China and the Soviet Union demonstrates the common will of eight hundred million people of the two countries, which can never be defeated by the war instigators.

The paper points out that attempts to distort and slander the peaceful foreign policy of China and the Soviet Union and to sow discord between them have met with failure.

The paper recalls when the Chinese Republic was founded, its defenses were weak and the American aggressors were then fostering Japanese militarist power to menace China. Under the Sino-Soviet Agreement then concluded, the Soviet Union and China had joint use of the Port Arthur naval base. Subsequently, at the request of the Chinese Government, the Soviet Union agreed to prolong the time limit for the withdrawal of the Soviet armed forces from Port Arthur. To China, this was essential and very beneficial to its national defense. This was only unfavorable to American imperialist aggressive schemes.

"Now a change has taken place in the situation in the Far East and the whole world," the editorial points out. "Following the end of the Korean war, peace has been restored in Indo-China. China's national defense is growing day by day. The Soviet Union, at this time, proposed the withdrawal of the Soviet armed forces from Port Arthur before the end of May, 1955, and the transfer without compensation, of the installations in that area to our Government.

"When China, particularly Northeast China, faced the grave danger of aggression,: the <u>Jen Min Jih Pao</u> recalls further, "the Soviet armed forces helped us to defend strategic Port Arthur. Now that China's national defense forces have matured, the Soviet armed forces withdraw at once from Port Arthur."

Such disinterested aid as that which the Soviet Government extended to strengthen the security of China's national defense has never been seen in history, the paper says. could never be found in the capitalist world. "The Socialist Soviet Union's respect for the sovereignty of other countries sharply contrasts with the bloody facts of American imperialism which forcibly takes possession of military bases, rigs up aggressive military blocs, interferes in the internal affairs of other countries and carries out armed occupation whenever it can.

"The Chinese people can never forget," the editorial declares, "that when the young People's Republic of China was facing grim and trying days in rehabilitating its national economy, simultaneously with the signing of the Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance, the Soviet Union decided to lend China three hundred million U.S. dollars on the favorable terms of one percent interest per annum to pay for all kinds of modern machine equipment, indispensable to China's economic construction, which the Soviet Union delivered to China. Following this, China and the Soviet Union established the Sino-Soviet Joint Stock Non-Ferrous Metals Company in Sinkiang, the Sino-Soviet Joint Stock Petroleum Company in Sinkiang and the Sino-Soviet Civil Airlines as well as the Sino-Soviet Ship-Building Company. By means of advanced Soviet experience in economic construction and its superior technical conditions, the operations of these companies started and developed swiftly. result, these modern enterprises played a positive role in China's economic rehabilitation and development."

"The imperialists," the paper points out, "often use the method of investing in colonies and semi-colonies for economic aggression. But the Socialist Soviet Union's investment in these four companies was intended to help China with the Soviet funds and technique to explore the rich resources which we were then unable to explore, or operate enterprises which China could then hardly undertake, so that China could build up the foundation for complete economic independance."

During the Sino-Soviet joint operation of the Chinese Changchun Railway, the Jen Min Jih Pao notes, over onethousand Soviet experts had helped on this railway and trained 20,000 Chinese administrative and technical personnel for railway construction. Then the Soviet Union turned over the Chinese Changchun Railway without compensation.

The transfer to China of the Soviet shares in the remaining four Sino-Soviet joint stock companies could not be imagined by any capitalist country. Having helped to build up the enterprises and trained the personnel, the Soviet Government turned over the enterprises to the ownership of China completely.

After enumerating the various items of aid granted by the Soviet Union to China in the negotiations, the editorial adds: "The Sino-Soviet negotiations have dealt a mortal blow to the imperialist nonsense about so-called Soviet 'aggression' against China. They will show the Chinese people as well as all other peoples the fundamental difference between the Socialist Soviet Union and the capitalist countries."

Economic and cultrual cooperation between China and the Soviet Union will develop with each passing day. This cooperation represents a new relation among nations of equality and mutual benefit. It is categorically different from the relations between Chinese reactionary governments and the imperialist powers. It has boundless prospects of development and no reactionary forces will be able to destroy it.

"The Chinese people express their limitless thanks to the Government, Communist Party and the Soviet Union for their most thoughtful, large-scale and comprehensive assistance. At the same time, all our cadres and workers in the economic department have now a greater responsibility than before. We must learn more thoroughly the valuble experiences of the Soviet people in Socialist construction and their great spirit of creative labor.

In conclusion, the <u>Jen Min Jih Pao</u> declared that the Sino-Soviet negotiations will be universally welcomed by progressive humanity and will deal another telling blow against the enemies of peace. (NCNA-English)

\*All from Survey of the Mainland China Press, No. 907, pp. 7-16.

NCNA is the abbreviation for the New China News Agency.

## 26. Chinese decision not to extend the 1950 Treaty with Russia\*

-- The Soviet were notified, April 3, 1979 --

The Treaty of Friendship, Alliance and Mutual Assistance Between the People's Republic of China and the the Union of Soviet Socialist Republics, which was signed in Moscow on February 14, 1950 and came into force on April 11 of the same year, is due to expire on April 11, 1980. In view of the fact that great changes have taken place in the international situation and that the treaty has long ceased to exist except in name owing to violations for which the Chinese side is not responsible, the Standing Committee of the Fifth National People's Congress of the People's Republic of China, at its seventh session held on April 3, 1979, decided not to extend the said treaty beyond its expiration.

The above decision was notified to the Soviet side on April 3, 1979 by Foreign Minister Huang Hua of the People's Republic of China when the latter met Soviet Ambassador to China J. S. Shcherbakov and reiterated the consistent stand of the Chinese Government that the differences of principle between China and the Soviet Union should not hamper the maintenance and development of their normal state relations on the basis of the five principles of mutual respect for sovereighty and territorial integrity, mutual non-aggression, noninterference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence. To this end, the Chinese Government has proposed to the Soviet Government that negotiations be held between China and the Soviet Union for the solution of outstanding issues and the improvement of relations between the two countries.

<sup>\*</sup> From Beijing Review, No. 14, Apr. 6, 1979, pp. 3-4

## 27. The latest dispute over the Pamirs

Α. Chinese Denial of Soviet-Afghan Boundary Alignment Treaty, July 22, 1981\*

The spokesman of the information department of the Chinese Foreign Ministry issued a statement on July 22 declaring that the boundary alignment treaty concluded between the Soviet Union and Afghanistan on June 16 is "illegal and invalid."

The statement reads in full as follows:

"According to TASS news dispatch, a treaty of boundary alignment for the sector between the west bank of Lake Zorkul and Peak Povalo-Shveikovski (known as Peak Kokrash Kol in China) was concluded between the Soviet Union and Afghanistan in Kabul on June 16, 1981. This treaty involves the disputed area of the Pamir between China and the Soviet Union.

"As is well known, the 1884 Protocol on Sino-Russian Boundary in the Kashgar Region stipulates that 'the boundary of Russia turns south-westwards, the boundary of China runs due south' from the Uz-Bel Mountain Pass in the Pamir. In 1892, tsarist Russian imperialism dispatched its troops to the Pamir in violation of the above stipulation and occupied by force of arms more than 20,000 square kilometers of Chinese territory west of the Sarykol Range. No Chinese Government since then has ever recognized the illegal occupation and control of this area by tsarist Russia and the Soviet Union. The Government of the People's Republic of China has repeatedly stated its solemn position on the issue of the Pamir in the Sino-Soviet boundary negotiations and in the Document of the Ministry of Foreign Affairs of the People's Republic of China dated October 8, 1969.

"China now reiterates its position and declares in all seriousness that as the boundary negotiations between the Governments of China and the Soviet Union have not yet concluded and the question of the disputed area of the Pamir remains outstanding, it is illegal and invalid for the Soviet Union unilaterally to sign with a third country a treaty of boundary alignment involving the disputed area in the Pamir between China and the Soviet Union. The Chinese side is firmly opposed to this.

<sup>\*</sup> From Beijing Review, August 3, 1981, p. 7

B. Chinese Statement on the Disputed Area of the Pamirs, August 11, 1981\*

Chinese Foreign Ministry sources speaking to Xinhua News Agency correspondents on August 31 refuted the statement issued by the Soviet Foreign Ministry which distorted and falsified the history concerning the disputed area of the Chinese-Soviet frontier in the Pamirs.

In a statement on August 11, 1981, countering a statement by the spokesman of the Department of Information of the Chinese Foreign Ministry on July 22, 1981, the Soviet Foreign Ministry declared that the Chinese claim concerning the disputed area of the Chinese-Soviet frontier in the Pamirs was "unfounded." It alleged that the boundary in the Pamirs "was established historically" and "was formalized through an exchange of notes in 1894." It added that "on Chinese maps the frontier in that section is delineated in the same way as on Soviet maps, i.e., by the Sarykol Range." Xinhua correspondents calling on the Chinese Foreign Ministry about this matter heared an official point this out:

To defend tsarist Russia's and the Soviet Union's illegal occupation of territory in the Pamirs belonging to China, the Soviet Foreign Ministry in its statement turned facts upside down and fabricated "facts."

Historically, the Pamirs belonged to China. In the past, successive Chinese governments had dispatched officials and troops there to exercise effective jurisdiction. This historical fact is recorded not only in a large number of Chinese official documents but is also stated in explicit terms in many works and maps of tsarist Russia and also of the Soviet Union. It was not until the signing of the Sino-Russian Kashgar Boundary Treaty by China and Russia in 1884, which stipulated that "Russia's boundary extends straight south" from the Uzbel Pass, that large tracts of territory in the Chinese Pamirs were annexed by tsarist Russia.

Although the Sino-Russian Kashgar Boundary Treaty (1884) was signed by the Chinese Qing Government under tsarist Russian duress, the treaty remains the only valid boundary treaty determining the alignment of the Chinese and Soviet frontiers in the Pamirs. The Soviet Foreign Ministry statement today deliberately

<sup>\*</sup> From Beijing Review, Sept. 14, 1981, pp. 21-23

avoids mentioning this clear stipulation concerning the alignment of the boundary line in this area set down in the Sino-Russian Kashgar Boundary Treaty of 1884 as if the boundary treaty had nothing to do with the sovereignty of the Pamirs and that only the notes exchanged between China and Russia in 1894 are documents delineating the boundary in this area.

What are these notes exchanged in 1894?

In 1892, in violation of the 1884 boundary treaty, tsarist Russian imperialism ordered troops to the Pamirs and occupied a further area totalling more than 20,000 square kilometers of Chinese territory west of the Sarykol Range. The Chinese Government of the Qing Dynasty lodged a protest with the Russian Government against this naked act of aggression and sent its representative for talks with the Russian side. The Chinese side demanded that the boundary in the Pamirs between the two countries must be surveyed and delineated according to the 1884 Sino-Russian Kashgar Boundary Treaty. However, the Russian side, resorting to procrastination, evasion and blackmail, rejected the legitimate demand of the Chinese Government. In 1894, the Chinese and Russian sides exchanged notes on this issue of the Pamirs (hereafter as Notes Exchanged in 1894.) On April 12 the same year, the Russian Foreign Minister in a note to the Chinese Charge d'Affaires to St. Petersburg proposed that, "in view of the fact that divergences of views exist between Russia and China over the question of the Pamirs and that it is impossible to arrive at an understanding immediately," the Imperial Government of Russia believes that the "best method" to avoid any misunderstanding or possible clashes was for the troops of both sides to remain where they are at the moment and to maintain the status quo. On April 23, the same Russian Foreign Minister said in a note: "Orders have been issued to the competent Russian authorities not to go beyond the positions they now hold before an ultimate settlement is reached by Russia and China on the question of demarcating the boundary in the Pamirs."

The Chinese note of April 17, 1894, solemnly proclaimed: "Taking the above-stated measures does not mean the relinquishment of China's right to the Pamirs territory presently not under the control of the Chinese forces. It (the Chinese Government) considers it necessary to maintain its rights based on the 1884

boundary treaty until a satisfactory understanding is reached"; taking the above-stated measures does not mean the cessation of the present negotiations either." This is the "exchange of notes in 1894" referred to in the Soviet Foreign Ministry's statement and about the boundary in the Pamirs "established historically" as alleged by the Soviet side.

The notes exchanged in 1894, therefore, are not documents governing the demarcation of the boundary, but are documents exchanged between the aggressor and the victim of aggression, in which each stated its own position. The contents of the notes confirm the existence of the Sino-Russian territorial dispute in the Pamirs. They prove that the dispute remains unsettled that both sides agreed to maintain the status quo for the time being. The Chinese Government of the Qing Dynasty stated that it reserved China's right to the Pamirs territory under the 1884 boundary treaty and it did not in any way recognize tsarist Russia's line of military occupation in the Pamirs. side recognized the existence of the dispute between the two countries over the Pamirs and agreed to leave the demarcation of the boundary in the Pamirs for later. Now, the Soviet Union has unwarrantedly invoked the notes exchanged in 1894 as documents on the demarcation of the boundary to show the "legality" of the Soviet Union's occupation of that area. This shows that the Soviet authorities today have taken over and even improved on the big-nation chauvinism and expandionist ambitions of tsarist Russian imperialism.

The successive Chinese Governments and the Soviet Government in the early years of the revolution recognized the fact that the Sino-Russian dispute over their boundary in the Pamirs was yet to be settled.

For instance, the Chinese side in an aide-memoire to the Soviet side on March 25, 1926, pointed out that the Pamirs was Chinese territory, which the Imperial Russian Government had sent troops to forcibly occupy on the pretext of borrowing the area, and was still an outstanding issue. On April 14 the same year, the Soviet side in an aide-memoire to the Chinese side declared that "even the area where the boundary has never been demarcated had to be redemarcated." "The area where the boundary has never been demarcated" which the Soviet Government referred to is the Pamirs. The Soviet authorities' assertion today that the Sino-Soviet frontier in the area of the Pamirs has been delineated shows clearly their flagrant disregard for historical facts.

The Soviet Foreign Ministry has alleged that on the Chinese maps the frontier in the section in question is delineated in the same way as on the Soviet maps. deliberate misrepresentation.

It should be noted that the maps of China now published here are based on the ones published before liberation. boundary line in the Pamirs is delineated with the sign of undemarcated frontier, indicating that the boundary dispute there is yet to be settled. The Soviet Union, on the other hand, unilaterally delineated the boundary as demarcated frontier. Therefore, the delineations of the boundary are totally different on the Chinese and Soviet maps.

When the Chinese and Soviet Governments exchanged maps during the Sino-Soviet boundary negotiations in 1964, the map the Chinese Government handed to the Soviet side was made faithfully according to the stipulations in the 1884 Sino-Russian Kashgar Boundary Treaty, while the map the Soviet side handed to the Chinese side showed a different delineation.

The disputed area of the Chinese-Soviet frontier in the Pamirs is the result of tsarist Russia's aggression against China and one of the major outstanding issues left over from history; it is not trumped up by the Chinese side. Chinese Government has always stood for a settlement of the dispute by the peaceful means of negotiation on an equal footing. But the Soviet authorities have not only concluded a boundary alignment treaty with a third country which involves the disputed area of the Chinese Soviet frontier in the region and, what is worse, by resorting to misrepresentation, denial and inventing historical facts, slandered China as harbouring "great-power desire" and making "unfounded" territorial claims. This is typical of hegemonists. The Chinese side firmly adheres to its legitimate stand on the outstanding Sino-Soviet issue over the disputed area of the Chinese-Soviet frontier in the Pamirs. Whatever the Soviet authorities may do, they cannot deny that this issue arose as a result of tsarist Russia's aggression.

## (O) Kaxgar Chinese frontier before 1860 The 1884 Sino-Russian Kashqar Boundary Treaty stipulated that from Uzbel Pass the Uzbel Pass Russia's boundary USSR turns southwest while the Chinese boundary extents straight south m Line of tsarist Russia military occupation by O Suman the end of the 19th century (Under effective Pakistan control) --- Alignment of the Soviet-Afghanistan boundary Today's boundary on June 16, 1981 boundary

### SKETCH MAP OF THE DISPUTED SINO-SOVIET AREA IN THE PAMIRS

"A boundary treaty was signed between China and Afghanistan on November 22, 1963, and there exists no territorial problems between the two countries."

## Appendix V CHRONOLOGICAL LIST OF MAJOR EVENTS SINCE 1949

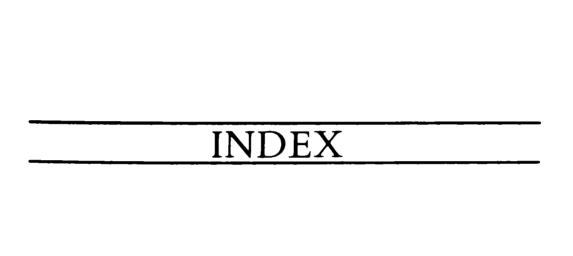
- 1949 (October 1), People's Republic of China established in Peking and a program to abrogate the unequal treaties was adopted.
- 1950 (February 14), the Sino-Soviet Treaty of Friendship, Alliance, and Mutual Assistance signed in Moscow. It came into force on April 11, 1950.
- 1950 (March 27), three Sino-Soviet agreements for establishing in Sinkiang three joint stock companies signed in Moscow.
- 1950 (June 25), Korean War started.
- 1952 (September), Construction of Tsining-Ulan Bator Railway agreement signed in Moscow, but it was announced in 1954.
- 1952 (December 31), U.S.S.R. returned the Chinese Changchun Railway to China; Russian control of the Port Arthur Naval Base extended to 1955 from 1952.
- 1953 (March), Josef Stalin died.
- 1954, Mao Tse-tung secretly raised the Chinese territorial issue with Russia.
- 1955, Langchou Urumchi (Sinkiang) Railway completed; it was started in 1952.
- 1955 (May 25), U.S.S.R. transferred control of the Port Arthur Naval Base to China; also sold its shares in the three joint stock companies in Sinkiang to China.
- 1955 (April May), Afro-Asian Conference held in Bandung, Indonesia.
- 1956, Sino-Soviet ideological split started.
- 1956 57, China constructed the motor road from Sinkiang to Tibet crossing Askai Chin.
- 1959 (October), the Tibetan rebellion was put down by the People's Republic of China forces, and Dalai Lama took refuge in India.

- 1960 (October 1), Sino-Burmese Boundary Treaty signed.
- 1961 (October 5), Sino-Nepalese Boundary Treaty signed.
- 1962 (October November), China and India fought a border war.
- 1962 (October 13), Sino-Mongolian Boundary Treaty signed.
- 1962 (December 10-12), Colombo Powers Conference on mediation of Sino-Indian War.
- 1963 (March 2), Sino-Pakistani Boundary Agreement signed.
- 1963 (November), Sino-Afghanistan Boundary Treaty signed.
- 1964 (February 25), China and Russia initiated boundary negotiations secretly in Peking.
- 1964 (July 10), Mao Tse-tung made public the Sino-Soviet territorial dispute.
- 1968 (February 25), the Sino-Soviet boundary negotiations were suspended.
- 1969 (March 2 & 9), Sino-Soviet military clashes on Chenpao Island (Damansky).
- 1969 (May 24), China announced a list of territories occupied by Russia with or without unequal treaties, totalling 5.5 million square kilometers.
- 1969 (October), China and Russia resumed boundary talks.
- 1971 (May), China tested the first ICBM.
- 1972 (February), President Nixon visited China and signed the Shanghai Communique with Chou En-lai on February 14th.
- 1976 (January 8), Chou En-lai died.
- 1976 (September 9), Mao Tse-tung died.
- 1977 (October 7), Sino-Soviet border river (Amur-Ussuri) agreement reached.
- 1978 (December 7), Deng Hsiao-ping visited the United States.
- 1978 (December), United States and China resumed full diplomatic relations.

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- 1979 (February), Sino-Vietnamese War.
- 1979 (September), Sino-Soviet talks on normalization of general relations in Moscow.
- 1980 (January), China cancelled normalization talks with Russia because of the Soviet invasion of Afghanistan.
- 1980 (April), Sino-Soviet Treaty of Friendship, Alliance, and Mutual Assistance expired.
- 1981 (June), Secretary of State Alexander Haig visited China. The two nations had set up a military intelligence station in Sinkiang for monitoring Soviet missile tests.
- 1981 (June), Chinese Foreign Minister Huang Hua visited India. He and Prime Minister Indira Ghandi agreed to have boundary negotations at a later date.
- 1981 (October), Soviet Union proposed to China to resume negotiations on boundary problems which was suspended in 1978.

A FINAL NOTE: This writer still follows the customary English spelling of Chinese names: both personal and geographical. But where the new pin yin system is used, such as Peking Review became Beijing Review since 1975, I naturally adopted it in my book.



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