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FROM : LONDON No. 2507, May 22, 1950 (1 enclosure)

REF : Embassy's Despatch No. 1288, March 16, 1950

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SUBJECT : Burma-China Boundary

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Reference is made to the Embassy's Despatch No. 1288, of March 16, 1950, enclosing a copy of a letter, dated March 13, 1950, addressed to the Embassy by the Foreign Office, enclosing two Foreign Office documents on the Burma - China boundary question and undertaking to forward to the Embassy an up-to-date study on the question then in the course of preparation.

There are now transmitted herewith three copies of a newly completed Foreign Office document headed the Burma-China Frontier. The first three pages of the study are a summary of this rather exhaustive document.

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Arthur R. Ringwalt  
First Secretary of Embassy

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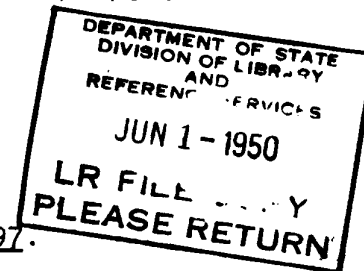
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## THE BURMA-CHINA FRONTIER.

## Summary.



## Introduction (1-3)

I. The Boundary Conventions of 1894 and 1897.

At the time of the British annexation of Upper Burma in 1885-86, the boundary with China was regarded as fairly clear in the Shan States area (4).

Little was known about the boundary further north. Beyond Bhamo there had once been an extensive Shan Kingdom which had fallen under Burmese suzerainty, but the Burmese Kings had little control north of Myitkyina and in the nineteenth century their power was further weakened by the immigration of the Kachins (5).

The British formed the administrative district of Bhamo and resisted Chinese claims to part of this area (7-8).

In the 1890s explorations were carried out to the north of the Bhamo district and it was found that the Irrawaddy-Salween watershed would form a good boundary in that area (9), but for the time being administration was not extended beyond 25°30'N (10), and it was resolved to partition the Kachin Hills east of Bhamo and south of 25°30' (11).

The Chinese made claims both in the Bhamo district and in the unadministered north, but finally the Boundary Convention of 1894 left the frontier undefined in the north, while south of 25°35' the British made concessions in both the Bhamo district and the Shan States (12-18).

Owing to objections on strategic grounds, the line was revised by the Convention of 1897 in favour of Burma (18-20), and the frontier was then demarcated by a joint Commission except for a two-hundred miles stretch in the Wa area where no agreement was reached (21-22).

II. The Undelimited Frontier 1895-1914.

The British formed an administrative district of Myitkyina in 1895 and began to take an interest in the unadministered territory beyond (23-24).

(a) The Hpimaw Sector.

Both British and Chinese began to infiltrate into the unadministered territory, especially in the Hpimaw area which controlled the principal routes across the watershed (25-26).

The British again claimed the watershed as the frontier and the Chinese again rejected it (27-28). An investigation on the ground was effected and Mr. Litton, Consul at Tengyueh, reported in 1905 that there were valid Chinese rights west of the watershed which, he proposed, should be extinguished by an annual payment (29-31). The taotai Shih, however, made more extensive claims, though also willing for them to be extinguished for a monetary consideration. The Chinese Government rejected both proposals (32).

On 1st May 1906 the British Government informed the Chinese Government/

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Government that they intended to regard the watershed as the frontier and to administer up to that line (33).

Alternative proposals by the Chinese produced no agreement and infiltration continued from both sides (34-35).

Chinese action was connected with the forward policy in Tibet, to which country a route was sought through the Irrawaddy basin (36).

In the years 1910-1913 the British occupied Hpimaw and again offered to buy out Chinese rights, but in vain (37-42)

One reason for Chinese concern was fear that the British advance would be carried into Yunnan (43).

(b) The Ahkyang Sector.

To prevent the Chinese from using the country north of Hpimaw as a route to Tibet, the British brought the Hkamti Long area under administration in the period 1910-14 and made extensive surveys of the watershed, not without armed conflicts with parties of Chinese (44-49).

Some Chinese at this time claimed that all of Burma north of Myitkyina was properly Chinese territory (50).

III. The Iselin Commission.

In the 1920s Chinese interest in the undemarcated boundary in the Wa area revived, and when the British began to prospect for silver mines in the Wa States and to bring them under administration, it became necessary to define the frontier (51-54)

A joint Commission under Colonel Iselin as neutral chairman was unable to reach agreement (55).

Chinese plans for a Burma-Yunnan Railway running through or near the disputed territory made it possible to arrive at a settlement and the boundary was finally agreed in an exchange of Notes of 18th June 1941 (56-58).

IV. The Undelimited Frontier 1914-1941.

The situation remained relatively easy till the late 1920s (59-60). Then the suppression of slavery in the Triangle, and the extension of British administration into this area in 1934, evoked Chinese protests that this area was their territory (61-62).

Further proposals for a settlement produced no result (63-64).

It became common for Chinese maps to show all Burma north of Myitkyina as Chinese (65).

It is clear that the undelimited frontier north of 25°35' was never recognised by the Chinese and is only a de facto line (66).

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## V. The War and Post-War Years.

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they showed a desire to seize and retain control of the country. On occasion a display of force was needed to keep their actions within bounds (67-69). Even when the Japanese had been driven from Upper Burma, the Chinese tried to occupy parts of the Shan States, the Namwan leased territory, and the Shweli valley (70-72), and in 1946 several hundred Chinese troops occupied Waingmaw, on the Irrawaddy (73). It was suspected that Chinese deserters had been planted in the country to facilitate an annexation (74).

A desire to settle the undelimited frontier was manifested in China and propagandists continued to claim the country north of Myitkyina as Chinese (75-76). Desire to regain the Namwan triangle was also displayed, and after Burma became independent the Chinese refused to accept the rent for this area (77-78). Difficulties also arose in the Shan State of Kengtung (79).

## VI. Conclusion.

Though the frontier has been delimited from 25°35'N southwards, the Chinese may demand the retrocession of Kokang and Namwan, while the undelimited frontier north of 25°35'N gives ample opening for Chinese claims (80-81).

By threatening the Kachin country, the Chinese Communists may deprive the Burmese Government of the use of some of its  
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against the Burmese

THE BURMA-CHINA FRONTIER.

The annexation of the independent Kingdom of Burma, proclaimed at Mandalay on 1st January 1886, rendered it necessary to define the boundary between Upper Burma and China. The Burmese Kings had been content to leave this matter undefined, for their administration in the more remote areas of their realm was far from strong, and so long as they received some measure of acknowledgment from the chiefs and headmen they were content: whether, as certainly happened in some cases, these same chiefs and headmen made similar acknowledgments to Chinese authority was a matter of indifference. Western conceptions of sovereignty were, in reality, inapplicable to the circumstances; minor chiefs made presents to their greater neighbours without necessarily incurring the imposition of any administrative control. As was observed by an experienced Political Officer in Burma, Mr. M. Elias, in 1886, "There is a vast difference with Asiatics between paying tribute and giving allegiance. Tribute is usually a mere compliment or propitiation, and does not always carry allegiance with it".

2. The advent of British power, with the consequent imposition of a more rigid system of government even in outlying districts, completely altered the situation: the British authorities needed to know the limits up to which they could lawfully administer the country in accordance with western ideas of government. A similar situation was arising in South-East Asia in general in this period: there was a crystallisation of frontiers which had formerly been fluid. Thus the frontiers between French Indo-China and Siam and between Siam and Malaya, which had formerly been matters of uncertainty, acquired clear definition in the later nineteenth and early twentieth centuries. Hence there were numerous boundary conventions in this period, and among these figure the Anglo-Chinese Conventions of 1894 and 1897.

3. These two Conventions are based on the Convention of 24th July 1886 which was designed to settle the relations between the United Kingdom and China in respect of Burma, and Article III of which provided that the frontier between Burma and China should be marked by a Delimitation Commission.

I. The Boundary Conventions of 1894 and 1897.

4. Initially, while fairly ample information was available to the British authorities about the position in the east of Burma, where numerous petty Shan states lay, there was a dearth of accurate knowledge about the north-east of the country. So far as the Shan states were concerned, the boundary question was regarded as simple. The Chief Commissioner, Burma, reported in August 1886 that "generally it is quite clear and well known whether in past times a particular Shan State paid its tribute to China or to Burmah". The only areas where uncertainty arose were the trans-Salween states; of these the Chief Commissioner stated that "for some years past the trans-Salween Shan States have paid no tribute to Burmah whatever, still they have not paid tribute to China either". Later, however, further knowledge of the country showed that this view required modification, for the trans-Salween states of Monglem and Kiang Hung were found to have paid tribute to both Burma and China; indeed, Chinese influence was stronger than Burmese influence in these territories, for the chiefs of the two states corresponded with officials of the province of Yunnan, paid an annual tribute, used Chinese seals of office, and wore Chinese official costume. It was true that at times tribute had been paid  
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by them to Burma, but it had been paid more consistently to China. However, the situation of the Shan States was in general regarded as straightforward.

5. The position north of the Shan States was far more complex. In 1886 little was known of the country beyond the Irrawaddy river-port of Bhamo. Up to that point the Irrawaddy had been travelled by a number of Europeans, going to or coming from Yunnan, but few had penetrated farther north. The country beyond Bhamo had at one time been occupied by Shans, in the days when this branch of the Tai race spread over northern Burma and into Assam, and in the thirteenth century an extensive Shan kingdom appears to have held the upper part of the Irrawaddy basin. The rulers of this kingdom appear to have been to some extent under Chinese influence, till in the sixteenth century a Burmese invasion forced the chiefs to acknowledge the overlordship of the Kings of Burma. Burmese control was, however, weak until 1796, when the Shans were finally subjugated; from that time officers of the Court of Ava ruled the country, though again it is doubtful whether they were able to exercise authority far beyond the point where the town of Myitkyina now stands: a British officer who visited the area early in 1886 reported that the Burmese had maintained no posts beyond Maingna, some two miles north of Myitkyina, and that Maingna was the farthest village from which they had ever obtained revenue. During the nineteenth century, indeed, Burmese control began to contract: the peoples known under the comprehensive name of Kachins began to move down from the hills and neither Burmans nor Shans could cope with them. By 1886 Burmese administration had almost ceased to exist north of Bhamo town, and the Shans had been to a great extent displaced, surviving in any numbers only in the Hkamti Long area round the headwaters of the Mali Kha, where they still live today in an enclave surrounded by Kachins.

6. In 1886 the British formed the administrative district of Bhamo, which extended some ninety miles along the Irrawaddy from Bhamo town; its northern limit lay only a short distance above the town of Myitkyina and below the confluence where the Mali Kha and the 'Nmai Kha join to form the Irrawaddy. This was as much as the British could undertake to control during the early days of their rule in Upper Burma.

7. At first administration covered only the lowlands in the Irrawaddy valley, and it was found that between the administered area of the Bhamo district and the territory in Yunnan administered by the Chinese, lay a belt of independent country occupied by Kachins, over whom neither Burmese nor Chinese had ever had any authority. The Kachins were unruly and were in the habit of emerging from their hills to raid the more settled country on either side. It was argued in Burma that such raids could not be prevented unless the Kachin country were brought under administration, and Sir Charles Bernard, Chief Commissioner of Burma, was in favour of a partition between Burma and China, holding that there was a generally acknowledged boundary. His view was controverted by Mr. Elias, who held that China could never control the Kachins, and who was the more anxious that the whole tract should be incorporated into Burma because, according to his information, the Viceroy of Yunnan was seeking to take advantage of the uncertainties produced by the British annexation of Upper Burma to advance his frontier westwards. Indeed, during the discussions leading to the Convention of 1886, the Chinese Minister in London had claimed that the Irrawaddy River from

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its confluence with the Shweli to its source should be the frontier, so gaining the river-port of Bhamo for China, but Her Majesty's Government had firmly refused to recognise this claim. It was held that the Chinese must be kept out of the Irrawaddy basin for otherwise the Government of Burma would have the same troubles as had arisen when the upper Irrawaddy was held by the Kings of independent Burma. This view formed in general the foundation of British policy in this period.

8. The Chinese Government did not press its claim in 1886 and for some years the matter rested. The British were fully occupied in pacifying the more accessible areas, and not till the 1890s was there any further discussion of importance on the subject of the frontier.

9. By 1891, however, the occupied areas of the Bhamo district were reasonably well pacified and attention began to turn to the unadministered areas on the periphery. Attempts were made to obtain information about the unknown country to the north, and in the cold-weather of 1890-91 Lieutenant Elliott made a tour more than fifty miles beyond the confluence of the 'Nmai and the Mali. It was thus learnt that between the 'Nmai, which is the eastern arm of the upper Irrawaddy, and the Salween River to its east, lay high mountains crossed by a number of passes from Yunnan, notably the Panwa and Hpare passes leading into the upper reaches of the Chipwi river, tributary to the 'Nmai, the Hpimaw pass leading into the valley of the Ngawchang, also tributary to the 'Nmai, and the Chi Mi Li pass leading to the upper Ngawchang whence it was possible to go through the Wu Law pass into the 'Nmai valley. It appeared to the British authorities that the watershed between the 'Nmai and the Salween would form a natural frontier with Chinese territory; the mountains, despite the passes, were not easy to cross, the adoption of this line would allot the whole Irrawaddy basin to Burma and this seemed to accord with reason, and in addition, the exclusion of the Chinese from any territory west of the divide would interpose a wedge of territory between China and India.

10. More immediately urgent, however, was the question of the Sino-Burman frontier of the Bhamo district, where the Kachins were still troublesome and the hill area of which ought to be brought under control. It was therefore decided not to trouble about the area beyond the northern limits of the Bhamo district. The Shans of Hkamti had intimated a desire to come under British administration but they lay remote from British territory and little was known of their country. It was not feasible at that time to extend administration so far and therefore, with a view to controlling the Kachins to the east of Bhamo, the Chief Commissioner of Burma was directed in December 1891 to establish frontier-posts as far north as approximately 25° 30'N, this latitude being roughly that of the northern limit of the Bhamo district: he was not to establish posts farther north nor to extend administration northwards, but Burma's claims in the outer regions were not to be foregone, and it was recommended by the Government of India in the same year 1891 that the Irrawaddy-Chipwi watershed should be a provisional boundary for the unadministered north.

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11. The implication of this policy was that, so far as the Kachin hills to the east of Bhamo were concerned, Her Majesty's Government had decided that it would not be feasible to claim the whole area for Burma as Mr. Elias had wanted: control was established by means of the frontier-posts as far as the watershed between the Irrawaddy and the Shweli, and on this basis it was proposed that the country should be divided. The fact that many Kachins would be relegated to the Chinese side of the proposed line was not material, since the term Kachin covered many tribes who did not regard themselves in any way as a united people.

12. The proposal that the Irrawaddy-Shweli watershed be the frontier for the Bhamo district and that the Irrawaddy-Salween watershed be the provisional frontier farther north was not readily accepted by the Chinese Government who, in 1892, revived their claim to part of the Irrawaddy basin. They again suggested that their frontier should be advanced to the river at Bhamo. This claim was resisted on the ground that in the past the Chinese had exercised no jurisdiction in the Irrawaddy valley, whereas the Burmese had unquestionably administered the country well north of Bhamo town and had been succeeded in that administration by the British.

13. The Chinese were equally interested in the country north of the area administered by the British: they wanted to ensure the exclusion of British influence from all the territory north of approximately 25° 30' N; they held that the area beyond actual Burmese administration in 1885 should be a subject for negotiation, and in January 1893 the Chinese Minister in London suggested a partition in this region also. He advanced the view that the mere circumstance that China had not exercised jurisdiction over the Kachins "would not invalidate her claim to exercise it on occasions when such a course might appear to her as being either necessary or desirable", for there were considerable areas of undoubted Chinese territory elsewhere which were not in fact administered. He denied that absence of administration implied absence of sovereignty.

14. There was a disposition in London at this time to make concessions to the Chinese point of view and to abandon claims in unadministered territory for the sake of reaching agreement on the frontier of the administered areas. Thus on 7th February 1893 the India Office suggested to the Government of India that, for the sake of arriving at a settlement, the Chinese might be given "a free hand between the Malikha and N'maikha Rivers", a proposal which would have given them the greater part of the unadministered territory beyond Myitkyina and would have carried them far west of the Irrawaddy-Salween watershed which had formerly been regarded as the only suitable frontier in this region. The Government of India protested strongly against the difficulties which would result; already, it reported in August 1893, Chinese emissaries were stirring up trouble in the 'Nmai and Mali valleys and the prospect of serious difficulties in the administered area also would be greatly increased if the Chinese were formally installed west of the divide. In particular, the British would be compelled to occupy and administer such areas as the Hukawng Valley for fear of further Chinese penetration.

15. Although the suggestion made to the Government of India in February 1893 does not appear to have been communicated officially to the Chinese Minister in London, it is possible that he gained some inkling of it, for in a Note of 19th June



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1893 he suggested that "a line which would divide equally the space lying between the 'Nmaikha and the Malikha Rivers be taken as the frontier" in preference to the 'Nmai-Salween watershed which was still, officially, the British proposal.

16. The views of the Government of India prevailed, however, and the proposed concession to the Chinese in the 'Nmai area was not pursued. To smooth negotiations, Her Majesty's Government offered concessions farther south, and on 14th September 1893 the Chinese Minister agreed that the line beyond latitude  $25^{\circ} 30'$  be left undetermined until better information about the country should become available. At the same time, "the claim of the Chinese Government that the frontier should be the line of water-parting between the Nmaikha and Malika would remain on record". On these terms the matters was, for the time being, left. The Convention of 1894 defined the boundary from a suitably prominent mountain at  $25^{\circ} 35'N$  southwards, leaving "the settlement and delimitation of that portion of the frontier which lies to the north of latitude  $25^{\circ} 35'$  north" for "a future understanding between the high contracting parties when the features and condition of the country are more accurately known". (Art. 4).

17. In respect of the defined sector of the frontier, the Convention of 1st March 1894 embodied concessions by the British in both the Bhamo and the Shan States regions. The area of British occupation in the Bhamo district was contracted, leaving the frontier-post of Sima to the Chinese, while in the Shan States the trans-Salween states of Monglem and Kiang Hung, together with Kokang which was a feudatory of Hsenwi but was inhabited mainly by Chinese, were conceded to China also. In return, the Chinese Government abandoned any claim to "the territory lying outside and abutting on the frontier of the Prefecture of Yung Chang and Sub-Prefecture of Teng Yueh" - i.e. the territory allocated to Burma in the Bhamo district; and China further undertook not to cede any part of Monglem or Kiang Hung to any third Power without the prior assent of Her Majesty's Government.

18. The frontier as thus agreed was to undergo swift modification, however. The Government of Burma had, even before the Convention was agreed to, objected to the proposed line, and the line was later the subject of severe criticism. The objections were fourfold. In the first place, villages and even in some cases houses were cut in two by the line. Secondly, the Chinese were brought within thirty miles of Bhamotown. Thirdly, the Chinese were allocated the area of Namwan, at the point where the roughly north-south boundary of the Bhamo district meets the roughly west-east boundary of the northern Shan States, and through this area ran the principal line of communication between Bhamo and the Shan States. It was true that under Article 2 of the Convention troops might pass through the area, but only if previous notice were given of

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the transit of any party of more than twenty men and only with the prior sanction of the Chinese authorities if more than two hundred men were sent. The military authorities in particular objected to this situation, which was liable to hamper the movement of forces in an area where as yet British control was not completely consolidated. Fourthly, eleven villages in the Namkham area and the whole sub-state of Kokang were allotted to the Chinese although they were in fact feudatories of the Sawbwa of Hsenwi, the rest of whose state lay on the British side of the line.

19. In consequence of these objections, an opportunity was soon found of modifying the line. The French had long taken an interest in Kiang Hung, to the north of Indo-China, and it was in view of their interest that the condition had been inserted in the Convention prohibiting the Chinese from ceding any part of this state to a third Power. In 1895, however, under French pressure, the Chinese Government ceded a portion of the state to Indo-China, and this breach of the Convention of 1894 was made the grounds for demanding a revision of the frontier.

20. The Anglo-Chinese Convention of 4th February 1897 re-aligned the frontier so that Sima and Kokang were retroceded to Burma, and a perpetual lease was granted to Her Majesty's Government of the Namwan area. By Article 2, the sovereignty of China in Namwan was recognised, but it was agreed that "in the whole of this area China shall not exercise any jurisdiction or authority whatever. The administration and control will be entirely conducted by the British Government, who will hold it on a perpetual lease from China, paying a rent for it, the amount of which shall be fixed hereafter". The rent was ultimately settled at Rs. 1,000 a year, payable by the Consul in Tengyueh to the local Chinese officials.

21. Both Conventions provided for the appointment of a joint Commission to demarcate the frontier, and operations were accordingly carried on between 1897 and 1900. No great difficulty was experienced in demarcating the northern sector of the line from latitude 25° 35' southwards, nor the southern section between the Shan State of Kengtung and Yunnan; but there was no agreement between the Commissioners on the portion between the Namting river and the village of Pangdang on the Namkha. The definition of the frontier in this region as given in the Conventions had been arrived at with no foundation of accurate knowledge, and it was found impossible to agree on any reconciliation of the description in the Convention with the geographical facts. Sir George Scott on the one hand and General Liu Wan-sheng and tao-in Chen on the other, traced completely different lines, and in the upshot the matter was left unsettled. The country in this sector of the line was wild and mountainous, inhabited by the people known as Wa, head-hunters who had been subdued by neither Burmese nor Chinese. It was apparent that the Wa could be brought under administration only at the cost of expensive military operations which the known resources of the country would not justify. So long as neither Government made any attempt to impose administration in the area, therefore, each was content to take no further action.

22. With the exception of some two hundred miles in the Wa country, the boundary south of 25° 35' N was thus settled.

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## II. The Undelimited Frontier 1895-1914

23. Though the frontier of the Bhamo district and the Shan States was agreed in 1894, north of the point 25°35'N all was still uncertain. The country beyond Myitkyina was in a chaotic state, and the Kachins not infrequently carried their raids across the imaginary line separating the unadministered from the administered area. The situation was such as to lead in 1895 to a strengthening of administration in the Myitkyina area by the detachment of that area from the Bhamo district and its formation into a distinct administrative district of Myitkyina. At that time the northern limit of the Myitkyina district still lay only a few miles above Myitkyina town and below the confluence where the 'Nmai and Mali join to form the Irrawaddy.

24. It was known, however, that Chinese officials were penetrating into unadministered areas west of the Irrawaddy-Salween watershed and it was suspected that they aimed at ~~presenting~~ presenting a fait accompli to any Boundary Commission that might be appointed under the Conventions.

### (a) The Hpimaw Sector

25. In January 1898 a Chinese officer with two hundred men entered the 'Nmai valley. A protest was sent to the Chinese Government, and in this Note, as well as in a subsequent Note of 29th November 1898, Her Majesty's Government declared that the watershed between the 'Nmai and the Salween should be regarded as "the natural boundary to be provisionally observed". The Chinese Government did not reject the definition of the boundary in these terms, though in May 1900 they protested against their previous silence being construed as an acceptance of the proposed provisional line.

26. Their silence did, however, encourage the British authorities to advance their influence northwards, and in December 1899 an expedition led by Mr. H. F. Hertz, Political Officer, went into the unexplored mountainous area north-east of Myitkyina with the intention particularly of discovering whether any natural features connected the delimited frontier at 25°35'N with the Nmai-Salween watershed. Mr. Hertz reported on his return that there was a distinct range of mountains separating the 'Nmai from the Taping and Shweli rivers and linking up the 'Nmai-Salween watershed with the demarcated frontier. He also reported that "no Chinese inhabited the valley of the Nmaikha or its tributaries, nor have any Chinese villages ever existed on the western side of the Nmaikha watershed". It should, however, be observed that Mr. Hertz was exploring only the area south of Hpimaw and was not in a position to ascertain the situation farther north; it may also be noted that he referred to the non-existence of Chinese population and not to the question of Chinese claims to jurisdiction. In fact the Chinese did still claim as theirs the area in which he was operating, and he met opposition from a force of Chinese troops near the village of Hpare: in the resultant conflict, the Chinese lost four officers and eighty men killed, and thirty-nine wounded of whom twenty-eight later died. After this unfortunate episode the column withdrew to Myitkyina before the onset of the rainy season of 1900.

27. It was apparent that conflicts of this kind were likely to occur again unless the frontier were defined and discussions with the Chinese Government were therefore

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pursued. The Chinese, however, still rejected the watershed as a boundary; they now claimed that the true frontier lay along the Ngawchang river to its confluence with the 'Nmai. Under pressure from His Majesty's Minister in Peking, however, they issued orders for the withdrawal of their forces to the east of the watershed; they appear to have been the more willing to issue these instructions since the activities on the border seem to have been undertaken by the Viceroy of Yunnan, in those days an almost independent ruler, without reference to Peking. It was not till many years later that any great interest in the Burma frontier was displayed elsewhere than in Yunnan.

28. The Boxer troubles at this stage prevented further negotiations and British effort was limited for a time to obtaining a more detailed knowledge of the area. A further entry of Chinese troops into the country west of the watershed in 1902 caused His Majesty's Government to reopen the matter in a Note of 18th September 1902, in which the statement was made that, according to the results of careful investigation, the watershed was not only the best natural boundary but was also the actual limit of Chinese authority. The Chinese Government deferred a reply pending investigation from their side, and then in June 1903 reported that, according to officials of the Yunnan Government who had inspected the area, the provisional frontier claimed by the British lay thirty or forty miles within Chinese territory. Following this, in December 1903 they demanded an undertaking that British troops would not be sent into the debatable territory and that a joint commission should delimit the frontier.

29. The former undertaking was refused, and there was reluctance to accept the second proposal; but the Chinese referred to Article 4 of the Convention of 1894, confirmed by that of 1897. So, while still asserting that investigation by British officers had found no trace of Chinese authority west of the watershed, His Majesty's Government agreed to send officers to explain the true position to any representatives sent by the Chinese Government. The acting Consul at Tengyueh, Mr. Litton, the Deputy-Commissioner of the Bhamo District, and Shih Hung Shao, taotai of Tengyueh, then toured the area. The duty of the British officers was not to determine the frontier but only to provide information.

30. After examining the country as far north as 26°30', Mr. Litton, in his report of May 1905, stated that the watershed was from the ethnographic and geographic points of view the most convenient frontier; it was, indeed, "an almost ideal frontier line as far north as the confines of Tibet". Prior to his inspection, he had taken the view that beyond the demarcated frontier there was "a wide tract of almost unknown country, which has never been brought under control either from the Indian or the Chinese side, and to which, on the ground of actual jurisdiction, Burma can put forward no claims and China only very shadowy claims"; but after his investigations he was disposed to give slightly more weight to the Chinese case. There were, he found, valid Chinese rights over some of the mountain villages west of the watershed. The fuyl (headman) of Minkuang claimed rights in the Hpimaw area over Tzuchu, Hpare, Htawgaw, La Chang, La Mok and Pa Mia villages, but he had no control over them and was afraid to enter the country; his rights were based on ancient official documents of doubtful validity, supported

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by an official exchange of presents. The fuyi of Tatang claimed Shang Son, on the Ngawchang river, and supported his claim on grounds of a triennial exchange of presents; but no regular control was exercised by him. The fuyi of Tengken claimed Hpimaw, Utung, Kang Fang, and a small mountainous area containing five villages, nine hamlets, and two hundred and fifty households of Lisu, near the left bank of the upper Ngawchang; this claim was based on the levy of an irregular house-tax and a toll on timber taken at Kang Fang. The total revenue derived by Tengken was not more than Rs.300 a year, and the fuyi had no administrative control. The claims of the Tientan fuyi to three villages on the upper Chipwi river had no foundation.

31. While asserting that the Chinese authorities had no control over the fuyis and the fuyis had no control over the Kachins, Mr. Litton recognised the validity of the Chinese claims defined above and recommended that a payment of Rs. 500 a year, to be withheld in event of their causing any trouble west of the watershed, be offered as compensation for the extinction of the rights claimed by the fuyis, and that along with this His Majesty's Government should insist on the adoption of the watershed as the international boundary.

32. The taotai Shih, on the other hand, held that the boundary should run from 25° 35' not along the watershed but across country to the point where the Ngawchang makes its turn northwards, and from that point should run up the left bank of the Ngawchang to its source, so giving to China the region around the upper reaches of the Chipwi river and everything between the upper Ngawchang and the watershed. On the other hand, he approved of the proposal that Chinese rights over this area should be leased to the British Government, so overcoming the objection that several villages held land on both sides of the Ngawchang. His report was a disappointment to his Government, which had hoped to establish a line along the east bank of the 'Nmai, and he was transferred in disgrace to south-west Yunnan: thus his discussions with Mr. Litton came to an end.

33. In March 1906 a draft agreement on the lines proposed by Mr. Litton was forwarded to the Chinese Government and was categorically rejected. On 1st May 1906, therefore, His Majesty's Government informed the Chinese Government that they intended to regard the watershed as the frontier and to administer up to that limit.

34. The Chinese Government then proposed a further examination on the ground, and in August 1906 put forward a statement by the Viceroy of Yunnan to the effect that the frontier "starting from Manang Pum should run north across the Chipwi Kha river to the west of the foot of the Kiaolung Kung hills, and then following the Khetmaw Kha should extend to the west of the Palatwa hills, where it should stop". Roughly, the Viceroy's line followed that suggested by the taotai Shih for the sector between 25° 35' and the Ngawchang, but then, instead of following the Ngawchang, continued northwards, on the west of the hills lying between the lower Ngawchang and the 'Nmai, as far as the confluence of these two rivers. This, though not so extreme as the views of the Chinese Government who wanted to advance to the 'Nmai, would give China not

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only the area between the watershed and the upper Ngawchang but also a good deal of the territory between the Ngawchang and the 'Nmai. It was at this period that the "five colour map", later made use of by Chinese propagandists, was produced, showing the different lines suggested by various authorities - blue by the Wai Wu Pu, red by the Tsungli Yamen, yellow by the Yunnan Viceroy, green by the taotai Shih, and purple by Mr. Litton.

35. Thus there was no agreement, and both parties continued their infiltration. In 1906 a Chinese officer visited Hkamti Long, in the far north, to persuade the Shans to accept Chinese control, and in January 1908 a Chinese official with fifty men entered the Chipwi valley.

36. In 1910 the pace began to quicken. This was connected by the British with Chinese aspirations in Tibet. It was believed that the Chinese were seeking a short route into Tibet through the territory which was claimed for Burma, and the extension of British authority beyond the formerly administered limits is clearly connected with Chinese policy in regard to Tibet.

37. Early in 1910 villagers on the Ngawchang sent a petition to the Government of Burma complaining that the Tengkeng headman had raided and burnt Hpimaw: a protest from the British Consul at Tengyueh evoked a reply from the taotai that Hpimaw was in Chinese territory and that the trouble was due to the lawlessness of the people themselves. The Consul then made a tour of the area and reported that the statements made in the petition were correct and that the headman had been inspired by Chinese officials. The Chinese Government took the case up and on 10th May 1910 presented a Note claiming jurisdiction over Hpimaw and reasserting the frontier proposed by them in August 1906 (paragraph 34 above). Again the British Government in reply reasserted the watershed as the frontier.

38. It was evident that no agreement was likely; it was also apparent that if the British authorities claimed jurisdiction over Hpimaw they were under an obligation to see that the place was not burnt down again. Mr. W.A. Hertz Deputy-Commissioner, Myitkyina District, was therefore instructed to visit the Ngawchang valley, to assert British authority there, and to establish a police-post. Mr. Hertz's movements were accelerated by receipt of news that Chinese officials had lately visited Hpare and that the sub-prefect of Lungling was about to go to Hpimaw. With ten British officers and four hundred and ninety-four other ranks of the Burma Military Police, Mr. Hertz occupied Htawgaw on 25th December 1910, and a number of headmen from the Ngawchang valley came in, bringing hats and letters of appointment issued to them by the Chinese. After visiting the Chipwi valley, Mr. Hertz went on to Hpimaw and Kang Fang. He was on his way back to Myitkyina when information arrived that Chinese troops had occupied Hpimaw, but later it was found that only some servants of the Tengkeng chief had come there and summoned the elders to Tengkeng, where they had been compelled to agree to a petition stating a preference for Chinese as against British rule. Mr. Hertz therefore continued his withdrawal, leaving a police-post of three officers and one hundred and twenty-five men at Laukhaung, between the 'Nmai and Htawgaw; during his tour he had caused a mule-track to be cut between Laukhaung and Myitkyina.

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39. In contrast to the view expressed by his brother in 1900 (paragraph 26 above), Mr. Hertz reported that "it is impossible to deny that China has more than a semblance of a right to the tract.....It is certain that their claim to Hpimaw, belittle it as we may, is not entirely fictitious". He was therefore disposed to accept an alternative line somewhat farther west than the watershed, though still east of the 'Nmai. His Majesty's Government, however, adhered to Mr. Litton's proposals, and when the Chinese Government made further protests against the movement of troops into the disputed area and again proposed a joint demarcation, they refused to enter into any discussions unless Mr. Litton's proposals were accepted as the basis; they again, in a Note of 14th April 1911, offered to buy out Chinese rights in respect of the villages in the Hpimaw area, either by means of a perpetual lease from the Chinese Government or by payment of a lump-sum to the Tengking headman, though they were not prepared to make any payment in respect of the claims of the Minkuang and Tatang chiefs. The plan was also under consideration in this period of proposing an exchange of the rights of Tengking against those of the Mir of Hunza over Sarikol in Sinkiang, but it was soon realised that the semi-independent Viceroy of Yunnan was not likely to make any such sacrifice for the benefit of distant Sinkiang, and the project was not even broached to the Chinese Government.

40. The policy of asserting British authority in the border was pursued, with the more vigour because in May 1911 a Chinese party made its way to the junction of the Ngawchang and the 'Nmai and thence moved northwards up the 'Nmai in the endeavour, it was thought, to reach Tibet via Rima. During the 1911-12 season the Ngawchang valley was taken under British administration, the mule-track was extended as far as Htawgaw, and a military post was established at the latter village to command the valley up to Hpimaw. Boundary pillars were erected from 25° 35' along the presumed frontier.

41. The Chinese Government protested in December 1912 against the erection of the boundary pillars and asked for their removal. His Majesty's Government could scarcely deny, in view of its offer of monetary compensation, that the Chinese had some claim over territory to the west of the watershed, but the view was advanced that as the Chinese had failed to reply to the proposals for the extinction of the claim, His Majesty's Government were justified in occupying the territory without prejudice to an equitable financial settlement whenever the Chinese cared to put forward proposals to that end. It was pointed out, in a Note from His Majesty's Minister at Peking on 21st December 1912, that his Government had waited nearly two years in vain for a reply to their proposals of April 1911, and that failing a reply they had had no alternative but to occupy and administer the territory. The Chinese Government in reply pointed out that verbal discussion had in fact taken place when the Note had been presented and this consideration invalidated the argument that they had not replied; moreover, the situation of China's domestic politics, following the Revolution of 1911, had made it difficult to render a formal answer. They denied any intentional delay, asked again for the removal of the boundary-pillars, and proposed the maintenance of the status quo pending an agreed settlement. By the status quo

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they apparently meant the acceptance of the Ngawchang boundary. On 25th January 1913, however, His Majesty's Minister replied that his instructions precluded his telegraphing to the Government of India to that effect.

42. It was reported by the officers who had been operating in the Ngawchang valley that Hpimaw was the key to the whole position: it would be of considerable military value to the Chinese and should on no account be left in their hands. His Majesty's Government therefore decided that Hpimaw must be occupied, and on 1st February 1913 a military post was established there. Boundary-pillars were then erected as far north as the Chi Mi Li pass. The Chinese Government again protested and asked for the withdrawal of the military force, but the request was refused.

43. It appears that there was a good deal of nervousness in Yunnan at this time about British intentions: the objections to the occupation of Hpimaw arose not merely from a natural desire to hold the place for China but also from fear that the British would use it as a base for an invasion of Yunnan itself. The circumstance that the British advance stopped at Hpimaw was later interpreted by the theory that it was only the outbreak of war in Europe in 1914 and the consequent diversion of effort that prevented aggression into Yunnan.

(b) The Ahkyang Sector

44. As has been observed above, one of the reasons for paying so much attention to the Hpimaw sector of the undelimited frontier lay in the suspicion that Chinese ambitions aimed at securing the country round the headwaters of the 'Nmai and its tributaries, on the west of the divide, with a view to ensuring an approach to Tibet through that region. Hpimaw, which controlled a number of routes through the divide was thought to be the key for the whole position, but there were alternative routes farther north and it was thought well to guard these. So in the period when the Chinese were active in Tibet, not only was the Hpimaw sector of the watershed secured but also attention was turned northwards.

45. Contact had long before been established with the Shans of the Hkamti Long area, around the headwaters of the Mali Kha, and in 1891 a son of one of the lesser Hkamti sawbwas had come to Bhamo with presents for the Deputy-Commissioner; again in 1892 the grandson of the principal sawbwa had visited Rangoon. But Hkamti was remote from Myitkyina and the intervening country was held by Kachins over whom there was no control; thus apart from occasional visits of Shans to Myitkyina, there was no real contact until, in the season 1910-11, an expedition was sent under Mr. J.T.O. Barnard, with three British officers and one hundred and twenty-five other ranks of Military Police to Putao, the principal town of Hkamti, with the object of conferring a sanad on the sawbwa of Putao and asserting British authority. After the expedition had withdrawn, however, the Chinese party which entered the country in May 1911 arrived (paragraph 40 above). This party had apparently entered the Ngawchang valley by the Chi Mi Li pass, north-east of Kang Fang, and thence had gone by the Wu Law pass to the 'Nmai Kha, and so northwards. They cut inscriptions and issued appointment-orders to local headmen as they went. It is not clear whether the party ever reached Rima, thought to be their objective, or whether they perished of starvation or were enslaved by the Kachins as was thought by some observers.

46. In 1911-12 Mr. Barnard again visited Hkamti; and in the 1912-13 season two further expeditions went there, both accompanied by survey-parties. Mr. Barnard went by the Mali route and Mr. F. Clerk went by the 'Nmai valley. Both were instructed to survey the country and to report on such physical features as offered suitable landmarks for a continuous frontier between Assam and Upper Burma on the one hand and Yunnan on the other. In the course of these operations the

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country in the 'Nmai and Mali valleys was brought under a loose form of administration, though the area between the two rivers, known as the Triangle, was not entered. In their investigations of the Ahkyang valley, the survey-party under Mr. Barnard came into conflict with a Chinese survey-party, all of whose members were taken prisoner, and another Chinese survey-party was dispersed with some loss of life. The expedition were, however, able to select a suitable frontier from the Chi Li Li pass northwards.

47. Correspondence captured from the Chinese in the Ahkyang valley showed that they were endeavouring to establish themselves in the 'Nmai, Ahkyang, Taron and Namtamai valleys, and it was therefore decided that a permanent post must be established at Putao, with guard-posts along the track linking it with Myitkyina. In December 1913 a fairly large force was sent to Putao: Mr. Barnard with one hundred and twenty-five police set out, and reached Putao in January 1914; another party of one hundred and ninety-seven men with two guns arrived later in the same month, and a further one hundred and twenty-six men arrived early in February. Before Mr. Barnard set out, news had been received that Chinese forces had again entered the Ahkyang valley and he was instructed to expel them. In fact, however, he found none there. A permanent post was now set up at Putao which, under the name Fort Hertz, became the headquarters of an administrative district, of which Mr. A.W. Hertz was the first Deputy-Commissioner.

48. The Chinese Government protested against the entry of British forces into the Ahkyang valley and denied the right of British officers to seize appointment-orders issued by Chinese authorities; they asked for an undertaking that such actions would not be repeated. In reply His Majesty's Minister in Peking pointed out that the area in question lay west of the watershed, and added that the Chinese Government's protest only proved that the Chinese themselves had trespassed beyond that limit. The Chinese Government responded on 14th July 1914 by observing that the boundary question would never be settled until action was taken under Article 4 of the Boundary Conventions.

49. The explorations which the survey-parties had undertaken had, however, shown that Chinese influence did exist in the Taron valley, farther north than the Ahkyang, and hence in British survey maps from this time onwards the upper part of the Taron valley is indicated as within the Chinese Republic.

50. So trifling a concession was far from satisfying Yunnanese opinion. In November 1912 the Consul-General at Yunnan-fu reported that General Li Ken-yuan, President of the Yunnan Kuomintang, was maintaining that not only Hpimaw but all the unadministered territory of Upper Burma - i.e. everything north of the then restricted limits of the Myitkyina district - properly belonged to China, but that as China was too weak to assert her claims she should defer any settlement to a later date.

### III. The Iselin Commission

51. On the delimited sector of the frontier, the situation remained quiescent for thirty years after the cessation of the Boundary Commission's work in 1900. There

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were, of course, the usual troubles arising from trans-frontier crime, but these were settled by joint meetings between frontier-officers of both parties. In the 1920s a series of raids from the Chinese side, in respect of which no compensation was obtained, caused the British authorities to suspend in 1923 the payment of rent for the Namwan Assigned Tract; but in view of the very doubtful legality of the suspension payment was resumed in 1928, though the arrears were still withheld pending a settlement of the unpaid claims.

52. As the 1920s drew on, however, the question of the undemarcated boundary was revived. Local opinion in Yunnan had never entirely forgotten the matter, and with the growth of national feeling in China the desire to assert China's claims to territories which had once been regarded as Chinese became vocal. In 1926 a Society for the Study of Frontier Questions was formed in Yunnan, at Tengyueh, and, with the encouragement of the Kuomintang in Yunnan, it began to bring pressure to bear on the Central Government. In response, the Chinese Foreign Minister raised the question with the British Minister in 1929, suggesting that a joint boundary commission be appointed. His Majesty's Minister replied to the effect that a general agreement on principle must precede a boundary commission, and the Foreign Minister, who appears to have had little knowledge of or interest in the subject, was content to drop the matter.

53. In the 1930s, however, it became necessary to deal with the issue. With the loss of Manchuria, Chinese nationalists sought compensation elsewhere, and their aspirations gave a national complexion to what had so far been little more than a Yunnanese provincial agitation. In 1931 Ch'en Yu-k'o, chief of the Bureau of Propaganda of the Yunnan Provincial Kuomintang Executive Committee, published his Yunnan Pien-ti Wen-t'i Yen-chiu (translated by J. Siguret under the title Territoires et Populations des Confins du Yunnan) in which all the former Chinese claims were put forward. In addition, the Wa country assumed an economic importance previously unknown. There were ancient silver-workings in the northern part of the unadministered territory, and the Burma Corporation, which worked an extensive silver-lead mine in the northern Shan States, took the view that its operations could profitably be extended into the Wa area. It proved impossible for prospectors to operate without protection, however, since the Wa head-hunters were naturally averse to alien penetration. In January 1934, therefore, a prospecting-party entered the territory with an escort of armed forces of the Crown. Express instructions were given not to cross the line laid down by the Chinese Commissioners Liu and Chen in 1900 and assurances were given to the Chinese authorities on this score; but Chinese troops were moved forward and a protest was made by the Chinese Central Government in March 1934 on the ground that the British party had entered Chinese territory. The British came into conflict with the Wa, perhaps encouraged by the Chinese, and although the geologists were soon convinced that there were no lodes which could be profitably worked, it was considered that, the expedition having entered the country, some measure of permanent control must be maintained.

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54. As the Wa country was now ceasing to be unadministered, the settlement of its boundary was urgent, and ultimately it was agreed with the Chinese Government that a boundary commission should be appointed under a neutral chairman selected by the President of the Council of the League of Nations, with the duty of first affixing on the map the line laid down in the Convention of 1897, and then of reporting to the two Governments on any cases in which modification of the line appeared necessary; later a conference might be convened in Nanking to determine any such modifications. This agreement was embodied in an exchange of Notes on 9th April 1935.

55. The Commission, under the chairmanship of a Swiss officer, Colonel F. Iselin, assembled on 1st December 1935, and finally dissolved at the end of April 1937. As had happened thirty-five years before, there was no agreement between the British and the Chinese Commissioners, and there was now the added complexity that the neutral chairman suggested a third line in addition to those proposed by the two groups of Commissioners. On the other hand, the work of the Commission had the advantage of providing at last a thorough knowledge of the topography of the disputed area.

56. The issue was still under debate when, during 1938, the Chinese Government developed its plans for improving communications with Burma. The disruption of the railways to the China Coast as a result of the Japanese invasion led to the construction of the Burma Road; but the Chinese wanted also a Yunnan-Burma Railway, and proposals to this end were put forward even before the Burma Road was formally opened in January 1939. The Chinese Government suggested that the Railway should follow an alignment surveyed as long before as 1905-06, which ran well south of the Burma Road and crossed the frontier in, or very near, the undelimited portion. It was therefore intimated to the Chinese Government that if this part of the country was to be opened up by means of modern communications, the frontier must first be agreed; thereafter the construction of the proposed Railway, and of a parallel road which the Chinese also desired, could be commenced with British aid.

57. After lengthy discussion, the boundary was agreed in an exchange of Notes of 18th June 1941, whereby a new definition of the undemarcated sector was substituted for that given in the Convention of 1897. The new line was based on the reports of the Iselin Commission, but the British made concessions to the Chinese in the south and centre while the Chinese made concessions in the north. The effect was to secure for Burma the area of Lufang, where the silver-mines were supposed to lie; but as a gesture of good-will the Government of Burma agreed that Chinese capital might participate up to a limit of 49 per cent in any British concerns working the eastern slopes of the Lufang ridge.

58. The frontier in the Wa area was thus at last settled. It was not yet demarcated, however, and the outbreak of war with Japan in December 1941 prevented any operations to this end.

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IV. The Undelimited Frontier 1914-1941.

59. During the war-years from 1914 to 1919 there was little activity on either side. Minor troubles arose from the refusal of the Chinese to recognise the watershed as the frontier in the Hpimaw sector: thus they objected to the discussion at frontier-meetings of any trans-frontier criminal cases arising in this area pending the agreement of the boundary, and after 1918 no such cases were taken up at these meetings. It was, however, determined by His Majesty's Government not to raise the general question, in the hope that in time the Chinese Government would come to accept the fait accompli. The quiescent state of the frontier is indicated by the fact that in 1925 the Putao district was abolished and the area was reduced to the administrative status of a subdivision of the Myitkyina district.

60. There still remained in Yunnan some uneasiness about British intentions, however. Thus in 1922 there was unfounded excitement arising from rumours of British military activity at Hpimaw, though on the other hand in 1923 after the Chinese Consul from Rangoon had passed through the area there was a rumour in circulation that Hpimaw and the upper Ngawchang valley were to be ceded to China. The Chinese Government did make a tentative enquiry in 1923 about the possibility of resuming negotiations for a boundary settlement, but it was decided to make no reply until they raised the point again.

61. On the west of the watershed British control was meanwhile strengthened. In pursuance of the policy of abolishing slavery, an expedition led by Mr. Barnard was sent into the Triangle, between the Nmai and the Mali, in the cold weather of 1926-27, and subsequent expeditions followed in the next two years. Finally, by an order of 14 February, 1934, the Triangle was brought under direct administration.

62. These activities did not escape the attention of the Chinese; moreover, they coincided with the period in which Chinese nationalist aspirations were turning towards China irredenta. In 1929 the Yunnanese Society for the Study of Frontier Questions sent representatives to Nanking to petition the Central Government, which appointed a departmental committee to study the subject; and in March 1929 the British Consul at Tengyueh received a protest from the taoyin against the invasion of the Triangle, which, it was claimed, was Chinese territory. In his report on the matter, H.M. Consul, in a letter dated 4 March 1929, states that "this is the first time that any official claim to territory west of the Nmai Kha has been made by the Chinese"; but in this he was under a misapprehension, for in 1893 the Chinese Minister in London had proposed a partition of the Triangle, and at the time of the conclusion of the Convention of 1894 he had placed his Government's claim in this regard on record (paragraphs 15 and 16 above).

63. Following the representations from Yunnan, the Chinese Foreign Minister urged in May 1929 that the time had come to seek a settlement, particularly in the Hpimaw sector, and he revived the project for a boundary commission (paragraph 52 above). The Government of Burma, when consulted, stated that while an amicable settlement would be welcome, yet it would be useless to appoint a commission until the boundary had been agreed in principle; and further, in view of differences of opinion about Hpimaw, it was unlikely that agreement in principle could be reached. It was therefore suggested that the old proposal for a lease of the disputed area in the Hpimaw area might

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be revived, or alternatively that some concession might be made to the Chinese in the Wa area, in return for an agreement about Hpimaw. The Government of India approved in general the views of the Government of Burma, and agreed that the watershed constituted a scientific frontier; on the other hand, they pointed out that there was no sanction for the watershed-line in the Conventions and that the Chinese undoubtedly had certain claims on the west of that line; furthermore, in contrast to the views held fifteen years before but in agreement with the opinion once expressed by Mr. Hertz (paragraph 39 above), they were disposed to the view that Hpimaw was not of great intrinsic value and that it might be advantageous to make some concession there so as to obtain better terms in the Wa sector.

64. Neither party appears to have been anxious to press the matter, however, though in response to local agitation the Chinese authorities stopped the hire of mules to the Government of Burma for use in operations in the Triangle, and it was not till 1934 that the matter came up again. Then the Chinese Government raised the issue in connexion with the case of the Wa frontier. The Government of India were now reluctant to enter into discussions on the subject, for fear that the Chinese might be encouraged to make larger demands in the Wa sector, whereas they hoped that perhaps concessions in the latter might be made conditional on Chinese acceptance of the de facto line in the north.

65. There the matter appears to have rested so far as official exchanges were concerned, though Chinese official interest was indicated by a ruling of the Customs Department at Tengyueh in 1935 that coffin-wood from the forests of the Htawlang area was not dutiable on entering Yunnan as Htawlang was Chinese territory. Chinese propaganda continued active, however. Ch'en Yu-ko's book (paragraph 53 above) advanced the maximum claims for the Chinese: according to him, the headmen in the Triangle held appointment-orders dating back to the Ming Dynasty; he also stated that in 1892, on the first approach of the British, some of the headmen from the Triangle had gone to the Salween valley to ask protection on the ground that they had long lived within the jurisdiction of the magistrate of Yungling. These views were taken up by the Chinese press, which in some cases advanced similarly extensive claims. It became common for Chinese maps to show all of Burma north of the original limits of the Myitkyina administrative district (paragraph 23 above) as Chinese, right across the country to the borders of Assam. Thus the 1936 edition of the Chinese Postal Atlas showed the frontier as running roughly west from the terminus of the demarcated boundary at 25° 35'N to the Patkoi range bordering Assam, and thence north-east to the neighbourhood of Tibet. Chinese school atlases showed similar claims. The attention of His Majesty's Government does not appear to have been drawn to the point till 1939: it was then agreed that it was undesirable to complicate the negotiations about the Wa area by raising this issue, especially as the Government of Burma took the view that no serious inconvenience was caused by the lack of an agreed frontier. The outbreak of war in Europe in the same year and the deterioration of the international situation in eastern Asia were further arguments in favour of avoiding this controversy.

66. The salient factor which emerges from the history of the undelimited frontier up to the outbreak of the Pacific War is that at no time did the Chinese Government recognise the frontier claimed by the British. They consistently held that they had rights west of the Salween-Irrawaddy watershed, and though they

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were at no time in a position to enforce these rights, they never abandoned them. The frontier traced by the British was thus a de facto frontier only.

#### V. The War and Post-War Years.

67. The fortunes of war gave stimulus to Chinese interest in northern Burma. Plans for developing overland communications with India, for example, resulted in the survey by a Chinese Party in 1941 of the Chaukan pass route, leading westwards from Putao into Assam. Still more important, after the commencement of the Pacific War the Chinese V and VI Armies were brought into Burma early in 1942. After the collapse of Allied resistance, the 93rd Division of the VI Army, stationed in Kengtung in the east of the Shan States, did not withdraw from that area but hovered about in the hills until 1945; elsewhere the remnants of the Chinese forces withdrew, and those who retired northwards through the Kachin country committed the most horrible atrocities at the expense of the local people.

68. Considerable difficulty was experienced by the British authorities in coping with the Chinese forces during the subsequent period of the war. Towards the end of 1942, finding that the Japanese had not advanced very far north of Myitkyina, detachments of Chinese entered the Namtamai and Ahkyang valleys, and it was quickly apparent that they had come there to occupy the country rather than to fight the Japanese; they told the Kachins that the British had given the country back to them, they issued appointment-orders to headmen, they arrested British-appointed headmen in the Ahkyang valley, and also arrested the escort of a British officer sent from Putao to protest. They began to move on Putao till they were intercepted by a force of Gurkhas who induced them to return to China. After that, a Home Guard armed with British weapons was formed in the Namtamai valley to exclude future Chinese intruders.

69. Farther south the Chinese also entered the Hpimaw area and occupied Htawgaw and Laukhaung; some even advanced as far as the Triangle. In 1943, however, the Japanese drove them out. The Japanese then took and held Hpimaw until the rains of 1944, but after their withdrawal the Chinese made another incursion which was repelled by Maru and Lashi Levies under 101 Detachment of the United States O.S.S. Much of the trouble was due to the activities of Chinese deserters rather than to those of regular forces, and after the formation of South-East Asia Command the defining of an operational boundary within which Chinese forces were to be employed did something to stabilise the situation.

70. Even when most of Burma had been retaken from the enemy, difficulties continued, however. Thus in May 1945 the British commander in the southern Shan States received a letter from the commander of the Chinese 93rd Division stating that he wanted to take over Konyang, in the north-east of Kengtung; but the Shans and the Lahus serving in the Levies under Force 136 threatened to withdraw from service unless the Chinese were kept in order, affirming that they were more oppressive than the enemy in their dealings with the local people. It was therefore suggested that the 93rd Division withdraw to Yunnan, but the Generalissimo objected on the grounds that the Japanese were still a threat in the Kengtung area; he also advanced the argument, somewhat strangely in view of the boundary settlement in 1941, that the frontier with Burma was not clearly drawn in this region.

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71. There were similar troubles farther north. After the Japanese left Bhamo and Lashio, Kachins of 101 Detachment fought several actions with Chinese forces in the Sinlumkaba and Kutkai areas. Again in Namwan, a Chinese force occupied the area in May 1945, claiming that "the period of thirty years' lease" for the Assigned Tract had expired. Only after representations in Chungking were they withdrawn. In the Shweli valley in the same period the commander of the Chinese forces was holding flag-raising ceremonies and stating that the area had been conquered for China.

72. One of the most troublesome areas was Kokang, which, allotted to China by the Convention of 1894, had been transferred to Burma by the agreement of 1897. The Chinese had expelled the chief of the state in 1943, and in 1945 a Chinese, accompanied by an armed gang, came there stating that he had purchased the territory from the Governor of Yunnan: he and his men had to be expelled by Kachin armed police. There was also Chinese infiltration into the Wa area, but the head-hunters dealt effectively with this problem; and after the rains of 1945 a British force expelled Chinese marauders from the Manglong state.

73. Again in February 1946 a force of three-hundred and seventy-five Chinese troops crossed the frontier and occupied Waingmaw, across the Irrawaddy from Myitkyina, having left two or three hundred more men at points along the road from the frontier. The major commanding stated that they had come to take over former Chinese engineering installations on the Paoshan-Myitkyina military road and to arrest Chinese deserters. He refused to withdraw, asserted that his men were under orders to guard the road and to prevent any damage to it, and added that if there should be any trouble in which Chinese troops were killed he would arrest those responsible. He held a meeting of local Chinese at which they were invited to report any cases of unjust treatment by the British. His troops were meanwhile digging entrenchments at Waingmaw. It was only after strong representations had been made to the Chinese Government and after a considerable military force had been assembled in the neighbourhood that the Chinese withdrew, after staying more than a month in Burma. Even then the Chinese Government claimed that as the Paoshan-Myitkyina road had been constructed with Chinese funds and man-power, the Chinese had the right to use the road whenever they wished; and when this claim had been rebutted they suggested that China be reimbursed for the cost of the road.

74. Throughout the period Chinese deserters were the bane of Upper Burma, and there was some suspicion that they had been deliberately planted in the country so as to facilitate a Chinese annexation if circumstances should prove favourable.

75. The problem of the undelimited frontier was again raised at the end of the Japanese war. In August 1945 H.M. Consul-General at Kunming reported that the local government had suggested that the time was ripe for a final settlement of the northern frontier. Again in May 1947 the Chinese Minister of the Interior reported to the People's Political Council his hope that "the long outstanding question of demarcation of borders between China and Burma should be settled in the near future"; he added that officials of his Ministry were studying the topographical conditions on the border, and in September 1947 it was stated in the press that a Chinese survey-party was to

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go to Yunnan for this purpose. At the end of the same year an official of the Ministry of the Interior stated that an area of 77,000 square miles on the China-Burma border was rightfully Chinese; he affirmed that the frontier should run not along the watershed between the Salween and the Irrawaddy but westwards as indicated on Chinese maps, starting from Chien Kao Peak and following the Shihoo and 'Nmai rivers and then running through the Hukawng valley to the Patkoi Range. The Chien Kao Peak is apparently the "high conical peak" referred to in the Boundary Conventions of 1894 and 1897 as the starting-point of the agreed frontier, and the Shihoo is probably the Shingaw Hka, tributary to the 'Nmai. The line thus suggested is very much that adopted in the Chinese maps referred to above (para. 68). The suggestion that the area of Burma north of this line amounts to 77,000 square miles is a gross exaggeration: 22,000 square miles would be more accurate. It may be observed in this connexion that in July 1943 a war-map issued by the Chinese Ministry of Information, and later published in various Chinese newspapers, not only showed the boundary as running westwards but also, whereas in the Postal Atlas the frontier was shown as undemarcated, indicated it as demarcated; an official protest was made.

76. In August 1948 it was stated in the Chinese press that the Yunnan survey-party had made its report, and a press-report attributed to "a Foreign Ministry source" the statement that the Chinese Government might claim some 100,000 square kilometres of territory, though this was at once disclaimed by the Ministry.

77. The Namwan Assigned Tract also became the subject of Chinese interest. When in July 1945 the protest was made against the Chinese occupation of the Tract (para. 71), the acting Minister for Foreign Affairs stated that, while orders would be given for the withdrawal of the force, his Government were "not unmindful of the anomalous state in which the area in question finds itself. It is the intention of the Chinese Government to take up this question with the British Government in the future when a suitable occasion presents itself with a view to settling it on a basis more in conformity to the principle of China's territorial integrity". At about the same period the acting Minister also mentioned that "it was proposed to raise the question of Kokang".

78. After the declaration of Burma's independence in January 1948, the Chinese Government began to press the case of Namwan, and they refused to accept from the Government of Burma the annual rent, while the sawlwa of Mongmao, to whose state the state had originally belonged, was inspired to agitate for its return to him. It is possible that the Chinese attitude was based on the argument that, the lease having been made to the British Government, it automatically lapsed when the British ceased to administer the area and to pay rent for it. As against this, Burma may claim to have inherited the benefits of the Convention of 1897 on the principle of state succession. With a view to ensuring their communications between Bhamo and the Shan States, however, the Burmese Government are now contemplating the construction of a bye-pass road round the south of Namwan.

79. The Shan State of Kengtung is also in a difficult position. It occupies an important strategic position, bordering China, Indo-China and Thailand, and through it runs the easiest land-route between Yunnan and Upper Siam. Refugees from Yunnan, fleeing before the advance of the Chinese Communists, took refuge in Kengtung during 1949, both civilians and also remnants of the 93rd Division, and in January 1950 a small party of

Communists ...



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Communists entered the state to demand the surrender of the refugees.

VI. Conclusion.

80. There ought not to be any difficulty about the delimited part of the frontier. It was agreed between the United Kingdom and China, and Burma has inherited British rights. Yet there are possibilities of dispute. The Mamwan lease is resented by the Chinese as arising from one of the "unequal treaties" of which they complain, and there can be no doubt that the area is Chinese territory, though administered for many years as an integral part of Burma. The position of Kokang is not altogether dissimilar, for undoubtedly the greater part of its inhabitants are Chinese and it was recognized as Chinese territory in 1894; it was surrendered by the Chinese in 1897 by the same "unequal treaty" that deprived them of Mamwan, and the remarks of the acting Foreign Minister in 1945 show that the Chinese are not satisfied in regard to the situation. Despite the Convention of 1897, the Chinese may at any time demand a revision of the frontier on grounds of equity and justice.

81. The northern, undelimited frontier obviously gives even more opening for Chinese claims. It has to be faced that there is no legal basis for the frontier as now drawn by the British and Burmese, other than the fact of occupation in the face of Chinese protests. It is a de facto, not a de jure, frontier. It has also to be faced that British action in the area forty or fifty years ago was more than a trifle arbitrary. Common sense suggests that the watershed is a suitable frontier, far preferable to the line claimed by the Chinese which runs across country without following any well-defined natural features. Moreover, the country has long been under British or Burmese administration and, so far as the principle of self-determination is concerned, the inhabitants appear to have no desire for a change; they are satisfied with their present status as members of a largely autonomous unit of the Union of Burma and have no wish to join their fellow-Kachins across the frontier under Chinese government. But Chinese irredentism can make out a case, and the upshot might be embarrassing for Burma.

82. On the other hand, whereas a Chinese Government could happily advance claims against "the British imperialists", it may possibly be slightly more difficult for them to make similar demands on a fellow-Asian Government. Whether this consideration would influence a Chinese Communist régime, anxious to cause unrest in Burma and, by threatening the Kachin country, to deprive the Union of Burma of the use of some of its most dependable troops in the anti-Communist civil war, is, however, far from certain.

24th April, 1950.

Research Department,  
Foreign Office.