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TO : Department of State

6906.9331/3-1650

Mar. 16, 1950

FROM : American Embassy, London, No. 1288 (1 enclosure)

REF : Department's Instruction No. 69 of February 11, 1950.

SUBJECT : Burma-China Boundary

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Responsive to the Department's Instruction under reference, an Officer in the Embassy called at the Foreign Office on February 22, and informed Mr. R. H. Scott, Head of the SEA Department, and Mr. L. C. Glass, on the Burma Desk, of the Department's interest in the problem of the Burma-China boundary. There was left with Mr. Scott a copy of the Department's document "OIR Report No. 4447-R - The Burma-China Boundary Problem" and it was indicated that the Department would be interested in receiving a verification of and, if possible, an enlargement on the information contained in the Report.

There is now transmitted herewith a copy of a letter, dated March 13, 1950, addressed to the Embassy by the Foreign Office enclosing two relevant papers on the Burma-China boundary question and promising to forward to the Embassy an up-to-date study on this question now in the course of preparation. In addition, the letter comments at some length on the OIR Report. It will be noted, for example, that in the view of the Foreign Office the incursion of Chinese Communist forces into Burma last January was a matter of little political significance. (EMBTEL 447, Jan. 26)

Due to an acute shortage of competent secretarial assistance, the enclosures to the Foreign Office letter are being forwarded in single copy only.

*Arthur R. Ringwalt*  
Arthur R. Ringwalt  
First Secretary of Embassy

Enclosure:

Letter from Foreign Office dated March 13, 1950.

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3/15/50

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Enclosure No. 1 to Despatch 1288 from London.

FOREIGN OFFICE, S.W. 1  
13th March, 1950

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4447-R - 15 - 100*

(My dear Arthur)

At the end of February you asked me to look at a State Department paper OIR 4447-R, on the Burma-China boundary problem, dated January 27th, 1950, with a view to verifying and if possible enlarging the information in that paper. You asked also if we could let you have any of our papers about this problem.

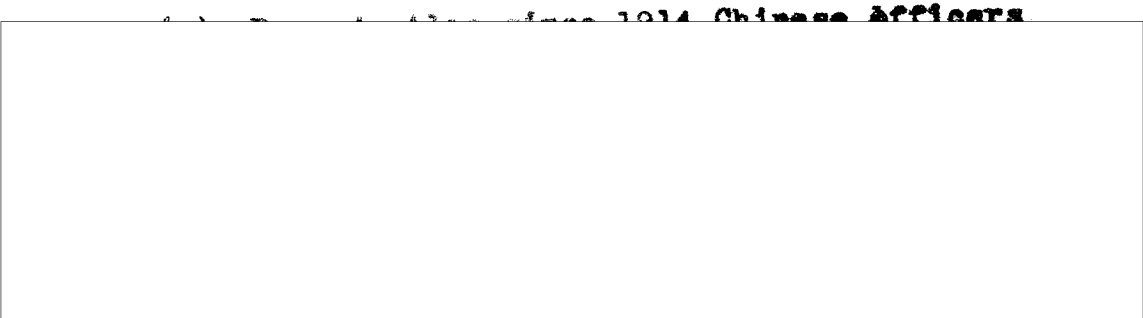
The Foreign Office is at present preparing an up-to-date paper on this problem, of which we will let you have a copy as soon as it is ready. In the meanwhile, I send for your information copies of two relevant papers already available:

- (a) The Political Relations of Burma and China (BUR/4/48).
- (b) The Assigned Tract of Namwan (BUR/11/49)

We have also the following preliminary comments to make on the State Department paper; some of these points are expanded more fully in the Foreign Office paper now under preparation.

(a) Page 3. It may be added that Chinese Postal Department maps also claim as Chinese all Burma north of Myiktyina - but do not indicate the existence of any post offices in the area.

(b) Chien Kao Peak - this is identified by the Chinese with the "high conical peak" of Article I of the Anglo-Chinese Convention of 1894 and the "high peak" of Article I of the Convention of 1897, which is taken as the starting-point of the defined boundary.  
Shihoo - We have found difficulty in identifying the Shihoo River.



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(d) Pages 4 and 5. This seems to be unduly alarmist. As expressed, these sentences seem to imply that large numbers of Chinese Nationalist forces entered Kengtung late in 1949; but the presence of details of the 93rd Chinese Division in Kengtung was reported at least as early as January 1949; and in June 1949 the Burmese Foreign Minister told the Ambassador in Rangoon that 500 such deserters had entered and that they were being sent back to China though they wanted to settle in the State. Further, and more important, the passage implies that in January 1950 there was a considerable incursion of Chinese Communist forces into Kengtung whereas the party that came in numbered not more than 30 men, who agreed to be disarmed before entering Kengtung town. It looks as though this group consisted only of an officer and escort, who came to try to get the State authorities to hand over the men of the 93rd Division, but had no intention - or means - of employing force.

(e) The paper makes no mention of the endeavours of the Chinese during and immediately after the late war to establish an administration in parts of Burma, or to seize Kokang; or of the trouble in Namwan during 1945 and at Waingmaw in January 1948. These are symptomatic of Chinese interest in the disputed area - and in some areas that are not disputed.

I return your paper herewith.

(Yours sincerely)

(R. H. Scott)

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THE BURMA-CHINA BOUNDARY PROBLEM

**RETAIN OR DESTROY**

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OIR REPORT NO. 4447-R

January 27, 1950

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THIS IS AN INTELLIGENCE REPORT; NOTHING IN IT IS TO BE CONSTRUED AS A STATEMENT OF U.S. OR DEPARTMENTAL POLICY OR AS A RECOMMENDATION OF ANY GIVEN POLICY.



DEPARTMENT OF STATE

Division of Research for Near East and Africa  
OFFICE OF INTELLIGENCE RESEARCH

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SUMMARY

Recent incursions by Chinese Communist forces into Kengtung state in Burma have taken place across the portion of the Burma-China border south of 25° 35' N which was defined in British-Chinese agreements made in 1894, 1897 and 1941. This portion of the boundary has been demarcated except for a stretch of 200 miles in the Wa States area. The Chinese Communists therefore have no legal grounds for justifying incursions across the southern portion of the boundary.

The Burma-China border north of 25° 35' N has never been delimited. The Chinese Nationalist government has not officially pressed territorial claims on northern Burma, but such claims were from time to time made quasi-officially or unofficially. The most recent was in November 1947 by an official of the Chinese Ministry of the Interior who asserted China's right to some 77,000 square miles of territory comprising the northern tip of Burma.

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I. DEFINITION OF SOUTHERN PORTION OF THE BOUNDARY

The Burma-China boundary south of  $25^{\circ} 35'$  N was defined by the Burma-China Frontier and Trade Convention of March 1, 1894 as modified by the Sino-British Agreement of 1897.<sup>1</sup> The demarcation of the frontier thus defined was, however, left to Joint Boundary Commissions to be appointed by the signatories to the agreement. By 1900 the demarcation of the whole of this portion of the Burma-China frontier with the exception of that part which passes through the Wa States had been completed. The Joint Boundary Commission was unable to agree on the demarcation of the Wa States section of the boundary and by mutual consent of the British and Chinese it was for the time being left undemarcated. The undemarcated section of the frontier is approximately 200 miles in length and extends from  $22^{\circ} 10'$  N (the confluence of the Nanka and Nanma rivers) to  $23^{\circ} 30'$  N (the confluence of the Nanting and Nanpo rivers).

In 1935 the British Government on behalf of Burma and the National Government of China concluded an agreement which provided for the creation of a Joint Boundary Commission to demarcate the unsettled section of the boundary. The Commission was headed by a neutral member, Col. Frederic Iselin of the Swiss Artillery, who was appointed by the League of Nations. After two seasons of investigation in the field, the Commission made its recommendations in 1937. These recommendations were

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1. Under the terms of the 1897 Agreement China ceded to Britain the strategic pass of Sima, south of Sadon, and a portion of the Kokang circle which the Convention of 1894 had given to China.

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not, however, fully acceptable either to the British or to the Chinese. No further progress was made in the matter until January 1941, when a Burmese mission visited Chungking and succeeded in negotiating an amicable settlement of the boundary problem with the Chinese Government. The terms of this settlement were embodied in notes exchanged between the British Ambassador to China and the Minister for Foreign Affairs of the Chinese Government on June 18, 1941. It was at the time proposed to demarcate the boundary in due course, but this was not done.

## II. NORTHERN PORTION UNDEFINED

The Burma-China boundary north of 25° 35' N has never been delimited. In 1941 at the time when the Wa States sector of the boundary was demarcated, there was apparently little interest in a delimitation of the northern portion of the frontier.

British War Office maps show this northern sector of the Burma-China frontier as roughly coincident with the watershed between the Salween and the Irrawaddy basins save that in the extreme north the upper valley of the Taron, a tributary of the Irrawaddy, is not included in Burma. There is no indication on these maps that this portion of the border is not definitely determined. Maps prepared by the U.S. Department of the Army and other non-Chinese maps appear to accept the British line.

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This same line was shown on the map in the first edition of Chiang Kai-shek's China's Destiny which was published in March 1943. All other Chinese maps published before 1943, however, show the border as running from just north of Myitkyina to the northwest border of Assam, but indicate that it is undetermined. In the second edition of China's Destiny issued in January 1944 the map was altered to show the Burma-China border pushed all the way west to the Assam frontier and south to a point near Komalin. This map also showed the northeast corner of Assam as Chinese territory.

A map issued by the Chinese Ministry of Information at Chungking early in 1944 and reproduced on March 6, 1944 in several Chinese newspapers including the official Kuomintang organ, the Central Daily News, shows all of northern Burma to a point slightly south of Hainkwan as Chinese territory, but does not indicate any change in the boundary of Assam. There is no indication on this map that the northern sector of the Burma-China border is tentative or undetermined.

In November 1947 the Commissioner of the Territory Department of the Chinese Ministry of the Interior, Professor Fu Chiu-cain, stated publicly that the Burma-China boundary north of  $25^{\circ} 35' N$  should be drawn from the Chien Kao Peak westward along the Shihoo and H'mai rivers and then along the Hukawng Valley and the Patkoi range to the Indian border. Such a line would augment China by some 77,000 square miles at the expense of Burma. Professor Fu's claim aroused considerable indignation and some apprehension among the Burmese, and the Government of

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Burma announced that it had no intention of surrendering any part of its territories but would on the contrary resist without hesitation any attempt at encroachment.

It was the practice of the British on the northern sector of the Burma-China border to assert effective control whenever any portion of the Irrawaddy basin (except the upper valley of the Taron) was penetrated by Chinese officials from beyond the Salween divide. In 1912-13 the British fortified the Hpimaw Pass and drove a Chinese survey party out of the Ahkyang Valley, and in 1914 built Fort Hertz to defend the plain of Hkamti-Long.

### III. CHINESE COMMUNIST ENCROACHMENT

The victories of the Chinese Communists during the latter part of 1949 revived Burmese apprehensions of Chinese encroachment and aggression but internal disorders made it impossible for the Bangoon Government to do anything substantial in the way of strengthening border defenses. Following a Chinese Communist warning to neighboring countries harboring fugitive Nationalist troops, the Burmese Government in December 1949 announced that all Chinese forces, whether Communist or Nationalist, crossing the Burma border would be disarmed and interned. Full commitment of Burmese troops elsewhere prevented the government from carrying out such action, and a number of fleeing Nationalist soldiers, variously estimated from a few hundred to a few thousand, collected in Kengtung. In mid-January 1950 Chinese Communist forces, probably not in direct contact with the main body of the

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Chinese Communist army but presumably acting under a broad directive to pursue Nationalist army stragglers, notified the Sawbwa of Kengtung that unless Burmese authorities disarmed and expelled the Chinese Nationalist stragglers they would enter Burmese territory for the purpose of doing so. Some days later apparently dissatisfied with the response made by the Sawbwa they entered Kengtung State. AS this incursion took place across a delimited portion of the Burma-China frontier, an appeal to China's territorial claims cannot be advanced as justification for this action.

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