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**Report, UN Department of Political and Security
Council Affairs, 'Note on the China-Burma Border
Question'**

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Summary:

The Department of Political and Security Council Affairs provides an overview of the history and current status of the disputed China-Burma border.

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NOTE ON THE CHINA-BURMA BORDER QUESTION

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NOTE ON THE CHINA-BURMA BORDER QUESTIONBackground

1. The Burma-China frontier has been in dispute at several places for many years. The areas involved are not readily accessible. They are populated by aborigines who are not necessarily classified as either Chinese or Burmese. The principal areas involved are (a) the so-called Kachin state in the northern triangle of Burma, which was never demarcated when Burma was under British rule and which was placed under de facto British administration after 1906, though it has never been accepted by China as part of Burmese territory, and (b) the Wa states at the northeastern part of the country, adjacent to Yunnan.

2. An international commission was set up in 1935 to study the boundary between Burma and Yunnan. An agreement^{1/} was concluded in 1941 with the then Chinese Government.

3. Both the Kachin state and the Wa states are at present listed as part of the Yunnan province on maps issued by the People's Republic of China.

4. Some years ago remnants of the Army of the Republic of China fled across the frontier from Yunnan and settled in Burmese territory, operating in a manner which caused the Government of Burma to bring the fact of their presence to the attention of the General Assembly. As a result of resolutions by the General Assembly and of actions taken by several interested Governments, these armed groups have been greatly reduced in size and

^{1/} U.N. Treaty Series, Vol. X, No. 64.

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effectiveness though they have not disappeared altogether.

The Chinese occupation of disputed areas

5. On 31 July, news reports from Rangoon indicated that Chinese Communist troops had invaded the disputed areas and had occupied about one thousand square miles of Burma's northern territory, and that clashes had occurred with Burmese forces in which some casualties had taken place. The report also asserted that several hundred Chinese troops fully armed had taken part in the invasion and that these troops now were moving inland.

6. Following these reports, a statement was issued by the Government of Burma explaining that some Chinese troops had entered Burmese territory and established outposts in Wa state and that the Burmese Government had "brought this to the attention of the Chinese Government with a view to the withdrawal of these troops to the Chinese side of the border." The statement went on to say that, "while the Government of the Union of Burma could not but be seriously concerned over this development," the situation was not such as to warrant the treatment accorded to it by the Burmese newspaper which had first published the report of the invasion.

7. For the next few days further reports, mostly attributed to the same source, continued to come in on the situation in northern Burma. On 4 August the Peking radio broadcast a report that Chinese Communist troops had occupied outposts in "disputed" Chinese-Burmese frontier areas, but denied that an invasion had been made into Burma. After stating that a difference of opinion appeared to exist between the two nations on the location of the actual demarcation line, the broadcast urged that differences

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be settled by negotiations. It was suggested that pending the settlement of the demarcation line, both sides should maintain the status quo. The broadcast also accused the "United States propaganda machine and bellicose persons in Asia" of having attempted to strain relations between Burma and the People's Republic of China and to create an atmosphere of tension in the Far East. The Burmese Government was criticized for not making clear in its statement that the area occupied by Chinese troops was disputed territory. The broadcast ended with the statement that the Chinese Government had repeatedly indicated its willingness to solve existing problems and differences with the Burmese Government through peaceful negotiations, and expressed the belief that the Burmese Government had the same desire.

8. On 7 August, the Burmese Prime Minister U Ba Swe in a press conference declared that a peaceful settlement of the frontier dispute could be achieved through diplomatic means in view of the existing friendly relations between Burma and China. The Government estimated also that there were about 500 alien troops inside Burmese territory covering an area of between 700 and 1,000 square miles. It was the view of the Burmese Government that the boundary was properly defined, although it was not physically marked. The Chinese attitude, however, according to the Prime Minister, was not to accept the demarcation line drawn up by the International Boundary Commission in 1941, and appeared to favour bilateral discussions with Burma for a new settlement. While Burma was not averse to further negotiations, it was the view of the Government that the Chinese should honor the International Commission's line in accordance with international practice, and withdraw their troops forthwith.

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9. On 3 September it was reported by a Burmese language newspaper and by other sources that a note had been received in Rangoon from Peking proposing a mutual withdrawal of troops from the frontier areas and expressing a willingness to settle the boundary question in accordance with the past treaties executed between the British Government of Burma and the National Government of China, to which the Union Government and the People's Republic are the legal successors. The Burmese Government refused to comment on these reports, but indications were that they were hoping that the visit of Mr. Chou En Lai, the Chinese Prime Minister, scheduled for December 1956 would provide an opportunity for reaching an amicable settlement through personal discussions.

10. At a press conference some days later, the Burmese Prime Minister declared that "our friendship with China remained unaltered"; he also expressed the belief that the border problem would be settled through negotiations and that the five principles of peaceful co-existence would be beneficial for solving this problem just as it would be for others. In the meantime it might be useful if the press would show some restraint in issuing news which might hinder the progress of negotiations between Burma and China.

Referral to the United Nations?

11. On 10 August Pibul Songgram, Prime Minister of Thailand, had stated that the so-called crossing of Chinese troops into the Burmese frontier areas was mainly a "misunderstanding" and that the Thailand Government would not believe that China had committed "aggression" or "threat". Opposite views were attributed to him a month later on 6 September by the vernacular press of Bangkok. At that time he was represented as having told reporters that

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the Chinese Communists had committed aggression and were breaking the principles of co-existence to which Peking and Rangoon subscribed. He also indicated that Burma would place her dispute before the next session of the United Nations General Assembly, unless there were new developments before then, and that his country would give full support to Burma on this question.

Comment

12. It should be born in mind that the legal position of the two areas in question is not identical. The borders of the Wa states have been defined by a treaty, though the actual demarcation has not taken place. The borders in the northern triangle of Burma (the Kachin state) are neither defined nor demarcated and are based only on the de facto occupation by the predecessor government. It is to be noted that none of the statements of the governments on the subject makes a clear distinction between the different legal status of the two areas.

13. The question arises why, and particularly why at this time, the People's Republic of China has decided to force a decision on the outstanding border questions with Burma. The areas involved are relatively unimportant and its relations with Burma so far have been extremely cordial. It has been suggested, though not by the Chinese Government, that China may have been anxious to pursue the remnant of the Chinese Nationalist Army and other dissidents who had fled from Yunnan into Burma. It has also been suggested that the occupation might have had as its objective the strengthening of communications with Tibet. However that may be, none of these reasons would seem to be important enough to take such far-reaching measures.

14. The thought has also occurred that the new regime in China was out to emphasize that it would not be bound by treaties which have been concluded by their predecessors at the moment of their greatest weakness. Considerations of prestige may thus be involved.

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15. It has been clear from the beginning that the Burmese Government has been inclined to soft pedal the significance of the border incursions and has tried to quieten public opinion while putting faith in quiet negotiations. The Burmese Government, which has only recently been able to complete the pacification of the country, is in no position militarily to oppose a Chinese invasion. Neither on the other hand would they appear to look with favour on any support or intervention on the part of the Southeast Asia Treaty Organization. Whether they intend to place the question before the United Nations or whether the suggestion is only being voiced in order to strengthen their position in the pending negotiations is difficult to ascertain.