

**AGREEMENT BETWEEN THE  
GOVERNMENT OF THE PEOPLE'S  
REPUBLIC OF CHINA AND THE  
GOVERNMENT OF THE UNION OF  
MYANMAR ON CHINA-MYANMAR  
BORDER AREAS MANAGEMENT  
AND COOPERATION**

The Government of the People's Republic of China and the Government of the Union of Myanmar (hereinafter referred to as the "two Parties"),

Desiring to further develop and consolidate the good neighbourly and friendly relations between the two countries based on the Five Principles of Peaceful Co-existence,

Recognizing the need to jointly maintain and promote stability and tranquility in the border areas of the two countries, and

Believing that the peaceful and friendly border will facilitate the livelihood and exchange of visits of

the two peoples living in the border areas and further strengthen the traditional ties of Pauk-Phaw friendship existing between the two countries,

HAVE AGREED AS FOLLOWS:

## PART I DEFINITIONS

### Article 1

In this Agreement:

1. The term "border areas" means the counties (cities) on the Chinese side and townships on the Myanmar side as specified in Annex I to this Agreement.

2. The term "border inhabitants" means permanent residents of either country living in the border areas.

3. The term "local authorities" means the two level local Administrations of the two Parties, mentioned in Article 4 authorized by their respective Governments to resolve border issues.

4. The term “personnel on official duties” means frontier representatives, deputy frontier representatives and liaison officers appointed by the two Parties; personnel working in frontier inspection, customs, commodity inspection, health quarantine, animal and plant quarantine and trade organizations; officials; and personnel working in cultural, sports and health sectors.

5. The term “boundary rivers” means rivers, streams and canals along which the boundary line passes.

## PART II

### MAINTENANCE OF BOUNDARY ALIGNMENT, BOUNDARY MARKERS, AUXILIARY BOUNDARY MARKERS AND BOUNDARY REFERENCE OBJECTS

#### Article 2

1. The boundary between China and Myanmar has been delimited and demarcated in pursuance of the

Boundary Treaty Between the People's Republic of China and the Union of Burma signed on 1 October 1960 and the Protocol Between the Government of the People's Republic of China and the Government of the Union of Burma Relating to the Boundary Between the Two Countries and the maps attached thereto signed on 13 October 1961.

2. The two Parties reaffirm their respect for the boundary line and the boundary signs between the two countries.

### Article 3

The two Parties shall maintain the boundary alignment, boundary markers, auxiliary boundary markers and boundary reference objects in accordance with the provisions of the following instruments:

(a) The Boundary Treaty Between the People's Republic of China and the Union of Burma signed on 1 October 1960;

(b) The Protocol Between the Government of the People's Republic of China and the Government of the Union of Burma Relating to the Boundary Between the Two Countries and the maps attached thereto signed

on 13 October 1961;

(c) The Protocol Between the Government of the People's Republic of China and the Government of the Socialist Republic of the Union of Burma on the First Joint Inspection of the China-Burma Boundary and the maps attached thereto signed on 11 November 1986; and

(d) The Protocol Between the Government of the People's Republic of China and the Government of the Union of Myanmar on the Second Joint Inspection of the China-Myanmar Boundary and the maps attached thereto signed on 28 June 1995.

PART III  
LOCAL AUTHORITIES, RELEVANT  
DEPARTMENTS AND THE  
LIAISON SYSTEM

Article 4

1. For the purpose of strengthening the management and cooperation in the border areas of the two

countries, the local authorities in these areas shall establish a counterpart liaison system.

2. The counterpart local authorities of the two Parties shall be as follows:

Chinese Side	Myanmar Side
Provincial / Autonomous Regional level	State / Divisional level
County / City level	District / Township level

3. The functions of the local authorities shall be as follows:

(a) to implement the instructions relevant to this Agreement issued by their respective Governments;

(b) to inspect the boundary markers, auxiliary boundary markers and boundary reference objects under each Party's jurisdiction. The report of such inspection shall be submitted to the higher authorities concerned;

(c) to regulate the border-crossing and management of production and other activities in the border areas;

(d) to maintain law and public order in the border areas and cooperate in the prevention and suppression of trans-boundary criminal activities;

(e) to resolve other border issues through consul-

tations.

4. The local authorities of the two Parties shall conduct periodic meetings as and when necessary. The agenda items, timing and venue of the meetings shall be determined in advance through contact between the port frontier control /immigration authorities of the two Parties.

5. The local authorities of the two Parties shall keep their respective minutes of each meeting. A summary shall be produced when agreement is reached on important matters. The summary shall be done in duplicate in the Chinese and Myanmar languages and signed and submitted to their respective higher authorities.

#### Article 5

With a view to managing the day-to-day border issues expeditiously, meetings between the frontier representatives, the deputy frontier representatives and liaison officers of the two Parties shall be held. The frontier representatives and the deputy frontier representatives of the two Parties shall be appointed by the competent authorities of their respective Govern-

ments. The liaison officers shall be appointed by the frontier representatives.

#### Article 6

The relevant departments (customs, commodity inspection, health quarantine, animal and plant quarantine, frontier control, etc.) in the border areas of the two Parties may establish official contacts. The counterpart relevant departments may hold meetings and exchange views within the framework of frontier representatives' meetings.

#### Article 7

If necessary, the local authorities and frontier representatives may bring in representatives or experts of relevant departments to the meeting with their counterparts, which shall be informed in advance. The meeting shall take place when both Parties deem it necessary or at the request of either Party.

## Article 8

The local authorities and relevant departments of the two Parties shall report to their respective Governments on border issues which fall beyond their competence.

## PART IV ACTIVITIES IN THE BORDER AREAS

### Article 9

The two Parties shall, in accordance with the instruments as prescribed in Article 3 of this Agreement, prevent the change of course of the boundary rivers and maintain the boundary alignment in the boundary river sections.

### Article 10

1. The two Parties shall conduct separate consul-

tations, on the basis of equality, mutual benefit and mutual respect for each other's interests, concerning the use of water of boundary rivers.

2. Either Party shall consult in advance the other Party through diplomatic channels if any of its proposed projects in the boundary rivers may have any effect on the course of the boundary rivers.

3. The two Parties shall adopt measures to keep the boundary rivers clean and free from pollution.

#### Article 11

The two Parties shall take steps to protect the ecological environment of the border areas and prohibit storage or spread of toxic pollutants in areas adjacent to the boundary so as to prevent ground, soil and atmospheric pollution.

#### Article 12

Either Party shall take steps to determine the ownership of any unidentifiable object or corpse of livestock found near the boundary. When necessary, the local authorities of the other Party shall be in-

formed so that they shall conduct joint examinations to determine its ownership and work out procedures concerning its hand-over.

### **Article 13**

No border inhabitants of either Party shall be permitted to graze their livestock across the boundary or allow them to enter the territory of the other Party. In case of their inadvertent entry, the other Party shall take immediate steps to drive them back on the spot or at another place.

### **Article 14**

The local authorities and relevant departments in the border areas of the two Parties shall prohibit their border inhabitants from felling, farming or hunting across the boundary. The two Parties shall adopt necessary measures to conserve precious wildlife and prohibit any steps aimed at moving wildlife from the territory of one Party to that of the other Party.

## Article 15

If either Party intends to conduct aerial photography or aerial prospecting near the boundary, it shall notify the other Party through diplomatic channels at least 15 days in advance. If the proposed operation entails an entry into the territory of the other Party, its prior approval shall be obtained.

## Article 16

1. Neither Party, except for the purpose of carrying out its own security, shall hold military exercises within 2000 meters astride the boundary line.

2. Neither Party shall fire weapons across the boundary. If either Party needs to detonate explosives near the boundary line, the other Party shall be informed at least 24 hours in advance.

3. No officials of either Party shall enter the territory of the other Party with firearms, ammunition or explosives, except with the prior permission of the other Party for the purpose of jointly maintaining public order.

## Article 17

1. Geological exploration or mining activities in the border areas by either Party shall be carried out 500 meters away from the boundary line in its territory.

2. If either Party intends to conduct geological exploration or mining activities within 500 meters from the boundary line, the two Parties shall make arrangements through consultations on the basis of mutual benefit and mutual respect for each other's interests.

## Article 18

1. Neither Party shall burn grass on wasteland within 500 meters on both sides of the boundary line.

2. The two Parties shall formulate measures for forest protection and cooperate to prevent fire from breaking out near the boundary and to keep bush fire near the boundary from spreading into the territory of the other Party. When fire occurs, it shall be put out without delay. If either Party sees the possibility of fire spreading across the boundary, it shall immediately inform the other Party of the fire. Should either

Party make a request, the other Party shall exert its utmost to help put out the fire without delay.

## Article 19

1. As soon as the contagious diseases affecting human beings and animals, and plant diseases are discovered near the boundary by one Party, it shall immediately inform the other Party. The two Parties may conclude a separate agreement on joint prevention of the spread of such diseases.

2. In case contagious and epidemic diseases break out among human beings and animals in the border areas of either Party, its local authorities shall take immediate protective measures and notify the counterpart of the other Party of temporary suspension or restriction of border crossing and border trade. The local authorities that intend to do so shall inform the counterpart of the other Party of the measures no less than 24 hours before such measure takes effect. Should the local authorities of either Party request assistance, the counterpart of the other Party shall exert its utmost to render such assistance.

3. If emergency medical care is required as a re-

sult of illness or accident, the border inhabitants of either Party may directly contact the nearest health-care unit of the other Party for assistance.

4. Either Party, which finds on its side of the boundary a corpse whose identity cannot be determined, shall notify the other Party to identify it and the requested Party shall immediately do so. If the requested Party fails to identify the corpse within 48 hours, the requesting Party may have it disposed of on the spot and produce a disposal report to the other Party as proof.

5. No border inhabitants of the two Parties shall bury corpse across the boundary.

PART V  
BORDER CROSSING AND MAINTENANCE  
OF LAW AND PUBLIC ORDER  
IN BORDER AREAS

Article 20

1. The two Parties shall encourage their border

inhabitants to exchange locally produced goods, promote economic, cultural and sports cooperation along the border areas. Border inhabitants of the two countries are allowed to cross the boundary through the designated ports and / or temporary passages for religious activities, social visits, medical services, and business transactions or traditional ethnic festivities.

2. The two Parties agree that personnel on official duties in the border areas or border inhabitants may travel through the designated ports and / or temporary passages with mutually-agreed passes.

(a) The Pass shall contain the following information: the holder's name, gender, birth date, address, reason for travel through the border, port of entry or exit, destination of travel, term of validity of the pass and the holder's photo.

(b) The Pass is issued only to personnel on official duties and border inhabitants for their activities in the border areas.

(c) Any person under the age of 16 may travel as accompanying person of a Pass holder. The Pass must note the number, name and age of the accompanying person.

(d) The Pass, written in both Chinese and Myan-

mar languages, shall be made and issued by the competent authorities of the two countries.

3. The two Parties shall provide each other with the designs of the Pass through diplomatic channels for confirmation and implementation.

4. No motor vehicles or vessels of either Party shall enter the territory of the other Party without its approval. The motor vehicles or vessels approved to cross the boundary shall bear valid documents and pass through the designated ports and ferry crossings and shall be subject to inspection and control by the relevant departments of the two Parties.

(a) For border crossing of motor vehicles, the following information shall be provided: type of vehicle, color, engine number, chassis number and registration number.

(b) For border crossing of vessels, the following information shall be provided: crew member's identity documents, the vessel's certificates of registration and the vessel's tonnage certificates.

5. Personnel on official duties and border inhabitants of either Party, while inside the territory of the other Party, shall observe its domestic laws; and their legitimate rights and interests shall be protected by

the other Party.

6. The entry and exit of the ports prescribed in this Agreement by citizens of a third party shall follow the agreement of, or special arrangement by the two Parties.

## Article 21

1. The two Parties shall designate the following ports for entry and exit along the China-Myanmar border:

Chinese Side	Myanmar Side
Ruili	Muse
Wanding	Kyukok
Mengding (Qingshuihe)	Chinshwehaw
Houqiao	Kanbitetee
Daluo	Maila
Zhangfeng	Lweije
Nansan	Yanlonekyaing
Nongdao	Namhkam

2. Among the ports prescribed in the preceding Paragraph:

(a) Citizens of the two Parties holding valid passports and visa or border passes; citizens of a third Party holding valid passports and visa or valid international travel documents; and goods; shall be allowed to

cross the boundary through Ruili-Muse, Wanding-Kyukok and Daluo-Maila ports.

(b) Citizens of the two Parties holding border passes and goods shall be allowed to cross the boundary through Mengding ( Qingshuihe )-Chinshwehaw, Houqiao-Kanbitetee, Zhangfeng-Lweije, Nansan-Yan-lonekyaing and Nongdao-Namkhan ports.

3. The two Parties shall decide upon the opening of new ports other than those prescribed in this Agreement through diplomatic channels, as and when conditions permit.

4. If the need for temporary passages on the boundary at places far away from the ports prescribed in this Agreement arises, the local authorities shall hold consultations and submit a report to their respective Governments for approval.

5. The inspection at temporary border passages shall refer to the regulations of the formal ports.

6. The opening and closure of the above-mentioned ports shall be confirmed and change of their functions shall be decided by exchange of diplomatic notes.

## Article 22

1. The two Parties shall cooperate in maintaining law and public order in their respective border areas.

2. The two Parties shall in accordance with their domestic laws after investigation and taking appropriate measures against those who have committed illegal border crossing and other minor offences affecting the public order in the border areas transfer them to the Party they belong to. Prior to the transfer, the name, photograph, detailed address of the violators shall be provided to the Party they belong to. Upon verification and agreement the two Parties shall decide on the timing and place of transfer. Related evidence shall also be transferred to the other Party simultaneously.

3. The two Parties shall jointly sign a summary on the transfer of the persons described in the preceding paragraph and the transfer shall take place at a nearby port agreed upon by the two Parties.

## Article 23

1. With a view to maintaining and strengthening

law and public order in the border areas, the two Parties shall cooperate with each other, in all aspects, in the prevention and suppression of all cross-boundary crimes; inter alia, smuggling, arms and explosives trafficking, robberies and kidnapping, abduction and sale of people and murder. The law enforcement authorities of the two Parties shall work out the details of cooperation in this regard through consultations.

2. Either Party, having detected criminals of the other country in the border areas, shall immediately inform the other Party and render its cooperation, when necessary, in arresting and transferring the criminals to the other Party.

#### Article 24

The two Parties shall take measures to prevent and suppress drug-related activities. The two Parties shall strengthen cooperation in investigating and banning the planting, production, trafficking, sale and use of illicit drugs in the border areas. The two Parties shall take measures to prevent and suppress the trafficking across the border of chemicals that may be used to refine illicit drugs. The specific scope and

modality of cooperation shall be worked out separately through consultations.

## PART VI BORDER TRADE

### Article 25

1. For the purpose of promoting economic development in the border areas and facilitating the exchange of goods and daily necessities among border inhabitants of the two countries, the two Parties shall enhance border trade on the basis of equality and mutual benefit.

2. In accordance with the principles contained in the Memorandum of Understanding between the Government of the People's Republic of China and the Government of the Union of Myanmar signed in Yangon on 13 August 1994, the two Parties shall hold separate consultations on the specific measures to carry out border trade.

3. The two Parties shall endeavour to develop border trade towards transforming it into normal trade

at an appropriate time.

## Article 26

1. Border trade shall be carried out in accordance with each other's laws and regulations.

2. Goods for border trade shall be transported across the boundary through the ports prescribed in Article 21 of this Agreement.

3. The local border trade authorities of the two Parties shall cooperate with each other in the management of border trade.

4. The local border trade authorities of the two Parties shall hold meetings, as and when necessary, and the meetings shall take place alternately in China and Myanmar.

## PART VII FINAL CLAUSES

### Article 27

1. In case there arises a dispute between the local

authorities and the relevant departments of the two Parties concerning the interpretation and / or application of this Agreement, they shall immediately report to their respective Governments so that the two Governments shall seek an amicable settlement.

2. The two Governments shall hold meetings, as and when necessary, to review the implementation of this Agreement, consult and resolve the issues submitted by the local authorities and the relevant departments. The timing and venue of such meetings shall be decided through diplomatic channels.

## Article 28

1. This Agreement shall enter into force upon the date of exchange of written notices that each Party has completed the legal procedure necessary for this purpose. This Agreement shall remain in force for a period of 10 years, and shall be renewable automatically every successive 10 years unless either Party requests its termination by serving a written notice on the other Party 6 months prior to the date of expiration.

2. This Agreement shall be subject to modification and amendment upon mutual agreement of the two Parties.

Done at Yangon on the 25th March 1997, in duplicate in the Chinese, Myanmar and English languages, all three texts being equally authentic. In case of any divergence in interpretation between the Chinese and Myanmar texts, the English text shall prevail.

罗 干

Plenipotentiary of  
the Government of the  
People's Republic of China



Plenipotentiary of  
the Government of  
the Union of Myanmar

## Annex 1

List of  
Counties(Cities)on the Chinese  
side and Townships on the Myanmar  
side specified as border areas  
between the two countries

**Chinese side**

Chayu  
Gongshan  
Fugong  
Lushui  
Tengchong  
Longling  
Yingjiang  
Longchuan  
Wanding  
Ruili  
Luxi  
Zhengkang

**Myanmar side**

Naung Munn  
Khaw Bude  
Sawt Law  
Chi Hpwe  
Waing Maw  
Momauk  
Mansi  
Namt Hkamm  
Mu Se  
Lauk Kai  
Konn Gyann  
Kun Lon

Gengma

Cangyuan

Lancang

Ximeng

Menglian

Menghai

Jinghong

Mengla

Hopan

Maing Maw

Pan Wine

Nah Hpann

Pan Yann

Maing Yann

Kyaing Ton

Maing Young