

DOCUMENT

FACT-SHEET ON AGREEMENTS SIGNED

*The following agreements between India and China were signed on 29 November, 1996 at Hyderabad House:*

- i. Agreement on Confidence Building Measures in the Military Field along the Line of Actual Control in the India-China Border Areas;
- ii. Agreement concerning the Maintenance of the Consulate General of India in the Hong Kong Special Administrative Region of the PRC;
- iii. Agreement on Cooperation for Combating Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Other Crimes; and
- iv. Agreement Between India and China on Maritime Transport

**We are reproducing below the summary of these agreements:**

**I. Agreement on Confidence Building Measures:**

The Agreement on Confidence Building Measures was signed by External Affairs minister, Shri I.K. Gujral and Vice Premier and Foreign Minister, Mr. Qian Qichen. This major understanding includes several important confidence building measures (CBMs) in the military field along the LAC. It builds upon the Agreement on the Maintenance of Peace and Tranquility along the Line of Actual Control in the India-China Border Area, which was signed on 7 September, 1993 during the visit to China of the then Prime Minister, Shri P. V. Narashimha Rao.

The Preamble of the Agreement of CBMS, inter alia, recalls the Five Principles of Peaceful Coexistence and notes that it serves the fundamental interests of the peoples of India and China to foster a long-term good-neighbourly relationship.

Article I stipulates that "Neither side shall use its military capability against the other side".

In Article, II the two sides reiterate their determination to seek a fair, reasonable and mutually acceptable settlement of the boundary question and to respect the line of actual control (LAC) until then.

In Article III, the two sides have agreed to reduce or limit their respective military forces within mutually agreed geographical zones along the LAC to mutually agreed ceilings. This exercise will cover the personnel of field army, border defence forces, paramilitary forces and any other mutually agreed category of armed forces deployed in mutually agreed zones along the LAC. Major categories of armaments to be subjected to ceilings include: combat tanks, infantry combat vehicles, guns with 75mm or bigger calibre,

mortars with 120 mm or bigger calibre, surface-to-surface missiles, surface-to-air missiles and any other weapons system mutually agreed upon.

Ceilings on troops and armaments in mutually agreed zones along the LAC will be determined in subsequent negotiations in accordance with the principle of mutual and equal security, with due consideration being given to parameters such as the nature of terrain, road communication and time taken to induct/deinduct troops and armaments. Military forces will be reduced or limited to minimum levels compatible with the friendly and good neighbourly relations between the two countries. The geographical zones for the exercise are to be defined (The 1993 Agreement included an agreement in principle on force reduction).

Article IV provides that the two sides shall avoid large-scale military exercises involving more than one Division (approximately 15,000 troops) in close proximity of the LAC. If either side conducts a major military exercise involving more than one Brigade group (approximately 5,000 troops), it shall give the other side prior notification. (The 1993 Agreement included an agreement in principle on this CBM).

Article V prohibits flights of “combat aircraft” within 10 km of the LAC except with prior notification. Unarmed transport aircraft, survey aircraft and helicopters are permitted to fly up to the LAC. It also lays down parameters for flights of military aircraft across the LAC with prior clearance. (The 1993 Agreement included an agreement in principle on this CBM).

Article VI includes prohibition of firing, blasting, hunting, etc. within two kilometers of the LAC, with certain exceptions. It stipulates that if patrols of the two sides come face-to-face, they shall exercise self-restraint and both sides will enter into immediate consultations.

Article VII provides for maintenance and expansion of scheduled and flag meetings between border commanders at designated points, telecommunication links between border meeting points and medium and high level contacts between border authorities.

Article VIII provides for exchange of information pertaining to natural disasters and epidemic diseases in contiguous border areas. It also lays down the mechanism for tackling situations involving personnel of one side inadvertently straying across the LAC.

Under Article IX, clarifications can be sought from the other side in case a doubtful situation develops in the border areas or if either side has doubts regarding the manner in which the other side is observing the Agreement.

Article X notes that the full implementation of some of the provisions of the Agreement will depend on the two sides arriving at a common understanding of the LAC. Pending the completion of the LAC clarification exercise, the two sides shall work out modalities for implementing CBMs envisaged in the Agreement on an interim basis. The two sides have

also agreed to expedite the LAC clarification exercise, including through an exchange of maps of the entire LAC.

Like the Agreement of 1993, the Agreement on CBMs will be implemented without prejudice to the respective positions of India and China on the boundary question.

Under Article XI, detailed implementation measures required under the Agreement will be decided through consultations in the JWG and the Expert Group, which are also tasked with the implementation of the Agreement of 1993.

## **II. Agreement Concerning Maintenance of CGI, Hong Kong:**

In accordance with the Sino-British Joint Declaration on the Question of Hong Kong (1984), the Chinese Government will resume the exercise of sovereignty over Hong Kong on 1 July, 1997 and Hong Kong will become a Special Administrative Region (SAR) of the People's Republic of China. The Agreement, signed today by External Affairs Minister, Shri I.K. Gujral and Vice-Premier and Foreign Minister, Mr. Qian Qichen, provides the legal framework for the maintenance of the Consulate General of India, Hong Kong after 30 June 1997. The Government of the PRC has also given its consent to the Consulate General of India in Hong Kong concurrently performing consular functions in Macau before and after the PRC resumes the exercise of sovereignty over Macau with effect from 20 December, 1999.

## **III. India-China Agreement on Cooperation for Combating Drug Trafficking And Other Crimes:**

This Agreement, signed by Home Minister, Shri Indrajit Gupta, and Vice-Premier and Foreign Minister, Qian Qichen, provides a useful framework for exchange of information and mutual cooperation in combating drug trafficking in arms and economic crimes.

## **IV. India-China Agreement on Maritime Transport:**

This Agreement, which was signed by Minister for Surface Transport, Shri T. G. Venkatraman and Vice Premier and Foreign Minister, Mr. Qian Qichen, lays down the detailed framework for the development of maritime traffic between India and China. Under the Agreement, the two countries have also agreed to extend the Most Favoured Treatment to each other's vessels in their respective ports. The Agreement also contains a clause regarding the avoidance of double taxation in respect of income and profits derived from international maritime transport. This Agreement is an important step in the direction of putting in place an institutional framework for trade and economic interaction between India and China.