

Country/entity	China India
Region	Asia and Pacific
Agreement name	Agreement between the Government of the Republic of India and the Government of the People's Republic of China on Confidence-Building Measures in the Military Field Along the Line of Actual Control in the India-China Border Areas
Date	29 Nov 1996
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Interstate/interstate conflict

Sino-Indian Border Dispute (1962 -)

There are two main areas that are disputed by China and India. These areas are largely unpopulated and are sparse with resources, but strategically important for both powers. Tensions mounted during the 1962 border war and 1986 skirmish. In the North-West there is the Aksai Chin plateau that is administered by China, but is claimed by India. Bordered by Tibet and Xinjiang, this border is approximately 685 miles long. The dispute in the Eastern sector on the tri-border area between India, China and Myanmar is largely due to a disagreement over the McMahon Line named after Sir Henry McMahon, the representative of the Indian Government to the Simla Conference of 1914. The line itself follows the watersheds of the Himalayas from Bhutan to Myanmar. China does not recognise the McMahon line, due to its original imperial context, and their claim runs along the foothills in Indian Territory. The area under dispute covers an area of 36,000 square miles. The Middle sector between Bhutan and Nepal is demarcated by the Himalayan watersheds. The border was confirmed in the British-Chinese Convention of 1890 and was undisputed until a brief standoff emerged in this sector in June 2017 on the Doklam plateau.

Since 2003 intensified efforts by the two powers have resulted in talks on the border issues handled by special representatives. However, the two sides continue to have differing opinions on the location of the 'Line of Actual Control' (LAC), which has led to incursions and military build-ups in 2009, 2013 and 2017.

Close

Sino-Indian Border Dispute (1962 -)

Stage	Pre-negotiation/process
Conflict nature	Territory
Peace process	China-India border dispute peace process

Parties	Government of the Republic of India and the Government of the People's Republic of China
Third parties	-
Description	This agreement provides for border security and confidence measures between the parties to the agreement. It calls for military disclosure when the parties are undertaking border exercises and for the reduction of troop levels in the border areas. It also allows the parties to observe and inspect troop movements in each other territory upon invitation.

Agreement document	CN_IN_961129_Agreement between China and India.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/ national group	No specific mention.
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Religious groups	No specific mention.
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	No specific mention.
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Social class	No specific mention.
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Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 1, Preamble, Believing that it serves the fundamental interests of the peoples of India and China to foster a long-term good-neighbourly relationship in accordance with the 'five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful co-existence,

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment ARTICLE VIII
(1) Should the personnel of one side cross the line of actual control and enter the other side because of unavoidable circumstances like natural disasters, the other side shall extend all possible assistance to them and inform their side, as soon as possible regarding the forced or inadvertent entry across the line of actual control. The modalities of return of the concerned personnel to their own side shall be settled through mutual consultations.
(2) The two sides shall provide each other, at the earliest possible, with information pertaining to natural disasters and epidemic diseases in contiguous border areas which might affect the other side. The exchange of information shall take place either through diplomatic channels or at border personnel meetings.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** Page 2, ARTICLE II
The two sides reiterate their determination to seek a fair, reasonable and mutually acceptable settlement of the boundary question. Pending an ultimate solution to the boundary question, the two sides reaffirm their commitment to strictly respect and observe the line-of actual control in the India-China border areas. No activities of either side shall overstep the line of actual control.

Ceasefire Security sector→Ceasefire→General commitments
[Summary] No explicit ceasefire mentioned, however agreement contains aspects relating to maining a ceasefire following the 1962 war.

Page 7, ARTICLE XII
This Agreement is subject to ratification and shall enter into force on the date of exchange of instruments of ratification. It shall remain in effect until either side decides to terminate it after giving six months' notice in writing. It shall become invalid six months after the notification.
Signed in duplicate in New Delhi on 29 November, 1996 in the Hindi,

Police No specific mention.

Armed forces

Page 1, Preamble, ... Reaffirming that neither side shall use or threaten to use force against the other by any means or seek unilateral military superiority,...

Page 1, Preamble, ... Recognizing the need for effective confidence building measures in the military field along the line of actual control in the border areas between the two sides,...

Page 2, ARTICLE I

Neither side shall use its military capability against the other side. No armed forces deployed by either side in the border areas along the line of actual control as part of their respective military strength shall be used to attack the other side, or engage in military activities that threaten the other side or undermine peace, tranquility and stability in the India-China border areas.

Page 2-3, ARTICLE III

The two sides agree to take the following measures to reduce or limit their respective military forces within mutually agreed geographical zones along the line of actual control in the India-China border areas:

(1) The two sides reaffirm that they shall reduce or limit their respective military forces within mutually agreed geographical zones along the line of actual control in the India-China border areas to minimum levels compatible with the friendly and good neighborly relations between the two countries and consistent with the principle of mutual and equal security.

(2) The two sides shall reduce or limit the number of field army, border defence forces, paramilitary forces and any other mutually agreed category of armed force deployed in mutually agreed geographical zones along the line of actual control to ceilings to be mutually agreed upon. The major categories of armaments to be reduced, or limited are as follows: combat tanks, infantry combat vehicles, guns (including howitzers) with 75 mm or bigger calibre, mortars with 120 mm or bigger calibre, surface-to-surface missiles, surface-to-air missiles and any other weapon system mutually agreed upon.

(3) The two sides shall exchange data on the military forces and armaments to be reduced or limited and decide on ceilings on military forces and armaments to be kept by each side within mutually agreed geographical zones along the line of actual control in the India-China border areas. The ceilings shall be determined in conformity with the requirement of the principle of mutual and equal security, with due consideration being given to parameters such as the nature of terrain, road communication and other infrastructure and time taken to induct/deinduct troops and armaments.

Page 3, ARTICLE IV

In order to maintain peace and tranquility along the line of actual control in the India-China border areas and to prevent any tension in the border areas due to misreading by either side of the other side's intentions:

(1) Both sides shall avoid holding large scale military exercises involving more than one Division (approximately 15,000 troops) in close proximity of the line of actual control in the India-China border areas. However, if such exercises are to be conducted, the strategic direction of the main force involved shall not be towards the other side.

(2) If either side conducts a major military exercise involving more than one Brigade Group (approximately 5,000 troops) in close proximity of the line of actual control in the India-China border areas, it shall give the other side prior notification with regard to type, level, planned duration and area of exercise as well as the number and type of units or formations participating in the exercise.

(3) The date of completion of the exercise and deinduction of troops from the area of exercise shall be intimated to the other side within five days of completion or deinduction.

(4) Each side shall be entitled to obtain timely clarification from the side undertaking the

DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 6, ARTICLE IX
In case a doubtful situation develops in the border region, or in case one of the sides has some questions or doubts regarding the manner in which the other side is observing this Agreement, either side has the right to seek a clarification from the other side. The clarifications sought and replies to them shall be conveyed through diplomatic channels.

Page 7,

ARTICLE XI

Detailed implementation measures required under Article I to Article X of this Agreement shall be decided through mutual consultations in the India-China Joint Working Group on the Boundary Question. The India- China Diplomatic and Military Expert Group shall assist the India-China Joint working Group in devising implementation measures under the Agreement.

Related cases No specific mention.

Source UN Peacemaker; http://peacemaker.un.org/sites/peacemaker.un.org/files/CN%20IN_961129_Agreement%20between%20China%20and%20India.pdf
