

No. 14848

**BURMA
and
PAKISTAN**

Agreement on the demarcation of a fixed boundary between the two countries in the Naaf River (with annex, protocol of 28 April 1966 and maps). Signed at Rawalpindi on 9 May 1966

Authentic text: English.

Registered by Burma on 1 July 1976.

**BIRMANIE
et
PAKISTAN**

Accord relatif à la démarcation d'une frontière fixe entre les deux pays sur la rivière Naaf (avec annexe, protocole du 28 avril 1966 et cartes). Signé à Rawalpindi le 9 mai 1966

Texte authentique : anglais.

Enregistré par la Birmanie le 1^{er} juillet 1976.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF BURMA AND THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN ON THE DEMARCATION OF A FIXED BOUNDARY BETWEEN THE TWO COUNTRIES IN THE NAAF RIVER

PREAMBLE

The Government of the Union of Burma and the Government of the Islamic Republic of Pakistan,

Having agreed that the fluctuating boundary in the Naaf River section of the inherited Burma-Pakistan international boundary, formed by the middle line of the main navigable channel (the deepest water-course), shall be converted into a fixed one once for all along the existing middle line of the main navigable channel (the deepest water-course), as ascertained and determined by a Joint Burma-Pakistan Hydrographic Survey Party, and having taken the necessary steps to that end;

Firmly believing that such conversion of the fluctuating international boundary in the Naaf River into a fixed international boundary will promote peace, order and good-neighbourly relations on the border of the two countries;

Have resolved for the purpose in view to conclude the present Agreement.

Article One. The present Agreement deals with the international boundary only in the Naaf River Section stretching from the mouth of the Naaf River northward to the mouth of the Machhkajia Khal at its junction with the Changai *Chaung*.

Article Two. The Contracting Parties agree that, for certainty and definitiveness, the fluctuating international boundary in the River Section formed by the middle line of the main navigable channel of the Naaf River, as ascertained and determined by the Joint Burma-Pakistan Hydrographic Survey Party, shall be deemed to be a fixed international boundary once for all with effect from the date the present Agreement comes into force irrespective of any changes that may occur in the course of the main navigable channel of the Naaf River.

Article Three. The fixed international boundary line in the Naaf River formed by the middle line of the main navigable channel, as ascertained and determined by the Joint Burma-Pakistan Hydrographic Survey Party, is charted in Sheets I, II and III² attached to the Protocol between the Government of the Union of Burma and the Government of the Islamic Republic of Pakistan on the Demarcation of a Fixed Boundary between the Two Countries in the Naaf River signed on the 28th April, 1966 at Rangoon by U Ohn Khin, Executive Secretary, Foreign Office, for the Government of the Union of Burma and by His Excellency Mr. Habibur Rahman, Ambassador of Pakistan, for the Government of the Islamic Republic of Pakistan, and the above-mentioned Protocol is annexed to this Agreement and forms an integral part thereof.

Article Four. The description of the agreed international boundary line in the Naaf River shall be as set forth in Article III of the Protocol referred to in Article Three above.

¹ Came into force on 9 May 1966 by signature, in accordance with article ten.

² See insert in a pocket at the end of this volume.

Article Five. The Contracting Parties agree that, after the coming into force of the present Agreement, neither Party shall conduct river training works or utilise the flow of the Naaf River or its waters on its own side of the international boundary for industrial purposes, drainage, water conservancy, irrigation, generation of hydro-electric power and the like to such an extent as to prejudice the interests of the other Party.

Article Six. Each Contracting Party shall construct, before the end of May 1967, beacons of the agreed designs over the Reference Markers on its side of the Naaf River; and shall adopt necessary measures to maintain those Reference Markers together with the beacons and to prevent their removal, damage or destruction as specified in the Annex to the present Agreement.

Article Seven. In case new islands emerge and are intersected by the fixed international boundary line, the two Contracting Parties shall, at the instance of either Party, take up the question of demarcating the boundary line thereon.

Article Eight. The rights of navigation for vessels of both the countries shall be fully guaranteed, irrespective of whether the main navigable channel subsequently changes its course.

If a vessel of one Contracting Party or its nationals is in distress or is wrecked in the part of the Naaf River belonging to the other Party, the necessary aid and assistance shall be afforded by the latter, at all times and in the same manner as in the case of national vessels, to the master, crew and passengers and to the vessel and its cargo. The Contracting Parties agree that articles salvaged from a vessel which has been in distress or wrecked, shall not be liable to customs duties and other rates and taxes, provided that such articles are not intended for consumption inside the country.

The term "vessel", as used in the present Agreement, means all types of vessels, whether privately owned or operated, or state owned or operated.

Article Nine. The Contracting Parties agree that any difference or dispute concerning the interpretation or application of the present Agreement or concerning the international boundary between the two countries dealt with in the present Agreement which may arise after the coming into force of the present Agreement shall be settled through friendly consultations.

Article Ten. The present Agreement shall come into force on the date of signature.

Upon the coming into force of the present Agreement, all agreements and understandings prior to the Memorandum of Agreement signed on January 21, 1964 at Rangoon by the Foreign Ministers of the two countries shall cease to be in force in so far as they relate to the Naaf River section of the inherited Burma-Pakistan international boundary.

DONE in duplicate in Rawalpindi, on May 9, 1966.

NE WIN

Chairman
of the Revolutionary Council
of the Union of Burma

MOHAMMAD AYUB KHAN
Field Marshal, N. Pk., H.J.

President
of the Islamic Republic
of Pakistan

ANNEX

MAINTENANCE OF REFERENCE MARKERS AND BEACONS

In order to effectively maintain the Reference Markers and Beacons, the two Parties agree on the following procedure:

1. In case either Party discovers that any Reference Marker or beacon has been removed, damaged or destroyed, it shall notify the other Party as soon as possible. The Party responsible for the maintenance of the said Reference Marker or beacon shall then take necessary measures to restore, repair or re-erect, in the presence of the other Party, the Reference Marker or beacon at its original site in accordance with the original design.

2. If the Reference Marker which has been removed, damaged or destroyed cannot be restored, repaired or re-erected at its original site owing to natural causes, it may be erected at another suitable place to be selected by both Parties through consultations, but the fixed international boundary line in the Naaf River shall not be changed thereby.

3. The restoration, repair or re-erection of a Reference Marker shall be jointly recorded by the two Parties. In case a Reference Marker is re-erected at a place other than the original site, the two Contracting Parties shall sign documents describing the location of the Reference Marker and make out sketch plans showing the location of the new Reference Marker. The above-mentioned documents and sketch plans, when signed by the two Parties, shall form an integral part of the present Agreement.

4. Each Contracting Party shall, according to the seriousness of each case, take action against those who wilfully remove, damage or destroy any Reference Marker or beacon on its side of the international boundary line.

5. Neither Party shall unilaterally set up new Reference Markers.

6. The Contracting Parties agree that, after the coming into force of the present Agreement, a joint inspection of all Reference Markers and beacons on either side of the Naaf River shall be made every year, but that the inspection may be postponed or be made only of certain Reference Markers whenever agreed to by both Parties. The two Parties shall make interim joint inspections of certain Reference Markers at the request of either Party.

The two Parties shall, after the inspection, take such measures as they deem necessary.

Joint records shall be made after each joint inspection and shall be kept by each of the two Parties.

PROTOCOL

BETWEEN THE GOVERNMENT OF THE UNION OF BURMA AND THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN ON THE DEMARCATION OF A FIXED BOUNDARY BETWEEN THE TWO COUNTRIES IN THE NAAF RIVER

The Government of the Union of Burma and the Government of the Islamic Republic of Pakistan,

Considering that a Joint Burma-Pakistan Hydrographic Survey Party composed of a Burma Navy Team led by Captain Chit Ko Ko, B.N. and a Pakistan Navy Team led by Commander S. Mazhar Ahmed, T.Q.A., P.N., in pursuance of the provisions of the Memorandum of Agreement between the Union of Burma and the Islamic Republic of Pakistan relating to the Demarcation of a Fixed Boundary between the Two Countries in the Naaf River signed by the Foreign Ministers of the two countries, has successfully completed the joint hydrographic survey and as a result of the survey produced an up-to-

date chart of the Naaf River in three sheets, namely Sheet I, Sheet II and Sheet III, thus determining on this chart the main navigable channel along the middle of which the boundary line has been demarcated to denote the boundary between Burma and Pakistan in the Naaf River from its mouth northward to the mouth of the Machhkajia Khal at its junction with the Changai *Chaung* on a fixed basis,

Have signed the present Protocol.

Article I. The triangulation stations established by the Joint Burma-Pakistan Hydrographic Survey Party on both banks of the Naaf River during the survey will be used as reference points to determine and to define the agreed boundary line in the Naaf River. These triangulation stations will be referred to as Reference Markers and are:

On the Burma Side

B1, B2, B4, B5, B6, B7, B8, B9, B10, B11, B12, B13, B14, B14a, B15, B16, B17, B18, B19, B20, and B21.

On the Pakistan Side

P1, P2, P3, P4, P6, P7, P8, Naithang Hill Station, P9, P10, P11, P11a (Pag.), P12, P12a, P13, P14, P14a, P15, P15a, P16, P17, P18, P19, and P20.

Article II. The co-ordinates of the specific locations of the Reference Markers as computed from Grid IIB Table (Point of Origin: Lat. 26 00 00.0 N. Long 90 00 00.0 E) are as follows:

On the Burma side

Reference Markers	Grid Co-ordinates in Yards	Reference Markers	Grid Co-ordinates in Yards
B1.....	3 272 745.05 E 360 886.65 N	B13.....	3 259 557.61 E 395 600.15 N
B2.....	3 272 390.61 E 363 682.69 N	B14.....	3 259 182.50 E 396 616.76 N
B4.....	3 270 161.82 E 370 198.27 N	B14a.....	3 258 609.50 E 400 063.97 N
B5.....	3 268 807.71 E 374 283.38 N	B15.....	3 258 491.57 E 404 063.58 N
B6.....	3 267 491.50 E 377 708.54 N	B16.....	3 256 889.12 E 408 573.90 N
B7.....	3 267 344.95 E 378 576.13 N	B17.....	3 255 754.22 E 411 063.57 N
B8.....	3 264 932.15 E 384 555.00 N	B18.....	3 251 401.67 E 415 360.51 N
B9.....	3 264 068.92 E 387 201.01 N	B19.....	3 251 515.13 E 415 402.63 N
B10.....	3 263 567.12 E 388 024.78 N	B20.....	3 248 066.87 E 417 300.94 N
B11.....	3 262 230.16 E 388 661.35 N	B21.....	3 248 377.20 E 418 767.34 N
B12.....	3 259 802.85 E 391 510.60 N		

Each of the above Reference Markers is a 3-foot iron peg with 4" × 4" iron plate at the top and reinforced by cement concrete 8" × 8" embedded to the ground level.

On the Pakistan side

Reference Markers	Grid Co-ordinates in Yards	Reference Markers	Grid Co-ordinates in Yards
P1.....	3 270 058·76 E 362 825·97 N	P12.....	3 257 995·57 E 393 993·84 N
P2.....	3 268 593·35 E 364 327·23 N	P12a.....	3 257 575·85 E 396 437·45 N
P3.....	3 267 168·70 E 368 324·05 N	P13.....	3 256 886·87 E 397 976·92 N
P4.....	3 266 700·46 E 371 253·26 N	P14.....	3 256 933·08 E 401 454·45 N
P6.....	3 264 978·22 E 376 261·59 N	P14a.....	3 257 412·58 E 403 084·18 N
P7.....	3 262 982·11 E 380 612·33 N	P15a.....	3 256 821·01 E 405 803·53 N
P8.....	3 262 599·43 E 383 032·35 N	P15.....	3 255 184·90 E 407 090·00 N
Naithang Hill Station.....	3 261 342·74 E 383 215·45 N	P16.....	3 254 083·75 E 408 576·35 N
P9.....	3 259 981·74 E 384 880·06 N	P17.....	3 250 379·88 E 411 408·79 N
P10.....	3 258 437·57 E 387 554·71 N	P18.....	3 247 416·10 E 414 990·42 N
P11.....	3 258 103·23 E 389 936·56 N	P19.....	3 246 718·29 E 416 398·64 N
P11a (Pag.).....	3 258 097·53 E 389 929·23 N	P20.....	3 248 092·60 E 418 983·23 N

With the exception of Reference Markers P9 and P11a (Pag.), which are vanes of temples, each of the above Reference Markers is a 3' × 6" × 6" concrete pillar embedded in cement concrete projecting 10 inches above the ground level.

Article III. In order to describe the boundary line, 30 points, numbering 1 to 30, reading from south to north, are marked on the boundary line on the chart. These points are called Boundary Points, are marked by bearings and distances from the Reference Markers, and are the centres of the circles drawn on the boundary line on the chart. The boundary line is drawn as a series of straight lines joining the consecutive Boundary Points.

This boundary line, which is the fixed international boundary in the Naaf River, runs from

Boundary Point 1 which lies at 156 degrees 2140 yards from Reference Marker P1, or 270½ degrees 1785 yards from Reference Marker B1, or 209 degrees 3120 yards from Reference Marker B2, in a straight line to

Boundary Point 2 which lies at 064¼ degrees 1630 yards from Reference Marker P1, or 266 degrees 900 yards from Reference Marker B2, or 105½ degrees 3020 yards from Reference Marker P2, thence in a straight line to

Boundary Point 3 which lies at 034 degrees 1860 yards from Reference Marker P3, or 132½ degrees 2050 yards from Reference Marker P4, or 262 degrees 1954 yards from Reference Marker B4, thence in a straight line to

Boundary Point 4 which lies at 082 degrees 1615 yards from Reference Marker P6, or 039 degrees 1478 yards from Reference Marker B6, or 201½ degrees 2180 yards from Reference Marker B7, thence in a straight line to

- Boundary Point 5* which lies at 032½ degrees 2760 yards from Reference Marker P7, or 093½ degrees 1825 yards from Reference Marker P8, or 199 degrees 1648 yards from Reference Marker B8, thence in a straight line to
- Boundary Point 6* which lies at 022 degrees 2135 yards from Reference Marker P9, or 106½ degrees 2435 yards from Reference Marker P10, or 220½ degrees 2258 yards from Reference Marker B11, thence in a straight line to
- Boundary Point 7* which lies at 022 degrees 2130 yards from Reference Marker P10, or 109½ degrees 1150 yards from Reference Marker P11, or 287 degrees 3140 yards from Reference Marker B11, thence in a straight line to
- Boundary Point 8* which lies at 082 degrees 1252 yards from Reference Marker P12, or 349 degrees 2720 yards from Reference Marker B12, or 193½ degrees 1442 yards from Reference Marker B13, thence in a straight line to
- Boundary Point 9* which lies at 131 degrees 2380 yards from Reference Marker P13, or 315½ degrees 1190 yards from Reference Marker B13, or 250½ degrees 510 yards from Reference Marker B14, thence in a straight line to
- Boundary Point 10* which lies at 014 degrees 1390 yards from Reference Marker P13, or 328½ degrees 4412 yards from Reference Marker B13, or 325 degrees 3362 yards from Reference Marker B14, thence in a straight line to
- Boundary Point 11* which lies at 005 degrees 2945 yards from Reference Marker P13, or 166 degrees 575 yards from Reference Marker P14, or 205 degrees 3475 yards from Reference Marker B15, thence in a straight line to
- Boundary Point 12* which lies at 027½ degrees 1300 yards from Reference Marker P14, or 215 degrees 1750 yards from Reference Marker B15, or 168 degrees 3248 yards from Reference Marker P15a, thence in a straight line to
- Boundary Point 13* which lies at 034 degrees 2273 yards from Reference Marker P14, or 206½ degrees 775 yards from Reference Marker B15, or 151½ degrees 2765 yards from Reference Marker P15a, thence in a straight line to
- Boundary Point 14* which lies at 029½ degrees 2950 yards from Reference Marker P14, or 268 degrees 165 yards from Reference Marker B15, or 139½ degrees 2290 yards from Reference Marker P15a, thence in a straight line to
- Boundary Point 15* which lies at 334½ degrees 2150 yards from Reference Marker B15, or 075½ degrees 745 yards from Reference Marker P15a, or 166½ degrees 2625 yards from Reference Marker B16, thence in a straight line to
- Boundary Point 16* which lies at 319½ degrees 3190 yards from Reference Marker P15a, or 262 degrees 2200 yards from Reference Marker B16, or 201 degrees 3010 yards from Reference Marker B17, thence in a straight line to
- Boundary Point 17* which lies at 307 degrees 4110 yards from Reference Marker B16, or 269½ degrees 2185 yards from Reference Marker B17, or 098 degrees 3180 yards from Reference Marker P17, thence in a straight line to
- Boundary Point 18* which lies at 277 degrees 2940 yards from Reference Marker B17, or 092½ degrees 2420 yards from Reference Marker P17, or 161½ degrees 4220 yards from Reference Marker B18, thence in a straight line to
- Boundary Point 19* which lies at 114 degrees 1355 yards from Reference Marker P17, or 268½ degrees 4075 yards from Reference Marker B17, or 178 degrees 4465 yards from Reference Marker B18, thence in a straight line to
- Boundary Point 20* which lies at 277 degrees 4860 yards from Reference Marker B17, or 136 degrees 4850 yards from Reference Marker P18, or 189 degrees 3825 yards from Reference Marker B18, thence in a straight line to

- Boundary Point 21* which lies at 004 degrees 1931 yards from Reference Marker P17, or 207 degrees 2289 yards from Reference Marker B19, thence in a straight line to
- Boundary Point 22* which lies at 096 degrees 3722 yards from Reference Marker P18, or 201 degrees 743 yards from Reference Marker B18, thence in a straight line to
- Boundary Point 23* which lies at 074 degrees 3395 yards from Reference Marker P18, or 306 degrees 1029 yards from Reference Marker B19, thence in a straight line to
- Boundary Point 24* which lies at 064 degrees 2743 yards from Reference Marker P18, or 150 degrees 2930 yards from Reference Marker B21, thence in a straight line to
- Boundary Point 25* which lies at 059 degrees 1300 yards from Reference Marker P18, or 178 degrees 3087 yards from Reference Marker B21, thence in a straight line to
- Boundary Point 26* which lies at 035 degrees 992 yards from Reference Marker P18, or 184 degrees 1500 yards from Reference Marker B20, thence in a straight line to
- Boundary Point 27* which lies at 006 degrees 2114 yards from Reference Marker P18, or 247 degrees 500 yards from Reference Marker B20, thence in a straight line to
- Boundary Point 28* which lies at 037 degrees 1640 yards from Reference Marker P19, or 320 degrees 566 yards from Reference Marker B20, thence in a straight line to
- Boundary Point 29* which lies at 224 degrees 785 yards from Reference Marker P20, or 336 degrees 1212 yards from Reference Marker B20, thence in a straight line to
- Boundary Point 30* which lies at 210 degrees 233 yards from Reference Marker P20, or 273 degrees 390 yards from Reference Marker B21.

All bearings and distances stated above are true bearings and distances as scaled out from the chart.

Article IV. The Naaf River chart jointly produced by the Burma-Pakistan Hydrographic Survey Teams in three sheets, namely Sheet I, Sheet II and Sheet III with the boundary line demarcated thereon and duly authenticated and signed by the leaders of the two Navy Teams is attached to this Protocol and forms an integral part of it.

Article V. The present Protocol shall have effect without any ratification as from the date of the coming into force of the Boundary Agreement between the Union of Burma and the Islamic Republic of Pakistan of which it shall form an integral part.

DONE in duplicate in Rangoon on April 28, 1966, in the English language.

OHN KHIN

Plenipotentiary of the Government
of the Union of Burma

H. RAHMAN

Plenipotentiary of the Government
of the Islamic Republic
of Pakistan