

April 29, 1954

**Agreement between the Republic of India and the
People's Republic of China on Trade and Intercourse
between the Tibet Region of China and India**

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Summary:

China and India put forth the Five Principles of Peaceful Coexistence, which call for mutual respect for each other's territorial integrity and sovereignty, mutual non-aggression, mutual non-interference in each other's internal affairs, equality and mutual benefit, and peaceful co-existence.

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Transcript - Chinese,Hindi
Translation - English

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The Government of the Republic of India and the Central People's Government of the People's Republic of China.

Being desirous of promoting trade and cultural intercourse between Tibet Region of China and India and of facilitating pilgrimage and travel by the peoples of China and India.

Have resolved to enter into the present Agreement based on the following principles:

- (1) mutual respect for each other's territorial integrity and sovereignty,
- (2) mutual non-aggression
- (3) mutual non-interference in each other's internal affairs,
- (4) equality and mutual benefit, and
- (5) peaceful co-existence.

And for this purpose have appointed as their respective Plenipotentiaries: The Government of the Republic of India, H.E. Nedyam Raghvan, Ambassador Extraordinary and Plenipotentiary of India accredited to the People's Republic of China;

The Central People's Government of the People's Republic of China, H.E. Chang Han-fu [Zhang Hanfu], Vice-Minister of Foreign Affairs of the Central People's Government, who, having examined each other's credentials and finding them in good and due form, have agreed upon the following:

Article I

The High Contracting Parties mutually agree to establish Trade Agencies:

- (1) The Government of India agrees that the Government of China may establish Trade Agencies at New Delhi, Calcutta and Kalimpong.
- (2) The Government of China agrees that the Government of India may establish Trade Agencies at Yatung, Gyantse and Gartok.

The Trade Agencies of both Parties shall be accorded the same status and same treatment. The Trade Agents of both Parties shall enjoy freedom from arrest while exercising their functions, and shall enjoy in respect of themselves, their wives and children who are dependent on them for livelihood freedom from search.

The Trade Agencies of both Parties shall enjoy the privileges and immunities for couriers, mail-bags and communications in code.

Article II

The High Contracting Parties agree that traders of both countries known to be customarily and specifically engaged in trade between Tibet Region of China and India may trade at the following places:

- (1) The Government of China agrees to specify (1) Yatung, (2) Gyantse and (3) Phari as markets for trade. The Government of India agrees that trade may be carried on in India, including places like (1) Kalimpong, (2) Siliguri and (3) Calcutta, according to customary practice.

(2) The Government of China agrees to specify (1) Gartok, (2) Pulanchung (Taklakot), (3) Gyanima-Khargo, (4) Gyanima-Chakra, (5) Ramura, (6) Dongbra, (7) Puling-Sumdo, (8) Nabra, (9) Shangtse and (10) Tashigong as markets for trade; the Government of India agrees that in future, when in accordance with the development and need of trade between the Ari District of Tibet Region of China and India, it has become necessary to specify markets for trade in the corresponding district in India adjacent to the Ari District of Tibet region of China, it will be prepared to consider on the basis of equality and reciprocity to do so.

Article III

The High Contracting Parties agree that pilgrimage by religious believers of the two countries shall be carried on in accordance with the following provisions:

(1) Pilgrims from India of Lamaist, Hindu and Buddhist faiths may visit Kang Rimpoche (Kailas) and Mavam Tso (Mansarovar) in Tibet Region of China in accordance with custom.

(2) Pilgrims from Tibet Region of China of Lamaist and Buddhist faiths may visit Banaras, Sarnath, Gaya and Sanchi in India in accordance with custom.

(3) Pilgrims customarily visiting Lhasa may continue to do so in accordance with custom.

Article IV

Traders and pilgrims of both countries may travel by the following passes and route:

(1) Shipki La pass, (2) Mana pass, (3) Niti pass, (4) Kungri Bingri pass, (5) Darma pass, and (6) Lipu Lekh pass.

Also, the customary route leading to Tashigong along the valley of the Shangatsangpu (Indus) River may continue to be traversed in accordance with custom.

Article V

For travelling across the border, the High Contracting Parties agree that diplomatic personnel, officials and nationals of the two countries shall hold passports issued by their own respective countries and visaed by the other Party except as provided in Paragraphs 1,2,3 and 4 of this Article.

(1) Traders of both countries known to be customarily and specifically engaged in trade between Tibet Region of China and India, their wives and children who are dependent on them for livelihood and their attendants will be allowed entry for purposes of trade into India or Tibet Region of China, as the case may be, in accordance with custom on the production of certificates duly issued by the local government of their own country or by its duly authorised agents and examined by the border check-posts of the other Party.

(2) Inhabitants of the border districts of the two countries who cross the border to carry on petty trade or to visit friends and relatives may proceed to the border districts of the other Party as they have customarily done heretofore and need not be restricted to the passes and route specified in Article IV above and shall not be required to hold passports, visas or permits.

(3) Porters and mule-team drivers of the two countries who cross the border to perform necessary transportation services need not hold passports issued by their own country, but shall only hold certificates good for a definite period of time (three months, half a year or one year) duly issued by the local government of their own country or by its duly authorised agents and produce them for registration at the border check posts of the other Party.

(4) Pilgrims of both countries need not carry documents of certification but shall register at the border check posts of the other Party and receive a permit for pilgrimage.

(5) Notwithstanding the provisions of the foregoing paragraphs of this Article, either Government may refuse entry to any particular person.

(6) Persons who enter the territory of the other Party in accordance with the foregoing paragraphs of this Article may stay within its territory only after complying with the procedures specified by the other Party.

Article VI

The present Agreement shall come into effect upon ratification by both Governments and shall remain in force for eight (8) years. Extension of the present Agreement may be negotiated by the two Parties if either Party requests for its six (6) months prior to the expiry of the Agreement and the request is agreed to by the other Party.

Done in duplicate in Peking on the twenty-ninth day of April, 1954, in the Hindi, Chinese and English languages, all texts being equally valid.

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(Sd.) NEDYAM RAGHAVAN,

Plenipotentiary of the

Government of the Republic

of India

(Sd.) CHANG HAN-FU

Plenipotentiary of the Central

People's Government,

People's Republic of China □□ □□