

RUSSIA

PROTOCOL OF CHUGUCHAK

(Signed 25 September/7th October 1864)

COMMISSIONERS Plenipotentiary of the Great Russian Empire, detached by Imperial order for the determination of the frontier: JOHN ZAKHAROV, Knight Councillor of State, and Consul-General at Kuldzha; and JOHN BABKOV, Knight, Colonel on the General Staff and Chief Quartermaster of the separate Siberian Corps. Of the Great Daitsing Empire, appointed by Imperial order for the determination of the northwestern frontier: MIN I, having the status of a Commanding Officer in the Chinese Corps with the Bordered Red Banner, Chiang-chün of Uliasutai, commanding the left wing; SILIN, having the status of an Assistant Corps Commandant, Khebei Amban of Tarbagatai; and BOLGOSU, having the status of an Assistant Corps Commandant and the title Baturu, Brigade Commandant at Tarbagatai.

As a continuation to the Treaty of Peking and for the promotion of the good understanding between the two Empires, at a general meeting in the city of Tarbagatai, after a mutual conference concerning the delimitation of the lands subject to division between the two Empires, extending from Shabing Dabakha to the Ts'ung-ling range, situated on the frontiers of Kokan, it was agreed to carry the boundary along the summits of the mountains, along the great rivers, and along the line of the Chinese pickets existing at the present moment, and a map of the frontier locality having been prepared, the boundary line between the two Empires was indicated thereon by a red line. Therefore [the Commissioners] have prepared this Protocol, in which are written the names of places indicating the boundary line fixed on at the present meeting, and the rules for this boundary, as set forth in the following Articles.

ARTICLE I.

Commencing from the boundary mark, Shabing Dabakha, to carry the boundary at first westwards and then Southwards along the Sayang range; having reached the western extremity of the Tannu Ola range, to turn to the southwest, following the course of the Salugem range, and from the Kuitung mountains to proceed westwards along the great Altai range. Having reached the mountains lying between the two rivers Kalgutī (in Chinese Khalyutu), situated to the north of the lake Tszai-sang-nor, to turn to the southwest, and, following the mountains mentioned, to bring the boundary to the mountain Chakil Mes, situated on the northern shore of the lake Tszai-sang-nor. Hence, having made a turn to the southeast, to carry the boundary along the shore of the lake Tszai-sang-nor and along the river Black Irtish to the picket Manitu Gatulkhang.

On all this extent of territory, to take the division of waters as a basis for marking out the frontier line between the two Empires, so as to apportion to China all lands through

which the rivers flow eastwards and southwards, and to apportion to Russia all lands through which the rivers flow westwards and northwards.

ARTICLE II.

From the picket Manitu Gatulkhang, continuing southeastwards, to bring the boundary up to the Sauri (in Chinese Sairi Ola) mountains; further, to go at first to the southwest and then to the west, along the Tarbagatai range. Having arrived at the summit of Khabar Asu (in Chinese Khamar Dabakhan), to turn to the southwest, and, following the picket road, to carry the boundary along the line of the pickets Kumurchi, Kara Bulak, Boktu, Wei-t'ang-tzu (in Russian Kok Tuma), Manitu, Sara Bulak, Chelan Togoi, Ergetu, Barluk, Modo Barluk. Hence, to carry the boundary along the valley which lies between the Barluk and Alatau ranges; further, between the pickets Aru Tsindalang and Kaptagai, to trace the boundary through the highest point of this valley, and finally to bear towards the eastern extremity of the Altang Tebshi mountains.

On all of this extent of territory, to take the division of waters as a basis for marking out the frontier line between the two Empires, so as to apportion to China all lands through which the waters flow eastwards and southwards, and to apportion to Russia all lands through which the waters flow westwards.

ARTICLE III.

From the eastern extremity of the Altang Tebshi mountains, to carry the boundary to the west along the great range of mountains known by the general name of Alatau, and specially through the summits of the mountains Altang Tebshi, So Daba, Kuke Tom, Khang Kharchagai, and others.

On this extent of territory, to apportion to Russia all lands through which the waters flow northwards, and to apportion to China all lands through which the rivers flow southwards.

Having reached the mountains Konggor Obo, serving as watershed to the rivers Sarbaktu, flowing east, Kok Su (in Chinese Kuke Olom), flowing west, and Kuitung (in Russian Usek, flowing south, to make a turn of the frontier southwards.

On this extent of territory, to apportion to Russia all lands through which the rivers Kok Su and others flow westwards, and to apportion to China all lands through which the rivers Sarbaktu and others flow eastwards.

Hence, following the summit of the Koitas mountains, situated to the west of the river Kuitung, and having reached the place where the river Turgen, flowing southwards, issues from the mountains, to carry the boundary along the river Turgen along the line of the pickets Borokhutzir, Kuitung, Tsitsikhan, Khorgos, and to bring it to the picket Ili Birai Tsikin. Here, crossing the river Ili, to carry the boundary southwest to the picket Ch'ung-tzu, and hence, turning to the southeast, to carry it to the source of the river Temurlik. Thereupon, making a turn to the east, to bring the boundary to the summit of the Temurlik range, otherwise called Nan-shan, and bending round the camps of Kirgis and Baruts (desert Kirgis), at the sources of the river Kegeng (in Chinese Gegeng), to make a turn to the southwest.

On this extent of territory, to apportion to Russia all lands through which the river Kegeng and others flow westwards, and to apportion to China the lands through which the rivers Undu Bulak and others flow eastwards.

After that, continuing to the southwest, to carry the boundary through the summit of the Karatau mountains, and arriving at the Biryu Bash (in Chinese Bir-Basha) mountains, to carry the boundary along the little river Daratu, flowing south into the river Tekes. After carrying the boundary across the river Tekes, to bring it along the river Naring Khlaga, and then to bear towards the T'ien-shan range. Hence, continuing southwest, to bring the boundary across the summits of the mountains Khang Tengeri, Savabtsi, Kukurtlyuk (in Chinese Gunguluk), Kakshal (in Chinese Kak-shan), and other mountains situated to the south of lake Temurtunor, and known under the general name of the T'ien-shan range, which separates Turkestan from the camps of the Buruts, and to bend it towards the Ts'ungling range, which is situated on the frontiers of Kokan.

ARTICLE IV.

In some regions, along the course of mountain ranges, large rivers, and permanent pickets, which, after the determination of the frontier taking place at present, have fallen to the Russian Empire, and consequently are situated on this side of the boundary line, there have been Chinese pickets, such as, in the Uliasutai and Kobdo circuits, on the northern side of the great Altai and other ranges, Utek and other pickets; in the Tarbagatai circuit, on the northern side of the Tarbagatai range, Olong Bulak and other pickets; and on the northern side of the Alatau range, Aru Tsindalang and other pickets; in the Ili circuit, Konur Olong (in Chinese Konggoro Olong) and other pickets. Until boundary marks have been placed, the Chinese authorities can as before send their soldiers thither for the maintenance [of order]. But next year, as soon as the Plenipotentiaries from both sides for placing the marks come together, the pickets in question are to be moved inwards, to the Chinese side of the boundary, within the course of one month, counting from the time when the boundary mark was placed in the locality whence the picket is to be removed.

ARTICLE V.

The present determination of the frontier is taking place for the purpose of strengthening forever the good understanding between the two Empires: Therefore, to avoid disputes about the nationalities dwelling along the boundary now fixed on between the two Empires, it is settled herewith to take as a basis the day of exchange of this Protocol; that is to say, where the nationalities in question have lived up to that day, there they must remain, as before, and live quietly on their former locations, making use of the means of livelihood at their disposal. To whichever Empire's share the camping grounds of these nationalities fall, to that Empire all the individuals will revert, together with their land, and by that Empire they shall be governed; and if after this any one of them moves over from his former place of abode to the other side, such a one is to be sent back, thus putting an end to confusion and uncertainty on the frontier.

ARTICLE VI.

In 240 days after the exchange of this Protocol concerning the present determination of the frontier, the Plenipotentiaries of both sides for the placing of boundary marks will meet at places agreed upon, namely: the Russian Plenipotentiaries will proceed to a plot of land between the pickets Aru Tsindalang and Kaptagai; here they will divide into two parties, one of which, together with the Plenipotentiaries from the Ili circuit for the placing of boundary marks, is to proceed to the southwest, along the boundary now established, and place boundary marks; the other party, together with the Plenipotentiaries from the Tarbagatai circuit, is to proceed to the northwest, along the boundary now determined on, and place boundary marks. At the picket Manitu Gatulkhang the Plenipotentiary from the Kobdo circuit for the placing of boundary marks will arrive, with whom they will place marks along the boundary now determined on; and at the picket Sogok the plenipotentiary from the Uliasutai circuit for the placing of boundary marks will arrive, and they will jointly place marks along the boundary now determined as far as Shabing Dabakha itself.

In placing the boundary marks the following rule is to be observed:— Where the boundary proceeds along high mountains, to take the summits of the mountains for the boundary line; where along large rivers, the banks of the rivers serve as a boundary line; but where the boundary crosses mountains and rivers, boundary marks are to be again placed everywhere. In general, in placing boundary marks along the whole boundary, to take into consideration the direction the waters flow, and to place the marks according to the conformation of the ground. If, for instance, there is no road along the ridges of mountains, and consequently it would be difficult to place marks there, then to take as a basis for the boundary line the ridge of the mountains and the direction of the flowing streams. In placing boundary markers in a valley, to leave 30 *sazhens* (20 Chinese *sazhens*) as neutral ground.

All products along the left side of the fixed boundary marks are to belong to China, and all products of the mountains and rivers along the right side of the boundary marks are to belong to Russia.

ARTICLE VII.

After the placing of the boundary marks the Plenipotentiaries from both sides for that purpose must next year draw up a memorandum containing the number of boundary marks set up by them and the names of the places where these marks have been placed, and exchange [copies].

ARTICLE VIII.

After the placing of the boundary marks along the whole of the frontier now determined between the two Empires, if a locality is found where the source of a river is on Chinese territory and its course is through Russian territory, on the part of the Chinese Empire the old channel of the river is not to be changed nor its flow to be stopped; and *vice versa*, if the source of a river is on Russian territory and its course is through Chinese territory, on the part of the Russian Empire also the old channel of the river is not to be changed nor its flow stopped.

ARTICLE IX.

Up to this time, on matters of business only the Ambans—Governors—of Urga communicated with the Governor of Kiakhta, and the Chiang-chün of Ili and the Khebei Amban of Tarbagatai with the governor-General of Western Siberia. Now, after the approval of the present boundary, if any business should occur in the Uliasutai and Kobdo circuits requiring mutual intercourse, the Chiang-chün of Uliasutai and the Khebei Amban of Kobdo will communicate with the Governor of the Government of Tomsk and the governor of the province of Semipalatinsk. For written communications amongst themselves they may employ either the Manchu or the Mongol language.

ARTICLE X.

Some time ago, in the Tarbagatai circuit, to the west of the picket Baktu, on the little river Hsiao-shui, some inhabitants of Tarbagatai built farms in five places and ploughed the land, paying taxes to the Exchequer. Now, although the locality in question, after the approval of the present boundary, becomes Russian, yet it would be difficult for the said farmers to at once move away: Therefore, on their behalf, a term of 10 years has been fixed on, calculated from the time of placing the boundary marks; in the course of this term they must have gradually moved over to places in the interior of China.

In this manner the Commissioners Plenipotentiary from both sides, detached by Imperial order for the demarcation of the frontier, at the present meeting, having, after a mutual conference, fixed on the boundary line, have prepared a map, in four copies, of the whole boundary now fixed on, and having written thereon the names of the frontier localities in two languages, Russian and Manchu, have authenticated the same with their signatures and the placing of their seals. Together with the above, they also drew up this Protocol in the Russian and Manchu languages, and having written four copies of each, the Commissioners Plenipotentiary from both sides for the demarcation of the frontier have also authenticated it with their signatures and the placing of their seals.

At the mutual exchange of these documents the Commissioners Plenipotentiary of each Empire keep each one copy of the map and one copy of the Protocol as a guide for their fulfilment. Again, as to the remaining two copies of the map and two copies in each [language] of the Protocol, the Commissioners Plenipotentiary of both Empires have to hand [one copy] to their own ministry of Foreign Affairs, for addition to the Treaty of Peking as a supplement.

Therefore this Protocol has been exchanged in the summer of 1864, on the 25th day of September, corresponding to the 7th day of the 9th month of the 3rd year of the reign of JONINGGA DASAN of the Daitsing Empire.

[L.S.] (Signed) ZAKHAROV.

[L.S.] (Signed) JOHN BABKOV.

(On the Manchu original signed by:—Chiang-chün MIN I, Khebei Amban SILIN, MEYEN, and Amban BOLGOSU.)