

N° 3563.

**GRANDE-BRETAGNE
ET IRLANDE DU NORD,
INDE ET SIAM**

**Echange de notes relatif à la fron-
tière entre la Birmanie (Tenasserim)
et le Siam. Bangkok, le 1^{er} juin 1934.**

**GREAT BRITAIN
AND NORTHERN IRELAND,
INDIA AND SIAM**

**Exchange of Notes regarding the
Boundary between Burma (Tenas-
serim) and Siam. Bangkok, June
1st, 1934.**

No. 3563. --- EXCHANGE OF NOTES¹ BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF SIAM REGARDING THE BOUNDARY BETWEEN BURMA (TENASSERIM) AND SIAM. BANGKOK, JUNE 1ST, 1934.

English official text communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Exchange of Notes took place December 20th, 1934.

No. I.

MR. COULTAS TO PHYA ABHIBAL RAJAMAITRI.

BRITISH LEGATION.

BANGKOK, June 1st, 1934.

YOUR EXCELLENCY,

In accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform you that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of India have considered the report drawn up by the Commissioners appointed to examine the changes in the channel of the River Pakchan with reference to the boundary between Siam and Tenasserim in the Province of Burma, and are prepared to adopt the recommendations contained therein.

2. I have accordingly the honour to propose that, if the Siamese Government likewise approve the said recommendations, the description of the boundary, as laid down in the Convention² signed at Bangkok on the 8th September, 1868, be deemed to be modified in accordance with the recommendations set forth in the original memorandum and map³ attached hereto and signed by the respective Commissioners.

3. If the Siamese Government agree to this proposal, I would suggest that the present note and your Excellency's reply in similar terms, together with the original memorandum and map, be regarded as constituting an Agreement between His Majesty's Government in the United Kingdom and the Government of India on the one hand and the Siamese Government on the other, with effect from the date of the notes, the said Agreement to be regarded as supplementary to the above-mentioned Convention signed at Bangkok on the 8th September, 1868.

I avail, etc.

W. W. COULTAS,
Chargé d'Affaires.

¹ Came into force June 1st, 1934.

² *British and Foreign State Papers*, Vol. 59, page 1146.

³ Map not reproduced.

¹ TRADUCTION. — TRANSLATION.

N^o 3563. — ÉCHANGE DE NOTES ² ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS LE ROYAUME-UNI ET LE GOUVERNEMENT DE L'INDE, D'UNE PART, ET LE GOUVERNEMENT DU SIAM, D'AUTRE PART, RELATIF A LA FRONTIÈRE ENTRE LA BIRMANIE (TENASSERIM) ET LE SIAM. BANGKOK, LE 1^{er} JUIN 1934.

Texte officiel anglais communiqué par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de cet échange de notes a eu lieu le 20 décembre 1934.

N^o 1.

M. COULTAS A PHYA ABHIBAL RAJAMAITRI.

LÉGATION BRITANNIQUE.

BANGKOK, le 1^{er} juin 1934.

EXCELLENCE,

J'ai l'honneur, d'ordre du principal secrétaire d'Etat de Sa Majesté aux Affaires étrangères, de porter à votre connaissance que le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, et le Gouvernement de l'Inde, ont étudié le rapport des commissaires chargés d'examiner les modifications survenues dans le chenal du fleuve Pakchan au sujet de la frontière entre le Siam et le Tenasserim dans la province de Birmanie, et que lesdits gouvernements sont disposés à accepter les recommandations contenues dans ce rapport.

2. En conséquence, j'ai l'honneur de vous proposer que, si le Gouvernement siamois approuve également lesdites recommandations, la description de la frontière, telle qu'elle a été établie dans la Convention signée à Bangkok le 8 septembre 1868, soit considérée comme modifiée conformément aux recommandations énoncées dans le mémorandum original et la carte³ ci-joints, et signées par les commissaires respectifs.

3. Si le Gouvernement siamois accepte cette proposition, je me permettrai de suggérer que la présente note ainsi que la réponse de Votre Excellence conçue dans les mêmes termes, ainsi que le mémorandum original et la carte, soient considérés comme constituant un accord entre le Gouvernement de Sa Majesté dans le Royaume-Uni et le Gouvernement de l'Inde, d'une part, et le Gouvernement siamois, d'autre part, ledit accord prenant effet à partir de la date desdites notes, et comme complétant la Convention susmentionnée, signée à Bangkok le 8 septembre 1868.

Je saisis cette occasion, etc.

W. W. COULTAS,
Chargé d'Affaires.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² Entré en vigueur le 1^{er} juin 1934.

³ Carte non reproduite.

No. 2.

PHYA ABHIBAL RAJAMAITRI TO MR. COULTAS.

MINISTRY OF FOREIGN AFFAIRS.

SARANROMYA PALACE, *June 1st, 1934.*

M. LE CHARGÉ D'AFFAIRES,

I have the honour to acknowledge the receipt of your note of to-day's date informing me that His Britannic Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of India are prepared to adopt the recommendations contained in the report drawn up by the Commissioners appointed to examine the changes in the channel of the River Pakchan in relation to the boundary between Siam and Tenasserim in the Province of Burma.

In reply, I have the honour to inform you that, on their part, His Majesty's Government approve the recommendations contained in the report above referred to, and are in agreement with the proposal set forth in your note under reply that the description of the boundary as laid down in the Convention signed at Bangkok on the 8th September, 1868, be deemed to be modified in accordance with the recommendations set forth in the original memorandum and map attached hereto and signed by the respective Commissioners. His Majesty's Government also agree to the suggestion that your note of to-day's date and my present note, together with the said original memorandum and map, be regarded as constituting an Agreement between His Britannic Majesty's Government in the United Kingdom and the Government of India on the one hand and His Majesty's Government on the other, with effect from the date of our notes, the said Agreement to be regarded as supplementary to the above-mentioned Convention of the 8th September, 1868.

I avail, etc.

Phya Abhibal RAJAMAITRI,
State Councillor for Foreign Affairs.

ENCLOSURE IN No. 2.

MEMORANDUM.

We, the undersigned, being the Commissioners appointed by the Siamese and British Governments to examine the changes in the channel of the River Pakchan with reference to the boundary between Siam and Tenasserim, beg to submit the following observations :

(1) The upper waters of the River Pakchan are very winding and frequently form peninsulas of land. Recently at four points the river has cut through the neck of certain peninsulas, leaving four areas of land lying between the old and the new channels of the river. Two of these areas, known as Klong Wan and Wang Tou, are Siamese territory, but lie on the British side of the river as it now is. The other two areas of land, known as Had Lan Kwai and See Sook, are British territory, but lie on the Siamese side of the river. These four areas of land are small in extent, and the revenues derived from them are negligible.

(2) We have examined both the old and the new channels of the river and found that the old channels are largely silted up, so that the four areas of land above referred to will in the near future form part of the mainland.

(3) The provisions of the Convention of 1868 defining the boundary between Siam and Tenasserim are not sufficiently precise to cover the present case, but the matter is one which requires rectification for administrative convenience.

We therefore recommend :

(1) That to clarify the present situation and to provide against any future changes in the course of the River Pakchan, the present new channel, which is the deep water channel, should be adopted as the boundary in this instance, and, further, that the deep water channel of the River Pakchan, wherever it may be, should always be accepted as the boundary. The recommendation with regard to the deep water channel should, however, refer only to that part of the River Pakchan which is liable to change its course, viz., from the British village of Marang northwards as far as the said river forms the boundary between Siam and Tenasserim in accordance with the Convention of 1868.

(2) That the areas of land called Klong Wan and Wang Tou, which are now Siamese territory, be declared British territory, and that the areas known as Had Lan Kwai and See Sook, which are now British territory, be declared Siamese territory.

In making these recommendations, we would point out that if the deep water channel of the river is accepted as the boundary, there will be no need to demarcate the frontier and erect and maintain any boundary posts. We would also observe that the territories involved in the above exchange do not appreciably differ in extent or value.

Done in duplicate at Tab Lee on the 10th January, 1933.

M. S. COLLIS,
Deputy Commissioner, Mergui.

Phya Amara Riddhi DHAMRONG,
Governor of Ranong.

Luang Siddhi SAYAMKAR,
*Assistant to Adviser in Foreign Affairs,
Ministry of Foreign Affairs.*