

INR/RFE - Mr. Fred Greene

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RSF/GE - Robert D. Hodgson

Boundary Between Laos and North Vietnam near the DMZ

As requested, we have prepared a study on the boundary alignment near the DMZ and the basis for North Vietnamese claims. In view of the available data, we conclude that there is no basis for these claims. The boundary alignment shown on the attached 1:50,000 maps is substantiated by a) official Indochinese decrees, b) official French maps of the pre-Geneva period, c) map annexes to the Geneva agreement and d) statements of the Lao and South Vietnamese authorities.

These data were furnished independently to MACV through DIAMC (Mapping and Charting) on January 4, 1967.

Attachments:

1. Copy of Paper.
2. & 3. Maps.

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THE LAOS-DRV BOUNDARY NEAR THE DMZ

The question of disputed territories along the Laos North Viet-Nam boundary can not be discussed with absolute certainty. As is obvious from the International Boundary Study (IBS) No. 35 (Revised), only about one-third of the boundary can be traced to official decrees or treaties of the French period. Pre-French data, furthermore, are so vague as to be of no value. The French Government has stated that the 1:100,000 Carte de l'Indochine was an accurate depiction of their interpretation of the boundary. This map series and the decree cited in IBS-35 have formed the bases for the Department of State-Army Map Service interpretation as printed on the Laos and Vietnam 1:50,000 map series.

The decree of the Governor-General delimiting the current Lao-Vietnamese boundary in the vicinity of the Demilitarized Zone states:

... from the top of the Keo-Nua Pass ... the boundary runs SSE along the watershed line, across the Tram-Nua peak and the Nu-Gia pass to mountain top 1221 ... at 18°50 latitude and 115°78E. longitude.

"The border ... from elevation 1221 ... runs N-S along the 115.78 meridian to its meeting with bench mark 1020m62 at Dong-Ta-Buc. From this peak it runs straight to the Lao-Bao Post, in Annam, leaving to Laos North Lang P'atlat and to Annam South Lang P'atlat; from Lao-Bao the border cuts across the bend in the Se-Tchapone, leaving in Laos the village of Ban-Thuong and the land around it.

No large-scale Lao maps exist which are not based upon the 1:100,000 series cited above or on the AMS 1:50,000 series. Conversations with M. Voravong of the Lao mapping agency have revealed that Laos accepts the 1:100,000 series since there is no other evidence available.

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No medium- or large-scale, North Vietnamese (DRV) maps have been seen in the Department of State to serve as a basis for determining DRV territorial claims. However, a small, map entitled Ban Do Viet-Nam has been obtained. In addition, certain diplomatic correspondence on the frontier has been exchanged by Laos and the DRV. The latter's note (January 1959) stated:

"Along the Vietnamese-Laotian border, Royal Laotian forces have intensified their intrusions ... inside Vietnamese territory, especially in the Huong Lap area. In particular, in the course of December 1958, a reinforcement of effectives and troop movements were noted on the Royal Laotian side, new posts were set up in the vicinity of our Huong Lap village, and Laotian reconnaissance patrols crossed the border into Vietnamese territory.

...
"Concerning the village of Huong Lap, I should inform you that it actually belongs to the territory of DRV. The DRV is now in possession of necessary materials and evidence to prove this openly. Huong Lap village, which comprises 27 hamlets such as Co Bay, Ta Rua, and Trevigne, belongs to Huong Hoa district, in Quang Tri Province.

"Its administrative history, covering various dynasties from the Le dynasty 1428-1789 to the Nguyen dynasty, the period of French occupation, and finally the present period under the regime of the DRV, testifies that Huong Lap has uninterruptedly been part of Vietnamese territory. Before 1945, this village was designated as Co Bay canton and belonged to Huong Hoa district of Quang Tri Province. After the people's democratic power was set up, the administrative committee of Quang Tri Province changed its name to Huong Lap village, and made it an administrative division of Huong Hoa district.

"Numerous proofs in our possession such as mandarins' titles, seals, receipts of head taxes, tax and forced labor payment cards, and other administrative materials of Quang Tri Province and Huong Hoa district fully demonstrate that this region has at all times belonged to Vietnam's territorial patrimony..."

All of the identified villages cited in this note (and others of a similar vein) have been underlined in red on the attached block of 1:50,000

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sheets. Verification of names is based on the older 1:100,000 sheets and other medium-scale French maps. It should be noted, however, that not all villages could be located.

The Lao Government refuted the North Vietnamese claim with citations to old treaties and to the Indochinese decree of March 21, 1914 which delimits definitely the boundary in this region (See the text above).

In discussing this delimited boundary, Laos stated:

"e) The most recent proof that this line has an undeniable value is furnished by a reference to the Lao-Vietnam border that was made in the International Agreement signed at Geneva in 1954. The Appendix to the Agreement on the Cessation of Hostilities in Viet-Nam (secret document IC/42 Appendix, July 20, 1954) sets forth a demilitarized zone and stipulates:

'1. Establishment of the provisional line of military demarcation and of the demilitarized zone (subject of Article 1 of the Agreement reference map of Indochina 1:100,000) - (a) - the provisional line of military demarcation of the demilitarized zone is divided as follows from east to west: the south of the Song Ben Hat (River of Cua Tung) and the course of that river (which in the mountains assumes the name of Lac Thanh) up to the village of Bo-Ho-Su. Then the parallel of Bo-Ho-Su up to the Lao-Vietnam border.'

"Thus there is no doubt; for all participants at the Geneva Conference the reference made was that of 1:100,000 for Tchepone-East established by the Geographic Institute and in the latter the Lao-Viet Nam border is shown to the north and to the east of the villages which are today occupied. This is a fact. H.E. Pham Van Dong, signatory for the DRV Government to the Geneva Agreements thus admitted in 1954, through the first official international act in which the DRVN participated, the border as shown on that map and did so without any reservation."

The basis for the DRV claim appears to stem from a vague action taken by the French in the 1920's. After the 1914 decree was promulgated, French topographic surveyers found that Vietnamese (Annamite) farmers had passed west of the delimited boundary and were settling in the lowland

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area of Laos. The French decreed that these settlers could take up land and remain in a triangular area with an apex situated 25 kilometers west of the midpoint of grad line 115g78.5. There seems to be no question of a territorial transfer from Laos to Viet-Nam (Annam.) Rather the edict granted permission for Annamese settlers to remain in Laos. This triangle has been constructed on the annexed 1:50,000s. All but one of the DRV cited villages fall within the triangular area. The exception (Trevigne-Ban Raving, grid block XD 4878) can not be explained unless the DRV has attempted to increase the areal extent adjacent to its territory.

The Lao Government rejects this claim and the South Vietnamese Government has not supported the DRV position. As a result, the United States has agreed that the Laos - Viet-Nam boundary in this region has been determined by the French decree of 1914 and substantiated, in part, by the 1:100,000 map annexes of the 1954 Geneva agreements. Consequently, no official recognition has been taken on official American maps of the DRV.

Elsewhere along the boundary with Laos, the DRV has made no official claim for territory to our knowledge. The cited map, Ban Do Viet-Nam, shows certain differences in alignment (see attached Lao map reproduction). Most of these are considered to derive from the generalizing of the old and very inaccurate French 1:400,000 and smaller-scale maps. The tripoint among Laos, Viet-Nam and Cambodia is an excellent example. The representation on the DRV map was standard on all French, pre-war, small-scale maps. The location of the water divide, however, was shown to be markedly different when air photography was utilized in the 1:100,000 revision

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program. Since that time, Cambodia, Laos and Viet-Nam have all accepted the revised map representation of the water divide line. No one has claimed a loss or gain of territory; rather they see it as a more accurate depiction of the underlying geographic features which determine the boundary position.

In view of the lack of official claims and of large or medium scale maps to the contrary, we have concluded that probably no boundary disputes currently exist north of the DMZ. The chance always is present that claims may be made in the future either for political convenience or for valid reasons. At the moment, the Laos-DRV boundary should be considered to be delimited in part and generally accepted. The one DRV claim west of the DMZ need not be considered valid.

The basis for much of the boundary, however, is vague and is subject to review in the future. The United States Government should not commit itself to recognizing the specific location of the border in the undelimited area, i.e. north of the Keo-Nua pass although intent of the 1:100,000 series should be followed on U.S. official maps until such times as they may be proven incorrect.

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