

The Sino-Indian Border Dispute



Figure 1. A signboard in Arunachal Pradesh, November 11, 2009.

Source: Adnan Abidi, Reuters, <https://www.reuters.com/article/us-china-india-security-idUSKCN11012S>

EXECUTIVE SUMMARY

India and China share the longest disputed border in the world. Though it seems neither India nor China intends to spark a confrontation, each side perceives the activities of the other as threatening. As no third party enforces the de facto border, each side has incentives to renege. One side, therefore, responds to perceived border breaches by strengthening border security, leading the other to respond in kind. This brief is addressed to the United Nations Security Council (UNSC). Commitment problems occur when settlements preferable to war are unattainable. Pursuant to article 36 of the UN Charter, the recommendation is that the UNSC initiate a mediation process to facilitate an internationally recognized border settlement between India and China.



Figure 2. Map of the border region.

Source: South China Morning Post Graphics, <https://www.scmp.com/news/china/diplomacy/article/3094884/china-india-border-dispute-its-origins-and-impact>



Figure 3. Timeline of flashpoints.

CONFLICT ANALYSIS AND POLICY PROBLEM

Along the Himalayan frontier, approximately 120,000 km² of territory are disputed between India and China (SCMP Reporters, 2020). The dispute dates back to 1904 when the Anglo-Tibetan treaty left the Aksai Chin region under British control. However, the Qing Empire (of which Tibet was part) rejected the treaty (Scott, 2008a). During the 1914 Simla Convention, representatives of British India and Tibet agreed on a de facto eastern border known as the McMahon Line (Goldman, 2020). Beijing never recognised the line, while India adopted the boundary as the effective India-China border (SCMP Reporters, 2020).

The territorial issue grew in the late 1950s as both powers began to install troops around the McMahon Line, culminating in a four-week war in 1962 (Scott, 2008a). The Sino-Indian War resulted in thousands of Indian deaths and Chinese control over Aksai Chin, a strategic corridor near Kashmir linking Tibet and Western China (Haddad and Khalid, 2020; SCMP Reporters, 2020). China's victory led to the emergence of a temporary truce, along with the formation of the de facto boundary: the Line of Actual Control (LAC).

Neither side fully agreed on the demarcation of the LAC, leading to multiple border melees sparked by each side accusing the other of breaches. Currently, China claims 90,000 km² of India's Arunachal Pradesh State (Haddad and Khalid, 2020). India, meanwhile, claims 38,000 km² of land under Chinese control, including the Aksai Chin plateau (ibid).

Commitment problems occur when settlements preferable to war are unattainable. Without a third party to enforce an agreement, each side has incentives to renege (Fearon, 1995). Thus, a lack of trust arises because neither side can credibly commit (ibid). States must then protect themselves by undertaking internal balancing: increasing military strength to respond to potential threats from a hegemon (Waltz, 1979). States may also undertake external balancing: accumulating power through alliances (ibid). Though it seems neither India nor China intends to directly attack the other or spark a war, the dispute about the demarcation of the LAC leads to each side perceiving the activities of the other as threatening, therefore responding to military build-up by bolstering military build-up of their own (Garver, 2002). Thus, the border dispute is an instance of balancing stemming from commitment problems.

The latest border skirmish, for instance, occurred on the Sikkim border in May 2020 after India accused PLA soldiers of advancing beyond the LAC and China accused India of building defensive structures in the Ladakh region (Myers and Yasir, 2020). These developments led to a confrontation on 15 June 2020, the deadliest clash in decades, occurring in the Galwan Valley between Indian-controlled Ladakh and Chinese-controlled Aksai Chin (SCMP Reporters, 2020). At least 20 Indian soldiers died and 76 were wounded in hand-to-hand combat (Haddad and Khalid, 2020). Chinese casualties are unknown (Myers and Yasir, 2020).

Following the June confrontation, Sino-Indian officials engaged in crisis talks (SCMP Reporters, 2020). According to a joint five-point press statement, both states

acknowledged that they would “continue their dialogue, quickly disengage, maintain proper distance and ease tensions” (Joint Press Statement, 2020). Yet the agreement lacks concrete disengagement action, exacerbating commitment problems (Kim and Singh, 2020). The two countries remain engaged in a stand-off along the LAC as the latest round of talks in April 2021 ended without a joint statement (Zhang, 2021).

Confidence-building measures have been implemented, yet commitment problems are aggravated by the construction of provocative facilities and new transportation links that facilitate swift mobilisation (Holslag, 2009). For example, India perceives China’s transportation projects in Tibet as strategic corridors that allow the PLA to rapidly deploy along the border with northeast India (Holslag, 2009). India deployed 100 cruise missiles and 5 launchers in the bordering state of Arunachal Pradesh, which China views as exceeding India’s needs for self-defence (Topychkanov, 2020). By internal balancing on one side of the LAC leads to balancing on the other as neither side can be trusted not to breach the border and spark a potential conflict.

External balancing, meanwhile, is demonstrated by Chinese partnership with Pakistan, symbolised by the Karakorum highway and joint military exercises (Scott, 2008b) and military cooperation between the US and India, such as the Basic Exchange and Cooperation Agreement following the June 2020 confrontation on the LAC (Singh, 2020).

POLICY OPTIONS

1. Mediation

As Sino-Indian border talks progress slowly and joint statements from previous talks lack concrete action, one policy option is for the UNSC to deploy a Special Envoy, along with the UN Department of Political and Peacebuilding Affairs (UNDPPA)’s Standby Team of Senior Mediation Experts to initiate and support a mediation process. Mediators are beneficial because they help identify zones of possible agreement and resolution options (Poitras, 2009). They can do so, for instance, by influencing the conflict parties’ resources or offering rewards for a peaceful settlement to

provide the necessary leverage for mediation to be effective (Stedman, 1996 in Wallensteen and Svensson, 2014).

International mediation becomes counterproductive when mediators pressure or threaten the parties, as this erodes trust (Nathan, 1999 in Wallensteen and Svensson, 2014). Aggressive or forcing strategies should therefore be avoided.

2. Peacekeeping

Territorial disputes have been associated with a number of peacekeeping operations (Morphet, 1996). For example, peacekeepers are monitoring a similarly uneasy peace in the Sudan-South Sudan territorial since 2011 (UN Peacekeeping, 2019). Currently, commitment problems are rife in part because there is no mechanism for maintaining peace on the LAC. Thus, another policy option is the deployment of peacekeepers to monitor the disputed Sino-Indian border. This would facilitate bilateral border talks, as peacekeepers can foster a more secure environment until agreements are reached, acting essentially as an external commitment mechanism to reduce the possibility of further conflict.

The bulk of quantitative studies find that peacekeeping has a robust, statistically significant effect on the duration of peace after civil wars (Fortna and Howard, 2008). There is evidence that peacekeeping is similarly effective in interstate wars (Heldt, 2001 in Fortna and Howard, 2008; Fortna, 2004). The risk is that conflict may resume as soon as peacekeepers leave, though the scholarly consensus is that peace is more likely to last when peacekeepers are deployed compared to when states are left on their own (Fortna and Howard, 2008).

3. Sanctions

The final policy option is for the UNSC to impose economic and trade sanctions on India and China to reduce conflict and induce an agreement by weakening their respective military capabilities. A core assumption is that damage inflicted on citizens of target states will cause them to pressure their governments into



Figure 4. Soldiers at the Sino-Indian border in the Himalayas, July 2006.

Source: Gurinder Osan / AP, <https://www.foreignaffairs.com/articles/india/2019-08-12/india-dividend>

making the demanded changes (Mack and Khan, 2000). However, this assumption breaks down when applied to authoritarian states such as China, as citizens have little power to influence policy (ibid). Moreover, scholarship demonstrates that economic sanctions have little independent usefulness for the pursuit of non-economic goals (Pape, 1998).

An alternative is for the UNSC to impose a more targeted arms embargo as opposed to holistic economic sanctions. The upshots are lower human costs and the relative ease of lasting sustenance (Mack and Khan, 2000). This could prove successful as three of the five permanent members (the US, France and Russia) were among the top arms exporters in 2020 (Wezeman et al., 2021). However, sanctions are most effective when applied as part of a comprehensive political strategy rather than in isolation (“Sanctions”, nd).

POLICY RECOMMENDATION: MEDIATION

Article 36 stipulates that, at any stage of a dispute that endangers the maintenance of international peace and security, the UNSC can recommend appropriate procedures of dispute

settlement, including mediation, to disputing parties (United Nations, 1945). An open military conflict between India and China would be catastrophic for global security, particularly because both hold nuclear arsenals.

Pursuant to article 36, the recommended policy for the UNSC is, therefore, to initiate a mediation process between India and China to reach an agreement on the demarcation of the disputed border, specifically by deploying a Special Envoy supported by the UNDP's Standby Team of Senior Mediation Advisers.

Studies of international mediation demonstrate that the probability of an agreement being concluded is six times more likely when third-party intermediaries are present (Duursma, 2014). Mediation enhances the likelihood of an agreement by offering a framework for information flow among disputants (Bercovitch and Langley, 1993). Improving the flow of information through mediation can therefore reduce uncertainty about each party's reservation points, where fighting is preferred over a negotiated settlement (Savun, 2008).

Further study shows that mediation by international organizations such as the UN is

positively correlated with success. For example, in a qualitative study involving Cambodia and Haiti, Nguyen (2002) found that mediation outcomes were successful when regional actors collaborated with the UN, due to the legitimacy and support for resulting agreements.

To implement the policy, the UNSC should select a competent envoy to act as the main mediator. States in conflict will submit their conflict to mediation only when they believe that the mediator can act fairly and understand disputants' interests (Bercovitch, 2011). The mediator should be considered objective, impartial and authoritative (MSU, 2012). For example, a good candidate is the Special Envoy for Syria, Gier O. Pedersen of Norway. Two deputies may be appointed with sensitivity for both India and China. An example in the Syria case is Pederson's counterpart, Deputy Envoy Khawla Mohammed Ali Matar of Bahrain.

The mediators should be supported by the Secretary-General's High-Level Advisory Board on Mediation and the UNDPPA Team of Senior Mediation experts, particularly Security Arrangements Specialist Juanita Millan Hernandez and other process design specialists. The team should develop strategies for different phases of the mediation process based on comprehensive conflict analysis and stakeholder mapping, including the examination of previous mediation initiatives (MSU, 2012); as well as provide training to Chinese and Indian state representatives on mediation procedures if necessary. Sufficient resources, both financial and technical, should be planned by the UNDPPA to ensure medium- to long-term engagement.

An option for territorial division that may be mediated is for China to retain Aksai Chin and for India to retain Arunachel Pradesh. Yet the disputed Tawang pocket in Arunachel Pradesh and its connection to Tibet complicates such a clean agreement (Scott, 2008a).

The risk of the policy is that the team fails to mediate an agreement that neither party has an incentive to breach. Further, trust occurs when the mediators can demonstrate "a degree of mastery over the process, explanation of the process, warmth and consideration, chemistry with the parties, and lack of bias toward either

party" (Poitras, 2009: 1). The absence of any of these attributes may lead to a failed mediation. Relatedly, unbiased mediators may be less credible than biased ones, as unbiased mediators have incentives to portray the counterpart as peaceful, irrespective of it being true (Kydd, 2003).

Another risk to mediation comes from spoilers: parties who believe that peace threatens their interests and use violence to undermine the process (Zahar, 2010). Though there are no non-state groups that threaten peace processes, it is possible that spoilers exist in both the Indian and Chinese governments who influence troop movements at the border to create potential confrontations.

Ultimately, however, the main challenge to implementation is the acceptance of mediation by the disputing parties and their commitment to reaching an agreement. To create an environment conducive to mediation, the UNSC President should work to ensure UNSC member states demonstrate support for the mediation effort.

POLICY EVALUATION

The policy should be assessed in regular intervals to ensure continued progress. The first step is for the mediation team to "talk about talks", i.e. define the procedure for mediation. The mediation team must also consider and clearly define the desired outcomes of mediation for India and China. From this perspective, the policy can be considered successful when:

- (1) The parties express satisfaction with the process or outcomes of mediated meetings (Bercovitch, 2011).
- (2) There is demonstrable progress in converging on shared goals.
- (3) The outcome is seen as fair, efficient and/or effective (Bercovitch, 2011).

These three criteria can be measured by inference, for example through public announcements or joint statements with concrete next steps; or by requesting feedback from the parties directly.

Four success criteria are also proposed based on the goal of ending the border dispute. From this

perspective, the mediation policy is successful if:

- (4) No further skirmishes break out on the LAC during the mediation process, measured by the number of casualties (both deaths and wounded) suffered on both sides.
- (5) Both states reduce military capacity on both sides of the LAC, measured by the number of troops, weapons or military facilities in use.
- (6) Mediation leads to the establishment of a formal border negotiation process, measured by the drafting of an agreement with clearly defined negotiation procedures and assigned representatives on both sides.
- (7) Mediation leads to the settlement by India and China on a new, internationally recognised demarcation of the border, measured by a signed bilateral agreement.

While criteria (4) and (5) may be assessed at regular intervals, for example on a monthly basis, criteria (6) and (7) would be assessed on the date at which the potential agreements are entered into force.

If mediation itself would harm progress and aggravate border confrontations, the exit strategy should be to follow policy recommendation #2 and deploy peacekeepers. This would temporarily foster a more secure environment in the border region until the next steps can be evaluated.

CONCLUSION

Since the 1950s, neither side has fully agreed on the demarcation of the LAC, leading to multiple border confrontations. The issue is an instance of balancing stemming from commitment problems, whereby neither side can credibly commit not to breach the border. This leads to bolstering military build-up on both sides of the LAC, fuelling further escalation of crises and derailing bilateral talks.

Pursuant to article 36, the recommended policy for the UNSC is, therefore, to initiate a mediation process between India and China to reach an agreement on the demarcation of the disputed border, specifically by deploying a Special Envoy supported by the UNDPPA's

Standby Team of Senior Mediation Advisers and the Secretary-General's High-Level Advisory Board on Mediation. Ultimately, if no further skirmishes break out on the LAC during the mediation process and mediation leads to the settlement by India and China on a new, internationally recognised demarcation of the border, the policy can be considered successful.

REFERENCES

Bercovitch, J. (2011) 'Introduction: putting mediation in context', in *Theory and Practice of International Mediation*. Available at: <https://www.taylorfrancis.com/chapters/mono/10.4324/9780203831120-8/introduction-putting-mediation-context-jacob-bercovitch> (Accessed: 25 May 2021).

Bercovitch, J. and Langley, J. (1993) 'The Nature of the Dispute and the Effectiveness of International Mediation', *Journal of Conflict Resolution*, 37(4), pp. 670–691. doi: 10.1177/0022002793037004005.

Duursma, A. (2014) 'A current literature review of international mediation', *International Journal of Conflict Management*, 25(1), pp. 81–98. doi: 10.1108/IJCM-02-2012-0020.

Fearon, J. D. (1995) 'Rationalist explanations for war', *International Organization*, 49(3), pp. 379–414. doi: 10.1017/S0020818300033324.

Fortna, V. P. (2004) 'Does Peacekeeping Keep Peace? International Intervention and the Duration of Peace After Civil War', *International Studies Quarterly*, 48(2), pp. 269–292. doi: 10.1111/j.0020-8833.2004.00301.x.

Fortna, V. P. and Howard, L. M. (2008) 'Pitfalls and Prospects in the Peacekeeping Literature', *Annual Review of Political Science*, 11(1), pp. 283–301. doi: 10.1146/annurev.polisci.9.041205.103022.

Garver, J. W. (2002) 'The security dilemma in Sino-Indian relations', *India Review*, 1(4), pp. 1–38. doi: 10.1080/14736480208404640.

Goldman, R. (2020) 'India-China Border Dispute: A Conflict Explained', *The New York Times*, 17 June. Available at: <https://www.nytimes.com/2020/06/17/world/as>

ia/india-china-border-clashes.html (Accessed: 24 May 2021).

Haddad, M. and Khalid, S. (2020) Mapping India and China's disputed borders, Al Jazeera. Available at: <https://interactive.aljazeera.com/aje/2020/mapping-india-and-china-disputed-borders/index.html> (Accessed: 24 May 2021).

Holslag, J. (2009) 'The Persistent Military Security Dilemma between China and India', *Journal of Strategic Studies*, 32(6), pp. 811–840. doi: 10.1080/01402390903189592.

Joint Press Statement - Meeting of External Affairs Minister and the Foreign Minister of China (September 10, 2020) (2020) Ministry of External Affairs Government of India. Available at: <https://www.mea.gov.in/bilateral-documents.htm?dtl/32961/Joint+Press+Statement++Meeting+of+External+Affairs+Minister+and+the+Foreign+Minister+of+China+September+10+2020> (Accessed: 24 May 2021).

Kim, Patricia. M. and Singh, V. J. (2020) Prospects for Crisis Management on the China-India Border, United States Institute of Peace. Available at: <https://www.usip.org/publications/2020/09/prospects-crisis-management-china-india-border> (Accessed: 24 May 2021).

Kydd, A. (2003) 'Which Side Are You On? Bias, Credibility, and Mediation', *American Journal of Political Science*, 47(4), pp. 597–611. doi: <https://doi.org/10.1111/1540-5907.00042>.

Mack, A. and Khan, A. (2000) 'The Efficacy of UN Sanctions', *Security Dialogue*, 31(3), pp. 279–292. doi: 10.1177/0967010600031003003.

Morphet, S. (1996) 'Peacekeeping and the settlement of territorial disputes: Their inter-relationship 1945–1995', *Geopolitics and International Boundaries*, 1(1), pp. 1–14. doi: 10.1080/13629379608407556.

MSU. (2012) United Nations Guidance for Effective Mediation. United Nations Department of Political Affairs. Available at: <https://peacemaker.un.org/sites/peacemaker.un>

.org/files/GuidanceEffectiveMediation_UNDP A2012%28english%29_0.pdf.

Myers, S. L. and Yasir, S. (2020) 'China and India Pledge to Ease Tensions After Border Clashes', *The New York Times*, 11 September. Available at: <https://www.nytimes.com/2020/09/11/world/asia/china-india-border-clashes.html> (Accessed: 24 May 2021).

Nguyen, T. H. Y. (2002) 'Beyond Good Offices? The Role of Regional Organizations in Conflict Resolution', *Journal of International Affairs*, 55(2), pp. 463–484.

Pape, R. A. (1998) 'Why Economic Sanctions Still Do Not Work', *International Security*, 23(1), pp. 66–77. doi: 10.2307/2539263.

Poitras, J. (2009) 'What Makes Parties Trust Mediators', *Negotiation Journal*, pp. 307–325.

Sanctions (nd) United Nations Security Council. Available at: <https://www.un.org/securitycouncil/sanctions/information> (Accessed: 25 May 2021).

Savun, B. (2008) 'Mediator types and the effectiveness of information provision strategies in the resolution of international conflict', in *International Conflict Mediation*. 1st ed. Routledge, pp. 114–132. doi: 10.4324/9780203885130-14.

SCMP Reporters (2020) The China-India border dispute: its origins and impact, *South China Morning Post*. Available at: <https://www.scmp.com/news/china/diplomacy/article/3094884/china-india-border-dispute-its-origins-and-impact> (Accessed: 20 May 2021).

Scott, D. (2008a) 'Sino-Indian Security Predicaments for the Twenty-First Century', *Asian Security*, 4(3), pp. 244–270. doi: 10.1080/14799850802306468.

Scott, D. (2008b) 'The Great Power "Great Game" between India and China: "The Logic of Geography"', *Geopolitics*, 13(1), pp. 1–26. doi: 10.1080/14650040701783243.

Singh, V. J. (2020) Spurred by China Rivalry, U.S., India Deepen Strategic Ties, United States Institute of Peace. Available at:

<https://www.usip.org/publications/2020/12/spurred-china-rivalry-us-india-deepen-strategies> (Accessed: 25 May 2021).

Topychkanov, P. (2020) 'New trends and developments in border tensions between China and India | SIPRI', sipri, 29 June. Available at: <https://www.sipri.org/commentary/blog/2020/new-trends-and-developments-border-tensions-between-china-and-india> (Accessed: 25 May 2021).

'Unique opportunity' to resolve border dispute between Sudan, South Sudan (2019) United Nations Peacekeeping. Available at: <https://peacekeeping.un.org/en/un-news/unique-opportunity-to-resolve-border-dispute-between-sudan-south-sudan> (Accessed: 25 May 2021).

United Nations (1945) Charter of the United Nations and Statute of the International Court of Justice. Available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>.

Wallensteen, P. and Svensson, I. (2014) 'Talking peace: International mediation in armed conflicts', *Journal of Peace Research*, 51(2), pp. 315–327. doi: 10.1177/0022343313512223.

Waltz, K. N. (1979) *Theory of international politics*. 1st ed. Boston, Mass: McGraw-Hill.

Wezeman, P. D., Kuimova, A. and Wezeman, S. T. (2021) Trends in International Arms Transfers, 2020. SIPRI Fact Sheet. SIPRI. Available at: https://www.sipri.org/sites/default/files/2021-03/fs_2103_at_2020_v2.pdf.

Zahar, M.-J. (2010) 'SRSB Mediation in Civil Wars: Revisiting the "Spoiler" Debate', *Global Governance: A Review of Multilateralism and International Organizations*, 16(2), pp. 265–280. doi: 10.1163/19426720-01602006.

Zhang, R. (2021) China-India border talks fail to ease tensions, *South China Morning Post*. Available at: <https://www.scmp.com/news/asia/diplomacy/article/3129241/china-india-border-dispute-latest-round-talks-fails-ease> (Accessed: 25 May 2021).