



International Boundary Study

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China – Hong Kong Boundary

(Country Codes: CH-HK)

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INTERNATIONAL BOUNDARY STUDY

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CHINA - HONG KONG BOUNDARY

I. BOUNDARY BRIEF

The China - Hong Kong boundary is well defined in state documents, but it is not completely demarcated on land and there is uncertainty about the force of its over-water portions.

The total length of the land and water boundary of Hong Kong is 154.6 miles with the following approximate lengths for the individual segments:¹

mainland	18.2	statute miles	
coastline	57.6	"	"
Mirs Bay	34.1		
Lan Tao	8.3		
Hau Hoi Wan	15.2		
water	<u>78.8</u>	"	"
	154.6	"	"

II. BACKGROUND

The British Crown Colony of Hong Kong consists of the island of Hong Kong and a small portion of the adjacent mainland in addition to 198 adjacent islands and islets. The land area measures approximately 391 square miles while British waters add another 738 square miles to the total.

No boundary problem as such exists between China and the British Crown Colony of Hong Kong. The Chinese Communists (like the Government of the Republic of China at an earlier period) have made known their view that Hong Kong was unjustly alienated from China and should eventually return to Chinese jurisdiction. The present boundary was established basically in 1898 when the New Territories were leased from China for a period of 99 years. Although there is currently no known dispute over the alignment of the land boundary, there has been friction over the interpretation of the extent of territorial waters.

Since early 1958, occasional incidents have occurred over attempts by the Chinese Communists to extend the offshore limits of territorial waters from the 3 miles recognized by the British to 12 miles and also over the use of certain fishing grounds by residents of Hong Kong. For the most part, the incidents have been of minor importance and they have been played down by the United Kingdom Government. A strenuous pressing for a 12-mile territorial sea, however, could seriously restrict shipping corridors, air approaches, and fishing grounds in the Hong Kong area.

¹ Measured in the Office of the Geographer from the GSGS Hong Kong 1:100,000 2-sheet map.

III. TREATIES

Of the treaties listed below, only the 1898 and 1899 agreements affect the modern boundary between Hong Kong and China. The treaties of 1842 and 1860 provide the legal basis for Britain's claims to sovereignty in perpetuity over certain areas of the colony.

- A. Treaty between Great Britain and China** - signed at Nanking, August 29, 1842. Ratifications exchanged at Hong Kong, June 26, 1843.

According to Article III of the Nanking Treaty, "...the Island of Hong Kong, to be possessed in perpetuity..." was ceded by China to Great Britain. The declaration of June 26, 1843, creating the colony of Hong Kong, however, mentions the island of Hong Kong and its dependencies. According to early maps, the "dependencies" included a limited number of small islands located very close to the main island of Hong Kong.

- B. Convention of Friendship between Great Britain and China** - signed at Pekin(g), October 24, 1860

Article VI of the Convention states:

"With a view to the maintenance of law and order in and about the harbour of Hong Kong, His Imperial Majesty the Emperor of China agrees to cede to Her Majesty the Queen of Great Britain and Ireland..., to have and to hold as a dependency of Her Britannic Majesty's colony of Hong Kong, that portion of the township of Cowloon, in the province of Kwang-tung, of which a lease was granted in perpetuity to Harry Smith Parkes,...on behalf of Her Britannic Majesty's Government..."

"It is further declared that the lease in question is hereby cancelled;..."

Approximately 3.5 square miles of territory were added to the Colony's original 32 square miles by this convention in the form of Stonecutters Island and the Kowloon Peninsula south of present-day Boundary Street.

- C. Convention between Great Britain and China, respecting an Extension of Hong Kong Territory** - signed at Peking, June 9, 1898. Ratifications exchanged London, August 6, 1898.

"...the limits of British territory shall be enlarged under lease to the extent indicated generally on the annexed map. The exact boundaries shall be hereafter fixed when proper surveys have been made by officials appointed by the two Governments. The term of this lease shall be ninety-nine years."

The New Territories include approximately 355 square miles of land surface on the mainland and the many islands enclosed by the 1898 boundaries. On the Convention map, the limits of the territories were shown as 113°52' E. on the west; 114°30' E. on the east;

22°09' N. on the south; and on the north a combination of the high water line along Hau Hoi Wan and Mirs Bay and a straight line across the peninsula at approximately its least width.

D. Boundary Determination of March 14, 1899

The final boundary was determined according to the provisions of the Convention of 1898 by Huang Tsun-hsin, the appointed representative of the Viceroy at Canton, and J. H. S. Lockhart, a Colonial Secretary and the Registrar-General of Hong Kong. After prolonged negotiations it was agreed that the "further", i.e., north, bank of the Sham Chun River from the Hau Hoi Wan to its source would form the principal part of the boundary. In the extreme east, the boundary was continued along the middle of the main street of Sha Tau Kok to Mirs Bay.²

IV. SUMMARY

The attached map Hong Kong and the New Territories is an accurate representation of the 1898 and 1899 boundaries between China and Hong Kong. In addition, the following British maps are recommended for large-scale compilation of the boundaries:

Hong-Kong and the New Territories, 1:80,000, GSGS 3961, Directorate of Military Surveys, London.

Hong Kong, 1:100,000 GSGS L 681, Directorate of Military Surveys, London.

While it is ordinarily recommended that international boundaries not be shown in the oceans, this boundary is to a degree an exception. The 1898 convention specifically delineates the water boundary and as a result, it has almost the same validity as the terrestrial frontier.

Furthermore, the boundary should be shown on official maps as an established and accepted boundary. In view of the fact that most of the "terrestrial" boundary follows a specific hydrographic feature, i.e., the "further bank", the boundary map is designated as demarcated.

² See Appendix I for text.

APPENDIX I

DELIMITATION OF NORTHERN FRONTIER OF NEW TERRITORIES

The Northern Boundary commences at the point of high water-mark in Mirs Bay where the meridian of 114°30' East cuts the land and follows that high water-mark to the point marked with a peg immediately to the West of the market town locally known as Tung Wo Hü and sometimes called Shat'aukok. It then proceeds straight inland for a short distance till it meets a narrow path between fields on the right and a tidal flat on the left. A peg was driven in to the East of the path, and it was agreed that the whole of the path is within British territory but may be used by the inhabitants of both countries. The line follows this path until it reaches a corner of the market town of Tung Wo Hü, where another peg was driven in, and then proceeds until it comes to the bed of a wide stream which is at present dry. It was agreed that the boundary should follow the center of this river bed. The land to the right of the river, that is, the land on the left bank being within Chinese territory; the land to the left of the river, that is, the land on the right bank being within British territory. This line along the middle of the river's bed continues until a road leading to the village Kang Hau is reached. A peg was driven in at the point where the boundary line leaves the river and follows this road. It was agreed that the whole of the road is within British territory but may be used by the inhabitants of both countries. This road leads up a steep ravine crossing and recrossing the stream. It was agreed that the waters of this stream whether within the British or the Chinese boundary should be available for the inhabitants of both countries. This road passes through a gap about 500 feet above sea level forming the dividing ridge between the Shat'aukok and Sham Chun valleys. The boundary was marked at this point with a peg. It was agreed that the road from this gap should be the boundary and is within British territory but may be used by the inhabitants of both countries. This road passes down the right-hand side of the ravine and has a stream on the left running to Kang Tó. At the foot of the ravine this road crosses a larger stream coming from the direction of Ng Tung Shán and recrosses it within a distance of 100 yards. This road passes Kang Tó village on the right and reaches the Sham Chun river at a distance of about a quarter of a mile below Kang Tó. It was agreed that up to this point this road is within British territory but may be used by the inhabitants of both countries. It was also agreed that the waters of the stream running from Ng Tung Shan referred to above shall be available for cultivators of land in both territories. A peg was driven in to mark the point where this road as a boundary ended. The boundary then follows the right or northern bank of the river generally known as the Sham Chun river down to Deep Bay, all the river and the land to the south being within British territory. The Western, Eastern, and Southern boundaries are as laid down in the Convention, the whole of the Island of Lantao being within British territory.

The waters of Mirs Bay and Deep Bay^{*} are included in the area leased to Great Britain.

Signed in the Council Chamber, Hong Kong, this 19th day of March, 1899.

^{*} Deep Bay – Hau Hoi Wan: 22 27N;113 55E

This International Boundary Study is one of a series of specific boundary papers prepared in the Office of the Geographer, Department of State, in accordance with provisions of Bureau of the Budget Circular No. A-16, Exhibit D.

Government agencies may obtain additional information and copies of the study by calling the Office of the Geographer, Room 8744, State Department Building, Department of State, Washington 25, D.C. (telephone: Code 182, Extension 4507).