

Why China's Legal Claims for Doklam Are Weak

1

China has cited the 1890 [Tibet-Sikkim Convention](#) between the [British and Qing Empires](#). But overlooks that the same document states that the boundary “shall be the crest of the mountain range separating the waters flowing into the Sikkim Teesta and its affluents from the waters flowing into the Thibetan Machu and northwards” or about four kilometres north of the stand-off’s location.

2

Beijing has ignored the fact that Bhutan was not party to the 1890 arrangement.

3

China has violated [written agreements](#) with Bhutan from 1988 and 1998 to “maintain status quo on the boundary as before March 1959,” and “refrain from taking unilateral action, or use of force, to change the status quo on the boundary.”

4

China has also violated an [agreement](#) with India from 2012 that “tri-junction boundary points between India, China and third countries will be finalized in consultation with the concerned countries.”

5

Indian forces have not crossed a settled international boundary, as has been widely reported. In fact, both sides in 2012 agreed only on the “[basis of alignment](#)” and China had also [previously indicated](#) that the boundary with Sikkim was not entirely settled.

6

China has ignored India’s longstanding defence arrangements with Bhutan, including the two countries’ [2007 treaty](#).