

中华人民共和国 边界事务条约集

(2004—2012年)

(下册)

中华人民共和国外交部
边界与海洋事务司 编

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中尼关于在西藏和尼泊尔 四对边贸点以外增加两对 边境贸易点的换文

尼泊尔国王陛下政府外交部秘书

马杜·拉曼·阿查里雅阁下

阁下：

我荣幸地收到阁下二〇〇三年十二月三日来照，内容如下：

“我谨代表尼泊尔国王陛下政府，并根据尼泊尔国王陛下政府和中华人民共和国政府于一九八一年十一月二十二日签署的《贸易与支付协定》第七条以及与此相关的往来照会之规定，建议如下：

为进一步发展两国贸易，尼泊尔国王陛下政府和中华人民共和国政府同意在现有协定确定的科达里—聂拉木、热索瓦—吉隆、雅黎—普兰、乌兰冲古拉—日屋之外，增加使用以下两对边境贸易点：

基马塘（尼泊尔）—日屋（中国）

聂冲（尼泊尔）—里兹（中国）

我谨提议，上述建议如蒙贵国政府接受，本照会和阁下的复照将构成两国政府间协议，并自复照之日起生效。”

我谨代表中华人民共和国政府确认同意上述照会内容,并于今日起生效。

顺致最崇高的敬意。

中华人民共和国驻尼泊尔王国
特命全权大使

A handwritten signature in black ink, consisting of stylized Chinese characters, likely the name of the ambassador.

二〇〇三年十二月三日于加德满都

(Translation)

Kathmandu, December 3, 2003

Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note dated December 3, 2003, which reads as follows:

"I have the honour to refer to Article VII of the Trade and Payments Agreement between His Majesty's Government of Nepal and the Government of the People's Republic of China of 22nd November 1981 as well as the Exchange of Notes relating thereto, and propose on behalf of His Majesty's Government of Nepal the following:

In order to further develop trade between the two countries, His Majesty's Government of Nepal and the Government of the People's Republic of China agree to utilize the following additional trading points along their frontier including the Kodari/Nielamu; Rasuwa/Jilong; Yari/Pulan; and Olangchunggola/Riwu trading points as provided for in the existing agreements:

Kimathanka(Nepal)-Riwu(China)

Nechung(Nepal)-Lizi(China)

I have further the honour to propose that if the foregoing proposals are acceptable to your Government, this Note and your Note in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of your reply."

On behalf of the Government of the People's Republic of China, I

hereby confirm the contents of the above-mentioned Note, and agree that it shall come into force from this day.

Please accept, Excellency, the assurances of my highest consideration.

Sun Heping (signed)
Ambassador Extraordinary and Plenipotentiary
of the People's Republic of China
to the Kingdom of Nepal

His Excellency Mr. Madhu Raman Acharya,
Secretary
Ministry of Foreign Affairs of
His Majesty's Government of Nepal



Foreign Secretary
His Majesty's Government
Kathmandu, Nepal

Kathmandu, December 3, 2003

Excellency,

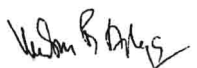
I have the honour to refer to Article VII of the Trade and Payments Agreement between His Majesty's Government of Nepal and the Government of the People's Republic of China of 22nd November 1981 as well as the Exchange of Notes relating thereto, and propose on behalf of His Majesty's Government of Nepal the following:

In order to further develop trade between the two countries, His Majesty's Government of Nepal and the Government of the People's Republic of China agree to utilize the following additional trading points along their frontier including the Kodari/Nielamu; Rasuwa/Jilong; Yari/Pulan; and Olangchunggola/Riwu trading points as provided for in the existing agreements:

Kimathanka (Nepal)-Riwu (China)
Nechung (Nepal)-Lizi (China)

I have further the honour to propose that if the foregoing proposals are acceptable to your Government, this Note and your Note in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of your reply.

Please accept, Excellency, the assurances of my highest consideration.


(Madhu Raman Acharya)

His Excellency Mr. Sun Heping
Ambassador Extraordinary and Plenipotentiary
of the People's Republic of China
to the Kingdom of Nepal

中尼关于边民过界放牧的换文

尼泊尔国王陛下政府外交大臣

拉麦什·纳特·潘迪阁下

阁下：

我荣幸地收到阁下二〇〇五年八月十五日的来函，内容如下：

“尼泊尔国王陛下政府与中华人民共和国政府，为加强两国人民之间，特别是尼泊尔和中国西藏自治区的边境居民之间的传统睦邻友好关系，本着友好合作的精神讨论了两国边民过牧问题，并就有关事项达成一致。我谨代表尼泊尔国王陛下政府建议如下：

双方同意一九九九年八月九日在北京签署的尼泊尔王国和中华人民共和国关于边民过牧协议的换文从二〇〇五年八月十五日签字之日起至二〇一〇年八月十四日继续有效。

上述内容如蒙阁下确认，本函和阁下的复函即成为我们两国政府之间的协议，并自阁下复函之日起生效。”

我谨代表中华人民共和国政府确认同意上述来函内容。协议换文于今日起生效。

顺致最崇高的敬意。

中华人民共和国外交部长

李肇星（签字）

二〇〇五年八月十五日于北京

(Translation)

His Excellency Mr. Ramesh Nath Pandey
Foreign Minister of
His Majesty's Government of Nepal

Beijing, 15 August 2005

Your Excellency,

I have the honor to acknowledge receipt of Your Excellency's letter dated 15 August 2005, which reads as follows:

“His Majesty's Government of Nepal and the Government of the People's Republic of China, with a view to enhancing the traditional good-neighborly and friendly relations between the peoples of the two countries, particularly between the border inhabitants of Nepal and the Tibet Autonomous Region of China, have discussed the issue of the trans-frontier pasturing of livestock by the border inhabitants of both sides in a spirit of friendly co-operation and reached an agreement on these matters. On behalf of His Majesty's Government of Nepal, I hereby suggest the following:

The two sides agree that the Notes Exchanged Between His Majesty's Government of Nepal and the Government of the People's Republic of China on the Trans-Frontier Pasturing of Livestock by the Border Inhabitants signed on 9 August 1999 will remain in force from 15 August 2005, the signing day, to 14 August 2010.

If Your Excellency could kindly confirm the above by a letter of reply, this letter and Your Excellency's letter of reply shall constitute an agreement between the Governments of our two countries and the agreement shall come into effect from the date of Your Excellency's

reply.”

On behalf of the Government of the People's Republic of China, I hereby confirm the contents of the above-mentioned letter, and agree that it shall come into force from this day.

Please accept, Your Excellency, the assurances of my highest consideration.

Li Zhaoxing (signed)
Foreign Minister
of the People's Republic of China

Beijing, 15 August 2005

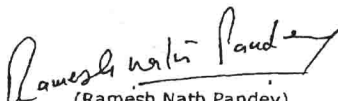
Your Excellency,

His Majesty's Government of Nepal and the Government of People's Republic of China, with a view to enhancing the traditional good-neighbourly and friendly relations between the peoples of the two countries, particularly between the border inhabitants of Nepal and the Tibet Autonomous Region of China, have discussed the issue of the trans-frontier pasturing of livestock by the border inhabitants of both sides in a spirit of friendly co-operation and reached an agreement on these matters. On behalf of His Majesty's Government of Nepal, I hereby confirm the following:

The two sides agree that the Notes exchanged between His Majesty's Government of Nepal and the Government of the People's Republic of China on the Trans-Frontier Pasturing of Livestock by the Border Inhabitants signed on 9 August 1999 will remain in force from 15 August 2005 to 14 August 2010.

If Your Excellency could kindly confirm the above by a letter of reply, this letter and Your Excellency's letter of reply shall constitute an agreement between the Governments of our two countries and the agreement shall come into effect from the date of Your Excellency's reply.

Please accept, Your Excellency, the assurances of my highest consideration.



(Ramesh Nath Pandey)
Minister for Foreign Affairs

H.E. Mr. Li Zhaoxing
Minister of Foreign Affairs
of the People's Republic of China
Beijing.

中华人民共和国政府和 尼泊尔联邦民主共和国政府 关于建设、管理和维护 中国东林藏布—尼泊尔伦地河 界河桥（热索桥）的协定

中华人民共和国政府和尼泊尔联邦民主共和国政府（以下简称“双方”），为促进两国长期全面的友好伙伴关系进一步发展，方便两国人民往来和经贸活动，决定共同建设、管理和维护中国东林藏布—尼泊尔伦地河界河桥（热索桥），并达成协议如下：

第 一 条

本协定中使用如下定义：

“界河桥（热索桥）”系指主桥、桥头引道及其他附属工程。

“主桥”系指双方拟定建设的跨越东林藏布（伦地河）主河道的界河桥。

“封闭建设区”系指每一方境内建桥区域附近隔离出来的空间，包括东林藏布（伦地河）水域。

“建桥人员”系指在封闭建设区内从事建桥工作的相关人员。

第 二 条

界河桥（热索桥）起始于中国西藏自治区日喀则地区吉隆县吉隆镇热索村，终点与尼泊尔沙夫鲁比西至拉苏瓦加蒂公路终点相接。

界河桥（热索桥）桥梁新建工程路线全长约618米，其中主桥桥长约103米、桥面净宽9米，设计速度采用60公里/小时，桥头引道长约515米（其中中方境内约283米，尼方境内约232米）、路基宽10米。

第 三 条

双方负责组织实施界河桥（热索桥）建设的主管部门：中方为中华人民共和国交通运输部；尼方为尼泊尔联邦民主共和国物资计划与工程部。

双方负责管理和维护界河桥（热索桥）的执行机构：中方为西藏自治区交通运输厅；尼方为物资计划与工程部公路局。

第 四 条

建设界河桥（热索桥），不应改变界河水流和河岸，不应破坏该地区生态环境。

界河桥（热索桥）的建设由中方负责，双方主管部门对工程建设实施监管。

界河桥（热索桥）建成后，双方以该桥主跨垂直于桥轴线的平分线为桥的分界，拥有各自产权，并各自对其产权部分进行维护和管理。该分界线不改变边界线走向。

尼方和中方对用于尼方一侧桥梁建设所需运输工具、货物和物品分别免征进出口税收。

第 五 条

中方负责界河桥（热索桥）的总体设计，设计方案由双方共同审定。

考虑到两国的建筑标准和技术规范的差异，双方商定在进行勘察设计工作时，注意相互协调。

界河桥（热索桥）引道及其他附属工程应与主桥同步建成。

双方拟设在口岸的基础设施和查验监管设施由双方各自负责建设，并应与桥梁同步建成。

第 六 条

双方划定必要的区域作为本国境内封闭建设区。封闭建设区的形式需经边防检查、海关、检验检疫等部门同意。

封闭建设区周围应竖立相应隔离识别标志。

封闭建设区的作息时间由地方政府商边防检查、海关、检验检疫部门另行确定。

双方边防检查、海关、检验检疫部门依据各自国内法对本方一侧封闭建设区及进出人员、货物、物品和运输工具实施监督管理。

第 七 条

双方有关部门对建桥人员自本方一侧出入封闭建设区实行简化手续。建桥人员凭各自国家的法律和双方有关协议确定的有效通行证件，按照名单通行。

建桥人员名单以及建设工作中使用的货物、物品和运输工具清单式样由地方政府商边防检查、海关、检验检疫部门确定，分别用中文和英文拟就。实施单位填报，双方边防检查、海关、检验检疫部门核定后予以交换。

建桥人员、货物物品和运输工具应佩戴或配备双方有关部门商定的识别标志。

第 八 条

建桥开始前以及必要时，由双方地方政府牵头协调双方边防检查、海关、检验检疫部门举行会晤，落实出入封闭建设区相关事宜，通报人员数量、队长姓名、出入时间及必需的货物、物品和运输工具。

在封闭建设区工作结束后，由队长负责将本方建桥人员按时带离。

施工过程中，与建桥相关的人员、货物、物品和运输工