



# **NAVAL POSTGRADUATE SCHOOL**

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## **THESIS**

**BORDER PROTECTION AND NATIONAL SECURITY  
OF MONGOLIA**

by

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September 2006

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<b>13. ABSTRACT (maximum 200 words)</b> <p>Both globalization and the 9/11 terrorist attacks spawned heated debates about border security. It is widely agreed that in a globalising world borders should be as open as possible and much has been written in recent years about the value of 'soft' borders in maintaining good relations between neighboring states, creating borderland prosperity and developing successful open market economies. The reality, in many parts of the world, is that borders are hardening rather than softening as states, more than ever, seek to protect themselves from perceived external threats and to ensure that their frontiers are secure. Thus, today, managing borders and maintaining their security is a complex and challenging task for states.</p> <p>The aim of this thesis is to examine the implications of the re-emergence of security as a key dimension of boundary management and to seek answers to questions such as "Can borders actually be made secure?" and "If so, what border management strategies are available and how are they working in practice?" mostly, in Mongolia.</p> <p>According to the Mongolian National Security Concept of 1993, one of the nine securities of Mongolia, the security of Mongolian existence is defined by the guarantee of its independence, sovereignty, inviolability of state borders and territorial integrity. In the last 15 years, necessity of improvement in state border protection has arisen as a result of the changed foreign policy and socio-economic situation, military and political circumstances of the world and regions and the trends of the relations with neighboring countries.</p> <p>The thesis explores the effects of the policy options on the prevention of terrorism within Mongolian borders. It also explores the effects of those policy options on the movement of people across international borders. The scope is limited to border security policy and the implications are drawn for Mongolian policy makers. Three case studies are included from the Border Protection services of (1) the United States, (2) the Russian Federation and (3) the People's Republic of China.</p> <p>It is generally accepted both practically and theoretically that secure state borders are an integral part of national sovereignty, independence, and territorial integrity of any nation. In the Information Technology dominated new century, the guarantee of national state borders' security and protection may be ensured if the specific national traditional ways of ensuring border security are creatively adjusted to modern international standards and to the latest scientific and technological trends.</p>			
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**BORDER PROTECTION AND NATIONAL SECURITY OF MONGOLIA**

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Submitted in partial fulfillment of the  
requirements for the degree of

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## **ABSTRACT**

Both globalization and recent terrorist attacks, especially 9/11, have spawned heated debates in many countries about border security. It is widely agreed that in a globalizing world borders should be as open as possible. And much has been written in recent years about the value of “soft” borders for maintaining good relations between neighboring states, creating borderland prosperity, and developing successful open-market economies. The reality in many parts of the world, however, is that borders are hardening, not softening, as states more than ever seek to protect themselves from perceived external threats and ensure that their frontiers are secure. In sum, managing state borders and maintaining their security is currently a complex and challenging task.

This thesis will examine the implications of the reemergence of security as a key dimension of boundary management, especially in Mongolia. The thesis will seek answers to a number of key questions: Can borders actually be made secure? If so, what border management strategies are available? And how are they working in practice, particularly in Mongolia?

According to the Mongolian National Security Concept of 1993, Mongolia’s existence as a state is determined by the continued guarantee of its independence, its sovereignty, the inviolability of its borders, and its territorial integrity. In the last fifteen years, a need for improvement in its border protection has arisen as a result of both internal and external developments. These include changes in Mongolia’s foreign policy and its socio-economic situation, changes in regional and worldwide military and political circumstances, and changes in the trends of relations between neighboring countries.

This thesis explores the effects of policy options on the prevention of terrorism within Mongolia’s borders and on the movement of people across international borders. The scope is limited to border-security policies and the implications drawn from those for Mongolian policy makers. The thesis includes three case studies drawn from the border protection services of three different countries: the United States, the Russian Federation, and the People’s Republic of China.

It is generally accepted, both in theory and in practice, that secure borders are an integral part of a nation's sovereignty, independence, and territorial integrity. And in this information-technology-dominated new century, the guarantee of a nation-state's border security and protection requires that its traditional security practices be creatively adjusted to fit modern international standards and the latest scientific and technological trends.



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## EXECUTIVE SUMMARY

In the wake of the terrorist attacks of September 11, 2001, the Border Protection Service of Mongolia defined the prevention of terrorists and illegal weapons from entering Mongolia as one of its priority missions. At the same time, it continues to advance the traditional missions: the prevention of illegal aliens, smugglers, narcotics, and other contraband from crossing state borders. Today, these comprise the major threats to the overall safety and security of Mongolia. Maintaining control of its borders is important for preserving Mongolia's sovereignty and security; and border control is therefore a vital part of the country's comprehensive security measures for preventing smuggling and illegal migration – a growing problem throughout the world.

Mongolia's frontiers are sparsely populated and relatively open. Mongolia has over 8,200 kms of borders, 4,709 kms with China and 3,543 kms with Russia, which have been relatively stable since 1921. The fall of its patron, the Soviet Union, and the withdrawal of Soviet troops from its territory in the early 1990s created a new security environment in Mongolia. Today, although a cooperative relationship still exists, there is no longer Soviet support for Mongolia's territorial integrity.<sup>1</sup>

While there are no immediate military threats to Mongolia, it must still maintain its vigilance on the borders, because what is merely annoying or criminal today could become a political and dangerously hot issue in the future if ignored and unchecked. Mongolia must now cope on its own with a whole spectrum of threats – military, economic, and ideological. Although its broader external environment and surroundings have changed favorably for Mongolia, they also present uncertainties that create concerns. Thus, Mongolia's policy makers face both opportunities and challenges as they seek more reliable security guarantees. And because it is a small country, Mongolia must view benefits from a multilateral approach.

This thesis examines more effective and reliable ways to provide border protection against the entry of illegal contraband or persons across Mongolia's borders with Russia and China. The thesis suggests that the Border Protection Service continue to

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<sup>1</sup> *Mongol Messenger*, March 2, 2000, 2.

acquire and deploy an appropriate balance of personnel, equipment, technology, and border infrastructure to achieve both incremental and focused operational control of Mongolia's state borders. The Border Patrol should also strengthen and enhance its ability to rapidly deploy, both on a temporary and a permanent basis, a highly motivated, well-trained workforce of agents to respond to potential terrorist or other national security threats. Within this context, the thesis seeks to determine whether "states" and "boundaries" have in fact "disappeared" to some extent, or whether they are simply changing their functions as we move from an period of fixed territories into a new, post-Westphalian territorial age.

## I. INTRODUCTION

National sovereignty, territorial integrity, and security are invariably primary concerns for all nations and their citizens. Independent nations have well-defined and clearly demarcated boundaries, permanent populations, and independent governments and are capable of conducting international relations beyond their own borders. No country would be regarded as independent absent those conditions. Among the essential elements that make a nation sovereign, boundaries play a crucial role. The landmass within its boundaries give a nation its identity. Thus, for an independent nation, failure to protect its boundaries is equal to a failure to protect its national security.

Mongolia, a land-locked country with a huge, empty land and a small population between two giants, Russia and China, is economically weak in comparison with its neighbors. Thus, Mongolia's existence today depends largely on mutually friendly relationships with Russia and China. According to Mongolia's Constitution, "the territorial integrity and frontiers of Mongolia shall be inviolable, and frontiers of Mongolia shall be safeguarded by law."<sup>2</sup> The National Security Concept defines Mongolia's security as the continued endurance of its independence, sovereignty, and territorial integrity, and the inviolability of its state frontiers.<sup>3</sup>

For Mongolia, it is important to study these issues within the sphere of its security policies and actions taken at both the theoretical and the practical level, so as to determine the direction of their development. The justification of Mongolia's state borders was derived from an analysis based on both historical traditions and the current situation. The inviolability of state borders can be ensured either through political, socio-economic, structural, diplomatic, military, technical-engineering, inspection, and legal means or by promoting multilateral cooperation. A national policy governing the inviolability of state borders is a necessarily complex, preventive policy, which outlines

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<sup>2</sup> The Constitution of Mongolia, 1992, Article 4.1, 4.2.

<sup>3</sup> The National Security Concept of Mongolia, 1993, 5.11.20.

the processes and predicts future progress, based on reliable information and in-depth study. Also, it is closely connected with the state's national policies of security and defense.

The inviolability of a state's borders can be classified according to the following categories. The inviolability is both internal and external. It is either long-standing, or by policy, is for the short-, mid-, or long-term. The surrounding circumstances are regulated on a timely basis: border activities are either approved or disapproved, protected or prohibited, and are closely watched. The past and current situation of a state's protection of its borders and frontiers under existing policies assures their security.

In this thesis, we focus on the following issues: factors that are consequential for a state border guard; socio-economic aspects of frontier territory and the ways state policies address them; the border guard's comprehensive responsibilities in respect to the development of frontier territory; ways to improve the border guard and reinforce state borders; and scientific perspectives on the affect that an increase of population density has on borders.

#### **A. THESIS PURPOSE AND IMPORTANCE**

The purpose of this thesis is 1) to do an analysis, based on past and current circumstances, of Mongolia's border protection system and relevant factors; 2) to specify guidelines for developing a plan of action; and 3) within that framework, to make recommendations for ensuring Mongolia's continued secure existence.

In keeping with those goals, the thesis has several main tasks:

- to analyze both the historical traditions and the current circumstances of Mongolia's border protection system and define its perspectives,
- to study the aspects affecting its border-protection practices and develop recommendations.

The thesis focuses mainly on Mongolia's state borders, its frontier territory, and the role of the border guard in their protection and security. The thesis's practical importance lies in its development of guidelines and recommendations for improving Mongolia's state border-protection system. The thesis may also provide a source for scholars, researchers, and, most important, policy makers.

## **B. RESEARCH OBJECTIVES**

The thesis has three objectives. First, it explores and identifies the fundamental dimensions of the United States's Border Patrol operations in the busiest, most vulnerable section of its borders. From this research we derive a workable definition of key concepts related to border security, identify the principal stakeholders and jurisdictional authorities along the United States's southwest international border, and review contemporary U.S. border-security strategies and border-security operations from 1993 to 2004.

## **C. METHODOLOGY**

The thesis draws on case studies from three countries – Russia, China, and the United States – to assess aspects of Mongolia's border-protection policies, practices, and institutions. The main sources that the thesis relies on are: theoretical and secondary reading materials from the Dudley Knox Library of the Naval Postgraduate School (NPS); available printed materials from Mongolia's governmental institutions; and materials from the electronic sources of the CCMR at NPS, Lexis-Nexis and Pro-Quest.

## **D. CHAPTER-BY-CHAPTER SUMMARY**

The thesis consists of five chapters. This chapter includes the thesis purpose, description of the thesis topic's importance, and major research proposals.

Chapter II reviews the literature on the general concept of national border security and the approaches countries use to ensure border security within their overall national security framework. The chapter also reviews the definitions of some of the terms related to frontiers, boundaries, and boundary making.

Chapter III discusses the historical traditions and the current situation of Mongolia's state border-protection practices. It outlines the justification of its state borders as specified by historical traditions and the current situation. The inviolability of a state's borders is based on a complex preventive policy that predicts the border security processes and future progress dependent on reliable information and in-depth study. These are closely connected to the state's national security and defense policies.

The conclusions reached in this thesis are based on the past and current situation of the borders and their protection under a policy that ensures their security. The chapter focuses on the following issues:

- consequences for the state border guard,
- socio-economic issues of the frontier territory and ways to direct state policy toward this aspect,
- comprehensive border protection connected with the development of the frontier territory, and
- the improvement of border protection by reinforcing the state's borders.

Chapter IV discusses different perspectives on improving the effectiveness of Mongolia's border protection. International practices show that most nations have an established institution, often called a Border Guard, with specific coordinating functions to further their efforts to enhance national security. Other countries have established various types of such institutions, which commonly differ according to the level of power they have to perform their functions. The amount of power that a nation gives its border guard depends on its unique national interests, its perception of the external and internal threats, and its role within the current regional and international security environment.

This chapter discusses three examples of national border security institutionalization: the U.S. Border Patrol, the Russian Federal Border Guard Service, and the Border Protection Organization of the People's Republic of China. These three border protection systems were chosen to illustrate how differences in their institutional design reflect particular definitions of national security and the missions and appropriate status that border protection institutions are granted in keeping with individual states' national security strategies. The practices of these three states are then compared to Mongolia's institutionalization of its security sphere, illustrating the importance of its independent national security policy and coordinating institutions in the particular security environment that Mongolia faces. The discussion of the three international examples is followed by a discussion of potential perspectives on improving the effectiveness of Mongolia's border protection system.

Chapter V summarizes the thesis arguments and presents conclusions that incorporate the findings of the four previous chapters into recommendations for increasing the effectiveness of Mongolia's state border protection in meeting its national security goals.

## **II. BORDER SECURITY: TRADITIONAL AND CONTEMPORARY THEORIES**

### **A. A REVIEW OF THE LITERATURE**

#### **1. Introduction**

Most of the recent literature on border security advocates reconceptualizing the way borders are viewed. Stephen Flynn, Demetrious Parademeteriou, Deborah Meyers, David Newmann, and CIC-Canada, for example, all argue that the current era of globalization necessitates a change in the conceptualization of borders. Some theorists argue that the nation-state itself has come to an end, that we are entering a new phase in the territorial ordering of the world system. Others hold that it is boundaries that have disappeared, that a globalizing world has no need or use for artificial, manmade territorial boundaries.

#### **2. Borders: The Traditional Westphalian Concept**

The Treaty of Westphalia of 1648 represents one of the major political watersheds in human history. It is the basis for our current thinking and rationale in regard to how states are defined, the legal definitions of sovereignty and territory, the rights of states and of those within their boundaries, and the formal relations between states. The traditional Westphalian concept of borders can be summarized in a few sentences. First, borders should be clearly defined and drawn on maps. Second, borders should be accepted by all parties to treaties and authorized by the international community. Third, the identity and disposal of any unclaimed territory (as defined by internationally accepted maps) should eventually be resolved by the international community and be incorporated into a new internationally sanctioned map.<sup>4</sup> Fourth, a state's borders must be strictly controlled by that state.

#### **3. Borders: A Postmodern Concept**

Recently, some scholars have challenged and redefined the traditional concept of borders mainly supported by Western industrialized states: that they are international

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<sup>4</sup> R. L. Solomon, "Boundary Concepts and Practices in Southeast Asia," *World Politics* 23:1 (October 1970), 1-2.

lines with definitive boundaries. The common denominator in these arguments is the idea that the traditional definition of borders is mistaken.

Others argue that the traditional concept of borders is outdated. They claim that globalization increasingly links countries together and that some neighboring countries are now so integrated that they form regional economic blocs, such as the European Union, MERCOSUR, and NAFTA. Indeed, one of the purposes of regional blocs is to provide collective benefits to the populations of an entire region. To one degree or another, economic blocs may also be transformed into political entities that make collective security arrangements. The European Union, for example, is no longer just an economic bloc; it has passed legislation that has security implications for all the countries involved. Some of the security issues deal specifically with perceived border threats, such as illegal migration and organized crime along the European Union's eastern boundaries.<sup>5</sup> Moreover, while the European Union conducts a policy to extend its territory by accepting new members, one of its main criteria for admittance to the Union is countries' ability to effectively control immigration and border security.

#### **4. Historical vs. Contemporary Border Security**

Understanding what border security means in today's world involves first understanding the historical and contemporary threats to states. Historically, the threats differed at certain historical periods, for example, during the initial period of state formation, during the period when states became the primary means of political organization, and, more recently, during the period comprising the latter half of the twentieth century. The questions now are: What are governments trying to protect their borders against? What border security requirements existed historically? Do those requirements still exist today?

Historically, border security was primarily a military task designed to prevent invasion by other countries. Two world wars were fought to stop Germany, for example, from expanding its borders at the expense of others. The Mexican-American War

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<sup>5</sup> M. Anderson, "Border Regimes and Security in an Enlarged European Community: Implications of the Entry into Force of the Amsterdam Treaty." EUI Working Paper No. 2000/8 (Florence, Italy: European University Institute; Robert Schuman Centre for Advanced Studies), February 2000, 1–34.



occurred because the United States wanted to expand westward, while Mexico wanted to protect its territorial boundaries. Border security, historically, therefore usually meant protecting against invasion by other states and was an integral part of creating and maintaining a strong state.<sup>6</sup>

In sum, as states became independent political entities, border security was generally a military function. Militaries continue to perform that function today. A state's armed forces are still a legitimate tool that governments use to enforce the security of clearly defined areas. And borders are still clearly and visibly marked on maps. However, today there is a difference between a state's protecting its borders from invasion by another state and protecting its borders from non-state-sponsored terrorism, illegal immigration, drug trafficking, human smuggling, organized crime, and other transnational threats. Border security today means protecting against much more than just invading armed forces.

Most industrialized countries control their international borders for three basic reasons. First, in keeping with their own laws, to prevent the entry of unwanted foreign nationals (e.g., criminals, drug traffickers, terrorists) into their country. Second, to provide a means to collect tariffs, to identify and punish people who circumvent the customs laws, and to confiscate illegal goods and contraband. Third, to prevent the entry of contaminated, unhealthy, or polluted produce or animals, which could cause or spread disease. In brief, border security is the means by which industrialized countries stop the unauthorized entry of persons, provide customs control, and enforce applicable sanitary and veterinary law.

## **5. The Effects of Integration and Globalization**

Certain historical forces assured the emergence of today's modern sovereign states. But modern forces are now calling into question traditional definitions of both borders themselves and border security. What are these modern forces? And what is causing some scholars to redefine the notion of international borders? This section briefly describes the processes inherent in the development of the modern state and the possible

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<sup>6</sup> Anderson; Solomon.

future disintegration of the modern state. It is important to understand these forces to make intelligent policy choices in regard to border security.<sup>7</sup>

“Globalization,” a common term today, is generally defined rather broadly. The definition used here strongly emphasizes economic integration. Globalization is “the rising share of economic activity that takes place between people who live in different countries rather than in the same country.” Thus the key factor in explaining globalization is economics. The international rise in economic activity can be measured in terms of four categories: foreign direct investment, international capital flows among countries, the flow of people across national boundaries, and international trade in goods and services.

Thomas Freidman correctly points out that our world today is increasingly characterized by the word “web.”<sup>8</sup> Whether used in reference to the Internet, to the increasingly interconnected financial institutions and firms in the world today, or to shared transnational regional threats (e.g., terrorism, illegal immigration, drug trafficking), the word clearly shows that our world is more integrated.<sup>9</sup> Freidman describes three balance-of-power relationships in the “new international system”: traditional relationships between states, global markets, and individuals. International relations have always been part of modern politics. However, as a result of the recent explosion in world integration and information sharing, global markets and individuals are increasingly playing a larger role in shaping the world. Nation-states are no longer the only actors on the world stage.

The fall of communism meant that capitalism and the free-market system became the only choice.<sup>10</sup> The root assumption is that a state-centered economic ideology may

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<sup>7</sup> Hendrick Spruyt, “The Victory of the Sovereign State,” in *The Sovereign State and Its Competitors* (Princeton, NJ: Princeton University Press, 1994), Chapter 8, 153–80.

Kennichi Ohmae, “Development in a Borderless World,” in *The Borderless World* (New York: Harper Perennial, 1990), 172–92.

<sup>8</sup> Thomas L. Freidman, “The New System” in *The Lexus and the Olive Tree* (New York: Anchor Books, 2000), 8.

<sup>9</sup> R. Gilpin, “The Second Great Age of Capitalism,” in *The Challenge of Global Capitalism* (Princeton: University Press, 2000), 15–20.

<sup>10</sup> Ohmae, 186; Friedman, 101–11.

claim to distribute income more equitably, but it cannot generate income as efficiently. In fact, communism and all its ideological variants cannot generate income at all in the interwoven, connected, and competitive system in which the world now lives. Countries that resist the free-market system simply get left behind.<sup>11</sup> Globalization offers limited economic and political choices for sovereign states. Yet some still believe that “the nation-state remains the ultimate object of allegiance; national institutions and policies continue to make a big difference for real welfare. Nevertheless, the literature accepts the notion that globalization has resulted in a more integrated world and that states probably have less sovereignty entering the twenty-first century than they did entering the twentieth century.

In sum, two important developments of globalization affect border security: (1) the scope of primary actors in the international system today is more complex and variegated than a system that only involves nation-states; and (2) capitalism has become the major macroeconomic system, resulting in increased economic integration and, by extension, security integration.<sup>12</sup> Both of these developments converge on two implications: (1) globalization has limited the effectiveness of the nation-state in unilaterally shaping its own border security practices against transnational threats; and (2) transnational threats (e.g., terrorism, illegal immigration, drug trafficking, and organized crime) are more of a concern than other states in today’s world and they require a joint solution. This does not mean that states will disappear in the near future, but it does mean that states can no longer exert total authority over their border security practices. This may overemphasize the effects of globalization and ignore the fact that states are still major players in both internal and external affairs. However, if integration has become the norm, then integrated and cooperative approaches to border security are vital in addressing terrorism and national security issues.

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<sup>11</sup> Ohmae; Friedman, 102–103.

<sup>12</sup> Thomas L. Friedman, “The New System,” in *The Lexus and the Olive Tree* (New York: Anchor Books, 2000), 669.

## **B. DEFINITION OF TERMS**

### **1. Boundaries and Frontiers**

There are a number of fundamentally important definitions that we must consider in this discussion of boundaries. First, we must define what we mean by “boundaries,” “frontiers,” and “borders.” Boundaries are linear features – lines between states, or delimitations between objects. Frontiers are zones or areas that are usually centered on a boundary. They afford utilization of the land for some purpose other than simple demarcation of a boundary, for example, as residences, habitat, and so on. Borders are demarcations of boundaries, which can be seen in the physical sense. Fences, gates, ditches, and palisades are all examples of borders that demarcate boundaries.

There are a large number of paradigms of boundaries that have been articulated in the twentieth century. These paradigms fall into two broad categories. The first category comprises descriptive types of boundaries that seek to describe arrangements of boundaries in a historical sense. The second broad category of paradigms of boundaries comprises theoretical types of boundaries (that are often aspects of the boundaries observed in history) or types that explain the intents of the authors of those boundaries. The paradigms of boundaries described here are not intended to be comprehensive, but instead are those that are most applicable to our discussion of boundaries today.

Historical boundaries begin with primitive or tribal boundaries.<sup>13</sup> Tribal boundaries are not linear. Rather, according to Ratzel, territories are outlined by zones. There may, however, be linear markers to establish a center of zones. These markers may be streams, fences, palisades, or a variety of other demarcations. Additionally, there is often the presence of a “no man’s land,” a zonal area in which no party may enter, and where the territory has no owner. In the tribal paradigm of boundaries, kinship is more important than territory as a political unit.

The second broad paradigm of boundaries is the imperial model, which can be seen in both Chinese and Roman history. Imperial Chinese boundaries are marked by sharp, linear demarcations that separated the barbarian frontier from civilized territory.

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<sup>13</sup> Stephen B. Jones, “Boundary Concepts in the Setting of Place and Time,” *Annals of the Association of American Geographers* 49:3 (1959): 241–55.

These boundaries often correspond to the natural steppe versus cultivated land. Expansion under this paradigm was considered defensive rather than conquering – an attempt to buffer civilization from barbarians. The desire was to create a stable frontier, a large zone that did not shift greatly.

Imperial Roman boundaries are slightly different. Rather than depending on contiguous linear boundaries (like the Great Wall of China), the Romans preferred to have boundaries that allowed flexibility as well as fortification. Like the Chinese system, Roman boundaries were meant to be stable, affording the Roman population security within strict limits. Both Roman and Chinese boundary systems were intended to center on a civilized core, protected from the marginalized periphery.

The third paradigm of relevant historical boundaries is that which includes European medieval boundaries. Medieval boundaries are somewhat different than the tribal and imperial paradigms, because they were used in a system where a large percentage of the (European) land was allocated to either an individual or an organization (the Church). Additionally, it was during this period that hereditary ownership of land became prevalent. This allowed dynastic families to build large territorial empires. The territorial organization of these empires was not necessarily based on culture, language, or any other unifying factor other than the degree of usefulness to the dynasty. The result of this kind of land distribution was a discontinuous holding of land. Territories that were held by a single individual or family were not necessarily connected to one another.

State sovereignty is defined as the internationally recognized authority of a government over the territory and people it claims to control. Within the United Nations (UN) system, sovereignty controls are recognized most explicitly in the creation and maintenance of international boundaries. International boundaries, though, have multiple functions – economic, cultural, and political – that directly affect international relations.

Since the dawn of human civilization, people have felt a fundamental need to divide the world into territorial areas. The original divisions were often based on the extent of available agricultural land or the influence of a central group or city over a surrounding area. Gradually, as groups organized into empires and expanded their

territories, they encountered other empires. Where the empires met, wars were often fought and eventually peace followed. The result, as long as one empire did not completely take over another, was an area of transition between the two territories – a type of border zone.

The importance of borders was not fully realized until the advent of the Age of Exploration in the fifteenth and sixteenth centuries. As European powers claimed new lands in the Americas, Africa, and Asia, they had to make a clear record of their territory and its resources. A boundary isn't a paragraph in a treaty, nor a line on a map, but a complex and functional structure on the earth's surface. To focus the objectiveness with which boundaries were implanted, scholars have divided the phases over which it was done into basic elements. The first boundary was traced on the ground by the first being that understood its position in relation to its neighbor's. From individual property, it passed to the collective sovereignty, to the household, from the household to the city, from the city to the province, and from the province to the country. Everything had, and has, limits, lanes, fences, walls, or some other designation that defines the characteristics of the material possessions of some being, be it a man or a social entity.

A territory is a defined area (including land and waters) usually considered to be a possession of a person, an organization, or an institution. In politics, a territory is an area of land that is under the jurisdiction of a sovereign but does not have the status of a political division.

A defined territory, like a boundary, has multiple values for the populations affected by its parameters. Territory can be an explicit cause of violence within and between states based on the intrinsic, relational, and symbolic value it holds for each party claiming part of the contested area.<sup>14</sup> A territory's intrinsic value might include natural resources (oil, fertile land, or water) within the territory, physical characteristics (a deep-water port or a defensible ridge line), or a strategic location (at the crossroads of a major trading route).

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<sup>14</sup> G. Goertz and P. Diehl, *Territorial Changes and International Conflict* (London and New York: Routledge, 1992).

The concept of “a nation” was linked to a communal center, a city, its government, and its culture, which influenced the neighboring regions. The materialization on the land, by the use of defining monuments, of the limits of a territory only came to be from the eighteenth century on.

The boundaries initially were either unwelcoming regions or barriers that were difficult to cross. Commonly, a boundary was a river, a mountain, or a desert, which served as a barricade or obstacle. Its purpose was to separate two states. The idea of “separation” today is completely different. The term “boundary” now refers to a more precise, linear, and precisely defined concept, whereas the term “frontier” is more global and refers to a zone or region having length as well as width.

Boundaries run through borderland frontiers. Frontiers – unlike boundaries, which are often precisely described – are more ambiguously conceived. As Anderson points out, frontiers are areas in which states exercise their policies to demonstrate their exclusive de facto control and to stake out territorial dimensions of their national identity.<sup>15</sup>

Whether dynamic or static, boundaries have an overwhelming influence on bilateral relations, irredentist movements, migration flows (legal and illegal), economic activity, and even environmental protection. When enforced, an international boundary can serve as a filter to regulate economic, cultural, political, and environmental networks. A boundary can be closed or otherwise manipulated to hinder diffusion of people, things, and ideas, thereby undermining the achievement of development goals. Poor, landlocked countries, especially in Africa, are particularly vulnerable to such boundary closures.<sup>16</sup>

Boundaries, then, have multiple meanings, depending on their context, function, and the perceptions of those who live near them. They are formally depicted in documents, on maps, and on the ground through the placement of markers, pillars, buoys, or immigration and customs checkpoints.

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<sup>15</sup> M. Anderson, *Frontiers: Territory and State Formation in the Modern World* (Cambridge: Polity Press, 1996).

<sup>16</sup> H-J. Reitsma, “Boundaries as Barriers: The Predicament of Land-locked Countries,” in N. Kliot and S. Waterman, eds., *Pluralism and Political Geography: People, Territory, and State* (London and Canberra: Croom Helm, 1983).

International boundaries are the boundaries between two nations, whether they traverse land, rivers, lakes, or arms of the sea, through territorial waters out to the sea. In respect to governmental processes, there are four main stages of boundary formation:

- Political decisions on the allocation of territory
- Delimitation of the boundary in a treaty
- Demarcation of the boundary in a treaty
- Administration of the boundary

Chronologically, these stages may overlap, may succeed each other promptly, or may be separated by gaps of many years. Some boundaries have remained without administration for many years, while others have been under de facto administration before they were delimited, or even before the final allocation of territory was decided.<sup>17</sup>

## **2. Boundary Delimitation**

Of the four stages of border formation, boundary delimitation plays very important roles. “Boundary delimitation” means to comprise the determination of a boundary-line by treaty, agreement, or similar papers and historical documents, or otherwise, and its definition in written, verbal terms.<sup>18</sup> Boundary delimitation is the action of delimiting, at their points of contact, the territories of two states and of determining the line which separates them. Boundary delimitation also means the identification of a boundary-line through mutual understanding and assent. Old maps, archaeological writings, stone inscriptions, and documents may also be a source of or an aid to boundary-line identification.

In boundary delimitation, geographical and topographical descriptions and definitions should be stated in clear and specific terms, so that there will be no ambiguity in the boundary demarcation later on. Such a situation seldom arises. But the histories of several countries show that unclear descriptions of boundary delimitations can create serious border problems in the future. Border disputes over undefined border areas may even lead to wars between countries.

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<sup>17</sup> Stephen B. Jones, *Boundary-Making* (Washington, D.C.: CEFI Peace Division of International Law, 1943), 5.

<sup>18</sup> Henry McMahon, *Journal of the Royal Society of Arts* 84:4 (November 15, 1935), 4.



During boundary delimitation, if the countries have existing maps, it is the practice to demarcate the borders on the maps showing the common boundary line of the two countries. This makes it easier to indicate the demarcation on the ground later on. “Delimitation” is the establishment and ratification of treaties that deal with the subject. During this phase, negotiators decide, given the existing documentation, how the boundary line is to be traced between the two territories. Thus, it is essentially a political process.

### **3. Boundary Demarcation**

After boundary delimitation comes the stage of boundary demarcation. Boundary demarcation comprises the actual laying down of a boundary line on the ground, and its definition by boundary pillars or other similar physical means. This is a technical phase, which can offer some difficulties of interpretation of findings on the terrain of rivers, lakes, mountains, or other landmarks that have served as the base for delimitation. The process of locating and marking a boundary between two or more nations can be technically complex and legally contentious. The earliest boundaries were often physiographic features of the landscape, such as rivers, hills, mountain crests, or edges of forests – features that were easy to identify by parties on both sides of the boundary.

As empires became more organized and engineering skills improved, walls became a popular form of boundary demarcation as well as physical protection. Sometimes the wall consisted only of a ring of stone surrounding a major city, but more ambitious projects were also undertaken. Hadrian’s Wall was built by the Roman Empire to mark the northernmost limit of Roman influence in England, and the famous Great Wall of China was built as a protective barrier against the Mongol tribes to the north.

The later emergence of a complex political landscape required more precise boundaries. Governments commissioned survey teams, usually from the military, to determine the position of borders. This proved to be quite difficult when boundaries ran through dense tropical forest or across an empty desert. Even today such remote areas may lack an accurate boundary survey – the boundary is indefinite. When the surveyors locate a significant geographic point, called a turning point, they record the exact latitude and longitude and place a marker made of concrete or stone, called a monument, at that

location. Once the survey is complete, a list of the exact turning points, the location of the monuments, is handed over to the government authorities as an accurate record of the boundary's location.

Some boundaries are indicated simply with trenches, some with wooden poles, others with barbed-wire fences. Occasionally, engineers delineate boundaries with just an area cleared of vegetation, such as those along the border between the United States and Canada, the longest undefended border in the world. Advanced tools such as Global Positioning Satellite (GPS) devices and Geographic Information Systems (GIS) make boundaries easier to locate, mark, and track, thereby reducing the possibility of disputes.

#### **4. Boundary Administration**

Finally, comes the “administration” phase, which is strictly technical. During this phase, new “marks” are erected to satisfy the necessities of population growth along the borders. This is done strictly in the spirit of the work of the demarcators. The demarcation and administration are determined by a joint commission formed by technicians from the two adjacent countries. In several current international problem areas, it is possible to identify cases where a revision of the boundaries set in the historical-precedents phase is necessary for the delimitation and demarcation phases to succeed.

Among the first type of boundaries are hidric and orographic boundaries, that is, wet boundaries such as watercourses and dry boundaries, particularly mountain ranges, respectively. The geometric limits are geodesic lines, sometimes wrongly assumed to be “straight” lines, and geographic lines, meridians and parallels. Often, there are also monuments placed on boundaries to better define their exact location. Among these are boundary marks, or markers, placed exactly over boundary lines, and reference marks, or markers, placed next to boundary lines. These are used, for example, when a line follows a watercourse, in which case, the marker or monument is placed on the margin. Such markers are classified in order of importance: primary or secondary, and intermediate or intercalated marks. The former two are those determined during the demarcation phase; the latter two are indicated during the characterization phase.

There are also deviation marks. These markers are placed according to the boundary line when the line doesn't exactly follow what was planned in the basic delimitation document. This might occur, for example, in places close to a border where, during the characterization process, the marks have to be placed a little outside a water divider to facilitate the characterization.

As we already noted, boundaries were initially established to separate people. Nowadays, it is in the borderlands between nations that interchanges occur. These are thus termed “human” boundaries, since the original barrier boundaries received the benefits of civilization, uniting the two states. With the recent approximation of countries, one might conclude that borderlines are doomed in the future to disappear. We believe not. They have changed in the way they are treated, but will never entirely disappear.

It is also good to remember that “good fences make good neighbors.” And though our focus is primarily international boundaries, some aspects are also applicable to boundaries between states and municipalities. Sovereignty over a region can best be established by the precise definition of the involved territories, which is in turn only possible by the establishment of boundaries.

## **5. Types of Boundaries**

A boundary line that divides one geographic area from another is often more complex than it seems on the map. The map may show simply a line of dashes running along the crest of a mountain range, down the middle of a major river, or in a straight line across a desert. There are several different types of boundary lines, which relate to either the history or the current status of the particular line.

An international boundary is a line, determined by a mutual, peaceful agreement, that divides one country from another. A disputed boundary is an internal or international border that is openly contested by subdivisions within a country or two or more countries. A ceasefire line is a line established by an official ceasefire agreement between two or more countries; it represents a temporary international border created in response to the resolution of an armed conflict. A treaty line is a boundary established by an official treaty between two or more countries, but that is not yet agreed upon by all the involved

countries. Finally, an indefinite boundary is an approximate boundary that has not been officially surveyed, or is based on outdated historical surveys. It may also be a boundary that is known to exist but for which accurate verification is lacking.

Seemingly simple acts, such as a cartographer labeling an island “Turkish” instead of “Greek,” have triggered the mobilization of armed forces on both sides as each country asserts its sovereignty over the island. When a country maps certain territories as its own, the mere act of mapping may be perceived by another country as a diplomatic offence, causing an escalation of tension and even eventual military conflict. But indicating a disputed boundary or area in a fair and acceptable manner can be difficult if each party wants the mutual boundary or disputed area to be depicted in its favor. The oldest means of classifying boundaries, and the one most widely used until recent years, was to divide all boundaries into two general categories: natural boundaries and artificial boundaries.

Lines marked by nature, such as mountain crests, rivers, and the shore lines of lakes and seas, have long been used to establish so-called natural, or geographical, boundaries. Boundaries not marked by nature but instead indicated on the ground by humans using stones or monuments are known as artificial, or conventional, boundaries.

## **6. Boundary Disputes**

The twentieth century’s largest conflicts – World War I, World War II, the Korean War, and the 1991 Gulf War – all serve as reminders of how boundaries, when disputed, can affect entire regions and even distant countries. At their roots, many military conflicts are related to claims regarding a boundary line that is not mutually agreed to or sections of territory that are claimed for various reasons by two or more countries.

At the end of World War I, with the creation of the League of Nations in 1919, countries had an impartial organization to approach for settling disputes through legal and peaceful means instead of going to war. The League considered more than sixty specific disputes.

Military clashes over boundaries are still a reality today. The continuing war in Chechnya within Russia is a case in point: a predominantly Islamic state desires political and cultural autonomy from the mother country. The war between a Tamil ethnic group and the government in northern Sri Lanka is another notable example. If a diplomatic solution is not reached, these contested internal boundaries might eventually become the borders of new countries. That is what happened in the Balkan War (1992–1995) when Yugoslavia devided into several new nations: Slovenia, Croatia, Bosnia and Herzegovina, the Federal Republic of Yugoslavia, and the Former Yugoslav Republic of Macedonia. Many current disputes around the world also involve some aspect of local culture, particularly religious and political differences. For example, the disputes in and around Jerusalem are based on the centuries-old occupation of religious sites by people of the Jewish, Christian, and Islamic faiths. The conflict in Northern Ireland was a struggle between Roman Catholics and Unionists, who tend to be Protestants. Countries today, however, are more willing to seek peaceful guidance from the UN and the International Court of Justice (ICJ), known as the World Court. In addition, the pressure asserted by regional powers such as the United States, Russia, and China, and alliances such as the UN, North Atlantic Treaty Organization (NATO), Organization of African Unity (OAU), and others help to keep some disputes from escalating.

Some boundary disputes arise when a country claims land in an adjacent country because of a particular feature of the land. It may have an important historic site or cultural shrine, a strategic geographic position, or economic resources, such as an oil field or a deep-water port. The dispute may not arise until some diplomatic or military conflict occurs, but even a country's informal claim may cause tension.

As the world's populations continue to increase, the need for basic resources such as food, water, and oil becomes critical to nations' survival. In addition to basing their territorial claims upon proximity or historical occupation, countries may claim even the smallest of islands in order to gain vital resources. Indeed, in recent times, such resource disputes have become more common. A country's claim to an area containing rich petroleum reserves or one that might provide a vital strategic defensive position may become a matter of national survival. Minor changes to a boundary or the acquisition of

otherwise insignificant islands could also yield economic benefits under international law, such as the creation of an exclusive economic zone (EEZ) in internal waters. One example of that type of dispute is Rockall Island in the North Atlantic Ocean, a this tiny island claimed by the United Kingdom, Ireland, Denmark, and Iceland. A similar dispute is that over the Spratly Islands in the South China Sea, which are claimed by no fewer than six nations.<sup>19</sup>

A territorial dispute occurs when a country claims part of another country's territory or when a mutual border is contested. Such disputes often exist because of historical or cultural reasons. A certain cultural group, for example, may at some time have occupied the disputed area for a long time and thus base its claim on that historical occupation, despite another group's more current claim to the contrary.

What exactly does it mean when experts use the word "disputed" to describe a boundary or an area? To deal with this central question, the International Court of Justice (ICJ) acts as the judicial arm of the UN in providing advisory opinions to countries involved in such disputes. The Court recognizes a dispute as a disagreement on fact, or as a conflict of legal claims or interests between two or more parties. Simply stated, a dispute exists when two or more countries hold clearly opposing opinions concerning the status of a boundary or the ownership of an area. Countries may claim the ownership of territory outside their boundaries, but the claims must be proven before the ICJ. Substantiating a claim is often a difficult task because such it requires detailed historical research and access to maps and documents that may be rare or even nonexistent.

There are four main types of boundary disputes: positional disputes, territorial disputes, resource disputes, and cultural disputes. In positional disputes the location of a boundary is in question. A country may contest a boundary because of an inaccurate survey, outdated records, or other reasons. A good example of this type of dispute is the current boundary dispute in the Cordillera del Condor region on the border between Ecuador and Peru. Frequently, geographic features such as rivers and mountain ranges are used as natural boundaries because their position is moreorless fixed, yet over time

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<sup>19</sup> Available at [http://www.en.wikipedia.org/wiki/disputed\\_area](http://www.en.wikipedia.org/wiki/disputed_area) (accessed June 18, 2006).

even those features can change because of natural geophysical processes or human intervention. And when a natural boundary changes, disputes over its correct location may eventually occur.

The relational value of a disputed territory and its occupants is often perceived by each contesting state in terms of either its overall national strategic goals or the way that gaining or losing the territory will affect the state's ethnic composition. A disputed territory's symbolic value may be a reflection of historical events, cultural landmarks, or other aspects that connect the territory to a given state's nationalistic aspirations. Generally, the closer and more contiguous the disputed territory is to the cultural core of a state, the higher its relative national value and the more likely it is to be intensively defended.

Though much of the literature on international conflicts views territorial factors as a "facilitating" rather than a "causal" factor, a study of territorial conflicts suggests that they are much different than nonterritorial conflicts. While less than a third of all interstate "militarized disputes" between 1816 and 1992 were driven primarily by territorial factors, the chances of a dispute escalating into a war are nearly three times greater when territory is at stake.<sup>20</sup> Militarized disputes over contested territory can vary in severity, outcome, and likelihood of recurrence, but they set a dangerous threshold that can easily escalate into lengthy and costly wars.

Conflict resolution over a disputed borderland territory can range from the relatively simple to the extremely difficult, depending in part on the definitions attached to it.<sup>21</sup> At one extreme are slight adjustments of international boundary lines between otherwise friendly states. A more challenging exercise is the resolution of a territorial dispute over a resource highly valued by both sides, such as oil or water. Even more

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<sup>20</sup> P. Hensel, "Charting a Course to Conflict: Territorial Issues and Interstate Conflict, 1816–1992," in P. Diehl, ed., *A Road Map to War: Territorial Dimensions of Conflict* (Nashville and London: Vanderbilt University Press, 1999).

<sup>21</sup> Ibid.

difficult are territorial disputes involving the displacement or elimination of large numbers of people, especially where systematic ethnic cleansing has occurred, as in the Balkans.

In conclusion, state sovereignty is defined as the internationally recognized authority of a government over the territory and people it claims to control. Within the United Nations system, sovereignty controls are recognized most explicitly in the creation and maintenance of international boundaries. International boundaries, though, have multiple functions—economic, cultural, and political—that directly affect international relations. International boundary lines lie within border areas (or borderlands) that are often perceived as zones of transition or frontiers. Whether dynamic or static, boundaries impose an overwhelming influence on bilateral relations, irredentist movements, migration flows (legal and illegal), economic activity, and even environmental protection. When enforced, international boundaries can serve as a filter to regulate economic, cultural, political, and environmental networks.

The next chapter will discuss the historical traditions and the current situation of Mongolia's border protection practices and the ways in which the issues already discussed are demonstrated in that case.



### **III. MONGOLIA: HISTORICAL TRADITIONS AND CURRENT BORDER PROTECTION PRACTICES**

#### **A. MONGOLIA: HISTORICAL BOUNDARIES**

Border protection must be an integral part of a nation's security issues. To demonstrate this in respect to Mongolia, this chapter will discuss the following aspects:

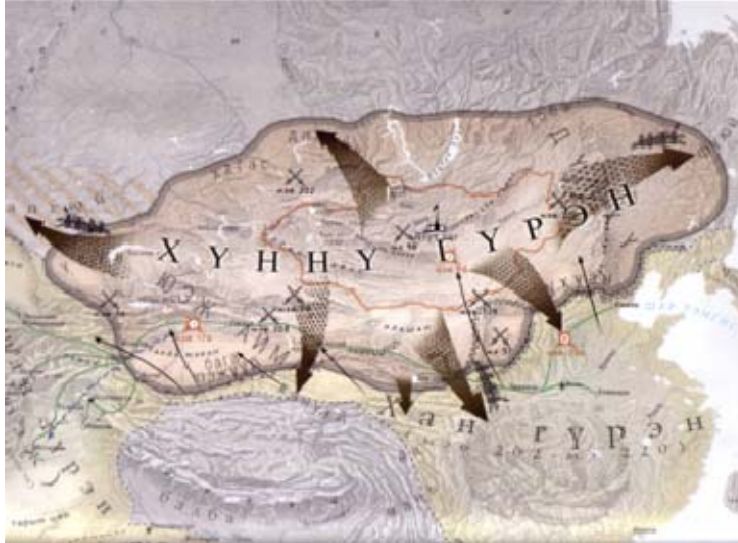
- the history of the formation of the territory of Mongolia and its borders;
- the historic merits of Mongolia's border protection forces in determining, demarcating, and safeguarding its national borders;
- the multiple important measures and actions taken by the state government to ensure Mongolia's national security and strengthen the immunity of its borders; and,
- as a result of all these efforts, how Mongolia's traditional borders were officially determined and demarcated.

##### **1. Formation of Mongolia: Territory and Borders**

The formation of Mongolia's boundaries and their protection began centuries ago. Mongol, Turk, and Jurchen peoples lived in the territory that would become Mongolia from ancient times. According to the chronicles, the first politically organized community among them was the Khunnu (Hsiung-nu) state, which existed from the third century BC to the second century AD. It was an ancestor of the future states of Mongolia. In 216 AD, the Chinese fortified their boundary wall, in part, to control Khunnu expansion. The Khunnu State, of Mongol origin, was the first state organized among the nomadic people of central Asia. Modun Khan took back the Ordos territory and annexed the eastern Khu occupied by the Ching dynasty. They then attached the north and west nomadic people and subdued some of them. In 200 BC, Modun Khan defeated a Chinese invasion of 300,000 soldiers. In the year 198 BC, Modun Khan made a treaty with the Hun state of China, which, recognizing that the Khunnu State had become powerful, decided there was no choice but coexistence.<sup>22</sup>

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<sup>22</sup> Purev Dash, "Necessity of Improvement of the Guard of State Border of Mongolia," in *The History of Formation of Mongolian Borders* (Ulaanbaatar, 2000), 11–15.



Map 1. Khunnu State

China's Wall provided a common border between the two states. The territory of the Khunnu State extended from the Ordos to Lake Baikal and from the Khyangan mountain range beyond to the Altai mountain range. The Cian-bi (Hsien-pi) people of Mongolia, from the second to the fourth century AD, existed on the territory of Mongolia. The Cian-bi State grew strong and expanded its territory in the east, joining the Tsyatsang people of the same origin, and occupied territory as far as the Korean peninsula. The Cian-bi State was situated on territory from Lake Baikal to the Chinese Wall and from the Korean peninsula to the Il Tarbagatai.

The Jujan State, related to the Cian-bi people through kinship, were a Mongolian-speaking people. The state included Mongolia, the western part of Manchuria, and the eastern part of the Uighur autonomic region in present-day Sing-zian. In the fifth century, the territory of the Jujan State extended from Lake Baikal in the north, Gobi and the Chinese Wall in the south, the Altai mountain range beyond in the west, and the Korean peninsula in the east. The political center of the Jujan State was at the foot of the Khangai mountain range.

In the 580s, the Turkish State was expanding and annexed various "aimags" and nationalities of diverse origin. They defeated the Ephtalit State in the west and subdued the Kirghiz people who lived in the Enisei basin of Siberia in the north. At the Turkish

State's territory expanded, it reached the Korean peninsula. The Uighur people, a component part of the Turkish State, capitalised on the situation by revolting against their rulers and defeated the eastern Turkish State in the year 745. The Uighur State then took power as the successor of the Turkish State.



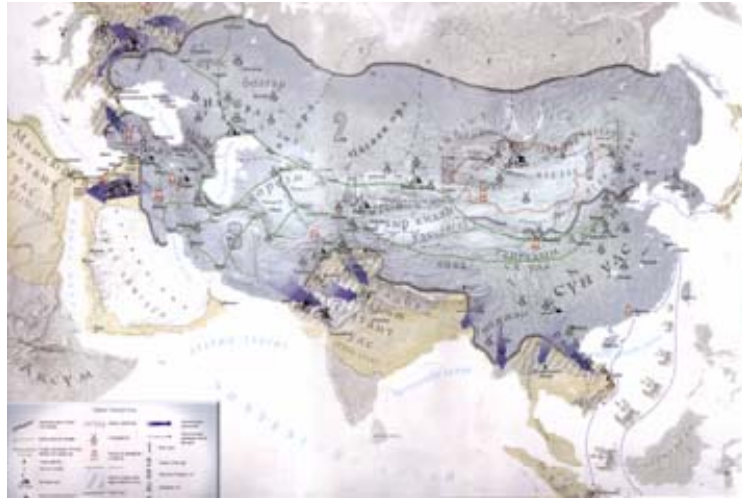
Map 2. Kitan State

The territory of Cian-bi was very vast: it extended from the Altai mountains in the west to the Khyangan mountains in the east and from Soyon in the north to the Gobi beyond to the south. During this period, the Uighur State controlled the great caravan trade road from China to middle Asia. A specific feature of this period of the Uighur State was its preference for land ownership by a form of feudalism. The Kirghiz people living in the Enisei basin annihilated the Uighur State in the 840s. And in the ninth century, a Kirghizian feudal state was established. Not long after, they were forced out by the Kitan people and left Mongolian territory. Between the tenth and twelfth centuries, the Kitan people took power. Their state became characterized as a great power by several occupations: southeast Mongolian territory in 924, Bahain in 936, and sixteen regions in north China. At the end of the 1120s, the Kitan State collapsed.

## 2. The Mongol Empire: Boundaries

One of the distinctive differences between the Mongol Empire and ancient Mongolia is that Chingis Khan and his successors were continuously expanding their territory and borders. The Mongol Empire (1206–1368), was the largest contiguous land

empire in world history, covering 35-million kilometers<sup>2</sup> and more than a hundred million people. In 1206, Chingis Khan unified the nomadic Mongol tribes, and divided them among his sons. At its height, the empire encompassed a majority of the territories from southeast Asia to central Europe.<sup>23</sup>



Map 3. Mongol Empire

At the time of Chingis Khan's death in 1227, the empire was divided among his sons, and by the 1350s, the khanates drifted away from one another, becoming khanates in Persia, Central Asia, China, and what would become the Golden Horde in present-day Russia. Following the fall of the Yuan dynasty and the expulsion of the Mongols from China, the elites returned to life on the steppe. During the ensuing two hundred and fifty years or so, although the Mongols would occasionally reunite, they were never to achieve the power they had had under Chingis Khan.

From the fifteenth century on, with the decline of the Mongolian Empire, the Mongols became more preoccupied with national survival within their international environment than with shaping it, which had been the main course of action for Mongol policies during the preceding three hundred years. In 1692, the Khalkha Mongol nobles<sup>24</sup>

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<sup>23</sup> Dash.

<sup>24</sup> Mongolia was internally divided into three major parts at the time: Khalkha, (Outer); South (Inner); and Oird (Western).

surrendered to the Qing dynasty and swore an oath of allegiance to the Manchu<sup>25</sup> emperor. This was the endpoint of the Mongolian empire, once the greatest ever built, but which fell under foreign power, was weakened by internal conflicts, and most of all, was unable to modernize. The decline of the Mongols' power began with the appearance of firearms and their increasing use on the battlefield. Mongolia's nomadic economy, based on pastoral livestock, could not produce the resources necessary to obtain or develop firearms technology, a driving force of military success from the fifteenth century on. At the end of the seventeenth century, the Mongols were both economically weak and politically divided. Thus, they were unable to withstand the Manchus, who had the vast resources of China at their disposal.

The Mongolian decision to surrender was dictated by logic rather than formality. Faced with a real threat of foreign occupation, the Mongol rulers found themselves in a dilemma. They could either resist the invaders with almost no hope of survival, or give in and retain a degree of relative autonomy. The rationality of this choice was vindicated later by history. Militarily conquered Inner and Western Mongolia were subdivided into standard Chinese provinces, thus easing their further integration into the Qing dynasty. Khalkha Mongolia, on the other hand, retained much of its pre-Qing governmental structure.<sup>26</sup> After the fall of the dynasty in 1911, that relative autonomy played a decisive role in the construction of an independent nation- state within the boundaries of what is modern-day Mongolia.

In conclusion, during the period 1368 to 1692, although the Mongols would occasionally reunite, they were never to achieve the same power they had under Chingis Khan. The Chinese Wall at that time provided a common border between the two states.

### **3. Under Manchu Domination: Boundary Protection**

While the Mongols of what is now Inner Mongolia acknowledged the Manchu suzerainty in 1634 with the defeat of Ligden Khan, the Khalkh did not submit until 1691. The Manchus were not interested in the economic or social development of Mongolia,

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<sup>25</sup> A tribal group from China's northeast, which conquered China in 1644 and formed the Qing dynasty.

<sup>26</sup> Owen Lattimore, *Nationalism and Revolution in Mongolia* (New York: Oxford University Press, 1955), 8–9.

using it instead chiefly as a buffer with the Russian Empire. Russian exploration and settlement along the margin of the Xinjiang/Outer- Mongolia/Manchuria frontier, which started in the seventeenth century, required a Manchu diplomatic response. The Sino-Russian Treaty of Kyakhtha (1727) began the demarcation of the Outer-Mongolia/Russia boundary. Thereafter, a series of treaties included the placement of guard posts and markers along the frontier.

In the face of an Imperial Russian expansion, the Manchu presence in Outer Mongolia—generally limited to a resident at Urga and military governors at Khovd and Uliastay—was at best a minimal response. In contrast to Chinese Turkestan (like Xingiang, provinces incorporated by China in 1907), Outer Mongolia was neglected. The Chinese officials there were asked to do little more than supervise the trade that passed between Kyakhtha and Khalgan, located northwest of Beijing.

Through an 1881 Sino-Russian treaty, Russia gained Manchu approval to trade in Mongolia. Ostensibly, the agreement settled the problem of Russia's southern boundary with Outer Mongolia; but, in actuality, it did little to reduce the threat of Russian penetration. By 1900, Outer Mongolia seemed a likely place for competing Sino-Russian policies to collide.

The physiographically daunting China–Mongolia frontier and the residual historical artifacts of a Mongol-dominated China no longer deflected Han Chinese penetration from the southeast. Thus, by the early years of the twentieth century the boundary between Outer Mongolia and Inner Mongolia–Manchuria had blurred. The movement of Han populations north of the Yellow River and the purposeful Han settlement of western Manchuria threatened occupation of Mongol pastures once thought sacrosanct.

In July 1911, with Chinese settlers “crowding” into Mongolia, Mongol princes and lamas met at Urga to consider a response. The Mongol leaders complained that Chinese settlement of Mongolian lands violated historic agreements that justified



Map 4. Mongolia under Manchu Rule

Chinese suzerainty. In December, “autonomous” Mongolia, ruled by the Living Buddha of Urga, declared itself independent from any form of Chinese rule. Some chance of success was assured in that the declaration occurred when the demise of the Manchu Dynasty was at hand.

#### **4. Bogd Khaan Autonomous Mongolia: Territory and Borders**

The revolution in Russia in 1905, served as the pivotal point for the renaissance of peoples of Asia for their freedom. As a result of the revolution in China in 1911, the Manchu regime collapsed. Besides the formation of the Chinese Middle Civil Republic, the major forces leading the Mongolian people’s continuous movement for national independence and sovereignty were concentrated in Mongolia.<sup>27</sup>

In November 1911, the National All Affairs’ Department or, practically, the Provisional Government in the capital city of Mongolia Bogd-Khuree, started military drafting. On November 30, 1911, the Manchu Minister was forced to leave Mongolia within three days. At that time, there were over three hundred Chinese soldiers under the Manchu minister’s command, but since chances for their victory were very slim, on December 1, 1911, they laid down their arms, while the governor, Sando, himself was under Russian Consulate protection and left Mongolia.

<sup>27</sup> B. Tseden-Ish, “From the History of Formation of Mongolian Borders,” in *The Territory and Borders of Bogd Khaan Autonomous Mongolia* (Ulaanbaatar, 2003), 78–85.





Map 5. Bogd Khaan Autonomous Mongolia

Thus, in December 1911, the Mongolia independent state was formed, and as the Qing Dynasty's rules and procedures were no longer valid, a proposal was submitted to the Bogd Khaan to form ministries, which he endorsed. In 1912, the Mongolian Foreign Ministry announced the formation of the Mongolian state to the foreign ministries of Tsar Russia, Britain, France, Germany, the United States, Japan, and others.

Thus, in 1912, the Republic of China also was born, and its leadership was quick to initiate efforts to reassimilate Outer Mongolia. The Republic's "Regulations Concerning the Treatment Applicable to Mongols" declared that, "Hereafter, Mongolia should not be treated as a dependency, but should be placed on equal footing with other provinces." Such efforts were almost predestined to fail. Indeed, in the chaotic times that followed the fall of the Manchu Dynasty, the republic was fortunate that Chinese Inner Mongolia's attempt to unite with Outer Mongolia had been unsuccessful. Given China's fissiparous regional tendencies and the political anarchy that followed the founding of the republic, Russia was able quite easily to assume the role of Mongolia's suzerain. The tsarist guardianship, incorporated in the Russo-Mongolian Agreement of November 3, 1912, was a complicated affair. In 1913, it appeared that a Sino-Russian convention had reestablished China's suzerainty over Outer Mongolia. But the following year, Russia ensured its predominance through the control of Mongolia's railroads.



Until 1914, the Russians were supportive of Mongolia's independence. Russia, after its disastrous defeat in the 1904–1905 Russo-Japanese War, noted the modernization of the Chinese army and realized the need for a buffer between a resurgent China and Russia's interests in the Far East, particularly, the Trans-Siberian Railway. Thus, beginning in 1911, Russia provided Mongolia with some diplomatic support and significant military training and supplies. Russia's entrance into WWI in 1914, however, diverted the focus of its policy from Mongolia. And, being weak economically and politically, Mongolia lost its independence under pressure from its two giant neighbors in 1915.<sup>28</sup>

The 1915 Treaty of Khiakhta, between China, Russia, and Mongolia acknowledged Mongolian autonomy, but under Chinese suzerainty. A tripartite agreement held that neither China nor Russia would interfere in the internal administration of Outer Mongolia. However, under Article II of the treaty, China agreed to consult with Russia and Outer Mongolia on regional questions of a political or territorial nature. In essence, China was acknowledged as suzerain; in reality, Outer Mongolia became a protectorate of both Russia and China with Russia being *primus inter pares*. With Soviet forces preoccupied in their own civil war, Chinese forces reoccupied Outer Mongolia in 1919. Despite this, the dominant influence in Mongolia was to be Russian. The demise of the Russian monarchy, followed by the Bolshevik Revolution of 1917, resulted in a momentary distancing of Russo-Mongolian relations. Meanwhile, the Chinese forces, led by colonial claims, viewed the collapse of the Russian tsar regime, a party to the Treaty, as an opportunity for them to monopolize the dominance over Mongolia. With this purpose they sent troops on November 22, 1919, to Mongolia, commanded by the Chinese general, Shui Shu-Tseng, who destroyed Mongolia's autonomy, threatening it with military forces and armaments.

After its 1911 declaration of independence, Mongolia's efforts to create a cultural and political destiny free from China led it to accept Tsarist Russia as a counterbalance.

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<sup>28</sup> A tripartite agreement among China, Mongolia, and Russia, known as the Treaty of Kyakhta, on May 25, 1915, formalized China's suzerainty over Mongolia, leaving to the latter limited self-rule and the right to control its commerce and industry autonomy.

Under quiescent political circumstances the Mongolian buffer state might have survived. Nevertheless, the Chinese, along with elements of the Russian White Army, were able to hold Outer Mongolia only until July 1921, when they were defeated by a combined Mongolian and Soviet military force. The demise of both Tsarist Russia and the Chinese Empire, however, provided Mongolia only a few years to mature. The time was insufficient. By 1921, Mongolia's political destiny was closely tied to the Soviet Union. Thereafter, a Provisional Government, controlled by communists, assumed all state power.

Border protection during this period was completely different than during the period of Manchu domination. The state border became Mongolia's not the Manchu's. The northern border structure remained the same as during the Manchu domination, and the force of protection was cut down and used for protecting the revolutionary attainment. The south border uniting Outer and Inner Mongolia was considered to be the Great Wall.

#### **5. Independent Mongolia: Boundary Demarcation and Consolidation**

The Mongolian independent state was proclaimed on July 11, 1921. On September 14, 1921, it was declared that the Mongolian people established an independent and sovereign state and expressed their willingness to establish friendly relations with all nations. Faced with the constant threat of the Chinese military force, Mongolia managed its external security by "maintaining and strengthening alliance with the Soviet Union and by building up its own armed forces."<sup>29</sup> The two countries agreed to undertake all necessary measures, including defense, with the purpose of ensuring the security of the two countries. Mongolia managed, within three years after the revolution, to strengthen its statehood and abolish the limited monarchy, and the Mongolian People's Republic was officially proclaimed on November 26, 1924.

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<sup>29</sup> D. Ganbaatar, "Mongolia's Search for Security," Naval Postgraduate School, available at <http://handle.dtic.mil/100.2/ADA390356> (accessed December 25, 2005).



Map 6. Mongolian and Nearby Countries

For several years after the victory of the people's revolution, Mongolia's border defense was executed according to the traditional police-guard system. With the abolishment of the feudal administration in 1924, the former police guards defending the state border under local nobles supervision were dismantled. Newly organized police forces to defend the borders on a rotating basis, nominated by local provinces and subprovinces, were deployed along the state's eastern and southern borderlines.

These police forces were supervised by also newly formed special border detachments and command offices subordinate to the Interior Department. Six detachments were set up in total. Each detachment was composed of two command offices, and each command office consisted of from five to seven frontier posts. A frontier post consisted of three households, each of which had four policemen, led by one of them who had already served in the army. Each frontier post had two or three groups, or "urtuu," of horses (one group had twelve horses). The urtuu were designed to safeguard the border and were used by detachments, command-office commanders and representatives, and special military task forces. These newly organized border posts had one rifle per household, which was not sufficient even for training. But having a sufficient number of horses and young, active, and enthusiastic officers allowed them to check the border outposts day-round, to search for, or detain, various escapees and thieves, and help in Customs activities.

In 1928, it was decided to dismantle police frontier posts starting from the eastern border and to send army detachments and units. The Mongolian territory and its traditional border had been protected for centuries, during all regimes including the Manchu ruling era, Mongolia with Bogdo Khaan, and autonomous republic times, by this type of police frontier-post system. From 1921 through 1962, the only portion of the China–Mongolia boundary subject to a delimitation agreement was in the east, in the region of Lake Buyr (Buyr Nuur). After Japan’s invasion of Manchuria in 1931, a Mongol-Manchoukuo (Manchuria) Joint Boundary Commission was created. Its successes were limited, because beginning in 1935 a series of border incidents threatened the peace along the eastern frontier. It seemed inevitable that Soviet and Japanese forces would clash; when they did, in 1939, the Japanese Kwangtung Army was defeated. Following the combat, a part of the Mongolia–Japanese Manchoukuo boundary was demarcated.

In the west, where China sought to enhance its very tenuous control of the Altai frontier, the region became the center of a Sino-Mongolian dispute both during and after World War II. During World War II, western Mongolia was rumored to be the center of Soviet-sponsored, anti-Chinese agitation that sought to carve Xinjiang from China. Politically, the independence of Outer Mongolia seemed resolved by the February 1945 Yalta accord. At Yalta, the USSR informed the United States and Great Britain (China did not attend) that among its conditions for entry in the war against Japan was that “the status quo in Outer Mongolia (the Mongolian People’s Republic, or MPR) shall be preserved.”<sup>30</sup> The United States and Britain agreed to the condition. China eventually was forced to accept the Big Three agreement on Mongolia. In Sino-Soviet talks held in Moscow in June–July 1945, Chinese statesman T. V. Soong held that Chinese recognition of Outer Mongolia’s independence would threaten China’s hold on Tibet and Xinjiang. Sino-Soviet accord was reached after China’s Generalissimo Chiang Kai-shek agreed that, if a Mongolian plebiscite were held to determine the question of independence or reincorporation into China, the Soviet Union would be required to:

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<sup>30</sup> Regarding the implementation of this element of the Yalta Agreement, see Tang Tsou’s *America’s Failure in China, 1941-1950* (University of Chicago Press, 1967), Vol. I, 270–80.

- recognize China's territorial and administrative sovereignty over Manchuria;
- assist China in the suppression of local rebellions in Sinkiang; and
- provide material and moral support to the Republic of China.

Stalin agreed to the three points, and a plebiscite was held in January 1945. The Mongolian vote for independence led to China's recognition of the Mongolian People's Republic. Following World War II, it became impossible to delimit a China-Mongolia boundary pending the outcome of the Chinese civil war.

In August 1947, the matter was further complicated at the United Nations Security Council when China protested that Mongolian troops had intruded at least a hundred kilometers into China in the region of the Baitag Mountains where Chinese and Mongolian troops had clashed. This undemarcated region was thought to be rich in precious metals, including gold and uranium. At the time, the Mongolian People's Republic was being considered for United Nations candidacy. The Soviet Union responded at the United Nation that in the 1946 plebiscite the people of the Baitag region had voted for Mongolian independence. The United Nation was unable to resolve the issue. As a result, Nationalist China no longer felt bound to respect the sovereignty of the Mongolian People's Republic. Ironically, even as civil war raged, it was difficult to determine if China, Nationalist or Communist, would ever respect the territorial integrity of the Mongolian People's Republic.



Map 7. Mongolia-China Border

The Nationalists were reluctant to admit Mongolian sovereignty, and the Communists seemed ambivalent when confronted with the reality of Mongolian independence. Edgar Snow had written and other authors had taken note of Communist leader Mao Zedong's statement that, "When the people's revolution has been victorious, Outer Mongolia would automatically become a part of the Chinese federation, of its own will."<sup>31</sup> After the defeat of the Nationalist army in 1949, it took Beijing more than a decade to address the issue of the undelimited China-Mongolian boundary. A warming of Sino-Mongolian relations seemed apparent following Chinese Premier Chou En-Lai's May 1960 visit to Ulaanbaatar where a Sino-Mongolian treaty of mutual aid was celebrated. This era of good friendship reached its zenith with a boundary delimitation agreement in December 1962.

The border negotiations between two government delegations at the level of deputy ministers were launched in Ulaanbaatar on October 12, 1962. The Mongolian side, in order to prevent any disputes at the beginning of the negotiations, proposed the following: Not to consider any disputes raised before the negotiations. The Mongolian-Chinese border "delimitation" negotiations exhausted the agenda and the first Protocol determining the Mongolian-Chinese borderline was signed by the heads of two delegations on November 17, 1962. The results of the border negotiations comprised the first large, successful step toward establishing the state's official border: out of 30 disputed areas across the country with a total territory of 17,321 kilometers,<sup>2</sup> discussed during the negotiations, 12,314 kilometers<sup>2</sup> were left in Mongolia; the remaining 5,007 kilometers<sup>2</sup> were given to China.

A border treaty between Mongolia and China was signed on December 26, 1962, in Beijing by the Mongolian prime minister, Mr. Yu. Tsedenbal, and the Chinese state committee chairman, Mr. Zhou Enlai. The ratification notes were exchanged in Ulaanbaatar on March 25, 1963.<sup>32</sup> Afterward, the Mongolian-Chinese Border Treaty was approved and registered with the United Nations at Mongolia's initiative. In accordance

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<sup>31</sup> Exchange of notes between China and the Soviet Union on the independence of the Mongolian People's Republic, Moscow, August 14, 1945; London: British Foreign and State Papers, 1947, Part III, 359-60.

<sup>32</sup> Document on signing on December 26, 1962, in Beijing, the Border Treaty on Border delimitation.

with the Border Treaty between the MPR and the People's Republic of China (PRC) of December 26, 1962, to draw and mark the borderline on the spot, the Demarcation Commission members were nominated by the MPR Central Committee on April 1, 1963. The Joint Demarcation Commission's first session was held in Ulaanbaatar in April 1963, at which time seventeen subgroups were set up to undertake the fieldwork in all directions of the border. These included the borderline in the western mountainous region, the Gobi southern-desert region, and eastern parties to draw the lines and put border landmarks and poles. Mongolian border experts planned to erect a total of about 1,290 hillocks and landmarks along the borderline, but the Chinese refused to agree with this, because it would have taken more than three years to do it. So the two sides installed 639 border landmarks and poles. Thus, the determination of the border between the MPR and PRC was carried out successfully in a very timely fashion. The field demarcation work was successfully completed on December 26, 1962, and the Protocol defining the borderline was signed on June 30, 1964.

The delimitation of a Chino-Mongolian boundary in 1962 and the boundary demarcation of 1964 closed a chapter in bilateral relations that dated from 1911. The agreement demonstrated to all nations that Mongolia had revoked any vestige of Chinese suzerainty. But Mongolia remained fettered politically to a second suzerain, the Soviet Union. After 1921, the Soviet Union rarely bothered to disguise its role as Mongolia's suzerain. In 1924, any pretense to unfettered independence was dropped with the establishment of the Mongolian People's Republic. In effect, China was too weak to counterbalance Soviet policies; consequently, the survival of what might well have become a quintessential buffer state was doomed. Although the border was demarcated in 1964, the first meeting of the Sino-Mongolian boundary inspection team provided for in the Protocol did not take place until February–April 1982.

## **B. MONGOLIA: CURRENT BORDER PROTECTION SYSTEM**

### **1. Background**

Mongolia shares a 3,543-kilometer-long border with Russia and 4,709.658 kilometers with China from its total 8,252.895-kilometer border. Ethnically, Mongolia's

boundary area has been inhabited by a variety of minority groups, but ethnic problems in the boundary area are not acute.

On its northern side, Mongolia borders seventeen administrative units of the Mountain Altai, Tiva, and Buriad states and the Chita region of the Russian Federation. While illegal activities such as contrabanding of tobacco, drugs and medicines, arms and bullets, and cattle-related materials are common on the part of border in Bayan Ulgii, and the Selenge aimags (provinces), on the part of border in the Uvs, Zavkhan, Selenge, and Khentii aimags, the contraband is racing horses from Russia. Recently, on the northern part of the border with Tiva, cross-country cattle-stealing groups have organized. On its southern side, Mongolia borders with twenty-four administrative units and one independent city of ten aimags in an Inner Mongolian Autonomous state, the Gansu region, and the Shinjian-Uigur Autonomous state of the PRC. On the southern border, border infringements such as illegal hunting and collecting of plants occur.

Illegal activities by Mongolian citizens who are interested in going to and working in other countries, including the use of stolen or fraudulent border-crossing documents, increasing in number. Moreover, it has become clear that organized criminal groups are organizing the trafficking of Mongolians to other countries for a considerable fee. Those who want to make easy money conceal contraband goods in other cargos for transportation across the border. There have been several cases recorded of contraband to China directly crossing the national border as well. Recently, on some parts of the southern border, cross-border cattle stealing and the illegal mining of natural resources and gold has occurred. Thus, to prevent these infringements, close cooperation by the border regime with the Ministry of the Environment and other law enforcement agencies has been launched.





Map 8. Mongolia Today

There are forty-four border checkpoints functioning on Mongolia's borders, of which twenty-nine are on the Mongolian-Russian border, thirteen are on the Mongolian-Chinese border, and two are at airports. The checkpoints are classified into four types: eleven are international; eleven are two-sided and permanent; eleven are temporary operations and seven transit. Almost thirteen border checkpoints have no operations because of a lack of infrastructure, the construction of checkpoints, and poor working conditions. Annually, around 1,650,000 passengers and 780,000 transportation vehicles from over a hundred and twenty countries are checked through the border checkpoints. They play an important role in improving the living standards of the people living near the border areas, in developing the economy, and in foreign trade.

According to an analyses of border-infringement cases, a majority are related to cross-border cattle stealing, the contrabanding of goods, illegal cross-border trade, the illegal collection of plants, and letting cattle cross the borders via privately owned pastures. In 2005, during the process of border protection, there were 1,766 illegal border crossings in 439 actions from outside, 152 in 75 actions from inside, and a total of 1,918 in 514 actions that were detected on the Mongolian border and solved in accordance with law. While 66.6 percent of the illegal border infringements occurred on the southern border, 33.4 percent were detected on the northern border. Among the border areas of the aimags, 51.9 percent of the total illegal border crossings were in Uvs, 31.1 percent in Zavkhan, 1.9 percent in Khuvsgul, 0.7 percent in Bulgan, 1.5 percent in Khentii, 2.3

percent in Dornod, and 0.9 percent in Selenge. A majority of the border infringements on the border areas of the aimags were cross-border cattle stealing, letting cattle across through private pastures, and the contrabanding of cattle meat.

Illegal activities involving cross-border cattle theft and the contrabanding of goods decreased considerably as a result of joint intelligence operations between the Central Intelligence Agency and the Criminal Police of the General Police Board. These operations took place in the border areas of the Uvs, Zavkhan, Khuvsgul, Selenge, Khentii, and Dornod aimags in 2005. Their purpose was to reveal the illegal activities and determine the perpetrators, paying special attention to the frequency of the cross-border cattle stealing and contrabanding of goods that occurred mainly in the Bukhmurun, Sagil, Davst, and Tes soums of the above mentioned aimags.

In 2005, five hundred and ninety cattle that crossed the border from inside through private pastures were intercepted, twenty-eight actions intended to steal six hundred and nineteen cattle were stopped, and around 15,752 cattle about to be moved across the national border were returned to their owners. As a result, the border force prevented the possible loss of around one billion, six hundred and thirty-six million, four-hundred thousand tugrugs to the local people. In the first season of 2006, on the Mongolian border, three hundred and seventy-three persons in a hundred and fourteen actions from outside, seventy-three persons in thirty-one actions from inside, and, in total, five hundred and nineteen persons in a hundred and forty-five actions were detected and solved in accordance with law. Fifty-four percent of the total border infringements occurred on the southern border and forty-six percent on the northern border. So far in 2006, nine hundred and eighty-three cattle in six actions that crossed the national border from outside were returned and five stolen cattle in one action are under search.

Of a hundred and eighty-one cattle stolen from Mongolia, eighty four were found as a result of a joint search with Russian. A claim to Russian was made for the rest of the cattle. Three hundred and thirty-six of the cattle that crossed the national border through private pastures were returned, and three hundred and forty-seven cattle that were about to cross the border and fifteen cattle that were stolen were stopped on the border. As a result, a possible loss of 109 million, 200 thousand tugrugs to local people was prevented.

In 2006, forty-six persons in twenty-five actions who infringed the border and the near-border regimes domestically were detected. Thirty were fined 710,000 thousand tugrigs according to the “statute on administrative responsibility,” thirteen were charged with criminal responsibility and transferred to the prosecutor’s office, and three people related to cattle stealing are under search by the local police organization.

Citizens of the Sagsai, Altai, Zuungobi, Tes, Sagil, Binder, Batshireet, Chuluunhoroot, Zamin Uud, Khanbogd, and Khatanbulag soums of the Bayan Ulgii, Uvs, Khentii, Dornod, Sukhbaatar, Dornogobi and Umnugobi aimags breached the border and near-border regimes with the intention of contrabanding cattle and cattle meat, collecting nuts and horns, and illegal hunting. Sixty-two Mongolians and one Chinese man who crossed the border using fraudulent documents, and eleven Mongolians and one foreigner who were on a wanted-persons list were caught at the Buyant Ukhaa and Zamin Uud checkpoints during border-checkpoint inspections. More than 938,913 passengers and 388,599 means of transportation from more than thirty-one countries were transferred to relevant organizations.

Around 3,000 cases of document fraud are revealed annually, on average, at border checkpoints. The country is troubled increasingly by the influx of illegal Chinese immigrants as well as workers and traders overstaying their visas. Thus Mongolia will have to make its border controls with China stricter. This move should be accompanied also by better control of foreign nationals in Mongolia.

## **2. Mongolia’s Border Policy**

Mongolia’s State Policy on Borders was approved by Resolution 20 in the Mongolian Parliament on May 16, 2002. It defines the main directions of the state’s policy on borders and their implementation. The Law on the Borders of Mongolia, adopted by the Parliament on October 21, 1993, defines the purpose of the state border system, procedures for safeguarding the border, the organizational chart, functions of the border-protection authorities, and procedures for involvement in border protection by citizens and organizations. The objective of the law is, in part, to regulate relations connected with implementing international agreements on Mongolia’s border issues. The agreements were included to provide inviolability for Mongolia’s state borders, to

enforce the state borders and border-area regimes, to organize the passage of passengers and means of transportation through the state borders, to define the border- protection organization system and powers, to involve citizens and organizations in border protection, and to charge offenders responsible for violating the aforementioned rights.

The borderline regarded as the State Border of Mongolia was established by international treaties to which Mongolia is a party. To establish and amend regulations on the import of passengers, transportation means, goods and animals, plants and raw materials, first, safeguarding of national security should be provided. Second, mutually profitable cooperation with foreign countries should be expanded, and third, principles of protection of the independence, territorial integrity, and inviolability of the state borders should be observed. The border troops' organization and missions and legal guarantees of military servicemen and citizens who perform duties in the state border should be regulated by the law.

The Border Protection Authority conducts its activities in pursuit of a border agreement between Mongolia and China in 1962 and between Mongolia and Russia in 1958 and 1978, the Border Protection Rule approved by a decree of the president, a "regulation on involvement of citizens into border protection," about twenty legislations, and over forty international agreements and treaties.

The mission statement of the border protection authority includes the following:

- Conduct the state policy on border protection and organize it.
- Ensure the implementation of the duties of Mongolia in accordance with its international treaties and agreements on border issues.
- Protect from unauthorized changes the borderlines and border posts and settle any border issues in accordance with Mongolia's laws.
- Prevent border offences or violations and ensure the enforcement of the state borders and near-border regimes.
- Arrange cross-border movement of passengers and vehicles in compliance with relevant regulations.

### **3. Mongolia's Border Protection Service**

The Mongolian Border Protection Service was established in 1933 under the Directorate of Interior Defense Affairs as a separate agency, Military and Border, in

accordance with Resolution 3, January 20, 1933, by the Ministers' Council of the People's Republic of Mongolia. Since then, the Service has assumed the role of the nation's first line of defense. Historically, the mission of the Mongolian Border Guard has been to inhibit the entry of aliens into the country. Prior to 2000, the Border Protection Service fell under several agencies, including the Ministry of Defense and the Intelligence Bureau and Ministry. Now there are four key government agencies that are responsible for securing the state borders:

- The Border Protection Service (BPS): Responsible for managing operations, inspections, and border patrol tasks
- The Customs Service: Deals with commercial operations, inspection of goods, drug interdiction procedures, and state protective services
- The Immigration and Naturalization Service: Manages investigations, alien custody, and deportations
- The Animal and Plant Health Inspection Service: Responsible for inspecting animal products, agricultural products, and plants

All these agencies work separately, with the exception that the Border Protection Service and the Immigration and Naturalization Service are located in the Ministry of Justice and Home Affairs. The Bureau of Customs is located in the Ministry of Finance. The Animal and Plant Health Inspection Service falls under the umbrella of the Ministry of Food and Agriculture.

Today, the Mongolian Border Protection Service's primary mission is to prevent the entry of terrorists and terrorist weapons into the country. It is also responsible for deterring illegal immigrants from entering Mongolia and for prohibiting the trafficking of illegal substances across the nation's borders. The Mongolian Border Patrol has authority at points of entry. Thus Border Patrol inspectors are stationed at points of entry and are charged with handling document inspections. The inspectors do not, however, have the authority to handle customs, immigration, and agricultural inspections.

## MONGOLIA'S BORDER PROTECTION SYSTEM

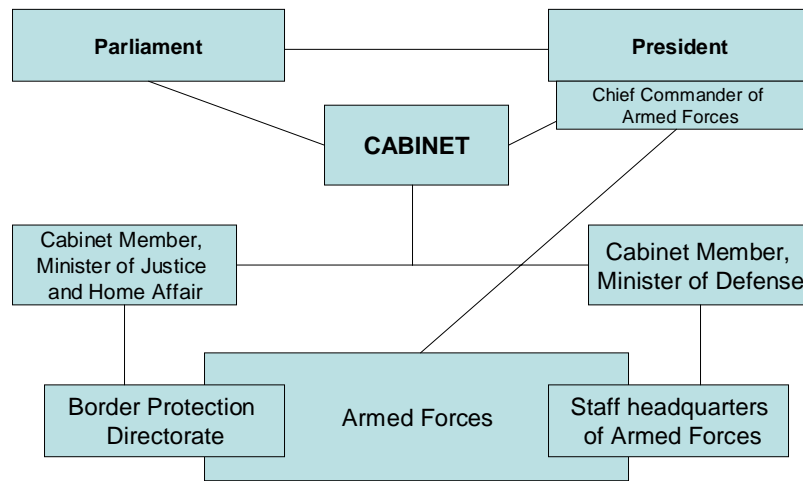


Figure 1. Mongolia's Border Protection System<sup>33</sup>

The government Adjusting Agency for the Border Protection Service is subordinate to the Ministry of Justice and Home Affairs in administrating the work of the Border Guard. Their work proceeds from principles that ensure the security and internal stability of Mongolia, the fulfillment of obligations to neighboring countries, and the limits set by its personnel and material resources. Border Guards are equipped with armored personnel carriers, helicopters, and modern weaponry. Some of the border is patrolled on horseback, and dogs are specially trained to work with the guards. Much of the border is plowed, to assure that footprints are identifiable, and equipped with manned guard towers and searchlights to maintain continuous observation.

The Border Guards maintain their own schools, which are comparable to the schools of the Armed Forces. Young men aged eighteen to twenty-two enter the schools after having been selected through a competitive examination. After four years of intensive work, graduates receive degrees and are commissioned as lieutenants. The

<sup>33</sup> Available at <http://www.bt.mn> (accessed March 18, 2006).

Border Guard is composed of the Directorate of the Border Guard, Border Guard Regiments, and a Border Guard Aviation Group.

The Border Guard Regiments are responsible for border control and prevention of criminality and illegal immigration. Service in a Border Guard region is supervised and managed by regiment headquarters. Border guard stations, border points, and patrol and motor boats are part of the structure of a regiment.

The Border Guard Aviation Group performs frequent aerial observations as well as search and rescue operations. The helicopters of the Aviation Group make patrol flights to secure the border regimes and for environmental protection, as well as rescue and emergency flights. In order to prevent illegal migration and organized crime, the Border Guard has the right to pursue and prosecute violators of criminal and administrative laws all over the territory of Mongolia. The Mongolian Border Guard guards the state borders according to the Law on the Border of Mongolia.

#### Border Protection Organization Chart

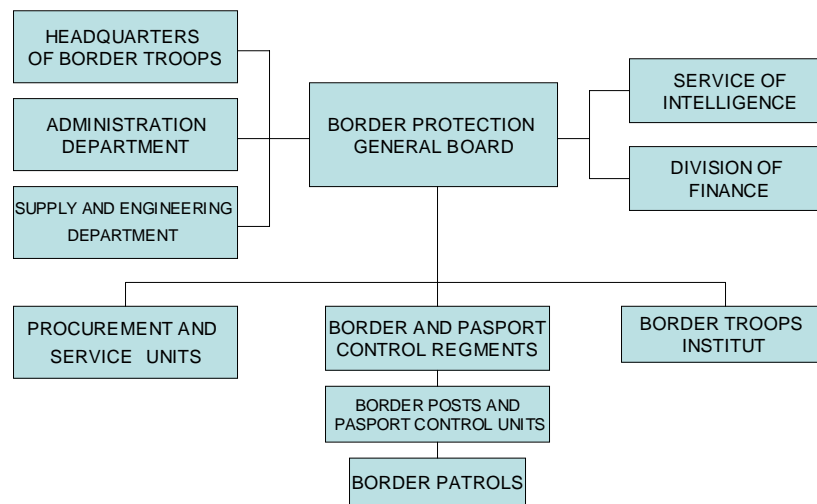


Figure 2. Border Protection Organization of Mongolia<sup>34</sup>

<sup>34</sup> Available at <http://www.bt.mn> (accessed June 18, 2005).

#### **4. Mongolia-Russia Border Protection**

Today, 3,543 kilometers of Mongolia's frontier border the Russian Federation. The Altai Republic, the Chita province and Tuva, and the Irkutsk province and Buryatia border Mongolia. The border with Russia remains essentially as it was agreed on in the Treaty of Kyakhta (1727) between the Russian and Manchu Empires. One exception was the USSR's 1924 absorption of Tannu Tuva, which is now Tuvan ASSR. The resulting boundary was accepted by Mongolia.<sup>35</sup>

Russia organizes its border protection with a force of thirty-eight border companies of five border regiments each under Border Commands in the Chita region and Mountain Altai, Tuva, the Buriad states, the Siberian Federal district, and the Russian Federal Security Service. Russian-Mongolian bilateral and regional links are now back on track after almost a decade of limited interaction. The two governments agreed in 1998 on the need to liberalize the border-crossing procedures between their two countries, although the promised visa-free arrangement for the citizens of both countries has yet to become a reality. In March 2002, Mikhail Kasyanov became the first Russian prime minister in over thirty years to visit Mongolia. He signed a consular pact and an agreement on border checks, as well as a protocol on economic and trade cooperation. At the 2002 annual meeting of the Accord, a proposed new highway between Russia, China, and Mongolia via Siberia was discussed, as were measures to safeguard the Russian-Mongolian borders.

Chartered flights in and out of Bayanulgi have been used out of necessity in the absence of suitable roads and customs clearance facilities on the borders with Mongolia. The agreement in place between the governments of Mongolia and Russia officially designates twenty-nine ports of entry, including four international ports for passengers and goods, nine bilateral ports for passengers and goods, nine seasonal bilateral ports, and another seven transit ports. At present, a total of nineteen ports are functioning, including sixteen on a permanent basis, and another three on a seasonal basis. Among them,

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<sup>35</sup> Trevor N. Dupuy and Wendell Blanchard, "Area Handbook for Mongolia," 1970, 21.



Sukhbaatar-Naushki plays a prominent role as an international port because it is open to citizens of third countries. Three other international ports operate only bilaterally, due to a lack of adequate facilities.

On Mongolia's border with Russia's Aktash, Kizil, Khyagt, Mangut, and Dauriya, border detachments of the Southbaykal Regional Directorate implement border protection. In Abakan, the capital city of Khakas, and Aksha, the center of the Aksha region of Chita province, the operative groups that provide administration are the Khyiyagt, Mangut, and Dauriya border detachments. On the border side of the Mountain Altai Republic, which borders with the Bayan-ulgii province of Mongolia, the border-protection duty is implemented by Argamj, Biisk, and Tashanta outposts, the border batalion of Kosh-Agach, and the Tashanta checkpoint of Aktash border-control detachment.

The border area with the Tuva Republic of Russia still remains a vulnerable point. One of the major problems on this border is the stealing of cattle. Both countries have organized a commission which is to tackle the problem of lost and stolen cattle.<sup>36</sup> The Comendatur of Khandgait, the checkpoints of Khandgait, Sharsuuri, Torkhilog, Mukhar agsaa, and Sagil, and the Kizil outpost implement the duty of border protection and checkpoints.

In the border area against Zavkhan province, the border control is provided by the Tsagaan tolgoi outpost of the Kizil detachment, which also implements the duty of checkpoints. In the responsible area of the frontier of Kizil with the Khubsugul province of Mongolia, an area of 466 kilometers, there are currently no outposts. Mongolia shares a border of 922 kilometers with Buryatia, and the Mond outpost of the Khyagt detachment provides border control. They control only a 20-kilometer plot, which leaves the remaining area without any control. On the Mongolian side, seven border outposts protect this area.

Delimitation of the state border between Russia and Mongolia was completed in 2001. The work to determine the borderline took fourteen years. During this period all the

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<sup>36</sup> *Obozrevatel*, December 2001, 24.

3,543 kilometers of the border were fully verified and formalized, and 1,925 frontier posts were installed, with 459 of them having being installed for the first time.

## **5. Mongolia-China Border Protection**

On December 26, 1962, envoys of the governments of Mongolia and China signed a boundary delimitation agreement. The effect of this agreement was to confirm the common tri-points of the Mongolian, Chinese, and Soviet boundaries. The demarcation of the Mongolia-China border was completed by a joint Sino-Mongolian Border Demarcation Committee in 1964. Its length was given as 4,676 kilometers, and 639 pillars were erected to demarcate the boundary. From the Chinese side, border protection is organized by a force of eighty-one border companies, eleven battalions in nine border regiments of the Chinese People's Liberation Army.

There is presently one international port of entry between Mongolia and China operating on a permanent basis and nine bilateral ports of entry operating on a seasonal basis. Most prominent among these is the Zamiin-Uud –Erlian international port. Nine others, including the Bulgan port in the province of Khovd, the Gashuunsukhait port in the province of South Gobi, and Shiveekhuren, also in South Gobi, are very crowded during the short season in which they operate. Passengers and vehicles are issued temporary permits for seasonal entry, and are then allowed to cross the border at the port.

Along with the development of bilateral relations, consular relations have also developed between the two countries. In 1986, the two governments signed the Beijing Consular Treaty between China and Mongolia. In 1990, Mongolia reopened its consulate-general in Khokhkhhot. In 1996, the Office of Mongolia's Khokhkhhot Consulate-General in Eren began operating. In 1997, the two countries signed the Agreement on Mongolia retaining its honorary consulate in Hong Kong by the Special Administration of China between the governments of the People's Republic of China and Mongolia. At present, diplomatic, official and service passport-holders are exempted from visas between the two countries. Development of Sino-Mongolian consular relations has played an active part in promoting economic and trade contacts and personnel exchanges between the two countries. There are now regular flights between Ulan Bator and Beijing operated by both sides. Mongolia has opened regular flights between Ulan Bator and Hohhot.

The Mongolian-Chinese border has been checked twice. The most recent inspection was completed in 2004 and was very productive. As a result of the border inspection, all frontier markers and signs have been replaced with marble columns that are guaranteed to last for a century. Parts of the state borders in some directions have been negotiated and considered several times over the past century. In addition, work timetables and the classification of checkpoints such as Bulgan, Baitag, Burgastai, Shiveehuren, Gashunsukhait, Khangai, Zamin Uud, Bayankhoshuu, and Khavirga were renewed and are being implemented in accordance with a 2005 Agreement between the governments of Mongolia and the People's Republic of China on Mongolian and Chinese border checkpoints and their regimes.

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## **IV. BORDER PROTECTION EFFECTIVENESS**

### **A. CHAPTER OVERVIEW**

Prior to 9/11, Mongolia's Border Protection security efforts along the international border were well established. Since then, however, constant illegal border crossings and the increasing mobility and destructive potential of modern terrorists has required Mongolia to rethink and fundamentally rearrange its systems for border security. This critical need to rethink border systems, particularly along the international border, leads critics to ponder, Who is primarily responsible for securing our borders? What is the Mongolian Border Protection Agency doing to secure the border given this new threat? This chapter will answer these questions for the benefit of policymakers by providing a comprehensive overview and the framework of the current border security system. With this information, policymakers will be able to better assess and re-evaluate current operational plans, develop and implement new border strategies, and increase efficiency by redeploying scarce resources.

Different variants of border protection will be studied in search of suitable schemes of border protection. The Customs and Border Protection Bureau (CBP) of the United States is the world's largest border protection agency. Thus, the U.S. bureau's experience could be vitally important for Mongolia. The variants investigated here take into account the real threats for the Mongolian Border Guard both now and in the future. Thus, it is a good time to have such discussions.

This chapter discusses three examples of institutionalization in the national security sphere: the United States Border Patrol, the Federal Border Guard Service of Russia, and the Border Protection Authority of the People's Republic of China. These three border protection services have been chosen to illustrate the differences in institutional design that depend on particular definitions of national security and on the missions and appropriate status that border protection institutions can be granted according to their national security strategies.

This chapter analyzes the current border-security operational procedures of three different countries and provides new recommendations for better securing Mongolia's state borders. In an effort to make the most accurate assessment of current international issues, the author focuses on the U.S. Border Patrol's operational policies during the last ten years.

These practices are then compared to Mongolia's institutionalization of its security sphere, making it easier to understand the importance of an independent national-security institution responsible for policy-coordination in the particular security environment that Mongolia now faces. Thus, following our discussion of the three international examples, we discuss possible measures for improving the effectiveness of the Border Protection of Mongolia. The potential measures covered in this chapter include: ways to improve the protection of Mongolia's state borders and frontier territory, preventive measures, and implementation methods. Our aim is to analyze factors of socio-economic development and prevention methods that affect border protection.

## **B. U.S. BORDER PROTECTION**

### **1. The U.S. Border Patrol**

The U.S. Border Patrol was established on March 1, 2003, as part of the reorganization of the Department of Homeland Security (DHS). A Customs and Border Protection agency was created by unifying all the front-line personnel with law enforcement responsibilities at the nation's borders. Those borders include more than three hundred ports of entry into the United States, by land, sea, and air, as well as areas between the official ports of entry.

Creation of the Customs and Border Protection agency meant that one agency would now have full responsibility, for all purposes, for the country's borders. For the first time in its history, America was able to design a comprehensive strategy for its borders. The Border Patrol is an extraordinarily important operational component of the U.S. Customs and Border Protection, and the Border Patrol's national strategy complements the general national strategy for securing U.S. ports of entry.

### U.S. CUSTOMS AND BORDER PROTECTION (CBP)

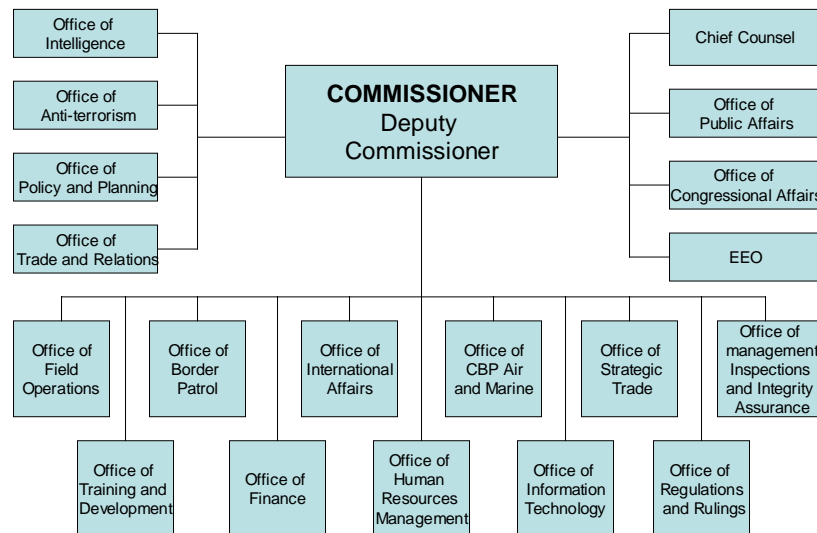


Figure 3. U.S. Customs and Border Protection<sup>37</sup>

Prior to 9/11, the primary focus of the Border Patrol was illegal immigrants, the smuggling of aliens, and drug trafficking. In response to those issues, the Border Patrol put into action its first National Strategic Plan (NSP). The goal of that prevention-through-deterrence strategy is to deploy manpower and resources directly on the border to deter illegal immigrants from entering the country, as opposed to trying to arrest them after they have already crossed the border. The strategy is divided into four phases:

- Phase I – Operation Hold the Line in El Paso, Texas, and Operation Gatekeeper in San Diego, California
- Phase II – Operation Safeguard in Tucson, Arizona, and in the Del Rio, Laredo, and McAllen sectors in Texas
- Phase III – The three remaining sectors along the southwest border
- Phase IV – The northern border, the Gulf coast, and the coastal waters around Florida and Puerto Rico

<sup>37</sup> Available at: <http://www.honorfirst.com/stationlist.htm> (accessed December 10, 2005).

After the events of September 11, 2001, the Border Patrol began to prioritize safeguarding the nation against terrorism. After the establishment of the DHS in 2003, the it began implementing the new Strategic Plan, which focused on five strategic objectives:

- Determine the possibility of apprehending terrorists and terrorist weapons and preventing their illegal entrance at or between ports of entry.
- Continue to prevent illegal entrance through enhanced enforcement.
- Continue to locate and apprehend those involved in the trafficking of drugs, humans, and contraband.
- Employ “Smart Border” technology to increase the capabilities of Border Patrol agents.
- Decrease the level of crime in border communities, thereby enhancing the quality of life.<sup>38</sup>

The U.S. Border Patrol’s central goal is to attain complete operational control over the borders. “Operational control” is defined as “the ability to detect, respond, and interdict border penetrations in areas deemed as high priority for threat potential or other national security objectives.”<sup>39</sup> The new strategy will continue to expand the prevention-through-deterrence policies. However, different strategies are employed at the two borders, and therefore, a different mix of resources – personnel, equipment, technology, and border infrastructure – is deployed at the northern border than at the southern.

***a. The Northern Border***

Prior to the events of 9/11, the 3,987-mile border that the United States and Canada share was proudly dubbed “the longest undefended border in the world.” At that time, the focus on border security was beginning to direct more attention to matters concerning legitimate international commerce than to issues associated with immigration.<sup>40</sup>

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<sup>38</sup> Department of Homeland Security, Bureau of Customs and Border Protection, “National Border Patrol Strategy,” March 1, 2005, available at [http://www.customs.gov/inkhandler/cgov/border\\_security/border\\_patrol\\_patrol/national\\_bp\\_strategy.ctt/national\\_bp\\_strategy.pdf](http://www.customs.gov/inkhandler/cgov/border_security/border_patrol_patrol/national_bp_strategy.ctt/national_bp_strategy.pdf) (accessed December 20, 2005).

<sup>39</sup> Department of Homeland Security, Bureau of Customs and Border Protection, “National Border Patrol Strategy,” March 1, 2005.

<sup>40</sup> “Border Security: U.S.-Canada Border Issues,” CRS Report to Congress, July 8, 2002.



Since 9/11, protecting the northern border has been elevated to an issue of national security. Both countries have come to understand that it is going to take cooperation from both sides of the border to create a more secure border. Americans have often criticized Canada for its open-door immigration policy. And long borders and coastlines offer many points of entry that can facilitate movement to and from various sites around the world, particularly the United States.

The U.S. Patriot Act, Congress's immediate response to the events of 9/11, authorized the attorney general to triple the manpower on the northern border and granted \$50 million to the Immigration and Naturalization Service (INS) for the United States-Canada border to update technology and purchase additional equipment. Since then, the number of agents deployed to the northern border has increased from 340 border patrol agents in 2001 to 983 in 2004.<sup>41</sup>

The Integrated Border Enforcement Team (IBET) is a multi-agency law enforcement team that promotes a more cooperative approach between U.S. and Canadian agencies to enhance security on the northern border. The IBET's mission is to create a strong partnership and emphasize the sharing of information and intelligence. The IBET enables agencies on both sides of the border to work together on a common goal: creating a border that allows cross-border commerce, but keeps criminals out.

The United States-Canada border, which spans twelve states, presents unique obstacles for the Border Patrol. In comparison to the southern border, the northern border differs dramatically in length and geography. It is approximately four thousand miles in length, more than twice the length of the southern border.

The northern-border strategy is divided into three areas of emphasis: Phase I focuses on liaison and intelligence; Phase II emphasizes technology and equipment; Phase III concentrates on personnel. How effective this strategy has proved to be is still questionable. Since 9/11, manpower on the northern border has tripled. Pre-9/11, there was only one agent to patrol every eleven miles of the border. Now that figure has improved to one agent every four miles, but the northern border still remains severely

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<sup>41</sup> "Border Security: U.S.-Canada Border Issues," CRS Report to Congress, July 8, 2002.

understaffed. Even though drastic improvements have been made on the northern border in expanding the technological resources and supplying agents with additional equipment, high-tech gadgets are no substitute for boots on the ground.

In 2003, the United States Border Patrol confiscated a record high of over 1.3 million pounds in narcotics between points of entry.<sup>42</sup> But the northern border has well-organized smuggling operations, which could potentially support the movement of terrorists and their weapons. The number of actual illegal border penetrations along the United States–Canada border is small in comparison to the daily arrests along the United States–Mexico border. While resources have been significantly increased since 9/11, from approximately 350 agents to 1,000 agents, the Border Patrol’s ability to detect, respond to, and interdict illegal cross-border penetrations along the United States–Canada border remains limited. Continued testing, acquisition, and deployment of sensing and monitoring platforms will be key to both Customs and Border Protection and to the Border Patrol’s ability to effectively address the Northern Border threat situation.

***b. The Southern Border***

No reliable estimates are available for how many immigrants have successfully entered the United States illegally, but estimates range as high as ten to fifteen million. Rather than becoming more secure in the aftermath of 9/11, the borders continue to remain wide open. Spanning the four states of California, Arizona, New Mexico, and Texas, the 1,952-mile-long southern border is the brunt of a massive influx of illegal entry into the United States. Since 1992, the southern border has been responsible for apprehending 97 percent of all undocumented aliens. While many of these illegal immigrants have been categorized as “economic migrants,” there is a fear that would-be terrorists will begin to use the same methods to infiltrate the country.<sup>43</sup>

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<sup>42</sup> “Joint Hearing on Homeland Security Counternarcotics Mission,” Testimony of CBP Commissioner Robert Bonner, U.S. Congress, House Select Committee on Homeland Security, Subcommittee on Infrastructure and Border Security, 108th Cong. 2nd Sess., July 22, 2004.

<sup>43</sup> CRS Report to Congress, “Border Security: The Role of the U.S. Border Patrol,” May 10, 2005.



Figure 4. The United States–Mexico Border<sup>44</sup>

The growing number of illegal immigrants classified as “Other Than Mexican” (OTM) being apprehended at the border also poses a serious threat. While Mexicans represent a vast amount of the illegal aliens apprehended at the border, a steady flow of immigrants from other countries, most notably, Guatemala, Honduras, and Brazil, is exploiting the border, and the numbers keep increasing.

Today, 90 percent of the U.S. Border Patrol agents are deployed along the United States–Mexico border. The main goal along the southwest border is to detain illegal immigration. Following the new Border Patrol National Strategy, agents on the southern border continues to employ a prevention-through-deterrence strategy: the majority are deployed to areas where illegal traffic is high. The goal of this strategy is to deflect the mass movement of illegal immigrants from long-established routes to less traditional and harsher paths, giving agents an advantage over the illegal traffic. Though “prevention through deterrence” makes border crossing much more dangerous and challenging for aliens, the total number of illegal immigrants apprehended from 1994 to 2000 steadily increased.<sup>45</sup> However, while resources and manpower more than doubled

<sup>44</sup> Wikipedia, The Free encyclopedia\_files link.  
[http://search.yahoo.com/search?&p=Wikipedia%2c+The+Free+encyclopedia\\_files+link.&fr=ieas-dns](http://search.yahoo.com/search?&p=Wikipedia%2c+The+Free+encyclopedia_files+link.&fr=ieas-dns)  
 (accessed February 12, 2005).

<sup>45</sup> Jason Ackleson, “Fencing in Failure: Effective Border Control Is Not Achieved by Building More Fences,” *Immigration Policy in Focus* 4:2 (April 2005).

between 2001 and 2003, Border Patrol apprehensions decreased. Some credit this reduction to the deployment of enough border patrol agents to effectively implement the “prevention through deterrence” strategy. Others claim that the dip in the economy slowed down the flow of illegal traffic. And during the 2004 fiscal year, apprehensions increased by 26 percent.<sup>46</sup>

In 2004, 580,000 aliens were arrested in Arizona, a total that accounted for 50 percent of the national total; in 2003, apprehensions in Arizona only accounted for 9 percent of the national total. According to the National Drug Intelligence Center, Mexican criminal groups wield more influence than any other criminal group over drug trafficking in the United States. The U.S.–Mexico border is the chief area in which most illicit drugs are smuggled into the United States.

## **2. U.S. Border Patrol Sectors**

When the Department of Homeland Security reorganized the Border Patrol, for practical managerial reasons it divided the United States into twenty-one sectors of operation, as shown in Figure 1.<sup>47</sup> The U.S. Border Patrol has its headquarters in Washington, DC.

While the Border Patrol patrols both the northern and southern borders, ninety percent of its resources are deployed along the U.S.–Mexico border, which is considered the local point for illegal immigration, with 97 percent of all illegal alien apprehensions.<sup>48</sup> The four southern border states are divided into nine Border Patrol sectors: San Diego and El Centro, California; Yuma and Tucson, Arizona; El Paso, New Mexico, and two counties in Texas; and Marfa, Del Rio, Laredo, and McAllen, Texas. The Border Patrol’s main challenge is to develop different operational tactics and techniques for each sector because of their diverse topography and climates.

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<sup>46</sup> Report to Congress, “Border Security: The Role of the U.S. Border Patrol,” May 10, 2005.

<sup>47</sup> Honor First, unofficial U.S. Border Patrol website created by U.S. Border Patrol Agents, <http://www.honorfirst.com/stationlist.htm> (accessed August 15, 2005).

<sup>48</sup> Lisa Seghetti, et al., “Border Security and Southwest Border: Background, Legislation, and Issues,” Congressional Research Service (September 28, 2005), 21.



Figure 5. U.S. Border Patrol Sectors

The Tucson sector represents 43 percent of the Border Patrol's total southwest apprehensions.<sup>49</sup> This percent indicates that most of the illegal cross-border activity occurs within 262 miles of the total 2,000 miles of the international border with Mexico.

With the rising concern over drug and human smuggling, border patrol has been a top priority for decades. As of April 30, 2005, the Border Patrol had 10,664 border patrol agents on staff.<sup>50</sup> With the implementation of the 1994 prevention-through-deterrence strategy, the border enforcement budget, which increased sevenfold between 1980 and 1995, tripled between the years 1995 and 2001. In the aftermath of 9/11, border security has only increased. Despite a decline in the budget during fiscal years 2003 and 2004, the budget still remains higher than the pre-9/11 era. As the budget has increased, so has the manpower. As of April 30, 2005, the Border Patrol had 10,664 border patrol agents on staff. It has also updated its technology to enhance performance along the border. Equipment employed by the Border Patrol includes sensors, light towers, mobile night-vision scopes, remote video surveillance (RVS) systems, directional listening devices,

<sup>49</sup> U.S. Border Patrol, "Apprehension Statistics 1993–2004: Data Presented in Actual Numbers and as a Percentage of Total Southwest Apprehensions," available at <http://www.lawl.org/docs/apprehensionstats.pdf> (accessed July 10, 2006).

<sup>50</sup> U.S. House of Representatives, Minority Staff of the Committee on Homeland Security, "The U.S. Border Patrol: Failure of Administration to Deliver a Comprehensive Land Border Strategy Leaves Our Nation's Borders Vulnerable," May 2005.

unmanned aerial vehicles (UAVs), and several database systems. These resources enable fewer Border Patrol agents to be deployed to a certain site while maintaining the same capabilities of detecting illegal cross-border activity.

In the wake of the terrorist attacks of September 11, 2001, the U.S. Border Patrol has experienced a tremendous change in its mission. With the formation of a new parent agency, the U.S. Customs and Border Protection (CBP), the Border Patrol found as its priority mission preventing terrorists and terrorist weapons from entering the United States. The Border Patrol is the mobile uniformed law enforcement arm of the Department of Homeland Security. It was officially established on May 28, 1924, by an act of Congress passed in response to increasing illegal immigration. As mandated by that Act, the small border guard in what was then the Bureau of Immigration was reorganized into the Border Patrol. The initial force of 450 officers was given the responsibility of combating illegal entries and the growing business of alien smuggling.

While the Border Patrol has changed dramatically since its start over seventy-five years ago, its primary mission remains unchanged: to detect and prevent the illegal entry of aliens into the United States. Together with other law enforcement offices, the Border Patrol helps maintain borders that work – facilitating the flow of legal immigration and goods while preventing the illegal trafficking of people and contraband. The Border Patrol is specifically responsible for patrolling the 6,000 miles of Mexican and Canadian international land borders and 2,000 miles of coastal waters surrounding the Florida Peninsula and the island of Puerto Rico. Agents work around the clock on assignments, in all types of terrain and weather conditions. Agents also work in many isolated communities throughout the United States. To carry out its missions, the Border Patrol has a clear strategic goal: to establish and maintain operational control of the border of the United States.

Critical to the National Border Patrol Strategy is the use of tactical, operational, and strategic intelligence to assess risk, target enforcement efforts, and drive operations. Intelligence collection and sharing efforts are being strengthened within the Department of Homeland Security and with outside agencies (federal, state, and local). As part of its intelligence efforts, the Border Patrol develops and deploys the next generation of border

surveillance and sensing platforms. These systems maximize the Border Patrol's ability to detect, respond, and interdict cross-border intrusions and increase the certainty of apprehension – especially in cases with a potential nexus to terrorism or that represent a threat to United States national security. This strategy provides a framework for the Border Patrol to plan and carry out its missions within the Department of Homeland Security. It provides the necessary goals, objectives, strategies, and measures for Border Patrol planning and operations and will be used as the basis for management decisions and resources deployment.

### **3. U.S. Border Patrol's New Strategy**

The National Border Patrol Strategy<sup>51</sup> consists of six core elements:

- Securing the right combination of personnel, technology, and infrastructure;
- Improving mobility and rapid deployment to quickly counter and interdict based on shifts in smuggling routes and tactical intelligence;
- Deploying defense-in-depth that makes full use of interior checkpoints and enforcement operations calculated to deny successful migration;
- Coordinating and partnering with other law enforcement agencies to achieve goals;
- Improving border awareness and intelligence; and
- Strengthening the headquarters command structure.

The National Border Patrol Strategy directly supports the Customs and Border Protection's 2006–2010 strategic plans. The strategy specifically addresses three of the Customs and Border Protection's strategic goals:

- Preventing Terrorism: Detect and prevent terrorists and terrorist weapons, including weapons of mass effect, from entering the United States.
- Strengthening Control of the United States' Border: Strengthening national security between the ports of entry to prevent the illegal entry of terrorists, terrorist weapons, contraband, and illegal aliens into the United States.

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<sup>51</sup> Robert C. Bonner, "National Border Patrol Strategy: Message from the Commissioner," U.S. Customs and Border Protection, Office of Border Patrol and Office of Policy and Planning. September 2004.

- Protecting America and Its Citizens: Contribute to a safer America by prohibiting the introduction of illicit contraband, including illegal drugs, and other harmful materials and organisms, into the United States.

Actions taken under this strategy also complement the work being done at the ports of entry by Customs and Border Protection officers and agricultural specialists, and draw on the support of many individuals throughout the Customs and Border Protection agencies, including intelligence analysts, information technology specialists, finance and logistics officers, and those with expertise in training and communication. Finally, the strategy directly supports the strategic goals of the Department of Homeland Security to increase awareness, prevention, and protection against terrorism.

Cross-border illegal penetrations by terrorists and those potentially smuggling terrorist weapons are not mutually exclusive from penetrations by illegal aliens, criminals, and narcotics traffickers. Past experience has shown that a balanced mix of personnel, technology, and border infrastructure, such as roads, lights, fencing, and facilities, are critical to expanding control over state borders. The Border Patrol builds on the successes won by the deployment of these resources on the southern Border, and is continuing to expand state-of-the-art censoring technologies, intelligence, skills and training, and nationally driven deployment of personnel and material.

#### **4. Border Patrol Operations**

The primary mission of the Border Patrol is the detection and apprehension of illegal aliens and smugglers of aliens at or near the land border. This is accomplished by maintaining surveillance, following up leads, responding to electronic sensor alarms and aircraft sightings, and interpreting and following tracks. Some of the major activities include maintaining traffic checkpoints along highways leading from border areas, conducting city patrols and transportation checks, and anti-smuggling investigations. Often, the border is a barely discernible line in uninhabited deserts, canyons, or mountains. The Border Patrol uses a variety of equipment and methods to accomplish its mission in such diverse terrain. Electronic sensors are placed at strategic locations along the border to detect people or vehicles entering the country illegally. Video monitors and night-vision scopes are also used to detect illegal entries. Agents patrol the border in



vehicles, boats, and aircraft, and on foot. In some areas, the Border Patrol even employs horses, all-terrain motorcycles, bicycles, and snowmobiles.

The following methods and operations are used by border patrols in conducting their mission. *Line-watch and sign-cutting* is conducted near international boundaries and coast lines in areas of Border Patrol jurisdiction to prevent the illegal entry and smuggling of aliens into the United States and to intercept those who do enter illegally before they can escape from border areas. Sign-cutting is the detection and interpretation of any disturbances in natural-terrain conditions that indicate the presence or passage of people, animals, or vehicles.

*Traffic Checkpoints* are conducted on major highways leading away from the border to (1) detect and apprehend illegal aliens attempting to travel farther into the interior of the United States after evading detection at the border and (2) to detect illegal narcotics. *Transportation Checks* are inspections of interior-bound conveyances, which include buses, commercial aircraft, passenger and freight trains, and marine craft.

In *Air Operations*, approximately a hundred and twenty-five aircraft provide aerial vantage points from which the illegal entry of aliens can be detected and prevented. The Border Patrol's one hundred pilots work directly with ground units to interdict alien smuggling operations and detect other illegal air or ground activities and report them to appropriate agencies. The Border Patrol uses both fixed-wing and rotary-wing aircraft. Twenty-one sectors presently conduct air operations.

*Marine Patrols.* Along the coastal waterways of the United States and Puerto Rico and interior waterways common to the United States and Canada, the Border Patrol conducts border control activities from the decks of marine craft of various sizes. The Border Patrol maintains eighty-eight vessels, ranging from blue-water craft to inflatable-hull craft, in sixteen sectors, in addition to headquarters special-operations components.

*Horse and Bike Patrols.* Horse units patrol remote areas along the international boundary that are inaccessible to standard all-terrain vehicles. Bike patrols aid city patrol and are used over rough terrain to support line watch.

*Border Patrol Apprehensions.* In fiscal year 2001, Border Patrol agents apprehended almost 1.2 million persons for illegally entering the country. Considerable success has been achieved in restoring integrity and safety to the southwest border by implementing border-control strategies. These include Operation Gatekeeper in San Diego, California; Operation Hold the Line in El Paso, Texas; Operation Rio Grande in McAllen, Texas; and Operation Safeguard in Tucson, Arizona. In fiscal year 1993, San Diego was the busiest corridor for illegal immigration, accounting for nearly half of all apprehensions nationwide.

*Drug Seizures.* An increase in smuggling activities has pushed the Border Patrol to the front lines of the U.S. war on drugs. It's role as the primary drug-interdicting organization along the southwest border continues to expand. The heightened presence of immigration law-enforcement officers along the southwest border has burdened narcotic traffickers and alien smugglers.

## **5. U.S. Border Security: Technology**

Technology can be a very valuable tool in border security, primarily because it tends to be a force multiplier for border inspection agencies and because it saves precious time. Force-multipliers provide security by monitoring in areas that would be dangerous or impractical for Border Patrol agents to patrol.

The list of border-related technologies is immense and includes: (1) computer-related options such as IDENT, ENFORCE, a computerized entry-exit tracking system (first CIPRIS, then SEVIS, and currently NSEERS), and the Trilogy Project, a program designed to get government agencies working from the same database; (2) immigration enforcement technology such as the Geographical Information Systems Project, the Resource and Effectiveness Model (REM), "laser" ID cards, the Integrated Surveillance Intelligence System, (ISIS), UAVs, aerostats, and the sensors, IR scopes, and night-vision technology mentioned in this report; (3) technology that separates high-risk travelers from low-risk travelers and quickly moves the legitimate travelers through ports of entry (NEXUS, SENTRY, FAST, the EZ-pass system); (4) transportation security options that separate well-known low-risk and unknown high-risk carriers and their cargo away from the border (ITDS, ACE); (5) an array of technologies used directly at the border, which

quickly scan people or containers, versus having to manually inspect them (VACIS, RVIS, biological/radiological-particle detectors, personal radiation detectors, high-explosives detection systems, isotope identifiers, X-ray imaging machines, and fiber-optic scopes); and (6) cargo-tracking systems that trace cargo from original loading points to desired locations.<sup>52</sup>

The Border Patrol uses unmanned aerial vehicles (UAVs) where they can assist. In 2004 the Border Patrol became the first civilian law enforcement agency in the world to use UAVs to carry out a civilian law enforcement mission. Biometric technologies are available today that can be used for border control.

Nonetheless, it is important to bear in mind that effective security cannot be achieved by relying on technology alone. Technology and people must work together as part of an overall security process.

In conclusion, since the Customs and Border Protection (CBP) agency was established on March 1, 2003, it has made enormous progress unifying as a single border agency and securing U.S. borders. It has expanded, integrated, and deployed technologies to CBP officers and Border Patrol agents, including fixed-wing aircraft and helicopters, unmanned aerial vehicles, and other land-based detection technologies. The CBP workforce has risen to the challenge to help the border security agency meet its priority homeland-security mission: preventing terrorists and terrorist weapons from entering the United States.

## **C. RUSSIAN FEDERATION BORDER PROTECTION**

### **1. Background**

Russia has 61,000 kilometers of sea and land borders, of which 7,500 kilometers are with Kazakhstan, over 4,000 kilometers with China, and 3,643 kilometers with Mongolia. The most unsettled borders are those with the Baltic states and Kazakhstan, and those in the North Caucasus. Russia's mountainous border with Georgia and

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<sup>52</sup> Robert C. Bonner, "National Border Patrol Strategy: Message from the Commissioner," U.S. Customs and Border Protection, Office of Border Patrol and Office of Policy and Planning, September 2004.

Azerbaijan is particularly hard to defend and in the past has been notoriously porous. Moscow has often accused Georgia of allowing Chechen fighters to use the mountain passes as supply routes.

Russian security officials, aware of the diverse security threats facing the country, are taking steps to improve the overall effectiveness of the border guard service. Plans to gradually increase the number of professional or contract personnel will be augmented by more state investment in order to adequately respond to demands of protecting the borders. In addition, communications upgrades and the construction of more border guard compounds and border posts will demonstrate the practical effects of the federal program targeting border security.

Such grand designs, produced by central planning staffs, reflect the growing preoccupation of the Russian security apparatus with security threats and specific regions. Moscow plans to build more than 1,340 border facilities between 2005 and 2011. But the spending for and location of many of those facilities indicates traditional Russian security thinking on the sources of border security threats. New facilities, as well as high technology assets, will be deployed along Russia's border with Kazakhstan, Ukraine, and the Baltic states. In part, this emanates from the porous nature of these borders and the lack of substantial border patrolling. The North Caucasus will witness the building of seventy-two border-guard compounds, fifty-one border posts, nine detachment directorates, and a new training center at Stavropol. In 2005 the border guard service reduced the number of conscripts by 10,000. By 2008 the border guard service will do completely without conscript service.

Russia faces multiple security challenges that require sophisticated, highly trained border personnel to combat against narcotic trafficking, arms smuggling, terrorism, and proliferation of WMD to poaching in Russia's territory. Reforming the Russian border guard service, updating its technological assets, and tackling the manning structure are made infinitely more complex owing to the instinctively conservative and secretive nature of Russian border troops. Tackling corruption and raising the standards of

professionalism, training, and morale among servicemen will be much tougher than merely constructing new border facilities.<sup>53</sup>

## **2. Russian Federation Border Policy: Fundamentals**

The fundamentals of the Russian Federation border policy are an integral part of the Russian concept of national security and constitute a system of officially adopted views regarding the aim, tasks, principles, and main avenues of and mechanisms for the implementation of the Russian border policy. The policy is designed to ensure the sovereignty, inviolability, and integrity of the territory and to defend the Russian Federation's national interests and security in its border area.<sup>54</sup>

The border policy is shaped on the basis of the Constitution, laws, and other normative legal acts of the Russian Federation and the universally recognized norms and principles of international law. It is implemented by means of the purposeful, coordinated activity of organs of state power, local self-government organs, public associations, and citizens in accordance with their rights and powers in this sphere. An integral part of the Russian Federation border policy is the preparation and implementation, in conjunction with interested member states of the Commonwealth of Independent States, of measures to ensure national and collective security on the Commonwealth's external borders.

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<sup>53</sup> Channel One TV, May 27, 29, 2006; Itar-Tass, May 27, 2006; Interfax, May 29, 2006.

<sup>54</sup> Available at: <http://www.fas.org/irp/world/russia/docs/borderpolicy.htm> (accessed February 12, 2006).

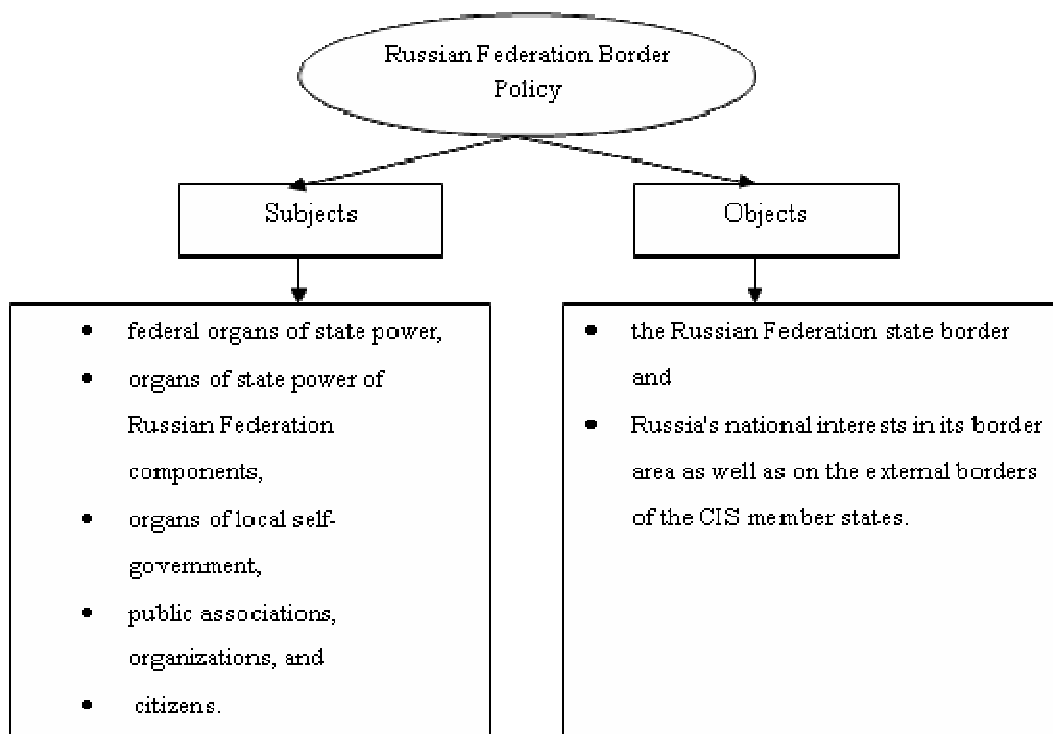


Figure 6. Russian Federation Border Policy

The aim of Russian Federation border policy is to serve and defend Russia's national interests and ensure the security of the individual, society, and the state in the Russian Federation's border area. The main tasks of Russian Federation border policy are:

- to create conditions for ensuring the sovereignty and territorial integrity of the Russian Federation and its border security;
- to improve the definition in international law of the state border;
- to provide interstate cooperation in preventing military danger, crises, and conflicts in the Russian Federation's border area;
- to resist economic and demographic expansion onto Russian territory from other states;
- to avert attempts to isolate Russia internationally by individual foreign states and military-political blocs on the basis of the state's national interests in the border area;
- to ensure Russia's interests and security on the external borders of the CIS member states on the basis of international treaties.

### **3. Russian Federation Border Policy: Principles**

- mutual respect for the sovereignty and territorial integrity of states and the inviolability of borders;
- the priority of the Russian Federation's national interests in the border area and a comprehensive approach to their implementation and defense;
- the peaceful resolution of border issues;
- respect for human and civil rights and freedoms.

### **4. Russian Federation Border Areas: Principal Threats**

The main threats to the Russian Federation's national interests and security in the border area are:

- territorial claims;
- the incomplete nature of the definition in international law of Russia's state border;
- the manifestation of nationalism, ethnic, and regional separatism, and religious clashes;
- the broadening of economic and demographic expansion;
- the misappropriation of the Russian Federation's national wealth and the galvanization of smuggling activity;
- the mass export of capital and strategic raw material resources and goods;
- an unstable situation as a result of a reduction in the population's living standard, ethnic conflicts, and enforced migration processes;
- trans-border organized crime and terrorism; regional armed conflicts near the state border;
- the proliferation and stockpiling of weapons and other means of armed struggle in Russia's border regions;
- Accidents, catastrophes, and natural disasters with a trans-border slant.

### **5. Russia's Federal Border Guard Service**

During Soviet times, the Federal Border Guard Service was part of the KGB; it became an independent entity in 1991. In 2003, the Federal Border Guard Service became part of the FSB.

Russia presently neighbors with sixteen countries and has an extensive border system. Russia's borders are 60,933 kilometers long. Of the total 14, 500 kilometers of Russian land borders, 13,500 kilometers were new in 1992. Some parts have not yet been

delineated and some have not yet been demarcated. Russia's water frontiers (sea, rivers, and lakes) stretch for about 56,500 kilometers, of which about 38,000 kilometers is the sea coastline. Russia's exclusive economic zone covers 8.6 million kilometers.

Russia has 900 border outposts and 440 border crossings. Of the 440, there are 142 vehicle-crossing points, 85 air crossings, 102 sea and river border crossings, and 58 railway crossings. In 2000, 47 border crossings had a simplified crossing procedure. Statistically, there is one Russian border detachment per 100 or more kilometers when, according to the present director of the Federal Border Service, there should be one detachment for every 10 to 15 kilometers. Of the eighty-nine subjects of the Russian Federation, forty-five are border regions, and they include 74 million people, that is, 49.9 percent of the total population of the Russian Federation. Twenty-four subjects of the Russian Federation became border regions for the first time.

*a. Structure of Russia's Federal Border Guard Service*



Map 9. Russian Federation

Each detachment has a border representative apparatus, which manages the border protection system by means of personnel/manpower, technical equipment, the local population, and intelligence. Border representatives manage the border detachments, the border detachments manage the border comendatur, the border comendatur manage the border outposts. On the part of Bayan Ulgii that borders with the Mountain-Altai



Republic, Argamj, Bisk, the Tashanta border units, the border comendatur of Kosh-Agash, and the border checkpoint of Tashanta manage the border protection.

The most sensitive part of the Mongol-Russian border is the Tuva part, which borders with the Uvs aimag (province) of Mongolia. The line command of Handgait, at the checkpoints at Handgait, Sharsuuri, Torhilog, Muhar agsaa, and Sagil, and Kizil's outposts manage the border protection of this part.

Originally, the number of Regional Directorates (RD) of the FPS was established as eleven: the Arctic RD, the Far Eastern RD, the Transbaykal RD, the Western RD, the Kaliningrad RD, the Northeast RD, the Northwest RD, the North Caucasus RD, the Pacific RD, the Southeast RD, and the Caucasus Special RD.

The FPS also had a regional directorate in the city of Chelyabinsk; three Border Guard groups, in Tajikistan, Kyrgyzstan, and in Armenia; three FPS operational groups, in Belorussia, Kazakhstan, and Turkmenistan. The Russian border troops represent the largest single component of the Federal Security Service. The Chief Directorate of Border Troops consists of between 200,000 and 250,000 personnel. The border troops' main organizational headquarters in Moscow consists of three main branches: staff responsible for intelligence, operations, communications, and training; the political directorate; and the rear, responsible for logistic and procurement. The Moscow headquarters is an operational one that controls and coordinates the day-to-day activity along the 37,500 miles of Russian frontier.<sup>55</sup>

Russia's border troops are distributed around the perimeter of the Russian Federation in about nine border districts adjacent and parallel to the national border. Some of the individual district areas are thought to extend along the border, from 600 to more than 1,800 miles, and to stretch 185 to 375 miles into the country. The greatest concentration exists on the Southwest Asian/Chinese border, and the northeastern Siberian border.

Subordinate to the district are a number of border detachments. The districts are thought to have at least six detachments, each detachment being responsible for land

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<sup>55</sup> Available at <http://fps.fsb.ru/> (accessed February 18, 2005).

areas from 30 to 300 miles in length. Each detachment has from three to five line commands, each command consisting of from three to seven line outposts, a reserve outpost, and a support outpost. The outposts consist of approximately fifty men and cover an area as small as three miles by two miles to one as large as twelve miles by ten miles.

The primary function of the border troops is to seal off the border. The secondary function is to defend Russia's borders from incursions by foreign troops. In the case of a full-scale onslaught, the border troops would be responsible for delaying the invading troops until regular military forces could arrive.

***b. Guarding the Border***

The border troops are equipped with small arms including light and heavy machine guns as well as some armored personnel carriers. Some units might be equipped with light tanks, light artillery, and mortars. The border troops have been described as being completely motorized and possessing whatever transportation is required by a particular terrain, including horse-mounted and ski-patrols.

In seeking to maintain the physical security of state borders, the border troops employ a vast combination of security procedures and checks. Included are pass controls, hidden and open chemical and electronic barriers, searchlights, infrared devices, telescopes, dogs, mines, fences, wire, ploughed areas, fixed and roving patrols, detection and alarm devices, explosives, trip wires, and observation posts. This pass control system tightens by degree by zones as distance from the border decreases. The system limits the number and type of people living in the border zones. In the immediate border area, inhabitants and traffic are completely forbidden. Border troop units are stationed at the smaller number of legal entry-exit road and rail crossing points as well as at international entry points at state airports and seaports. Legal travelers, whether entering or exiting, are subjected to strict scrutiny, all vehicles being searched for illegal crossers.<sup>56</sup> Deploying a border security force is an alternative provision to

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<sup>56</sup> Jeffrey T. Richelson, "Sword and Shield, in *Soviet Intelligence and Security Apparatus* (1986), 236–39.

protect the borderline, to check for terrorist activities, so stop the smuggling of goods, and to stop several undesirable and illegal activities in order to maintain national security and peace.

In conclusion, Russia's border protection system's demilitarization process is continuing. The plans for development of the future border system of the Russian federation envisage the completion of the reformed FPS. This first stage of the reforms has been completed. The second stage is planned for the 2006–2010 period. The command structure of the FPS is to be made less rigid, and territorial FPS bodies will have more powers. Troubled increasingly by the influx of illegal Chinese immigrants as well as workers and traders overstaying their visas, the Russians will have to make the border controls with China stricter. This move should be accompanied by better control of foreign nationals in Russia.

#### **D. PEOPLE'S REPUBLIC OF CHINA: BORDER PROTECTION**

##### **1. Background**

The People's Republic of China covers a total of 9.6 million square kilometers. China's land borders total more than 22,000 kilometers in length; its mainland coastline stretches for some 18,000 kilometers. It neighbors more than twenty-two countries, either contiguously or separated by stretches of sea. China pursues a policy of good neighborliness and friendship. It defends and administers its land borders and territorial seas, safeguards the country's territorial sovereignty and maritime rights and interests, and secures both its land and sea borders strictly in accordance with treaties and agreements it has signed with neighboring countries, and the United Nations Convention on Law of the Sea.



Map 10. People's Republic of China

China advocates settling unresolved border and maritime demarcation issues through negotiation, attaches importance to the setting up of a mutual confidence-building mechanism in border regions, and opposes the use of force or provocative acts. China has solved or basically is solving boundary issues left over by history with most of its adjacent countries. In the 1960s, China settled border issues with the Democratic People's Republic of Korea, (DPRK), Mongolia, Afghanistan, Pakistan, Nepal, and Myanmar through negotiations. In the 1990s, China signed new border treaties or agreements with Laos, Russia, Kazakhstan, Kyrgyzstan, Tajikistan, and Vietnam, re-demarcating the basically demarcated respective boundaries. In December 2000, China and Vietnam entered into the Beibu Gulf Demarcation Agreement. In May 2002, China and Tajikistan signed the Supplementary Agreement on the Boundary Between the People's Republic of China and the Republic of Tajikistan. The borders between China, Laos, and Russia were resurveyed. The field survey of the border between China and Kazakhstan has been completed, the survey of the border between China and Kyrgyzstan has been started, and the survey of the border between China and Vietnam is about to commence.<sup>57</sup>

<sup>57</sup> China National Defense in 2002, at [http://news.xinhuanet.com/zhengfu/2003-02/27/content\\_748657.htm](http://news.xinhuanet.com/zhengfu/2003-02/27/content_748657.htm) (accessed March 22, 2005).

China attaches importance to having frontier defense exchanges and cooperation with neighboring countries and jointly maintaining order along the borders. China has signed treaties, agreements, and understandings, respectively, with the DPRK, Mongolia, Russia, Myanmar, Vietnam, and Laos on border control measures, setting up confidence-building measures and preventing dangerous military activities.

Since 1995, the Chinese Ministry of National Defense has signed frontier cooperation agreements with the General Administration of Frontier Defense of the Russian Federation and the Administration of Frontier Guards of Mongolia. In January 2002, the Chinese Ministry of National Defense and the National Security Commission of Kazakhstan signed the Frontier Defense Cooperation Agreement Between China and Kazakhstan. In April 2002, China sent a delegation to attend the meeting of leaders of frontier defense authorities of the member states of the Shanghai Cooperation Organization (SCO) held in Alma-Ata. At the meeting, the leaders of the frontier defense authorities of China, Russia, Kazakhstan, Kyrgyzstan, and Tajikistan agreed that the frontier defense authorities of the five states will, within the framework of the relevant documents of the SCO in accordance with the circumstances of the areas of common borders of the member states, strengthen exchanges of information in respect to frontier defense; further deepen corresponding bilateral and multilateral cooperation; take effective measures for the joint fight against terrorism, separatism, and extremism, and for preventing cross-border criminal activities of all forms; safeguard order along the common borders of member states; and provide powerful guarantees for the development of good neighborliness and friendship and economic trade and cultural relations between the member states.

China's frontier authorities and frontier troops faithfully implement relevant treaties, agreements, and understandings, actively establish or improve the systems for consultation, frontier defense contacts and cooperation at various levels, and deal appropriately with border affairs. Therefore, mutual understanding, trust, and friendship between China and neighboring countries have been increased, and a peaceful and friendly atmosphere along borders has been created.

Since 1996, the State Frontier Defense Commission has organized the construction of frontier defense infrastructure on a large scale in nine overland frontier provinces and autonomous regions, which has effectively improved the administrative conditions of border areas, and given impetus to economic and social development there. While earnestly performing their duties and unremittingly improving themselves, the land and sea border defense forces have actively participated in and supported local economic development and the building of a spiritual civilization. This has helped to strengthen the relations between the armed forces and the local governments, and between the military and civilians, and social stability and the unity of ethnic groups in frontier regions.

China exercises a joint military-civilian land and sea border-management system, headed by the military and with a sharing of responsibilities between the military and the local authorities. The State Council and CMC exercise unified leadership over land and sea border defense.

## **2. Guarding the Border**

China shares a 4,676-kilometer border with Mongolia, 4,466.092 kilometers by land, 210,803 kilometers by water. The Xinjiang-Uigur Autonomous Region (XUAR), Gansu Province, and Inner Mongolian Autonomous Region's ten provinces, and twenty-four subprovinces of the PRC share a border with Bayan-Olgi, Hovd, Gobi-Altai, Bayanhongor, Umnugovi, Dornogovi, Sukhbaatar, and Dornod, eight provinces and thirty-nine subprovinces of Mongolia.

China protects its border by a united system of the People's Liberation Army, People's Armed Police, Ministry of Public Security, and local population. The People's Armed Police has a Border Defense Corps that consists of twenty provincial border-defense general corps and three municipal border-defense general corps, Beijing, Shanghai, and Tianjin.<sup>58</sup> China's long border has changed from one of the most tense to one of the more dynamic border trading areas of the world. China has a "one government, three line" border protection system.

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<sup>58</sup> Available at <http://www.sinodefence.com/army/orbat/pap.asp> (accessed June 12, 2005).

**a.       *The First Line***

The border protection regiments, battalions, companies, and posts of the Chinese People's Liberation Army protect a 2- to 3-kilometer-broad area from the state border line. It is considered the first line of border protection. At a distance of from 18 to 25 kilometers from the border line, border regiments manage the border protection. Eighty-seven border companies are located at a distance of from .6 to 50 kilometers from the border line. Each company has 60 to 120 persons and takes responsibility for an approximately 50-km-long border section. Permanent posts are located at a distance of from 1 to 18 kilometers from the border line, and the observation of Mongolia's territory is conducted from 10- to 30-meter-high watch towers built from metal or concrete. Recently, the patrols changed their activities, mainly paying attention to activating common or technical observation, sending horseback track groups of from 5 to 7 personnel guards or secret guards to make trespassing surveys and to monitor border pillars.

When there is a need, helicopters are used. The permanent posts are changed during the morning, evening, and sometimes the nighttimes; permanent posts communicate with the border company by radio. The Chinese side pays peculiar attention to border protection, erecting a barbed-wire fence at a distance of from 5 to 25 kilometers from the border line, along with concrete poles. Its height is 1.6 meters, constructed with double steel wire, and with a communication line over it. An improved road system was also developed. The border trace controlling strip is refreshed twice a year, every border protection company and the main posts have retransferring stations, and the border guard has a communication ability to contact in any kind of meteorological condition. In 2001, the Xinjiang-Uigur autonomous region reinforced its border fortification and built a multilayer barbed-wire fence with concrete poles on the border with Kazakhstan, Tajikistan, and Mongolia.

**b.       *The Second Line***

The border districts and subdistricts security organizations, local public security bureaus, and armed police are responsible for border protection. The People's Armed Police units organize the border patrol in border provinces and districts in the

depth of the territory. In the border region, big armed police units operate, consisting of 70 to 80 persons. Each border district operates middle-sized armed police units; the subdistricts operate their own subunits. Because their duty is to take care of community safety, the Armed Police belongs to the Ministry of Public Security. Participation in border protection belongs to the military district, which cooperates with the border regiments, battalions, and companies. Armed police perform the duty of checkpoints when temporary checkpoints are operating.

*c. The Third Line*

The border region's local population, herders, and workers protect the border. Residents of the border region, with small arms and binoculars, participate in border protection by implementing the duty of border guards, preventing illegal border crossings alongside the border line, informing about illegal border crossings and other criminal activities, actively observing the Mongolian border, and taking responsibility for protecting the gates of the border fence.

In conclusion, China pursues a policy of good neighborliness and friendship. Chinese People's Liberation Army protects the border, but checkpoints and their operations are controlled by the border troops of the Ministry of Public Security. The intelligence organ implements important duty in border protection. China gives priority to protecting the border through political and diplomatic means.

**E. MONGOLIA: IMPROVING ITS BORDER PROTECTION SYSTEM**

The preceding sections focused on the means and ways used by three countries to improve their border protection. This section reviews current border protection reform proposals, focusing primarily on proposals made since 9/11. The intent is to capture the ongoing debate since 9/11 about how to improve the protection of state borders.

The terrorist attacks on New York and Washington challenged us in ways we had never before experienced. The Border Protection Service of Mongolia implemented new tasks as its agencies' traditional missions and their future were dramatically altered. Clearly, our mission has changed to one of preventing terrorists and terrorist weapons from entering Mongolia. And we are not prepared to combat these kind of challenges, which are new to us. Also understood is the significance of securing our borders without



choking the flow of legitimate trade and travel – all the while continuing to carry out the traditional missions of the predecessor agencies that make up Mongolia's Border Protection.

There are a lot of questions that need answers. That is why it is important to study how other countries' border protection organizations handle their border protection problems, especially in the United States, which has the largest border agency in the world. For example, prior to 9/11, U.S. border security operations fell under several departments. After the events of 9/11, the U.S. Congress saw a need to drastically enhance the security of the nation's borders. The Homeland Security Act of 2002 (P.L. 107-296) resulted in the largest reorganization of the federal government in more than half a century. The creation of the Customs and Border Protection agency merged all previous border law enforcement agencies under one bureau. In Mongolia, all the border protection agencies are separate. Perhaps Mongolia also should change its Border Protection Services structure. This is one of the lessons we have to learn.

Most reform proposals to improve border security and stop terrorism fit into one of four broad categories:

- Appropriate legal and organizational frameworks
- Effective exchange of information and data
- Development of common border posts including training and equipment
- Improvement of living conditions and integration into local communities

## **1. Legal and Organizational Frameworks**

### ***a. Border Management Reforms***

Traditionally, the mission of the Mongolian Border Guard has been to inhibit the entry of illegal aliens into the country. The Border Force's main tasks for the future will be preventing terrorists and terrorist weapons from entering, combating drug and other smuggling, stemming illegal emigration, and controlling human trafficking to maintain border security. Given these new tasks, Mongolia should reform its border management policies. The legislation on border control should be revised or updated in a multidisciplinary approach so as to gradually introduce the notion of border management

and entrust to border guard personnel missions related to controlling the circulation of persons and goods. This reform should concentrate on three outputs.

First, the reforms should concentrate on the challenges along the border and new policies should be developed by border security experts to protect the international border.

Second, Mongolia's Border Protection Service needs to be restructured. Mongolia should unite all agencies involved in border protection under one umbrella. At present, there is a lot disagreement among these agencies.

Third, rather than spread resources across all of Mongolia, concentrated border enforcement strategies should be developed for and implemented in specific segments of the international border.

***b. Border Service Training***

The border service should provide training for officers in charge of modernizing the border management structures. The project should elaborate on regional training modules and implement this training. The training must aim at informing participants about the latest developments in border policing and create a basis for enhanced regional cooperation. Topics should include: principles of modern border management, information systems, cooperation between police and border services, and operational and technical elements for an up-to-date border service.

***c. Regional Training Cooperation***

The objective is to foster operational cooperation among the countries of the region. The project should put in place a mechanism for coordinating the training in the field of border services.

**2. Intelligence and Information**

***a. Creation of an Intelligence Exchange Capacity***

Creation of an intelligence exchange capacity will establish an operational network for the collection, exchange, and analysis of confidential information for the border system. It will (1) assess the current capacity in terms of the information systems at the border; (2) propose a communication strategy and network; (3) identify a reduced number of border posts for a pilot project; (4) identify needs in terms of equipment and

telecommunication networks for the exchange of confidential information and training; and (5) purchase the equipment and organize on-the-spot training for selected border posts and the Border Service headquarters.

### **3. Borders Posts: Infrastructure and Equipment**

#### ***a. Creation of Training Centers***

The creation of training centers will reinforce the training capacity of the border management systems in the border regiments. Moreover, it will create or renovate adequate training centers in Bayanulgii and Choibalsan and equip existing training infrastructures in Ulaanbaatar.

#### ***b. Creation of Mobile Units***

One of the most visible features of Mongolia's border control is its static character: it is limited to a reduced area and not integrated into a global plan. There is a clear need to develop "second rank" mobile units responsible for controlling the intervals between the fixed posts and developing information and cooperation with the local populations.

#### ***c. Creation of a Canine Enforcement Training Center***

The Border Guard will (1) create small-scale canine-enforcement training centers in Choibalsan and Bayan-Ulgii and reinforce the existing capacity in Ulaanbaatar. The assessment mission will review existing dog-training capacities in each law enforcement agency, including customs; assess ongoing assistance in these areas (bilateral and international donors); and assess the possibility to develop dog-training centers from a regional perspective. The assessment mission will cover both border management and drug control aspects.

### **4. Social Integration**

#### ***a. Integration with Local Communities and Improvement of Working Conditions***

The border staff, especially on Russia's Mongol-Tuva border, often works in difficult conditions isolated from the local communities. Improving the living conditions in these border posts could reinforce the links between the border management guards and local communities and improve the general understanding of borders.

Moreover, the integration of border posts within actions related to the fight against poverty alongside the borders could provide a global solution to their maintenance in the future.

## V. CONCLUSION

Today, managing borders has become an ever more challenging task, as states try to maintain as open a border as possible in order to integrate into the global economy. It often seems that, in reality, borders are hardening, not softening, as states take security measures against perceived external threats. Different countries have established different types of such institutions, which vary from one another by the level of the power they possess in performing their functions. The amount of power that a nation gives to its Border Guard depends on its national interests, on the nation's perception of the external and internal threats, and on the current international and regional security environments. International practices show that most nations establish an institution, often called a Border Guard, with specific coordinated functions for their efforts to enhance national security.

According to Mongolia's history, it has passed through various challenging phases of national security and the establishment of several empires and powerful states. Yet the official border, which is compatible with the meaning of modern borders, was only established in the past century. Mongolia's current Constitution provides that Mongolia's territorial integrity and frontiers shall be inviolable and that the frontiers shall be safeguarded in law. The National Security Concept defines Mongolia's security as the continuity of its independence, sovereignty, and territorial integrity and the inviolability of its state frontiers. Mongolia's existence today is based on equal and friendly relations with its neighbors, as it is completely land-locked between gigantic neighbors, with a huge landmass but a small population.

To make the borders more distinct and documented, we discussed their history, geography, possession, and defense. In order to respect common borders, defend them, and develop friendly relations, it is a common practice for neighboring nations to conclude and enforce a legal document, a treaty or convention on the border regime, specifying their mutual duties and responsibilities. Since 1980, Mongolia has been enhancing and further developing the tradition of its joint defense of common borders and friendly bilateral relations with Russia, according to a renewed bilateral treaty on the

border regime. In 1984, the Mongolian government proposed to the Chinese government that they execute a Border Regime Agreement for the purpose of facilitating measures to enhance common border defense and develop further border relations. This resulted in the signing of a bilateral intergovernmental agreement on regulating border issues and the border regime on November 28, 1988.

Successful implementation of a State Border Protection Policy requires having the right combination of highly trained and well-equipped border protection personnel, integrated detection and sensor technology, and strategically placed tactical infrastructure. The Border Force will have to improve its cooperation with the other ministries and organizations involved in activities on the border and in the border areas. Partnering with other state and local law enforcement organizations like Customs, Immigration, Intelligence, and the Police Department provides better coordination and productivity for border protection operations.

In the new century, Mongolia's state borders' sanctity and protection could be ensured if specific traditional ways of ensuring border sanctity were creatively adjusted to meet modern international standards and the latest scientific and leading technological trends.

A secure border is only possible through the collaboration and shared resources of all stakeholders at all levels of government with the integration of intelligence in order to prevent and protect the state.

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