Anti-Foreign Sanctions Law of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

Adopted at the 29th Session of the Standing Committee of the 13th National People's Congress on June 10, 2021
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Article 1 — This Law is enacted for the purpose of countering foreign sanctions against China and (safeguarding) national sovereignty, security, and development interests.

Article 2 — The People's Republic of China adheres to the Five Principles of Peaceful Coexistence, including mutual respect for sovereignty and territorial integrity, mutual non-aggression, and mutual non-interference in internal affairs, and upholds the international system with the United Nations at its core and the international order underpinned by international law. The People's Republic of China develops friendly relations with all countries on the basis of equality and mutual benefit.

Article 3 — Where a foreign State violates international law or basic norms of international relations, uses various pretexts or based on its own domestic laws to contain or suppress China, takes discriminatory and restrictive measures against Chinese citizens or organizations, and interferes in China's internal affairs, the People's Republic of China shall have the right to take corresponding countermeasures. The term "discriminatory and restrictive measures" as used in the preceding paragraph refers to acts that violate international law or basic norms of international relations, including but not limited to: (1) directly or indirectly applying restrictive measures against Chinese citizens or organizations through administrative, judicial, or legislative means; (2) interfering in or restricting normal economic, trade, cultural, scientific, educational, and other exchanges and cooperation between Chinese citizens or organizations and other countries; and (3) taking other measures that harm the legitimate rights and interests of Chinese citizens or organizations.

Article 4 — The relevant departments of the State Council may decide to include in the countermeasure list individuals and organizations that are directly or indirectly involved in the formulation, decision-making, or implementation of the discriminatory and restrictive measures referred to in Article 3 of this Law. Individuals and organizations that are spouses, lineal relatives, or otherwise closely related to the individuals included in the countermeasure list, as well as organizations that are actually controlled by or have a connection with such individuals, or organizations in which such persons hold senior management positions, may also be included in the countermeasure list. The relevant departments of the State Council may make decisions on the inclusion of individuals and organizations in the countermeasure list or on the modification, suspension, or revocation of such decisions, and shall publish such decisions.

Article 5 — In addition to the provisions of Article 4 of this Law, the relevant departments of the State Council may, in light of the actual circumstances, decide to take one or more of the following countermeasures against individuals and organizations included in the countermeasure list: (1) denying visa issuance, denying entry, canceling visas, or expelling them; (2) sealing up, seizing, or freezing their movable or immovable property and other types of property within the territory of China; (3) prohibiting or restricting organizations and individuals within the territory of China from engaging in transactions, cooperation, or other activities with them; and (4) other necessary measures.

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Article 6 — The types and scope of application of the countermeasures referred to in Article 5 of this Law shall be commensurate with the severity and nature of the foreign State's acts. The implementation of such countermeasures shall be announced or publicly notified in other forms.

Article 7 — The relevant departments of the State Council shall, in accordance with their respective functions and duties and the division of tasks, be responsible for the implementation of the countermeasures. Where the implementation of countermeasures requires coordination among multiple departments, such coordination shall be organized by the foreign affairs department of the State Council. The departments of the State Council responsible for implementing countermeasures shall strengthen information sharing and cooperation, and shall use necessary information technology means in carrying out their work.

Article 8 — Relevant organizations and individuals within the territory of China shall implement the countermeasures taken by the relevant departments of the State Council. Where relevant organizations and individuals fail to implement the countermeasures, the relevant departments of the State Council shall handle the matter in accordance with the law and may restrict or prohibit them from engaging in relevant activities.

Article 9 — Where the circumstances giving rise to the countermeasures have changed, the relevant departments of the State Council may suspend, modify, or revoke the relevant countermeasures.

Article 10 — The State shall establish a working mechanism and coordination mechanism for countering foreign sanctions. Overall coordination of the relevant work shall be the responsibility of the foreign affairs department of the State Council, in conjunction with the relevant departments of the State Council.

Article 11 — Where countermeasures are taken by the People's Republic of China in accordance with this Law, the relevant departments may, in light of the actual circumstances, concurrently take other necessary measures to safeguard national sovereignty, security, and development interests.

Article 12 — Where an organization or individual, in implementing or assisting in the implementation of the discriminatory and restrictive measures taken by a foreign State against Chinese citizens or organizations, infringes upon the lawful rights and interests of Chinese citizens or organizations, the Chinese citizens or organizations concerned may file a lawsuit with the people's court in accordance with the law, demanding that the infringing party cease the infringement and compensate for the losses.

Article 13 — The obligations of international treaties and agreements to which the People's Republic of China is a party shall be fulfilled; however, the People's Republic of China reserves the right to take countermeasures against acts in violation of international law and basic norms of international relations that harm China's national sovereignty, security, and development interests.

Article 14 — The State may take retaliatory measures involving foreign affairs, economy and trade, and other necessary fields, such as reciprocal measures and restrictions, against acts of a foreign State or region, organization, or individual that violate international law and basic norms of international relations and harm the national sovereignty, security, and development interests of the People's Republic of China.

Article 15 — Where foreign countries, regions, organizations, or individuals seek to contain or suppress China through the initiation of litigation or application for enforcement measures against Chinese citizens or organizations in foreign courts or international organizations, the People's Republic of China may, in accordance with the law, take necessary measures to counter such acts.

Article 16 — This Law shall enter into force on the date of its promulgation.

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