Land Border Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the management of land borders, safeguarding national territorial integrity and border security, maintaining peace and stability in border areas, promoting economic and social development in border areas, and advancing friendly relations with neighboring countries.

Article 2 — This Law shall apply to the management of land borders of the People's Republic of China. For the purposes of this Law, "land borders" means the boundary lines between the land territory of the People's Republic of China and the land territory of neighboring countries, as determined by treaties with neighboring countries or by customary international law.

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Article 3 — The People's Republic of China adheres to the principle of equality and mutual benefit, peacefully resolves border issues with neighboring countries through friendly consultations, and safeguards national territorial integrity and border security. The territorial integrity and border security of the People's Republic of China are inviolable. The State shall adopt measures to strengthen border defense and maintain peace and stability in border areas.

Article 4 — The land border work shall adhere to the leadership of the Communist Party of China, uphold the overall concept of national security, adhere to the principles of unified leadership, division of responsibilities by level and department, military-civilian coordination, and territorial management, and safeguard the security, stability, and development of border areas.

Article 5 — The State shall establish a coordination mechanism for land border work, make overall planning for land border work, and guide and coordinate the relevant departments and local people's governments to carry out land border work. The foreign affairs department under the State Council shall be responsible for border negotiations, border demarcation, border marker management, and border-related international exchanges and cooperation.

Article 6 — The national defense department under the State Council shall be responsible for border defense work, and organize and guide border defense patrols, border control, and border management. The public security department under the State Council shall be responsible for border public security management, entry and exit border inspection, and combating cross-border crimes. Other relevant departments under the State Council shall, within their respective scopes of duties, carry out land border work.

Article 7 — The relevant local people's governments shall, in accordance with the division of duties prescribed by the State, organize and carry out border management, services and management of border residents, economic and social development in border areas, and other work within their respective administrative regions.

Chapter II — Demarcation and Management of Land Borders

Article 8 — The boundaries of the land borders of the People's Republic of China shall be determined in accordance with treaties concluded between the People's Republic of China and neighboring countries, or in accordance with customary international law. The State shall, in accordance with the law, conduct joint inspections of land borders with neighboring countries to ensure the clarity and stability of border lines.

Article 9 — The State shall protect border markers in accordance with the law, and shall maintain and repair border markers on a regular basis. No organization or individual may damage, move, or destroy border markers without authorization. Where a border marker is damaged or destroyed, the relevant department shall promptly report the situation and, in accordance with the relevant provisions, carry out repair or reset jointly with the neighboring country.

Article 10 — The State shall delimit border management zones along the land borders. The scope and management measures for border management zones shall be prescribed by the State Council and the Central Military Commission. Activities within border management zones shall comply with the relevant provisions of the State and shall not compromise national security or border management order.

Chapter III — Defense and Management of Land Borders

Article 11 — The People's Liberation Army and the People's Armed Police Force shall undertake border defense duties, patrol and guard border areas, and safeguard border security. The State shall strengthen border defense infrastructure construction and improve border defense facilities.

Article 12 — The State shall strengthen the prevention and combat of cross-border crimes. Public security organs, national security organs, customs, immigration administration authorities, and other relevant departments shall exercise their functions in accordance with the law, cooperate closely, and jointly

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safeguard border order. The State shall severely crack down on acts such as terrorist activities, separatism, extremism, smuggling, drug trafficking, trafficking in persons, illegal border crossing, and other illegal and criminal acts in border areas.

Article 13 — The entry and exit of persons, means of transportation, and goods at land border ports shall be subject to inspection by the immigration administration authority, customs, and other relevant authorities in accordance with the law. Without approval, no person or means of transportation may enter or exit the country, and no goods or articles may be brought into or out of the country at places other than ports.

Article 14 — The State shall encourage and support border residents to participate in border defense and management. Border residents shall abide by the laws and regulations on border management, and shall protect border facilities and maintain border security.

Chapter IV — Administration of Land Border Ports

Article 15 — The State shall, in accordance with the law, establish land border ports and shall reasonably set up port inspection and inspection facilities. The opening and closing of land border ports shall be subject to approval by the State Council or the authorities authorized by the State Council.

Article 16 — The State shall promote the construction of land border ports, improve port functions, and enhance port clearance efficiency. The State shall encourage the innovation of port management methods and the application of information technology to facilitate the lawful entry and exit of persons and goods.

Article 17 — The operation and management entities of land border ports shall ensure the normal operation of port facilities and provide necessary working and living conditions for port inspection and inspection authorities. Port inspection and inspection authorities shall perform their duties in accordance with the law, strengthen coordination and cooperation, and improve port inspection and inspection efficiency.

Chapter V — International Cooperation on Land Borders

Article 18 — The People's Republic of China shall, in accordance with the relevant treaties and agreements concluded with neighboring countries and the principles of international law, carry out international cooperation on land borders, and jointly safeguard peace and stability along the border. The State shall carry out exchanges and cooperation with neighboring countries in areas such as border defense, border management, port management, combating cross-border crimes, and law enforcement.

Article 19 — The State shall encourage economic and trade exchanges and cultural exchanges between border areas and neighboring countries, promote the economic and social development of border areas, and enhance mutual understanding and friendship between the peoples of the two sides. The State shall support border areas in carrying out cross-border cooperation with neighboring countries, and develop cross-border trade, cross-border tourism, cross-border transportation, and other cooperation in accordance with the law.

Chapter VI — Legal Liability

Article 20 — Where any entity or individual, in violation of the provisions of this Law, illegally crosses the land border, damages or destroys border markers or border facilities, or commits other acts compromising border management order, the relevant department shall order it to cease the illegal act and impose penalties in accordance with the law; where the case constitutes a violation of public security administration, the public security organ shall impose public security administration penalties in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 21 — Where any functionary of a state organ abuses his or her power, neglects his or her duties, or engages in malpractice for personal gain in land border work, sanctions shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

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Chapter VII — Supplementary Provisions

Article 22 — This Law shall come into force on January 1, 2022.

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