Law of the PRC on the Exclusive Economic Zone and the Continental Shelf

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

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Article 1 — This Law is enacted to ensure the People's Republic of China's exercise of its sovereign rights and jurisdiction over its exclusive economic zone and continental shelf, and to safeguard its national maritime rights and interests.

Article 2 — The exclusive economic zone of the People's Republic of China covers the area beyond and adjacent to the territorial sea of the People's Republic of China, extending to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

The continental shelf of the People's Republic of China comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

Where the continental shelf of the People's Republic of China and that of a state with opposite or adjacent coasts overlap, delimitation shall be effected by agreement on the basis of international law and in accordance with the principle of equity.

Article 3 — The People's Republic of China shall exercise sovereign rights in its exclusive economic zone for the purpose of exploring, exploiting, conserving, and managing the natural resources of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from water, currents, and winds.

The People's Republic of China shall exercise jurisdiction over the exclusive economic zone with regard to the establishment and use of artificial islands, installations, and structures; marine scientific research; and the protection and preservation of the marine environment.

The natural resources of the exclusive economic zone as referred to in this Law include living resources and non-living resources.

Article 4 — The People's Republic of China shall exercise sovereign rights over its continental shelf for the purpose of exploring it and exploiting its natural resources.

The People's Republic of China shall exercise jurisdiction over the continental shelf with regard to the establishment and use of artificial islands, installations, and structures; marine scientific research; and the protection and preservation of the marine environment.

The People's Republic of China shall have the exclusive right to authorize and regulate drilling on the continental shelf for all purposes.

The natural resources of the continental shelf as referred to in this Law consist of the mineral and other non-living resources of the seabed and subsoil, and the living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are

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unable to move except in constant physical contact with the seabed or the subsoil.

Article 5 — All international organizations, foreign organizations, or foreign individuals that wish to enter the exclusive economic zone of the People's Republic of China for fishing shall be subject to the laws and regulations of the People's Republic of China and shall obtain approval from the competent authorities of the People's Republic of China, unless otherwise provided for in the treaties or agreements concluded between the People's Republic of China and the countries concerned.

The competent authorities of the People's Republic of China shall have the right to take all necessary conservation and management measures to ensure that the living resources in the exclusive economic zone are protected from over-exploitation.

Article 6 — The competent authorities of the People's Republic of China shall have the right to conserve and manage the straddling fish stocks, highly migratory fish stocks, and marine mammals of the exclusive economic zone, anadromous stocks originating in the rivers of the People's Republic of China, and catadromous species that spend the greater part of their life cycle in the waters of the People's Republic of China.

The People's Republic of China shall have the primary interest in the anadromous stocks originating in its rivers.

Article 7 — All international organizations, foreign organizations, or foreign individuals that wish to explore or exploit the natural resources of the continental shelf of the People's Republic of China, or drill on the continental shelf for any purpose, shall be subject to the laws and regulations of the People's Republic of China and shall obtain approval from the competent authorities of the People's Republic of China.

Article 8 — The People's Republic of China shall have the exclusive right to construct and authorize and regulate the construction, operation, and use of artificial islands, installations, and structures in its exclusive economic zone and on its continental shelf.

The People's Republic of China shall exercise exclusive jurisdiction over such artificial islands, installations, and structures, including jurisdiction with regard to customs, fiscal, health, safety, and immigration laws and regulations.

The competent authorities of the People's Republic of China shall have the right to establish safety zones around such artificial islands, installations, and structures and may take appropriate measures in those zones to ensure the safety of navigation and of the artificial islands, installations, and structures.

Article 9 — Any international organization, foreign organization, or foreign individual that wishes to conduct marine scientific research in the exclusive economic zone or on the continental shelf of the People's Republic of China shall be subject to the approval of the competent authorities of the People's Republic of China and shall comply with the laws and regulations of the People's Republic of China.

Article 10 — The competent authorities of the People's Republic of China shall have the right to take all necessary measures to prevent, reduce, and control pollution of the marine environment and to protect and preserve the marine environment in the exclusive economic zone and on the continental shelf.

Article 11 — Any foreign state, international organization, foreign organization, or foreign individual shall, when carrying out activities in the exclusive economic zone or on the continental shelf of the People's Republic of China, comply with the laws and regulations of the People's Republic of China and the rules of international law, and shall respect the sovereign rights and jurisdiction of the People's Republic of China.

In the exclusive economic zone and on the continental shelf of the People's Republic of China, the People's Republic of China shall have the right to take necessary measures in accordance with law against any violation of its laws and regulations.

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Article 12 — The People's Republic of China may, where necessary, exercise the right of hot pursuit in its exclusive economic zone or on its continental shelf to arrest vessels or nationals violating its laws and regulations, and may take such measures as boarding, inspection, arrest, and judicial proceedings in accordance with law.

Article 13 — The People's Republic of China shall exercise, in accordance with international law and its laws and regulations, in its exclusive economic zone and on its continental shelf, the rights not provided for in this Law.

Article 14 — The provisions of this Law shall not affect the historic rights that the People's Republic of China has been enjoying.

Article 15 — The People's Republic of China may formulate relevant provisions in accordance with this Law.

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

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