

National Security Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution for the purposes of safeguarding national security, protecting the regime of the people's democratic dictatorship and the socialist system with Chinese characteristics, protecting the fundamental interests of the people, ensuring the smooth progress of reform, opening up and the socialist modernization drive, and realizing the great rejuvenation of the Chinese nation.

Article 2 — National security means the state of relative freedom from danger and from internal and external threats, and the capability to maintain such a secure state, in respect of the State's regime, sovereignty, unity, territorial integrity, the well-being of the people, sustainable economic and social development, and other major national interests.

Article 3 — National security work shall adhere to an overall national security concept, take the people's security as the purpose, political security as the foundation, economic security as the basis, military, cultural, and social security as the safeguards, and promote international security as the support, so as to build a national security system. It must uphold the leadership of the Communist Party of China and maintain a centralized, unified, efficient, and authoritative national security leadership structure.

Article 4 — The principle of socialist rule of law shall be adhered to in the safeguarding of national security; human rights shall be respected and protected; and the lawful rights and interests of citizens shall be protected in accordance with the law. Activities endangering national security shall be prevented, stopped, and punished in accordance with the law.

Article 5 — The Central National Security Leadership Institution shall be responsible for policy-making, deliberation, and coordination of national security work, researching, formulating, and guiding the implementation of national security strategies and relevant major guidelines and policies, and exercising unified coordination over major matters and important work involving national security, so as to promote the rule of law in national security.

Article 6 — The State shall formulate a national security strategy and shall, in light of the national security situation and changes in the international security situation, periodically adjust the national security strategy.

Article 7 — In safeguarding national security, the unity of all ethnic groups shall be upheld, the lawful rights and interests of all ethnic groups shall be protected, and good ethnic relations of equality, unity, mutual assistance, and harmony shall be consolidated and developed. The freedom of religious belief of citizens shall be protected in accordance with the law, and normal religious activities shall be protected against infringement, so as to uphold harmony among religions and in society.

Article 8 — In safeguarding national security, it shall be integrated with economic and social development. National security work shall be planned and advanced on an overall basis, and the national security strategy shall be implemented in economic and social development plans. All national security work shall be coordinated, and holistic progress shall be made in the security of all areas, including political security, homeland security, military security, economic security, cultural security, societal security, technological security, cybersecurity, ecological security, resource security, nuclear security, and overseas interests security.

Article 9 — In safeguarding national security, prevention shall be the primary approach, and attack shall be combined with prevention. Measures shall be specialized and integrated with public participation. The initiative in safeguarding national security shall be maintained.

Article 10 — Safeguarding national security shall be mutually beneficial, and international security shall be jointly achieved. The legitimate security concerns of all parties shall be respected. International security cooperation shall be carried out on the basis of the Five Principles of Peaceful Coexistence.

Article 11 — All citizens of the People's Republic of China, all State organs and armed forces, all political parties and people's organizations, all enterprises, public institutions, and other social organizations shall have the responsibility and obligation to safeguard national security. The sovereignty and territorial integrity of China are inviolable and indivisible. Safeguarding national sovereignty, unity, and territorial integrity is the common obligation of all Chinese people, including our compatriots in Hong Kong, Macao, and Taiwan.

Article 12 — The State shall commend and reward individuals and organizations that have made outstanding contributions to the safeguarding of national security.

Article 13 — Where a State organ or any of its staff abuses its power, neglects its duties, or engages in favoritism in the course of national security work, it or he shall be subject to legal liability. Any entity or individual shall have the right to report or accuse violations of law or dereliction of duty in national security work committed by State organs or their staff to the relevant higher authorities.

Article 14 — April 15 of each year shall be the National Security Education Day.

Chapter II — Tasks of Safeguarding National Security

Article 15 — The State shall uphold and develop socialism with Chinese characteristics, continuously improve the socialist rule of law, strengthen the development of the socialist legal system, reinforce the institutions of the people's democratic dictatorship, and prevent, stop, and punish in accordance with the law any conduct endangering State security. The State shall prevent, stop, and punish in accordance with the law any conduct that undermines the socialist system, secessionist activities, terrorist activities, and any other conduct endangering national security.

Article 16 — The State shall safeguard and develop the fundamental interests of the overwhelming majority of the people, protect the security of the people, create favorable conditions for survival, development, and a peaceful and stable living and working environment, and protect the safety of citizens' lives, property, and other lawful rights and interests.

Article 17 — The State shall strengthen border, maritime, and airspace defense, take all necessary defense, control, and management measures to safeguard the security of the territorial land, inland waters, territorial sea, and airspace, and maintain national territorial sovereignty and maritime rights and interests.

Article 18 — The State shall strengthen the revolutionization, modernization, and regularization of the armed forces, build armed forces that are commensurate with the need to safeguard national security and development interests, implement active defense military strategies, prevent and resist aggression, and stop armed subversion and separatism, and carry out military operations such as international peacekeeping, maritime escort operations, and actions for safeguarding national overseas interests, so as to safeguard national security.

Article 19 — The State shall safeguard the fundamental economic system of the State, protect the security of the socialist market economy, improve systems and mechanisms for preventing and resolving economic security risks, and safeguard the security of key economic sectors, major infrastructure, major engineering projects, and key resources essential to the national economy and people's livelihood.

Article 20 — The State shall improve the financial macro-prudential management and financial risk prevention and resolution mechanisms, strengthen the prevention and resolution of financial risks and the handling of financial emergencies, protect the security of the financial system, and forestall systemic and regional financial risks.

Article 21 — The State shall reasonably utilize and protect resources and energy, effectively manage the development of strategic resources and energy, strengthen reserves and enhance emergency support capabilities in respect of strategic resources and energy, protect the security of resource and energy supply, and promote harmony between human beings and nature.

Article 22 — The State shall improve the food security assurance system, protect and enhance the comprehensive food production capacity, refine the food reserve system, improve the food distribution system, and strengthen food early warning and monitoring so as to safeguard food security.

Article 23 — The State shall uphold the orientation of an advanced socialist culture, inherit and carry forward the excellent traditional Chinese culture, cultivate and practice the core socialist values, prevent and resist the influence of negative culture, maintain ideological domination, and strengthen cultural confidence.

Article 24 — The State shall strengthen its capacity for independent innovation, accelerate the development of key core technologies with independent intellectual property rights, strengthen the protection of intellectual property rights, the confidentiality of science and technology, and capacity building in this regard, so as to safeguard the security of major technologies and engineering projects.

Article 25 — The State shall develop a cybersecurity guarantee system, enhance the capability to protect cybersecurity, strengthen innovative research and development and application of cyber and information technologies, and realize the security and controllability of core cyber and information technologies, critical infrastructure, important information systems, and data in important fields. The State shall strengthen cybersecurity management, prevent, stop, and punish in accordance with the law cyber attacks, cyber intrusions, cyber theft, spreading of illegal and harmful information, and other cyber-related criminal conduct, so as to safeguard the security of the national cyberspace sovereignty.

Article 26 — The State shall uphold and improve the system and mechanisms for the prevention and resolution of social conflicts and disputes, improve the public security system, actively prevent, reduce, and resolve social conflicts, properly handle public health incidents and social security incidents, and maintain social stability.

Article 27 — The State shall combat in accordance with the law all forms of terrorism, extremism, and cults, and shall prevent, stop, and punish in accordance with the law acts endangering national security, such as organizing, planning, or carrying out terrorist activities, and advocating extremism and cults.

Article 28 — The State shall improve the ecosystems and environmental protection system, increase the protection of ecosystems and the environment, delineate ecological protection red lines, prevent and control environmental risks, properly handle ecological and environmental emergencies, protect the security of the natural environment on which the people depend for survival and development, and build an ecological civilization.

Article 29 — The State shall improve the nuclear security and emergency response system, strengthen nuclear security supervision and management, protect the security of nuclear facilities and nuclear materials, strengthen emergency preparedness for nuclear accidents, promote international cooperation in nuclear security, and continuously enhance the capacity to prevent and respond to nuclear security threats.

Article 30 — The State shall safeguard the security of overseas interests in accordance with the law, protect the security and lawful rights and interests of Chinese citizens, legal persons, and other organizations overseas, and protect the security of State overseas interests such as overseas investment, personnel, assets, important facilities, and supply lines.

Article 31 — The State shall safeguard the rights, security, and interests of developing, utilizing, and peacefully using outer space, the deep seabed, and the polar regions, promote international cooperation in these areas, and protect the security of China's activities, assets, and other interests in these areas.

Article 32 — The State shall safeguard the eternal development of the Chinese nation, uphold the people-centered development philosophy, and protect the rights of the people to survival and development. The State shall properly protect the lawful rights and interests of all investors within China in accordance with the law.

Article 33 — The State shall take necessary measures in accordance with the law to protect the security of Chinese citizens, organizations, and institutions overseas, and protect the overseas interests of the State from threats and infringement.

Article 34 — The State shall continuously improve its capacity to safeguard national security as required by economic and social development and the national security needs.

Chapter III — Systems for Safeguarding National Security

Article 35 — The National People's Congress shall decide on questions of war and peace and exercise other functions and powers relating to national security as stipulated in the Constitution. The Standing Committee of the National People's Congress shall decide on the declaration of a state of war, on national or local mobilization, on entering a state of emergency on a national scale or in particular provinces, autonomous

regions, or municipalities directly under the Central Government, and shall exercise other functions and powers relating to national security as stipulated in the Constitution and laws.

Article 36 — The President of the People's Republic of China shall, in accordance with decisions of the National People's Congress and the Standing Committee of the National People's Congress, declare a state of war, issue mobilization orders, declare a state of emergency, and exercise other functions and powers relating to national security as stipulated in the Constitution and laws.

Article 37 — The State Council shall, in accordance with the Constitution and laws, formulate administrative regulations on national security; prescribe administrative measures, and issue decisions and orders; exercise overall leadership and administration of national security work; and exercise other functions and powers relating to national security as stipulated in the Constitution and laws.

Article 38 — The Central Military Commission shall lead the armed forces of the nation, decide on military strategies and the combat readiness of the armed forces, direct military operations for safeguarding national security, formulate military regulations on national security, and exercise other functions and powers relating to national security as stipulated in the Constitution and laws.

Article 39 — Central State organs shall, in accordance with the division of functions and duties, implement national security guidelines and policies, administer and guide national security work in their respective areas, and exercise relevant functions and powers in accordance with laws and administrative regulations.

Article 40 — Local people's congresses at all levels and the standing committees of local people's congresses at or above the county level shall, within their respective administrative areas, ensure compliance with and implementation of national security laws and regulations. Local people's governments at all levels shall administer national security work within their respective administrative areas in accordance with laws and regulations. The Hong Kong Special Administrative Region and the Macao Special Administrative Region shall fulfill their duties to safeguard national security.

Article 41 — The people's courts shall, in accordance with the provisions of laws, exercise adjudicative power in national security cases. The people's procuratorates shall, in accordance with the provisions of laws, exercise prosecutorial power in national security cases and investigate crimes endangering national security.

Article 42 — State security organs and public security organs shall, in accordance with the law, collect intelligence information involving national security, and exercise investigation, detention, pre-trial, and arrest powers in national security cases in accordance with the law. Relevant military organs shall, within the scope of their functions and duties, exercise relevant powers in national security cases in accordance with the law.

Article 43 — State organs and their staff shall, in the course of their national security work, strictly comply with the provisions of laws, and shall not exceed or abuse their powers, nor infringe upon the lawful rights and interests of individuals and organizations. The lawful rights and interests, including personal freedom, property, and privacy, of individuals and organizations shall be protected by law.

Chapter IV — National Security Review

Article 44 — The State shall establish a system and mechanisms for national security review. National security review shall be conducted in accordance with the law over foreign investment, specific materials and technologies, cyber information technology products and services, construction projects involving national security, and other major matters and activities that affect or may affect national security, so as to effectively prevent and resolve national security risks.

Article 45 — The relevant central State organs shall carry out national security review in accordance with the law, make review decisions, and provide review opinions. National security review shall be conducted in a scientific and objective manner, and the security and development of the matter or activity under review shall

be properly balanced.

Article 46 — Where decisions and opinions on national security review are made by the relevant central State organs in accordance with the law, the relevant regions and departments and the entities or individuals concerned shall implement them.

Chapter V — National Security Crisis Management and Control

Article 47 — The State shall establish a unified leadership, coordinated, and efficient national security crisis management and control system.

Article 48 — The Central National Security Leadership Institution shall be responsible for unified decision-making, deployment, and command of the management and control of national security crises.

Article 49 — The State shall establish a working mechanism for national security coordination, networking, and the sharing and efficient utilization of information across the central and local levels, across departments, and across military and civilian sectors.

Article 50 — The State shall establish a working mechanism for national security decision-making consultation, and shall organize experts and relevant parties to conduct analysis and assessment of the national security situation and advance policy recommendations on national security work.

Article 51 — The State shall establish systems and mechanisms for national security risk monitoring, early warning, information reporting, intelligence sharing, risk assessment, prevention, and emergency response. Where a national security risk is likely to occur, the relevant departments shall immediately report it to the Central National Security Leadership Institution.

Article 52 — The State shall improve the national security risk early warning system, and in light of the level of national security risk, issue risk warnings of corresponding levels in a timely manner. The necessary emergency response measures shall be initiated in accordance with the law.

Article 53 — Where a national security incident occurs, the relevant central State organs and the local people's governments shall immediately initiate emergency response measures and report to the Central National Security Leadership Institution.

Article 54 — After decisions are made by the Central National Security Leadership Institution on the handling of national security crises and the management and control of major national security incidents, relevant departments and localities shall resolutely implement them.

Article 55 — The State shall, in the event that a serious situation endangering national security occurs and requires a state of emergency, a state of war, or national or local mobilization, exercise relevant powers in accordance with the provisions of the Constitution and relevant laws.

Chapter VI — Obligations of Citizens and Organizations

Article 56 — Citizens and organizations shall fulfill the following obligations to safeguard national security: (1) abide by the relevant provisions of the Constitution, laws, and regulations on national security; (2) promptly report clues regarding activities endangering national security; (3) truthfully provide evidence they know regarding activities endangering national security; (4) provide facilitation or other assistance for national security work; (5) provide necessary support and assistance to State security organs, public security organs, and relevant military organs; (6) protect national security information they become aware of; and (7) other obligations stipulated by laws and administrative regulations. No individual or organization shall commit any act endangering national security, nor shall they instigate or finance others to commit such acts, nor provide assistance or facilitation for such acts.

Article 57 — Citizens and organizations shall report relevant national security intelligence information and clues they become aware of to the relevant State security organs or public security organs.

Article 58 — Citizens and organizations shall cooperate with the relevant State organs in taking national security measures, and shall not refuse or obstruct such measures.

Article 59 — State organs, people's organizations, enterprises, public institutions, and other social organizations shall conduct education on safeguarding national security within their respective units, and shall mobilize and organize their staff to prevent and stop acts endangering national security.

Article 60 — Enterprises and public institutions shall, in accordance with the requirements of relevant departments, cooperate in taking relevant security measures.

Article 61 — Where citizens and organizations provide support and assistance for national security work and their personal and property safety is threatened, the State shall provide necessary protection. The State shall commend and reward those who have made significant contributions to the safeguarding of national security.

Article 62 — Where, in the course of assisting in national security work, citizens and organizations suffer property losses, compensation shall be provided in accordance with the relevant State provisions; where personal injury or death occurs, preferential treatment shall be provided in accordance with the relevant State provisions.

Article 63 — Where citizens and organizations have the right to make criticisms and suggestions and to file complaints, reports, or accusations against State organs and their staff in relation to national security work, and the relevant State organs shall handle the matter in accordance with the law and shall not retaliate.

Article 64 — Enterprises and public institutions shall, in accordance with the requirements of relevant departments, cooperate in taking relevant national security measures, and shall conduct education on safeguarding national security in accordance with the law.

Chapter VII — Supplementary Provisions

Article 65 — The national security work of State organs, armed forces, political parties, people's organizations, enterprises, public institutions, and other social organizations, as well as citizens, shall be subject to the provisions of this Law. Where there are special provisions in other relevant laws, such provisions shall prevail.

Article 66 — This Law shall enter into force on the date of its promulgation. The National Security Law of the People's Republic of China adopted at the 30th Session of the Standing Committee of the 7th National People's Congress on February 22, 1993 shall be repealed simultaneously.

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