

Qinghai-Tibet Plateau Ecological Protection Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the ecological protection of the Qinghai-Tibet Plateau, preventing and controlling ecological risks, safeguarding ecological security, building a national ecological civilization highland, promoting sustainable development, and realizing harmonious coexistence between humans and nature.

Article 2 — This Law shall apply to the ecological protection of the Qinghai-Tibet Plateau and related activities within the territory of the People's Republic of China. Where other laws provide otherwise for ecological protection on the Qinghai-Tibet Plateau, such provisions shall prevail.

Article 3 — Ecological protection on the Qinghai-Tibet Plateau shall adhere to the following principles:

- (1) Prioritizing protection, focusing on nature-based restoration, and combining natural restoration with artificial restoration;

- (2) Adopting a systematic approach to the integrated protection and systematic governance of mountains, waters, forests, farmlands, lakes, grasslands, sands, glaciers, and frozen soil;
- (3) Giving primacy to ecological protection with green development;
- (4) Scientific planning with tailored measures adapted to local conditions;
- (5) Overall coordination with classified implementation.

Article 4 — The state shall establish a coordination mechanism for ecological protection on the Qinghai-Tibet Plateau, coordinate major issues in ecological protection on the Qinghai-Tibet Plateau, and clarify the division of responsibilities among relevant departments.

The people's governments of provinces and autonomous regions on the Qinghai-Tibet Plateau shall strengthen leadership over ecological protection work within their respective administrative regions, implement the main responsibility for ecological protection, and incorporate ecological protection on the Qinghai-Tibet Plateau into their national economic and social development plans.

Article 5 — The state shall encourage and support scientific research and technological innovation in ecological protection on the Qinghai-Tibet Plateau, strengthen the construction of scientific research platforms and talent teams, and promote the transformation and application of scientific and technological achievements.

Article 6 — All entities and individuals shall have the obligation to protect the ecology of the Qinghai-Tibet Plateau and shall have the right to report and file complaints against acts that damage the ecology of the Qinghai-Tibet Plateau.

Article 7 — The state shall strengthen publicity and education on ecological protection of the Qinghai-Tibet Plateau, disseminate knowledge on ecological protection, enhance the public's awareness of ecological protection, and encourage and support public participation in ecological protection activities on the Qinghai-Tibet Plateau.

The news media shall carry out public interest publicity on ecological protection of the Qinghai-Tibet Plateau and exercise public opinion supervision over illegal acts.

Chapter II — Ecological Protection and Restoration

Article 8 — The state shall establish an ecological protection red line system for the Qinghai-Tibet Plateau. Areas with extremely important ecological functions and extremely fragile ecology on the Qinghai-Tibet Plateau shall be designated within the ecological protection red lines, and strict protection shall be implemented.

Article 9 — The state shall strengthen the protection of glaciers, snow-capped mountains, frozen soil, rivers, lakes, wetlands, grasslands, forests, and other ecosystems on the Qinghai-Tibet Plateau, and maintain the authenticity and integrity of natural ecosystems.

Article 10 — The state shall strengthen the protection of glaciers and frozen soil on the Qinghai-Tibet Plateau, establish a monitoring system for changes in glaciers and frozen soil, implement protective measures such as closing mountains for afforestation, and protect the stability of the cryosphere.

Exploitation activities that may cause glaciers or frozen soil to degrade are prohibited.

Article 11 — The state shall strengthen the protection of river and lake ecosystems on the Qinghai-Tibet Plateau, establish a protection system for rivers and lakes, and protect the ecological environment and natural landscape of river source areas, important rivers, and lakes.

Article 12 — The state shall strengthen the protection of grassland ecosystems on the Qinghai-Tibet Plateau, implement a system of balancing grazing with grass yields, prohibit overgrazing, prevent grassland

degradation, desertification, and salinization, and restore grassland vegetation.

Article 13 — The state shall strengthen the protection of forest ecosystems on the Qinghai-Tibet Plateau, strictly protect natural forests, promote closing mountains for afforestation, and enhance forest quality and ecological functions.

Article 14 — The state shall strengthen the protection of wetland ecosystems on the Qinghai-Tibet Plateau, implement a wetland area protection target responsibility system, and maintain the ecological functions of wetlands and biodiversity.

Article 15 — The state shall strengthen the protection of wild animals and plants on the Qinghai-Tibet Plateau and their habitats, protect rare and endangered species, and prevent the invasion of alien species.

Article 16 — The state shall strengthen the construction of a nature reserve system with national parks as the main body on the Qinghai-Tibet Plateau, and improve the management system and mechanisms for nature reserves.

Article 17 — The state shall implement ecological protection and restoration projects on the Qinghai-Tibet Plateau, including:

- (1) Returning grazing land to grassland and returning farmland to forest and grassland;
- (2) Controlling the sources of sandstorms and comprehensive management of degraded grasslands;
- (3) Comprehensive management of soil erosion;
- (4) Protection and restoration of important ecosystems such as forests, grasslands, wetlands, rivers, and lakes;
- (5) Protection and restoration of mines, abandoned mine ecological restoration;
- (6) Other ecological protection and restoration projects.

Article 18 — The state shall establish and improve the ecological protection compensation mechanism for the Qinghai-Tibet Plateau, increase transfer payments, and provide reasonable compensation to areas that have made sacrifices for ecological protection.

The state shall encourage mutually beneficial cooperation between the Qinghai-Tibet Plateau region and other regions in ecological protection through various means such as financial transfer payments, industrial cooperation, and talent training.

Chapter III — Ecological Risk Prevention and Control

Article 19 — The state shall establish an ecological risk investigation, monitoring, and assessment system for the Qinghai-Tibet Plateau, and comprehensively investigate and assess ecological risks such as glacier retreat, frozen soil degradation, and declining biodiversity.

Article 20 — The people's governments of provinces and autonomous regions on the Qinghai-Tibet Plateau shall, in accordance with the ecological risk investigation and assessment results, formulate ecological risk prevention and control plans, and clarify the objectives, tasks, measures, and timelines for prevention and control.

Article 21 — The state shall establish a monitoring and early warning system for ecological risks on the Qinghai-Tibet Plateau, carry out dynamic monitoring of ecological risks, issue early warning information in a timely manner, and initiate contingency plans.

Article 22 — Where development and construction activities may trigger ecological risks, the construction entity shall carry out an ecological risk assessment in accordance with the law, prepare an ecological risk contingency plan, and implement risk prevention and control measures.

Article 23 — The state shall strengthen the response to the impact of climate change on the ecology of the Qinghai-Tibet Plateau, carry out monitoring and assessment of the impact of and adaptation to climate change, and enhance the capacity to adapt to climate change.

Article 24 — The state shall establish a natural disaster monitoring, early warning, and prevention system for the Qinghai-Tibet Plateau, strengthen the capacity to prevent and respond to natural disasters such as glacial lake outburst floods, landslides, and debris flows.

Chapter IV — Supervision and Management

Article 25 — The state shall implement an ecological protection performance evaluation and assessment system for the Qinghai-Tibet Plateau, and use the evaluation and assessment results as an important basis for the comprehensive evaluation of leading cadres, as well as for rewards, punishments, appointments, and removals.

Article 26 — The relevant departments of the State Council shall, in accordance with their division of responsibilities, strengthen supervision, guidance, and inspections of ecological protection on the Qinghai-Tibet Plateau.

The people's governments of provinces and autonomous regions on the Qinghai-Tibet Plateau shall strengthen daily supervision and management of ecological protection within their respective administrative regions.

Article 27 — The state shall establish an integrated ecological environment monitoring network for the Qinghai-Tibet Plateau, carry out comprehensive monitoring of ecological environment elements such as the atmosphere, water, soil, glaciers, frozen soil, and biology, and carry out comprehensive analysis, assessment, and early warning of the quality of the ecological environment.

Article 28 — The people's governments of provinces and autonomous regions on the Qinghai-Tibet Plateau shall regularly report to the standing committees of the people's congresses at the same level on the status of ecological protection on the Qinghai-Tibet Plateau.

The relevant departments of the State Council shall report to the State Council on the ecological protection of the Qinghai-Tibet Plateau on a regular basis.

Article 29 — The state shall implement an ecological environment damage compensation system for the Qinghai-Tibet Plateau. Where ecological damage is caused in violation of state provisions, the responsible party shall bear compensation liability for ecological environment damage in accordance with the law.

Article 30 — The state shall encourage and support the Qinghai-Tibet Plateau region in carrying out international exchanges and cooperation in ecological protection, actively participate in global ecological governance, and promote the building of a community of life for mankind and nature.

Chapter V — Legal Liability

Article 31 — Where a state organ or its staff fails to perform their duties of ecological protection on the Qinghai-Tibet Plateau in accordance with this Law, abuses their powers, neglects their duties, or engages in malpractices for personal gain, the directly responsible person in charge and other directly responsible persons shall be given sanctions in accordance with the law.

Article 32 — Where a person, in violation of the provisions of this Law, conducts exploitation activities in areas designated within the ecological protection red lines or in nature reserves, the relevant competent department shall order the person to make corrections and impose penalties in accordance with the provisions of relevant laws and administrative regulations.

Article 33 — Where a person, in violation of the provisions of this Law, causes damage to ecological elements such as glaciers, frozen soil, grasslands, forests, wetlands, rivers, and lakes on the Qinghai-Tibet Plateau, the relevant competent department shall order the person to make corrections and impose penalties in accordance with the provisions of relevant laws and administrative regulations; if ecological environment damage is caused, the person shall bear compensation liability for ecological environment damage in accordance with the law.

Article 34 — Where a person, in violation of the provisions of this Law, introduces or releases alien species in the Qinghai-Tibet Plateau region, the relevant competent department shall order the person to make corrections and impose penalties in accordance with the provisions of the Biosecurity Law and other relevant laws.

Article 35 — Where a violation of the provisions of this Law constitutes a crime, criminal liability shall be pursued in accordance with the law.

Chapter VI — Supplementary Provisions

Article 36 — The scope of the Qinghai-Tibet Plateau for the purposes of this Law shall be defined by the State Council.

Article 37 — This Law shall come into force on September 1, 2023.

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