LAW ON THE EXCLUSIVE ECONOMIC ZONE AND THE CONTINENTAL SHELF OF THE PEOPLE'S REPUBLIC OF CHINA

(Adopted at the 3rd Meeting of the Standing Committee of the Ninth National People's Congress on June 26, 1998 and promulgated by Order No. 6 of the President of the People’s Republic of China on June 26, 1998)

Article 1 This Law is enacted to ensure that the People's Republic of China exercises its sovereign rights and jurisdiction over its exclusive economic zone and its 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 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 sea-bed 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.

The People's Republic of China shall determine the delimitation of its exclusive economic zone and continental shelf in respect of the overlapping claims by agreement with the states with opposite or adjacent coasts, in accordance with the equitable principle and on the basis of international law.

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

The People's Republic of China exercises jurisdiction over the establishment and use of artificial islands, installations and structures, marine scientific research, and the protection and preservation of the marine environment in the exclusive economic zone.

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

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

The People's Republic of China exercises jurisdiction over the establishment and use of artificial islands, installations and structures, marine scientific research, and the protection and preservation of the marine environment on the continental shelf.
The People's Republic of China has the exclusive right to authorize and regulate drilling on the continental shelf for all purposes.

The natural resources of the continental shelf referred to in this Law consist of the mineral and other non-living resources of the sea-bed and subsoil, and the living organisms that belong to sedentary species---organisms which, at the harvestable stage, either are immobile on or under the sea-bed or are unable to move except in constant physical contact with the sea-bed or the subsoil.

Article 5 All international organizations, foreign organizations or individuals that wish to enter the exclusive economic zone of the People's Republic of China for fishing shall be subject to approval of the competent authorities of the People's Republic of China and shall comply with its laws and regulations as well as the accords and agreements it has signed with the states 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 the danger of over-exploitation.

Article 6 The competent authorities of the People's Republic of China shall have the right to conserve and manage straddling species, highly migratory species, marine mammals, anadromous stocks that originate 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 enjoys the primary interests in the anadromous stocks that originate in its rivers.

Article 7 All international organizations, foreign organizations or individuals that wish to explore the exclusive economic zone of the People's Republic of China or exploit the natural resources on its continental shelf or for any purpose to drill on the continental shelf shall be subject to 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 8 The People's Republic of China has the exclusive right to construct and to authorize and regulate the construction, operation and use of the artificial islands, installations and structures in its exclusive economic zone and on its continental shelf.

The People's Republic of China exercises exclusive jurisdiction over the artificial islands, installations and structures in its exclusive economic zone and on its continental shelf, including jurisdiction with regard to customs, fiscal, health and safety laws and regulations, and laws and regulations governing entry into and exit from the territory of the People's Republic of China.

The competent authorities of the People's Republic of China shall have the right to establish safety belts around the artificial islands, installations and structures in the exclusive economic zone and on the continental shelf and may take appropriate measures in these belts to ensure safety both of navigation and of the artificial islands, installations and structures.

Article 9 All international organizations, foreign organizations or individuals that wish 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 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 for the protection and preservation of the marine environment in the exclusive economic zone and on the continental shelf.

Article 11 All states shall, on the premise that they comply with international law and the laws and regulations of the People's Republic of China, enjoy the freedom of navigation in and flight over its exclusive economic zone, the freedom to lay submarine cables and pipelines and the convenience of other lawful uses of the sea related to the freedoms mentioned above in the exclusive economic zone and on the continental shelf of the People's Republic of China. The routes for the submarine cables and pipelines shall be subject to consent of the competent authorities of the People's Republic of China.

Article 12 The People's Republic of China may, in the exercise of its sovereign rights to explore its exclusive economic zone and to exploit, conserve and manage the living resources there, take such necessary measures as visit, inspection, arrest, detention and judicial proceedings in order to ensure that the laws and regulations of the People's Republic of China are complied with.

The People's Republic of China has the right to take necessary measures against violations of its laws and regulations in its exclusive economic zone and on its continental shelf and to investigate for legal responsibility according to law, and may exercise the right of hot pursuit.

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

Article 14 The provisions in this Law shall not affect the rights that the People's Republic of China has been enjoying ever since the days of the past.

Article 15 The Government of the People's Republic of China may formulate relevant regulations on the basis of this Law.

Article 16 This Law shall go into effect as of the date of promulgation.