



Implementing the Strategic Action Programme for the Yellow Sea Large Marine Ecosystem: Restoring Ecosystem Goods and Services and Consolidation of a Long-term Regional Environmental Governance Framework (UNDP/GEF YSLME Phase II Project)

# THE ASSESSMENT REPORT ON CHINA'S LEGAL FRAMEWORK IN COMPLIANCE WITH THE INTERNATIONAL AND REGIONAL LEGAL INSTRUMENTS FOR THE IMPLEMENTATION OF SAP IN THE YSLME PROJECT II

**by Yu Ming**

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# List of Acronyms and Abbreviations

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<b>BGI</b>	Blue Growth Initiative
<b>CBD</b>	Convention on Biological Diversity
<b>CITES</b>	Convention on International Trade in Endangered Species of Wild Fauna and Flora
<b>CLL</b>	International Convention on Load Lines
<b>COLREG</b>	Convention on the International Regulations for Preventing Collisions at Sea 1972
<b>COP</b>	Conference of Parties
<b>EBM</b>	Ecosystem-based management
<b>EBSAs</b>	Ecologically or Biologically Significant Marine Areas
<b>EEZ</b>	Exclusive Economic Zone
<b>EIA</b>	Environmental Impact Assessment
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>FAO CCRF</b>	FAO Code of Conduct for Responsible Fisheries
<b>GHG</b>	Greenhouse gas
<b>IMCAM</b>	Integrated Marine and Coastal Area Management
<b>IOPP</b>	International Oil Pollution Prevention
<b>IUU</b>	Illegal, unreported, and unregulated
<b>LMEs</b>	Large Marine Ecosystems
<b>MARPOL</b>	International Convention for the Prevention of Pollution from Ships
<b>MSP</b>	Marine Spatial Planning
<b>NDRC</b>	National Development and Reform Commission
<b>OPRC</b>	International Convention on Oil Pollution Preparedness, Response and Cooperation
<b>OPRC-HNS</b>	The Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances
<b>PSMA</b>	Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing
<b>RAMSAR</b>	Convention on Wetlands of International Importance Especially as Waterfowl Habitat
<b>SAP</b>	Strategic Action Programme
<b>SOA</b>	State Oceanic Administration of the People's Republic of China
<b>SOLAS</b>	International Convention for the Safety of Life at Sea
<b>SSF</b>	Small-scale Fisheries
<b>SUA</b>	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation
<b>UNCCD</b>	United Nations Convention to Combat Desertification
<b>UNCLOS</b>	United Nations Convention on the Law of the Sea
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>YSLME</b>	Yellow Sea Large Marine Ecosystem
<b>YS</b>	Yellow Sea

# Preface

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The Yellow Sea Large Marine Ecosystem (YSLME) is one of the 66 large marine ecosystems (LMEs) in the world, bordered by three coastal countries, namely PR China, RO Korea and DPR Korea. The regional efforts promoted by the UNDP/GEF YSLME Project to address environmental challenges in the Yellow Sea (YS) started from the beginning of the 21st century and, as one of the achievements, bringing about the Yellow Sea Large Marine Ecosystem Strategic Action Programme (YSLME SAP) adopted by PR China and RO Korea with support of DPR Korea. One of the assistance programs to implement the SAP is the UNDP/GEF/UNOPS project entitled Implementing the Strategic Action Programme for the Yellow Sea Large Marine Ecosystem: Restoring Ecosystem Goods and Services and Consolidation of a Long-term Regional Environmental Governance Framework, or the UNDP/GEF YSLME Phase II Project.

One of the objectives of the Project is to achieve a sustainable national and regional cooperation for ecosystem-based management. As one aspect to achieve the objective, the project seeks to improve the compliance with regional and international treaties, agreements and guidelines by participating countries in the Yellow Sea.

This assessment report has examined the weakness and gaps of China's legal framework in compliance with international and regional treaties and guidelines, and provide recommendations for improvement and strengthening.

The report is composed of three parts:

- (1) Summary of major legal systems established and the obligations of parties specified in international agreements, conventions and global guidelines which are applicable in the YSLME region, such as the UNCLOS, CBD, UNFCCC, Ramsar Convention, and FAO Code of Conduct for Responsible Fisheries.
- (2) Assessment of the level of compliance of PR China to the above agreements, conventions and guidelines and identification of gaps and weaknesses in national legislation and regulatory framework.



- (3) Comparison of the national legislation with the above legal documents and identification of the regulations that are not in line with the obligations under those international conventions and guidelines.
- (4) Examining the policies and programmes carried out by national and local governments to implement the international conventions and guidelines and identifying areas that need to be strengthened.
- (5) Formulate recommendation for improvement to enable PR China to fully comply with obligations with international conventions and guidelines, in order to promote ecosystem-based management (EBM) of YSLME.

The results of the assessment will be presented in the forthcoming workshops on regional ocean governance. Hopefully the findings and recommendations of this report can contribute to the continuing deliberations on improving the implementation of multilateral environmental agreements which PR China has acceded to or ratified for good ocean governance.



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# Executive Summary

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The YSLME Project Phase II seeks to improve the compliance with regional and international treaties, agreements and guidelines by participating countries in the Yellow Sea. To achieve this, the assessment report examined the weaknesses and gaps of China's legal framework in compliance with international and regional treaties and guidelines, and provided recommendations for improvement and strengthening.

The report examined the legal systems established by the major international legal instruments on marine environmental protection and sustainable use of marine resources, including: (1) United Nations Convention on the Law of the Sea; (2) Convention on Biological Diversity and its protocols; (3) Convention on Wetlands of International Importance Especially as Waterfowl Habitat; (4) United Nations Framework Convention on Climate Change and its protocols; and (5) FAO Code of Conduct for Responsible Fisheries.

Through the study of the issues discussed recently in conferences organized by each convention, it is found that many of the topics discussed are common and intercrossed: Conservation and management of living marine resources, especially fishery resources and control of pollution are topics discussed constantly; integrated management, spatial planning and environmental impact assessment are tools recommended frequently; the importance of monitoring, assessment, sharing of information, cooperation, public participation and enhancing scientific knowledge are addressed; ecosystem-based approach, precautionary approach and area-based approach are introduced; and the effects of climate change on marine environment, biodiversity, wetland protection and fishery resources are discussed widely.

The People's Republic of China, as a contracting party of the above international conventions, has been working to improve national laws, regulations and policies to fulfill the obligations under those conventions. After 20 to 30 years of construction, PR China has set up a basic legal and regulatory framework for the conservation of the marine environment and sustainable use of living resources.

The fundamental legislation in the marine environmental protection area is the Marine Environment Protection Law of PR China, which provides an overall regulation on pollution control, ecosystem protection and resources conservation. To supplement, laws and regulations include:

- On the management of living resources: Fisheries Law and Wild Animal Conservation Law;
- On the protection of biodiversity and wetland: Island Conservation Law, Regulation on the Management of Nature Reserve, Rule for Management of Marine Special Protected Areas and Rule for Wetland Protection;

- On spatial management: Law on the Administration of Sea Areas; and
- Other laws, such as Law on Prevention and Control of Water Pollution, Law on Prevention and Control of Air Pollution, Environmental Impact Assessment Law, Planning Law, that relate to or provide useful tools for the protection and conservation of marine environment and resources.

In order to implement the laws issued by the National People's Congress and its Standing Committee, or to regulate the issues which have not been addressed in the current laws, the State Council, administrative departments of central government, local people's congress and local people's government issued about 80 regulations and rules of all levels, which to a large extent enriched the legal system on marine environmental protection.

Besides the laws, the Government of China has issued a variety of national policies and plans, and launched a number of projects to protect the marine environment, e.g., nearshore pollution control plan, blue bay environmental improvement project, the cross-sectoral working mechanisms to implement the CBD, marine ecological monitoring zone, marine ecological red line, ecological island and reef project, wetland restoration projects, national plan on marine functional zoning, national plan on the proliferation and releasing of aquatic living resources and marine inspection system, etc.

Although laws and policies have been much improved in the last ten years, there are still some gaps existing which prohibit China from fully implementing its obligations in the international conventions and protect its marine environment and resources. The gaps include:

- Lack of an ecosystem-based point of view;
- Lack of laws in certain areas, e.g., national regulation on wetland conservation, national regulation on mariculture, laws to mitigate climate change, laws to prevent and control of marine debris
- Lack of detailed implementation rules, e.g., implementation rules on fishery, control of invasive species in wetland protection, marine ecological protection compensation system, etc.
- Lack of a cross-sector implementation mechanism
- Lack of international cooperation in developing laws and policies

In order to address the above gaps, it is suggested that the following legal improvements should be carried out:

- Develop a cross-sector implementation mechanism by: (1) establishing an International Convention Implementation Committee as an ad hoc body to deal with the overall implementation of the environment related international convention; and (2) by requiring different administrative sectors to coordinate with each other both in information sharing and strategy development through regular or specific meeting mechanism.

- Enhance the legal system on risk assessment by: (1) expanding the environmental impact assessment to cover the risk assessment for major environmental decisions; (2) strengthening the legal system on marine observation, disaster forecasting and risk assessment.
- Improve the cooperation in developing laws, policies, guidelines with neighboring countries.
- Establish regulations on prevention and control of marine debris by: (1) improving the laws on solid waste control and cleaner production; (2) strengthening the planning system in coastal zone management.
- Improve laws on the protection of marine biodiversity by: (1) establishing rules on how to build and manage the MPA network; (2) establishing rules on the selection and management of a marine national park.
- Upgrade Laws on the protection of wetland.
- Improve fisheries law by: (1) establishing implementation rules on TAC, mesh size and fishing methods; (2) amending the Implementation Rules on Fisheries Law; (3) enhancing legal systems on mariculture, e.g., the environmental impact assessment system, pollution control system, invasive species control system and mariculture permit system.
- Strengthen laws to address climate change adaption by enacting a coastal zone management law.

# International Legal Instruments on Marine Environmental Protection and Sustainable Use of Marine Resources and the Obligations of Contracting Parties

# 1

As agreed upon gradually by most of the countries and the international community, the integrality and interaction of world ocean call for an integrated protection of its environment and resources. Based on this understanding, since 1960s, a large number of international and regional conventions, treaties, protocols, etc., have been entered into force in the area of marine environment protection. From 1931 to 2015, except the international agreements which can be applied on oceans or related with oceans (such as Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention on Migratory Species, Benelux Convention on Nature Conservation and Landscape Protection, etc.), and except the international agreements that are unrelated to oceans (such as the Convention on Transboundary Effects of Industrial Accidents, Convention on Early Notification of a Nuclear Accident etc.), there are 479 pieces of international law which have been established with a legislative purpose to protect marine environment or regulate marine related activities.<sup>1</sup> (See **Annex 1** for the 1931-2015 Ocean Related Multi-lateral International Agreement List.). From this number, one could imagine the breadth and depth of international cooperation on ocean governance.

The three coastal countries of the YSLME — PR China, RO Korea and DPR Korea — have participated into the international cooperation process on environmental protection and ocean governance, through the signing of international agreements and carrying out the obligations accordingly. There are 16 multi-lateral environmental agreements that the three countries are members of, including: UNCLOS, UNFCCC, Kyoto Protocol, CBD, World Heritage Convention, Basel Convention, UNCCD, MARPOL, COLREG, Rotterdam Convention, Bio-safety Protocol, Montreal Protocol, Vienna Convention, SOLAS, CLL and Bunker Oil.

There are 10 multi-lateral environmental agreements that PR China and RO Korea are members of, including Ramsar Convention, CITES, Whaling, London Convention, Stockholm Conventions, SUA, OPRC, OPRC-HNS, Anti-fouling and Nagoya Protocol. There is one that RO Korea and DPR Korea are both members of, that is the Treaty on Plant Genetic Resources for Food and Agriculture.<sup>2</sup>

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<sup>1</sup> Yu Ming, Xu Xiangmin. International and Domestic Laws on Regional Ocean Governance [M]. Beijing: People's Publishing House, 2017: 7-22.

<sup>2</sup> Project Inception Report of UNDP/GEF YSLME Phase II Project. 2017:30-33

Although there are a wide range of international environmental agreements that the three coastal countries have signed, when it comes to marine environmental protection and resources management, the national and regional governance studies have identified the following major international and regional legal agreements and non-binding guidelines to be assessed to understand the major international obligations for participating countries.

1. United Nations Convention on Law of the Sea (UNCLOS);
2. Convention on Biological Diversity (CBD) and its protocols;
3. Convention on Wetlands of International Importance Especially as Waterfowl Habitat (RAMSAR);
4. United Nations Framework Convention on Climate Change (UNFCCC) and its protocols;
5. FAO Code of Conduct for Responsible Fisheries (CCRF);
6. 1972 Convention on the Prevention and Control of Marine Pollution by Dumping of Wastes and Other Matter (1972 London Convention);
7. 1973 International Convention for the Prevention of Marine Pollution from Ships and its 1978 Protocol (73/78 MARPOL).

Except for the 1972 London Convention and the 73/78 MARPOL which are assessed in another report, the compliance with the five international conventions or guidelines will be covered in this report.

## **1.1 United Nations Convention on the Law of the Sea**

The UNCLOS is the international agreement that defines the rights and responsibilities of nations with respect to their use of the world's oceans. UNCLOS specified the parties' obligation on living resources and marine environment protection mainly in Part 5 Exclusive Economic Zone (EEZ), Part 7 High Seas and Part 12 Protection and Preservation of the Marine Environment.

### **1.1.1 Conservation and Utilization of Living Resources**

The UNCLOS lays down different rules on the conservation and utilization of living resources based on different legal status of sea areas. In EEZ, the coastal states have sovereignty rights over the living resources. They have rights to determine the allowable catch and promote the optimum utilization of living resources, but they also have obligations to establish laws and regulations to regulate conservation measures and maintain or restore populations of harvested species at levels which can produce the maximum sustainable yield.<sup>3</sup> For stocks occurring within the EEZ of two or more coastal States or highly migratory species these States shall seek to agree upon the measures

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<sup>3</sup> UNCLOS, Art. 61 and Art. 62

necessary to coordinate and ensure the conservation and development of such stocks.<sup>4</sup> While in the high seas, all States have the right for their nationals to engage in fishing<sup>5</sup>, and have the duty to cooperate with other States in taking measures for the conservation of the living resources<sup>6</sup>.

### 1.1.2 Protection and Prevention of Marine Environment Pollution

UNCLOS sets obligations to States to protect and preserve the marine environment by asking States to take all measures to prevent, reduce and control pollution of the marine environment from any source, including pollutions from land-based sources, vessels, seabed activities, the atmosphere, dumping or the intentional or accidental introduction of alien or new species.<sup>7</sup> The Convention further requires States to adopt national laws and regulations, to harmonize their policies and to establish global and regional rules to prevent and control pollution,<sup>8</sup> and make sure these laws and regulations are implemented.<sup>9</sup>

States shall cooperate on a global basis and, as appropriate, on a regional basis to formulate and elaborate international rules, standards and recommended practices and procedures for the protection and preservation of the marine environment; notify other States of imminent danger of pollution; jointly develop and promote contingency plans for responding to pollution incidents; undertake programmes of scientific research and encourage the exchange of information and data; establish appropriate scientific criteria for the formulation and elaboration of rules, standards and recommended practices and procedures for the prevention, reduction and control of pollution of the marine environment.<sup>10</sup>

Besides, States shall endeavor to observe, measure, evaluate and analyze, the risks or effects of pollution of the marine environment, in particular, the effects of any activities which they permit or in which they engage.

### 1.1.3 Marine Scientific Research and Technology Development

To facilitate the sustainable use of the world's ocean, UNCLOS encourages States to promote the development of marine scientific research, and establish regional marine scientific and technological research centers, to stimulate and advance the conduct of marine scientific research and foster the transfer of marine technology.<sup>11</sup>

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<sup>4</sup> Ibid. Art. 63 and Art. 64

<sup>5</sup> Ibid. Art. 116

<sup>6</sup> Ibid. Art. 117

<sup>7</sup> Ibid. Art. 192

<sup>8</sup> Ibid. Art. 194-196, and Art. 207-212

<sup>9</sup> Ibid. Art. 213-222

<sup>10</sup> Ibid. Art. 197-201

<sup>11</sup> Ibid. Art. 238 and 239

### 1.1.4 Issues Discussed Recently in the Law of the Sea

On the 70<sup>th</sup> Session of the General Assembly in 2015, a report “Oceans and the law of the sea” provided an overview of main developments and issues in ocean affairs and the Law of the Sea. The report shows that:

- (1) The conservation and management of living marine resources, through the effective implementation of UNCLOS, the United Nations Fish Stocks Agreement and related international instruments, constantly draws the attention of the international community.
- (2) The importance of the implementation of Part XII of UNCLOS in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation has been addressed. Actions to prevent and control of land-based and sea-based pollution and pollution caused by marine debris have been taken. The negative effect of ocean noise has been noted as well.
- (3) Ways to integrate and improve the management of risks to the marine biodiversity of seamounts, cold water corals, hydrothermal vents and certain other underwater features should be considered.
- (4) The urgency of addressing the effects of climate change and ocean acidification on the marine environment and marine biodiversity has been addressed.
- (5) Many management tools which could facilitate the integrated management of the oceans and seas have been addressed, such as environmental impact assessment, strategic environmental assessment, ecosystem approach, area-based management tool, etc.
- (6) The importance of monitoring, assessment and scientific knowledge to decision-making and adaptive management has been addressed.
- (7) Building the capacity of States to implement the legal regime for the oceans and seas has been emphasized.

## 1.2 Convention on Biological Diversity

Adopted in 1992 and entered into force in 1993, the Convention on Biological Diversity (CBD) recognized for the first time in international law that the conservation of biodiversity is “a common concern of humankind” and is an integral part of the development process. The Convention has three main goals including: the conservation of biological diversity; the sustainable use of its components; and the fair and equitable sharing of benefits arising from genetic resources. It also covers the rapidly expanding field of biotechnology through its Cartagena Protocol on Biosafety, addressing technology development and transfer, benefit-sharing and biosafety issues. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization is a supplementary agreement to the Convention. It provides a transparent legal framework for the effective implementation of one of the three objectives of the CBD: the fair and equitable sharing of benefits arising out of the utilization of genetic resources.



### 1.2.1 Develop National Strategies, Plans or Programmes

The CBD requires each participating country to develop national strategies, plans or programmes for the conservation and sustainable use of biological diversity and integrate the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.<sup>12</sup>

### 1.2.2 In-situ Conservation and Ex-situ Conservation

The main ways to protect and conserve biological diversity stipulated in the convention are in-situ conservation and ex-situ conservation. In-situ conservation mainly requires the Parties to: (a) establish a system of protected areas and develop guidelines for the selection, establishment and management of protected areas; (b) regulate or manage biological resources important within or outside protected areas; (c) promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings; (d) rehabilitate and restore degraded ecosystems and promote the recovery of threatened species; (e) regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology which are likely to have adverse environmental impacts; (f) prevent the introduction of, control or eradicate those alien species; and (g) develop or maintain necessary legislation for the protection of threatened species and populations.<sup>13</sup>

To complement in-situ measures, each contracting party can also adopt measures for the ex-situ conservation of components of biological diversity, establish and maintain facilities for ex-situ conservation and adopt measures for the recovery and rehabilitation of threatened species and for their reintroduction into their natural habitats.

### 1.2.3 Impact Assessment and Minimizing Adverse Impacts

Each Contracting Party shall: (a) Introduce appropriate procedures requiring environmental impact assessment of its proposed projects, programmes and policies that are likely to have significant adverse effects on biological diversity with a view to avoid or minimize such effects and allow for public participation in such procedures; (b) Promote, on the basis of reciprocity, notification, exchange of information and consultation on activities under their jurisdiction or control which are likely to significantly affect adversely the biological diversity of other States or areas beyond the limits of national jurisdiction; (c) In the case of imminent or grave danger or damage, originating under its jurisdiction or control, to biological diversity within the area under jurisdiction of other

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<sup>12</sup> CBD, Art. 6

<sup>13</sup> Ibid. Art. 8

States or in areas beyond the limits of national jurisdiction, notify immediately the potentially affected States of such danger or damage, as well as initiate action to prevent or minimize such danger or damage; and promote national arrangements for emergency responses to activities or events.<sup>14</sup>

#### 1.2.4 Other Obligations

The CBD also set obligations on parties to facilitate access to genetic resources<sup>15</sup>, transfer of technology and safe use of biotechnology<sup>16</sup>; establish and maintain programmes for scientific and technical education and training; promote and encourage research<sup>17</sup>; increase public education and awareness of the importance of and the measures required for the conservation of biological diversity<sup>18</sup>; facilitate the exchange of information from all publicly available sources<sup>19</sup>; cooperatively establish a clearing-house mechanism<sup>20</sup>, etc.

#### 1.2.5 Issues Discussed Recently

The Second Conference of Parties (COP) formally included marine and coastal biological diversity into the meeting agenda in 1995 and encouraged all parties to take integrated marine and coastal area management (IMCAM) as a tool to promote the conservation and utilization of marine and coastal biodiversity.

On COP 4, ecosystem approach and precautionary approach were introduced to deal with the activities that have negative effect on marine and coastal biodiversity.

On COP 10, issues of unsustainable fishing, ocean fertilization, ocean acidification and anthropogenic underwater noise and their negative effects were discussed. IMCAM, Marine Spatial Planning (MSP) and Environmental Impact Assessment (EIA) were recommended as tools to manage marine biodiversity. The Voluntary Guidelines for the Consideration of Biodiversity in Environmental Impact Assessments and Strategic Environmental Assessments in Marine and Coastal Areas was issued.

On COP 14, parties were invited to identify the Ecologically or Biologically Significant Marine Areas (EBSAs) within their jurisdictions and implement assessment on those areas. Parties shall promote the implementation of MSP.<sup>21</sup>

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<sup>14</sup> Ibid. Art. 14

<sup>15</sup> Ibid. Art. 15

<sup>16</sup> Ibid. Art. 16

<sup>17</sup> Ibid. Art. 12

<sup>18</sup> Ibid. Art. 13

<sup>19</sup> Ibid. Art. 17

<sup>20</sup> Ibid. Art. 18

<sup>21</sup> Yin Senlu. *Negotiation focus, impacts, and China's implementation strategies of Marine and Coastal Biodiversity in the Convention on Biological Diversity*. Biodiversity. 2016, 24 (7): 855–860

### 1.3 Convention on Wetlands of International Importance Especially as Waterfowl Habitat

Signed in 1971, the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention) is an international treaty for the conservation and sustainable use of wetlands.

#### 1.3.1 Designation of Wetlands and Establishment of Nature Reserves

The Ramsar Convention requires each contracting party to designate suitable wetlands within its territory for inclusion in a List of Wetlands of International Importance and formulate and implement their planning so as to promote the conservation and wise use of the wetlands. And it also promotes the establishment of nature reserves to protect and conserve wetlands and waterfowl.<sup>22</sup>

#### 1.3.2 Other Obligations

The Convention encourages research and the exchange of data and publications regarding wetlands and their flora and fauna, as well as promote the training of personnel competent in the fields of wetland research, management and wardening.<sup>23</sup>

#### 1.3.3 Issues Discussed Recently

The 4th Strategic Plan (2016 – 2024) of the Ramsar Convention set the priority areas of focus in the next nine years. Of them, preventing, stopping and reversing the loss and degradation of wetlands is of top priority. Regarding the implementation of the Convention, the following aspects are emphasized: (1) improving compliance with Ramsar provisions concerning Ramsar Site updates, inventories of all wetlands and Wetlands of International Importance; (2) maintenance of ecological character and management of sites, improving the ecological character where not good enough, especially on the Montreux Record; (3) the preparation of management planning processes for all Ramsar Sites, and implementation of such management planning on the ground through the presence of staff, appropriate infrastructure and other resources.

Except these, other issues of priority include: (1) science-based advice and guidance; (2) climate change and wetlands; (3) information about ecosystem functions and the ecosystem services they provide to people and nature; (4) communicating ecosystem functions and the ecosystem services they provide to people and nature; (5) enhancing cooperation; (6) identifying and designating wetlands as Ramsar Sites and transboundary Ramsar Sites; (7) wise use of wetlands; (8) invasive alien species; and (9) strengthening and supporting the full and effective participation and the collective actions of stakeholders.<sup>24</sup>

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<sup>22</sup> Ramsar Convention, Art. 2 and Art. 4

<sup>23</sup> Ibid. Art. 4

<sup>24</sup> <https://www.ramsar.org/document/the-fourth-ramsar-strategic-plan-2016-2024>

## 1.4 The United Nations Framework Convention on Climate Change and Its Protocols

The United Nations Framework Convention on Climate Change (UNFCCC) is an international environmental treaty adopted on 9 May 1992 and entered into force on 21 March 1994. The objective of the UNFCCC is to “stabilize greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system”. The framework sets non-binding limits on greenhouse gas (GHG) emissions for individual countries and contains no enforcement mechanisms.

In 1997, the Kyoto Protocol was concluded and established legally binding obligations for developed countries to reduce their GHG emissions in the period 2008-2012. In 2015, the Paris Agreement was adopted, governing emission reductions from 2020 on through commitments of countries in ambitious Nationally Determined Contributions. The Paris Agreement entered into force on November 4, 2016.

### 1.4.1 Parties’ Obligations in the Kyoto Protocol

In the Kyoto Protocol, besides the obligations of developed countries to reduce GHG emissions, and its financial mechanism, some commitments were also agreed on by all Parties, including:

- (1) Formulate, implement, publish and regularly update national and regional programmes containing measures to mitigate climate change and measures to facilitate adequate adaptation to climate change;
- (2) Promote and cooperate in the development, application and diffusion of technologies, practices and processes that control, reduce or prevent anthropogenic emissions of GHG;
- (3) Promote sustainable management, and promote and cooperate in the conservation and enhancement of sinks and reservoirs including biomass, forests and oceans as well as other terrestrial, coastal and marine ecosystems;
- (4) Cooperate in preparing for adaptation to the impacts of climate change; develop and elaborate appropriate and integrated plans for coastal zone management;
- (5) Take climate change considerations into account, in their relevant social, economic and environmental policies and actions, and employ appropriate methods to mitigate or adapt to climate change;
- (6) Promote and cooperate in research, exchange of information, education, training and public awareness.<sup>25</sup>

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<sup>25</sup> United Nations Framework Convention on Climate Change. 2018.  
<https://unfccc.int/documents?f%5B0%5D=conference%3A4103&f%5B1%5D=session%3A4102>

### 1.4.2 Parties' Obligation in the Paris Agreement

The Paris Agreement gives special emphasis on adaptation to climate change, by encouraging parties to enhance adaptive capacity, develop adaptive plans and policies.<sup>26</sup> It also recognizes the importance of addressing loss and damage associated with the adverse effects of climate change and the role of sustainable development in reducing the risk of loss and damage. Action and support may include early warning systems, emergency preparedness, comprehensive risk assessment and management, etc.<sup>27</sup>

### 1.4.3 Issues Discussed Recently

During the 23rd session of the COP, parties all agreed to give priority to the following work to facilitate the implementation of the Paris Agreement.

The work include: (1) Review of adaptation-related institutional arrangements under the Convention; (2) Develop methodologies for assessing adaptation needs and modalities for the recognition of adaptation efforts of developing country Parties; (3) Develop methodologies to facilitate the mobilization of support for adaptation in developing countries and methodologies on reviewing the adequacy and effectiveness of adaptation and support; (4) Make institutional arrangements on capacity building to support the Paris Agreement; (5) Enhance the implementation of education, training, public awareness, public participation and public access to information; and (6) Develop modalities, procedures and guidelines for the enhanced transparency framework for action and support.<sup>28</sup>

## 1.5 FAO Code of Conduct for Responsible Fisheries

The FAO Code of Conduct for Responsible Fishing (CCRF) provides principles and standards applicable to the conservation, management and development of all fisheries. It also covers the capture, processing and trade of fish and fishery products, fishing operations, aquaculture, fisheries research and the integration of fisheries into coastal area management. This Code is voluntary in nature. However, certain parts of it are based on relevant rules of international law, including those reflected in the United Nations Convention on the Law of the Sea. The Code also contains provisions that may be or have already been given binding effect by means of other obligatory legal instruments among the Parties, such as the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, 1993, which, according to FAO Conference resolution 15/93, paragraph 3, forms an integral part of the Code.

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<sup>26</sup> Ibid. Art. 7

<sup>27</sup> Ibid. Art. 8

<sup>28</sup> United Nations Framework Convention on Climate Change. 2018.  
<https://unfccc.int/documents?f%5B0%5D=conference%3A4103&f%5B1%5D=session%3A4102>

### 1.5.1 The General Principles of Responsible Fishing

CCRF emphasizes responsible fishing and requires the fishery industry to be done in a responsible manner. Fisheries management should promote the maintenance of the quality, diversity and availability of fishery resources in sufficient quantities for present and future generations in the context of food security, poverty alleviation and sustainable development. Selective and environmentally-safe fishing gear and practices should be further developed and applied. States should prevent overfishing and excess fishing capacity. And States should ensure compliance with and enforcement of conservation and management measures and establish effective mechanisms, to monitor and control the activities of fishing vessels and fishing support vessels.

### 1.5.2 Conservation of Aquatic Ecosystem

CCFR set the obligation to States to conserve aquatic ecosystems, including critical fisheries habitats. Particular effort should be made to protect such habitats from destruction, degradation, pollution and other significant impacts resulting from human activities that threaten the health and viability of the fishery resources.

### 1.5.3 Incorporate Fisheries Interests into Coastal Area Management

CCFR emphasizes the integration of fishery and coastal community. It requires that fisheries interests be taken into account in the multiple uses of the coastal zone and be integrated into coastal area management, planning and development. States should appropriately protect the rights of fishers and fish workers, particularly those engaged in subsistence, small-scale and artisanal fisheries, to a secure and just livelihood, as well as preferential access to traditional fishing grounds and resources in the waters. Conservation and management decisions for fisheries should take into account traditional knowledge of the resources and their habitat, as well as relevant environmental, economic and social factors.<sup>29</sup>

### 1.5.4 Issues Discussed Recently

Reports of the 31st and 32nd Session of the Committee on Fisheries showed that the following issues have been discussed in frequency.

- (1) Promoting the Blue Growth Initiative (BGI). The goal of BGI is to address food security and poverty alleviation by quality capture fisheries and aquaculture production through processes which are integrated, sustainable and socioeconomically sensitive.

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<sup>29</sup> FAO CCRF, Art. 6

- (2) Highlighting the multi-dimensional function of small-scale fisheries (SSF) in poverty reduction and food security, etc., and addressed the importance of Voluntary Guidelines for Securing Sustainable Small-scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines). The Committee required that the guideline be mainstreamed in policies and actions.
- (3) Emphasizing the need to carry out future measures to rebuild fish stocks.
- (4) Emphasizing the importance of the work to address illegal, unreported and unregulated (IUU) fishing, and the implementation of PSMA (Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing).
- (5) Implementing the FAO Corporate Climate Change Strategy and Action Plan and the FAO draft Strategy for Fisheries, Aquaculture and Climate Change for 2017-2020.
- (6) Providing guidance and increasing capacity development in the areas of data collection and analysis, stock assessment, management, post harvesting, and policy development.<sup>30</sup>

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<sup>30</sup> FAO Fisheries and Aquaculture Report, No. 1101 (FIPI/R1101) and FAO Fisheries and Aquaculture Report No. 1167 (FIAP/R1167)





# China's Compliance of International Conventions – from the Perspective of Legal and Regulatory Framework

# 2

As a contracting party of the abovementioned international conventions, the legislative body and governments of PR China have been working very hard to improve national laws, regulations and policies to fulfill the obligations under those conventions. After 20 to 30 years of construction, PR China has set up a basic legal and regulatory framework for the conservation of the marine environment and sustainable use of living resources.

## 2.1 National Laws Issued by National People's Congress and Its Standing Committee

The fundamental legislation in the marine environmental protection area is the Marine Environment Protection Law of PR China, which provides an overall regulation on pollution control, ecosystem protection and resources conservation. To supplement that, several legislations were formulated, such as:

- On the management of living resources, there are Fisheries Law and Wild Animal Conservation Law;
- On the protection of biodiversity and wetland, there are Island Conservation Law, Regulation on the Management of Nature Reserve, Rule for Management of Marine Special Protected Areas and Rule for Wetland Protection;
- On spatial management, there is Law on the Administration of Sea Areas; and
- There are other laws, such as Law on Prevention and Control of Water Pollution, Law on Prevention and Control of Air Pollution, Environmental Impact Assessment Law, Planning Law, that relate to or provide useful tools to the protection and conservation of marine environment and resources.

### 2.1.1 The Marine Environment Protection Law of the People's Republic of China

The Marine Environment Protection Law of the People's Republic of China (hereinafter referred to as "The Marine Environment Protection Law") has undergone three amendments (1999, 2013 and 2016) since its promulgation on August 23, 1982. The law currently has 10 chapters, including General Provisions, Supervision and Control over the Marine Environment; Marine Ecological Protection; Prevention and Control of Pollution Damage to the Marine Environment Caused by Land-based Pollutants; Prevention and Control of Pollution Damage to the Marine Environment Caused by Coastal Construction Projects; Prevention and Control of Pollution Damage to the

Marine Environment Caused by Marine Construction Projects; Prevention and Control of Pollution Damage to the Marine Environment Caused by Dumping of Wastes; Prevention and Control of Pollution Damage to the Marine Environment Caused by Vessels and Their Related Operations; Legal Liabilities and Supplementary Provisions, for a total of 97 articles. The law is PR China's basic law for the protection of marine environment.

### **2.1.1.1 Management System of Marine Environment Protection**

The Law established the management system of marine environment protection of PR China. It provides that the administrative department in charge of environment protection under the State Council, shall guide, coordinate and supervise the nation-wide marine environment protection work and be responsible for preventing and controlling marine pollution damages caused by land-based pollutants and coastal construction projects. The State oceanic administrative department shall be responsible for supervision and control over the marine environment, organizing survey, surveillance, supervision, assessment and scientific research of the marine environment and be responsible for the nation-wide environment protection work in preventing and controlling marine pollution damages caused by marine construction projects and dumping of wastes in the sea<sup>31</sup>. The other departments, such as department in charge of maritime affairs, fisheries, armed forces, etc., shall be responsible for the supervision and control over marine pollution within their own limits of power.<sup>32</sup>

### **2.1.1.2 General Regulations**

The law established many legal systems on the protection of the marine environment. On spatial planning, the law established the marine functional zoning system and environmental protection planning system. The marine administrative department shall work out a national marine functional zonation scheme according to the national major marine functional zoning plans.<sup>33</sup> And in accordance with the marine functional zonation scheme, the State shall draw up a national marine environment protection plan and regional marine environment protection plans in key sea areas.<sup>34</sup>

On ecosystem protection, the law set up the ecological red lines system, which requires the State to delineate the red lines of ecological importance in key marine ecological function zones, ecologically-sensitive areas and fragile areas, and other sea areas to conduct strict protection.<sup>35</sup>

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<sup>31</sup> However, according to the Plan for Restructuring State Council issued in March 2018, the responsibility to protect the marine environment, including pollution control has been transferred to the Ministry of Ecology and Environment from the State Oceanic Administration.

<sup>32</sup> Marine Environment Protection Law, Art. 5

<sup>33</sup> Ibid. Art. 7

<sup>34</sup> Ibid. Art. 8

<sup>35</sup> Ibid. Art. 3

The law also established the marine nature reserves system<sup>36</sup> and the ecological compensation system<sup>37</sup>.

On pollution control, the law set up the marine environmental quality standard system, total quantity control system and regional limits system. For the key sea areas where the State has established and put into practice the system of controlling the total sea-disposed pollution discharge, the standards for controlling the total sea-disposed main pollutants discharge shall also be taken as an important basis in determining the water pollutant discharge standards. In key sea areas where the indicators for the control of the total quantity of key pollutants discharged into the sea are exceeded, the environment protection administrative departments shall suspend the approval of the environmental impact reports (forms) for the construction projects which will newly increase the total quantity of corresponding types of pollutants discharged into the sea.<sup>38</sup>

On fisheries, the law requires the State to develop an ecological fishery system, popularize multiform ecological fishery production methods and improve marine ecological conditions. In mariculture, breeding density shall be scientifically determined, bait and manure be rationally spread, medicines be accurately applied, and pollution to the marine environment be prevented.<sup>39</sup>

### **2.1.1.3 Prevention and Control of Pollution**

Prevention and control of pollution is the core part of the Marine Environment Protection Law, which is stipulated in five chapters separately as: (1) Prevention and Control of Pollution Damage to the Marine Environment Caused by Land-based Pollutants; (2) Prevention and Control of Pollution Damage to the Marine Environment Caused by Coastal Construction Projects; (3) Prevention and Control of Pollution Damage to the Marine Environment Caused by Marine Construction Projects; (4) Prevention and Control of Pollution Damage to the Marine Environment Caused by Dumping of Wastes; and (5) Prevention and Control of Pollution Damage to the Marine Environment Caused by Vessels and Their Related Operations. The 2016 revision of the law specifically requires that Vessels and their relevant operations shall take effective measures to prevent marine environment pollution, while increasing the provisions “An administrative department of maritime affairs and other relevant departments shall strengthen the supervision and administration of vessels and their relevant operations.”<sup>40</sup> To implement

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<sup>36</sup> Ibid. Art. 21

<sup>37</sup> Ibid. Art. 24

<sup>38</sup> Ibid. Art. 11

<sup>39</sup> Ibid. Art. 28

<sup>40</sup> Ibid. Art. 5

the provisions of the Marine Environmental Protection Law, the State Council formulated the following regulations respectively:

- a. Administrative Regulation on the Prevention and Control of Pollution Damages to the Marine Environment by Vessels (Revised in 2017).
- b. Administrative Regulation on the Prevention and Control of Pollution Damages to the Marine Environment by Coastal Engineering Construction Projects (Revised in 2017).
- c. Administrative Regulation on the Prevention and Treatment of the Pollution and Damage to the Marine Environment by Marine Engineering Construction Projects (Revised in 2017).
- d. Regulations of the People's Republic of China on the Control over Dumping Wastes into the Sea Waters (Revised in 2017).
- e. Regulations on Prevention of Environmental Pollution by Ship Breaking (Revised in 2017).
- f. Regulations of the People's Republic of China Concerning Environmental Protection in Offshore Oil Exploration and Exploitation.

For maritime pollution incidents, the law requires the State to draw up State contingency schemes to cope with major marine pollution accidents.<sup>41</sup>

#### **2.1.1.4 Others**

The law also provides regulations on the development of science and technology, environmental monitoring and supervisory, environment impact assessment, information disclosure and the development of the comprehensive marine information system, etc.<sup>42</sup>

### **2.1.2 The Fisheries Law of People's Republic of China**

Adopted at the 14th Meeting of the Standing Committee of the National People's Congress and promulgated by Order No. 34 of the President of the People's Republic of China on January 20, 1986, the Fisheries Law has been amended four times, in 2000, 2004, 2009 and 2013. The Law includes six chapters, namely General Provisions, Aquaculture, Fishing, Increasing and Protection of Fishery Resources, Legal Liability, and Supplementary Provisions.

The Law calls for a simultaneous development of aquaculture, fishing and processing, with a special emphasis on aquaculture<sup>43</sup>, and established the unified leadership of the Fisheries Bureau under the Ministry of Agriculture and decentralized administration system of the fishery department and subordinate fishery superintendence agencies.<sup>44</sup>

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<sup>41</sup> Ibid. Art. 18

<sup>42</sup> Ibid. Art. 13, 14, 16, 43

<sup>43</sup> The Fisheries Law of People's Republic of China, Art. 3

<sup>44</sup> Ibid. Art. 7

The Law sets up the basic legal systems in aquaculture and fishing industry, including the aquaculture permit system, total allowable catch system and fishing permit system. Individuals who wish to carry out aquaculture need to get permit from the local government on both the breeding production and the right to use sea areas.<sup>45</sup> In the ocean fishery industry, the State determines the total fishable amount of the fishery resources and implements a fishing quota system in accordance with the principle that the fishing amount shall be lower than the increasing amount of the fishery resources. The total amount of the fishing quota is distributed level by level to local government and reflected in the fishing permit granted by the fishery administration. Fishing permits may not be sold, leased or transferred by other illegal means, and they may not be altered.<sup>46</sup>

Another major legal system in Fisheries Law is the fish banning system. It is prohibited to go fishing in the banned fishing areas or within the banned fishing periods. It is prohibited to sell illegally fished fishing gains in the banned fishing areas or within the banned fishing periods.<sup>47</sup>

There are also regulations in place on breeding density, fertilizer and medicament usage, net size, fishing methods, germ plasm resources protection areas, etc., in order to protect the fishery resources and marine environment.

### **2.1.3 The Law of the People's Republic of China on the Administration of Sea Areas**

Adopted at the 24th meeting of the Standing Committee of the National People's Congress of the People's Republic of China on October 27, 2001, the Law of the People's Republic of China on the Administration of Sea Areas has entered into force on January 1, 2002.

The Law established the functional zoning system on the sea and requires that the use of sea areas shall be in conformity with the functional zones of the sea. The use of seas which changes the natural attribute of sea areas such as reclamation shall be strictly controlled.<sup>48</sup>

The State Oceanic Administration and other relevant administrative departments of the State Council, together with the governments of the coastal province, autonomous region and municipality, shall develop the national functional zoning plan of sea areas, and the marine administrative departments of the local government shall elaborate the national plan based on the local conditions to develop the local zoning plan.<sup>49</sup> The functional zoning plan shall consider: (1) the natural attributes of the sea area including the location, natural resources and natural environment, etc.; (2) the use of the seas by various industries in accordance with the demand

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<sup>45</sup> Ibid. Art. 11

<sup>46</sup> Ibid. Art. 20-23

<sup>47</sup> Ibid. Art. 30

<sup>48</sup> The Law of the People's Republic of China on the Administration of Sea Areas, Art. 4

<sup>49</sup> Ibid. Art. 10

of economic and social development; (3) the protection of ecological environment, sustainable utilization of sea areas and the development of the marine economy; (4) the security of maritime traffic; and (5) the national security.<sup>50</sup>

#### 2.1.4 The Island Protection Law of the People's Republic of China

In order to protect the ecosystems of islands and their surrounding waters, rationally develop and exploit the natural resources of islands, protect the oceanic rights and interests of the state, and promote sustainable economic and social development, the Island Protection Law of the People's Republic of China was adopted at the 12th session of the Standing Committee of the Eleventh National People's Congress of the People's Republic of China on December 26, 2009, and came into force on March 1, 2010.

The Law clearly set down the principle of "scientific planning, giving priority to protection, rational development and sustainable utilization" to islands.

To implement "scientific planning", the law requires the State Council and the coastal local people's governments at all levels to include the protection and rational development and utilization of islands in the national economic and social development plan, and take effective measures to strengthen the protection and administration of islands and prevent the ecosystems of islands and their surrounding waters from being damaged.<sup>51</sup>

The Law for the first time give priority to protection rather than development. In general, governments at all levels shall take measures to protect the natural resources, natural landscapes, and historical and cultural relics of islands. It is prohibited to change the coastlines of islands in natural reserves, to excavate or destroy coral and coral reefs and to fell mangroves in the surrounding waters of islands.<sup>52</sup> The state shall protect island vegetation, and promote the conservation of freshwater resources of islands.<sup>53</sup> The state shall also conduct registration of species on islands, and protect and manage the biological species on islands.<sup>54</sup>

According to the principle of "rational development and sustainable utilization", the Law puts island into three categories, namely: inhabited island, uninhabited island and island for special purpose. For inhabited island, investigation and assessment shall be made on the land resources, water resources and energy status of the islands to decide the environmental capacity of the island and total pollutant discharge amount. Priority shall be given to the use of wind energy, ocean energy, solar energy and other renewable energy, as well as rainwater harvesting, seawater desalination, sewage recycling and other technologies. To protect the habitats of marine life

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<sup>50</sup> Ibid. Art. 11

<sup>51</sup> The Island Protection Law. Art. 3

<sup>52</sup> Ibid. Art. 16

<sup>53</sup> Ibid. Art. 17

<sup>54</sup> Ibid. Art. 19

and prevent the degradation of island vegetation and reduction of biodiversity, prohibited and restricted areas for development shall be delimited on the inhabited islands and in their surrounding waters.<sup>55</sup> Sea filling, sea enclosure and other acts changing the coastlines of inhabited islands shall be strictly restricted.<sup>56</sup>

For uninhabited island, if its use has not been approved, the status as an uninhabited island shall be maintained; and such activities as quarrying, excavating sea sand, felling trees, production, construction and tourism shall be prohibited.<sup>57</sup>

For special purpose island, such as islands where the territorial sea base points are located, islands for the purpose of national defense, islands within the marine natural reserves and other islands for special purposes or with special conservation value, special protection measures shall be taken.<sup>58</sup>

### 2.1.5 Wild Animal Conservation Law of the People's Republic of China

The Wild Animal Conservation Law has been adopted at the 4th Session of the Standing Committee of the Seventh National People's Congress on November 8, 1988, amended twice in 2004 and 2009, and revised in 2016. This Law regulates the conservation of wild animals and associated activities within the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China. "Wild animals" conserved in this Law means the rare and endangered species of terrestrial and aquatic wild animals and the terrestrial wild animals of significant ecological, scientific, or social values. The conservation of aquatic wild animals other than the rare and endangered species of aquatic wild animals shall be governed by the Fisheries Law of the People's Republic of China and other relevant laws.<sup>59</sup>

The Law declares the state ownership of wild animal resources<sup>60</sup>, sets up the principle of "conservation first, regulated utilization, and stringent supervision"<sup>61</sup> to wild animals and establishes rules in the management of wild animal and its habitats.

The state conducts conservation of wild animals by classification and grading. The state places the rare and endangered species of wild animals under priority conservation. Species of wild animals under state priority conservation are divided into wild animals under Grade I conservation and wild animals under Grade II conservation and the list of wild animals under state priority conservation shall be developed accordingly based on scientific evaluation, and adjustments to the list shall be

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<sup>55</sup> Ibid. Art. 24

<sup>56</sup> Ibid. Art. 27

<sup>57</sup> Ibid. Art. 28

<sup>58</sup> Ibid. Art. 36

<sup>59</sup> Wild Animal Conservation Law, Art. 2

<sup>60</sup> Ibid. Art. 3

<sup>61</sup> Ibid. Art. 4

determined every five years according to evaluation results. The list of wild animals under state priority conservation shall be reported to the State Council for approval and publication.<sup>62</sup>

The relevant management departments shall, on a regular basis, organize, or authorize relevant scientific research institutions to conduct, survey, monitoring and evaluation of the status of wild animals and their habitats. Based on the results of the survey, monitoring and evaluation, the lists of major habitats of wild animals will be issued.

The government can either conserve the listed wild animals and their important habitats by establishing nature reserves or by delimiting no-hunting (or no-fishing) zones or prescribing closed hunting (or fishing) seasons or other means.<sup>63</sup>

The state shall also strengthen the conservation of genetic resources of wild animals, and conduct rescuing conservation of the endangered species of wild animals.<sup>64</sup>

The Law prohibits any hunting, catching, or killing wild animals under state priority conservation and any sale, purchase, or utilization of wild animals under state priority conservation and their products.<sup>65</sup>

### 2.1.6 Other Relevant Laws

Besides the laws analyzed above, there are some other laws that are closely related to the conservation of the marine environment.

The Law on Prevention and Control of Air Pollution regulates the pollution from atmospheric deposition. The Law on Prevention and Control of Water Pollution regulates the land-based pollution by carrying out the discharge standard system, total quantity control system and discharge permit system. And the Law on Environmental Impact Assessment provides the EIA as a useful tool to control the environmental impact of coastal and sea projects etc.

## 2.2 National Regulations Issued by the State Council

In order to implement the laws issued by the National People's Congress and its Standing Committee or to regulate the issues which have not been addressed in the current laws, the State Council issued about 15<sup>66</sup> national regulations (See **Table 1**. National Regulations Issued by the State Council) since the 1980s. Of these 15 regulations, 6 regulate marine pollution from different sources, such as vessel, ship breaking, coastal and marine engineering projects, dumping, oil exploitation; 4 regulate the

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<sup>62</sup> Ibid. Art. 10

<sup>63</sup> Ibid. Art. 11-12

<sup>64</sup> Ibid. Art. 17

<sup>65</sup> Ibid. Art. 21 and Art. 27

<sup>66</sup> According to incomplete statistics from the website: <http://www.pkulaw.cn/>



protection of nature reserve, wild animal and plant and agricultural genetically modified organisms which fall into the regulate objectives of CBD and Ramsar Convention; and 3 regulate fishery resources or fishing activities. This shows that pollution, fishery and nature conservancy are the three areas that attract more attention of the State Councils.

Besides the above regulations, one regulation on the administration of ocean observation and forecasting was issued in 2012 to implement the UNFCCC, since the Convention calls for the participating countries to enhance ocean observation and forecasting to mitigate the effect of climate change and increase the ability to predict disasters.

Due to the comprehensive amendments of the Environmental Protection Law and Marine Environment Protection Law in 2015 and 2016, many of the regulations, especially the ones that relate to pollution control and protection of nature reserve and wild life, have been revised in 2017 to keep consistent with the laws.

The Regulation on Nature Reserves sets up the basic legal systems on the establishment and management of nature reserves in China. It reflects the efforts of China to fulfill its obligations under the CBD as a participating country. The major legal systems established in this Regulation are as follows.

### **2.2.1 Regulations of the People's Republic of China on Nature Reserves**

The Regulations of the People's Republic of China on Nature Reserves has been issued by Order No. 167 of the State Council of the People's Republic of China on October 9, 1994; and amended twice in 2011 and 2017.

The regulation gives the authority to the Ministry of Environment Protection to conduct integrated management of the nature reserves throughout the country, and gives the authority to the competent departments of forestry, agriculture, geology and mineral resources, water conservancy, and marine affairs and other departments concerned the respective responsibilities to manage relevant nature reserves under their jurisdiction.<sup>67</sup>

To establish a nature reserve, the area has to meet one of the following requirements: (1) to be a typical physiographic area, typical natural ecosystem area, and those areas where the natural ecosystems have been damaged, but can be restored to the same category of natural ecosystems by proper protection; (2) where precious, rare and vanishing wildlife species are naturally concentrated; (3) having marine and coastal areas, islands, wetland, inland water bodies, forests, grassland and deserts which are of special protection value; (4) natural remains which are of

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<sup>67</sup> Regulations on Nature Reserves, Art. 8

significant scientific or cultural value, such as geological structures; (5) other natural areas need to be specially protected upon the approval of the State Council or provincial level of governments.<sup>68</sup>

In nature reserves, a general prohibition of activities like felling, grazing, hunting, fishing, gathering medicinal herbs, reclaiming, burning, mining, stone quarrying and sand dredging is carried out.<sup>69</sup> The elaborated measures have been established based on the different parts of nature reserves as the core zone, buffer zone and experimental zone. Nobody is allowed to enter into the core zone without approval. Scientific research and observation are allowed in the buffer zone, and activities such as scientific experiment, educational practice, visit, tourism and the domestication and breeding of precious, rare and vanishing wildlife species may be carried out in the experimental zone.<sup>70</sup> No production facilities may be built in the core and buffer zones of nature reserves. In the experimental zone, no production facilities that cause environmental pollution or damage to the natural resources or landscape may be built.<sup>71</sup>

The regulation provides that the management institutions of nature reserves shall carry out the major functions as: (1) implement laws and regulations on conservation; (2) formulate various management regulations to exert unified management; (3) carry out investigation, make files and organize monitoring; (4) organize or assist scientific research; (5) conduct publicity and education, etc.<sup>72</sup>

**Table 1.** National Regulations Issued by the State Council.

No.	Name	Issuing Authority	Date Issued	Effective Date
1	<b>Regulations of the People's Republic of China Concerning Environmental Protection in Offshore Oil Exploration and Exploitation</b>	State Council	1983.12.29	1983.12.29
2	<b>Implementation Rules of the Fisheries Law of the People's Republic of China</b>	State Council	1987.10.19	1987.10.19
3	<b>Provisions of the People's Republic of China on Administration of Foreign-related Marine Scientific Research</b>	Decree No. 199 of the State Council	1996.06.18	1996.10.01
4	<b>Regulations of the People's Republic of China on Fishing Vessel Inspection</b>	Order No. 383 of the State Council	2003.06.27	2003.08.01
5	<b>Measures for the Collection and Use of Proliferation Protection Fees of Fishery Resources (2011 Revision)</b>	Order No. 588 of the State Council	2011.01.08	1989.01.01
6	<b>Regulation on the Administration of Ocean Observation and Forecasting</b>	Order No. 615 of the State Council	2012.03.01	2012.06.01
7	<b>Regulations of the People's Republic of China on the Protection of Aquatic Wild Animals (2013 Revision)</b>	Order No. 645 of the State Council	2013.12.07	1993.10.05

<sup>68</sup> Ibid. Art. 10

<sup>69</sup> Ibid. Art. 26

<sup>70</sup> Ibid. Art. 18

<sup>71</sup> Ibid. Art. 32

<sup>72</sup> Ibid. Art. 22

**Table 1.** National Regulations Issued by the State Council. (cont.)

No.	Name	Issuing Authority	Date Issued	Effective Date
8	<b>Administrative Regulation on the Prevention and Control of Pollution Damages to the Marine Environment by Vessels. (2017 Revision)</b>	Order No. 676 of the State Council	2017.03.01	2010.03.01
9	<b>Regulations on Prevention of Environmental Pollution by Ship Breaking. (2017 Revision)</b>	Order No. 676 of the State Council	2017.03.01	1988.06.01
10	<b>Administrative Regulation on the Prevention and Control of Pollution Damages to the Marine Environment by Coastal Engineering Construction Projects. (2017 Revision)</b>	Order No. 676 of the State Council	2017.03.01	1990.08.01
11	<b>Administrative Regulation on the Prevention and Treatment of the Pollution and Damage to the Marine Environment by Marine Engineering Construction Projects. (2017 Revision)</b>	Order No. 676 of the State Council	2017.03.01	2006.11.01
12	<b>Regulations of the People's Republic of China on the Control over Dumping Wastes into the Sea Waters. (2017 Revision)</b>	Order No. 676 of the State Council	2017.03.01	1985.04.01
13	<b>Regulations of the People's Republic of China on Wild Plants Protection (2017 Revision)</b>	Order No. 687 of the State Council	2017.10.07	1997.01.01
14	<b>Regulations of the People's Republic of China on Nature Reserves (2017 Revision)</b>	Order No. 687 of the State Council	2017.10.07	1994.12.01
15	<b>Regulation on Administration of Safety of Agricultural Genetically Modified Organisms (2017 Revision)</b>	Order No. 687 of the State Council	2017.10.07	2017.10.07

### 2.3 Department Rules Issued by the Administrative Departments under the State Council

To fulfill the obligations in laws and regulations and carry out the management duties set down by the State Council, the administrative departments which have authorities over the sea issued about 28<sup>73</sup> department rules (See **Table 2.** Department Rules Issued by the Administrative Departments under the State Council) within the last 30 years.

Of these 28 department rules, 14 of them are related to fishery resources and activities which were issued by the Ministry of Agriculture. They addressed the areas, such as (1) the management of fishing permits, fishers and fishing boats; (2) the report and investigation process and procedures of fishing boat accident and the qualification of expertise to carry out the investigation; (3) quality management and permits system of mariculture; (4) propagation and release of aquatic organisms; (5) special licenses for exploitation of aquatic wild animals; (6) management of nature reserves for aquatic plants and animals; (7) safety evaluation of agricultural GMOs; and (8) management of boats that carry out fishery administration duties.

<sup>73</sup> According to the incomplete statistics from the website: <http://www.pkulaw.cn/>

The next largest area that has been addressed by five regulations is the pollution control regarding pollution from vessels and related activities, exploitation of offshore oil, and dumping. Besides the 19 regulations, the rest mainly addressed wetland management, usage of sea area, marine observation, maritime administrative punishment, supervision and inspection of national nature reserves, management of marine protected areas, etc.

**Table 2.** Department Rules Issued by the Administrative Departments under the State Council.

No.	Name	Issuing Authority	Date Issued	Effective Date
1	<b>Provisions of the People's Republic of China on the Administration of Prevention and Control of Marine Environmental Pollution by Vessels and Their Operations (2017 Amendment)</b>	Order No. 15 [2017] of the Ministry of Transport	2017.05.23	2017.05.23
2	<b>Provisions of the People's Republic of China on the Administration of Emergency Preparedness for and Emergency Response to Vessel-Induced Pollution to the Marine Environment (2016 Amendment)</b>	Order No. 84 [2016] of the Ministry of Transport	2016.12.13	2011.06.01
3	<b>Measures for the Administration of the Ocean Observation Data</b>	Order No. 74 of the Ministry of Land and Resources	2017.06.07	2017.06.07
4	<b>Measures for the Administration of the Ocean Observation Stations</b>	Order No. 73 of the Ministry of Land and Resources	2017.06.07	2017.06.07
5	<b>Measures for the Implementation of the Regulations of the People's Republic of China on the Dumping of Wastes at Sea (2016 Amendment)</b>	Order No. 64 of the Ministry of Land and Resources	2016.01.05	1990.09.25
6	<b>Measures for the Implementation of the Regulation of the People's Republic of China on the Administration of Environmental Protection for Offshore Oil Exploration and Exploitation (2016 Amendment)</b>	Order No. 64 of the Ministry of Land and Resources	2016.01.05	1990.09.20
7	<b>Measures for the Administration of Entrusted Issuance of Licenses for Dumping Wastes into the Sea</b>	Order No. 25 of the Ministry of Land and Resources	2004.10.20	2005.01.01
8	<b>Implementing Measures for Maritime Administrative Punishments</b>	Order No. 15 of the Ministry of Land and Resources	2002.12.25	2003.03.01
9	<b>Measures for the Administration of the Safety Evaluation of Agricultural Genetically Modified Organisms (2016 Revision)</b>	Order No. 7 [2016] of the Ministry of Agriculture	2016.07.25	2002.03.20
10	<b>Measures of the People's Republic of China for the Administration of Fishermen in the Fishery Industry</b>	Order No. 4 [2014] of the Ministry of Agriculture	2014.05.23	2015.01.01
11	<b>Administrative Measures of the People's Republic of China for Nature Reserves for Aquatic Plants and Animals (2014 Revision)</b>	Order No. 3 [2014] of the Ministry of Agriculture	2014.04.25	1997.10.17
12	<b>Provisions on the Administration of Fishery Licensing (2013 Revision)</b>	Order No. 5 [2013] of the Ministry of Agriculture	2013.12.31	2002.12.01

**Table 2.** Department Rules Issued by the Administrative Departments under the State Council. (cont.)

No.	Name	Issuing Authority	Date Issued	Effective Date
13	<b>Measures of the People's Republic of China for Special Licenses for Exploitation of Aquatic Wild Animals (2013 Revision)</b>	Order No. 5 [2013] of the Ministry of Agriculture	2013.12.31	1999.09.01
14	<b>Measures of the People's Republic of China on the Registration of Fishing Vessels (2013 Revision)</b>	Order No. 5 [2013] of the Ministry of Agriculture	2013.12.31	2013.01.01
15	<b>Provisions on the Reporting, Investigation and Handling of On-Water Safety Accidents of Fishing Vessels</b>	Order No. 9 [2012] of the Ministry of Agriculture	2012.12.25	2013.02.01
16	<b>Measures for the Licensing and Registration of Aquaculture in Waters and Tidal Flats</b>	Order No. 9 [2010] of the Ministry of Agriculture	2010.05.24	2010.07.01
17	<b>Provisions on the Propagation and Release of Aquatic Organisms</b>	Order No. 20 of the Ministry of Agriculture	2009.03.24	2009.05.01
18	<b>Provisions on the Quality and Safety of Aquaculture</b>	Order No. 31 of the Ministry of Agriculture	2003.07.24	2003.09.01
19	<b>Measures for the Administration of the Fishery Administrative Law Enforcement Ships</b>	Order No. 33 of the Ministry of Agriculture	2000.06.13	2001.01.01
20	<b>Measures for the Administration of Fishery Pollution Accident Investigation Qualification</b>	Ministry of Agriculture	1998.07.30	1998.07.30
21	<b>Provisions on the Procedures of Fishery Water Pollution Accident Investigation and Handling</b>	Order No. 13 of the Ministry of Agriculture	1997.03.26	1997.03.26
22	<b>Provisions on Disciplinary Action for Violations of Law and Discipline on Administration of Sea Use</b>	Order No. 14 of the Ministry of Supervision, the Ministry of Personnel, the Ministry of Finance, State Oceanic Administration	2008.02.26	2008.04.01
23	<b>Provisions on the Administration of Wetland Protection</b>	Order No. 32 of the State Forestry Administration	2013.03.28	2013.05.01
24	<b>Measures for the Supervision and Inspection of National Nature Reserves</b>	Order No. 36 of State Administration of Environmental Protection	2006.10.26	2006.12.01
25	<b>Measures for the Administration of the Environmental Functional Zones in Coastal Offshore</b>	Order No. 8 of State Administration of Environmental Protection	1999.12.10	1999.12.10
26	<b>Provisions on the Administration of the Marine Standard</b>	Order No. 8 of the State Oceanic Administration	1997.01.30	1997.01.30
27	<b>Measures for the Administration of the Construction Project of China Marine Environment Monitoring System – Ocean Station and Voluntary Vessel Observation System</b>	Order No. 10 [2013] of the State Oceanic Administration Ecological Environment Protection Division	2000.01.12	2000.01.12
28	<b>Measures for the Administration of the Marine Nature Reserve</b>	Order No. 251 [1995] of the State Oceanic Administration Policy and Legal System and Island Rights Division	1995.05.29	1995.05.29

## 2.4 Local Laws and Regulations

Besides the national laws and regulations, the local coastal provinces and cities have also issued local laws and local regulations on marine environment protection. These laws and regulations have further improved the marine environment protection legal system.

### 2.4.1 Local Laws Issued by the Local People's Congress and Its Standing Committee

In the three coastal provinces along the Yellow Sea, namely Liaoning, Shandong and Jiangsu Provinces, about 23 local laws (See **Table 3**. Local Laws issued by the Local People's Congress and its Standing Committee) have been issued by the local People's Congress and its standing committee to protect the marine environment and resources after the beginning of the 21st century. Of these 23 local laws, Liaoning Province issued 10 laws which take up almost half of all these laws, while Shandong has 6 and Jiangsu has 7. Every province has issued a law on the protection of the marine environment, and the ones in Shandong and Jiangsu have been updated after the 2016 revision of the Marine Environment Protection Law of PR China.

The major areas addressed by the local laws are marine environment, fishery and port management. Some provinces have developed special laws based on their own development needs. For example, Dongying City in Shandong Province issued the Ordinances for the National Nature Reserve in Shandong Yellow River Delta; Lianyungang City which is the pioneer in marine ranch issued the Ordinance on the Administration of the Marine Ranch; Liaoning Province issued the Ordinances on the Promotion of the Coastal Economic Zone Development to balance the development and protection in the coastal economic zone area.

Liaoning Province issued the Ordinances on the Protection of the Wetland in Liaoning Province in 2007, six years prior to the issuance of the national regulation on wetland protection which shows that local governments sometimes make one step ahead of the national government in marine environmental protection legislation.

**Table 3.** Local Laws Issued by the Local People's Congress and Its Standing Committee.

No.	Name	Issuing Authority	Date Issued	Effective Date
1	<b>Ordinances on the Protection of the Marine Environment in Shandong Province (2016 Amendment)</b>	Standing Committee of the Shandong Provincial People's Congress	2016.03.30	2004.12.01
2	<b>Ordinances for the Port in Shandong Province</b>	Standing Committee of the Shandong Provincial People's Congress	2009.11.28	2010.04.01
3	<b>Ordinance on the Administration of the Fishery Ports and Fishery Ships in Shandong Province</b>	Standing Committee of the Shandong Provincial People's Congress	2006.09.29	2007.01.01
4	<b>Ordinances for the National Nature Reserve in Shandong Yellow River Delta</b>	Standing Committee of the Dongying Municipal People's Congress	2017.03.29	2017.05.01
5	<b>Provisions on the Protection of the Marine Environment in Qingdao City (2015 Amendment)</b>	Standing Committee of the Qingdao Municipal People's Congress	2015.12.25	2010.05.01
6	<b>Ordinance on the Administration of the Marine Fishery in Qingdao City</b>	Standing Committee of the Qingdao Municipal People's Congress	2004.01.06	2004.03.01
7	<b>Ordinances on the Protection of the Marine Environment in Jiangsu Province (2016 Amendment)</b>	Standing Committee of the Jiangsu Provincial People's Congress	2016.03.30	2007.12.01
8	<b>Ordinances on the Protection of the Wetland in Jiangsu Province</b>	Standing Committee of the Jiangsu Provincial People's Congress	2016.09.30	2017.01.01
9	<b>Ordinances on the Administration of the Fishery in Jiangsu Province (2012 Amendment)</b>	Standing Committee of the Jiangsu Provincial People's Congress	2012.01.12	2012.02.01
10	<b>Ordinances on the Administration of the Fishery Port and Fishery Vessels in Jiangsu Province</b>	Standing Committee of the Jiangsu Provincial People's Congress	2010.09.29	2011.01.01
11	<b>Ordinances on the Administration of the Channel in Jiangsu Province</b>	Standing Committee of the Jiangsu Provincial People's Congress	2010.09.29	2010.11.01
12	<b>Ordinances on the Administration of the Port in Jiangsu Province</b>	Standing Committee of the Jiangsu Provincial People's Congress	2006.11.30	2007.03.01
13	<b>Ordinance on the Administration of the Marine Ranch in Lianyungang City</b>	Standing Committee of the Lianyungang Municipal People's Congress	2016.12.02	2017.02.01
14	<b>Ordinances on the Administration of the Fishing Port in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2016.07.30	1997.09.27
15	<b>Ordinances on the Administration of Fishery in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2015.11.27	2016.02.01
16	<b>Ordinances on the Administration of the Aquatic Products in Liaoning Province (2014 Amendment)</b>	Standing Committee of the Liaoning Provincial People's Congress	2014.01.09	2006.01.01
17	<b>Ordinances on Supervision and Inspection of Fishery Vessels in Liaoning Province (2014 Amendment)</b>	Standing Committee of the Liaoning Provincial People's Congress	2014.01.09	2001.01.01



**Table 3.** Local Laws Issued by the Local People's Congress and Its Standing Committee. (cont.)

No.	Name	Issuing Authority	Date Issued	Effective Date
18	<b>Ordinances on the Protection of the Petroleum exploration and development environment in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2011.07.29	2011.10.01
19	<b>Ordinances on the Promotion of the Coastal Economic Zone Development in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2010.05.28	2010.07.01
20	<b>Ordinances on the Protection of the Wetland in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2007.07.27	2007.10.01
21	<b>Measures on the Protection of the Marine Environment in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2006.07.04	2006.08.01
22	<b>Provisions on the Administration of the Port in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2004.11.26	2005.02.01
23	<b>Ordinances on the Administration of the Marine Fishery Safety in Liaoning Province</b>	Standing Committee of the Liaoning Provincial People's Congress	2003.09.25	2003.12.01

## 2.4.2 Local Rules Issued by the Local People's Government

There are 10 local rules (See **Table 4.** Local Rules Issued by Local Government) issued by the local provincial or city governments along the Yellow Sea, 9 of which are issued by local governments in Shandong Province.

Measures on the Administration of the Marine Ecological Compensation in Shandong Province is the first piece of local rules that regulates marine ecological compensation, in order to adjust the balance and relation between marine environment protection and economic development.

**Table 4.** Local Rules Issued by the Local Government.

No.	Name	Issuing Authority	Date Issued	Effective Date
1	<b>Measures on the Protection of the Marine Environment in Liaoning Province</b>	Liaoning Provincial Government	2006.07.04	2006.08.01
2	<b>Measures on the Administration of the Marine Ecological Compensation in Shandong Province</b>	Shandong Provincial Department of Finance, Shandong Provincial Department of Oceans and Fisheries	2016.01.28	2016.03.01
3	<b>Provisional Measures on the Administration of Marine Special Protected Areas in Shandong Province</b>	Shandong Provincial Department of Oceans and Fisheries	2014.01.09	2014.03.01
4	<b>Measures on the Administration of Fishery Vessels in Shandong Province</b>	Shandong Provincial Government	2015.01.09	2015.04.01
5	<b>Measures on the Protection of the Wetland in Shandong Province</b>	Shandong Provincial Government	2012.12.26	2013.03.01
6	<b>Measures on the Administration of Marine Fisheries Resources in Shandong Province (2004 Revision)</b>	Shandong Provincial Government	2004.07.15	1992.06.01



**Table 4.** Local Rules Issued by the Local Government. (cont.)

No.	Name	Issuing Authority	Date Issued	Effective Date
8	<b>Measures on the Protection of the Fishery Resources in Shandong Province</b>	Shandong Provincial Government	2002.07.23	2002.09.01
9	<b>Provisions on the Administration of the Channel in Shandong Province</b>	Shandong Provincial Government	1999.12.15	1999.12.15
10	<b>Measures on the Administration of Safe Production of Marine Fishery in Qingdao City</b>	Qingdao Municipal Government	2012.12.09	2013.01.01

## 2.5 Policy Issued by the National and Local People's Governments

The Government of PR China has issued a variety of national policies and launched a number of projects to protect the marine environment, implement laws and regulations and comply with its obligations under the international conventions. Many of the policies and projects can be found in plans developed by national and local governments. The general plan developed by the National Development and Reform Commission (NDRC) under the State Council is the Five-Year Plan for Economic and Social Development of the People's Republic of China. There are also plans focused on a specific area, for example, the National 13th Five-year Plan for Protection of Ecological Environment developed by the Ministry of Environment Protection, The National 13th Five-year Plan for Marine Economy Development by the NDRC and State Oceanic Administration. Local government, according to the national plan and based on their own situations, may develop specific plans, for example, the 13th Five-year Plan for Marine Development of Jiangsu Province, Marine Ecological Red Line Protection Plan of Jiangsu Province (2016-2020). (See **Table 5.** for Local Five-year Plans related to Marine Affairs).

**Table 5.** Local Five-year Plans Related to Marine Affairs.

No.	Name	Issuing Authority	Date Issued
1	<b>The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province</b>	People's Government of Liaoning Province	2016. 06. 26
2	<b>Plan on Marine Functional Zoning of Liaoning province</b>	People's Government of Liaoning Province	2017. 08. 03
3	<b>The 13th Five-year Plan for Leisure Fishery Development of Liaoning Province</b>	Oceanic and Fishery Department of Liaoning Provincial Government	2016. 06. 24
4	<b>Island Protection Plan (2012-2020) of Liaoning Province</b>	Oceanic and Fishery Department of Liaoning Provincial Government	2015. 07. 16
5	<b>The 13th Five-year Plan for Marine Development of Jiangsu Province</b>	Develop and Reform Commission, Oceanic and Fishery Department of Jiangsu Provincial Government	2017. 08
6	<b>The 13th Five-year Plan for Fishery Development of Jiangsu Province</b>	Oceanic and Fishery Department of Jiangsu Provincial Government	2017.02.21

Table 5. Local Five-year Plans Related to Marine Affairs. (cont.)

No.	Name	Issuing Authority	Date Issued
7	<b>The 13th Five-year Development Plan for Dynamic Monitoring of Sea Areas of Jiangsu Province</b>	Oceanic and Fishery Department of Jiangsu Provincial Government	2017. 05. 02
8	<b>Marine Ecological Red Line Protection Plan of Jiangsu Province (2016-2020)</b>	Oceanic and Fishery Department of Jiangsu Provincial Government	2017. 04. 05
9	<b>Coastal Port Layout Plan of Jiangsu Province (2015-2030)</b>	General Office of the People's Government of Jiangsu Province	2017. 04. 20
10	<b>Marine Observatory Construction Plan of Jiangsu Province (2013-2020)</b>	Oceanic and Fishery Department of Jiangsu Provincial Government	2013. 07. 16
11	<b>Plan on Marine Functional Zoning of Shandong Province</b>	People's Government of Shandong Province	2017. 08. 25
12	<b>The 13th Five-year Plan for Ecological Environment Protection of Shandong Province</b>	People's Government of Shandong Province	2017. 04. 27
13	<b>Ecological Red Line Protection Plan of Shandong Province (2016-2020)</b>	Environmental Protection Department of Shandong Provincial Government	2016. 10. 20
14	<b>Implementation Plan of Wetland Conservation Project of Shandong Province (2016-2020)</b>	Forestry Department of Shandong Provincial Government	2016. 07. 20
15	<b>Construction Plan of "Sea Granary" in Shandong Province (2015-2020)</b>	Development and Reform Commission, Oceanic and Fishery Department of Shandong Provincial Government	2016. 08. 05
16	<b>Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020)</b>	Oceanic and Fishery Department of Shandong Provincial Government	2016. 05. 05
17	<b>Marine Environmental Protection Plan of Shandong Province (2008-2020)</b>	Oceanic and Fishery Department of Shandong Provincial Government	2008. 02. 18

After a study on the major national plans, the national policies and projects carried out by all levels of government mainly include the following:

### 2.5.1 Policies and Projects on Pollution Control

Governments at various levels strictly control the land-based pollutants discharged into the sea, only if they meet both the discharge standards and the total amount of pollutants that can be discharged. Governments are working on the establishment of an early warning mechanism to prevent the pollutants discharged from exceeding the carrying capacity of the marine environment.

The Nearshore Pollution Control Plan is implemented to improve the quality of ecological environment in estuary and nearshore areas. The target of the plan is to eliminate the land-based

discharge from rivers whose water quality fall below Grade 5 in coastal provinces before the year 2020.<sup>74</sup>

The central government also launched the Blue Bay Environmental Improvement Project, which aims to: (1) Carry out water pollution governance and comprehensive environmental improvement efforts in Jiaozhou, Liaodong, Bohai, Hangzhou, Xiamen, Beibu, and other bays; (2) Increase artificial sand shorelines and restore natural shorelines and original coastal landscapes; (3) Provide compensation for environmental improvement and develop artificial wetlands in land reclamation areas in Liaodong, Bohai, and other bays.<sup>75</sup>

### 2.5.2 Policies and Projects on Biodiversity Conservation and Wetland Protection

PR China's oceanic administrations at various levels have incorporated conservation of marine biodiversity and coastal wetlands into relevant strategies and plans, taken various conservation measures and achieved obvious results.

As one of the important institutional reforms, the cross-sectoral working mechanisms to implement the CBD has been established, including China's Coordinating Group for Implementation of the Convention on Biological Diversity which is headed by the Ministry of Environmental Protection and composed of 24 departments, and the Inter-ministerial Joint Conference on Conservation of Biological Resources which is headed by the Ministry of Environmental Protection and composed of 17 ministries and commissions.<sup>76</sup>

In the area of biodiversity survey, "China's Marine Species and Atlas" was published, based on a survey of coastal and nearshore marine species in 2006-2008. The Atlas included more than 28,000 marine species and pictures of more than 18,000 species. And for biodiversity monitoring, since 2004, PR China has established 18 marine ecological monitoring zones in a number of ecologically vulnerable and sensitive coastal and nearshore areas, and been undertaking systematic biodiversity monitoring, assessment and conservation in these zones. The area being monitored has reached 52,000 km<sup>2</sup>, including typical marine ecosystems such as bays, estuaries, coastal wetlands, coral reefs, mangroves and seagrass beds.

By the end of 2012, China has a total of 240 marine protected areas of various types at different levels, with a total area covered reaching 87,000 km<sup>2</sup>, accounting for nearly 3% of the marine areas under China's jurisdiction. More than 10 protected areas have received more than RMB 100 million from the central government budget to increase the capacity-building projects to improve

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<sup>74</sup> Near Shore Pollution Control Plan: <http://www.zhb.gov.cn/gkml/hbb/bgth/201704/W020170419525140514052.pdf>

<sup>75</sup> China will implement the Blue Bay Environment Improvement Project to restore marine ecological environment, [http://www.soa.gov.cn/xw/hyyw\\_90/201601/t20160125\\_49933.html](http://www.soa.gov.cn/xw/hyyw_90/201601/t20160125_49933.html)

<sup>76</sup> China's Fifth National Report on the Implementation of the Convention on Biological Diversity

the management of protected areas. The Chinese government planned to continually strengthen the selection and construction of the marine protected area, aquatic germplasm reserve and marine park, and further improve the standard management system.<sup>77</sup>

### 2.5.3 Policies and Projects on Biological Protection

In 2012, SOA issued the Provisional Rules for the Management of Demonstration Areas of Marine Ecological Civilization and a provisional set of indicators for the establishment of such demonstration areas. By now the first group of provinces such as Shandong, Zhejiang, Fujian and Guangdong have applied for the establishment of such demonstration areas.

SOA is exploring the establishment of a marine ecological red line, focusing on important marine biodiversity areas such as important estuaries, coastal wetlands, MPAs and fishery areas. Shandong Province has established such a red line in Bo Sea, with strict protection provided to over 40% of Bo Sea's marine areas. Since 2010 SOA has supported 180 projects using funds appropriated from the central government budget for different marine areas totaling about RMB 4.43 billion. The projects included coastal restoration, island conservation and restoration, marine ecological restoration, mangrove and tidal flats restoration, covering an area of more than 2,800 km<sup>2</sup>.<sup>78</sup>

The Ecological Island and Reef Project was implemented since 2016. The project aims to restore the physical landscapes and ecosystem of the typical damaged islands by carrying out the restoration projects on vegetation, coastal lines, beach and surrounding sea areas.<sup>79</sup> For the ecological protection and restoration of coastal zones, wetland restoration projects were carried out by planting mangroves in the southern part of China while planting Chinese tamarisks in the northern part of China and in the meantime, reclamation was strictly controlled in ecologically sensitive areas. The targets of the restoration projects include increase the length of natural coastal line to at least 35% of the length of the total coastal line and restoring at least 1,000 km coastal lines.<sup>80</sup>

### 2.5.4 Policies and Projects on the Integrated Management of Coastal Zones

On August 1, 2015, the State Council issued the National Plan on Marine Functional Zoning to enhance the exploitation of marine resources, develop marine economy, protect marine ecological environment and safeguard the national interests. This national plan works as the fundamental basis to form the layout of marine functional zoning and is a basic and binding plan to instruct the

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<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

<sup>79</sup> The 13th National Five-year Plan on Marine Economic Development, <http://www.ndrc.gov.cn/zcfb/zcfbghwb/201705/W020170512615906757118.pdf><sup>65</sup> Ibid. Art. 21 and Art. 27

<sup>80</sup> The Outline of 13th National Five-year Plan on Ecological Protection, <http://www.zhb.gov.cn/gkml/hbb/bwj/201611/W020161102409694045765.pdf>

exploitation of marine spaces. The range of plan includes the internal water, territorial sea, EEZ, continental shelf and other sea areas under China's jurisdiction (not including Hong Kong, Macau and Taiwan).

The sea areas based on the functions provided, are categorized into areas for industrial and city construction, agricultural and fisheries industries, and providing ecological environment services. According to the major function each sea area provides, the marine space is divided into four categories of zones, namely: (1) optimized exploitation zone: the development intensity of this area is relatively high, but is restrained by its resources and environment; therefore, the industry structure of this area needs to be optimized; (2) key development zone: this area plays a key role in coastal economic development and has a huge development potential with a high environment carrying capacity; therefore, this area can be developed intensively; (3) limited development zone: this area is mainly used to provide aquatic products, including the area used to protect fishery resources and provide marine ecological services; (4) closed zone: the area is very important for the conservation of marine biodiversity and protection of typical marine ecosystem, including marine protected areas, islands where the territorial sea basepoint locates.

Most of the Liao Dong Peninsula, Bo Sea Bay, Shan Dong Peninsula and the sea areas in the north of Jiang Su Province fall into the optimized exploitation zone.<sup>81</sup>

## 2.5.5 Policies and Projects on the Adaptation and Mitigation of Climate Change

SOA has been monitoring regularly climate change-related phenomenon such as sea water temperature, sea level, sea water erosion and soil salinization. SOA has also strengthened research on how oceans and seas could adapt to climate change, developed methods of calculation of carbon-sequestration and carbon-fixing capacities of coastal wetlands, developed and integrated technologies in this regard.<sup>82</sup>

The adaptation measures that have been taken in China's coastal zones and regions mainly include enhancing basic capacity building for protecting coastal zones and regions in adaptation to sea level rise; heightening and fortifying seawalls against typhoon-induced storm surges, and establishing an emergency response mechanism for typhoon and storm surge preparedness. Other measures include facilitating establishment of an operational marine climate observing (monitoring) system, establishing and improving climate change-related marine hazard monitoring, early warning and climate predictions, enhancing research on climate change impact assessment and adaptation strategies, pursuing marine hazard risk assessment and zoning, and enhancing conservation of ecosystems on islands and in coastal zones.<sup>83</sup>

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<sup>81</sup> National Plan on Marine Functional Zoning, [http://www.soa.gov.cn/zwgk/fwjgwywj/gwyfgwj/201508/t20150820\\_39597.html](http://www.soa.gov.cn/zwgk/fwjgwywj/gwyfgwj/201508/t20150820_39597.html)

<sup>82</sup> China's Fifth National Report on the Implementation of the Convention on Biological Diversity

<sup>83</sup> National Strategy to Adapt Climate Change, [http://www.soa.gov.cn/xw/hyyw\\_90/2013nhyyw/201311/t20131121\\_27972.html](http://www.soa.gov.cn/xw/hyyw_90/2013nhyyw/201311/t20131121_27972.html)

### 2.5.6 Policies and Projects on the Protection and Utilization of Fishery Resources

According to the National Plan on the Proliferation and Releasing of Aquatic Living Resources (2011-2015), the proliferation and releasing of aquatic living resources have been organized in a large scale nationwide. Based on the statistics, during the 12th Five Year, Chinese government has invested RMB 49 billion for proliferation and releasing, and released about 1.5 billion fries which has respectively increased 133% and 45% compared with last year.

The construction and management of aquatic life protected area have been furthered. There are 272 new national aquaculture germplasm resources protected areas that have been built, making the total 492. Eight new national aquatic life protected areas have been built, making the total 23.

Efforts have also been made to improve the fishing-ban system and enhance the enforcement of law. According to an uncompleted statistic, until the end of September 2015, 16,000 unregistered fishing boats were banned, 35,000 fishing boats were fined for their law violation, and 330,000 illegal fishing nets were destroyed.<sup>84</sup>

### 2.5.7 Policies and Projects on Marine Administration

A marine inspection system was formally established at the end of 2016 following the issuance of a Marine Inspection Plan approved by the State Council. Marine inspection aims at enhancing the supervision of central government to local governments on the implementation of laws and regulations; implementation of major policies, decisions, arrangements issued by the central government; and prominent problems and the handling. The inspections include regular inspection and inspections targeted at a specific purpose, e.g., reclamation. In 2017, the State Oceanic Administration launched two rounds of inspections, sending nine teams to Hebei, Jiangsu, Fujian, Guangxi, Liaoning, Hainan, Guangdong, Zhejiang, Shandong Provinces and two teams to the city of Tianjin and Shanghai. The inspections focused on reclamation processes as well as marine resource exploitation and utilization.<sup>85</sup> The 13th Five-Year Plan brought forward that marine inspections shall be carried out in a regular basis.<sup>86</sup>

### 2.5.8 The Level of Compliance of China's National and Local Laws to the International Agreements

Generally speaking, China's national and local laws and policies have, to a large extent, carried out its obligations under the international agreements which China is a member of. A framework

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<sup>84</sup> [http://www.cnfm.gov.cn/zljyzyj/yyshierxc/201601/t20160107\\_4978373.htm](http://www.cnfm.gov.cn/zljyzyj/yyshierxc/201601/t20160107_4978373.htm)

<sup>85</sup> State Oceanic Administration of PR China. [http://www.soa.gov.cn/xw/ztbd/ztbd\\_2017/2017wthzxdc/xwzx](http://www.soa.gov.cn/xw/ztbd/ztbd_2017/2017wthzxdc/xwzx)

<sup>86</sup> The 13th National Five-year Plan on Marine Economic Development, <http://www.ndrc.gov.cn/zcfb/zcfbghwb/201705/W020170512615906757118.pdf>

describing the relationship between the international obligations and China's laws and policies is provided in **Annex 2**. The framework could only draw a rough picture on the level of compliance to the international agreements by matching China's major laws and policies to the obligations. Even so, the gaps in the current laws and policies are clearly shown in the framework which forms the basis for the following analysis and suggestions.

## **2.6 Gaps in the Current Laws and Policies**

Although laws and policies have been much improved in the last ten years, there are still some existing gaps which prohibit China from fully implementing its obligations in the international conventions and protect its marine environment and resources.

### **2.6.1 Lack an Ecosystem-based Point of View**

The ecological character of a large marine ecosystem (LME) determines that the ultimate goal of conservation and management of the LME is to maintain its ecological integrity. This requests that any of the conservation and management activities must be designed based on or derived from an ecosystem-based point of view. Although the principles of "determine the land-based discharge amount based on the carrying capacity of the sea" and "promote land and marine development in a coordinated way" have been raised frequently as the guiding principles for major national policies, due to the limitation of the administrative system, these principles have never been implemented well. The current laws, regulations, policies and plans are enacted based on administrative sectors with inadequate communication and coordination among each other. For example, the discharge permit and total quantity control of land-based pollution in coastal areas are implemented by the environmental protection bureau with little cooperation from the oceanic administrative department.

### **2.6.2 Lack of Laws in Certain Areas**

After the examination of current environmental laws and policies, it was found that in China, laws and policies in pollution control were relatively well developed, while laws and policies in the protection of resources and ecosystem are relatively weak. For example, laws in the following areas still need to be further enhanced:

#### **2.6.2.1 National Regulation on Wetland Conservation**

The only national law regulating wetland conservation is the department rule issued by the State Forestry Administration: Provisions on the Administration of Wetland Protection. This piece of legislation is low in legal hierarchy which did affect its implementation and make it in a weak position if in conflict with other national laws and regulations. Therefore, lack of a national wetland law or regulation remains a challenge for China's wetland conservation,

especially for establishing the institution of specific mechanisms for wetland management, including those related to conservation concession, ecological compensation, supplementing water supply, water pollution treatment, and the wise use of wetland resources. It is high time for China to enact a comprehensive state-level wetland conservation act to guide and mandate wetland conservation and management in a consistent way.

### **2.6.2.2 National Regulation for Mariculture**

As the No.1 mariculture production country in the world, China's legislation in the management of mariculture is severely un-matched with its practices, especially after the fast development of the mariculture industry in the late 1990s. During the amendment of the Fisheries Law in 2000, several legal systems regarding the mariculture permit system, aquatic fry and fingerling production permits, safety and quality control system etc., were established. But the legal systems are described in a very general way with only 10 articles in the 2013 Fisheries Law Amendment and some department rules and temporary plans issued by the Ministry of Agriculture, e.g., Provisions on the Quality and Safety of Aquaculture, Measures for the Licensing and Registration of Aquaculture in Waters and Tidal Flats. Therefore, a national regulation in mariculture is desperately needed to provide management of pollution in waters for mariculture usage, mariculture permits, mariculture production process, prevention of alien species, medicine and forage usage, and the construction of marine ranch etc.

### **2.6.2.3 Laws to Mitigate Climate Change**

How to reduce and mitigate the impact of climate change has been paid special attention to by international conventions and agreements. Under the Kyoto Protocol, participating countries are required to take climate change considerations into account, in their relevant social, economic and environmental policies and actions, and employ appropriate methods to mitigate or adapt to climate change. In order to meet this obligation, the State Council has issued the Regulation on the Administration of Ocean Observation and Forecasting, and the Ministry of Land and Resources has issued two measures for the administration of the ocean observation data and station. But these are far from enough. Legal construction needs to be furthered in the area of prevention, reduction and emergency management of natural disasters, risk assessment, forecasting and observation, etc.

### **2.6.2.4 Laws to Prevent and Control Marine Debris**

The prevention and control of marine debris has been focused on more frequently by the international community in recent years. Although China has a set of legal systems in prevention and control of all kinds of marine pollution and a national law regulating solid waste which is the major pollutant source for marine debris, the regulation of marine



debris hasn't been well established, because the current solid waste legislation hasn't been integrated with the coastal zone management laws and policies. The legal system to prevent and control marine debris needs to be strengthened in the coastal zone management laws.

### 2.6.3 Lack of Detailed Implementation Rules

After more than 30 years of legal construction since the issuance of the Marine Environmental Protection Law in 1982, the legal framework offering a rough line to protect the marine environment, and utilization of natural resources has been established. But many legal systems are very general with no implementation rules followed, which to a large extent influenced the implementation effect. For example, the Fisheries Law has been amended in 2000, 2004, 2009 and 2013 since its adoption, while the Implementation Rules of the Fisheries Law stayed unchanged since its adoption in 1987. The implementation rules of some systems, like the total allowable catch, were said to be stipulated later by the State Council in the Law, but remains blank till now.

The same situation also existed in the control of invasive species in wetland protection. The survey results from the second national wetland inventory implies that China's wetlands are suffering from ecological threats beyond geographical boundaries, such as invasive species. China has, unfortunately, not developed appropriate national rules for managing alien invasive species, and monitoring and early warning systems for invasive species.

The newly amended Marine Environment Protection Law established the marine ecological protection compensation system, which says that "reasonable layouts shall be made for the development and utilization of marine resources according to the marine functional zonation schemes, the red lines of ecological protection shall be strictly observed, and no damage shall be brought to the marine ecological environment".<sup>87</sup> But what are the ecological red lines? What should be included into the red lines? What criteria shall be referred to for ecological compensation? These questions remain unanswered. This left the law a big room for improvement.

### 2.6.4 Lack of a Cross-sector Implementation Mechanism

As the "global" feature of environmental problems gets more and more apparent and the interaction among these problems goes deeper within an ecosystem, the issues discussed recently by the international environmental conventions intersect with each other, especially climate change, wetland degradation, biodiversity loss, fishery resources depletion, etc. Yet in China, the responsibilities to implement international conventions are assigned to different administrative

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<sup>87</sup> Marine Environment Protection Law, Art. 24

sectors based on their duties without having an institution or mechanism to coordinate such implementations. Different implementing bodies separately carry out the rights and obligations for China as a participating country under international conventions. The disadvantage of this system is that the resources spent by the implementation bodies can't generate synthetic effects, therefore, lots of duplication in efforts and activities existed, causing a waste of limited administrative resources.

### **2.6.5 Lack of International Cooperation in Developing Laws and Policies**

Every international legal document has a separate chapter or section specifying the responsibility of participating countries to cooperate in developing laws, policies, measures and projects both in the international and regional context. International and regional cooperation started from the cooperation in technology and science, and now gradually expanded to the area of law and policy, as more countries realized that taking the common steps in policy is the right choice for fighting against the global environmental issues. Compared with the domestic legal construction, the cooperation to develop common law and policy with other countries is more tough and time consuming. That's why big progress in domestic legal constructions are celebrated, the achievement to reach an international law or policy is quite limited. In the YSLME region, besides fishery, none of the areas have regional guidelines in place, let alone the legal-binding documents. Promoting the generation of regional guidelines or common schemes is beneficial to the fulfillment of China's obligations under the international conventions.

## PR China's Priorities in Legal Reform to Implement International Conventions

# 3

Based on the above analysis, in order to perform PR China's obligation well under international conventions, it is suggested that the following legal improvements be carried out:

### 3.1 Develop a Cross-sector Implementation Mechanism

A cross-sector implementation mechanism is needed to coordinate the implementation of all the international conventions, agreements and guidelines related to environment and natural resources protection. It is suggested to establish an International Convention Implementation Committee as an ad hoc body to deal with the overall implementation of the environment-related international convention. The Committee shall be composed of representatives from different ministries and shall meet once a year or as needed to comprehensively consider the international obligations by developing a general implementation plan and allocating the tasks to different ministries. By doing this, the information and resources will be integrated and optimized among all relevant conventions and a more efficient result will be achieved with limited administrative resources.

This mechanism is a good practice of the ecosystem-based management as through coordination and synergizing, the linkage among environmental factors within an ecosystem can be emphasized and the actions taken to solve one environmental problem can accelerate the solution of other environmental problems. And by carrying out the mechanism, the obstacles under the former sector-based management and administrative jurisdiction can be appropriately mitigated.

Besides the establishment of the ad hoc committee, it is also suggested to enhance the law by requiring different administrative sectors to coordinate with each other both in information sharing and strategy development through regular or specific meeting mechanisms. The current laws are enacted based on sectors, hence, there is less obligation imposed on the sectors to work with each other. Therefore, the current law does not provide enough legal guarantee for a cross-sector implementation mechanism. To make a change in the law by asking sectors to collaborate on environmental problems is an important method to ensure the proper functioning of the cross-sector implementation mechanism.

Also, the law should promote the establishment of an information sharing platform by imposing the obligation of information disclosure and sharing to administrative departments to facilitate cross-sector implementation.

### 3.2 Enhance the Legal System on Risk Assessment

The evolutionary history of environmental law in developed countries shows that the focus of environmental law develops from pollution control to improvement of environmental quality and then to prevention of risk. The environmental law of China follows this path as well. From the 1970s to the beginning of the 21st century, the pollution control laws have been well developed by establishing a set of pollution discharge standards and prohibition provisions; in the last 10 years, laws on the protection of natural resources, marine protection areas, islands, etc., have been issued implying that environmental law entered into a stage to raise environmental quality comprehensively. However, many international conventions have recognized the importance of precaution and assessment, and have put more emphasis on that in recent years. Many environmental problems turned out to be unsolved or unmitigated by end-of-pipe control, therefore, more countries agree that controlling the environmental risk from the source and reducing environmental damage using the precautionary principle is the future direction of the development of environmental law. Some international conventions took the lead in this process by encouraging the participating countries to carry out risk prediction and assessment, especially the UNFCCC and CBD. But China's legal system does not provide enough methods to respond to this change. Possible suggestions may include: (1) expand the environmental impact assessment to cover the risk assessment for major environmental decisions; (2) strengthen the legal system on marine observation, disaster forecasting and risk assessment.

### 3.3 Improve the Cooperation in Developing Laws, Policies, Guidelines with Neighboring Countries

All the international conventions discussed above impose obligations to participating countries to collaborate with other countries to develop laws, policies, guidelines or projects in environmental protection. The YSLME project is a good attempt to show China's implementation of cooperation obligation. The Strategic Action Programme (SAP) of YSLME has suggested a series of governance actions, including "improve the effectiveness of legal instruments through regional agreements and guidelines". This action will fill up the legal gaps in regional governance and international cooperation. Considering the difficulty to reach a legally-binding agreement within the YSLME region, it is more practical to aim for some regional guidelines.

### 3.4 Establish Regulations on Prevention and Control of Marine Debris

Researchers classify debris as either land- or ocean-based, of which up to 80% was land-based such as sewage disposal, solid waste, discarded fishing gear and fishing net, etc., with the remaining 20% originating from catastrophic events or maritime sources such as domestic waste from shipping, offshore petroleum and natural gas platform.<sup>88</sup> Marine debris has caused severe harm to marine

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<sup>88</sup> Weiss, K.R. (2017). "The pileup of plastic debris is more than ugly ocean litter". Knowable Magazine. doi:10.1146/knowable-120717-211902.

lives and ecosystem and has been regulated under both international and regional levels. Many international conventions and guidelines, including UNCLOS, 1972 London Convention, Marpol 73/78, Washington Declaration, have imposed related regulation on the control of marine debris and many regional programs have put a lot of emphasis on that as well.

The SAP of YSLME also touched upon this issue by generating some actions under Component 3, improving ecosystem carrying capacity with respect to regulating and cultural services. The actions are: (1) reducing marine litter through engagement of private sector and communities demonstrated; (2) advisory services in development and adoption of marine litter control policies and regulatory measures in coastal provinces; and (3) awareness and education programs in demonstration sites and the YSLME region on responsible disposal of wastes so they do not end up in the sea.

However, the international and regional regulation schemes have to be converted to domestic laws in order to get implemented. It is suggested to improve the laws on solid waste control and cleaner production by limiting the number of dumping and bury site in nearshore area or bank area, developing garbage sorting, recycling, reusing regulation, collecting of discarded fishing gear and net, etc. Further, the planning system in coastal zone management should be strengthened.

### **3.5 Improve Laws on the Protection of Marine Biodiversity**

The marine biodiversity is influenced by overfishing, pollution, ecosystem degradation, invasive species, etc. As China doesn't have an integrated biodiversity protection law, to improve the protection of marine biodiversity relies on making progress in individual laws regulating wildlife protection, fishery, pollution, marine protected areas (MPAs) and wetlands, etc. Under this subsection, suggestions are given especially to laws on MPA, leaving the other issues to be discussed in other parts of Section 3.

#### **3.5.1 Establish Rules on How to Build and Manage the MPA Network**

Creating a network of MPAs has been discussed worldwide among legislators and practitioners. Although over 240 MPAs of different categories have been established, the MPAs are rather independent from each other and are managed under different administrative departments at both national or provincial levels. Currently, the establishment and management of MPA follows the Regulation on Nature Reserves issued by the State Council and the Rules on Marine Protected Areas issued by SOA. Both the laws didn't mention about the MPA network. Therefore, establishing rules on how to build and manage the MPA network is needed. First, a guiding principle should be established that the selection, demarcation, construction and management of an MPA should consider the interactions among separate MPAs to form a network of MPAs to operate cooperatively and synergistically from the ecosystem point of view. Then some legal systems should be improved to respond to the principle, such as planning, assessment and monitoring systems. An integrated planning system is needed to build networks that can include

several MPAs of different sizes, located in critical habitats, containing components of a particular habitat type or portions of different kinds of important habitats, and interconnected by the movement of animals and plant propagules. Long-term monitoring is needed for the biodiversity status and overall ecosystem status of the network in order to build an information network. In the assessment, it is suggested to add the evaluation criterion to show the integration, consistency and representativeness of the network. Then the effects of MPAs will be largely strengthened and can meet objectives that a single reserve cannot achieve.

### 3.5.2 Establish Rules on the Selection and Management of a Marine National Park

National parks have been a hot topic since 2013 and are always mentioned by documents related to the reform of ecological civilization. The establishment of a national park system has been raised in the CPC Central Committee Decisions on Key Issues to Comprehensively Deepen the Reform in 2013. Then, a pilot program plan to establish national parks has been issued by 13 ministries and commissions in 2015 and has been carried out since then. Scientists have provided a list of 24 marine national parks that should be considered in priority, and 7 of them located in Bo Sea and the Yellow Sea region.<sup>89</sup> Most of them are current MPAs of different levels. As the law doesn't provide a clear definition for a national park and differences among the related definitions like nature reserve, protected area, national park, etc., the function and boundary of national parks are not clear, and how to select and manage national parks remained to be unregulated by law. So, improving the Regulation on Nature Reserves to define the concept of a national park and include it as one of the categories has been suggested. A departmental rule focusing on the detailed process and procedures of national park construction and management should be the second step to follow.

## 3.6 Upgrade Laws on the Protection of Wetlands

Compared to that of the 2003 first national wetland survey, the result of the 2013 second survey illustrated that China lost an estimated of 3,376,200 ha of natural wetlands over the past decade, representing an average annual 9.33 percent loss of its wetlands.<sup>90</sup>

The competent department taking charge of wetlands is the Bureau of Forestry and Grassland. But the health of wetlands is closely related to the use of water resources, water pollution control, etc. Therefore, the Department Rules on the Protection of Wetlands issued by the Bureau of Forestry and Grassland in 2013 (amended in 2017) has an innate defect in ranks of validity. Due to the significant roles that wetland plays in the protection of biodiversity and mitigation of climate change, as well as the need of cooperation among more governmental departments to promote the ecosystem-

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<sup>89</sup> Chen Shang. *Recommendations on the Priority Construction Plan of 24 Marine Parks*, *Environmental Protection*, Vol. 14: 35-38 (2017)

<sup>90</sup> China's National Report on the Implementation of the Ramsar Convention on Wetlands submitted to the COP 12.

based management, the importance of wetland protection should be addressed, especially through upgrading the Department Rules on Wetland Protection into a regulation.

### **3.7 Improve Fisheries Law**

Amending the Fisheries Law has been discussed hotly in recent years due to the depletion of fishery resources and the recognition of its economic value. It has been put into the legislation plan of State Council in 2016 and is now under the drafting process by the Ministry of Agriculture and Rural Affairs.<sup>91</sup> The areas that need improvement may include:

#### **3.7.1 Establish Implementation Rules on TAC, Mesh Size and Fishing Methods**

Article 22 and Article 25 of Fisheries Law give general descriptions on the legal system of total allowable catch and the regulation on mesh size and fishing methods. The law says that the State determines the total fishable amount of the fishery resources and implements a fishing quota system in accordance with the principle that the fishing amount shall be lower than the increasing amount of the fishery resources. The total amount of the fishing quota for inland seas, territorial seas, exclusive economic zones and other jurisdictional seas shall be determined by the department in charge of fishery administration of the State Council, and shall be distributed and reported to the governments level by level.<sup>92</sup> But there aren't any unified implementation rules in place, and its implementation depend much on the local policy and the effectiveness varies from place to place.

Same problems exist in the management of fishing operations. The law says that the unit or individual engaged in fishing operation must operate in accordance with the provisions in the fishing license on type of operation, location, time limit, quantity of fishing facilities and fishing quota.<sup>93</sup> The varieties of fishery resources under key protection as well as their fishable standards, the banned fishing areas and the banned fishing periods, fishing facilities and fishing methods prohibited to be used, the smallest size of mesh, and other measures to protect fishery resources shall be stipulated by the department in charge of fishery administration of the State Council or of the provincial, autonomous regional, municipal people's governments.<sup>94</sup> These rules need to be further strengthened, especially on how to carry out the implementation.

#### **3.7.2 Amend the Implementation Rules on Fisheries Law**

The Implementation Rules on Fisheries Law was issued in 1987, while the new amendment of Fisheries Law was issued in 2013. Some articles in the implementation rules have been absorbed

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<sup>91</sup> National People's Progress in the People's Report from China.  
[http://www.npc.gov.cn/npc/xinwen/2016-11/07/content\\_2001567.htm](http://www.npc.gov.cn/npc/xinwen/2016-11/07/content_2001567.htm)

<sup>92</sup> Fisheries Law, Art. 22

<sup>93</sup> Ibid. Art. 25

<sup>94</sup> Ibid. Art. 30

into the amendment, some are in conflict with the new amendment. Therefore, it is suggested to update the implementation rules on Fisheries Law or include the implementation rules into the Fisheries Law.

### 3.7.3 Enhance the Regulations on Mariculture

The number of laws on mariculture is very limited and most of them are department rules issued by the Ministry of Agriculture and Rural Affairs. Many legal systems should be enhanced, for example, the environment impact assessment system, pollution control system for mariculture waters, the control of invasive species in mariculture process, the issuance and implementation of a mariculture permit system.

An EIA prior to the application of mariculture permits should be required to analyze, predict and assess the environmental impact of mariculture activities, alternative plans, methods to prevent and mitigate these environmental impacts and the post-assessment monitoring.

The system to prevent invasive species should include the risk assessment of imported species, import permit and register system, inspection and quarantine system, monitoring system and emergency respond system. Suggestions to fill the loopholes in these systems are as follows:

- (1) Carrying out a compulsory risk assessment before the issuance of permits. Article 25 of Marine Environment Protection Law requires that any introduction of marine animal or plant species shall be subjected to scientific assessment so as to avoid damage to marine ecosystems. But the Management Rules on Aquatic Seeds does not list the risk assessment on ecosystem safety as a compulsory material during the application of import permit. Considering the irreversible impact that the imported species might cause to marine lives and the environment, the law should require that a compulsory risk assessment be carried out from an authoritative institute before the application for permits.
- (2) Improving the inspection and quarantine system by enlarging the testing items to include the transportation medium and sharing and updating the information on invasive species both domestic and abroad.
- (3) Making sure the importer has built systems in their facilities to prevent escaping and to raise the alarm.

The pollution control system should be enhanced by incorporating the total quantity control on nutrients and other key pollutants and undertaking treatment in a prescribed limit of time if the seawater quality goes below the national or local standards that could not support the function of mariculture.



And standards for regulating a mariculture facility and methods should also be improved or developed.

### **3.8 Strengthen Laws to Address Climate Change Adaptation**

Combating climate change is a hard case for all countries. No matter seeing from the causes of climate change or the damages caused by the changed climate, the laws fighting against climate change should be composed of a set of laws from the areas of environmental protection, energy management, industry development, meteorological hazard mitigation. China has a lengthy coastline. Under the context of climate change, coastal erosion, improper use of coastal resources and lack of effective management, all could influence the ecological safety of coastal zones. The call for enacting a coastal zone management law has been raised for many years, however, no major progress has been achieved. Considering the urgency and severity of climate change, having a coastal zone management act to strengthen the planning and management of coastal zone is of great importance. Under that, monitoring, forecasting and disaster response system for typhoon and storm surge disaster in coastal areas should be developed to resist the negative effect of sea level rise and to mitigate the damages of climate change.

## Conclusion

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Covering a sea area of 400,000 km<sup>2</sup> and supporting tens of millions of inhabitants bordering the sea and a large population of fish, birds, mammals and invertebrates, the YSLME is one of the most prosperous LMEs in the world. The YSLME Project, similarly structured as the other UNDP projects, has taken a great effort to foster a long-term sustainable utilization of the Yellow Sea through adaptive, integrated and ecosystem-based approaches. To sustain these progresses and promote effective governance, reforms on institutions, policies, and laws are of great importance.

By reviewing the text of related conventions and their recent developments and by going over the legal construction progress on marine environment protection in China, the report sorts out some gaps in laws which affect China's fully implementation of its obligations under the conventions. The gaps can be areas where reforms on institutions, policies and laws should work on.

As a regional project, two paths can be taken to push forward the reform. One of the two is working on the development of regional guidelines to address the legal gaps in coastal countries in the region, in order to promote the legislation consistency among coastal countries and narrow the gaps between domestic laws and international conventions. The regional guidelines can form a basis for regional legislation in future. The other path of the two is to provide case study and supporting materials after the demonstration activities to domestic legislation bodies and governments for further improvement in law and policy. This requires a constructive dialogue between natural and social scientists in the design process, an institutional component implanted into the demonstration activities and an assessment afterwards to discuss about the possible law and policy reform. By doing this, regional governance can realize its value in maximizing the common interests in the region which cannot be achieved through governance in the international or domestic level.

## Ocean Related Multi-lateral International Agreements

The 1931-2015 Ocean Related Multi-lateral International Agreements List<sup>95</sup>

No.	Name	Issuing Authority
1	1931-9-24	Convention for the Regulation of Whaling
2	1932-12-31	Convention Between Denmark, Norway and Sweden Concerning the Preservation of Plaice in the Skagerak, Kattegat and Sound
3	1937-6-8	International Agreement for the Regulation of Whaling
4	1937-9-6	Convention Between Denmark, Norway And Sweden Concerning the Preservation of Plaice and Dab In the Skagerrak, Kattegat and Sound
5	1938-6-24	Protocol Amending the 1937 International Agreement the Regulation of Whaling
6	1938-6-29	Protocol extending the duration of the International Agreement for the Regulation of Whaling of 8 June 1937 to after 30 June 1938
7	1944-2-7	Protocol Amending The 1937 International Agreement for the Regulation of Whaling (as Amended by the Protocol of 1938)
8	1945-10-5	Supplementary Protocol Regarding the Entry into Force of the 1944 Protocol to the 1937 International Agreement for the Regulation of Whaling
9	1945-11-26	Protocol Amending the 1937 International Agreement for the Regulation of Whaling
10	1946-3-15	Supplementary Protocol Concerning the 1937 International Agreement for the Regulation of Whaling
11	1946-12-2	Protocol Amending the 1937 International Agreement for the Regulation of Whaling
12	1946-12-2	International Convention for the Regulation of Whaling
13	1947-3-3	Supplementary Protocol Regarding the Entry into Force of the 1945 Protocol to the 1937 International Agreement for the Regulation of Whaling
14	1949-5-31	Convention for the Establishment of an Inter-American Tropical Tuna Commission
15	1949-6-7	Amendments to the Schedule to the International Convention for the Regulation of Whaling, First Meeting (Paragraph 17)
16	1949-6-7	Amendments the Schedule to the International Convention for the Regulation of Whaling, First Meeting (Paragraph 6, 7, 10)
17	1949-9-24	Agreement for the Establishment of a General Fisheries Council for the Mediterranean
18	1950-7-21	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Second Meeting
19	1951-4-18	Convention for the Establishment of the European and Mediterranean Plant Protection Organization
20	1951-7-27	Amendments to the Schedule, the International Convention for the Regulation of Whaling, Third Meeting

<sup>95</sup> The information of this list was derived from the International Environmental Agreement Database Project developed by Professor Ronald B. Mitchell from University of Oregon. For more details, please visit <https://iea.uoregon.edu>.

No.	Name	Issuing Authority
21	1952-1-31	Exchange of Notes Constituting an Agreement Between the United States of America, Canada and Japan Relating to Scientific Investigations, the Fur Seals in the North Pacific Ocean
22	1952-3-7	Agreement Concerning Measures for the Protection of the Stocks of Deep Sea Prawns ( <i>Pandalus borealis</i> ), European Lobsters ( <i>Homarus vulgaris</i> ), Norway Lobsters ( <i>Nephrops norvegicus</i> ) and Crabs ( <i>Cancer pagurus</i> )
23	1952-5-9	International Convention for the High Seas Fisheries of the North Pacific Ocean
24	1952-5-9	Protocol Amending the International Convention for the High Seas Fisheries of the North Pacific Ocean
25	1952-6-6	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fourth Meeting
26	1952-8-18	Agreement on the Organization of the Permanent Commission of the Conference on the Exploitation and Conservation of the Maritime Resources of the South Pacific
27	1952-8-18	Regulations for Maritime Hunting Operations (of Whales) in the Waters of the South Pacific
28	1953-6-26	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifth Meeting
29	1954-5-12	International Convention for the Prevention of Pollution of the Sea by Oil
30	1954-7-23	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixth Meeting
31	1954-12-4	Agreement Relating to a Special Marine Frontier Zone Under the Permanent Commission of the South Pacific
32	1954-12-4	Agreement Relating to Measures of Supervision and Control in the Maritime Zones of the Signatory Countries to the Permanent Commission of the South Pacific
33	1954-12-4	Agreement Relating to Penalties Under the Permanent Commission of the South Pacific
34	1954-12-4	Agreement Relating to the Issue of Permits for the Exploitation of the Maritime Resources of the South Pacific
35	1954-12-4	Agreement Supplementary to the Declaration of Sovereignty Over the Maritime Zone of Two Hundred Miles to the Permanent Commission of The South Pacific
36	1954-12-4	Agreement Relating to Regulations Governing Whaling in The Waters of The South Pacific Under the Permanent Commission of The South Pacific
37	1955-4-27	Amendments to the Convention for the Establishment of the European and Mediterranean Plant Protection Organization
38	1955-7-23	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Seventh Meeting
39	1955-9-16	Regulations Governing Permits for The Exploitation of the Maritime Resources of The South Pacific
40	1956-7-20	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Eighth Meeting
41	1956-11-19	Protocol to the International Convention for the Regulation of Whaling
42	1957-2-9	Interim Convention on Conservation of North Pacific Fur Seals

No.	Name	Issuing Authority
43	1957-6-28	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Ninth Meeting
44	1958-4-29	Convention on The High Seas
45	1958-4-29	Optional Protocol of Signature Concerning the Compulsory Settlement of Disputes Arising Out of the United Nations Conference on the Law of the Sea
46	1958-6-27	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Tenth Meeting
47	1959-7-1	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Eleventh Meeting
48	1959-10-14	Protocol to the Agreement Concerning Measures for Protection of the Stocks of Deep-Sea Prawns ( <i>Pandalus borealis</i> ), European Lobsters ( <i>Homarus vulgaris</i> ), Norway Lobsters ( <i>Nephrops norvegicus</i> ) And Crabs ( <i>Cancer pagurus</i> )
49	1959-11-7	Amendment to the International Convention for the High Seas Fisheries of The North Pacific Ocean
50	1960-6-24	Amendments to the Schedule to The International Convention for The Regulation of Whaling, Twelfth Meeting
51	1960-12-14	Statutes of The Intergovernmental Oceanographic Commission
52	1961-6-23	Amendments to the Schedule to The International Convention for The Regulation of Whaling, Thirteenth Meeting
53	1961-11-11	Amendment to the International Convention for the High Seas Fisheries of the North Pacific Ocean
54	1962-4-11	Amendments to the International Convention for the Prevention of Pollution of the Sea by Oil
55	1962-5-9	Amendments to the Convention for the Establishment of the European and Mediterranean Plant Protection Organization
56	1962-5-25	Convention on the Liability of Operators of Nuclear Ships
57	1962-6-6	Arrangements for the Regulation of Antarctic Pelagic Whaling
58	1962-6-6	Supplementary Arrangements for the Regulation of Antarctic Pelagic Whaling
59	1962-7-6	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fourteenth Meeting
60	1962-7-28	Agreement Concerning Cooperation in Marine Fishing
61	1962-11-17	Amendments to the Annex to the International Convention for the High Seas Fisheries of the North Pacific Ocean
62	1962-12-20	Agreement Concerning Protection of the Salmon Stock in the Baltic Sea
63	1963-1-25	Amendment to the International Convention for the High Seas Fisheries of the North Pacific Ocean
64	1963-5-22	Amendments to the Agreement for the Establishment of a General Fisheries Council for the Mediterranean
65	1963-7-5	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifteenth Meeting
66	1963-7-15	Protocol to the International Convention for the Northwest Atlantic Fisheries Relating to Harp and Hood Seals

No.	Name	Issuing Authority
67	1963-10-8	Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals
68	1963-10-28	Agreement Concerning an International Observer Scheme for Factory Ships Engaged in Pelagic Whaling in The Antarctic
69	1964-3-9	Agreement as to Transitional Rights Between the Government of Ireland on the one hand, and the Governments of Belgium, France, the Federal Republic of Germany, the Netherlands, Spain and the United Kingdom of Great Britain and Northern Ireland on the other
70	1964-3-9	Agreement as to Transitional Rights Between the Government of the United Kingdom of Great Britain and Northern Ireland on the one hand, and the Governments of Belgium, France, the Federal Republic of Germany, Ireland, and the Netherlands on the other
71	1964-6-26	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixteenth Meeting
72	1964-9-12	Convention for the International Council for the Exploration of the Sea
73	1965-1-1	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
74	1965-7-2	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Seventeenth Meeting
75	1966-1-1	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
76	1966-1-14	Agreement Relating to the International Legal Personality of the Permanent Commission of the South Pacific
77	1966-3-10	Amendments to Annex I of the Convention for the Establishment of the European and Mediterranean Plant Protection Organization
78	1966-5-14	International Convention for the Conservation of Atlantic Tunas
79	1966-7-1	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Eighteenth Meeting
80	1967-1-1	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
81	1967-5-3	Convention on the International Hydrographic Organization
82	1967-6-30	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Nineteenth Meeting
83	1967-12-8	Agreement Between Denmark, Finland, Norway, and Sweden Concerning Cooperation to Ensure Compliance with the Regulations for Preventing the Pollution of the Sea by Oil
84	1968-1-1	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
85	1968-6-28	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twentieth Meeting
86	1968-9-18	Amendments to Articles XVIII and XIX and Schedule I of the Convention for the Establishment of the European and Mediterranean Plant Protection Organization
87	1969-1-1	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling

No.	Name	Issuing Authority
88	1969-3-19	Exchange of Notes Constituting an Agreement to Continue in Force the Interim Convention Between the United States of America, Canada, Japan and the Union of Soviet Socialist Republics on Conservation of North Pacific Fur Seals
89	1969-6-9	Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil
90	1969-6-27	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twenty-First Meeting
91	1969-10-1	Protocol to the International Convention for the Northwest Atlantic Fisheries Relating to Panel Membership and to Regulatory Measures
92	1969-10-21	Amendments to the International Convention for the Prevention of Pollution of the Sea by Oil
93	1969-11-29	International Convention on Civil Liability for Oil Pollution Damage
94	1969-11-29	International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties
95	1970-1-1	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
96	1970-6-26	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twenty-Second Meeting
97	1970-7-10	Amendments to the Statutes of The Intergovernmental Oceanographic Commission
98	1970-8-13	Protocol to the Convention for the International Council for the Exploration of the Sea
99	1970-12-16	Agreement on the Regulation of North Pacific Whaling
100	1971-1-1	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
101	1971-6-25	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twenty-Third Meeting
102	1971-7-30	Agreement on the Regulation of North Pacific Whaling
103	1971-9-16	Agreement Between Denmark, Finland, Norway, and Sweden Concerning Cooperation in Measures to Deal with Pollution of the Sea by Oil
104	1971-10-12	Amendments to the International Convention for the Prevention of Pollution of the Sea by Oil Concerning the Protection of the Great Barrier Reef
105	1971-10-15	Amendments to the International Convention for the Prevention of Pollution of the Sea by Oil Concerning Tank Arrangements and Limitation of Tank Size
106	1971-12-18	International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage
107	1972-1-21	Protocol Amending the Agreement Concerning Protection of the Salmon Stock in The Baltic Sea
108	1972-2-15	Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft
109	1972-2-25	Agreement Between the Governments of Iceland, Norway and the Union of Soviet Socialist Republics on the Regulation of the Fishing of The Atlanto-Scandian Herring
110	1972-4-7	Agreement Between the Government of Canada, The Government of The Republic of Iceland and the Government of the Kingdom of Norway Concerning an International Observer Scheme for Land-based Whaling Stations in the North Atlantic Area

No.	Name	Issuing Authority
111	1972-6-1	Convention for the Conservation of Antarctic Seals
112	1972-6-30	Amendments to the Schedule to the International Convention for The Regulation of Whaling, Twenty-Fourth Meeting
113	1972-7-28	Technical Arrangement Between the United Kingdom of Great Britain And Northern Ireland, the French Republic and Belgium Made Under Article 6 (4) of the Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil
114	1972-8-3	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
115	1972-12-29	Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter
116	1973-3-6	Agreement Between the Government of the Union of Soviet Socialist Republics, Iceland and Norway Concerning the Regulation of Fishing of The Atlanto-Scandian Herring
117	1973-6-29	Amendments to the Schedule to The International Convention for The Regulation of Whaling, Twenty-fifth Meeting
118	1973-9-6	Arrangement Between Japan, Norway and the Union of Soviet Socialist Republics for the Regulation of Antarctic Pelagic Whaling
119	1973-9-13	Convention on Fishing and Conservation of the Living Resources in the Baltic Sea and the Belts
120	1973-9-19	Amendments to the Convention for the Establishment of the European and Mediterranean Plant Protection Organization
121	1973-11-2	International Convention for the Prevention of Pollution from Ships
122	1973-11-2	Protocol I, Provisions Concerning Reports on Incidents Involving Harmful Substances to the International Convention for the Prevention of Pollution from Ships
123	1973-11-2	Protocol II, Arbitration to the International Convention for the Prevention of Pollution from Ships
124	1974-3-22	Convention on the Protection of the Marine Environment of the Baltic Sea Area
125	1974-6-4	Convention on the Prevention of Marine Pollution from Land-based Sources
126	1974-6-28	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twenty-sixth Meeting
127	1975-6-27	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twenty-seventh Meeting
128	1976-2-16	Convention for the Protection of the Mediterranean Sea Against Pollution
129	1976-2-16	Protocol Concerning Cooperation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency
130	1976-2-16	Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft
131	1976-5-7	Protocol Amending and Extending the Interim Convention Between the United States of America, Canada, Japan and the Union of Soviet Socialist Republics on Conservation of North Pacific Fur Seals
132	1976-5-10	Agreement Concerning the Protection of the Waters of the Mediterranean Shores
133	1976-6-25	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twenty-eighth Meeting



No.	Name	Issuing Authority
134	1976-7-1	Amendments to the Agreement for the Establishment of a General Fisheries Council for the Mediterranean
135	1976-11-19	Protocol to Amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage
136	1976-11-19	Protocol to the International Convention on Civil Liability for Oil Pollution Damage
137	1977-5-1	Convention on Civil Liability for Oil Pollution Damage Resulting from Exploration for, and Exploitation of Seabed Mineral Resources
138	1977-6-24	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Twenty-ninth Meeting
139	1977-12-7	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Special Meeting
140	1978-2-17	Annex I to the Protocol to the International Convention for the Prevention of Pollution from Ships on Regulations for the Prevention of Pollution by Oil
141	1978-2-17	Annex II to the Protocol to the International Convention for the Prevention of Pollution from Ships on Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk
142	1978-2-17	Optional Annex III to the Protocol to the International Convention for the Prevention of Pollution from Ships on Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form
143	1978-2-17	Optional Annex IV to the Protocol to the International Convention for the Prevention of Pollution from Ships on Prevention of Pollution by Sewage from Ships
144	1978-2-17	Optional Annex V to the Protocol to the International Convention for the Prevention of Pollution from Ships on Prevention of Pollution by Garbage from Ships
145	1978-2-17	Protocol to the International Convention for the Prevention of Pollution from Ships - Protocol and Annexes I and II
146	1978-4-24	Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution
147	1978-4-24	Protocol Concerning Regional Cooperation in Combating Pollution by Oil and Other Harmful Substances in Cases of Emergency to the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution
148	1978-4-25	Protocol Amending the International Convention for the High Seas Fisheries of the North Pacific Ocean
149	1978-6-30	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirtieth Meeting
150	1978-7-7	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers
151	1978-10-12	Amendments to Annexes to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter Concerning Incineration at Sea
152	1978-10-12	Amendments to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter Concerning Settlement of Disputes
153	1978-12-20	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Special Meeting
154	1979-7-13	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-first Meeting

No.	Name	Issuing Authority
155	1979-8-9	Agreement Incorporating Colombia into the System of the Permanent Commission of the South Pacific
156	1980-5-8	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Paragraph B of Regulation 4 of Annex IV)
157	1980-5-17	Protocol for the Protection of the Mediterranean Sea Against Pollution from Land-based Sources
158	1980-5-20	Convention on the Conservation of Antarctic Marine Living Resources
159	1980-7-26	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-second Meeting
160	1980-9-24	Amendment to the List of Substances in Annexes I And II to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (concerning the prohibition of dumping at sea of crude oil and oily substances and mixtures)
161	1980-10-14	Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals
162	1981-2-18	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Regulation 5 of Annex IV)
163	1981-3-23	Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region
164	1981-7-25	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-third Meeting
165	1981-11-12	Agreement on Regional Cooperation in Combating Pollution of the Southeast Pacific By Oil and Other Harmful Substances in Cases of Emergency
166	1981-11-12	Convention for the Protection of the Marine Environment and Coastal Area of the Southeast Pacific
167	1982-2-14	Protocol Concerning Regional Cooperation in Combating Pollution by Oil and Other Harmful Substances in Cases of Emergency
168	1982-2-14	Regional Convention for the Conservation of the Red Sea and Gulf of Aden Environment
169	1982-3-2	Convention for the Conservation of Salmon in the North Atlantic Ocean
170	1982-4-3	Protocol Concerning Mediterranean Specially Protected Areas
171	1982-9-23	Amendments to the Convention for the Establishment of the European and Mediterranean Plant Protection Organization
172	1982-11-11	Protocol Amending the Convention on Fishing and Conservation of the Living Resources in the Baltic Sea and The Belts to Provide for EEC Membership
173	1982-12-10	United Nations Convention on the Law of the Sea
174	1983-2-1	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex I)
175	1983-3-2	Protocol Amending the Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft
176	1983-3-15	Eastern Pacific Ocean Tuna Fishing Agreement
177	1983-3-15	Protocol to the Eastern Pacific Ocean Tuna Fishing Agreement
178	1983-3-24	Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region

No.	Name	Issuing Authority
179	1983-3-24	Protocol Concerning Cooperation in Combating Oil Spills in the Wider Caribbean Region
180	1983-7-22	Supplementary Protocol to the Agreement on Regional Cooperation in Combating Pollution of the Southeast Pacific By Oil and Other Harmful Substances in Cases of Emergency
181	1983-7-23	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-fifth Meeting
182	1983-9-13	Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances
183	1984-3-15	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Regulation 5 of Annex IV)
184	1984-5-25	Protocol to Amend The 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage
185	1984-5-25	Protocol to Amend the International Convention on Civil Liability for Oil Pollution Damage
186	1984-6-22	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-sixth Meeting
187	1984-7-10	Protocol Amending the International Convention for the Conservation of Atlantic Tunas
188	1984-8-3	Provisional Understanding Regarding Deep Seabed Matters
189	1984-9-7	Amendments to Annex I of the International Convention for the Prevention of Pollution from Ships
190	1984-10-12	Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals
191	1984-12-17	Agreement on the Protection of Confidentiality of Data Related to Deep Seabed Areas for Which Application of Authorization Has Been Made
192	1985-3-13	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex IV)
193	1985-6-13	Amendments to Annexes I and II to the Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft
194	1985-6-21	Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region
195	1985-6-21	Protocol Concerning Cooperation in Combating Marine Pollution in Cases of Emergency to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region
196	1985-7-19	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-seventh Meeting
197	1985-12-5	Amendments to Annex II of the International Convention for the Prevention of Pollution from Ships
198	1985-12-5	Amendments to Protocol 1 on Incident Reporting to the International Convention for the Prevention of Pollution from Ships
199	1986-3-26	Protocol to the Convention on the Prevention of Marine Pollution from Land-based Sources
200	1986-4-9	Amendments to the Annex to the International Convention for the High Seas Fisheries of the North Pacific Ocean

No.	Name	Issuing Authority
201	1986-6-13	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-eighth Meeting
202	1986-10-17	Amendment to the List of Substances in Annex II to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (deletion of organosilicon compounds)
203	1986-12-5	Agreement on the Preservation of Confidentiality of Data Concerning Deep Seabed Areas
204	1987-2-25	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex IV)
205	1987-2-25	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex VI)
206	1987-6-26	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Thirty-ninth Meeting
207	1987-8-14	Agreement on the Resolution of Practical Problems with Respect to Deep Seabed Mining Areas
208	1987-11-20	Amendments to Articles 1, 2, 3, 4, 5, 9 and 10 of the Statutes of the Intergovernmental Oceanographic Commission
209	1987-12-1	Amendments to Annex I Regarding the Special Area Extension to the International Convention for the Prevention of Pollution from Ships (Gulf of Aden)
210	1988-6-3	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fortieth Meeting
211	1988-9-16	Amendments to the Annex of the Convention for Conservation of Antarctic Seals
212	1988-9-21	Amendments to the Convention for the Establishment of the European And Mediterranean Plant Protection Organization
213	1989-2-15	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Regulation 8 of Annex IV)
214	1989-3-17	Amendments to Annex II of the International Convention for the Prevention of Pollution from Ships
215	1989-3-17	Amendments to BCH Code of the International Convention for the Prevention of Pollution from Ships
216	1989-3-17	Amendments to IBC Code of the International Convention for the Prevention of Pollution from Ships
217	1989-3-29	Protocol Concerning Marine Pollution Resulting from Exploration and Exploitation of the Continental Shelf to the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution
218	1989-6-12	Agreement between Denmark (on behalf of Greenland), Iceland and Norway concerning the Stock of Capelin in the Waters between Greenland, Iceland and Jan Mayen
219	1989-6-16	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-first Meeting
220	1989-7-21	Agreement Creating the Eastern Pacific Tuna Fishing Organization
221	1989-9-21	Protocol for the Conservation and Management of the Protected Marine and Coastal Areas of the Southeast Pacific
222	1989-9-22	Amendments of the Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances

No.	Name	Issuing Authority
223	1989-10-17	Amendments to Annex V Regarding the North Sea Special Area to the International Convention for the Prevention of Pollution from Ships
224	1989-11-3	Amendment Regarding Permits to Annex III to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (concerning characteristics and composition of matter to be dumped at sea)
225	1989-11-24	Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific
226	1989-12-5	Protocol Amending the Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft
227	1990-1-18	Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region
228	1990-2-14	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Regulation 7 of Annex IV)
229	1990-2-21	Protocol for the Protection of the Marine Environment Against Pollution from Land-based Sources to the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution
230	1990-3-16	Amendments Regarding the Bulk Carriage (BCH Code) to the International Convention for the Prevention of Pollution from Ships
231	1990-3-16	Amendments Regarding the Bulk Carriage (IBC Code) To the International Convention for The Prevention of Pollution from Ships
232	1990-3-16	Amendments to Annexes I And II Regarding Harmonized System of Survey and Certificates to the International Convention for the Prevention of Pollution from Ships
233	1990-4-24	Amendments to the Annex to the International Convention for the High Seas Fisheries of the North Pacific Ocean
234	1990-7-6	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-second Meeting
235	1990-9-7	Agreement on the Organization for Indian Ocean Marine Affairs Cooperation
236	1990-10-16	Agreement on the Conservation of Seals in the Wadden Sea
237	1990-10-20	Protocol I to the Convention for the Prohibition of Fishing with Long Driftnets in The South Pacific
238	1990-10-20	Protocol II to the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific
239	1990-11-16	Amendments to Annexes I And V Regarding Antarctica as Special Area Under Annexes I and V to the International Convention for the Prevention of Pollution from Ships
240	1990-11-30	International Convention on Oil Pollution Preparedness, Response and Cooperation
241	1990-12-12	Convention for a North Pacific Marine Science Organization
242	1991-4-25	Amendments to The Annex to the International Convention for the High Seas Fisheries of the North Pacific Ocean
243	1991-5-1	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Articles 15, 26 and 27 for EEC accession)
244	1991-5-22	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers - Gmdss
245	1991-5-31	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-third Meeting

No.	Name	Issuing Authority
246	1991-6-19	Western Indian Ocean Tuna Organization Convention
247	1991-7-4	Amendments to Annex I to the International Convention for the Prevention of Pollution from Ships
248	1991-7-4	Amendments to Annex V Regarding the Wider Caribbean as Special Area to the International Convention for the Prevention of Pollution from Ships
249	1991-7-4	Amendments to the Annex (Revision of the List of Substances to be Annexed) to the Protocol Relating to Intervention on the High Seas in Cases of Pollution by Substances Other than Oil
250	1991-7-5	Convention on Fisheries Cooperation Among African States Bordering the Atlantic Ocean
251	1992-2-4	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Regulation 6 of Annex IV)
252	1992-2-11	Convention for the Conservation of Anadromous Stocks in the North Pacific Ocean
253	1992-3-6	Amendments to Annex I of the International Convention for the Prevention of Pollution from Ships
254	1992-3-17	Agreement on the Conservation of Small Cetaceans of the Baltic And North Seas
255	1992-4-9	Agreement on Cooperation in Research, Conservation and Management of Marine Mammals in the North Atlantic
256	1992-4-9	Convention on the Protection of the Marine Environment of the Baltic Sea Area
257	1992-4-21	Convention on the Protection of the Black Sea Against Pollution
258	1992-4-21	Protocol on Cooperation in Combating Pollution of the Black Sea Marine Environment by Oil and Other Harmful Substances in Emergency Situations
259	1992-4-21	Protocol on the Protection of the Black Sea Marine Environment Against Pollution by Dumping
260	1992-4-21	Protocol on the Protection of the Black Sea Marine Environment Against Pollution from Land-based Sources
261	1992-6-5	Protocol Amending the International Convention for the Conservation of Atlantic Tunas
262	1992-6-12	Protocol Open for Signature by States not Parties to the Convention for the Conservation of Salmon in the North Atlantic Ocean
263	1992-6-25	Agreement between Denmark (on behalf of Greenland), Iceland and Norway concerning the Stock of Capelin in the Waters between Greenland, Iceland and Jan Mayen
264	1992-7-2	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-fourth Meeting
265	1992-9-22	Convention for the Protection of the Marine Environment of the North East Atlantic
266	1992-10-30	Amendments to Annex II of the International Convention for the Prevention of Pollution from Ships (Designating Antarctica as a Special Area)
267	1992-10-30	Amendments to Annex III to the International Convention for the Prevention of Pollution from Ships
268	1992-10-30	Amendments to the BCH Code of the International Convention for the Prevention of Pollution from Ships
269	1992-10-30	Amendments to the IBC Code of the International Convention for the Prevention of Pollution from Ships

No.	Name	Issuing Authority
270	1992-11-27	Protocol to Amend the International Convention on Civil Liability for Oil Pollution Damage
271	1992-11-27	Protocol to Amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (replacing the 1971 Convention)
272	1993-2-4	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Regulation 9 of Annex IV)
273	1993-3-26	Agreement on Joint Activities in Addressing the Aral Sea and the Zone Around the Sea Crisis, improving the Environment, and Ensuring the Social and Economic Development of the Aral Sea Region
274	1993-3-29	Agreement Between Denmark, Finland, Iceland, Norway and Sweden on Cooperation in Combatting Pollution of the Sea Caused by Oil or Other Harmful Substances
275	1993-4-22	Agreement to Constitute the International Center for Living Aquatic Resources Management as an International Organization
276	1993-5-10	Convention for the Conservation of Southern Bluefin Tuna
277	1993-5-14	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-Fifth Meeting
278	1993-11-12	Amendment Regarding Annex I to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (Incineration at Sea)
279	1993-11-12	Amendment Regarding Annexes I And II to The Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (Industrial Wastes)
280	1993-11-12	Amendment Regarding Radioactive Wastes to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter
281	1993-11-25	Agreement for the Establishment of the Indian Ocean Tuna Commission
282	1994-1-25	Agreement between Denmark, Norway and Sweden on the modification of the Annex to the Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances
283	1994-5-25	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers - Tanker Crews
284	1994-5-27	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-sixth Meeting
285	1994-6-16	Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea
286	1994-7-28	Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea
287	1994-9-15	Amendment to the Convention on Fishing and Conservation of the Living Resources in the Baltic Sea and The Belts
288	1994-10-14	Protocol for the Protection of the Mediterranean Sea Against Pollution Resulting from Exploration and Exploitation of the Continental Shelf and the Seabed and Its Subsoil
289	1994-11-13	Amendments to Annex III Regarding Implementation to the International Convention for the Prevention of Pollution from Ships
290	1994-11-13	Amendments to Annex V Regarding Implementation to the International Convention for the Prevention of Pollution from Ships
291	1994-11-13	Amendments to Annexes I And II Regarding Implementation to the International Convention for the Prevention of Pollution from Ships

No.	Name	Issuing Authority
292	1995-6-2	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-seventh Meeting
293	1995-6-10	Amendments to the Convention for the Protection of the Mediterranean Sea Against Pollution
294	1995-6-10	Amendments to the Protocol for the Prevention and Elimination of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft
295	1995-6-10	Protocol Concerning Specially Protected Areas and Biological Diversity in the Mediterranean
296	1995-7-7	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers - Major Revisions
297	1995-7-7	International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel
298	1995-8-4	Agreement for the Implementation of the Law of the Sea Convention Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
299	1995-9-14	Amendments to Annex V of the International Convention for the Prevention of Pollution from Ships
300	1996-3-7	Amendments to the Protocol for the Protection of the Mediterranean Sea Against Pollution from Land-based Sources and Activities
301	1996-4-11	Convention on the International Commission for the Protection of the Oder
302	1996-4-12	Agreement on the Control of Transboundary Shipments of Hazardous and Other Wastes Between States Members of the Commonwealth of Independent States
303	1996-5-6	Protocol on the Conservation Rational Utilization and Management of Norwegian Spring Spawning Herring (Atlanto-Scandian Herring) in the Northeast Atlantic
304	1996-6-28	Amendments to the Schedule to the International Convention for The Regulation of Whaling, Forty-eighth Meeting
305	1996-7-10	Amendments to Protocol I of the International Convention for The Prevention of Pollution from Ships
306	1996-7-10	Amendments to the Annex (Revision of the List of Substances to be Annexed) to the Protocol Relating to Intervention on The High Seas in Cases of Pollution by Substances Other Than Oil
307	1996-7-10	Amendments to the BCH Code of The International Convention for the Prevention of Pollution from Ships
308	1996-7-10	Amendments to the IBC Code of the International Convention for the Prevention of Pollution from Ships
309	1996-9-9	Convention Concerning the Collection, Storage and Discharge of Waste from Ships Navigating Along the Rhine and Other Inland Waters
310	1996-10-1	Protocol on the Prevention of Pollution of the Mediterranean Sea by Transboundary Movements of Hazardous Wastes and Their Disposal
311	1996-11-7	Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter
312	1996-11-24	Agreement on the Conservation of Cetaceans of The Black Sea, Mediterranean Sea and Contiguous Atlantic Area
313	1996-12-1	Inter-American Convention for the Protection and Conservation of Sea Turtles



No.	Name	Issuing Authority
314	1997-3-10	Amendments to IBC Code of The International Convention for The Prevention of Pollution from Ships
315	1997-6-4	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers - Crew Training for Passenger Ships
316	1997-6-4	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers - Seafarers' Training, Certification and Watchkeeping Code
317	1997-9-25	Amendments to Annex I Regarding North West European Waters as Special Area to the International Convention for The Prevention of Pollution from Ships
318	1997-9-26	Protocol Adopting Annex VI - Regulations for The Prevention of Air Pollution from Ships to the International Convention for The Prevention of Pollution from Ships
319	1997-10-16	Amendments (additional) to the Agreement for The Establishment of A General Fisheries Commission for Tte Mediterranean (allow regional economic integration organizations to become members and changing name to General Fisheries Commission for the Mediterranean)
320	1997-10-16	Amendments to the Agreement for the Establishment of a General Fisheries Commission for the Mediterranean
321	1997-10-24	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Forty-Ninth Meeting
322	1998-3-17	Protocol on the Control of Marine Transboundary Movements and Disposal of Hazardous Wastes and Other Wastes to the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution
323	1998-3-26	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex III)
324	1998-3-26	Amendments to the Convention on thhe Protection of Marine Environment of the Baltic Sea Area (Annex IV)
325	1998-5-8	Agreement of Cooperation for The Conservation of The Marine Turtles in The Caribbean Coast of Costa Rica, Nicaragua And Panama (Tripartite Agreement)
326	1998-5-20	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fiftieth Meeting
327	1998-5-21	Agreement on the International Dolphin Conservation Program
328	1998-6-18	Agreement Between Norway, Greenland/Denmark, And Iceland About the Capelin Stock in the Area Between Greenland, Iceland, And Jan Mayen
329	1998-7-24	Amendments to the Convention for the Protection of the Marine Environment of the North East Atlantic (OSPAR Decision 98/2 on Dumping of Radioactive Waste)
330	1998-7-24	Amendments to the Convention for the Protection of rhe Marine Environment of the North East Atlantic Adopting Annex V and Appendix 3
331	1998-12-7	Amendments to the International Convention for the Safety of Life at Sea - Adoption of Resolution and Annexes on Ship Reporting Systems for North Atlantic Right Whales off the Northeastern and Southeastern Coasts of the United States
332	1998-12-9	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers - Crew Training for Bulk Carriers
333	1999-4-9	Agreement on the Status of the International Aral Sea Fund and Its Organizations
334	1999-5-28	Amendments to the Schedule to The International Convention for The Regulation of Whaling, Fifty-first Meeting

No.	Name	Issuing Authority
335	1999-6-11	Protocol to Amend the Convention for The Establishment An Inter-American Tropical Tuna Commission
336	1999-7-1	Amendments to Annex I And II to the International Convention for the Prevention of Pollution from Ships
337	1999-7-1	Amendments to BCH Code of the International Convention for the Prevention of Pollution from Ships
338	1999-7-1	Amendments to IBC Code of the International Convention for the Prevention of Pollution from Ships
339	1999-9-15	Amendments to the Convention for the Establishment of the European and Mediterranean Plant Protection Organization
340	1999-11-16	Amendments Establishing Revised Statutes of the Intergovernmental Oceanographic Commission
341	1999-11-25	Agreement Concerning the Creation of a Marine Mammal Sanctuary in the Mediterranean
342	2000-3-13	Amendments to the Appendix to Annex III to the International Convention for the Prevention of Pollution from Ships
343	2000-3-20	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex III)
344	2000-3-20	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex IV; Regulations 4, 6-8)
345	2000-7-6	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-second Meeting
346	2000-8-14	Framework Agreement for the Conservation of the Living Marine Resources of the High Seas of the South Pacific
347	2000-9-5	Convention on the Conservation and Management of the Highly Migratory Fish Stocks of the Western and Central Pacific Ocean
348	2000-9-27	Protocol to Amend the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage
349	2000-10-5	Amendments to Annex V to the International Convention for the Prevention of Pollution from Ships
350	2000-10-5	Amendments to BCH Code of the International Convention for the Prevention of Pollution from Ships
351	2000-10-5	Amendments to IBC Code of the International Convention for the Prevention of Pollution from Ships
352	2000-10-18	Amendments of the Limitation Amounts in the 1992 Protocol to Amend the International Convention on Civil Liability for Oil Pollution Damage
353	2000-10-18	Amendments of the Limits of Compensation in the 1992 Protocol to Amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage
354	2000-10-30	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (III) 2, Annex IV (III) 3, Annex VIII (2) b, adopted at Meeting #4)
355	2001-3-23	International Convention on Civil Liability for Bunker Oil Pollution Damage
356	2001-4-20	Convention on the Conservation and Management of Fishery Resources in the South East Atlantic Ocean

No.	Name	Issuing Authority
357	2001-4-27	Amendments to Annex I (Condition Assessment Scheme) of the International Convention for the Prevention of Pollution from Ships
358	2001-4-27	Amendments to Annex I (Double Hulls) to the International Convention for the Prevention of Pollution from Ships
359	2001-6-20	Amendments to the Agreement on the International Dolphin Conservation Program (Resolution on Amending the Rules for Qualified Captain)
360	2001-6-20	Amendments to the Agreement on the International Dolphin Conservation Program (Resolution on Amending the Rules of Confidentiality)
361	2001-6-22	Convention on the Contract for the Carriage of Goods by Inland Waterway
362	2001-7-27	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-third Meeting
363	2001-9-10	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex IV; Regulations 4 and 9-12)
364	2001-9-21	Amendments of the Agreement for Cooperation in Dealing with Pollution of the North Sea by Oil and Other Harmful Substances (to enable the Accession of Ireland)
365	2001-10-5	International Convention on the Control of Harmful Anti-Fouling Systems on Ships
366	2001-10-29	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (III) 2, Annex IV (III) 3, adopted at Meeting #6)
367	2002-1-25	Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea
368	2002-2-18	Convention for Cooperation in the Protection and Sustainable Development of the Marine and Coastal Environment of the Northeast Pacific
369	2002-5-24	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-fourth Meeting
370	2002-6-14	Black Sea Biodiversity and Landscape Conservation Protocol to the Convention on the Protection of the Black Sea Against Pollution
371	2002-6-24	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (III) 4, Annex IV (I) 8, Annex IV (II) 1, adopted at Meeting #7)
372	2002-10-10	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex II (12), Annex IV (II) 1, adopted at Meeting #8)
373	2002-10-11	Amendments to Annex I (Condition Assessment Scheme) of the International Convention for the Prevention of Pollution from Ships
374	2002-10-11	Amendments to the Annex (Revision of the List of Substances to be Annexed) to the Protocol Relating to Intervention on the High Seas in Cases of Pollution by Substances Other Than Oil
375	2002-10-14	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Special Meeting
376	2002-12-3	Framework Agreement on the Sava River Basin
377	2002-12-3	International Agreement on the River Maas/Meuse
378	2002-12-3	International Agreement on the River Scheldt/Lescaut
379	2003-5-16	Protocol to Amend the 1992 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage

No.	Name	Issuing Authority
380	2003-6-19	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-fifth Meeting
381	2003-6-23	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (I), adopted at Meeting #9)
382	2003-6-25	Amendments to the Convention on the Protection of The Marine Environment of The Baltic Sea Area (Annex IV; Regulations 4-13)
383	2003-8-22	Amendment to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas
384	2003-10-11	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex II, Annex IV (I), adopted at Meeting #10)
385	2003-11-4	Framework Convention for the Protection of the Marine Environment of the Caspian Sea
386	2003-11-14	Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention Between the United States of America and the Republic of Costa Rica
387	2003-11-27	Amendments to the Agreement Concerning the Protection of the Waters of the Mediterranean Shores
388	2003-11-27	Protocol Amending the Framework Agreement for the Conservation of the Living Marine Resources of the High Seas of the South Pacific
389	2003-12-4	Amendments to Annex I (Condition Assessment Scheme) of the International Convention for the Prevention of Pollution from Ships
390	2003-12-4	Amendments to Regulation 13g, Addition of New Regulation 13h And Consequential Amendments to the Supplement to the IOPP Certificate of Annex I to the Annex of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships
391	2004-2-13	International Convention for the Control and Management of Ships' Ballast Water and Sediments
392	2004-4-1	Amendments to Annex IV to the International Convention for the Prevention of Pollution from Ships
393	2004-4-1	Amendments to the Appendix to Annex V to the International Convention for the Prevention of Pollution from Ships
394	2004-5-20	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers - STCW Code
395	2004-7-22	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-sixth Meeting
396	2004-10-15	Amendments Incorporated as Part of Revised Annex I (including Designation of Oman as a Special Area) to the International Convention for the Prevention of Pollution from Ships
397	2004-10-15	Amendments Incorporated as Part of Revised Annex II to the International Convention for the Prevention of Pollution from Ships
398	2004-10-15	Amendments to the IBC Code to the International Convention for the Prevention of Pollution from Ships
399	2004-10-20	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex VIII (2)e, adopted at Meeting #12)

No.	Name	Issuing Authority
400	2004-10-20	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex VIII (I), adopted at Meeting #12)
401	2004-12-9	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers - STCW Code (Survival Craft Competence)
402	2005-4-14	Protocol of Amendments to the Convention on the International Hydrographic Organization
403	2005-7-8	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-seventh Meeting
404	2005-7-22	Amendments to Annex I (Condition Assessment Scheme) of the International Convention for the Prevention of Pollution from Ships
405	2005-7-22	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for The Prevention of Pollution from Ships
406	2005-10-20	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (I), Annex IV (II), Annex VII, adopted at Meeting #14)
407	2006-3-24	Amendments Adding Regulation 13 To Annex IV to the International Convention for the Prevention of Pollution from Ships
408	2006-3-24	Amendments to Annex I to the International Convention for the Prevention of Pollution from Ships
409	2006-3-24	Amendments to the BCH Code to the International Convention for the Prevention of Pollution from Ships
410	2006-5-18	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers – International Ship and Port Facility Security Amendments
411	2006-5-18	Amendments to the International Convention on Standards of Training, Certification and Watchkeeping For Seafarers – STCW Code
412	2006-6-20	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-eighth Meeting
413	2006-6-21	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (I), adopted at Meeting #15)
414	2006-7-7	Southern Indian Ocean Fisheries Agreement
415	2006-10-13	Amendments Incorporated as Part of Revised Annex III to the International Convention for the Prevention of Pollution from Ships
416	2006-10-13	Amendments to Annex I (Condition Assessment Scheme) of the International Convention for the Prevention of Pollution from Ships
417	2006-10-13	Amendments to Annex I Designating the Southern South African Waters as a Special Area of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships
418	2006-11-2	Amendment to Annex I to the Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (Regulating Carbon Sequestration in Sub-Seabed Geological Formations)
419	2007-5-18	International Convention on the Removal of Wrecks
420	2007-5-31	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Fifty-ninth Meeting

No.	Name	Issuing Authority
421	2007-6-29	Amendments of Annex II and Annex III to the Convention for the Protection of the Marine Environment of the North East Atlantic in Relation to the Storage of Carbon Dioxide Streams in Geological Formations
422	2007-7-13	Amendments to Annex I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Reception facilities outside Special Areas)
423	2007-7-13	Amendments to Annex IV of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Discharge of sewage)
424	2007-7-13	Amendments to IBC Code of the International Convention for the Prevention of Pollution from Ships
425	2007-7-13	Amendments to the List of Substances Annexed to the Protocol Relating to Intervention on the High Seas in Cases of Pollution by Substances Other Than Oil
426	2007-10-26	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (I), adopted at Meeting #18)
427	2007-11-15	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex III pt. 2)
428	2008-1-21	Protocol on Integrated Coastal Zone Management in the Mediterranean
429	2008-6-27	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixtieth Meeting
430	2008-10-10	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships – Amendments to the Technical Code on Control of Emission of Nitrogen Oxides from Marine Diesel Engines
431	2008-10-10	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships (Revised MARPOL Annex VI)
432	2009-4-17	Protocol on the Protection of the Marine Environment of the Black Sea from Land-based Sources and Activities
433	2009-6-5	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex IV (II) 1, adopted at Meeting #21)
434	2009-6-25	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixty-first Meeting
435	2009-7-17	Amendments to Annex I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Addition of a new chapter 8 to MARPOL Annex I and consequential amendments to the Supplement to the IOPP Certificate, Form B)
436	2009-7-17	Amendments to Annex I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendments to regulations 1, 12, 13, 17 and 38 of MARPOL Annex I, Supplement to the IOPP Certificate and Oil Record Book Parts I and II)
437	2009-10-30	Amendment to Article 6 of the Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (Regulating Carbon Sequestration in Sub-Seabed Geological Formations)
438	2009-10-30	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex II (12), Annex VIII.2.c, adopted at Meeting #22)
439	2009-11-14	Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean

No.	Name	Issuing Authority
440	2009-12-2	Amendment to Appendix III to Annex 2 to the Convention Concerning the Collection, Storage and Discharge of Waste from Ships Navigating Along the Rhine and Other Inland Waters
441	2010-3-26	Amendments to Annex I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Addition of a new chapter 9 to MARPOL Annex I)
442	2010-3-26	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships – Amendments to Regulations 13, 14 and new Appendix VII of the Revised MARPOL Annex VI (North American Emission Control Area)
443	2010-3-31	Amended Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean (formerly the Eastern African Region)
444	2010-3-31	Protocol for the Protection of the Coastal and Marine Environment of the Western Indian Ocean from Land-based Sources and Activities to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region
445	2010-6-8	Amendments to Annex 2 to the Convention Concerning the Collection, Storage and Discharge of Waste from Ships Navigating Along the Rhine and Other Inland Waters
446	2010-6-25	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixty-second Meeting
447	2010-10-1	Amendments to Annex III to the International Convention for the Prevention of Pollution from Ships (Revised MARPOL Annex III)
448	2010-10-1	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships – Revised Form of Supplement to the IAPP Certificate
	2008-10-10	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships (Revised MARPOL Annex VI)
449	2011-7-14	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixty-third Meeting
450	2011-7-15	Amendments to Annex IV to the International Convention for the Prevention of Pollution from Ships (Special Area Provisions and the Designation of the Baltic Sea as a Special Area under MARPOL Annex IV)
451	2011-7-15	Amendments to Annex V to the International Convention for the Prevention of Pollution from Ships (Revised MARPOL Annex V)
452	2011-7-15	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships - Designation of the United States Caribbean Sea Emission Control Area and exemption of certain ships operating in the North American Emission Control Area and the United States Caribbean Sea Emission Control Area under regulations 13 and 14 and Appendix VII of MARPOL Annex VI
453	2011-7-15	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships - Inclusion of regulations on energy efficiency for ships in MARPOL Annex VI
454	2011-8-12	Protocol concerning Regional Preparedness, Response and Co-Operation in combating Oil Pollution Incidents to the Framework Convention on the Protection of the Marine Environment of the Caspian Sea

No.	Name	Issuing Authority
455	2011-9-6	Agreement on the Regional Contingency Plan for Preparedness for and Response to major Marine Pollution Incidents in the Western Indian Ocean
456	2012-2-24	Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean
457	2012-3-2	Amendments to Annexes I, II, IV and V of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Regional arrangements for port reception facilities under MARPOL Annexes I, II, IV and V)
458	2012-3-2	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships - Regional arrangements for port reception facilities under MARPOL Annex VI and Certification of marine diesel engines fitted with Selective Catalytic Reduction systems under the NOx Technical Code 2008
459	2012-6-28	Amendments to Annex 1 to the Convention Concerning the Collection, Storage and Discharge of Waste from Ships Navigating Along the Rhine and Other Inland Waters
460	2012-6-28	Amendments to Appendix 2 to the Convention Concerning the Collection, Storage and Discharge of Waste from Ships Navigating Along the Rhine and Other Inland Waters
461	2012-7-6	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixty-fourth Meeting
462	2012-10-5	Amendments to IBC Code of the International Convention for the Prevention of Pollution from Ships
463	2012-12-12	Protocol for the Protection of the Caspian Sea against Pollution from Land based Sources and Activities to the Framework Convention on the Protection of the Marine Environment of the Caspian Sea
464	2013-5-15	Agreement on Cooperation on Marine Oil Pollution, Preparedness and Response in the Arctic
465	2013-5-17	Amendments to Annex I (Condition Assessment Scheme) of the International Convention for the Prevention of Pollution from Ships
466	2013-5-17	Amendments to Annex I and II of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendments to MARPOL Annexes I and II to make the RO Code mandatory)
467	2013-5-17	Amendments to Annex I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendments to Form A and Form B of Supplements to the IOPP Certificate under MARPOL Annex I)
468	2013-10-3	Amendments to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Annex VII; Response to Pollution Incidents)
469	2014-4-4	Amendments to Annex I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendments to Annex I Mandatory carriage requirements for a stability instrument)
470	2014-4-4	Amendments to Annexes I, II, III, IV and V I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendments to MARPOL Annexes I, II, III, IV and V to make use of the III Code mandatory)
471	2014-4-4	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships (Amendments to Annex VI regulations 2, 13, 19, 20 and the Supplement to the IAPP Certificate and certification of dual-fuel engines under the NOx Technical Code 2008)



No.	Name	Issuing Authority
472	2014-4-4	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships (Amendments to Annex VI to make the use of the III Code mandatory)
473	2014-7-8	Amendments to the Agreement on the International Dolphin Conservation Program, (amending Annex I, adopted at Meeting #29)
474	2014-9-18	Amendments to the Schedule to the International Convention for the Regulation of Whaling, Sixty-fifth Meeting
475	2014-10-17	Amendments to Annex I of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendments to Annex I Regulation 43- Special requirements for the use or carriage of oils in the Antarctic area)
476	2014-10-17	Amendments to Annex III of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendment to the appendix to Annex III on criteria for the identification of harmful substances in packaged form)
477	2014-10-17	Amendments to the Protocol Adopting Annex VI - Regulations for the Prevention of Air Pollution from Ships to the International Convention for the Prevention of Pollution from Ships (Amendments to Annex VI regulations 2 and 13 and the Supplement to the IAPP Certificate)
478	2015-5-15	Amendments to Annex I of the Protocol of 1978 Relating to The International Convention for the Prevention of Pollution from Ships (Amendments to Annex I Regulation 12- Tanks for oil residue (sludge))
479	2015-5-15	Amendments to Annex I, II, IV, and V of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships (Amendments to MARPOL Annexes I, II, IV and V to make the use of the environment-related provisions of the Polar Code mandatory)

## ANNEX 2

# Level of Compliance of National Laws and Policies to International Agreements

### 1. The Compliance to UNCLOS

UNCLOS				National Law	Local Law	Policy Plan and project
Section	Content of the Article	Article	Responsibility			
<b>Sovereign right of States to exploit their natural resources</b>	Conservation of the living resources	A 61.1	determine the allowable catch	The Fisheries Law of People's Republic of China, Art.21-22, Art.28-37	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art. 16, Art. 23-27 Ordinances on the Administration of the Fishery in Jiangsu Province (2012 Amendment), Art.16-17, Art. 20-21 Ordinances on the Administration of the Fishery in Liaoning Province, Art. 13, Art.20-25	The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province, Plan on Marine Functional Zoning of Liaoning province, The 13th Five-year Plan for Fishery Development of Jiangsu Province, Plan on Marine Functional Zoning of Shandong Province
		A 61.2	take proper conservation and management measures to maintain the living resources			
		A 61.5	contribute and exchange available scientific information catch and fishing effort statistics and other data relevant to the conservation of fish stocks			
		A62.2	determine its capacity to harvest the living resources	The Fisheries Law of People's Republic of China, Art. 23-26	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art. 17-18, Art. 21-22 Ordinances on the Administration of the Fishery in Jiangsu Province (2012 Amendment), Art. 18-19 Ordinances on the Administration of the Fishery in Liaoning Province, Art. 14-15	
<b>Pollution Control</b>	Measures to prevent, reduce and control pollution	A194.1	take, individually or jointly as appropriate, all measures to prevent, reduce and control pollution of the marine environment from any source	The Marine Environment Protection Law of the People's Republic of China, Art. 33-41, Art. 49-53, Art. 55-61, Art. 62-72. The Fisheries Law of People's Republic of China, Art. 20 The Island Protection Law of the People's Republic of China, Art.24	Ordinances on the Protection of the Marine Environment in Shandong Province (2016 Amendment), Art. 4, Art. 6, Art. 8 Ordinances on the Protection of the Marine Environment in Jiangsu Province (2016 Amendment), Art. 19, Art. 24-25, Art. 28-30, Art. 35-37	The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province, Plan on Marine Functional Zoning of Liaoning province, Coastal Port Layout Plan of Jiangsu Province (2015-2030), The 13th Five-year Plan for Ecological Environment Protection of Shandong Province, Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020)
		A194.2	activities conducted not to cause damage by pollution to other States and their environment			

UNCLOS				National Law	Local Law	Policy Plan and project
Section	Content of the Article	Article	Responsibility			
Pollution Control	Duty not to transfer damage or hazards or transform one type of pollution into another	A195	not to transfer, directly or indirectly, damage or hazards from one area to another or transform one type of pollution into another	The Marine Environment Protection Law of the People's Republic of China, Art. 39		
	Use of technologies or introduction of alien or new species	A196	take measures to prevent, reduce and control pollution resulting from the use of technologies, or the intentional or accidental introduction of species, alien	Wild Animal Conservation Law of the People's Republic of China, Art. 37	Ordinances on the Protection of the Marine Environment in Jiangsu Province (2016 Amendment), Art. 23	The 13th Five-year Plan for Ecological Environment Protection of Shandong Province
Global and Regional Cooperation	Cooperation on a global or regional basis	A197	cooperate in formulating and elaborating international rules, standards and recommended practices and procedures consistent with this Convention	The Marine Environment Protection Law of the People's Republic of China, Art. 8 Wild Animal Conservation Law of the People's Republic of China, Art.36		
	Notification of imminent or actual damage	A198	immediately notify other States it deems likely to be affected by such damage, as well as the competent international organizations			
	Contingency plans against pollution	A199	jointly develop and promote contingency plans for responding to pollution incidents in the marine environment		Ordinances on the Protection of the Marine Environment in Shandong Province (2016 Amendment), Art. 20	
	Studies, research programmes and exchange of information and data	A200	cooperate, directly or through competent international organizations, for the purpose of promoting studies, undertaking programmes of scientific research and encouraging the exchange of information and data acquired about pollution of the marine environment	Provisions of the People's Republic of China on Administration of Foreign-related Marine Scientific Research		

UNCLOS				National Law	Local Law	Policy Plan and project
Section	Content of the Article	Article	Responsibility			
Global and Regional Cooperation		A200	endeavor to participate actively in regional and global programmes to acquire knowledge for the assessment of the nature and extent of pollution, exposure to it, and its pathways, risks and remedies			
	Scientific criteria for regulations	A201	cooperate, directly or through competent international organizations, in establishing appropriate scientific criteria to control pollution			
Monitoring and Environmental Assessment	Monitoring of the risks or effects of pollution	A204.1	to observe, measure, evaluate and analyze, by recognized scientific methods, the risks or effects of pollution of the marine environment	The Marine Environment Protection Law of the People's Republic of China, Art. 5, Art. 14-16	Ordinances on the Protection of the Marine Environment in Shandong Province (2016 Amendment), Art. 4, Art. 6, Art. 8 Ordinances on the Protection of the Marine Environment in Jiangsu Province (2016 Amendment), Art. 5, Art. 12-13, Art. 22-23	
		A204.2	keep under surveillance the effects of any activities which they permit or engage in to prevent pollution			The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province, Plan on Marine Functional Zoning of Liaoning province, the 13th Five-year Plan for Ecological Environment Protection of Shandong Province
	A205	publish reports of the results	Regulation of the People's Republic of China on the Disclosure of Government Information	Ordinances on the Protection of the Marine Environment in Jiangsu Province (2016 Amendment), Art.23, Art.27-28		
	Assessment of potential effects of activities	A206	assess the potential effects of such activities on the marine environment	The Marine Environment Protection Law of the People's Republic of China, Art.5, Art.14	Ordinances on the Protection of the Marine Environment in Jiangsu Province (2016 Amendment), Art.5, Art.12, Art.14, Art.20, Art.27-28, Art.31, Art.33	The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province, the 13th Five-year Plan for Ecological Environment Protection of Shandong Province

UNCLOS				National Law	Local Law	Policy Plan and project
Section	Content of the Article	Article	Responsibility			
<b>International rules and national legislation to prevent, reduce and control pollution of the marine environment</b>	Pollution from land-based source, seabed activities, activities in the area, dumping, vessels, the atmosphere.	A207.1, A208.1, A210.1, A211.2, A212.1	adopt laws and regulations to prevent, reduce and control pollution of the marine environment	The Marine Environment Protection Law of the People's Republic of China, Art.29-72 The Fisheries Law of People's Republic of China, Art.28, Art.36 The Island Protection Law of the People's Republic of China, Art.24, Art.35	Ordinances on the Protection of the Marine Environment in Shandong Province (2016 Amendment), Art.5, Art.10, Art.13, Art.15-16, Art.18-22	The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province, Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020)
		A 207.2, A208.2, A210.2, A212.2	take other measures as may be necessary to prevent, reduce and control such pollution			
		A207.3, A208.4	endeavor to harmonize their policies at the appropriate regional level			
		A207.4, A208.5, A210.4, A211.1, A212.3	endeavor to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment			
<b>Enforcement</b>	Enforcement with respect to pollution from land-based source, seabed activities, activities in the area, dumping, marine casualties, vessels etc.	A213-216, A217.1, A222	shall adopt laws and regulations and take other measures necessary to implement applicable international rules and standards	The Marine Environment Protection Law of the People's Republic of China		
		A217-A220	investigation and institute proceedings			

## 2. The Compliance to CBD

CBD			National Laws and Regulations	Local Laws and Regulations	Policies
Article	Content of the Article	Responsibility			
A6	General Measures for Conservation and Sustainable Use	Develop national strategies, plans or programmes	Wild Animal Conservation Law of the People's Republic of China, Art. 5 Regulations of the People's Republic of China on the Protection of Aquatic Wild Animals (2013 Revision) Regulations of the People's Republic of China on Wild Plants Protection (2017 Revision) Measures for the Administration of the Marine Nature Reserve	Provisional Measures on the Administration of Marine Special Protected Areas in Shandong Province	Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 2, Section 1. Goal of the ecological red line protection plan.
		Integrate the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies			(1) Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 2, Section 2. Art. 2. When making the Line, the government shall take the pre-existing laws, regulations, plans and the potential development of the impacted area into consideration. (2) Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 2, Section 4. Legal grounds for making the Line.
A7	Identification and Monitoring	Identify components of biological diversity	Wild Animal Conservation Law of the People's Republic of China, Art. 2, Definition of wild animal and its product; Art. 10, Category and list of Wild Animals under State Priority Conservation.	Ordinances on Forestry and Classified Wildlife Conservation in Shandong Province. Art. 6.	
		Monitor, through sampling and other techniques, the components of biological diversity	Wild Animal Conservation Law of the People's Republic of China. Measures for the Supervision and Inspection of National Nature Reserves		Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 3, Section 5. Way of wetland coding and its Management.

CBD			National Laws and Regulations	Local Laws and Regulations	Policies
Article	Content of the Article	Responsibility			
A7	Identify processes and categories of activities which have or are likely to have significant adverse impacts	Wild Animal Conservation Law of the People's Republic of China, Art. 10, refers to the List of Wild Animals under State Priority Conservation; Art. 13, requires an "avoiding-reducing" order to use wildlife resources, and to assess the impact of relevant developing programs.	Implementation of the "Law of the People's Republic of China on Environmental Impact Assessment" in Shandong Province. Art. 6-14. Procedure of Environmental Impact Assessment.	Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 5, Section 2. Grading, categorizing and monitoring the protected area.	
		Maintain and organize, by any mechanism data	Wild Animal Conservation Law of the People's Republic of China, Art. 10, The List of Wild Animals under State Priority Conservation shall be timely updated, and each local government shall have its local protection list on wildlife species.		Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 3, Section 5. Way of wetland coding and its Management.
A8	In-situ conservation	Establish a system of protected areas	Regulations of the People's Republic of China on Nature Reserves (2017 Revision) Measures for the Supervision and Inspection of National Nature Reserves. Measures for the Administration of the Marine Nature Reserve	Ordinances for the National Nature Reserve in Shandong Yellow River Delta  Provisional Measures on the Administration of Marine Special Protected Areas in Shandong Province	Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 3, Section 2. Ways to determine the Line: dividing the protected area into three parts: priority protecting zone, ecologically fragile zone and exploitation prohibited zone.
		Develop, where necessary, guidelines for the selection, establishment and management of protected areas	Wild Animal Conservation Law of the People's Republic of China, Art. 5, Laws, plans or programmes are required for the governments at or above the county level to develop and protect the wild animals and their habitats; Measures for the Supervision and Inspection of National Nature Reserves. Measures for the Administration of the Marine Nature Reserve.	Ordinances for the National Nature Reserve in Shandong Yellow River Delta Provisional Measures on the Administration of Marine Special Protected Areas in Shandong Province	Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 5, Section 2. Grading, categorizing and monitoring the protected area.

CBD			National Laws and Regulations	Local Laws and Regulations	Policies
Article	Content of the Article	Responsibility			
A8		Regulate or manage biological resources important for the conservation of biological diversity	Wild Animal Conservation Law of the People's Republic of China, Art. 12-19, Obligations and Responsibilities of relevant government departments and their agencies.		
		Rehabilitate and restore degraded ecosystems and promote the recovery of threatened species	Regulations of the People's Republic of China on the Protection of Aquatic Wild Animals (2013 Revision) Regulations of the People's Republic of China on Wild Plants Protection (2017 Revision) Regulations of the People's Republic of China on Nature Reserves (2017 Revision)	Measures on the Administration of the Marine Ecological Compensation in Shandong Province. Art. 9. Compensation Methods	Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 4, Section 2. Categories of red line in Shandong Province: biodiversity red line, water resource red line, soil red line, and red line for breaking wind and fixing sands.
		Establish or maintain means to regulate, manage or control the risks associated with the use and release of living modified organisms	Wild Animal Conservation Law of the People's Republic of China, Art. 11, to establish gene bank for wild animals, especially for those under state priority conservation. Measures for the Administration of the Safety Evaluation of Agricultural Genetically Modified Organisms (2016 Revision)		
		Prevent the introduction of, control or eradicate those alien species	Wild Animal Conservation Law of the People's Republic of China, Art. 37-38, Introduction of alien species shall be approved and certificated		
		Develop or maintain necessary legislation and/or other regulatory provisions for the protection of threatened species and populations;	Regulations of the People's Republic of China on the Protection of Aquatic Wild Animals (2013 Revision) Regulations of the People's Republic of China on Wild Plants Protection (2017 Revision)		



CBD			National Laws and Regulations	Local Laws and Regulations	Policies
Article	Content of the Article	Responsibility			
A9	Ex-situ conservation	Adopt measures for the ex-situ conservation of components of biological diversity	Regulations of the People's Republic of China on the Protection of Aquatic Wild Animals (2013 Revision) Regulations of the People's Republic of China on Wild Plants Protection (2017 Revision)		
		Establish and maintain facilities			
		Adopt measures for the recovery and rehabilitation of threatened species	Regulations of the People's Republic of China on the Protection of Aquatic Wild Animals (2013 Revision) Regulations of the People's Republic of China on Wild Plants Protection (2017 Revision)	Measures on the Administration of the Marine Ecological Compensation in Shandong Province. Art. 9. Compensation Methods	
		Regulate and manage collection of biological resources			
		Cooperate in providing financial and other support	Wild Animal Conservation Law of the People's Republic of China, Art. 5, Government at or above the county level shall cooperate in financial supports to the protection of wild animals.	Measures on the Administration of the Marine Ecological Compensation in Shandong Province. Art. 12-20. Definition of marine ecological compensation, scope of waiver, and procedure of approval of compensation payment.	Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020), Art. 10.2, 11.5, The government shall cooperate in financial and technical supports.
A10	Sustainable Use of Components of Biological Diversity	Integrate consideration of the conservation and sustainable use of biological resources into national decision-making			Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 2, Section 1. Goal of the ecological red line protection plan.
		Adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity	Wild Animal Conservation Law of the People's Republic of China, Art. 20-57, Obligations and Responsibilities of relevant government departments and their agencies, prohibition, and punishment of violation. Measures for the Administration of the Safety Evaluation of Agricultural Genetically Modified Organisms (2016 Revision)		Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020), Art. 11.3, Encourage cooperation between authorities of finance, ecology and environment, transportation, natural resources, and science and technique.

CBD			National Laws and Regulations	Local Laws and Regulations	Policies
Article	Content of the Article	Responsibility			
A10		Encourage cooperation between its governmental authorities and its private sector in developing methods for sustainable use of biological resources.			
A12	Research and Training	Establish and maintain programmes for scientific and technical education and training	Wild Animal Conservation Law of the People's Republic of China, Art. 5, 17, Research, donation and activities regarding wildlife protection is encourage		Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 6, Section 6. The government encourages researching on biodiversity, and shall release news and disclose information to raise people's awareness of wetland protection.
		Promote and encourage research			
A13	Public Education and Awareness	Cooperate, as appropriate, with other States and international organizations in developing educational and public awareness programmes	Environmental Protection Law of People's Republic of China		
A14	Impact Assessment and Minimizing Adverse Impacts	Introduce appropriate procedures requiring environmental impact assessment	Law of the People's Republic of China on Environmental Impact assessment.	Implementation of the "Law of the People's Republic of China on Environmental Impact Assessment " in Shandong Province. Art. 5, lists the situation when environmental impact assessment is required.	Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020), Art. 8.5, Build marine ecology assessment system and do dynamic monitoring.
		Promote, on the basis of reciprocity, notification, exchange of information and consultation on activities			Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 6, Section 6. To establish an all-involved situation that the public can participate in every stage of wetland protection, such as decision-making, post-monitoring, and relevant voluntary events.

CBD			National Laws and Regulations	Local Laws and Regulations	Policies
Article	Content of the Article	Responsibility			
		notify immediately the potentially affected States of such danger or damage, as well as initiate action to prevent or minimize such danger or damage	Wild Animal Conservation Law of the People's Republic of China, Art. 15, Under emergency circumstances, such as natural disaster or serious environmental pollution, the local government shall take immediate actions to rescue the impacted wildlife and reduce the negative impact it caused.		Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 5 Section 4. Under emergency circumstances, such as natural disaster or serious environmental pollution, the local government shall take immediate actions to rescue the impacted wildlife and reduce the negative impact it caused.
		Promote national arrangements for emergency responses to activities or events			Ecological Red Line Protection Plan of Shandong Province (2016-2020). Chapter 6, Section 6. The government shall timely release news and respond to inquiries from the public regarding ecological protection issues.

### 3. The Compliance to RAMSA Convention

Ramsar		National Laws and Regulations	Local Laws and Regulations	Policies
Article	Responsibility			
A2	designate suitable wetlands	Provisions on the Administration of Wetland Protection, Art. 2, Definition of wetland.	Ordinances on the Protection of the Wetland in Jiangsu Province. Art. 3-4. Definition of "Wetland" and principles of wetland protection.	The 13th Five-year Plan for Ecological Environment Protection of Shandong Province. Part 3, Section 2, Art. 3. Wetland at the intersection of main stream and its branches, the estuary of rivers and lakes, and even in cities.
A3	formulate and implement their planning	Provisions on the Administration of Wetland Protection, Art. 2-7, 10-14, 16-18, 31-34, Obligation and responsibility of relevant government departments and their agencies.	(1) Ordinances on the Protection of the Wetland in Jiangsu Province. Art. 5-6. To give financial supports to and establish assessment system on wetland protection projects. (2) Ordinances on the Protection of the Wetland in Jiangsu Province. Chapter 2 Planning and Protection List; Chapter 3 Way of protecting; Chapter 4 Reasonable Use; Chapter 5 Monitoring and Information Disclosure.	The 13th Five-year Plan for Ecological Environment Protection of Shandong Province. Part 2. The overview of the Plan, including principles, goals, criteria and index.
A4	Each Contracting Party shall promote the conservation of wetlands and waterfowl by establishing nature reserves on wetlands	Regulations of the People's Republic of China on Nature Reserves (2017 Revision) lists wetland as one category of nature reserve.	Ordinances on the Protection of the Wetland in Jiangsu Province. Art. 5-6. The government encourage individuals, companies and organizations to mitigate or restore impacted wetlands.	The 13th Five-year Plan for Ecological Environment Protection of Shandong Province. Part 5, Section 5, Art. 5. Wetland mitigation and restoration.
	encourage research and the exchange of data and publications regarding wetlands and their flora and fauna	Provisions on the Administration of Wetland Protection, Art. 20, Publication, education and researches regarding wetland protection is encouraged.	Ordinances on the Protection of the Wetland in Jiangsu Province. Art. 9, 11-12. The government encourages researching, educating, visiting and touring on wetlands, and shall publicize news and information to raise people's awareness of wetland protection.	The 13th Five-year Plan for Ecological Environment Protection of Shandong Province. Part 3, Section 2, Art. 4, Part 6, Section 3, Art. 1. "Level to level" report system, and warning and post-monitor system to timely release and update news about wetlands and their flora and fauna.
	increase waterfowl populations		Ordinances on the Protection of the Wetland in Jiangsu Province. Art. 1, 4. Goal and principles of wetland protection.	The 13th Five-year Plan for Ecological Environment Protection of Shandong Province. Part 1. To enhance the quality and living condition of waterfowl's habitats
	training of personnel competent in the fields of wetland research, management and wardening	Provisions on the Administration of Wetland Protection, Art. 5, The forestry departments at or above the county level shall train people and publicize information about wetland protection.	Ordinances on the Protection of the Wetland in Jiangsu Province. Art. 9, 11-12. The government encourages researching, educating, visiting and touring on wetlands, and shall publicize news and information to rise people's awareness of wetland protection.	The 13th Five-year Plan for Ecological Environment Protection of Shandong Province. Part 6, Section 3-4. To establish an all-involved situation that the public can participate in every stage of wetland protection, such as decision-making, post-monitoring, and relevant voluntary events. Also, the government shall train its official and enhance their professional skills.

#### 4. The Compliance to UNFCCC

Article	Content of the Article	CBD	National Laws and Regulations	Local Laws	Policies
		Responsibility			
A4.1	Commitments	develop national inventories of anthropogenic emissions by sources and removals by sinks of all greenhouse gases			
		Formulate, implement, publish and regularly update national and, where appropriate, regional programmes containing measures to mitigate climate change			Five-Year Plan for Economic and Social Development of the People's Republic of China
		Promote and cooperate in the development, application and diffusion, including transfer, of technologies, practices and processes that control, reduce or prevent anthropogenic emissions of greenhouse gases	Cleaner Production Promotion Law of PRC; Circular Economy Promotion Law of PRC		Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020)
		promote and cooperate in the conservation and enhancement, as appropriate, of sinks and reservoirs of all greenhouse gases			Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020)
		Cooperate in preparing for adaptation to the impacts of climate change; develop and elaborate appropriate and integrated plans for coastal zone management, water resources and agriculture	Measures for the Administration of the Environmental Functional Zones in Coastal Offshore		
		employ appropriate methods, for example impact assessments, to mitigate or adapt to climate change			
		Promote and cooperate in scientific, technological, technical, socio-economic and other research, systematic observation and development of data archives related to the climate system	Regulation on the Administration of Ocean Observation and Forecasting Measures for the Administration of the Ocean Observation Data; Measures for the Administration of the Ocean Observation Stations		Marine Observatory Construction Plan of Jiangsu Province (2013-2020)
		Promote and cooperate in education, training and public awareness related to climate change and encourage the widest participation			Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020)
A5	Research and systematic observation	Support and further develop, as appropriate, international and intergovernmental programmes and networks or organizations aimed at defining, conducting, assessing and financing research, data collection and systematic observation	Regulation on the Administration of Ocean Observation and Forecasting Measures for the Administration of the Ocean Observation Data; Measures for the Administration of the Ocean Observation Stations		

CBD			National Laws and Regulations	Local Laws	Policies
Article	Content of the Article	Responsibility			
A5		Support international and intergovernmental efforts to strengthen systematic observation and national scientific and technical research capacities and capabilities, particularly in developing countries, and to promote access to, and the exchange of, data and analyses thereof obtained from areas beyond national jurisdiction			
A6	Education, training and public awareness	The development and implementation of educational and public awareness programmes on climate change and its effects			Marine Ecological Civilization Construction Plan of Shandong Province (2016-2020)
		Public access to information on climate change and its effects			
		Public participation in addressing climate change			
		Training of scientific, technical and managerial personnel			
		The development and exchange of educational and public awareness material on climate change			
		The development and implementation of education and training programmes, including the strengthening of national institutions and the exchange or secondment of personnel to train experts in this field			

## 1. The Compliance to UNCLOS

UNCLOS				National Laws and Regulations	Local Laws and Regulations	Policies
Section	Subsection	Article	Action			
<b>Fisheries Management</b>	Management measures	7.6.1	ensure that the level of fishing permitted is commensurate with the state of fisheries resources	Fisheries Law of the People's Republic of China, Art.21-22, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.5 Provisions on the Administration of Fishery Licensing (2013 Revision)	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.16, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.16-17, Ordinances on the Administration of the Fishery in Liaoning Province, Art.13	The National Thirteenth Five-year Plan for Marine Economy Development The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province, The 13th Five-year Plan for Fishery Development of Jiangsu Province
		7.6.2	adopt measures to ensure that no vessel be allowed to fish unless so authorized	Fisheries Law of the People's Republic of China, Art.23-24, Art.26, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.15, Measures of the People's Republic of China on the Registration of Fishing Vessels (2013 Revision)	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.17-18, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.18-19, Art.31, Ordinances on the Administration of the Fishery in Liaoning Province, Art.14	
		7.6.4	ensure that fishing gear, methods and practices which are not consistent with responsible fishing are phased out and replaced	Fisheries Law of the People's Republic of China, Art.25, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.7	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.21-22, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.20-21, Measures on the Protection of the Fishery Resources in Shandong Province, Art.13-14	
		7.6.9	take measures to minimize waste, discards, catch by lost or abandoned gear, catch of non-target species	Fisheries Law of the People's Republic of China, Art.30, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.21		
		7.6.10	introduce measures to recover depleted resources and resources threatened with depletion	Fisheries Law of the People's Republic of China, Art.29, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.5	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.23	

UNCLOS				National Laws and Regulations	Local Laws and Regulations	Policies
Section	Subsection	Article	Action			
	Implementation	7.7.1	ensure an effective legal and administrative framework at the local and national level	Fisheries Law of the People's Republic of China, Art.5-8, Art.28-30, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.20-28, Provisions on the Propagation and Release of Aquatic Organisms, Art.4-8	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.23-24, Ordinances on the Administration of the Fishery in Liaoning Province, Art.20-21	
		7.7.2	ensure that sanctions applicable in respect of violations are adequate in severity to be effective	Fisheries Law of the People's Republic of China, Art.35-37, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.30	Ordinances on the Administration of the Fishery in Jiangsu Province, Art.36	
		7.7.3	implement effective fisheries monitoring, control, surveillance and law enforcement measures	Fisheries Law of the People's Republic of China, Art.6-8, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.3-4, Art.6-9, Art.27	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.3, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.24, Ordinances on the Administration of the Fishery in Liaoning Province, Art.22-23	
<b>Fishing Operations</b>	Duties of all States	8.1.1	ensure that fishing operations allowed are conducted in a responsible manner	Fisheries Law of the People's Republic of China, Art.25-26	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.21, Ordinances on the Administration of the Fishery in Liaoning Province, Art.14-15	
		8.1.2	maintain a record, updated at regular intervals, on all authorizations to fish	Measures of the People's Republic of China on the Registration of Fishing Vessels (2013 Revision)	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.20	
		8.1.3	maintain statistical data, updated at regular intervals, on all fishing operations allowed		Ordinances on the Administration of the Fishery in Liaoning Province, Art.15	
	Flag State duties	8.2.4	Fishing gear should be marked in order that the owner of the gear can be identified			



UNCLOS				National Laws and Regulations	Local Laws and Regulations	Policies
Section	Subsection	Article	Action			
	Fishing activities	8.4.2	prohibit dynamiting, poisoning and other comparable destructive fishing practices	Fisheries Law of the People's Republic of China, Art.30	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.25-27, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.22, Measures on the Protection of the Fishery Resources in Shandong Province, Art.13-14	
		8.4.3	documentation with regard to fishing operations, retained catch of fish and non-fish species			
		8.4.5	develop and implement technologies and operational methods that reduce discards	Implementation Rules of the Fisheries Law of the People's Republic of China, Art.21		
	Fishing gear selectivity	8.5.1	fishing gear, methods and practices are sufficiently selective so as to minimize waste, discards, catch of non-target species	Fisheries Law of the People's Republic of China, Art.30	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.25	
		8.5.2	take into account the range of selective fishing gear, methods and strategies available to the industry while drawing up the laws	Implementation Rules of the Fisheries Law of the People's Republic of China, Art.19	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.25, Measures on the Protection of the Fishery Resources in Shandong Province, Art.10	The National Thirteenth Five-year Plan for Marine Economy Development
	Protection of the aquatic environment	8.7.1	introduce and enforce laws and regulations based on MARPOL 73/78	Marine Environment Protection Law of PRC	Ordinances on the Protection of the Marine Environment in Shandong Province (2016 Amendment) Ordinances on the Protection of the Marine Environment in Jiangsu Province (2016 Amendment)	
	Protection of the atmosphere	8.8.1	adopt relevant standards and guidelines to reduce dangerous substances in exhaust gas emissions	Law On Prevention and Control of Air Pollution		

UNCLOS				National Laws and Regulations	Local Laws and Regulations	Policies
Section	Subsection	Article	Action			
	Artificial reefs and fish aggregation devices	8.11.1	develop policies for increasing stock populations and enhancing fishing opportunities through the use of artificial structures			The National Thirteenth Five-year Plan for Marine Economy Development The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province
		8.11.3	establish management systems for artificial reefs and fish aggregation devices	Implementation Rules of the Fisheries Law of the People's Republic of China, Art.22	Ordinances on the Administration of the Fishery in Liaoning Province, Art.21	
<b>Aquaculture Development</b>	Resp. dev. of aquaculture under national jurisdiction	9.1.1	establish, maintain and develop an appropriate legal and administrative framework for responsible aquaculture	Fisheries Law of the People's Republic of China, Art.10-11, Art.13, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.10, Measures for the Licensing and Registration of Aquaculture in Waters and Tidal Flats, Art.3, Provisions on the Quality and Safety of Aquaculture, Art.3-4	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.5, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.10-12, Ordinances on the Administration of the Fishery in Liaoning Province, Art.5-6	
		9.1.2	promote responsible development and management of aquaculture, including an advance evaluation of the effects of aquaculture development on genetic diversity and ecosystem integrity, based on the best available scientific information	Fisheries Law of the People's Republic of China, Art.16-20, Provisions on the Quality and Safety of Aquaculture, Art.8	Ordinances on the Administration of the Fishery in Liaoning Province, Art.5	
		9.1.3	produce and regularly update aquaculture development strategies and plans	Provisions on the Quality and Safety of Aquaculture, Art.3-4		
		9.1.5	establish effective procedures specific to aquaculture to undertake appropriate environmental assessment and monitoring	Fisheries Law of the People's Republic of China, Art.15-18, Provisions on the Quality and Safety of Aquaculture, Art.3-4	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.5, Ordinances on the Administration of the Fishery in Liaoning Province, Art.9-10	

UNCLOS				National Laws and Regulations	Local Laws and Regulations	Policies
Section	Subsection	Article	Action			
	Use of aquatic genetic resources	9.3.1	minimize the harmful effects of introducing non-native species or genetically altered stocks used for aquaculture	Fisheries Law of the People's Republic of China, Art.16-17, Provisions on the Propagation and Release of Aquatic Organisms, Art.10-11	Ordinances on the Administration of the Fishery in Liaoning Province, Art.21	
		9.3.2	cooperate in the elaboration, adoption and implementation of international codes of practice and procedures for introductions and transfers of aquatic organisms			
		9.3.4	promote the use of appropriate procedures for the selection of broodstock and the production of eggs, larvae and fry	Implementation Rules of the Fisheries Law of the People's Republic of China, Art.24	Ordinances on the Administration of the Fishery in Jiangsu Province, Art.7-9, Ordinances on the Administration of the Aquatic Products in Liaoning Province, Art.15-22	The 13th Five-year Plan for Marine and Fisheries Development of Liaoning Province
	Responsible aquaculture at the production level	9.4.3	promote efforts which improve selection and use of appropriate feeds, feed additives and fertilizers, including manures	Fisheries Law of the People's Republic of China, Art.19, Provisions on the Quality and Safety of Aquaculture, Art.15-21	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.11, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.27, Ordinances on the Administration of the Fishery in Liaoning Province, Art.7, Ordinances on the Administration of the Fishery in Liaoning Province, Art.7	
		9.4.4	promote effective farm and fish health management practices favouring hygienic measures and vaccines	Fisheries Law of the People's Republic of China, Art.16-17, Provisions on the Quality and Safety of Aquaculture, Art.15-21		
		9.4.5	regulate the use of chemical inputs	Fisheries Law of the People's Republic of China, Art.19, Provisions on the Quality and Safety of Aquaculture, Art.15-21	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.11, Ordinances on the Administration of the Fishery in Jiangsu Province, Art.27-29, Ordinances on the Administration of the Fishery in Liaoning Province, Art.7	

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<b>Integration of Fisheries into Coastal Area Management</b>	Institutional framework	10.1.1	ensure that an appropriate policy, legal and institutional framework is adopted to achieve the sustainable and integrated use of the resources	Fisheries Law of the People's Republic of China, Art.3, Implementation Rules of the Fisheries Law of the People's Republic of China, Art.5	Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.4, Ordinances on the Administration of the Fishery in Liaoning Province, Art.4	The National Thirteenth Five-year Plan for Marine Economy Development
		10.1.3	develop institutional and legal frameworks in order to determine the possible uses of coastal resources		Ordinance on the Administration of the Marine Fishery in Qingdao City, Art.23	
	Policy measures	10.2.1	promote the creation of public awareness of the need for the protection and management of coastal resources	Provisions on the Propagation and Release of Aquatic Organisms, Art.6		
		10.2.4	establish or promote the establishment of systems to monitor the coastal environment			
	Regional cooperation	10.3.1	cooperate in sustainable use of coastal resources and the conservation of the environment			
		10.3.2	timely inform and consult with the affected states in adverse transboundary environmental incidents			
	Implementation	10.4.1	establish mechanisms for cooperation and coordination among national authorities involved in planning, development, conservation and management of coastal areas			

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<b>Fisheries Research</b>		12.1	ensure that appropriate research is conducted into all aspects of fisheries including biology, ecology, technology, environmental science, economics, social science, aquaculture and nutritional science			
		12.2	establish an appropriate institutional framework to determine the applied research			
		12.3	ensure that data generated by research are analyzed and published			
		12.4	collect reliable and accurate data			
		12.5	monitor and assess the state of the stocks under their jurisdiction			





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