

## CHINA, PEOPLE'S REPUBLIC OF

## SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
TERRITORIAL SEA	Sep 1958	Declaration on the Territorial Sea	12nm	<p>Declares 12nm TS for "all territories" including the mainland and its islands, Taiwan and its islands, the Penghu, Tungsha (Pratas), Hsisha (Xisha/Paracels), Chungsha (Macclesfield Bank) and Nansha (Spratly) Islands, and "all other islands belonging to China".</p> <p>Declares as "inland waters": Pohai Bay (Bohai Bay/Gulf of Pohai), Chiungchow (Hainan) Strait, and the Tungyin, Kaoteng, Matsu, Paichuan, Wuchiu, Greater and Lesser Quemoy, Tatan, Erhtan, and Tungting Islands.</p> <p>Requires prior permission for foreign military vessels and foreign aircraft to enter the TS and air space above.</p> <p>Go to <a href="#">State Department LIS page</a>, scroll down and click on <a href="#">LIS No. 43</a> for text of 1958 law.</p>
	Feb 1992	<a href="#">Law on the Territorial Sea &amp; Contiguous Zone</a>	12nm	<p>Requires prior permission for innocent passage of foreign military ships. Requires prior permission or an international agreement for foreign aircraft to fly over the territorial sea.</p> <p><i>The U.S. does not recognize this claim. The U.S. protested in CY 1992 and 1996 and conducted operational assertions in FY 1986, 1992 through 1994, 1996, and 2011 through 2016.</i></p> <p>Also authorizes PRC to establish sea lanes or traffic separation schemes in the territorial sea for safety of navigation and to "satisfy other requirements"; and claims "Taiwan and the various affiliated islands including Diaoyu [Senkaku] Island, Penghu Islands, Dongsha Islands, Xisha [Paracel] Islands, Nansha [Spratly] Islands" and others. (<i>Claims to several of these islands are disputed by other countries.</i>)</p>
	Jun 1996	<a href="#">Declaration upon Ratification of 1982 LOS Convention</a>		<p>Reaffirms the "right" to request prior notification or approval for innocent passage of foreign warships through its territorial sea.</p>
ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Sep 1958	Declaration on the Territorial Sea		<p>Enabling legislation for straight baselines. Bohai Bay (Gulf of Pohai) and Chiungchow (Hainan) Strait claimed as internal waters.</p> <p>Go to <a href="#">State Department LIS page</a>, scroll down and click on <a href="#">LIS No. 43</a> for text of 1958 law and No. 117 for U.S. analysis.</p>

TYPE	DATE	SOURCE	LIMITS	NOTES
ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS, Continued	Feb 1992	<a href="#">Law on the Territorial Sea &amp; Contiguous Zone</a>		Enabling legislation for straight baselines.
	May 1996	<a href="#">Declaration on the Baselines of the Territorial Sea</a>		Promulgates geographical coordinates for straight baselines for most of the Chinese coastline, and for the Xisha (Parcel) Islands.  Go to <a href="#">State Department LIS page</a> , scroll down and click on <a href="#">LIS No. 117</a> for U.S. analysis.  <i>Note: Vietnam also claims the Parcel Islands, and protested this and other Chinese claims to the UN in June 1996.</i>
	Sep 2012	<a href="#">Statement of the Government of the PRC on the Baselines of the Territorial Sea of Diaoyu Dao and Its Affiliated Islands</a>		Promulgates geographical coordinates and <a href="#">Chart</a> for Diaoyu (Senkaku) Island.  <i>The U.S. does not recognize these claims. The U.S. protested in CY 1996 and 2013 and conducted operational assertions in FY 1997, 2011, 2013 through 2016.</i>  <i>Note: Japan also claims Senkaku Islands, and <a href="#">protested this claim</a> to the UN in Sep 2012.</i>
	July 2016	Statement of the Government of the PRC on China's Territorial Sovereignty and Maritime Rights and Interests in the South China Sea		Claims "historic rights in the South China Sea."  <i>The U.S. does not recognize this claim. The U.S. protested in CY 2016.</i>
CONTIGUOUS ZONE	Feb 1992	<a href="#">Law on the Territorial Sea &amp; Contiguous Zone</a>	24 nm	Claims authority to exercise powers within its contiguous zone to prevent or punish infringement of its security, customs, fiscal, sanitary laws and regulations or entry-exit control within its land territories, internal waters or territorial sea.  <i>The U.S. does not recognize this claim. The U.S. protested in CY 1992 and conducted operational assertions in FY 2013.</i>
CONTINENTAL SHELF	Jun 1998	<a href="#">EEZ and Continental Shelf Act</a>	200nm/ CM	Claims natural prolongation of land or 200nm, whichever is greater.  Claims jurisdiction with regard to security, customs, fiscal, health and immigration laws and regulations. Claims the laying of submarine cables and pipelines must be authorized.
	Dec 2012	<a href="#">ECS Submission</a>  <a href="#">CLCS/80</a>		Submitted request to the UN to extend the limits of its continental shelf in the East China Sea beyond 200nm. <i>Note: The UN CLSC considered additional information from relevant countries in 2013, but has not made final recommendations.</i>

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FISHING ZONE/EEZ	Jun 1998	<a href="#">EEZ and Continental Shelf Act</a>	200nm	Claims jurisdiction with regard to security, customs, fiscal, health and immigration laws and regulations. Claims the laying of submarine cables and pipelines must be authorized.
	Dec 2002	Order No. 75, Surveying and Mapping Law		<p>Claims all surveying and mapping activities in the territorial air, land and waters, as well as other sea areas under PRC jurisdiction, by foreign entities require approval. Surveying and mapping without approval is considered a criminal offense, and violators can be fined, ordered to leave the country, and/or prosecuted under PRC law.</p> <p><i>Note: PRC does not distinguish between marine scientific research and military surveys and has interfered with and protested U.S. military survey activities in its EEZ.</i></p> <p>The U.S. has protested in CY 2001, 2002, and 2007 and conducted operational assertions in FY 2007 through 2016.</p> <p><i>Note: The PRC has interfered with and protested military flights in airspace over its EEZ.</i></p> <p>The U.S. has protested in CY 2001, 2002, and 2007 and conducted operational assertions in FY 2007 through 2016.</p>
	Nov 2013	<a href="#">Ministry of National Defense Announcement and Air Identification Rules</a>		<p>Announces the establishment of an Air Defense Identification Zone (ADIZ) in the East China Sea, portions of which covered international airspace. Requires all aircraft flying in the ADIZ to comply with specific rules, including: (1) a requirement to file flight plans with the PRC Government, (2) a requirement to maintain two-way communications, (3) a requirement to respond to inquiries by the PRC Ministry of National Defense, and (4) a requirement to follow the instructions of the PRC Ministry of National Defense.</p> <p><i>Note: While States are not prohibited from establishing ADIZs, the requirements of China's ADIZ does not distinguish between aircraft intending to enter China's national airspace and those merely overflying international airspace without an intent to enter China's national airspace.</i></p> <p><i>The U.S. does not recognize this claim.</i> The U.S. protested in FY 2014 and conducted operational assertions in FY 2014 and 2016.</p>

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<b>ENVIRONMENTAL REGULATION</b>	Dec 1983	Regulations on the Control over Prevention of Pollution by Vessels in Sea Waters		Prohibits ships from discharging oils, oil mixtures, waste and other harmful and poisonous matters into the harbor, fresh water areas near river mouths, special maritime protection zones, and maritime natural preserves.
	Mar 1985	Regulations on the Control over Dumping Wastes into the Sea Waters		Regulates dumping in territorial sea, continental shelf and other sea areas under PRC jurisdiction. Excludes discharge of wastes arising from the normal operation of vessels, aircraft, or other vehicles. Requires approval to ship waste through sea areas under PRC jurisdiction for the purpose of dumping or disposing of waste in sea areas under PRC jurisdiction.
	Apr 2000	Marine Environment Protection Law		Applies to all sea areas claimed by China. Regulates all "units and individuals engaged in navigation,... scientific research and other operations in the sea areas" under PRC jurisdiction, as well as those areas not under PRC jurisdiction that cause pollution to sea areas under PRC jurisdiction. Regulates establishment of marine nature reserves.
<b>MARITIME BOUNDARIES</b>	Jun 2004	<a href="#">Agreement</a> (English translation p. 194)		Agreement between Vietnam and China on the delimitation of the territorial sea, EEZ and continental shelf in the Gulf of Tonkin (Beibu Bay/Bac Bo Gulf) EIF; signed December 2000. (Promulgates list of <a href="#">geographical coordinates</a> (see page 2 for English translation).)
<b>LOS CONVENTION</b>	Dec 1982			Signed Convention.
	Jul 1994			Signed Part XI Agreement.
	Jun 1996	<a href="#">Declaration</a>		Ratified Convention with <a href="#">Declaration</a> reaffirming the "right" to request prior notification/approval for innocent passage of foreign warships through its territorial sea; and reaffirming its economic claim to the disputed Diaoyu (Senkaku), Xisha (Paracel), and Nansha (Spratly) Islands.
	Aug 2006	<a href="#">Declaration</a> under Article 298		Bound by Part XI Agreement. Rejects any of the procedures with respect to disputes under Article 298.

#### ADDITIONAL INFORMATION

On 5 December 2014, the U.S. Department of State published a detailed analysis of China's maritime claims in the South China Sea in [LIS No. 143](#).

On 6 May 2009, Malaysia and Vietnam submitted a joint request to the UN Commission on the Limits of the Continental Shelf (CLCS) to extend the limits of their sovereignty over the continental shelf in the southern part of the South China Sea beyond 200nm. On 7 May 2009, in response to the joint submission to the CLCS, the PRC forwarded to the United Nations a Note Verbale which stated that "China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof (see attached map)." The map attached to the Note Verbale has been commonly referred to as the "9-dash line map". (Between 2009 and 2011, there were a [series of communications](#) to the UN from China,

Malaysia, Viet Nam, the Philippines, and Indonesia regarding the joint Malaysia-Viet Nam submission to the CLCS.)

In January 2013, the Republic of the Philippines (RP) officially took steps to bring China before an Arbitral Tribunal at the Permanent Court of Arbitration in The Hague under Article 287 and Annex VII of UNCLOS, regarding certain disputes over the interpretation and application of UNCLOS ([summarized here](#)). Among RP's claims were that China's nine-dash line map was "inconsistent with the Convention and therefore invalid," China's maritime actions towards RP in the South China Sea were unlawful, and that a number of maritime features in the South China Sea do not merit certain maritime zones. On 29 October 2015, the Arbitral Tribunal issued its preliminary award on jurisdiction and admissibility ([summarized here](#)), and on 12 July 2016, the Tribunal issued its final decision on the merits and jurisdiction ([summarized here](#)), ruling in favor of the Philippines on most of its claims, including its claims concerning the nine-dash line, the lawfulness of a number of China's maritime actions in the South China Sea, and claims concerning the extent of maritime zones of features in the South China Sea. Complete transcripts and the final decision of the hearing [may be found here](#).