

Investigation and Legislative Suggestion on the Management of Interprovincial Reservoir Area

跨省水库库区管理调查与立法建议

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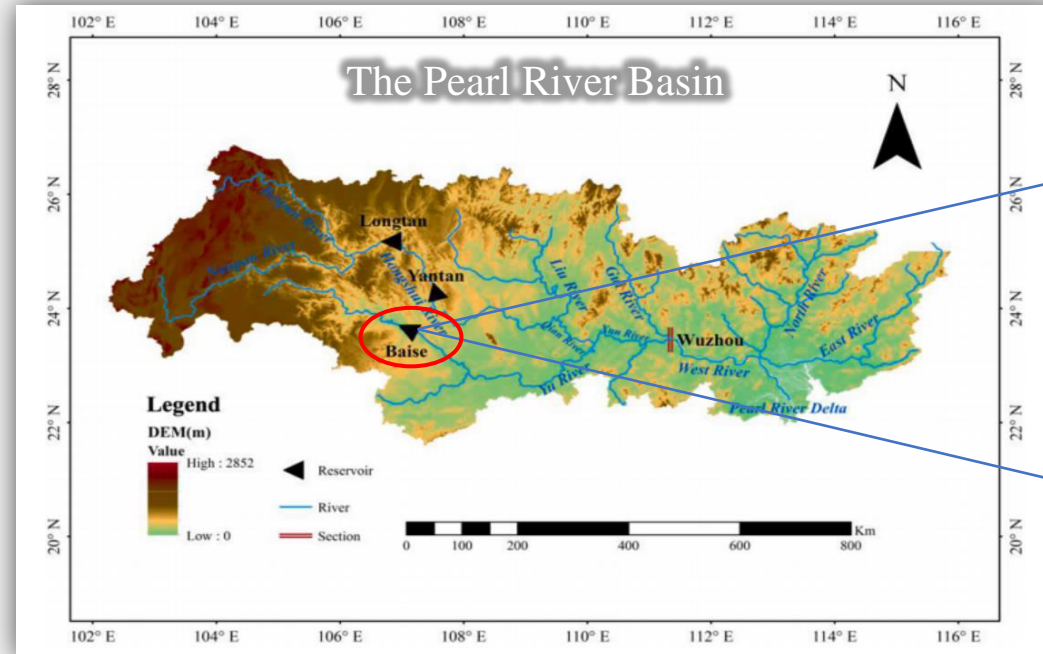
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01 Study on the background (研究背景)

Taking the **Pearl River Basin** as an example, there are many interprovincial and provincial boundary rivers in the Pearl River Basin, and **many large reservoirs have been built on these rivers.**

以珠江流域为例，珠江流域有很多跨省及省界河流，在这些河流上已建成诸多的大型水库。



Bg 3: Reservoirs are included in the scope of implementation of the **river and lake chief system**. (水库纳入河湖长制度实施范围)

- The implementation of **the river and lake chief system** provides a powerful starting point for the management and protection of the inter-provincial reservoir area.
河湖长制度的推行为跨省水库库区的管理和保护提供了有力的抓手。
- It puts **forward higher and more detailed requirements** for the management of inter-provincial reservoir areas.
对跨省水库库区的管理提出了更高更细的要求。



02 Management status of inter-provincial reservoir area (跨省水库库区管理现状)

- The management scope is **small**, the management scope is **narrow**, the management responsibility is **unclear**, and the reservoir resource management and protection **are weak**.

管理范围小，管理面窄，管理职责不清，水库资源管理与保护薄弱。

- Without **the restriction** of management scope, different parts of the reservoir area are **independent**, and there is no **unified planning** for the development and construction of the reservoir area.

没有管理范围的约束，库区不同地方各自为政，库区的开发建设没有统一规划。

- **No effective** reservoir management and protection **measures** have been formed.

未形成有效的水库管理与保护措施。



Construction of water conservancy and hydropower projects under **traditional planned economic system**
(传统计划经济体制下的水利水电枢纽建设)

New power construction mode under **the market economy system**
(市场经济体制下新的电力建设模式)

Hydroelectric power
水力发电

03 Problems in reservoir area management (库区管理存在问题)

- The responsibilities of administrative management **are unclear** (行政管理职责不明确)

the management responsibilities of river basin management agencies **are not clear**, the coordination and supervision functions of river basin management agencies have **not been fully utilized**.

跨省水库位于省际边界，地理位置敏感而特殊，流域管理机构的管理职责还不明确，协调、监督职能未得到充分发挥。

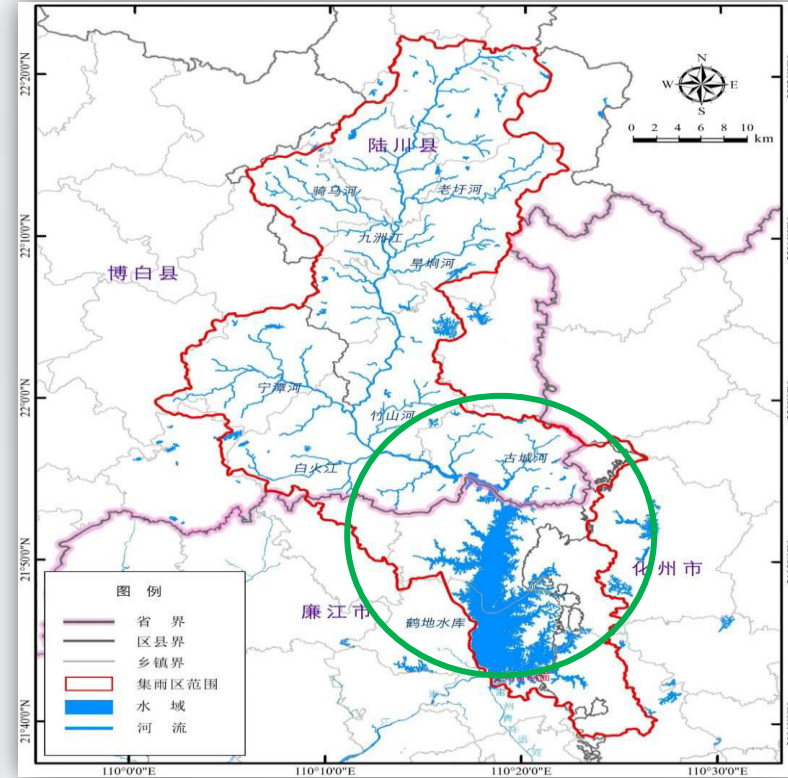
There are **many matters involved** in the management of the reservoir. The management authority belongs to **different management departments and involves many industries**.

水库管理涉及事项众多，权限分属不同的管理部门，涉及多个行业。

- The cooperation mechanism needs to be improved (协作机制有待完善)

Inter-provincial reservoir management **only stays at the level of consultation**, not rising to **the level of laws and regulations**, and lacks **mandatory binding force**.

跨省水库管理仅停留在协商层面，未上升到法律法规层面，缺乏强制约束力。



03 Problems in reservoir area management (库区管理存在问题)

- The responsibility of reservoir management and protection has not been effectively implemented (库区管理和保护责任未有效落实)

the law does not stipulate that the reservoir operation and management unit shall bear the responsibility of management and protection of the reservoir area. The reservoir operation and management unit has no law enforcement power.
法律未规定水库运行管理单位承担库区管理和保护责任，水库运行管理单位无执法权。

- The boundary of reservoir management and protection is not clear (库区管理和保护边界尚不明晰)

The management scope and protection scope of the reservoir area are not clearly defined, it is difficult to identify illegal acts related to the reservoir and implement targeted control measures.
库区管理范围和保护范围没有明确界定，难以据此认定涉库违法行为，实施有针对性的管控措施。

- The rational development and utilization of reservoir area needs to be strengthened (库区合理开发利用亟待加强)

There are economic and social differences in the surrounding areas of the inter-provincial reservoir area, and the concept of the rule of law of relevant units and individuals is indifferent.
跨省水库库区周边地区经济社会存在差异，相关单位和个人法治观念淡漠。



04 The necessity of reservoir management legislation

(库区管理立法必要性)

- **The urgent need to improve the legal basis for reservoir management** (完善库区管理法律依据的迫切需求)
Through the legislation of inter-provincial reservoir management, **we can further improve the legal and regulatory system of reservoir management**, break the fragmented state of provinces and regions around inter-provincial reservoirs, and realize the operability and synergy of reservoir management and protection.
通过跨省水库库区管理立法, 可进一步完善水库管理的法律法规体系, 打破跨省水库周边各省区各自为政的状态, 实现库区管理保护的可操性和协同性。
- **The fundamental requirements of improving the management system and coordination mechanism** (健全管理体制和协作机制的根本要求)
Through the legislation of inter-provincial reservoir area management, **the management responsibilities of each unit can be clarified**, and the efficient and smooth protection of reservoir area management can be realized.
通过跨省水库库区管理立法, 可明确各单位的管理职责与权责, 实现库区管理保护的高效和畅通。
- **The realistic demand of strengthening the management and protection of inter-provincial reservoir area** (加强跨省水库库区管理和保护的现实需求)
Through the legislation of inter-provincial reservoir area management, **the scope of reservoir area management and protection is clarified**, and the management and protection of reservoir area is strengthened..
通过跨省水库库区管理立法, 明确库区管理范围和保护范围, 加强库区管理和保护。

05 Legislative suggestions on reservoir area management (库区管理立法建议)

- **Unified legislative thinking, reduce legislative resistance** (统一立法思想, 减少立法阻力)

In the process of legislation, it is necessary to solicit the opinions of relevant subjects and do a good job in scientific legislation and democratic legislation.

在立法的过程中, 要征求相关主体的意见, 做好科学立法、民主立法。

- **Clear legislative purpose, strengthen the top-level design** (明确立法目的, 加强顶层设计)

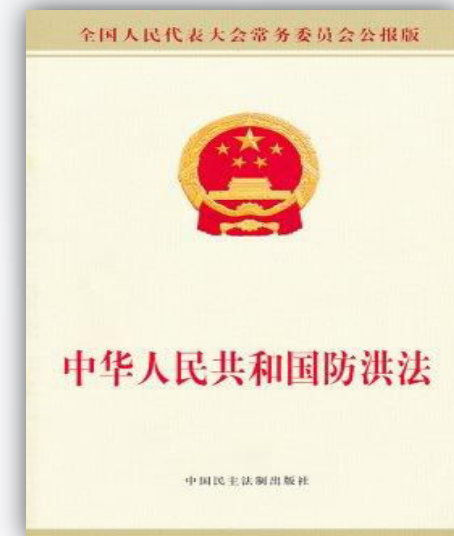
Legislation should stand in the perspective of the whole basin, establish the idea of a chess game in the whole basin, and provide legal protection for inter-provincial reservoir management.

立法应站在全流域的角度, 树立全流域一盘棋的思想, 为跨省水库管理提供法治保障。

- **Delineate the scope of reservoir management and protection, and strengthen the management and protection of water shoreline** (划定库区管理和保护范围, 加强水域岸线管理和保护)

Clearly defining the management scope of the inter-provincial reservoir area in the scope of protection is the fundamental prerequisite for effective management and protection of reservoirs.

明确界定跨省水库库区的管理范围于保护范围是有效管理与保护水库的根本前提。



05 Legislative suggestions on reservoir area management (库区管理立法建议)

- **Improve the management system and mechanism, clarify the responsibility of management and protection** (健全管理体制机制, 厘清管理和保护责任)
 - Clarifying administrative responsibilities. (明确行政管理职责)
 - Implement the responsibility of the management unit (落实管理单位责任)
 - Establish and improve the coordination mechanism between river basin and administrative region.
(建立完善流域与行政区域协调配合机制)

明确职责明晰思路



In order to standardize the management and protection of inter-provincial reservoir areas, we should combine the existing institutional mechanisms and reservoir characteristics of inter-provincial reservoirs, **do a good job in pre-legislative research, and accelerate the legislative process.**

(为规范跨省水库库区的管理和保护，应结合各跨省水库现有的体制机制及库区特点，做好立法前期研究，加快立法进程。)



To clarify the objectives, scope, scope of protection and institutional mechanisms of reservoir management, as well as the management authority of reservoir management subjects.
明确库区管理的目标、范围、保护范围和体制机制，以及库区管理主体的管理权限

To clarify the requirements for the confirmation of the management scope of the reservoir area, the protection and utilization policies of the fluctuating zone and the assessment mechanism.
明确库区管理范围确权要求、消落区保护与利用政策以及考核机制

Through legislation, the legal responsibility is refined, the standardization, procedure and institutionalization of inter-provincial reservoir area management are realized, and the sustainable utilization and green development of reservoir area resources are promoted.
通过立法细化法律责任，实现跨省水库库区管理的规范化、程序化和制度化，促进库区资源的可持续利用和绿色发展。

Thanks for listening!

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