

Chinese Innovation in Watershed Legislation

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- **1. Definition of basic concepts**
- **2. History of China's watershed legislation**
- **3. Basic Model of China's Watershed Legislation**
- **4. Important Systems formed during watershed legislation in China**
- **5. Deficiencies**
- **6. Thoughts on the development of watershed legislation in China**

1. Definition of basic concepts

- **Watershed**: catchment zones across provinces and provincial catchment zones across cities.
- **Watershed legislation**: a series of legislative activities related to watershed management carried out by authorities.
- **Watershed legislation is a dynamic process rather than a result**, and the continuous improvement and maturity of this process have formed a legal system of watershed legislation.

2. History of China's watershed legislation

late 1980s–mid 1990s

Provisions in **Water Law** (1988) started to consciously reflect the requirement of integrating the natural characteristics, multifunctionality and multi-purposes of the watershed in water resource management.

Flood Control Law (1997) established the role of **watershed management agencies** in watershed flood control and flood season scheduling, providing a formal legal basis for the legal status and authorization of watershed management agencies.

late 1990s–2002

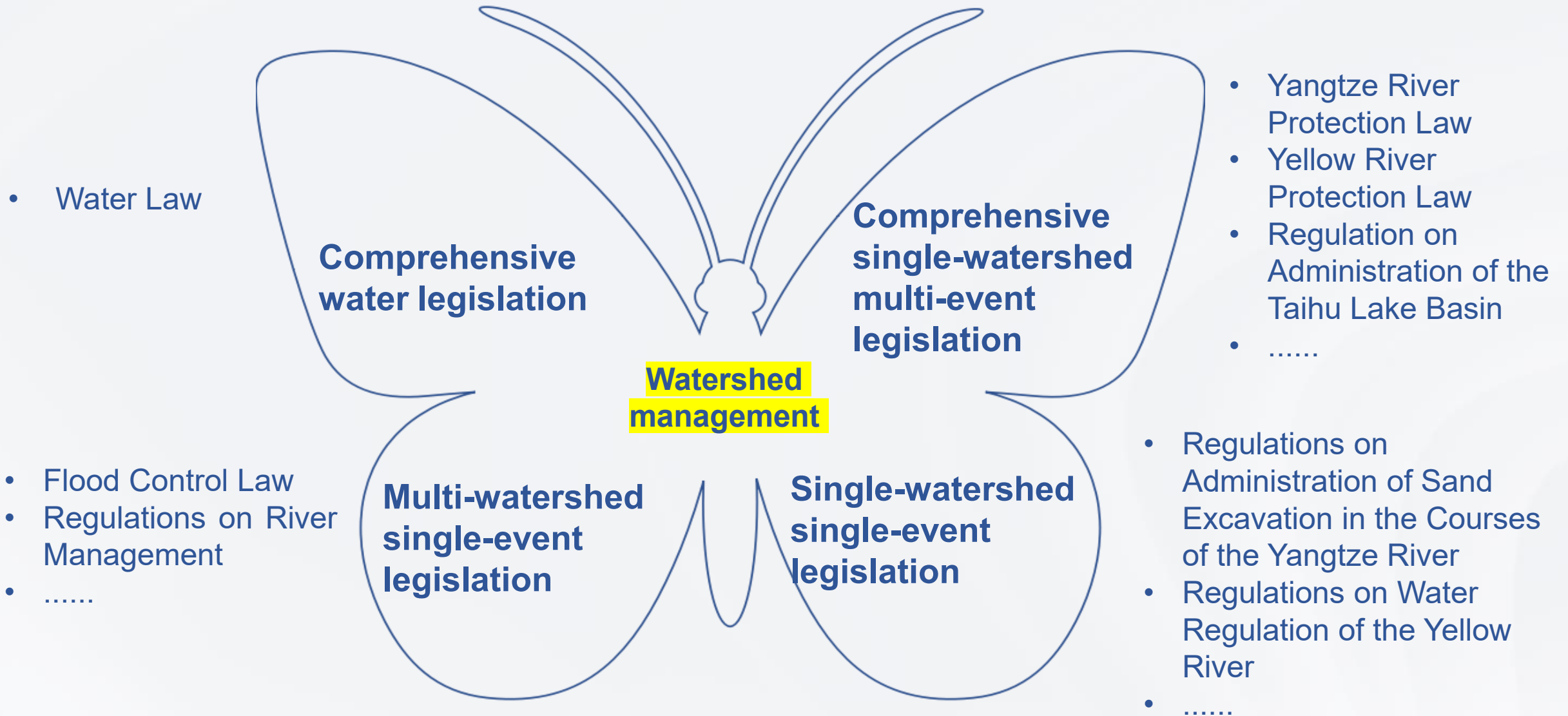
2002–2011

Regulations on the Administration of Taihu Lake Basin(2011) is China's first administrative regulation on comprehensive watershed management and a new milestone in watershed legislation.

Yangtze River Protection Law (2020) and **Yellow River Protection Law** (2022), have become new national benchmarks for comprehensive legislation related to single watershed.

2012 to date


3. Basic Model of China's Watershed Legislation



"Two-body and two-wing" model

1) Management System


- China implements a management system that combines basin management with administrative region management for water resources.
- In order to facilitate watershed multi-event management and coordination, the Yangtze River Protection Law and the Yellow River Protection Law clearly establish a special coordination mechanism at the national level.



2) Water Disaster
Prevention and
Control system

- Flood control and drought relief management system
- Flood control planning system
- Flood control planning consent system
- Flood control planning regulation guide line system
- Flood impact evaluation and reporting system

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- Watershed water resources state ownership system
 - Water resources planning system
 - Water allocation system
 - Water dispatching system
 - Water resources development and utilization systems
 - Water resources protection systems
 - Water administration supervision system



3) Water
resources
management
system

4) Water Ecological Protection System

- Ecological flow guarantee system
- Ecological protection compensation system

5) Water Environment Treatment System

- Total pollutant discharge control system
- Special protection for key areas of watersheds

6) Water Project Management System

- Water project construction system
- Project management system
- Project protection system



- ◆ 1. Lack of a common legal system applicable to all watersheds.
- ◆ 2. Lack of sufficient coordination between watershed legislation and other laws and regulations, as well as within watershed legislation.
- ◆ 3. The supporting system of watershed legislation is yet to be improved.

1) Main principles

- Effectively meet the needs of legal system construction for watershed management.
- Rationally allocate the legislative resources of different laws, regulations and rules.
- Attention should be paid to distinguishing the different needs of retention, modification and new promulgation.
- Effectively meet the needs of the "two-body and two-wing" watershed legislation model.

2) Specific ideas

- **Giving priority to urgent increments**
- Give priority to promoting single watershed legislation on single affair, and promote multi-watershed single-event legislation when needed.
- **Improving the quality of the stocks**
- The revision of the prevailing laws and regulations related to watershed management shall be accelerated according to the quality improvement and upgrading requirements.

Thank you

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