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# New developments in the administrative law enforcement of CCG: from the perspective of the implementation of CGP

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China established the China Coast Guard (CCG) in 2013. China promulgated China Coast Guard Law (CCGL) in 2021, which formally conferred on CCG the functions of maritime security and defense, maritime administrative law enforcement (MALE), and maritime crime investigation. In 2024, CCG revised the Directory of Maritime Administrative Law Enforcement Matters by China Coast Guard (CGD) and promulgated Provisions on Administrative Law Enforcement Procedures of Coast Guard Agencies (CGP). These three laws and regulations are most closely related to MALE of CCG, and with other laws and regulations related to MALE, they constitute a system of norms for MALE of CCG. This article reviews and summarizes the development history of MALE system of CCG, examines its MALE normative system in detail, and analyses the nature and content of CGP in depth. It then suggests ways to improve the system's inadequacies.

## KEYWORDS

China Coast Guard, maritime administrative law enforcement, China Coast Guard Law, provisions on the administrative law enforcement procedures of coast guard agencies, legal suggestions

## 1 Introduction

The coastal and pelagic oceans are fundamentally important regions of biological productivity, geochemical cycling, and human utility (Leous and Parry, 2005). With the rapid development of human science and technology and the growing need to exploit the oceans, trade exchanges and people-to-people exchanges between different continents have become increasingly close, and the possibility of tension and conflict at sea has increased (Heinegg, 2016). In order to maintain the order of the sea and safeguard the maritime rights and interests of the coastal States around the world, a series of international legal documents and international jurisprudence rules centered on the *United Nations Convention on the Law of the Sea* (hereinafter referred to as UNCLOS), which have laid down a solid legal foundation for the establishment of a mechanism for better control of the natural resources of the sea, and are also regarded as the “evolution of public international

law” (Young, 2021, p. 86). Against this background, establishing coast guards to maintain maritime security and order, maritime law enforcement, and defend maritime rights and interests has become common among countries worldwide.

For a sizeable maritime country such as China, which has both land and sea, with many islands, a long coastline and a vast sea area, coastal areas increasingly depend on developing and using marine resources and ocean space. With rapid economic growth, China faces various marine governance issues, and the contradiction between the demand for sea use and the supply of limited marine resources is becoming increasingly prominent. This has placed higher demands on China’s coast guard agencies to scientifically and professionally carry out law enforcement work in the administrative law enforcement (hereinafter referred to as ALE) areas of maritime security management, exploitation and utilization of marine resources, and marine ecological and environmental protection. Since 2013, China has set up the China Coast Guard (hereinafter referred to as CCG) and performed a series of reforms of its institutions and functions. In January 2021, China promulgated the *China Coast Guard Law* (hereinafter referred to as *CCGL*), which formally conferred on CCG the functions of maritime security and defense, maritime administrative law enforcement (hereinafter referred to as MALE), and maritime crime investigation. It also clarified that CCG is a MALE agency. CCG has formulated and revised the *Directory of Maritime Administrative Law Enforcement Matters by China Coast Guard* (hereinafter referred to as *CGD*) in 2021 and 2024 to implement the provisions of *CCGL* regarding the disclosure of information on maritime law enforcement work. In May 2024, CCG issued the *Provisions on the Administrative Law Enforcement Procedures of Coast Guard Agencies* (hereinafter referred to as *CGP*). These three laws and regulations are most closely related to MALE of CCG, and together with other laws and regulations related to MALE, they constitute a system of norms for MALE of CCG.

*CGP* have further standardized and systematized MALE. *CGP* consist of 16 chapters and 281 articles, covering all areas and aspects of MALE of CCG. The primary purpose of *CGP* is to regulate MALE procedures of CCG, safeguard and supervise the performance of their duties by the law, and thus protect the lawful rights and interests of citizens, legal persons and other organizations. On the one hand, *CGP* is a further refinement of *CCGL* and is a subordinate law to *CCGL*. On the other hand, while *CGD* aims to clarify what laws are to be relied upon to enforce the law in specific cases, *CGP* stipulate how CCG is to enforce the law. In other words, in MALE normative system of CCG, if *CCGL* and *CGD* solve the problems of why and what authority to exercise, *CGP* solves the problems of how to exercise authority and how to deal with the specific problems encountered in the exercise of authority. The introduction of *CGP* marks the further systematization and standardization of MALE of CCG.

This article reviews the development context of CCG’s MALE. On the basis of an in-depth analysis of the core content of the normative system, it clarifies the positioning and functions of each core law and regulation. The study identifies deficiencies in the current system, pinpoints flaws in the existing framework, and

proposes paths for improvement. Additionally, it addresses international concerns and demonstrates the legitimacy of the law enforcement actions conducted by the CCG. The research methods employed are as follows: first, literature research method: systematically organizing domestic laws, regulations, and policies, while analyzing international legal documents and academic literature. Second, normative analysis method: deconstructing legal texts and evaluating the coordination of the normative system. Third, comparative research method: benchmarking against the coast guard systems of different countries and comparing international law enforcement practices. Fourth, case analysis method: verifying China’s domestic law enforcement cases and drawing references from international dispute cases.

## 2 Review of MALE by CCG

In practice, there is no single ideal model for maritime law enforcement. The orderly development of a country’s maritime law enforcement requires constructing a law enforcement model that suits the country’s geographical characteristics, historical experience, and problems (Dirhamsyah et al., 2022). The evolution of China’s MALE agencies, the establishment and reform of CCG and the growing sophistication of MALE system of CCG all bear witness to this viewpoint.

### 2.1 Evolution of China’s MALE agencies

Maritime law enforcement is a key link in building a strong maritime country, and its effectiveness depends heavily on the soundness of the corresponding responsibility system (Cui and Lou, 2023). There are two main types of maritime law enforcement agencies in the world. First, as in the United Kingdom, France and Italy, the navy is directly responsible for all maritime law enforcement activities. The second is like the United States, which has set up a special maritime law enforcement agency, namely the Coast Guard, to perform maritime law enforcement duties specifically. The coast guard play an important role in maritime rights protection, as they are not recognized as a high-profile symbol of sovereignty compared to the navy, and more and more countries are choosing to deploy their coast guard in sensitive maritime situations (Chang, 2022). The non-military aspects of the navy’s role in maritime governance have been gradually strengthened, with emphasis on the integration of the wartime military and peacetime law enforcement capabilities of coast guards, giving them both law enforcement and military attributes to deal with non-traditional maritime security challenges such as natural disasters in the oceans, terrorism, piracy and transnational organized crime.

Since 1949, the oceans were viewed more as a front line and position for territorial defense, with no large-scale development or management, and MALE was dominated by maritime traffic law enforcement, with an inadequate system. After China’s reform and opening up in 1978, there was a gradual increase in maritime affairs

and overseas exchanges, and the system of maritime law enforcement, in particular MALE, developed relatively quickly. Specialized maritime law enforcement agencies such as marine environmental monitoring, fisheries administration and border marine police began to be set up, and the role of MALE, such as marine environmental law enforcement, marine fisheries law enforcement and maritime anti-smuggling law enforcement in maritime governance became more and more prominent. At the beginning of the twenty-first century, China's MALE developed into a relatively decentralized law enforcement structure comprising five departments: maritime surveillance, fisheries law enforcement, border defense coast guard, maritime affairs and maritime anti-smuggling police.

China established a strong maritime country strategy in 2012, and the ocean's economic and social development status has become more prominent (Chinese Government, 2012). The multisectoral and decentralized system that has been in place since 1978 can no longer meet the increasingly burdensome needs of MALE. Internal and external pressures and demands have forced China to reconstruct its MALE system, and the Chinese government has highly valued MALE as an important link in realizing the strategy of a strong maritime country and the strategy of law-based governance. It has become a consensus to draw on the world's practical experience in MALE, unify MALE forces, and establish CCG as soon as possible.

## 2.2 Establishment and reform of CCG

According to the *State Council Institutional Reform and Functional Transformation Plan* and the *Notice of the State Council on the Setup of National Bureaus Administered by Ministries and Commissions*, adopted in March 2013, China established the National Oceanic Commission (hereinafter referred to as NOC) and reorganized the State Oceanic Administration (hereinafter referred to as SOA), with the specific work of the NOC being undertaken by the SOA, and the SOA carrying out maritime rights maintenance and enforcement in the name of CCG. In June 2013, the State Council (SC) issued the *Regulations on the Main Responsibilities, Internal Institutions, and Staffing of the State Oceanic Administration* (Chinese Government, 2013), which clarified the NOC's responsibilities, institutions, and staffing. Immediately thereafter, China integrated the former Marine Surveillance of the State Oceanic Administration, Border Defense Coast Guard of the Ministry of Public Security, Fisheries Law Enforcement of the Ministry of Agriculture, and Maritime Anti-Smuggling Police of the General Administration of Customs, among other MALE organizations, and formally established CCG.

Taking this as a starting point, China's MALE system led by CCG was gradually established. In June 2018, the 3rd Meeting of the Standing Committee of the 13th National People's Congress (hereinafter referred to as NPCSC) adopted the *Decision of the NPCSC on the Exercising of the Marine Right Safeguarding and Law Enforcement Functions and Powers by the China Coast Guard* (Chinese Government, 2018). CCG under the SOA was

transferred to the China Armed Police Force (hereinafter referred to as CAPF) under the unified command of the Central Military Commission. CCG unifiedly performs MALE duties and exercises the corresponding powers and functions of public security organs and relevant administrative organs.

## 2.3 China's existing MALE normative system of CCG

As the leading force in China's MALE, CCG plays an important role in ocean governance. Without legislation to regulate and safeguard CCG in rights protection and law enforcement, the legal system of ocean governance will not be complete. If there is no basis in law for the enforcement of maritime rights, there can be no talk of the rule of law in maritime governance. Accordingly, the NPCSC promulgated *CCGL* in 2021 as the fundamental law regulating MALE of CCG.

Legal rank refers to the validity of legal norms at different levels in the legal system. The China Legislation Law of China stipulates the hierarchy of Chinese, according to legal rank, from high to low, are as follows: Constitution, law, administrative regulations, local regulations and rules. Meanwhile, rules conclude departmental rules and local government rules. At the macro level, the normative system of MALE of CCG mainly refers to the laws and regulations applicable in China, including the special laws on MALE of CCG and the laws related to MALE of CCG.

### 2.3.1 CCGL: the fundamental law for MALE of CCG

*CCGL* is the fundamental law governing MALE of CCG and the backbone of the entire system of norms governing MALE of CCG. *CCGL* initially establishes a systematic conceptual system of *CCGL* and establishes a maritime law enforcement system with the main body of CCG. As a law on maritime rights protection and law enforcement that takes into account the functions of organizational law (Li, 2023), *CCGL* stipulates the organizational system, scope of duties and the status of the main body exercising maritime law enforcement rights of CCG and defines the special legal status of CCG as both an administrative agency and a military department. It set out the basic procedures and standards for maritime law enforcement, gives CCG the compulsory or punitive measures necessary for law enforcement, and constructs a complete system of maritime law enforcement in China, including maritime security and defense, MALE and maritime crime investigation. *CCGL* defines maritime law enforcement by CCG as "maritime rights protection and law enforcement", highlighting China's intention to safeguard maritime rights and interests through law enforcement by CCG and covering the 11 specific duties stipulated in Article 12 of *CCGL*. *CCGL* focuses on CCG as the main body of law and integrates the substantive and procedural legal relationships involved in law enforcement of CCG, such as administrative, criminal, foreign-related and military.

In terms of institutional design, *CCGL* is based on China's basic laws on MALE, administrative penalties and administrative

coercion, and it innovatively constructs rules for public security management and administrative penalties that align with maritime law enforcement's characteristics. For example, *CCGL* establishes the institutional rule of "temporary maritime warning zone", with Article 25 stipulating that a coast guard agency at or above the level of the provincial coast guard bureau may delimit a temporary maritime warning zone in the waters under the jurisdiction of China. Article 55 of *CCGL* establishes a certification and qualification management system to ensure that its employees have the knowledge, skills, and qualities to perform their statutory duties and improve their professional capabilities in maritime rights protection and law enforcement. This further ensures the professionalism and reasonableness of CCG in carrying out maritime rights protection and law enforcement. *CCGL* also sets out a system for using police equipment and weapons, international cooperation and supervision in maritime law enforcement, providing institutional safeguards for the lawful, orderly and efficient enforcement of rights by CCG.

Of course, despite the comprehensive content of *CCGL*, it is still impossible to be all-encompassing, nor can it address all the legislative needs of MALE. Many of the provisions in *CCGL* are relatively broad and are laid out more at the macro level, and the provisions on compulsory measures in MALE are relatively principled. It is necessary to construct a system of norms for MALE of CCG consisting of legal norms of different levels and forms and to refine the applicable conditions and procedures through subordinate legislation to make MALE of CCG more operable and standardized. Taking the promulgation of *CCGL* as a new starting point, the construction and improvement of the legal system of CCG, with *CCGL* as its core, will become the focus of the rule of law construction of CCG in the future.

### 2.3.2 CGD: list of MALE responsibilities and legal basis for CCG

In order to implement the provisions of *CCGL* on the disclosure of information on maritime law enforcement and to promote MALE's transparency, standardization, legality and fairness, CCG revised and issued the 2024 version of *CGD*. From the perspective of legal hierarchy, *CGD* is a departmental rule. Based on the 2021 version, *CGD* has sorted out a total of 518 significant administrative penalties and administrative compulsory matters set by laws and regulations in the fields of maritime law and order, exploitation and use of marine resources, marine ecological environmental protection, marine fishery and maritime anti-smuggling, which are under the purview of CCG, and clarified the categories of matters, types of powers and functions, names of matters, and the basis for implementation of MALE. The administrative penalties included in *CGD* are determined by the provisions of laws and regulations, with one matter determined for each article.

### 2.3.3 CGP: supplementing and refining CCGL

What is the legal nature of *CGP*, which are legal norms promulgated by CCG through Order No.3? Article 82 of *CCGL* provides that: "CCG shall, in accordance with laws, administrative regulations and decisions of the SC and the Central Military

Commission, formulate and file as required departmental rules on matters concerning maritime rights protection and law enforcement." This indicates that *CCGL* gives CCG the legislative power to formulate regulations and that there are a clear legal basis and authorization for CCG to formulate *CGP*.

According to the *Notice of the General Office of the State Council on Strengthening the Development and Supervisory Administration of Administrative Regulatory Documents*, CCG is an organization authorized by law to manage public affairs, and the regulations it has formulated align with the Notice's requirements. Therefore, the legal nature of the regulations formulated by CCG should be administrative normative documents, and the legal nature of *CGP* should be regarded as an administrative normative document, which is, of course, also a form of Chinese law.

## 2.4 Key initiatives implemented and specific enforcement operations conducted of CCG

According to *Decision of the Standing Committee of the National People's Congress on the Exercising of the Marine Right Safeguarding and Law Enforcement Functions and Powers by the China Coast Guard* ([The State Council of the People's Republic of China, 2018](#)), CCG' Key initiatives and specific enforcement operations are as follows:

CCG performs the functions of maritime rights protection and law enforcement, including carrying out law enforcement tasks such as cracking down on illegal and criminal activities at sea, maintaining maritime public order and security, overseeing the development and utilization of marine resources, protecting the marine ecological environment, regulating marine fisheries, and combating maritime smuggling. It shall also coordinate and guide local maritime law enforcement work. When performing tasks such as cracking down on illegal and criminal activities at sea and maintaining maritime public order and security, CCG shall exercise the corresponding law enforcement powers of public security organs as prescribed by law. When performing law enforcement tasks in respect of the development and utilization of marine resources, protection of the marine ecological environment, regulation of marine fisheries, and combating maritime smuggling, it shall exercise the corresponding law enforcement powers of the relevant administrative organs as prescribed by law. CCG shall establish law enforcement collaboration mechanisms with public security organs and relevant administrative organs.

## 3 Legal Analysis of CGP

### 3.1 Characteristics of CGP

Article 4 of *CGP* states that "ALE shall follow the principles of legality, fairness, openness, and timeliness, respect and safeguard human rights, and protect the personal dignity of citizens." This is



also the basic principle and objective of the formulation and implementation of *CGP* and even of China's MALE, and the extent to which the coastal State formulates and implements specific laws and regulations must be commensurate with these objectives (Ricard, 2019). With these principles and objectives as the basic guideline, *CGP* have the following characteristics.

### 3.1.1 Fully safeguard the legitimate rights and interests of the parties concerned

First, *CGP* devote a special chapter to a detailed description of disqualification, including the circumstances in which the inspectee applies for the disqualification of law enforcement officers, *CCG* orders the recusal, the person in charge or a law enforcement officer of *CCG* applies for disqualification voluntarily, and the disqualification of the expert or the interpreter. Second, it strengthens the protection of the rights and interests of special persons. *CGP* makes special provisions for minors, deaf, interviewees who are not familiar with the commonly used local language and scripts, the elderly, pregnant women and breastfeeding mothers, ethnic minorities, and foreigners in the process of investigating and obtaining evidence, and in the making and implementation of administrative decisions to effectively safeguard the rights and interests of special groups of persons. Third, the parties' rights to hearings, administrative reconsideration and administrative litigation have been effectively safeguarded. *CGP* refines the procedures for MALE hearings in Chapter VIII. Fourth, *CGP* pays special attention to protecting the parties' fundamental right to personal freedom. This is reflected not only in the guiding principles but also in many of the procedural designs, which contain legislative considerations for the protection of the fundamental rights of the parties.

### 3.1.2 Additional refinement of MALE procedures of CCG

Compared with general land-based law enforcement, maritime law enforcement has some notable characteristics, including the comprehensive nature of the field of activity, the composite nature of legal responsibility, the difficulty of the law enforcement process, the dependence on science and technology, and the international nature of the spillover of influence (Cui, 2022). The provisions on MALE in *CCGL* are centered on the part of MALE in Chapter IV, totaling 15 articles. *CGP*, on the other hand, refines and supplements these articles. *CCGL* does not cover jurisdiction, period and service, public security mediation and case closure, while *CGP* devote special chapters in Chapters II, IV, XI and XV to the conditions, procedures, powers and responsibilities applicable to the disqualification of MALE. On-site supervisory inspection and hearing procedures only appeared once in *CCGL*, and *CGP* has improved on-site supervisory inspection and hearing procedures in Chapters V and VIII. With regard to administrative compulsory measures, which have the most significant impact on the rights of the parties concerned in MALE, *CCGL* contains brief provisions in Articles 28 and 32. At the same time, *CGP* provide detailed explanations of the types of administrative or other compulsory

measures and the procedures for the implementation of administrative compulsory measures in Chapter VII.

### 3.1.3 Strengthening the supervision of MALE of CCG

In order to implement the requirements of *CCGL* regarding the comprehensive supervision of maritime law enforcement, *CGP* not only makes it clear in Article 1 that "ensuring and supervising the performance of duties by *CCG* in accordance with the law" is the basic principle and purpose of *CGP*, but also emphasizes in Article 9 that "law enforcement officers of *CCG* shall voluntarily accept supervision in accordance with the law". At the same time, *CGP* has improved and innovated the specific mechanisms for MALE supervision. First, the system of making the document of case filing will strengthen the supervision of MALE work of *CCG* by the parties concerned. Second, legal audits are important procedural systems for administrative penalties and are conducive to safeguarding the legality of administrative penalty decisions. Third, the supervision and management of MALE property management have been comprehensively refined, effectively ensuring the supervision and management of property involved in MALE, significantly reducing the likelihood of property being lost or misappropriated.

## 3.2 Significance of *CGP*

### 3.2.1 Significance for China's ocean governance

Regarding China's maritime governance, *CGP* is a direct embodiment of China's law-based governance strategy comprehensively in maritime governance. It is not only an intrinsic requirement for consolidating the achievements of the reform of MALE system of *CCG* but also an important measure for implementing *CCGL* and a practical necessity for adapting to the situation of maritime law enforcement, which will help China further improve the rule of law and modernize the system of maritime governance and the capacity for governance.

First, from the perspective of the overall construction of China's MALE system, *CGP* are the basic procedural norms formulated by *CCG* in accordance with the needs of system construction and the performance of duties and in the context of a scientific and reasonable grasp of the pace of legislation. With *CCGL* as its core and *CGP* as its mainstay, the system of MALE norms for *CCG*, which is designed to regulate and safeguard the performance of their duties in accordance with the law, is being continuously improved.

Second, *CGP* provides explicit and operable norms for MALE work of *CCG*, which help to regulate MALE behavior of *CCG* and ensure that *CCG* performs its duties in accordance with the law. By clarifying the duties and powers of law enforcement officers and preventing and reducing misconduct in the course of law enforcement, it ensures that the maritime law enforcement of *CCG* is standardized and regulated, thereby substantially improving law enforcement efficiency and fairness and making MALE of *CCG* at sea is more credible and transparent, thereby

safeguarding the lawful rights and interests of citizens, legal persons and other organizations.

Third, regarding the protection of China's maritime security rights and interests, the implementation of *CGP* will help to strengthen China's governance of disputed maritime areas such as the South China Sea, effectively curb and combat illegal fishing and illegal resource exploration and exploitation in the South China Sea over the long term, and safeguard China's maritime sovereignty and rights and interests with a clear scope of law enforcement, law enforcement authority and law enforcement procedures.

### 3.2.2 Implications for the foreign-related rule of law in China

Although *CGP* may raise concerns and questions about the enforcement of CCG in China's neighboring coastal States, and may even lead to more drastic and confrontational measures on the part of those States, as in the case of the Philippines, where the Ministry of Foreign Affairs protested against China's promulgation of *CGP* (Department of Foreign Affairs of the Philippines, 2024). Some scholars believe that specific provisions of *CCGL* and *CGP* could lead to an unfortunate incident involving warships operating in the area (Agnihotri, 2024). However, from the dual perspective of international law and domestic law, *CGP* are an important basis and a direct manifestation of China's efforts to promote the domestic and foreign-related rule of law, to strike a balance between development and security, and to strike a balance between China's national interests and the interests of the international maritime community.

On the one hand, since its promulgation, *CCGL* has been questioned by many Western and China's neighbors (Kim, 2022). Owing to the unique nature of *MALE* environment and the fact that the targets of law enforcement often involve foreign organizations and individuals, as well as disputes between China and its neighbors over the sovereignty of some islands and reefs and the delimitation of territorial waters, the protection of maritime rights and law enforcement activities under *CCGL* encompasses not only legal matters but also affects the political and diplomatic relations between States (Cui, 2024). The refinement and supplementation of *CGP* to *CCGL* further demonstrates China's commitment to CCG as an important way to peacefully develop and utilize the oceans and seas. CCG actively engaged in multilateral diplomacy in 2024, participating in 58 bilateral or multilateral events, signing a memorandum of cooperation with the Peruvian Coast Guard, hosting the first party and government work exchange and conducting joint patrols in the Gulf of Tonkin with the Vietnam Coast Guard, conducting exchanges on combating transnational crimes with the Korea Coast Guard, conducting joint exercises and patrols with the Russian Coast Guard, organized high seas fisheries enforcement cruises in the North Pacific Ocean with ships and helicopters, increased the number of boarding and inspection of foreign fishing vessels by 50% year-on-year, and carried out joint patrols and exercises in the Gulf of Tonkin, the Arctic Ocean and other waters. This has strengthened regional security cooperation and explored new paths for the peaceful management of disputed waters, thus demonstrating the image of a responsible great power (China Coast Guard, 2025).

On the other hand, from a historical perspective, conflicts involving natural resources are probably the most numerous of the many sources of international conflict (Alheritiere, 1985). As the law of the sea has evolved, so has the national jurisdiction of coastal States over ocean space, and maritime boundary disputes can be seen as an unavoidable consequence of this expansion of jurisdiction (Nguyen, 2006). The international community has been actively balancing the rights and obligations of coastal States with those of other States to maintain an order for the sustainable development of the oceans and seas. This has also put forward higher requirements for the standardization and legality of *MALE* of CCG. *CGP* is an important part of China's legal policies for improving regional marine governance and protection (Li and Sun, 2024). On the issue of ocean governance and maritime law enforcement, China has responded to the concerns of the international public through *CGP*, better interpreted and applied *CCGL*, and enriched and promoted the development and improvement of the international theory of the rule of law on the oceans and the rules of international ocean governance through the practice of normative national governance.

### 3.2.3 Keeping up with advanced coast guard enforcement forces in other countries around the world

From a comparative law perspective, China's continuous improvement of laws and regulations related to the maritime law enforcement of CCG is also aimed at learning from the more advanced coast guard organizations of other countries in the world, so as to enhance its own level of law enforcement standardization.

The United States Coast Guard (hereinafter referred to as USCG), as the earliest coast guard established in the world, is one of the most powerful comprehensive maritime law enforcement forces globally. USCG is one of the six major armed forces of the United States and a subordinate department of the US Department of Homeland Security, possessing dual attributes of military and law enforcement. *The Coast Guard Act of 1915* is the foundational law of USCG, which established its organizational structure and conferred corresponding law enforcement powers. *The Coast Guard Regulations* is also a comprehensive regulatory document that clarifies matters such as USCG's subordination, functions and tasks, nature of the force, and institutional setup.

USCG has also issued the internal law enforcement operational guideline, *the US Coast Guard Maritime Law Enforcement Manual*. For different law enforcement fields, USCG has developed a range of specialized law enforcement norms to adhere to. For instance, *the Maritime Counter Drug and Alien Migrant Interdiction Operations* is a regulatory document of the USCG in the fields of maritime counter-narcotics and intercepting foreign illegal immigrants, providing specific procedural guidance for relevant law enforcement actions. Additionally, the USCG has published a series of operational manuals to guide and standardize law enforcement work. *Coast Guard Publication 1.0: Doctrine for the US Coast Guard* specifies the Coast Guard's core missions, capabilities, and operational principles. Documents such as *Coast Guard Publication 2.0: Intelligence* and *Coast Guard Publication 3.0: Operations* provide guidance on

intelligence work, the conduct of specific operations, mission support, and other related aspects, respectively.

Certain international maritime conventions also serve as normative bases for the law enforcement activities of USCG. Examples include *UNCLOS*, *the International Convention for the Safety of Life at Sea*, and *the International Convention for the Prevention of Pollution from Ships* (hereinafter referred to as *MARPOL*). Among these, although the United States has not formally ratified *UNCLOS*, it abides by most of the customary international law rules contained therein. The United States has also translated these conventions into domestic law through domestic legislation. For instance, it enacted *the Act to Prevent Pollution from Ships* to implement the law enforcement requirements stipulated in *MARPOL*.

As to international law enforcement cooperation, USCG has signed maritime enforcement agreements with multiple countries. These agreements allow USCG law enforcement personnel to be embarked on the military vessels of partner countries and exercise law enforcement authority in accordance with the laws of those countries, significantly expanding the USCG's law enforcement capabilities in regions such as the Pacific Ocean. Domestically, USCG has established a multi-level and multi-agency law enforcement cooperation mechanism between the federal and state levels, as well as among different federal agencies. For example, USCG conducts joint fishery protection patrols with the National Marine Fisheries Service to investigate and crack down on illegal fishing activities. It also shares intelligence with the Drug Enforcement

Administration to combat maritime drug smuggling networks. In times of war or national emergency, the Coast Guard can be integrated into the national defense command system to cooperate with the US Department of Defense in performing military tasks.

As demonstrated in the front, the US has established a USCG law enforcement normative system featuring a structure of “specialized laws - law enforcement field specific laws - law enforcement manuals” and an integration of domestic and international laws. Meanwhile, it has developed an effective cooperation mechanism that covers multiple countries, multiple fields, multiple levels, and multiple departments. China's enactment of laws such as *CCGL*, *CGD*, and *CGP*, is not only aimed at enhancing the law enforcement standardization of CCG, but also serves as a process of learning from the law enforcement systems of world-renowned advanced coast guard forces like USCG. In order to more clearly demonstrate the standardization level of CCG enforcement key procedures after the issuance of *CGP*, [Table 1](#) compares USCG with the Japan Coast Guard (hereinafter referred to as JCG).

### 3.3 Remarkable achievements and Shortcomings in MALE of CCG in recent years

This is even though some scholars have noted that “CCG has developed into one of the largest and best-equipped coast guards

TABLE 1 Comparison of CCG, USCG, and JCG in MALE.

Dimension	CCG	USCG	JCG
Legal System Completeness	<i>CCGL</i> provides a basic legal framework and defines authority and procedures. Supporting regulations and implementation rules are still being refined. practical guidance often relies on internal directives.	Highly complete and long-established An extremely mature legal system meticulously details its powers, procedures, and individual rights. Supplemented by a vast body of case law providing judicial interpretation for various scenarios.	Enforcement procedures are highly specific and detailed, with strong operability, minimizing front-line officers' discretion.
Procedural Justice & Transparency	Procedural rules are relatively principle-based. Relatively low transparency in enforcement processes. The use of body cameras and the public release of footage lack unified mandatory standards and public oversight channels.	Procedural justice is a core tenet, strictly adhering to “due process”. High transparency; the public can request enforcement reports and records.	Exceptionally High JCG emphasizes “on-scenes” and evidence collection. Standard procedures are ingrained in every operational detail.
Power Restraint & Oversight	Mainly relies on internal hierarchical supervision and party disciplinary inspection. Judicial oversight has certain limitations in scope, and citizens face practical challenges in filing lawsuits. Public opinion supervision is growing but is not institutionalized.	The court system exercises powerful judicial review over USCG actions. Citizen channels for redress are unobstructed.	Citizens can file administrative lawsuits under an independent judicial system. Stringent internal compliance reviews and disciplinary mechanisms.
Professionalism & Legal Awareness	Legal training is continually strengthening, but its militarized nature means balancing the dual identities of combatant and law enforcer is ongoing. Practical application of law and evidence awareness among front-line officers needs further strengthening through experience.	Personnel are regarded as policemen at sea, receiving systematic legal training. Rule of Law is a core requirement. Many officers have legal backgrounds and understand the severe consequences of procedural violations.	High recruitment standards and world-class training systems heavily emphasizing compliance with laws and regulations and restraint and professionalism. Officers primarily see themselves as executors of the law, not warriors, with a clear professional identity.
Use-of-Force Protocols	<i>CCGL</i> provides basic authorization for weapon use, but the application of specific circumstances and proportionality principles relies heavily on the on-scene commander's judgment and <i>post-hoc</i> review. Public and detailed rules of engagement are unclear.	USCG has extremely strict and detailed rules of engagement, with clear authorization and limitations for every level of force. The minimum necessary force principle is strictly enforced. Any use of force undergoes rigorous review.	Laws impose extremely strict restrictions and clear procedural requirements for weapon use, mandating repeated warnings and requests for instruction. Exhibits extreme restraint in “gray zone” incidents, striving to avoid escalation into military conflict.

in the world, with paramilitary capabilities that can compete with smaller navies in Southeast Asia” (Guilfoyle and Chan, 2022). As a response to these concerns, CGP adhere to and implement the legislative thrust of CCGL to strengthen international cooperation and uphold the principle of equality and mutual benefit. In the long run, CGP will be conducive to China’s efforts to resolve maritime disputes through peaceful means consistent with the rules of international law and domestic law, maintain regional peace and stability, and work with neighboring coastal States to promote maritime governance and development. In the three years since the promulgation and implementation of CCGL, CCG has seized 1,232 cases of illegal sand mining, with 1,241 vessels and 3,600,000 tons of marine sand seized; 291 cases of illegal dumping and 245 cases of illegal occupation of sea areas, with an administrative fine of 186,000,000 yuan; and 3,676 various types of fishery cases, with 251 fishing vessels, 12,800 fishing gear, and 3,030,000 kilograms of catch confiscated. The administrative fine was 47,330,000 yuan (China Coast Guard, 2024a). In 2024, CGD and CGP were promulgated, CCG at all levels undertook 19,700 effective police trips, an increase of 11.6% year over year, and investigated and handled 5,668 cases, an increase of 0.35% year over year (China Coast Guard, 2025). These figures illustrate the rule of law achievements and reform effectiveness of MALE of CCG. CCG’s law enforcement practice and development process over the past four years have shown that it is by no means a “second navy”, let alone a “threat of war” (Liu and Hu, 2024). On the contrary, China has always adhered to the strategic concept of “an ocean community with a shared future”, and has been promoting reform of MALE of CCG and deepening international cooperation in ocean governance with the goal of protecting and sustainably using the oceans (People’s Daily, 2019).

In recent years, China’s MALE has indeed made a series of progress and achievements, especially with the continuous improvement of its standardization level. However, against the backdrop of multiple reforms and changes in the past few decades, China’s MALE still lacks many norms and functions in various aspects. Especially from the perspectives of legitimacy, proportionality, transparency, efficiency, and accountability, there is still much room for improvement. The following text will focus on discussing how to improve the China’s MALE centered on CCG from these five aspects.

## 4 Deficiencies and improvements in MALE system of CCG

Through the summary of the existing system of MALE of CCG, as well as the comparison and study of CCGL and CGP, it can be found that, with the implementation of CCGL, the system of MALE of CCG has been continuously reformed and improved, and MALE of CCG has also been progressively standardized and systematized. However, from the viewpoint of the existing normative text, the practical needs of CCG, and the requirements for the construction of the maritime security system, MALE system of CCG needs to be further improved in the following areas.

### 4.1 Regulating the use of force

The use of force can be understood as a broad concept encompassing all uses of force, including the use of violence or weapons in law enforcement (Zhang, 2025). Unlawful, unjustifiably forceful, or clumsy law enforcement can be the occasion not only of disputes but even of armed conflict (Watkin, 2016, p. 430). The possible distinction between the use of force prohibited by international law and the use of weapons not prohibited by international law has attracted close scholarly attention (Ruys, 2014). Although the principle of the prohibition of the use of force is enshrined in the *United Nations Charter*, the use of force by a State may lead to a war of aggression unless the right to self-defense is invoked and exercised (Shi, 2018). However, the *Code of Conduct for Law Enforcement Officials*<sup>1</sup> and the *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*<sup>2</sup> affirm that the use of force is permissible in law enforcement, and that international human rights law permits the use of force by law enforcement officials under strictly limited conditions. The *I’m Alone*<sup>3</sup> case and the *Detention of Three Ukrainian Naval Vessels*<sup>4</sup> case are examples of international judicial decisions and arbitral awards showing that maritime law enforcement officers may use weapons within reasonable limits if certain conditions are met. The principle of proportionality is widely accepted in international law, and consists of two elements: the principle of necessity and the principle of proportionality require a balance of interests (Chang, 2021). The use of force to enforce law in disputed waters will lead to more significant conflict at sea (Xhelilaj, 2022). However, current norms of international law, at least some treaty provisions, and international jurisprudence suggest that the use of violence or weapons in law enforcement is regulated but not prohibited (Kanehara, 2019). Indeed, the use of force is sometimes unavoidable in the course of maritime law enforcement. The use of force in specific circumstances is necessary to maintain or restore public safety, law and order. Most coastal States have adopted legislation authorizing the use of force by maritime law enforcement agencies and almost unanimously use force as a “last resort” (Shearer, 1998).

CCGL follows the trend of States authorizing maritime law enforcement officers to use force against foreign vessels (Liu and Hu, 2024). Chapter VI of CCGL provides for CCG’s right to use weapons and sets out principled limitations on the use of force. This model is consistent with international maritime law enforcement standards (Pedrozo, 2021). However, there are only four articles

1 United Nations General Assembly, *Code of Conduct for Law Enforcement Officials*, UN Doc A/RES/34/169, adopted 17 December 1979.

2 United Nations General Assembly, *United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, UN Doc A/CONF.144/28/Rev.1, adopted 7 September 1990.

3 Permanent Court of International Justice, *I’m Alone Case (Canada v. United States)*, 1935, 3 RIAA 1609.

4 International Tribunal for the Law of the Sea, *Concerning the Detention of Three Ukrainian Naval Vessels (Ukraine v. Russia)*, Provisional Measures, Order of 25 May 2019, Case No. 26.



regulating the use of weapons, which is insufficient to match with the complexity of MALE of CCG requiring the use of weapons. Unfortunately, *CGP* does not make further regulations on the use of force. However, whether from the perspective of practical needs or theoretical contingencies, the future MALE of CCG and even the entire China's MALE system should refine the relevant provisions on the use of force. The legitimate use of force in MALE of CCG should ensure the safety of fishermen and law enforcement officers and promote effective law enforcement activities (Lee, 2018). It should be proportionate to the principle of seriousness of defense and the legitimate objective to be achieved, minimize damage and injury, and respect and protect human life. MALE adheres to the principles of necessity, appropriateness, minimum harm and respect for humanitarian principles. At the level of innovation and construction of specific mechanisms, it is important to clarifying the grading of the use of force and clarifying the different situations in which police instruments and weapons are used in MALE of CCG by the way of formulating the Regulations on the Use of Police Instruments and Weapons by the China Coast Guard; formulating standards of discretion, and establishing a system for assessing and reviewing the risk of law enforcement behavior and the use of force in law enforcement; and establishing procedures for the use of force in MALE of CCG, before, during and after the process of law enforcement, to achieve comprehensive supervision of the use of weapons.

## 4.2 Integrated and collaborative law enforcement

Collaborative law enforcement between CCG and other departments concerned with ocean governance is an important way to deal with the complexities of MALE practice effectively, enhance MALE capacity and improve MALE efficiency. It is also an inevitable trend in global ocean governance. From a practical point of view, exchanges and collaboration between CCG and other sea-related agencies in China have become increasingly frequent, and the efficient MALE of CCG cannot be carried out without the strong support and cooperation of other competent authorities in charge of maritime affairs. In 2024, CCG at all levels also continued to deepen internal and external law enforcement collaboration and cooperation and continued to improve the coordination by holding the 2024 Maritime Law Enforcement Work Conference, signing a working collaboration and cooperation approach with the National Cultural Heritage Administration, unifying and standardizing the names of fishery administrative offenses with the Ministry of Agriculture and Rural Affairs, and launching the Communications Submarine Cable Protection Policy Awareness Week in collaboration with the Ministry of Industry and Information Technology (China Coast Guard, 2025).

However, in China's current MALE system, the *China Environmental Protection Law* and the *China Marine Environmental Protection Law* stipulate the corresponding responsibilities of local law enforcement agencies such as the

ocean, maritime, and fisheries departments. This has led to overlaps in law enforcement areas and matters between CCG and local law enforcement agencies (Li and Guo, 2021). Most places have set up comprehensive or specialized law enforcement teams in addition to CCG to exercise the right to enforce marine ecological environmental protection (Cui and Lou, 2023). Although Chapter VII of *CCGL* is entitled "Guarantees and Cooperation", throughout *CCGL*, the provisions on cooperation are more like principles and declarations, failing to provide clear guidelines for cooperation between CCG and the relevant departments in law enforcement. *CGP* also only explains in Chapter VII the cooperation between CCG where the case is handled and CCG in the place where the case is handled off-site. In addition, the military attributes of CCG also determine that there may be much inconvenience in MALE cooperation and judicial convergence. Therefore, as a young force in maritime rights protection and law enforcement, CCG has explored and achieved specific results in standardizing law enforcement in recent years. However, the mechanism for law enforcement cooperation and other aspects need to be gradually standardized in law enforcement practice.

Therefore, it is necessary to coordinate MALE cooperation at multiple levels, in multiple dimensions and fields, and strengthen exchanges and cooperation between CCG and other sea-related agencies. First, from the perspective of top-level design, consideration can be given to formally establishing the NOC and activating its role in strengthening the overall planning and comprehensive coordination of maritime affairs. As a high-level deliberative and coordinating body with overall control, NOC undertakes the responsibility of researching and formulating national ocean development strategies. Meanwhile, NOC is also in charge of coordinating major ocean affairs. This dual role of the NOC is conducive to two key goals: on one hand, it helps establish a centralized, authoritative and efficient leadership system for ocean governance; on the other hand, it strengthens exchanges, cooperation and integrated management among different sea-related agencies. Second, in terms of sectoral collaboration, it is essential to accurately define and differentiate the respective responsibilities and competencies of the CCG and other law enforcement agencies, as well as refine the scope of the CCG's responsibilities. This measure is intended to prevent the occurrence of cross-functionality and duplicative law enforcement, and further avoid the waste of law enforcement resources. A smooth law enforcement interface mechanism should be constructed, covering public security, natural resources, ecological environment, transport, fisheries, and customs sectors. This mechanism aims to enhance mutual law enforcement cooperation among these sectors, further consolidate law enforcement synergy, and ultimately improve overall law enforcement efficiency. Through the establishment of a big data platform to promote the sharing of data and information, a joint meeting system, a daily liaison system, and a case conferencing system have been set up to regularize the joint working mechanism for MALE. Third, in terms of specific enforcement modes, specific cooperative enforcement modes such as special MALE, joint MALE and comprehensive MALE have been strengthened.

### 4.3 Closer supervising system

In recent years, the Chinese government has attached increasing importance to ALE supervision, requiring the strengthening of ALE supervision mechanisms and capacity building, the strict implementation of ALE responsibility system and accountability system (Chinese Government, 2022), and the development of a sound ALE supervision system and mechanism (Chinese Government, 2024). A strict supervision system is necessary to ensure the standardization and legitimization of MALE of CCG, and it is also an important area of MALE of CCG that needs to be improved urgently. As CCG is part of the CAPF and subject to the constraints of this identity attribute, the supervision of MALE of CCG is somewhat different and complex compared to the supervision of general MALE. Although the *China Regulations on Administrative Law Enforcement Supervision* promulgated by the Ministry of Justice in 2024 stipulates that ALE supervision is an internal hierarchical supervision of the ALE work of subordinate administrative organs carried out by higher administrative organs (Ministry of Justice of China, 2024). However, the current system of supervision of MALE of CCG should be based on a comprehensive grasp of the characteristics of MALE and the general law of MALE supervision, and the construction of an all-encompassing, all-process and regularized system of supervision of MALE of CCG from the internal and external aspects of CCG.

On the one hand, it is necessary to press down on the responsibility of internal supervision of MALE of CCG, set up a special department for supervision of MALE within CCG, and revise and improve the *Regulations on the Supervision of Marine Administrative Law Enforcement*, which was promulgated in 2007 and is somewhat out of step with the current MALE of CCG (Ministry of Natural Resources of China, 2008). It is also necessary to improve the governmental platform for the disclosure of information on MALE of CCG, and take the initiative to disclose the organizational structure, policies and regulations, work reports and case investigation and handling of CCG that do not involve state secrets, personal privacy or commercial secrets, in accordance with the law. CCG has implemented a system of publicizing administrative penalties imposed by CCG and has gradually refined the extent to which the basis and results of administrative penalties are made public. Special attention has been paid to making public, in greater quantity and with higher quality, MALE actions against foreign vessels that violate the law in waters under China's jurisdiction without violating the confidentiality provisions of the military and public security police, and to issuing annual reports on a regular basis, sorting out foreign acts of infringement of China's maritime rights and interests, summarizing data on enforcement of rights and interests and picking out typical cases of enforcement. Through many examples and data, it demonstrates to China and abroad the facts of infringement by foreign vessels, citizens, and organizations, as well as MALE of CCG that align with the norms of domestic and international law.

On the other hand, the disclosure of MALE information is an important measure to safeguard the public's right to know and can stimulate the enthusiasm of the public and the media to participate

in the supervision of and interaction with MALE from outside CCG. This will help to enhance the transparency and credibility of MALE of CCG and to promote the construction of information technology in MALE of CCG.

### 4.4 Refining administrative discretion

With the increase in administrative cases at sea, the existing procedures for handling maritime administrative penalties are overly cumbersome. As a result, it fails to meet the demand for rapidly handling administrative cases at sea. The current MALE of CCG normative system of administrative discretionary limits relative to other areas of MALE or broad and general suspicion. For example, Article 35 of *CCGL* provides that "where at the time of handling a maritime administrative case, a coast guard agency has evidence that the party performs an act of dumping an article into the sea or otherwise intentionally destroying evidence at sea, causing difficulties for the coast guard agency to present evidence, the facts of the relevant violation may be presumed to be established based on other evidence, unless the party has sufficient rebuttal evidence." Presumption of evidence is a significant breakthrough in the current rules of evidence, reflecting the objective needs of MALE of CCG, maritime law enforcement suspects are easy to destroy evidence and system innovation, but also greatly expanded MALE discretion of CCG. Article 56 of *CGP* provides only a general explanation of what constitutes. However, the presumption's specific circumstances, the rules of use, and the presumed evidence's probative value have not been further refined and clarified. Therefore, there is an urgent need to refine as soon as possible the law enforcement procedures and discretionary guidelines for MALE of CCG and to qualify and regulate MALE of CCG discretion in accordance with the characteristics of MALE and the real needs of MALE of CCG.

The refinement of MALE discretionary standards of CCG can be carried out in the following ways. First, in terms of legislation, adhere to the policy-oriented and goal-oriented, and scientifically formulate the discretionary benchmarks and procedures for collecting fines on the spot. Focusing on the joint operation of CCG and other relevant marine management departments, optimizing the current management of administrative discretion, and actively promoting the formulation of special administrative discretionary benchmarks in other maritime law enforcement areas. Second, law enforcement officers should implement administrative penalties in strict accordance with the working rules to avoid objectively increasing the cost of law enforcement due to administrative remedies initiated by the administrative relative afterwards. Third, in terms of procedure, the principle of openness and fairness in law enforcement procedures should be implemented in the actual handling of cases. Article 68 of *CCGL* provides that "a coast guard agency shall keep records of activities of maritime rights protection and law enforcement throughout the process in writing, audio and video recordings, or other forms in accordance with the relevant provisions issued by the state, and archive and preserve such records." Article 275 of *CGP* specifies

“the process” as the initiation, investigation, evidence collection, examination, decision, service, and execution of MALE. MALE officers of CCG should strictly abide by these provisions and make audio or video recordings of the entire decision-making process on administrative penalties to prevent the abuse of discretionary power and ensure the legitimate rights and interests of administrative counterparts.

## 4.5 Strengthening the rule of law

Maritime security is a complex and broad issue involving illegal, unreported and unregulated fishing, piracy, robbery at sea, smuggling, illicit trafficking in narcotic drugs and psychotropic substances, trafficking in persons and terrorism (Wisnumurti, 2009). Therefore, the specific situation of MALE is rapidly changing, which places greater demands on the rule of law to effectively guarantee smooth, lawful and efficient MALE.

First, the construction of a system of MALE norms for CCG should be strengthened. China's existing system of MALE norms for CCG has yet to be further improved and refined. In order to meet MALE needs of CCG, the focus of the construction and improvement of MALE normative system of CCG should be on the development of subordinate laws and regulations around *CCGL*. In the future, not only can CCG continue to formulate administrative normative documents similar to *CGP*, but CCG and the relevant sea-related departments of the SC can also jointly issue departmental rules and regulations.

Second, the construction of a team of MALE of CCG professionals should be accelerated. Whether for general administrative penalties and general administrative compulsory measures or the use of force in MALE, it is vital that MALE personnel of CCG, as the main body of law enforcement and the main body of the use of force, satisfy the legal authorization and have the qualifications for the use of force. Article 55 of *CCGL* provides a licensing and qualification management system. Accelerating the construction of MALE team of CCG, implementing the qualification management system for MALE through training and assessment, the goal of law enforcement officers' proficiency in all types of laws and regulations and their accurate understanding of MALE procedures of *CGP*, and establishing norms for the management of qualifications for the use of armaments and weapons in MALE of CCG, as well as norms for the use of administrative discretion.

Third, a complete system of judicial guarantees should be put in place to support MALE of CCG. The complexity of organized crime in the fisheries industry, the potential harm it can cause and the resources required to combat it all indicate that any strategy should be prioritized in crime prevention (Witbooi et al., 2020). In terms of judicial procedures, it is necessary to improve the mechanism for the “convergence of crime and execution” in MALE of CCG and to formulate operable procedures and standards to achieve practical cooperation between MALE and criminal investigation by CCG. At the same time, according to the specific needs of CCG in judicial practice, as soon as possible to clarify the status of CCG as the main

body of public interest litigation in the marine environment, the establishment of administrative review procedures for maritime law enforcement and professional staffing. Sound maritime courts, maritime courts and maritime trial teams, the layout of the maritime trial force in a sequential manner, to achieve full coverage of CCG litigation jurisdiction of maritime professional trial.

## 4.6 Deepening international cooperation

Each country's maritime policy is an important element of global ocean governance (Liu, 2024). With the profound changes in global ocean governance and China's deepening participation, the international dimension of China's MALE is also increasing. The dual role position of domestic law enforcement and international rights defense has injected new momentum into maritime law enforcement. At the same time, we should also recognize that boundary disputes are ubiquitous in international relations (Paulsson, 2001). Even under a future *UNCLOS*, maritime delimitation is likely to continue to be the most frequent source of disputes between States (Irwin, 1980). As the capabilities and mandates of individual national coast guards expand, this, coupled with a lack of mutual trust, may lead to a misperception of intent on both sides. Such miscalculations have the potential to trigger a series of escalating reactions, ultimately leading to armed conflict (Zhang, 2025). Whereas effective ocean governance inherently requires regional cooperation (Bateman, 2016), effective consultation and cooperation among coastal States is also the basis for the existence and functioning of an ocean governance order and various international law frameworks.

In order for China to seek better understanding and recognition from the international community while safeguarding its existing maritime rights and interests, strengthening international exchanges and cooperation among CCG is an important method and approach. Over the past 10 years, China has conducted relatively extensive cooperation with the Philippines (Parrocha, 2024), South Korea (Ministry of Foreign Affairs of Korea, 2020), Japan (Kyodo news, 2023), and Russia (China Coast Guard, 2024b) in the form of memorandums of understanding, liaison hotlines and joint law enforcement. Many countries around the South China Sea have also cooperated to varying degrees in a variety of forms, and all of these cooperation mechanisms have, to a certain extent, safeguarded the security and order of the neighboring seas and oceans. In terms of specific texts, *CCGL* provides for international cooperation in principle and on a fundamental level in Chapter VIII. However, *CGP* are less concerned with international cooperation, except for a special chapter on the handling of foreign-related administrative cases.

China can make the following considerations and arrangements to deepen MALE cooperation with other countries. First, China should establish regional cooperation mechanisms with more coastal countries and sign a series of memorandums of understanding focusing on dispute settlement mechanisms. Meanwhile, it should give due consideration to mechanisms such

as “compulsory conciliation” and urge both parties involved in disputes to fulfill their obligations to settle disputes peacefully. These measures are designed to prevent and reduce the occurrence of conflicts through the application of institutionalized approaches (Pan, 2025). Second, the principle of international law enforcement cooperation should be followed, starting with the easy and then the difficult. China should take law enforcement information sharing, a goal that is relatively easy to achieve, as an example. China can start with a simple notification mechanism for violation-related information, and initially focus on non-traditional security areas that are less sensitive and confidential, such as marine scientific research, maritime search and rescue, and marine environmental protection. On this basis, China can gradually develop a mature mechanism to foster trust and promote information sharing among relevant countries (Morris, 2017). Third, China is advancing MALE cooperation between CCG and other countries. In particular, when signing documents or agreements on such MALE cooperation with other countries, China is incorporating the content of relevant provisions from CCGL and CGD into these instruments as much as possible. This practice helps further enhance the international recognition of the CCG, strengthen its international legitimacy, and promote MALE exchanges and cooperation among countries. Meanwhile, this well-structured MALE cooperation framework also provides a solid institutional foundation for effectively addressing maritime geopolitical challenges, as it helps build mutual trust, resolve disputes through rules, and maintain stable maritime order amid complex geopolitical dynamics.

## 5 Conclusion

Currently, China has preliminarily established a system of norms for MALE of CCG based on CCGL and supported by CGD and CGP. CGP, as a supplement to CCGL, further regulates and refines the procedures for MALE of CCG, effectively safeguards and supervises CCG’s performance of its duties in accordance with the law, and provides a higher level of protection for the lawful rights and interests of citizens, legal persons and other organizations. Although MALE of CCG system still needs to be improved by regulating the use of force, coordinating cooperative law enforcement, tightening the supervision system, refining administrative discretion, strengthening the rule of law, and deepening international cooperation, from the perspective of the development of MALE of CCG since its establishment in 2013, the future of China will undoubtedly deepen the reform of MALE system of CCG as a starting point to continuously promote maritime law enforcement. With the fundamental strategic

concept of “an ocean community with a shared future”, it will safeguard China’s legitimate maritime rights and interests while ensuring the harmony and stability of neighboring waters, actively participate in international cooperation on maritime governance, maintain a fair and reasonable order of maritime security, and contribute Chinese wisdom and solutions to the world’s maritime governance and peaceful development.

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