China’s new Foreign Relations Law

Why in news?

China’s National People’s Congress adopted new Law on Foreign Relations of the People’s Republic of China came into effect on July 1.

What is the new law about?

- China’s foreign relations law (FRL) was approved and put in effect on July 1, 2023.
- It consists of 6 chapters and the Global Development Initiative and the Global Security Initiative are a part of it.
- The law involving foreign affairs was drafted to safeguard China’s sovereignty, national security and development interests.
- **Implications -** The law will tighten President Xi Jinping’s control over foreign policy.
- The broader aim of the law is to give a legal stamp to many of the key objectives of Chinese foreign policy under President Xi.
- Law also makes it a punishable offence if individuals or organisations were deemed to act against those objectives.

What will be the impact on foreign policy?

- **Centralised power -** President Xi took office in 2012 since then, the control over foreign policy has become increasingly centralised.
- **Challenging -** Now with legal stamp, challenging China’s foreign policy may be deemed as a violation of Chinese laws.
- **Political shift -** The law also emphasises sovereignty and security as being at the heart of Chinese foreign policy as it is the case always.
- For the first time in the reform era, the policy prioritised security over development and opening up.
- **Legal response to Western sanctions -** China has repeatedly criticised US’ bans and restrictions, refuted allegations of corporate espionage and currency manipulation.
- The law will reinforce the Law on Countering Sanctions.
- This will essentially make it illegal for Western companies operating within China to comply with sanctions aimed at the country.
- **Legal toolbox -** China tries to make full use of the Foreign Relations Law as response to acts of containment, interference, sanctions against China.
- **Providing loans -** The law appears to be a response to criticisms of China’s foreign lending and the debt crises in several of its partners.
- According to ***Article 19*** of the new law, China would
    1. Respect the sovereignty of recipient countries.
    2. Not interfere in their internal affairs or attach any political conditions to its aid.

What does the new law mean for India?

- **Neighbours -** The law says China will grow relations with its neighbouring countries in accordance with the principle of amity, sincerity, mutual benefit and inclusiveness.
- **Border dispute -** The emphasis of security, sovereignty and territorial integrity as key tenets of Chinese foreign policy coincide with the border dispute between India and China.
- **The case of Border law (2021) -** It formalises China's moves along the Line of Actual Control (LAC) upending both bilateral relations and decades-old mechanisms to manage the boundary dispute.
- **Similarity -** Both the law coincides with territorial disputes being framed as matters of national sovereignty by Beijing rather than issues to be negotiated by 2 sides, narrows the scope for resolution.
- **India-U.S. ties -** The US's increasing proximity to India is seen as threat by China.
- **Agreements -** It declares that implementation and application of treaties and agreements shall not undermine the sovereignty of the State, national security and public interests.
- This may have a potential bearing on the signing of agreements to resolve disputes between the countries.

> *Article 8 - Any organisation or individual who commits acts that are detrimental to China's national interests in the course of engaging in international exchanges shall be held accountable by law.*

- **Indian companies -** Article 8 impacts particularly Indian and foreign companies operating within China.
- **Ambiguity -** What is deemed as "detrimental to China's national interests" is not clear which gives wider scope to authorities implementing them.

Reference

1. The Hindu - What is China's new law on foreign relations?

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