

# Legislative Model of Integrated Coastal Zone Management under the Principle of Land-Sea Coordination

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**Keywords:** Principle of land and Sea coordination, Coastal zone, Integrated management, Legislative model.

**Abstract:** Coastal zone, as the most active and abundant geographic area on the earth's surface, is also a natural mid-burning area connected with ocean system and land system. It is a geographic area with rich resources, diverse types and superior environment. In recent years, people rely on coastal zone to develop and utilize marine resources, mariculture and marine space utilization. Therefore, this paper analyses the current situation of China's coastal legislation and the existing problems in China's coastal zone comprehensive management legislation, and then puts forward some countermeasures to improve the coastal zone comprehensive management legislation under the principle of land and sea integration. It is of great significance to the legislation of integrated coastal zone management.

## 1. Research background

### 1.1 Literature review

So far, many countries in the world have special coastal zone legislation. For example, South Korea enacted and implemented the Coastal Zone Management Act in 1999; the United States enacted the Coastal Zone Management Act as early as 1972, which means that the world's first comprehensive coastal zone law was formally promulgated (Yi, 2019). Moreover, many other countries, such as Japan, Britain and New Zealand, have established special policies or laws to regulate the development and utilization of coastal zones. Because of the particularity of geographical environment, coastal zone has become one of the fragile parts of ecological environment (Yi, 2018). Therefore, irregular and too frequent development and utilization are particularly prone to lead to environmental damage and resource destruction, waste and other issues. The diversity and complexity of coastal zone management are manifested in many aspects, such as overexploitation of fisheries, occurrence of natural disasters, marine pollution and so on. This situation is directly related to the over-exploitation and unreasonable utilization of the people. At the same time, it is also closely related to the legislative model of integrated coastal zone management (Jiang et al, 2018). From the point of view of management authority, it has many problems, such as extensive fields, inconsistency between local management and central management, and so on. Various factors have increased the difficulty of coastal zone management to a certain extent.

### 1.2 Purpose of research

To some extent, China should pay attention to the legislation of integrated coastal zone management to implement effective coastal zone management. In this way, people pay more attention to the coastal zone objectively. Now. Most of China's research results management systems, mechanisms and laws are not rigorous. On the other hand, most people do not know the specific problems of the coastal zone, or know little about it. In this case, although the overall situation of China's coastal zone is not optimistic. However, under the principle of land and sea as a whole, the study of Coastal Zone legislation can be conducive to promoting the sustainable development and utilization of coastal zone and reducing the degree of marine environment damage. Avoid overuse of the sea concept in most people, thus causing great harm. It is also conducive to

the establishment and improvement of China's comprehensive coastal zone management legislation system.

## **2. Current situation of coastal legislation in china**

The overall strategic goal of China's oceans in Agenda 21 is to build a rational and effective marine benign cycle ecosystem. Since the founding of New China, the legal construction has been improved and a scientific and rational coastal zone development system has been gradually formed. Moreover, in order to promote the sustainable development of marine economy, China has paid more and more attention to the legislation of integrated coastal zone management (Mao and Xue, 2018). Under the principle of land and sea co-ordination, the population density in coastal areas gradually shows an upward trend, and the population is constantly shifting like that in coastal areas. In recent years, some relevant departments in China have specifically put forward the following proposals: integrated development of land and sea, accelerated pace of construction of artificial coasts, gradual reduction of natural coasts, gradual formation of coastal industrial zones and coastal urban zones; land development and construction activities began to use food and water resources. Higher requirements have been put forward for marine development and utilization than before. Under the principle of land-sea integration, the scope of marine industry has been expanding, and the depth and breadth of coastal zone development have been increasing. This puts forward higher requirements for marine development and utilization, and at the same time, the requirements for land and shore are also increasing. Nowadays, in order to maintain the coordinated development of regional economy, it is necessary to rationally plan the territorial development of land and ocean regions.

## **3. Problems existing in the legislation of integrated coastal zone management in china**

### **3.1 Lagging behind of legislative concept of marine management**

Nowadays, China's concept of ocean still lags behind, which has seriously restricted China's comprehensive coastal management legislation. At present, China still lacks knowledge of marine geography, and lacks systematic and correct understanding of marine geography. Moreover, in many textbooks, the expression of China's marine data and regulations is not perfect, and some basic information is even less (Hu et al, 2017). This has led to a serious lack of understanding of marine knowledge, which has led to many people's misconceptions of "land without sea". Not only that, many people see that China is rich in land resources, but they don't know that China is also rich in marine resources. Most of them are still "sea blind", and their marine knowledge is rather weak. Of course, this may be related to China's previous "no-sea policy" and "closed-door policy", which directly led to China's attention to land. In addition, there are a series of particularities in the development of marine environment, such as high risk and high investment. In some coastal areas, large-scale fishing, reclamation of land from the sea and excessive blind utilization have resulted in serious damage to China's marine resources in recent years.

### **3.2 Lack of a complete legal system**

China's marine belt management has not formed a complete legal system. The legislative work of Integrated Coastal Zone Management in China started relatively late, and the lag of the law itself. Because of the particularity of the marine industry and the low level of legal effect, under the principle of land-sea integration, when the coastal zone resources and environment continue to appear problems, the existing laws and regulations are difficult to play a comprehensive and systematic adjustment role. At present, most of the laws and regulations that have been enacted are specialized industry laws, and there is still a lack of basic law of the sea and legislation of management. When the ocean belt is seriously damaged, people are gradually aware of the problems caused by the lag of law. The imperfection and lag of the law make it difficult to solve the problems that have already been very serious in the current reality. In the legislation of coastal zone management, China has only relevant provisions of industry law and individual regulations of

provincial and municipal administration. However, due to the restrictions of industry, the scope of application is very limited. Moreover, the level of legal effect is relatively low, and the effect of management is obviously unsatisfactory.

### **3.3 Government departments are not clear**

With more and more departments participating in the management of coastal zone development and utilization, fisheries, tourism, electricity, chemical industry and other departments have been added, forming a variety of complex social relations. There are many problems in management, such as difficulty in coordination, confusion at the management level, unclear responsibilities and so on. In this case, the government's participation and overall coordination are needed. However, the involvement of the government is more complicated, involving not only the coordination between the relevant departments of the State Council of the Central People's Government, but also the relationship between the coastal local governments. Once the roles and functions of government management overlap, there will be many contradictions, such as unclear role orientation, excessive market involvement, resource competition among regions and so on. This directly leads to the excessive waste of management resources of government departments and the serious lack of necessary unified and coordinated policies. However, the separated legislative power of management is relatively weak. In the comprehensive management of coastal zone, any laws and regulations have their corresponding adjustment objects, and their existence is to regulate social relations. All along, in order to effectively regulate these social relations, the relevant departments have promulgated a series of laws and regulations on the management of marine zones. Among them, for environmental protection, marine development, fisheries and other aspects, there are corresponding management provisions. Although this has achieved legal basis, there are still complex social relations between various industries and management work, which affect and compete with each other. Faced with this situation, the relevant provisions of the government are not clear enough, and the distribution between departments is not clear, so it is difficult to protect and preserve the exploitation and utilization of natural resources in the marine zone.

## **4. Improvement of legislation on integrated coastal zone management under the principle of land-sea integration**

### **4.1 Establishment of a national coastal zone management comprehensive coordinating body**

At present, China's comprehensive coastal zone management legislation has decentralized the responsibilities of the government, and the main problem is the lack of centralization of power. So the first thing to do is to set up a national ocean director and vice premier. For example, the Ministry of Communications, the Ministry of Agriculture, the Ministry of Land and Resources, the Ministry of Environmental Protection and the National Department of Oceanography have set up professional leading working groups to coordinate the development, implementation of basic principles and planning, protection and management of coastal zones, as well as the relationship between various marine industries. Departments should give full play to their own abilities, coordinate problems arising from various aspects, properly manage some coordination bodies, and limit their powers. It is basically impossible and unrealistic to change the existing mechanisms. Therefore, the best solution is to set up a higher-level institution, with more rights than the existing relevant institutions, to effectively coordinate the current marine affairs. To solve the complex problems among them, there are many examples in China of such a management coordination body specially set up to successfully solve regional problems. For example, in order to ensure the implementation of the western development plan, the state has established a special comprehensive management coordination body. From the perspective of land and sea, China can learn from these successful examples and establish a national comprehensive coastal zone management coordination body to coordinate coastal zone affairs.

## **4.2 Unified law enforcement mechanism**

At present, most of the world's marine powers have already had some successful experience, which fully proves that the establishment of a multi-functional and efficient coastal law enforcement team in the marine zone can overcome many difficulties. For example, the division of labour and cooperation among multiple units can effectively avoid duplication of work. Fixed coastal law enforcement team reasonably avoids the waste of manpower, financial and material resources caused by repeated construction, and to a certain extent reduces the economic burden of the country. Clear and reasonable law enforcement teams can avoid blind areas of management and law enforcement, and the phenomenon of overlapping division of labor will gradually reduce. Under the principle of overall planning, from the perspective of comprehensive coastal zone management legislation, a high-strength coastal zone law enforcement team is established, which restricts the loose management system in many ways. Therefore, we should concentrate our efforts on building a multi-functional coastal law enforcement team, and all aspects of comprehensive coastal zone management legislation can be strengthened. In addition, the establishment of a multi-functional law enforcement team also needs to reform the current chaotic situation of China's coastal zone law enforcement, which is conducive to the establishment of China's coastal zone integrated management legislative model.

## **4.3 Improving the applicable system of coastal zone management law**

Coastal zone management law is mainly aimed at the fixed coastal zone, there are clear legal provisions, which can be used for resource development, as well as reasonable management and economic development. According to China's basic national conditions and development speed, the legislation of integrated coastal zone management should embody its legal purpose and basic principles. Marine zone management legislation should be at a level corresponding to local coastal zone management legislation and individual management or protection law. Among them, comprehensive laws including environmental policies, national objectives, politics, basic principles and other management legislation should also be at a level. In this case, nowadays, the marine zone is affected by typhoons, floods, global warming and other natural environment, which directly causes the rising trend of biological mortality in some parts of the marine zone. During this period, there was basically no human intervention. Therefore, the national standards for integrated coastal zone management should be constantly upgraded. At present, under the principle of land-sea integration, China should improve the existing system of Integrated Coastal Zone Management Law and truly apply it to coastal zone management so as to control the coastal zone reasonably. Development and utilization.

## **5. Conclusion**

Under the principle of land and sea as a whole, the legislation of integrated coastal zone management is an indispensable and important link for the realization of integrated land and sea development. At present, from the practice of coastal zone management, considering both economy and environment, land and ocean, has become an important part of the establishment of integrated coastal zone management legislation. If we want to realize the legislative model of Integrated Coastal Zone Management under the principle of land-sea integration, we still need to constantly improve the mechanism of integrated coastal zone management and further promote a series of policies.

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