

MARITIME CODE OF THE PEOPLE’S REPUBLIC OF CHINA: PARADIGM SHIFTS, DIGITAL TRANSFORMATION, AND THE CONSTRUCTION OF A SUSTAINABLE BLUE ORDER

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The Maritime Code of the People's Republic of China of 2025 marks a strategic milestone in the modernization of China's maritime legal system, signaling a fundamental shift from a trade-facilitation orientation to a comprehensive maritime governance paradigm. The reform achieves systematic alignment with the Civil Code, resolving longstanding conflicts in maritime real rights and contractual liabilities and delivering significant institutional breakthroughs. By adopting the functional equivalence doctrine for electronic transport records, the Code removes legal barriers to maritime digital trade and advances the digitalization of maritime documents. In addition, it institutes a tripartite compensation mechanism for marine ecological damage to internalize environmental externalities, thereby realizing the green transformation of the maritime liability regime. As a sophisticated Chinese response to the evolution of the global maritime governance, the Code enhances the predictability of maritime judicial adjudication, improves China's foreign-related rule of law system, safeguards national maritime rights and interests, and empowers the high-quality development of the blue economy. Furthermore, it contributes to fostering a new international maritime order characterized by digital integration, fairness, inclusiveness and ecological sustainability.

I. INTRODUCTION

The promulgation of the *Maritime Code of the People's Republic of China of 1992* (hereinafter referred to as the 1992 CMC)¹ marked a seminal milestone in China's legal integration into the global maritime legal system. As the first comprehensive maritime statute of China, the 1992 CMC

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¹ MARITIME CODE OF THE PEOPLE'S REPUBLIC OF CHINA OF 1992, at http://english.www.gov.cn/services/doingbusiness/202102/24/content_WS6035f42dc6d0719374af97b9.html (Last visited on May 28, 2026).

emerged as a cornerstone legislation of the era of reform and opening up. For over three decades, it has served as the institutional foundation of China's maritime industry, underpinning the country's rise as a global maritime power. However, the global shipping landscape has undergone profound transformations since its enactment: the advent of the Fourth Industrial Revolution,² the imperative of maritime decarbonization to address climate change,³ and escalating geopolitical tensions have rendered many original provisions obsolete and ill-equipped to address contemporary complexities.

The 2025 CMC, effective as of May 1, 2026,⁴ transcends substantive doctrinal evolution. It represents a fundamental paradigm shift in China's maritime strategy. While the 1992 CMC prioritized 'active alignment' with existing international norms to integrate into the global system, the 2025 CMC signals China's transition toward a proactive, assertive role in shaping global maritime governance. This overhaul directly addresses long-standing systemic issues, including legal fragmentation between domestic and international carriage regimes, the absence of a robust legal framework for electronic transport records, and inadequate protection of the marine environment against non-tanker source pollution — gaps that have hindered China's ability to fully embed itself in the global blue economy.

This paper conducts an in-depth analysis of the ten core pillars outlined in the 2025 CMC. It explores how these amendments harmonize domestic legislation with key international instruments — most notably the *United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea* (hereinafter referred to as the Rotterdam Rules) and the *Convention on Limitation of Liability for Maritime Claims* (hereinafter referred to as the 1996 LLMC Protocol) — while introducing the innovative Chinese solutions for digital trade and maritime security. By synthesizing the interplay between legal innovation, maritime policy, and sustainable

2 KLAUS SCHWAB, THE FOURTH INDUSTRIAL REVOLUTION: WHAT IT MEANS, HOW TO RESPOND, WORLD ECONOMIC FORUM, at <https://www.weforum.org/stories/2016/01/the-fourth-industrial-revolution-what-it-means-and-how-to-respond> (Last visited on May 28, 2026). DEPARTMENT FOR BUSINESS, ENERGY & INDUSTRIAL STRATEGY OF THE UK, REGULATION FOR THE FOURTH INDUSTRIAL REVOLUTION, at <https://www.gov.uk/government/publications/regulation-for-the-fourth-industrial-revolution/regulation-for-the-fourth-industrial-revolution> (Last visited on May 26, 2026).

3 Harilaos N. Psaraftis, *Decarbonization of Maritime Transport: To Be or Not to Be?*, 21 Maritime Economics & Logistics 353, 353 (2019).

4 MARITIME CODE OF THE PEOPLE'S REPUBLIC OF CHINA OF 2025, at http://www.npc.gov.cn/npc/c1773/c1848/c21114/hsfxd/hsfxd002/202510/t20251030_449140.html (Last visited on May 30, 2026).

development goals, this study evaluates the 2025 CMC's potential to recalibrate global supply chains and solidify China's status as a leading marine power. Findings offer strategic insights for international shipowners, legal practitioners, policymakers, and blue economy⁵ stakeholders navigating the evolving legal landscape of the world's largest maritime market.

II. BACKGROUND OF THE 2025 CMC

A. Industrial Gravity and the Imperative for Legal Modernization

Since the turn of the 21st century, China has reoriented its economy toward high-level opening up⁶ and institutionalized market reforms, characterized by the proliferation of high-standard global Free Trade Zones (FTZs), the development of the Hainan Free Trade Port, and the expansion of the Belt and Road Initiative. These initiatives have driven transformative growth in China's maritime sector: by 2025, national port throughput reached 1.83 billion tons. During January and April 2026, China's port foreign trade cargo throughput reached 1,886.52 million tons, representing a year-on-year increase of 5.5%,⁷ cementing China's position as the global epicenter of maritime logistics and a key engine of the global blue economy.

However, this rapid expansion has outpaced the legislative framework of the 1992 CMC. The original CMC suffers from institutional inertia and normative obsolescence: its carrier liability regime fails to address the disruptive impact of autonomous shipping and smart logistics technologies; ambiguity around shipper obligations (e.g., cargo disclosure and delivery) has led to fragmented judicial interpretations;⁸ and the abolition of the *Domestic Waterway Cargo Transport Rules of 2020* by the Ministry of Transport created a 'regulatory vacuum' in coastal shipping, resulting in jurisprudential inconsistencies that demand unified national legislation to support the blue economy's integrated development.

5 MAKING WAVES: WORLD BANK GROUP SUPPORT FOR THE BLUE ECONOMY, 2012-2023 — AN INDEPENDENT EVALUATION, at <https://doi.org/10.1596/IEG192157> (Last visited on May 28, 2026).

6 CHINA VOWS TO FURTHER EXPAND HIGH-LEVEL OPENING UP FOR FOREIGN INVESTMENT, at https://en.gmw.cn/2024-03/26/content_37225521.htm (Last visited on May 28, 2026).

7 CARGO AND CONTAINER THROUGHPUT OF PORTS (JANUARY-APRIL 2026), at https://xxgk.mot.gov.cn/jigou/zhghs/202605/t20260526_4206309.html (Last visited on May 28, 2026).

8 Wang Ning, *Binary Paths for Judicial Determination of Joint and Several Liability of Actual Carriers*, 47(6) World Shipping 34-40 (2024).

B. Bridging the Ecological Liability Gap for Blue Economy Advancement

A key driver of the 2025 CMC is the integration of China's Marine Ecological Civilization (MEC) strategy into its maritime legal architecture — a critical step toward aligning domestic practices with global blue economy principles. While China is a signatory to the *1992 International Convention on Civil Liability for Oil Pollution Damage* and the *2001 International Convention on Civil Liability for Bunker Oil Pollution Damage*, the lack of robust domestic 'enabling legislation' has relatively influenced the effective enforcement of these international standards. The 2025 CMC serves as a critical instrument to harmonize the expansion of energy supply chains with robust legal safeguards, particularly by refining the liability standards for oil pollution to protect marine ecosystems.

C. Global Normative Interoperability in Maritime Trade

As a cornerstone of China's foreign-related commercial law, the CMC must achieve 'normative interoperability' with the evolving global maritime legal framework to facilitate seamless participation in the global blue economy. Since the 1990s, instruments such as the Rotterdam Rules, which introduced the concept of the maritime performing party, and the *2002 Protocol to the Athens Convention Relating to the Carriage of Passengers and Their Luggage by Sea, 1974* (hereinafter referred to as the 2002 Athens Protocol), which updated passenger-liability rules, have altered the legal landscape of global shipping.

The same point applies to digital trade. The endorsement of electronic documentary regimes by the Rotterdam Rules and the *UNCITRAL Model Law on Electronic Transferable Records* (MLETR) reveals a digital divide in China's maritime legal framework. This gap impedes the widespread adoption of paperless trade and the digital transformation of the maritime sector. To adapt to the global momentum of digital development, China needs to transform its role from a rule adherent to a rule setter in the international maritime community, and improve key legal institutions to fully unleash the potential of the digital blue economy.

D. Doctrinal Coherence with Domestic Legislation

Domestically, the CMC functions as a *lex specialis* (special law) that must align with China's *lex generalis* (general law) — the *Civil Code of the People's Republic of China* (hereinafter referred to as the Civil Code). Since the 1990s, China's legal system has undergone systematic reform, culminating in the enactment of the Civil Code — a social life encyclopedia that requires the realignment of maritime real rights, torts, and contractual obligations.⁹ The 2025 CMC ensures vertical and horizontal consistency within the national legal hierarchy, reflecting the maturation of China's socialist legal system and providing a stable legal foundation for blue economy development.¹⁰

The 2025 CMC is a response to China's marine power object and foreign-related rule of law requirement.¹¹ It is an objective imperative to ensure China's maritime legal infrastructure matches its role as a global maritime sovereign and supports high-quality blue economy development in an era of geopolitical and environmental change.¹² As illustrated in Table 1, the transition from the 1992 CMC to the 2025 CMC reflects a profound shift in China's maritime legal identity. While the 1992 CMC served as a bridge for China's entry into the global market, the 2025 CMC provides a 'comprehensive framework' for managing its vast maritime interests within the blue economy. This evolution is characterized by a move away from the dual-track system toward a unified regime, signaling the maturation of China's domestic maritime judiciary. The 2025 CMC creates a high-standard normative environment. This reorientation not only reduces institutional friction for global stakeholders but also positions China as a proactive rule-participant, capable of offering scalable solutions for the digital and green transitions of the 21st-century maritime sector.

9 Cao Xingguo & Chu Beiping, *Modification of China's Maritime Code as a Special Law: Legal System, Timing and Regulations*, 1 Journal of Political Science and Law 83, 83-91 (2018).

10 Si Yuzhuo, *Difficult Journey and Brilliant Achievements: Commemoration for the 30th Anniversary of the Implementation of the Chinese Maritime Code*, 34(2) Chinese Journal of Maritime Law 4 (2023).

11 COMMUNIQUE OF THE THIRD PLENARY SESSION OF THE 20TH CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF CHINA, at http://www.chinatoday.com.cn/ctenglish/2018/ttxw/202407/t20240719_800372293.html (Last visited on January 20, 2026).

12 EXPLANATION OF THE MARITIME CODE OF THE PEOPLE'S REPUBLIC OF CHINA (REVISED DRAFT), at http://www.npc.gov.cn/npc/c1773/c1848/c21114/hsfxd/hsfxd002/202511/t20251106_449388.html (Last visited on May 20, 2026).

Table 1: The Strategic Evolution of the CMC (1992 vs. 2025)

Dimensional Category	The 1992 CMC (Trade-Centric Era)	The 2025 CMC (Governance-Centric Era)	Policy & Strategic Significance
Legal philosophy	Focusing on facilitating trade and integrating into the global shipping system.	Integrating commercial efficiency with environmental stewardship and maritime security.	Transitioning from ‘reform and opening up’ to ‘leading marine power’.
Regulatory scope	Explicitly excluding domestic coastal carriage.	Integration of domestic and international carriage regimes.	Enhancing supply chain resilience and supporting the Double Circulation (DC) strategy.
Environmental stewardship	Limited to tanker oil pollution; lowering limits for domestic incidents.	Codifying marine ecological liability and polluter pays mechanisms.	Aligning with the MEC and blue economy sustainability goals.
Digital transformation	Reliant on paper-based bills of lading and physical possession.	Legalization of electronic transport records (e-TRs) via functional equivalence and control doctrine.	Institutionalizing paperless trade and providing legal certainty for blockchain logistics.
Liability framework	Liability caps reflected the 1976 LLMC regime.	Liability limits updated in line with the 1996 LLMC Protocol, with stronger protection for cargo interests.	Balancing shipowner liability with victim protection; aligning with modern International Maritime Organization (IMO) standards.
Maritime finance	Limited recognition of complex financial structures.	Clarifying rights for ‘ships under construction’ and financial leasing.	Catalyzing high-end maritime services and supporting the capital-intensive blue economy.
Strategic position	Passive adoption of international conventions.	Introducing the Chinese solutions (e.g., anti-sanction clauses, right of control).	Asserting judicial sovereignty and enhancing China’s institutional discursive power (IDP).

III. SUBSTANTIVE INNOVATIONS

The 2025 CMC represents a paradigmatic shift from a trade-focused instrument to a comprehensive maritime governance framework that integrates

commercial efficiency, environmental sustainability, and strategic resilience. Below are the ten core pillars of this legislative overhaul, analyzed through the lens of their contribution to global shipping governance and the blue economy.

A. Normative Unification of Carriage Regimes

To eliminate ‘institutional friction’ and align with China’s DC strategy by harmonizing domestic coastal trade with international standards, the 2025 CMC facilitates seamless multimodal logistics and enhances the efficiency of the national supply chain.

The most transformative legislative shift involves the abrogation of the restrictive *proviso* in article 2, effectively dismantling the dual-track system. This integration of domestic coastal transport into the CMC framework mitigates jurisdictional fragmentation and enhances the efficiency of integrated maritime logistics chains. Historically, international carriage was governed by the CMC’s specialized liability regime, while domestic carriage fell under the Civil Code’s stricter liability standards. Article 2 integrates domestic coastal transport into the CMC, establishing a consistent legal environment across China’s maritime jurisdictions and reducing barriers to the integrated development of coastal and international shipping chains.¹³

Furthermore, to reconcile traditional exemption frameworks with the demand of modern maritime technology, the 2025 CMC proposes a compromise model regarding nautical fault liability. This model accounts for the diminishing relevance of traditional exculpatory grounds in an era defined by autonomous shipping and satellite-based navigation. In light of heightened controllability and reduced risk profile of coastal navigation, article 52 articulates a differentiated liability framework. It abrogates the traditional nautical fault and fire immunities for domestic carriers, instead imposing a continuous duty to maintain seaworthiness throughout the entire voyage.¹⁴ Article 51(1) formalizes delivery within a reasonable timeframe as a non-discretionary statutory obligation. This Chinese solution effectively

13 CHU BEIPING, COMPARISON OF THE OLD AND NEW VERSIONS AND APPLICATION GUIDELINES FOR THE MARITIME CODE OF THE PEOPLE’S REPUBLIC OF CHINA, at 1 (Law Press • China, 2026).

14 Melis Ozdel, *Reconceptualising the Nautical Fault Exception in the Fog of Emerging Technologies*, 51(3) Industrial Law Journal 672, 672 (2022).

recalibrates the balance between shipping operations and cargo interests, achieving a holistic synergy in maritime governance.¹⁵

B. Modernization of Ship ‘In Rem’ Rights for Invigorating Maritime Finance

To provide a legal basis for the blue economy’s diversification, article 3 eschews an exhaustive enumeration and instead establishes a definitional framework that allows for the classification of offshore energy assets — such as offshore wind platforms and Floating Production Storage and Offloading (FPSO) units — as ships. By doing so, the provision preserves interpretative latitude for future application. It serves as a ‘principled framework’ rather than a categorical exclusion, providing a legal basis for the judicial characterization of emerging offshore energy assets in future practice. The 2025 CMC optimizes the ship real rights system to stimulate maritime finance, enhance asset utility (*jus utendi*), and support the growth of the blue economy’s maritime manufacturing and logistics segments.

Article 8 formally recognizes ownership registration in financial leasing, clarifying that unregistered lessors cannot enforce ownership against *bona fide* third parties — aligning with article 832 of the Civil Code and providing greater legal certainty for maritime finance transactions. Article 10 clarifies the rules for ownership attribution of vessels under construction, stipulating that contractual agreement prevails, or in the absence thereof, ownership vests in the shipbuilder. This resolves the ambiguity of the title that has plagued the shipbuilding industry, attracting investment and supporting the development of high-value maritime manufacturing.¹⁶ Furthermore, article 17 removes the restriction requiring the mortgagee’s consent for the transfer of a mortgaged vessel, while article 21 extends the scope of maritime liens to include ship managers — aligning with the 1993 *International Convention on Maritime Liens and Mortgages* and facilitating more efficient asset circulation in the maritime sector.

15 JAMES ZHENGLIANG HU & LIJUN LIZ ZHAO, THE MODERNISATION OF THE CHINESE MARITIME CODE: THE REVISION OF THE HYBRID REGIME GOVERNING CARRIAGE OF GOODS BY SEA, in SHENGNAN JIA & LIJUN LIZ ZHAO, COMMERCIAL AND MARITIME LAW IN CHINA AND EUROPE, at 81 (Informa Law from Routledge, 2022).

16 Huang Jin, *Dilemmas and Rule Construction of the Application of Law to Ships Under Construction*, 7(12) World Shipping 34-46 (2024).

C. The Evolution of Marine Ecological Governance Model from Passive Remedy to Proactive Control

The 2025 CMC deeply integrates the concept of the MEC into the maritime legal system, realizing the transformation of environmental responsibilities from supplementary provisions to core obligations, and establishing a full-chain ecological protection mechanism. Article 37 redefines the master's duties, incorporating pollution prevention and control into core navigational obligations, thus making environmental due diligence a statutory requirement for maritime operations. It aligns with the UN Sustainable Development Goal 14¹⁷ and the Green Shipping initiatives of the IMO, ensuring that environmental interests are prioritized in emergency situations.

Article 37 redefines the traditional role of the master, expanding their legal mandate from ship safety and navigation to encompass active pollution prevention and control. This provision effectively institutionalizes environmental due diligence at the operational level. By elevating ecological protection to a primary navigational duty, the 2025 CMC aligns domestic maritime practice with the UN Sustainable Development Goal 14 and the Green Shipping initiatives of the IMO, ensuring that environmental concerns are prioritized during maritime emergencies.

Chapter XII effectively dismantles the fragmented 'dual-track' system that previously discriminated between domestic and international pollution incidents. By establishing a unified strict liability framework for both tanker and bunker oil pollution, the 2025 CMC adheres to the polluter pays principle (article 226). The codification of compulsory liability insurance and the standardization of the oil pollution compensation fund established through the contributions of cargo owners have built a strong financial safety net. This multi-tiered compensation mechanism ensures that even catastrophic 'mega-spills' can be addressed with financial certainty, reflecting a sophisticated approach to environmental risk management in the blue economy. Beyond traditional cargo or property damage, the 2025 CMC

17 GOAL 14: CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES FOR SUSTAINABLE DEVELOPMENT, at <https://sdgs.un.org/goals/goal14> (Last visited on May 28, 2026).

provides a legal pathway for the compensation of marine ecological damage, including the loss of ecosystem services and biodiversity. This ensures that the environmental externalities of maritime transport are internalized by the industry rather than being borne by the public or the marine ecosystem. This alignment with the *International Convention on Civil Liability for Oil Pollution Damage* (CLC) and the *International Convention on Civil Liability for Bunker Oil Pollution Damage* (BUNKER), combined with domestic refinements, positions China as a proactive participant in global environmental justice, ensuring that the restoration of the marine environment is legally mandated and financially secured. This series of revisions fully aligns China's maritime environmental protection rules with international conventions, demonstrating the governance responsibility of a responsible maritime great power.

D. Refinement of 'Actual Carrier' Liability for Complex Logistics Chains

To address the complexities of multi-level sub-contracting in modern maritime logistics, article 44 refines the 'actual carrier' definition and liability scope, enhancing legal clarity for global supply chain stakeholders.

The status of an 'actual carrier' is defined by the performance of the carrier's core transport obligations — specifically the receipt, loading, handling, stowage, carriage, custody, care, discharge, and delivery of goods (article 49). This functional approach effectively carves out auxiliary service providers, such as ship repairers, from the ambit of carrier liability. Notwithstanding these distinctions, the contracting carrier remains vicariously liable for the acts and omissions of the actual carrier. This framework provides cargo interests with a clear avenue for recourse within increasingly complex logistics chains, thereby bolstering the resilience of global supply chains.

Furthermore, by broadening the connotation and extension of the term 'actual carrier', the 2025 CMC ensures that port operators — when entrusted by the carrier to perform operations such as cargo receipt, delivery, loading, and unloading — may also be characterized as actual carriers. Consequently, they are entitled to invoke the carrier's defenses and the limitation of liability per unit, among other statutory rights.

E. Rebalancing the Framework of Interest Distribution

The 2025 CMC enhances shipper rights and modernizes delivery rules to adapt to the dynamic needs of global trade and digital supply chains.

1. *Shipper's Right of Control.* — Article 96 grants shippers the right to suspend transport or change the discharge port mid-voyage (with carrier indemnification for resulting losses), offering unprecedented flexibility to respond to market fluctuations and supply chain disruptions — critical for the agility of the global blue economy. This amendment serves to both facilitate trade flexibility and resolve the legal title confirmation of goods in the digital environment, in conjunction with e-TRs.

2. *Suitability for Carriage.* — The carrier's obligation of seaworthiness is extended to carrier-provided cargo containers (article 48), and its duties are expanded to deliver consigned goods (article 49). Shippers are required to explicitly ensure goods are 'suitable for carriage' (article 67), clarifying risk allocation for cargo-related damages and aligning China's rules with international standards for cargo liability.

3. *Unclaimed Goods at Destination.* — The party liable for expenses and risks arising from failed delivery at the port of discharge shall be changed from the consignee to the shipper; a new obligation is imposed on the carrier to give notice in case of non-delivery at the port of destination. When the carrier finds that no one takes delivery of the goods at the port of destination, it shall promptly notify the shipper, so as to prevent the prolonged detention of the goods from aggravating losses and lay a legal foundation for the carrier to take subsequent responsive measures such as transshipment and warehousing (article 93).

F. Paradigm Shift Toward Data-Driven Maritime Governance

The 2025 CMC marks a paradigm shift from document-centric pattern to data-driven maritime governance by institutionalizing e-TRs. This legislative milestone provides the 'legal infrastructure' essential for a blockchain-integrated smart shipping ecosystem.

By codifying the principles of functional equivalence (article 82) and control (article 85), the 2025 CMC ensures that e-TRs possess the same

normative validity as traditional paper bills of lading. This evolution transcends mere administrative efficiency. It represents an ontological shift in maritime law — redefining the legal connotation of ‘possession’ in the digital age. By replacing physical delivery with cryptographic or contractual ‘control’ (articles 84 and 85), the 2025 CMC effectively resolves the singularity challenge (the legal dilemma of ensuring the uniqueness of a digital asset), thereby unlocking the potential for digital trade finance and secure asset transfer.¹⁸

From a policy perspective, this modernization initiative aligns with the blue economy framework by significantly reducing the carbon footprint and ‘institutional friction’ associated with global trade documentation. As a pillar of China’s Digital Silk Road strategy,¹⁹ this transition underscores a move from being a passive recipient of maritime norms to a proactive ‘rule-participant’. By aligning domestic statutes with international digital standards, the 2025 CMC provides the normative certainty required for a fully integrated, paperless, and resilient global supply chain, cementing China’s competitive edge in the era of smart shipping.

G. Reasserting Party Autonomy in Alignment with Commercial Practice Demands

The relocation of ‘Voyage Charterparties’ from Chapter IV to Chapter VI signifies a decisive pivot toward the principle of freedom of contract, a cornerstone of international maritime commerce. By adopting a framework where default legal provisions yield to contractual agreements, the new model empowers parties — particularly in specialized sectors like offshore energy — to negotiate customized risk allocations. This expansion of autonomy (article 129) fosters innovation and operational flexibility within the burgeoning blue economy.²⁰

A similar breakthrough in party autonomy is evident in the rules governing

18 MIRIAM GOLDBY, *ELECTRONIC DOCUMENTS IN MARITIME TRADE: LAW AND PRACTICE*, at 1 (Oxford University Press, 2019).

19 Erik Baark, *China’s Digital Silk Road: Innovation in a New Geopolitical Environment*, 16 *East Asian Policy* 25, 25 (2024). Owen Fishwick, *China in the Fast Lane on Digital Silk Road*, *China Daily*, December 4, 2017. DAVID GORDON & MEIA UOUWENS, *THE DIGITAL SILK ROAD: CHINA’S TECHNOLOGICAL RISE AND THE GEOPOLITICS OF CYBERSPACE*, at 11 (Routledge, 2022).

20 Chu Beiping, *The Evolution and Industrial Development Adaptation of the Specialized Legislation on Voyage Charter Parties Against the Background of the Amendment to China’s Maritime Code*, 5 *Journal of Political Science and Law* 3, 3 (2025).

ship collisions. The 2025 CMC now permits parties involved in a collision to mutually elect the applicable law *ex post facto* (after the tortious act has occurred). This reform dismantles the rigid predecessor rule that mandatorily imposed the *lex loci delicti* (law of the place of the wrong). By endowing parties with greater procedural discretion, the amendment ensures that choice-of-law outcomes are more consonant with commercial expectations and harmonized with prevailing international conflict-of-law norms (article 301).

Furthermore, the structural overhaul of article 17 marks a significant liberalization of vessel financing. The former restrictive regime, which prohibited the transfer of a mortgaged vessel without the mortgagee's prior consent, has been replaced by a framework of free transfer subject to contractual exceptions. This shift is designed to mobilize the capital value of maritime assets, striking a sophisticated balance between securing the interests of financial creditors and granting shipowners enhanced dispositive power. By injecting liquidity into the second-hand vessel market and incentivizing innovation in shipping finance, these changes facilitate the industry's transition toward a more efficient and resilient ecosystem. Ultimately, this legal evolution is of paramount importance for bolstering China's competitive standing in the global maritime arena.

H. Optimizing Marine Insurance to Boost Resilience of Maritime Finance

Chapter XIII of the 2025 CMC modernizes the marine insurance framework, fortifying financial resilience across the maritime sector and providing a robust legal foundation for the blue economy. A pivotal advancement is found in article 245, which crystallizes the legal status of shipbuilding insurance by formally bringing it within the purview of the 'Marine Insurance Contracts' Chapter. This legislative intervention effectively resolves long-standing jurisprudential ambiguities regarding whether vessels under construction qualify as maritime subjects — a point of significant contention in prior judicial practice.²¹ By establishing clear parameters for coverage, this provision provides the shipbuilding industry

21 Martin Davies & Jiang Lin, *Taizhou Sanfu Ship Engineering Co., Ltd. v. PICC P&C Shipping Insurance Operation Center*, Chinese Maritime Cases Series (CMCS) 2095, 2095 (2025). The Research Group of Nanjing Maritime Courts, *Study on Difficult Legal Issues of Ship Construction Contract Disputes*, 11 Journal of Law Application 83, 83 (2022).

with a more predictable regulatory environment, thereby facilitating more stable risk management for high-value maritime assets.

Furthermore, to elevate disclosure standards and market transparency, the 2025 CMC refines the doctrine of *uberrimae fidei* (utmost good faith) under article 247. Most notably, article 248(3) imposes a strict 30-day preclusive period for insurers to exercise their right of rescission. This revision aligns with the 30-day statutory time limit set forth in article 16 of the *Insurance Law of the People's Republic of China*. Such a mechanism achieves a dynamic equilibrium: it penalizes intentional non-disclosure by the insured while simultaneously circumscribing the potential abuse of rescission rights by insurers. Consequently, this enhances the international credibility of China's marine insurance regime and streamlines cross-border transactions by aligning domestic protocols with global maritime governance standards.

The pursuit of substantive fairness is further evidenced in article 261, which reconstructs the legal regime governing marine insurance warranties. By introducing a causal nexus requirement, delineating specific liability periods, and standardizing termination procedures, the amendment mitigates the draconian severity of traditional warranty rules. These refinements reduce compliance costs and claim uncertainties for the insured while enhancing insurers' operational efficiency and contractual stability. Such optimization fosters a conducive environment for product innovation and actuarial precision, ultimately lowering transaction costs across the maritime value chain. In doing so, these reforms revitalize the commercial vitality and systemic resilience of the shipping and insurance markets, significantly bolstering the international competitiveness of China's maritime legal framework.

I. Bolstering Strategic Autonomy Anchors Blue Supply Chains

The 2025 CMC is fundamentally oriented toward fortifying national strategic resilience and asserting China's IDP. By establishing a robust legal shield against extraterritorial overreach and unilateral sanctions, these provisions secure the continuity of China's global supply chains.

The 2025 CMC introduces a suite of strategic autonomy measures

designed to safeguard the integrity of maritime trade. Article 308(2) institutionalizes a formal framework for reciprocal countermeasures against discriminatory international practices that infringe upon China's maritime sovereignty or commercial interests. This foreign-related legal apparatus serves as a jurisdictional bulwark, mitigating the adverse effects of extraterritorial overreach. By providing a solid statutory basis for reciprocity, the 2025 CMC necessitates a recalibration of international shipping risk assessments. Ultimately, these provisions demonstrate China's commitment to fostering a multilateral maritime order based on sovereign equality, rather than accepting unilateral arrangements passively.

Economic resilience is further bolstered by the modernization of liability regimes. Article 219 raises liability limits to account for inflation and the escalating value of modern maritime trade. This adjustment ensures equitable protection for maritime casualty victims while rebalancing the risk-sharing mechanism between shipowners and cargo interests. By aligning China's compensatory rules with prevailing global standards, the amendment enhances the judicial protection of victims and reinforces the financial stability of the maritime sector.

Strategic autonomy is also consolidated through the formalization of the maritime insurance system. By codifying the legal standing of the Protection and Indemnity (P&I) Club at the legislative level, article 309 institutionalizes critical norms regarding membership structures, premium mechanisms, and compensatory responsibilities. Beyond its technical function, this article serves a dual strategic purpose: it fortifies China's maritime sovereignty and supply chain resilience while advocating for a fair and equitable maritime order. This amendment carries profound significance, aligning with developing an independent and self-reliant shipping insurance system²² and addressing the systemic risks of international insurance sanctions.²³ In synthesis, these amendments represent a pivot toward judicial autonomy. This legislative evolution is essential for maintaining the stability of international trade routes and protecting core national interests.

22 RESOLUTION OF CPC CENTRAL COMMITTEE ON FURTHER DEEPENING REFORM COMPREHENSIVELY TO ADVANCE CHINESE MODERNIZATION, at https://en.qstheory.cn/2024-07/21/c_1009486.htm (Last visited on May 28, 2026).

23 Wang Dong, *The Impact of Political Risk Events on Marine Insurance: Cases and Implications*, 10 Insurance Theory & Practice 41, 41 (2025).

IV. IMPACTS AND CHALLENGES IN RESHAPING MARITIME GOVERNANCE AND THE BLUE ECONOMY

The ultimate efficacy of the 2025 CMC hinges on its ability to translate ‘law on the books’ to ‘law in action’. While this legislative overhaul presents significant opportunities for the advancement of global shipping governance and the blue economy, it simultaneously confronts a myriad of practical implementation challenges. Nevertheless, the 2025 CMC aligns with the broader imperatives of the global blue economy, which requires a more integrated and technology-driven regulatory framework to ensure sustainable ocean governance.²⁴

A. Positive Impacts of Promoting the Evolution of Global Maritime Governance

The 2025 CMC reshapes the global maritime legal order through eight critical dimensions, with profound implications for global shipping governance and the sustainable development of the blue economy.

1. *Regulatory Harmonization.* — Abolishing coastal transport exclusions and unifying liability limits eliminate regulatory friction, providing international stakeholders with a seamless legal environment. Enhanced interoperability between Chinese and international rules reduces compliance costs and legal risks, stabilizing cross-border trade and supporting the integrated development of the global blue economy.

2. *Digital Frontiers.* — Codifying e-TRs positions China as a global pioneer in the maritime sector’s digital transition. China provides institutional support for blockchain-based bills of lading, establishing a *de facto* global standard for digital maritime instruments and accelerating the shift from paper-based systems — an essential step toward realizing the efficiency and sustainability benefits of the digital blue economy.²⁵ Furthermore, digital bills of lading and electronic transport records enhance the transparency of risk control mechanisms within shipping finance, a development that in turn acts

24 Edvard Tijan, Marija Jović & Saša Aksentijević et al., *Digital Transformation in the Maritime Transport Sector*, 170 *Technological Forecasting & Social Change* 1, 1 (2021).

25 Zeng Fangli, Chen Anqi & Xu Shuojiao et al., *Digitalization in the Maritime Logistics Industry: A Systematic Literature Review of Enablers and Barriers*, 13(4) *Journal of Marine Science and Engineering* 1, 1 (2025).

as a catalyst for increased sustainable investment into the maritime sector.²⁶

3. *Ecological Stewardship*. — The ‘three-tier’ liability mechanism (strict liability, mandatory insurance, compensation fund) internalizes environmental externalities, aligning maritime activities with global climate goals. Stringent financial consequences for pollution incentivize shipowners to adopt clean energy technologies and improve environmental performance, supporting the IMO’s decarbonization goals of 2050 and the global green shipping agenda — a core component of sustainable blue economy development.

4. *Jurisdictional Autonomy*. — Expanding the mandatory application of Chinese law to international carriage involving Chinese ports strengthens ‘judicial sovereignty’ and positions China as a preferred forum for international maritime arbitration. Refined conflict-of-laws rules for ship real rights and pollution liability create a robust dispute resolution framework, enhancing the attractiveness of China’s maritime sector for global investment and supporting the stability of the blue economy.

5. *Strategic Resilience*. — Anti-sanction and anti-discrimination clauses expand China’s ‘foreign-related legal toolkit’, formalizing reciprocal countermeasures against extraterritorial overreach. These provisions advocate for a fair international shipping order rooted in sovereign equality, safeguarding the interests of developing nations and ensuring that the blue economy is governed in a more inclusive and equitable manner.

6. *Professional Synergies*. — The 2025 CMC’s complexity and internationalization stimulate demand for specialized maritime services (law firms, arbitration centers, and average adjusters). This professionalization enhances China’s soft power in global maritime governance and supports the development of a high-value maritime services sector, a key component of the knowledge-intensive blue economy.

7. *Normative Leadership*. — The 2025 CMC marks China’s transition from a passive recipient of international norms to a proactive rule-maker. China offers Chinese solutions to pressing maritime challenges, enhancing its IDP in digital trade and environmental liability. This shift has the potential to reshape global shipping governance to better reflect the interests of emerging maritime powers and advance the blue economy agenda.

26 BLUE ECONOMY AND BLUE FINANCE: TOWARD SUSTAINABLE DEVELOPMENT AND OCEAN GOVERNANCE, at <https://doi.org/10.56506/HDLZ1912> (Last visited on May 28, 2026).

8. *The Paradigm Shift.* — The 2025 CMC signifies a pivotal transition in China's maritime legal philosophy, shifting from a development-centric model to one rooted in the MEC. Environmental stewardship is no longer an ancillary policy objective but a core statutory obligation embedded within the maritime operational framework. This shift ensures that the polluter pays principle is applied consistently, reflecting China's role as a responsible maritime great power. To institutionalize the ecological civilization²⁷ goal, this unique provision goes beyond commercial damage to protect the common heritage of the marine environment, positioning China as a pioneer in global green shipping governance.

B. Potential Challenges in Implementation

The ultimate legal efficacy of the 2025 CMC rests on its successful transformation from a paper-based statute to enforceable operative law. The modernization of maritime governance regimes is never frictionless. While this legislative update creates pivotal opportunities for global shipping governance and blue economy advancement, its on-the-ground implementation faces obstacles. Specifically, maritime digital transformation, marine ecological valuation, and intricate geopolitical dynamics generate notable uncertainties for the 2025 CMC's full-scale enforcement.

1. *Technical Interoperability and Cross-Border Legal Recognition Present Implementation Barriers.* — As a foundational institutional pillar of the digital blue economy, e-TRs rely on the elimination of cross-jurisdictional legal silos to achieve practical viability. Guaranteeing the exclusive uniqueness of e-TRs demands systematic technical coordination across heterogeneous blockchain platforms. Without unified judicial standards for admitting decentralized electronic evidence, the functional equivalence of e-TRs may remain theoretically valid yet practically unenforceable. Moreover, the global outreach of China's maritime digital reform hinges on the acceptance of e-TRs by foreign judicial bodies and financial institutions. In the absence of globally unified international standards, Chinese stakeholders will continue to confront regulatory bottlenecks in jurisdictions

27 Xue Bing, Han Bin & Li Hongqing et al., *Understanding Ecological Civilization in China: From Political Context to Science*, 52 *Ambio* 1895, 1895 (2023).

that mandate traditional paper documentary procedures.

2. Structural Deficiencies Persist Within the Marine Ecological Liability Framework. — Although the 2025 CMC codifies ship-source marine pollution liabilities and aligns domestic maritime legislation with national ecological civilization initiatives, it entails inherent practical dilemmas. Foremost, ecological damage assessment suffers from normative ambiguity. Unlike conventional physical cargo damage, harms including biodiversity deterioration and ecosystem service degradation lack standardized quantitative evaluation criteria. Such regulatory uncertainty may result in inconsistent judicial rulings, protracted litigation proceedings, and inhibited sustainable maritime investment. Furthermore, the adequacy of the statutory oil pollution compensation fund remains undetermined. To address catastrophic oil spill risks posed by ultra-large crude oil tankers, the newly instituted compensation fund requires sufficient and sustained capitalization. Adequate funding is essential to ensure compatibility with international oil pollution compensation conventions and strengthen defenses against severe marine environmental incidents.

3. Anti-Extraterritorial Countermeasure Clauses. — The adoption of anti-discrimination and reciprocal countervailing provisions manifests China's proactive efforts to enhance institutional discourse in global maritime governance, fortify the resilience of domestic maritime supply chains, and uphold the legitimate regulatory interests of a responsible maritime power against undue extraterritorial interference. Nonetheless, these provisions add substantive complexity to regulatory enforcement. Global shipping stakeholders are trapped in a dual compliance predicament, as they need to abide by domestic legislation while coping with extraterritorial unilateral sanctions. Such normative conflicts may lead to asset seizure, port entry denial, and the erosion of unified regulatory norms within global maritime governance.

4. Normative Coordination Between the 2025 CMC and the Civil Code. — As a specialized commercial statute, the 2025 CMC necessitates systematic normative alignment with the Civil Code to sustain the internal coherence of China's civil and commercial legal system. Ambiguous provisions concerning the demarcation and application of contractual and tort liabilities in transnational maritime disputes require authoritative clarification via judicial interpretations by the Supreme People's Court. Without a

definitive hierarchy of legal application, pervasive forum shopping between general civil courts and specialized maritime courts may undermine the stability, certainty, and predictability of the 2025 CMC enforcement.

V. POLICY RECOMMENDATIONS

To maximize the 2025 CMC's potential as a catalyst for the blue economy and global shipping stability, the following strategic implementation framework is proposed for judicial authorities, maritime regulators, and international industry stakeholders.

A. Unifying Judicial Adjudication Criteria and Innovating Administrative Supervision

The transformation of the 2025 CMC from a 'trade hub' to a 'governance hub' ultimately hinges on translating abstract statutory provisions into concrete judicial application. Targeting practical problems arising during implementation, the Supreme People's Court shall issue a number of special judicial interpretations as a priority to define the boundaries of newly established rights and obligations. It is also necessary to formulate detailed operational rules for e-TRs, as well as valuation criteria and case guidelines for marine ecological damage, so as to ensure consistent judicial practice.

1. Standardizing E-TRs as Evidence. — For the standardization of e-TRs as evidence, competent administrative authorities shall establish clear evidentiary rules for blockchain records, guaranteeing that digital title documents enjoy the same enforceability as paper documents before China's maritime courts. Relevant maritime administrative regulations shall be revised to align with unified standards set by the 2025 CMC, coordinate rules governing coastal shipping safety and cargo handling procedures, and close the regulatory gaps in the administration of coastal-inland waterway transportation.

2. Special Supervision for Green Shipping and Digital Trade. — Efforts should be made to standardize the technical framework and operation models of e-TRs, and develop e-TRs operation platforms compliant with international norms. By integrating strong cryptographic protocols, multi-factor authentication and blockchain-based judicial evidence

preservation, stakeholders can effectively strike a balance between the convenience brought by digital innovation and legal certainty.

B. Interoperable Digital and Green Infrastructure

1. *Interoperable Digital Ecosystems.* — To promote cross-platform interoperability and avoid digital silos, the Ministry of Transport should collaborate with industry leaders, international organizations, and tech firms to lead the development of an open-standard API for e-TRs. This ensures that Chinese digital trade infrastructure remains interoperable with global platforms like Global Shipping Business Network (GSBN) or Digital Container Shipping Association (DCSA), facilitating seamless cross-border data flows, and ensuring functional equivalence (integrity, identifiability) as mandated by article 74.

2. *Quantifying Ecological Damages.* — A multidisciplinary task force comprising maritime jurists, environmental scientists, and economists should be established to develop a standardized marine ecological damage assessment protocol. By quantifying the loss of biodiversity and ‘ecosystem services’ (article 225) through transparent metrics, China can avoid inconsistent judicial rulings and provide insurers with the actuarial predictability needed to cover high-limit environmental liabilities.

3. *Future-Proof for the Twin Transitions.* — Free trade port pilot programs can be adopted to examine legal frameworks for autonomous vessels and alternative fuel liabilities, which help deliver dynamic codification and prompt judicial guidance. Compliance with IMO standards will further ensure global interoperability and bolster the green and digital transitions across the blue economy.

C. Recalibrating Global Risk Management and Contractual Resilience

1. *Contractual Harmonization.* — With the abrogation of the nautical fault immunity for domestic coastal trade (article 52), carriers must audit their standard bills of lading and insurance policies. This is critical to capture the nautical fault compromise and the newly unified liability framework that now governs both domestic and international segments. Stakeholders should adopt the ‘actual carrier’ (article 44) liability frameworks to ensure that multi-layered

subcontracting in modern logistics does not result in insurance gaps.

2. *P&I Club Realignment*. — International P&I Clubs are encouraged to recalibrate their ‘blue cards’ and coverage limits in response to the 1996 LLMC Protocol standards and the new mandatory insurance requirements for bunker oil pollution (article 219). This realignment is critical for maintaining financial resilience in the face of escalating liability caps in the world’s largest maritime market.

D. Navigating Strategic Autonomy and ‘Compliance Neutrality’ Doctrine

1. *The Compliance Neutrality Doctrine*. — Global maritime stakeholders shall incorporate geopolitical neutrality clauses into charterparties. These clauses should explicitly distinguish between UN-mandated international sanctions and unilateral extraterritorial dictates, providing a contractual ‘safe harbor’ when navigating the conflicting requirements of foreign regulations and Chinese maritime law, thereby mitigating the risk of stakeholders being ensnared in jurisdictional conflicts between different legal regimes.²⁸

2. *Enhanced Due Diligence*. — Shipowners shall develop and implement specialized discriminatory risk assessment protocols. These protocols require shipowners to conduct rigorous screenings to determine whether the refusal to load cargo or call at a port could be legally construed as discriminatory conduct under the provisions of the CMC. P&I Clubs should establish a grey zone monitoring mechanism to provide real-time updates on Chinese judicial triggers for anti-sanction measures, helping members avoid being labeled as ‘non-compliant’ carriers within the Chinese market.

3. *Multilateral Regulatory Dialogue*. — To enhance the predictability of the application of article 308, global maritime organizations shall advocate for the establishment of a transparent trigger mechanism for the CMC’s reciprocal countermeasures. Drawing a clear distinction between mandated international sanctions of the United Nations and unilateral extraterritorial regulatory dictates of individual states will help preserve the normative coherence of the global shipping legal order. Global stakeholders should seek clarity on what constitutes a ‘discriminatory measure’. For instance,

28 SANCTIONS CLAUSE FOR TIME CHARTER PARTIES 2020, at https://www.bimco.org/contractual-affairs/bimco-clauses/current-clauses/sanctions_clause_for_time_charter_parties_2020 (Last visited on May 28, 2026).

does compliance with UN-mandated sanctions differ from compliance with unilateral domestic sanctions? International shipowners operating heavily in the Chinese market should consider localized dispute resolution (e.g., Shanghai or Hainan Maritime Arbitration Commission) to handle conflicts involving these clauses, as Chinese tribunals may offer more predictable interpretations of the provisions of the CMC than foreign courts.

4. *FTZ Localized Compliance.* — The 2025 CMC's clauses are designed to safeguard China's digital commerce economy. Shipowners who maintain a 'policy-neutral' logistics strategy — prioritizing the continuity of trade over political alignment — will likely find themselves better positioned to benefit from the blue economy incentives offered in China's FTZs. Furthermore, global shipowners should establish localized compliance monitoring in China's FTZs. This allows for real-time assessment of whether operational decisions might be legally construed as 'discriminatory conduct' under the 2025 CMC, thereby triggering reciprocal countermeasures.

E. International Collaboration, Judicial Soft Power and Talent Development

1. *Building Harmonized Regional Maritime Regulatory Regimes.* — China should promote a regionally harmonized regulatory regime based on the innovative provisions of the 2025 CMC, such as e-TRs and the right of control, and disseminate these Chinese solutions as regional standards to mitigate legal silos and reduce institutional frictions across the Asia-Pacific blue economy. To consolidate the global legitimacy of the 2025 CMC reforms, it is critical to align relevant rules with maritime international conventions and their protocols. Demonstrating commitment to multilateralism and the functional equivalence of new legal instruments will further enhance the global standing of China's maritime reforms and ease frictions stemming from compliance dilemmas.

2. *Enhancing Maritime Judicial Soft Power and International Trust.* — To build greater international trust and cultivate judicial soft power, China shall expand maritime judicial exchanges with leading global maritime judicial hubs, improve the transparency of CMC-related rulings through bilingual case databases, and encourage international parties to adopt Chinese law as the governing law in contractual agreements. Transparent and

predictable judgments on complex maritime disputes will elevate China's institutional influence in global maritime governance.

3. *Deepening Exchanges with Global Maritime Judicial Hubs.* — China should scale up maritime judicial exchange programs with well-established global maritime judicial hubs. It shall enhance the transparency of judgments under the 2025 CMC via bilingual case databases and encourage international maritime stakeholders to designate Chinese law as their primary governing law. By delivering transparent and predictable judgments to present Chinese solutions to intricate maritime legal disputes, China can strengthen its institutional voice in global maritime governance and foster wider adoption of Chinese law in commercial contracts. In addition, greater investment is needed to cultivate a new cohort of dual-qualified maritime legal professionals with international expertise, who possess solid proficiency in both the 2025 CMC and relevant international maritime conventions.

VI. CONCLUSION

The 2025 CMC represents a paradigmatic shift in global maritime jurisprudence. It marks the definitive transition of the world's leading maritime nation from a passive rule-follower to a proactive rule-participant capable of offering the Chinese solutions to 21st-century challenges. Beyond a mere legislative update, the 2025 CMC serves as a comprehensive legal manifesto for the blue economy, integrating commercial efficiency, digital innovation, and ecological accountability into a unified governance framework. Three transformative themes define this new era of Chinese maritime law.

The first is digital maturity and interoperability. By codifying e-TRs and embracing the control over possession doctrine, China has bridged the gap between traditional bailment and modern fintech. This provides a blueprint for a paperless global supply chain, fostering institutional interoperability that is essential for the digital blue economy. The second is ecological stewardship as a statutory core. The shift toward strict liability and a multi-tiered compensation regime for ship-source pollution reflects a profound recalibration of maritime priorities. By internalizing environmental externalities, the 2025 CMC aligns China's vast shipping industry with the global green shipping agenda and the UN Sustainable Development Goals,

setting a high-standard benchmark for environmental justice in the maritime domain. The third is strategic resilience and sovereignty. These measures do not merely protect domestic interests but advocate for a more equitable and multipolar maritime order, where judicial sovereignty and the continuity of trade are shielded from extraterritorial overreach.

The global significance of the 2025 CMC cannot be overstated. As the gravity of shipping continues to shift toward Asia, China's legislative innovations offer a pragmatic model for other emerging maritime powers. While implementation challenges remain, particularly regarding the valuation of ecological damages and the interoperability of digital platforms, the 2025 CMC provides the normative certainty required to navigate an increasingly complex maritime environment.

In summary, the 2025 CMC is more than a domestic statute. It is an instrument for global shipping modernization. It offers a path toward a maritime future that is more resilient, digitally integrated, and ecologically sustainable. For international stakeholders, engaging with this new legal landscape is no longer a choice but an imperative for participating in the future of the global blue economy.

(Edited by Gong Li)

中国海商法的范式转变、数字化转型与可持续蓝色秩序构建

内容提要 2025年修订的《中华人民共和国海商法》是中国海事法律体系现代化进程中的一座里程碑，标志着海事法律制度从侧重“贸易便利化”模式向“综合海事治理”模式的根本性范式转型。此次修订实现了与《民法典》的体系衔接，化解了海事物权、合同责任等领域长期存在的法律冲突，提升了整个海事法律体系的统一性。本次修法取得多项重大突破，特别是通过构建电子运输记录制度和海洋生态责任体系，推动海事单证数字化转型与海事责任制度绿色化发展。具体而言，电子运输记录“功能等效规则”的确立，破解了海事数字贸易中的“唯一性法律障碍”；将海洋生态文明建设理念融入责任体系，通过生态损害三方赔偿机制实现环境外部成本内部化。修订后的《海商法》为全球海事秩序演进贡献了成熟完善的“中国方案”，不仅有利于提升中国海事司法裁判的可预期性、完善涉外法治建设，也为国际海洋治理与蓝色经济发展赋予新内涵。该法既维护我国海洋权益、助力蓝色经济高质量发展，也必将推动构建数字化融合、公平包容、生态可持续的国际海洋新秩序。
