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CHINA'S NEW LAND BORDER 2022 AND ITS NEIGHBORHOOD DIPLOMACY

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Abstract: The purpose of this article is to explore the motivations behind and the significance of China's Land Border Law 2022 in the context of its long-term foreign policy toward neighboring countries. The article primarily relies on desk research, employing a framework derived from international studies. It elucidates the reasons behind China's decision to implement this land border law at this particular juncture, taking into account the contemporary global and regional environments. Furthermore, the article assesses the role of this law within China's established foreign policies towards its neighboring nations, with a particular focus on its implications for India and Vietnam. The paper presents several key findings. Firstly, it draws lessons from the successes of the law and China's neighborhood policy that could inform all parties involved in land border conflict resolutions, suggesting that these insights also apply to similar maritime disputes. Secondly, it highlights both the opportunities and challenges that lie ahead for future cooperation between China and its neighbors. The article also outlines important implications for Vietnam regarding legal frameworks and foreign policy responses.

Keywords: China, Vietnam, relationship, land border, law

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Tóm tắt: Mục đích của bài viết này° là tìm hiểu động lực đằng sau và ý nghĩa của Luật Biên giới Đất liền 2022 của Trung Quốc trong bối cảnh chính sách đối ngoại dài hạn của nước này đối với các nước láng giềng. Bài viết chủ yếu dựa trên nghiên cứu tài liệu, sử dụng khuôn khổ bắt nguồn từ các nghiên cứu quốc tế. Bài viết làm sáng tỏ lý do đẳng sau quyết định của Trung Quốc thực thi luật biên giới đất liền vào thời điểm cụ thể này, có tính đến bối cảnh toàn cầu và khu vực hiện nay. Hơn nữa, bài viết đánh giá vai trò của luật này trong các chính sách đối ngoại đã được thiết lập của Trung Quốc đối với các quốc gia láng giềng, đặc biệt tập trung vào những tác động của nó đối với Ấn Độ và Việt Nam. Bài viết trình bày một số phát hiện chính. Thứ nhất, bài viết rút ra bài học từ những thành công của luật và chính sách láng giềng của Trung Quốc; những bài học này có thể cung cấp thông tin cho tất cả các bên liên quan trong việc giải quyết xung đột biên giới đất liền, cho thấy những hiểu biết này cũng áp dụng cho các tranh chấp hàng hải tương tự. Thứ hai, bài viết nêu bật cả những cơ hội và thách thức sắp tới đối với sự hợp tác trong tương lai giữa Trung Quốc và các nước láng giềng. Bài viết cũng phác thảo những tác động quan trọng đối với Việt Nam liên quan đến khuôn khổ pháp lý và các phản ứng chính sách đối ngoại.

Từ khóa: Trung Quốc, Việt Nam, quan hệ, biên giới đất liền, luật

1. Introduction

China is a vast nation, recognized as the world's second most populous country and the third largest by total area (Worldometers.info, 2025). Boasting over 22,000 kilometers of land borders with 14 neighboring countries, China has experienced a complex history marked by periods of both conflict and collaboration along these borders. Following the establishment of the People's Republic of China, significant efforts were directed towards negotiations and discussions related to border demarcation and dispute resolution. As of the 2020s, numerous agreements and mutually recognized understandings have been reached, effectively addressing most disputes. However, negotiations regarding the border issues with India and Bhutan remain ongoing ("Policies on Territorial Disputes" Research Group, Peking University and the China Foundation for International and Strategic Studies (CFISS), 2021).

The communities along the aforementioned land border have managed to coexist peacefully through mutual efforts aimed at achieving a better and more secure life. However,

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following the newly erupted conflicts with India in 2020, China swiftly moved to establish a Land Border Law, which came into effect in January 2022. This law reflects certain changes and adjustments in China's mainstream foreign policy toward its neighboring countries, promoting a narrative of being more peaceful and collaborative than in the previous five years.

This article aims to illuminate the motivations behind China's Land Border Law of 2022 and its role in shaping China's foreign policy with its neighbors. Vietnam and India will serve as examples of the differing approaches China takes in dealing with its "friends on the border". The insights gathered from both theoretical and practical research are intended to inform sound policymaking and responses to the neighboring giant – China.

2. The Research

2.1. Literature Review

The topic of China's foreign relations with its neighboring countries has been extensively investigated by numerous authors, scholars, and researchers worldwide, given China's significant role in human civilization. Recently, Dinh (2022) collaborated with other esteemed writers in Vietnam to publish a book that explores China's relationships with its neighbors, with a particular focus on its neighboring policy. This book contains a wealth of records, documents, and discussions on Chinese ideology and historical patterns of thoughts on borders and frontiers, spanning from ancient times to the contemporary world.

Notably, this meticulously researched work compiles documents concerning China's interactions with strategic border nations, including Russia (formerly the Soviet Union), India, Laos, Myanmar, and Vietnam, from the establishment of the People's Republic of China in 1949 until the book's publication in 2022. However, the discussions surrounding the Land Border Law, which was officially introduced after the majority of the book's content was completed, are not thoroughly addressed.

Although this law has emerged as a regional political issue in recent years, there has been limited research on its impact and implications. In light of recent border conflicts between China and India in the early 21st century, several scholars, such as Chadha (2022), Kumar (2021), and Luo (2021), have conducted preliminary studies on the matter.

Regarding Vietnam, since China and Vietnam achieved mutual agreements on border settlements and entered a phase of peaceful cooperation after 2000, both countries have been collaborating to develop their economies and maintain security and peace. As a result, recent scholarly work has focused on these collaborative aspects. One notable publication is "From the Border of 'Barrier' to the Border of 'Connectivity': The Current Development and Connectivity of Vietnam-China Cross-Border Infrastructure" by Chu and Duong (2024).

Lastly, while both countries have experienced significant disagreements and disputes over maritime borders, it is essential to draw lessons regarding conflict resolution (as seen in the case of China-India relations) and cooperative efforts (as in the case of Vietnam-China relations). This article aims to contribute to that understanding.

2.2. Scope of the Research

This research focuses on the period from 2020 to 2024, during which China's Foreign Policy regarding its neighboring countries and the Land Border Law were developed, mandated, and officially issued. To provide context for the inception of these significant legal documents, it is essential to explore their historical backgrounds. The study prioritizes an indepth analysis of the two pivotal documents: The Land Border Law of 2022 and China's foreign

policy toward its neighbors.

The analysis highlights land border settlements as they stand in 2024-2025, a period when China and its neighbors have largely resolved most conflicts, disagreements, and disputes, with only minor issues remaining with India and Bhutan. In contrast, maritime border disputes among the relevant parties remain contentious, showing little sign of resolution after decades of disagreements since the establishment of the People's Republic of China. Nevertheless, it is anticipated that the lessons learned from the resolution on land border conflicts will be applicable in addressing similar issues at sea.

2.3. Methodology

This study employs a qualitative research approach, utilizing secondary sources from China, Vietnam, and respected academic institutions. To examine the evolving dynamics of China's 2022 Land Border Law and its Foreign Policy concerning its neighboring countries, a thorough literature review has been conducted to gather insights from academic literature, policy papers, and strategic reports. The analysis is grounded in the theoretical frameworks of realism, liberalism, and constructivism, which provide a foundation for exploring the strategic significance of China's Foreign Policy in relation to its neighbors, particularly focusing on India and Vietnam. These cases are highlighted to illustrate the opportunities and challenges associated with conflict resolution and border cooperation among countries that share mutual borders.

3. Findings and Discussions

3.1. China's Policy toward its Neighboring Countries

China formally unveiled its Foreign Policy on Its Neighborhood in the New Era in 2023, laying out a new set of guidelines for its interactions with its neighbors. This new policy "declares China's commitment to the path of peaceful development, to promoting the development of neighboring countries through its own progress, to collaborating with regional nations to advance modernisation, and to jointly building a community with a shared future among neighboring states" (Ministry of Foreign Affairs of the People's Republic of China, 2023).

While China's goal to create a peaceful, secure, wealthy, beautiful, friendly, and harmonious Asia in the new era has been promoted, there remains the question of what concrete actions China has taken to substantiate these claims.

China shares borders with various nations: North Korea to the east; Mongolia to the north; Russia to the northeast; Kazakhstan, Kyrgyzstan, and Tajikistan to the northwest; Afghanistan, Pakistan, India, Nepal, and Bhutan to the west and southwest; and Myanmar, Laos, and Vietnam to the south (Embassy of the People's Republic of China in the Republic of India, 2025; Asian Art Outlook, 2025).

During the latter half of the 20th century, China made significant strides toward resolving border disputes with its neighboring countries. Scholars generally identify two distinct periods of dispute settlements. The first period occurred during the 1960s, when China engaged in negotiations and signed border treaties or agreements with six countries using peaceful methods. These countries included Myanmar (1960/1962), Nepal (1961), North Korea (1962), Mongolia (1962), Pakistan (1963), and Afghanistan (1963). The second period began at the end of the Cold War and continued into the early 21st century, during which China entered into bilateral treaties or agreements to resolve land border issues with six additional countries: Russia (1991, 1994, 2004), Laos (1991), Vietnam (1999), Kazakhstan (1994, 1997, 1998),

Kyrgyzstan (1996, 1999), and Tajikistan (1999, 2002). (Research Group on "Policies on Territorial Disputes," Peking University and the China Foundation for International and Strategic Studies (CFISS), 2021).

As of 2024, only 2 out of the 14 countries sharing borders with China - India and Bhutan - still have unresolved border issues with the nation. This progress in settling border disputes is commendable, reflecting the concerted efforts of China and its neighboring countries.

Negotiations between China and its neighboring countries regarding maritime borders have not proceeded as smoothly or successfully as those concerning land borders. After World War II, many countries in the region focused on rebuilding, and at that time, their fragile economies discouraged any escalations or extreme policy reactions that could lead to conflicts detrimental to mutual peace. Consequently, in the late 1970s, Deng Xiaoping introduced the idea of "shelving disputes and pursuing joint development", which became the guiding principle for managing maritime territorial disputes with China's neighbors during his leadership. One notable achievement during this period was the agreement reached between China and Vietnam on the delimitation of the Gulf of Tonkin, the only maritime territorial dispute resolved through diplomatic negotiations.

The complexities, sensitivities, and difficulties involved in resolving land border issues are comparable to those associated with maritime territorial disputes. The tensions caused by land border disputes have historically been just as challenging as the current maritime tensions. While maritime territorial disputes exhibit distinct characteristics from land border disputes, they are equally complicated, sensitive, and arduous. There is a consistent national security strategy and established foreign policy that China adheres to, even when maritime disputes escalate.

China envisions a peaceful rise in Asia and on the global political stage, framing its foreign policy towards its neighbors – both on land and at sea – around four key principles: (1) fostering friendships; (2) treating others sincerely; (3) committing to mutual benefits; and (4) embracing openness and inclusiveness. These principles align with the Five Principles of Peaceful Coexistence established by China 70 years ago. The Chinese leadership aims to demonstrate a genuine desire for peaceful coexistence and mutual prosperity with its neighbors, which serves as a solid foundation for addressing conflicts or disagreements.

By integrating both theoretical and practical approaches, we can see that China's foreign policy in its neighborhood during this new era of 2023 seeks to blend elements of realism and liberalism. China is prepared to stand firm when necessary regarding sovereignty and national interests while also cooperating with neighbors who share mutual understandings and commitments.

3.2. The Land Border Law 2022 by China

In an effort to enhance border control and security, China initiated the compilation and implementation of a land border law during 2020 and 2021, which officially came into effect on January 1, 2022. This new law, akin to the maritime traffic safety law and coast guard law introduced earlier in the same year, was enacted amid heightened tensions surrounding border disputes with neighboring countries. China has been engaged in a protracted standoff with India along their disputed border since 2020. The conflict between India and China in eastern Ladakh has been ongoing since April-May 2020, notes Chadha (2024) in reference to this geographical context. Rebuilding political trust will require time, with over 100,000 troops currently stationed on both sides (Chadha, 2024).

While the introduction of this law has raised concerns regarding a potentially more assertive Chinese stance, it addresses a broader range of issues as Beijing seeks to secure its land borders amidst increasing uncertainty in the region (Luo, 2021), echoing Chadha's viewpoint. Luo also acknowledges China's commitment under this law to enhance local infrastructure and public services, aiming to open these areas to the outside world, thereby attempting to balance border defense with socioeconomic development. To promote trade, tourism, and environmental conservation, the legislation includes provisions for state funding to develop border towns with improved capacities, functions, and areas for cross-border collaboration (Luo, 2021). In summary, this newly drafted and enacted statute illustrates elements and approaches of constructivism and liberalism within international doctrines.

The new land border law, introduced by the People's Republic of China (PRC) during the 31st meeting of the Standing Committee of the 13th National People's Congress on October 23, 2021, represents China's latest effort to unilaterally define and demarcate its territorial boundaries with India and Bhutan, as noted by Kumar (2021). This law reflects the PRC's "self-restrictive spiral path", which deliberately dismisses political and diplomatic avenues. It grants the People's Armed Police (PAP) and the People's Liberation Army (PLA) the authority to undertake offensive actions against perceived "invasion, cannibalisation, infiltration, and provocation". Kumar (2021) elaborates that the Land Boundary Law is designed to penalize individuals who trespass upon the boundaries that China has unilaterally determined and demarcated. This legislation transforms the "hybrid/unconventional warfare methodology", previously employed to unlawfully assert control over the sovereign territories of other states, into a "legalistic nation-building exercise" that permits no opposition.

3.3. Demonstrations of the Land Border Law on the Borders with India and Vietnam

To India

India perceives the enactment of the Land Boundary Law, which came into effect on January 1, 2022, as a clear indication of China's intention to formalize its "covert and creeping claims" on Indian territory. While most provisions of the law are heavily couched in legal jargon, it underscores the responsibilities of China's provinces, government agencies, and citizens to collaborate on various national issues, including terrorism, criminal activity, customs, and more. It is evident that China aims to provide legal justification for its potential actions in Eastern Ladakh, Bhutan, and possibly Taiwan through this legislation. Historically, China has attempted to impose domestic laws on international issues. This situation bears similarities to Hong Kong's National Security Law (Policy Note, 2021, p. 2).

In practical terms, in the disputed Upper Subansiri Valley along the Indian-Chinese border, China has been increasingly constructing communities referred to as "Xiaokong". According to Kumar (2021), "The law emphasizes the role of Chinese citizens and civilian institutions in supporting the PLA and the People's Armed Police (PAP), likely as a continuation of the pre-existing military-civil fusion (MCF) strategy". Reports from the Center for Strategic and International Studies (CSIS) indicate that the pace of these village constructions has significantly accelerated, driven by a combination of civilian, military, and quasi-military forces. The concept of "mass defense groups" has been established, which will support missions related to border defense. This likely includes hiring Chinese nationals for tasks such as information gathering, law enforcement, and territorial defense.

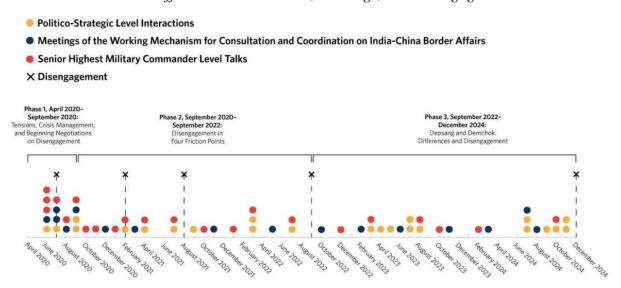
China has been actively negotiating with India through summits and high-level state meetings to resolve disputes peacefully. The first avenue for discussion involves political-

strategic talks among national security advisors, defense ministers, external affairs ministers, and heads of state. The second avenue is facilitated by a working group of military and diplomatic specialists known as the Working Mechanism for Consultation and Coordination on India-China Border Affairs (WMCC). Finally, the Senior Highest Military Commander Level (SHMCL) discussions represent a third avenue. A stakeholder at the strategic decision-making level provided clarity on the hierarchy and functions of each mechanism. Political-strategic meetings lay out the framework, WMCC meetings describe the actions to be implemented, and military commanders discuss and execute these actions on the ground (Chadha, 2024).

Thanks to the strict, cooperative efforts of officials at all three levels from both countries, most "hot spots" along the border returned to peace and tranquility by December 2024. This resolution follows escalating conflicts that began in April 2020.

Figure 1

The India-China standoff 2020 - 2024: Phases, Meetings, and Disengagements



(Source: Chadha, 2024)

To Vietnam

Vietnam and China have achieved mutual understanding and consensus regarding their land border, having finalized agreements over a decade ago, around 2010. The Land Border Management Agreement, signed in 1999, provides a crucial foundation for advancing border cooperation between the two countries. This agreement aims to foster "friendship between the people of the two countries based on equality and mutual benefit," while promoting economic development, trade, and the transport of passengers and cargo by road (Chu & Duong, 2024, p. 20). To support this effort, Vietnam and China signed two additional protocols in 2011: one amending the original agreement and another implementing the Road Transport Agreement. As a result, the Vietnam-China border has transformed from a "barrier" to a "connectivity" point since the finalization of these agreements in 2010 (Chu & Duong, 2024).

Many analysts observe that China and Vietnam share numerous commonalities and have effectively engaged with each other, despite the differences in their power levels. Ma and Kang (2024) note that Vietnam must approach its relationship with China with caution. While they are communist allies, the two nations have a history of disagreements and even open conflict, along with an intertwined economy that presents both advantages and challenges. Nevertheless,

China and Vietnam have reached an agreement that allows for substantial interaction, dispute resolution, and a limited military response to potential Chinese threats. Both countries also possess a deep understanding of each other and have developed strong diplomatic, social, and economic ties (Ma & Kang, 2023, p. 365).

For the citizens of China and Vietnam, particularly those living along the border, the cooperative approaches of liberalism and constructivism adopted by both nations are seen as reasonable and pragmatic. This cooperation is vital, as Vietnam is not only a close neighbor to China but also increasingly influential in regional and international politics. Since the normalization of diplomatic relations in 1991, Vietnam and China have resolved several disputes and quickly enhanced their diplomatic, economic, and social connections (Ma & Kang, 2023, p. 369).

While there are maritime issues between the two countries, both parties have managed to keep these matters under control, with no indication that either side intends to use force to resolve them. In fact, over the past 30 years, China has resolved most of its conflicts with Vietnam and has not made any new or aggressive demands, even as its power has grown significantly compared to Vietnam.

3.4. Assessments on the Preliminary Impacts of the Land Border Law

Chadha (2024) outlined three phases in the standoff over border conflicts and dispute settlements that occurred between 2020 and 2024. Phase 1 (April 2020 - September 2020 was marked by both India and China blaming each other for the escalating tensions. This period included a confrontational atmosphere characterized by intense proximity and the fallout from the Galwan incident. Phase 2 (September 2020 - September 2022) saw both nations seeking common ground. They reached an agreement on a way forward and engaged in negotiations to disengage at four friction points. Phase 3 (September 2022 - December 2024) involved both sides adopting increasingly divergent and hardened positions regarding the standoff. From September 2022 until mid-2024, they disagreed on the future of their relationship and how to address the standoff. However, between July and December 2024, the situation changed as both sides agreed in October to coordinate patrolling in Depsang and Demchok. By December, it was announced that disengagement had been "achieved in full" and that broader bilateral exchanges were in the discussion phase (p. 8).

In analyzing the escalation along the border between China and India in 2020, scholars have identified three main reasons: (1) India's development of border infrastructure, which China perceived as a threat; (2) India's strengthening relationship with the United States, which pressured China to coerce India back to a neutral stance; and (3) the perception that India could pose a threat to China's hegemony in Asia, prompting China to impose costs on India and deter it from pursuing this ambition. China interprets India's border infrastructure build-up as being instigated by the United States, rather than seeing it as a legitimate pursuit of its own security (Chadha, 2024). China thinks that in order to limit its dominance in the continental Indo-Pacific, the US is exploiting India. In order to prevent India from pursuing this alleged tactic, China has thus turned to border coercion (Chadha, 2024, p. 37).

The Land Border Law presents an effective resolution to the ongoing conflicts and tensions. On the one hand, it highlights China's strategic efforts to develop a comprehensive theoretical framework aimed at consolidating its powers and resources to address any threats along its borders. On the other hand, it reaffirms China's commitment to its neighbors, emphasizing that, despite previous discussions, its sovereignty and national interests remain

paramount. Those who seek to undermine or infringe upon these "properties" must be prepared to confront China directly, both militarily and non-militarily.

The law emphasizes the responsibilities of China's provinces, government departments, and civilians to work in a coordinated manner to address diverse national challenges, including terrorism, border violations, customs issues, and more (Policy Note, 2021). Although much of the law is couched in complex legal terminology, it is evident that China aims to provide a legal basis for its potential actions in Eastern Ladakh, Bhutan, and possibly Taiwan through this legislation. Historically, China has attempted to impose domestic laws unilaterally on international entities (Policy Note, 2021, p. 1).

On the collaborative work between Vietnam and China during the last 5 years of 2020-2024, under the light of the Land Border Law, Chu and Duong (2024) assert: "It can be said that, although the two countries still have barriers to cross-border cooperation, the completion of negotiations on border demarcation between the two countries lays an important foundation for the two sides to promote cross-border cooperation and development. Accordingly, both sides actively implement border development policies, investing heavily in hard and soft infrastructure systems in border areas to promote connection and exchange between the two countries. In particular, the construction and upgrading of border gate systems, road systems, and border gate economic zones are considered spearheads for both countries" (p. 8). In fact, the Law and related documents have been supporting and scaffolding not only the improvements of trade and investments across the border, but also upgrading and promoting administrative works, cultural exchanges, and communications among localities. Specifically, administrative procedures such as customs clearance services at border gates, border gate fee collection, and electronic customs clearance procedures have been standardized and fully employed. In the light of promoting trade and commerce across the border, the building of a "one-stop" trade mechanism to support new forms and products of commerce, or the construction of a comprehensive pilot of border e-commerce, as well as the establishing of customs clearance management system and quality safety monitoring system for e-commerce, the promoting of institutional innovations in electronic customs supervision zones; and supporting for local economic developments based on border gates have all been formulated, institutionalized and implemented when completed.

In summary, based on contemporary and historical relationships with the countries sharing its borders, China has set up different foreign policies to either confront and impose its costs on conflict or dispute settlements or cooperate and forge peaceful mutual living and developing together, as the cases of India and Vietnam have well illustrated.

3.5. Implications for Further Movements on the Border Issues Between China and Its Neighbors

To the Contemporary Disputes or Conflicts on Land

One of the most important lessons learned from land border dispute settlements involving China and other nations is that "resolving issues through non-peaceful means ultimately leads nowhere" ("Policies on Territorial Disputes" Research Group, Peking University and the China Foundation for International and Strategic Studies (CFISS), 2021). Meetings at political and strategic levels are essential for facilitating negotiations aimed at resolving land boundary disputes between China and India, as noted by Chadha (2024). He advocates for "ongoing political-strategic dialogue between China and India", which presents an opportunity to bridge the trust gap between the two countries and increase the likelihood of overcoming the current stalemate (Chadha, 2024, p. 2).

To Cooperation Across the Border

The cooperation between China and Vietnam during the five years from 2020 to 2024 has clearly demonstrated that collaborative efforts can significantly enhance economic growth and mutual understanding among the peoples of both nations. This partnership has also contributed to maintaining security and stable peace in the region. Various non-traditional security challenges, such as human trafficking, climate change, and pollution related to manufacturing processes along the border, can be effectively addressed as both countries commit to working closely together for their mutual interests and a shared future. Successful cross-border collaboration not only helps mitigate security threats, such as issues related to cross-border crime, but also promotes economic cooperation and people-to-people interactions – key activities in their relationship. Given their shared political and institutional characteristics, along with their already robust cross-border connections, Vietnam and China remain inextricably linked (Chu & Duong 2024, p. 21).

To Maritime Matters

The approach adopted by China and Vietnam in resolving their land border disputes, as highlighted by Ma and Kang (2023), demonstrates that both nations have established effective systems for communicating their preferences to each other. They state, "China and Vietnam have been actively engaging in institutionalized bilateral negotiations that have successfully settled several significant land border and maritime disputes". Rather than harming their bilateral relationship, these formalized negotiation channels have strengthened it, creating an environment that promotes open communication and alleviates tensions in the South China Sea (Ma & Kang, 2023, p. 371).

4. Conclusion

So far, this paper has examined the reasons behind and the preliminary impacts of the Land Border Law of 2022, as well as China's foreign policy towards its neighbors from 2020 to 2024. It can be concluded that the Law was primarily designed to address unresolved issues in land dispute settlements and to foster cooperation with countries that have reached agreements with China on land border matters. To a significant extent, the Law has successfully articulated China's Foreign Policy Vision for Its Neighborhood in the New Era, rooted in the established five principles of peaceful coexistence and the ambition to jointly build a community with a shared future for mankind.

Furthermore, the Law has demonstrated its utility and effectiveness, particularly during periods of standoff and conflict with India, as it has facilitated a transition towards more open and constructive discussions by the end of 2024. The strengthening relationship between China and Vietnam concerning cross-border cooperation is also regarded as a promising indication of the appropriateness of China's broader foreign policy towards its long-standing friends and neighbors, despite the numerous challenges posed by non-traditional security issues that necessitate collaborative efforts among nations.

If China remains true to its commitments as expressed to the international community and the region, there is reasonable optimism that the neighboring countries will be confident in the prospect of stable coexistence and mutual development alongside China.

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