

## THE ENVIRONMENT AND CLIMATE CHANGE

### *Findings*

- While China's leaders pledged to prioritize efforts to protect the environment and to realize their carbon emissions targets, observers raised doubts about the People's Republic of China's (PRC) ability to achieve senior officials' climate goals. According to scholars, the PRC government views a leadership role in international environmental governance as one route to achieving global leadership. PRC officials have used their "ecological civilization" framework—under which they seek to "selectively ... achieve [their] environmental goals"—to strengthen authoritarian governance.
- In 2022, the PRC government approved the highest number of new coal-powered energy plants in seven years, increasing the country's coal power capacity by more than 50 percent from the previous year. According to international observers, China's substantial increase in coal plant construction threatened global climate efforts. China's high levels of air pollutants contributed to negative health effects, including stillbirths and premature death.
- China remained the world's leading emitter of CO<sub>2</sub>, with emissions rising four percent to reach a record high in the first quarter of 2023. China also remained the world's leading emitter of methane, which is 25 times more potent than carbon dioxide as a greenhouse gas. China has not signed the Global Methane Pledge to cut methane emissions 30 percent by 2030.
- China experienced many extreme weather events this past year, including a heatwave, drought, heavy rainfall and floods, and sandstorms, that experts linked to climate change.
- China's distant water fishing (DWF) fleet was reportedly involved in illegal, unreported, and unregulated fishing practices that threaten ocean ecosystems and wildlife populations, as well as economic livelihoods.
- Although PRC authorities continued to suppress civil society on a range of issues that authorities deem politically sensitive, environmental nongovernmental organizations have remained viable platforms for education and advocacy. Nevertheless, environmental advocacy in China has narrowed as organizations strategically focus their work within the bounds of government policy narratives or pursue collaboration with local governments.
- In January 2023, the Supreme People's Court issued ten guiding cases for environmental public interest litigation (PIL). The procuratorate has a key role in prosecuting environmental PIL cases, which requires navigating between local government resistance to environmental protection standards and holding agencies environmentally accountable. Scholars have observed that the procuratorate's "reliance on top-down political support may ultimately hinder [PIL's] expansion and stability."

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### *Recommendations*

Members of the U.S. Congress and Administration officials are encouraged to take the following actions:

- Call on the PRC government to release environmental advocates and to cease its censorship of environmental reporting and follow international standards on freedom of speech, association, and assembly, including those contained in the International Covenant on Civil and Political Rights, the Universal Declaration of Human Rights, and China's Constitution. Highlight to Chinese officials the important role that civil society and independent media, including the foreign media, can play in strengthening environmental monitoring, transparency, and improving the environment.
- In meetings with Chinese officials, raise the detentions of environmental advocates **Dorje Dragtsal, Sengdra, Rinchen Namdrol, Tsultrim Gonpo, Jangchub Ngodrub, Dongye, Sogru Abu, and Namse.**
- Build global coalitions with allies and partners to address forced labor in the solar power and critical mineral supply chains, and press the PRC to end sanctions on research institutes and individual scholars, allowing them to continue important environmental work in China.
- Call on the PRC government to abide by international environmental and human rights standards in Chinese-owned distant water fishing (DWF) operations, and to cooperate with individual nations and international bodies in protecting fish stocks and protecting endangered species in the world's oceans.
- Consider legislation that requires proof of provenance for seafood imports—especially from regions heavily fished by China's distant water fishing fleet.
- Call on the PRC government to cooperate with the United States and other countries to implement the goals spelled out in the "U.S.-China Joint Glasgow Declaration on Enhancing Climate Action in the 2020s," the Glasgow Climate Pact, and other agreements like the 2023 Sunnylands Agreement, and to measurably reduce China's carbon emissions in order to meet its "dual-carbon" pledge of having carbon emissions peak by 2030 and to become carbon neutral by 2060.
- Encourage Chinese officials to invest in lower-emission sources of energy and to provide incentives to local governments to transition from coal to lower-emission sources of energy.
- Call on the PRC government to provide great transparency in emissions data.
- Call on the PRC government to end its financing of non-renewable energy projects abroad, including those projects implemented through the Belt and Road Initiative.
- Support efforts by Chinese and U.S. groups working to use satellite analysis and remote sensing to monitor environmental problems and supply chains in China.
- Recognize China as a developed country in international agreements and organizations and hold it accountable to associated commitments it has made.

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### *Introduction*

Statements from the United Nations reflect an emerging global consensus on the need for collective action to protect the environment.<sup>1</sup> In July 2022, based on the resolution of the U.N. Human Rights Council in October 2021, the U.N. General Assembly adopted a resolution declaring access to “a clean, healthy, and sustainable environment” a universal human right, and called upon states, international organizations, and business enterprises to “scale up efforts” to ensure a clean, healthy and sustainable environment for all.<sup>2</sup> China was among eight countries that abstained from voting on the resolution.<sup>3</sup> Previously, in November 2021, Chinese Communist Party General Secretary Xi Jinping wrote to the United Nations COP26 climate summit in support of multilateral consensus and cooperation on climate change, and said “China will continue to prioritize ecological conservation and pursue a green low-carbon path to development.”<sup>4</sup> China has ratified the 2015 Paris Agreement on climate change and is a party to the U.N. Framework Convention on Climate Change.<sup>5</sup>

While China’s leaders pledged to prioritize efforts to protect the environment and to realize their carbon emissions targets,<sup>6</sup> observers raised doubts about their ability to achieve the country’s climate goals.<sup>7</sup> In his opening speech for the 20th National Congress of the Chinese Communist Party in October 2022, Xi Jinping pledged to prioritize environmental protection and conservation, and to promote green development.<sup>8</sup> Scholars Judith Shapiro and Yifei Li observed that the PRC government views a leadership role in international environmental governance as one route to achieving global leadership.<sup>9</sup> According to Shapiro and Li, the PRC’s “ecological civilization” framework serves to strengthen authoritarian governance in China and export it abroad, in addition to achieving environmental goals.<sup>10</sup>

### *Legal Developments and Guidelines*

Observers wrote that China is pursuing conflicting goals for environmental protection and economic growth. While PRC central authorities have continued to pass and submit laws, issue restrictions, and strengthen the role of courts in environmental protection, analysts have written that the PRC’s economic and environmental goals remain in conflict, that near-term goals are insufficiently ambitious to fulfill long-range commitments, and that PRC actions abroad in Belt and Road Initiative projects may worsen climate change.<sup>11</sup> Climate experts interviewed by an environmental news organization expressed concerns about China’s ability to decarbonize in light of challenges posed by uncertain growth, its focus on energy security, and geopolitical contention.<sup>12</sup>

Government actions in the past year aimed at environmental protection included the following:

- In February 2023, the Supreme People’s Court issued an opinion instructing lower courts to prioritize environmental protection when selecting and deciding cases, in order to

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“guide” corporate behavior according to official carbon reduction goals.<sup>13</sup>

- The revised **PRC Wildlife Protection Law**, effective May 31, 2023, tightened prohibitions on the sale, consumption, transport, and hunting of wild animals.<sup>14</sup> Biologists and animal protection advocates, however, say that significant loopholes in the law allow the commercial use and captive breeding of wildlife, which creates the conditions for the potential emergence and transmission of zoonotic disease to humans.<sup>15</sup> China has been a party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora since 1981.<sup>16</sup>

- The **PRC Yellow River Protection Law**, effective April 1, 2023, aims to protect ecological and water resources in the Yellow River basin, with special emphasis on limiting groundwater use.<sup>17</sup> Regional overreliance on Yellow River groundwater has caused significant ecological degradation and resource depletion.<sup>18</sup> The law stipulates that groundwater withdrawal shall not exceed amounts set by local governments, in accordance with amounts set by provincial and national-level authorities.<sup>19</sup> Previously, the PRC’s Yellow River Conservancy Commission reportedly raised concerns about the deteriorating quality of the river’s water, citing “grave” pollution.<sup>20</sup>

- The **PRC Black Soil Protection Law**, effective August 1, 2022, aims to protect arable land with black humus topsoil in four northeastern provincial-level regions, largely in order to “safeguard national food security.”<sup>21</sup> According to reporting by Bloomberg, Mao-era deforestation policies resulted in a steep decline in black soil quality, posing a threat to food production.<sup>22</sup> Xi Jinping has repeatedly emphasized the importance of food security, partly in response to global uncertainty.<sup>23</sup>

### *Climate Change*

In March 2023, the U.N. Intergovernmental Panel on Climate Change warned that the window of opportunity to limit global warming to within 1.5 degrees Celsius (2.7 degrees Fahrenheit) of pre-industrial levels was closing, and that humanity must achieve “deep, rapid, and sustained” reductions in greenhouse gas emissions by 2030.<sup>24</sup> China remained the world’s leading emitter of CO<sub>2</sub>, with emissions rising four percent to a record high in the first quarter of 2023.<sup>25</sup> The PRC also remained the world’s leading emitter of methane, which is 25 times more potent than carbon dioxide as a greenhouse gas.<sup>26</sup> China, however, has not signed the Global Methane Pledge to cut methane emissions 30 percent by 2030.<sup>27</sup>

This past year, Chinese leaders took what analysts called a “cautious approach” to the country’s commitments to reducing carbon emissions.<sup>28</sup> Even as officials reaffirmed the country’s commitment to reaching carbon neutrality,<sup>29</sup> and the country invested in low-carbon energy sources,<sup>30</sup> authorities remained reliant on coal power, including to generate electricity, threatening China’s climate commitments.<sup>31</sup> At the 20th Party Congress in October 2022, Xi Jinping reaffirmed his 2020 dual-carbon pledge, without mentioning the previously stated dates of reaching peak carbon emissions before 2030 and carbon neutrality before 2060, and empha-

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sized support for environmental protection while continuing to use coal as a source of energy.<sup>32</sup> Xi Jinping also pledged that China would use coal more efficiently, diversify its energy sources, and ensure the security of its energy supply.<sup>33</sup>

In 2022, authorities approved the highest number of new coal-powered energy plants in seven years, about two per week, increasing the country's coal power capacity by more than 50 percent from the previous year.<sup>34</sup> China's carbon emissions, which in recent years have accounted for around 31 percent of the global total, were still rising as of December 2022.<sup>35</sup> According to international observers, China's substantial increase in coal plant construction threatens global climate efforts.<sup>36</sup> According to the results of the 2023 Climate Change Performance Index, China's plans to increase coal production by 2030 by over five percent (compared to 2019) are incompatible with the goal of containing global warming within 1.5 degrees Celsius.<sup>37</sup>

China experienced numerous extreme weather events in 2022 and 2023 that the World Meteorological Organization and others have linked to climate change.<sup>38</sup> Events observers linked to climate change included a heatwave in summer 2022;<sup>39</sup> droughts that affected 5.5 million people in July 2022;<sup>40</sup> heavy rainfall and floods in summer 2022;<sup>41</sup> and sandstorms in early 2023.<sup>42</sup>

### AIR POLLUTION

China continued to experience high levels of air pollution, contributing to negative health effects, including stillbirths and premature death.<sup>43</sup> Over one million people are estimated to die each year from the effects of ambient air pollution in China.<sup>44</sup> Studies found that exposure to particulate air pollution caused a significant increase in cardiopulmonary and cardiorespiratory conditions, sometimes resulting in death, and one study showed a link between particulate air pollution and the deaths of children under five years old.<sup>45</sup> Researchers estimated that exposure to air pollution in China has caused 64,000 stillbirths a year.<sup>46</sup>

During the annual meetings of the National People's Congress and Chinese People's Political Consultative Conference ("Two Sessions") in March 2023, then Premier Li Keqiang claimed that municipalities at or above the prefectural level experienced good or excellent air quality in 86.5 percent of the days over the previous five years.<sup>47</sup> The Ministry of Ecology and Environment (MEE) reported that air quality in these municipalities had decreased, however, in the first two months of 2023, compared to the previous year.<sup>48</sup> In addition, during the Two Sessions, Beijing municipality and its surrounding areas experienced moderate to severe levels of air pollution, in what Bloomberg reported was the worst air quality to affect the meetings in at least a decade.<sup>49</sup>

Evidence indicates that air pollution originating in mainland China has spread to Taiwan and South Korea. In February 2023, air pollution from mainland China caused 50 "orange alerts" in Taiwan, indicating unhealthy air quality levels.<sup>50</sup> A study published by the European non-profit organization Centre for Economic Policy Research in February 2023 showed a strong link between increased mortality in South Korea and air pollution coming from China.<sup>51</sup>

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### CHALLENGES IN PROTECTING WATER SECURITY

Recognized by the United Nations as a human right,<sup>52</sup> equitable access to safe and clean drinking water is a stated policy priority of the PRC government,<sup>53</sup> which reportedly views water security as a means of maintaining social stability and establishing political legitimacy.<sup>54</sup> Despite the government's efforts to enhance ecological protection and reduce water pollution, including, for instance, a World Bank-assisted project covering parts of the Yangtze River basin, citizens continued to face difficulties accessing water.<sup>55</sup> The Yangtze River spans "19 provinces and provides the main source of water for almost 600 million people."<sup>56</sup> It is, however, severely polluted with plastic debris, chemicals, heavy metals, and waste from factories, agricultural production, and local communities.<sup>57</sup> Water shortages in the river's middle and downstream areas were exacerbated by a heatwave-induced drought during the summer of 2022,<sup>58</sup> an extreme weather event that emerged from China's history of ground temperature increase at a rate above the global average.<sup>59</sup> Experts warned that "China is on the brink of a water catastrophe," especially should a multiyear drought occur.<sup>60</sup> [For information on the Yellow River and the PRC Yellow River Protection Law, see "Legal Developments and Guidelines" in this chapter.]

### IMPACT OF CHINESE DAMS

Dams built by the PRC government, both in China and abroad, continued to contribute to environmental damage and rights violations.<sup>61</sup> The PRC government's widespread buildup of dams along the Mekong River on both sides of China's border has contributed to flooding, drought, rapidly changing water levels, destruction of fish populations, and loss of sediment.<sup>62</sup> These environmental shifts in the region have also adversely affected local communities in countries such as Cambodia, Laos, Thailand, and Vietnam, creating food insecurity, forced relocation, and low harvests for farmers and fishers.<sup>63</sup> Beyond Southeast Asia, PRC dam projects have caused environmental and social damage in Latin America, as evidenced by a report submitted to the U.N. Committee on Economic, Social, and Cultural Rights in February 2023 by the International Service for Human Rights and a coalition of Latin American non-governmental organizations (NGOs).<sup>64</sup> The report documents environmental and social violations of 14 Chinese infrastructure projects in the region, including the impact of the PRC government's hydroelectric complex on the Santa Cruz River, which was reportedly rushed through construction without a thorough environmental impact study.<sup>65</sup> One of the NGOs noted that local communities had not consented to the construction of additional dams, telling the news organization *Diálogo Chino*: "The communities have said many times that they don't want more dams in the region."<sup>66</sup> [For more information about Chinese development projects abroad, see Chapter 20—Human Rights Violations in the U.S. and Globally.]

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### Chinese Distant Water Fishing Fleet

The Chinese distant-water fishing (DWF) fleet was reportedly involved in illegal, unreported, and unregulated fishing practices that threatened ocean ecosystems and wildlife populations, as well as economic livelihoods.<sup>67</sup> A report by Mongabay, an international non-profit conservation and environmental news platform, which was based on interviews with dozens of former employees of Dalian Ocean Fishing, found that the partially state-owned fishing company conducted illegal shark finning operations.<sup>68</sup> According to reports from this and previous years, Chinese DWF vessels also have targeted endangered and protected marine life, including sharks, dolphins, turtles, and seals.<sup>69</sup> The PRC reportedly uses the Chinese fishing vessels to project state power and influence,<sup>70</sup> and the Chinese DWF fleet—the largest in the world<sup>71</sup>—is heavily subsidized by the Chinese government.<sup>72</sup> According to the Environmental Justice Foundation, “China’s state subsidies have allowed the grossly overcapacity fleet to exploit the waters of developing nations that rely on marine resources for livelihoods and food security.”<sup>73</sup> [For information on forced labor in the Chinese distant water fishing fleet, see Chapter 10—Human Trafficking.]

### Wildlife Protection

The revised PRC Wildlife Protection Law (WPL), effective May 1, 2023, tightens restrictions on illegal wildlife trade and strengthens wild animal habitats and the rescue and breeding of endangered wildlife.<sup>74</sup> The amended WPL also urges internet platforms to enforce a zero tolerance policy against illegal wildlife trade, and aims to hold logistics companies accountable for illegal involvement in shipping wildlife products.<sup>75</sup> During this reporting year, the Commission observed reports of wildlife from Africa, South America, and Southeast Asia sent to China as part of the illegal wildlife trade.<sup>76</sup> Mongabay described such trade between South America and China as “a lucrative trade, fueled by corruption,” and affiliated with illicit entrepreneurs and criminal networks.<sup>77</sup>

### Environmental Advocacy Despite Suppression of Civil Society

With PRC authorities continuing to suppress civil society on a range of issues that authorities deem politically sensitive, environmental nongovernmental organizations (NGOs) have remained viable platforms for education and advocacy.<sup>78</sup> Nevertheless, environmental advocacy in China has narrowed as organizations strategically focus their work within the bounds of government policy narratives<sup>79</sup> or in collaboration with local governments.<sup>80</sup> Some NGOs have shifted from monitoring air quality to collecting carbon emissions data to aid in climate governance, in spite of challenges in obtaining data.<sup>81</sup> NGOs also have collected evidence and pressured local officials through public interest lawsuits and public calls for action,<sup>82</sup> but their efforts to file environmental public interest cases have been obstructed by the costs associated with such cases and hurdles in establishing standing as plaintiffs.<sup>83</sup>

Citizens continued to raise concerns related to the environment through public advocacy. In July 2022, residents of Huludao mu-

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nicipality, Liaoning province, turned to an unofficial approach to express their grievances as their official petitions to the local government were disregarded<sup>84</sup> and their plans to protest resulted in police summonses.<sup>85</sup> In collaboration with the performance artist “Nut Brother,”<sup>86</sup> residents called a public pay phone in Beijing municipality on July 9 and 10,<sup>87</sup> and described serious pollution in Huludao and its health effects, to volunteers and others in Beijing who answered the phone.<sup>88</sup> Nut Brother has staged multiple environmental performance art events in China,<sup>89</sup> and conceptualized the project as a way to bring Huludao’s residents’ voices to the center of Chinese politics.<sup>90</sup> Huludao officials held a press conference on July 20 in response to publicly reported air pollution, promising to monitor and regulate emissions produced by local companies.<sup>91</sup> Authorities reportedly also detained a Huludao resident for 24 hours, after which she posted a video repudiating her statements in prior videos about local pollution.<sup>92</sup> In November 2022, Nut Brother reportedly suspended his performance art activity due to pressure from local authorities.<sup>93</sup>

### *State-led Model of Environmental Public Interest Litigation*

The National People’s Congress formalized the environmental public interest litigation (PIL) system in 2017, authorizing lawsuits against government agencies and private parties, for violating the national and public interest.<sup>94</sup> In January 2023, the Supreme People’s Court issued ten guiding cases for environmental PIL, aimed at guiding courts in conducting fair trials and increasing judicial protection of the environment by addressing such issues as pollution, illegal mining, destroying forests, and protecting natural relics.<sup>95</sup> The procuratorate has a key role in prosecuting environmental PIL cases,<sup>96</sup> which requires the agency to navigate a “delicate balance” between local government resistance to environmental protection standards and holding agencies environmentally accountable, according to scholars who authored a report on procuratorate-led PIL published this past year.<sup>97</sup> Yet, these scholars also observed that the procuratorate’s “reliance on top-down political support may ultimately hinder [PIL’s] expansion and stability.”<sup>98</sup> Another obstacle to environmental PIL is the vague criteria for determining the type and scope of environmental public interest cases, contributing to the hesitance of procuratorate offices “to file public interest litigation against ambiguous acts of pollution and damage to the ecology.”<sup>99</sup>



## Notes to Chapter 13—The Environment and Climate Change

<sup>1</sup>The Human Right to a Clean, Healthy and Sustainable Environment, adopted by U.N. Human Rights Council resolution A/HRC/RES/48/13 of October 8, 2021, 1–3. In October 2021, the U.N. Human Rights Council for the first time recognized “the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of human rights.” U.N. Human Rights Council, The Right to a Clean, Healthy and Sustainable Environment: Non-Toxic Environment—Report of the Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment, David R. Boyd, A/HRC/49/53, January 12, 2022, paras. 1, 6, 29; “Access to a Healthy Environment, Declared a Human Right by UN Rights Council,” *U.N. News*, October 8, 2021. See also U.N. General Assembly, Report of the Special Rapporteur on the Issue of Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment, John H. Knox, A/73/188, July 19, 2018, paras. 19, 42, 59.

<sup>2</sup>The Human Right to a Clean, Healthy and Sustainable Environment, adopted by U.N. General Assembly resolution 76/300 of July 28, 2022; U.N. / GA Resolution Right to Clean Environment, U.N. Audiovisual Library, July 28, 2022; “UN General Assembly Declares Access to Clean and Healthy Environment a Universal Human Right,” *U.N. News*, July 28, 2022.

<sup>3</sup>United Nations Meeting Coverage, “With 161 Votes in Favour, 8 Abstentions, General Assembly Adopts Landmark Resolution Recognizing Clean, Healthy, Sustainable Environment as Human Right,” GA/12437, July 28, 2022. According to a U.N. press release, “The representative of China said her country’s national human rights action plan includes a section on environmental rights. China recognizes the aspirations of the co-sponsors to promote discussions on environmental matters; however, there is no agreement on the right to the environment—specifically, on its definition and relationship to other human rights. She requested more time, patience and efforts to avoid undue haste, expressing concern that a reference to common but differentiated responsibilities was not included in the text. For such reasons, China abstained.”

<sup>4</sup>Xi Jinping, “Full Text of Xi Jinping’s Statement at COP26 Climate Summit,” *Nikkei Asia*, November 2, 2021.

<sup>5</sup>United Nations Treaty Collection, Chapter XXVII, Environment, Paris Agreement, accessed August 25, 2023; Gregor Erbach and Ulrich Jochheim, “China’s Climate Change Policies: State of Play Ahead of COP27,” European Parliamentary Research Service, October 2022, 2. As described in the European Parliamentary Research Service report, “[China] belongs to the non-Annex I group of developing countries, which have less strict requirements and are entitled to support from the developed countries listed in Annex I of the convention. Nationally determined contributions (NDC) set out parties’ targets and commitments to climate action with updates every five years.” See also State Council Information Office, “Full Text: Responding to Climate Change: China’s Policies and Actions,” October 27, 2021; Hongqiao Liu and Xiaoying You, “Q&A: What Does China’s New Paris Agreement Pledge Mean for Climate Change?,” *Carbon Brief*, December 16, 2021; Lindsay Maizland, “Global Climate Agreements: Successes and Failures,” Council on Foreign Relations, updated November 4, 2022; Jon Greenberg, “Is the Paris Climate Agreement Easier on China and India Than on the US?,” *PolitiFact*, Poynter Institute, January 26, 2021. The Paris Agreement obliges participating countries to set their own goals and publicly report their progress but lacks concrete enforcement mechanisms. China’s most recent NDC submission reaffirms Xi Jinping’s pledge at the U.N. General Assembly in September 2020 to have China’s carbon dioxide emissions peak before 2030 and to achieve carbon neutrality (net-zero emissions) before 2060. The submission did not give a specific date for peak emissions, and some observers expressed disappointment that the submission did not contain more aggressive targets.

<sup>6</sup>State Council, “Report on the Work of the Government,” March 5, 2023. In March 2023, then Premier Li Keqiang called for controlling pollution, protecting and restoring ecosystems, improving policies for “green development,” advancing energy conservation and carbon reduction, as well as using resources efficiently. Echo Xie, “Two Sessions’ 2023: China Puts Spotlight Back on Fossil Fuel and Emission Targets for Post-Covid Rebound,” *South China Morning Post*, March 7, 2023. Similarly, Zhang Endi, vice chairman of the China Zhi Gong Party Central Standing Committee, said that achieving carbon neutrality requires an energy revolution, technological revolution, and a gradual move from fossil energy to non-fossil energy. Pang Xinshan, “Zhang Endi: Goujian xiandai nengyuan tixi tongchou tuijin tan dafeng tan zhonghe” [Zhang Endi: Building a modern energy system, coordinating the promotion of peak carbon emissions and carbon neutrality], *People’s Daily*, March 7, 2023.

<sup>7</sup>Echo Xie, “Two Sessions’ 2023: China Puts Spotlight Back on Fossil Fuel and Emission Targets for Post-Covid Rebound,” *South China Morning Post*, March 7, 2023.

<sup>8</sup>Xi Jinping, “Hold High the Great Banner of Socialism with Chinese Characteristics and Strive in Unity to Build a Modern Socialist Country in All Respects: Report to the 20th National Congress of the Communist Party of China,” October 16, 2022, 12, 19, 43–45; David Stanway, “Xi Jinping Vows to Prioritize Environment, Protect Nature and Promote Green Lifestyles,” *Reuters*, October 16, 2022.

<sup>9</sup>Judith Shapiro and Yifei Li, “China’s Coercive Environmentalism Revisited: Climate Governance, Zero Covid and the Belt and Road,” *International Quarterly for Asian Studies* 53, no. 3 (November 9, 2022): 335.

<sup>10</sup>Judith Shapiro and Yifei Li, “China’s Coercive Environmentalism Revisited: Climate Governance, Zero Covid and the Belt and Road,” *International Quarterly for Asian Studies* 53, no. 3 (November 9, 2022): 327–28, 333. Shapiro and Li found that the Chinese government has used the framework of “ecological civilization” to “selectively to achieve its environmental goals” while promoting obedience to the state. See also Yifei Li and Judith Shapiro, *China Goes Green: Coercive Environmentalism for a Troubled Planet* (Cambridge, U.K.: Polity, 2020), 16–19.

<sup>11</sup>Judith Shapiro and Yifei Li, “China’s Coercive Environmentalism Revisited: Climate Governance, Zero Covid and the Belt and Road,” *International Quarterly for Asian Studies* 53, no.

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3 (November 9, 2022): 327–36; Lindsay Maizland, “China’s Fight Against Climate Change and Environmental Degradation,” Council on Foreign Relations, updated November 4, 2022; Xin Wang and Ping Lei, “Does Strict Environmental Regulation Lead to Incentive Contradiction?—Evidence from China,” *Journal of Environmental Management* 269 (2020): 1.

<sup>12</sup>Xiaoying You, “As Xi Jinping Reaffirms Climate Goals, China Faces Economic and Geopolitical Headwinds,” *Climate Home News*, October 26, 2022.

<sup>13</sup>Supreme People’s Court, *Zuigao Renmin Fayuan guanyu Wanzheng Zhunque Quanmian Guanche Xin Fazhan Linian Wei Jiji Wentuo Tuijin Tan Dafeng Tan Zhonghe Tigong Sifa Fuwu de Yijian* [Opinion of the Supreme People’s Court on the Complete and Accurate Implementation of the New Development Concept and the Provision of Judicial Services to Actively and Steadily Promote Carbon Peaking and Carbon Neutrality], issued February 17, 2023; Supreme People’s Court, “China’s Top Court Issues Guideline on Environmental Protection,” February 20, 2023; Isabella Kaminski, “China Strengthens Role of Courts in Meeting Carbon Targets,” *Climate Home News*, March 7, 2023. For more on China’s international commitments under the Paris Agreement, which it ratified in 2016, see Gregor Erbach and Ulrich Jochheim, “China’s Climate Change Policies: State of Play Ahead of COP27,” European Parliamentary Research Service, October 2022, 2; United Nations Climate Change, “Parties & Observers,” accessed September 5, 2023; Paris Agreement, adopted by Conference of the Parties to the U.N. Framework Convention on Climate Change on December 12, 2015, entry into force November 4, 2016; United Nations Treaty Collection, Chapter XXVII, Environment, Paris Agreement, accessed August 25, 2023.

<sup>14</sup>*Zhonghua Renmin Gongheguo Yesheng Dongwu Baohu Fa* [PRC Wildlife Protection Law], passed November 8, 1988, amended and effective December 30, 2022, arts. 5–7, 15, 17, 28; “China Revises Law on Wildlife Protection,” *Xinhua*, January 3, 2023.

<sup>15</sup>Echo Xie, “While Animal Origin of COVID-19 Remains a Mystery, Will Revised Law in China Help Prevent More Diseases Jumping from Wildlife to People?,” *South China Morning Post*, January 26, 2023.

<sup>16</sup>Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed March 3, 1973, entry into force July 1, 1975; “List of Contracting Parties,” Convention on International Trade in Endangered Species of Wild Fauna and Flora, accessed August 25, 2023. China acceded to the convention on January 8, 1981.

<sup>17</sup>*Zhonghua Renmin Gongheguo Huanghe Baohu Fa* [PRC Yellow River Protection Law], passed October 30, 2022, effective April 1, 2023; Yang Caini, “After the Yangtze, China Passes Law to Protect Yellow River,” *Sixth Tone*, November 1, 2022; “Yellow River Protection Law Takes Effect,” *Xinhua*, April 1, 2023; “China Focus: Facilitating ‘Mother River’ Protection with Sound Legal System,” *Xinhua*, April 3, 2023. In 2021, China passed the complementary PRC Yangtze River Protection Law. *Zhonghua Renmin Gongheguo Changjiang Baohu Fa* [PRC Yangtze River Protection Law], passed December 26, 2020, effective March 1, 2021.

<sup>18</sup>Yang Caini, “After the Yangtze, China Passes Law to Protect Yellow River,” *Sixth Tone*, November 1, 2022.

<sup>19</sup>*Zhonghua Renmin Gongheguo Huanghe Baohu Fa* [PRC Yellow River Protection Law], passed October 30, 2022, effective April 1, 2023; Yang Caini, “After the Yangtze, China Passes Law to Protect Yellow River,” *Sixth Tone*, November 1, 2022.

<sup>20</sup>Tania Branigan, “One-Third of China’s Yellow River ‘Unfit for Drinking or Agriculture,’” *Guardian*, November 25, 2008.

<sup>21</sup>*Zhonghua Renmin Gongheguo Hei Tudi Baohu Fa* [PRC Black Soil Protection Law], passed June 24, 2022, effective August 1, 2022; Food and Agriculture Organization of the United Nations, “Black Soil Protection Law of the People’s Republic of China,” December 15, 2022. The PRC Black Soil Protection Law mainly focuses on protecting the land for agricultural use, ensuring soil fertility is not negatively affected by agricultural operations, and promoting its efficient use, and specifying its use for “grain and oil crops, sugar crops, vegetables and other agricultural products.”

<sup>22</sup>“The Rich, Black Soil That Fed a Growing China Is Washing Away,” *Bloomberg*, April 22, 2022.

<sup>23</sup>Mandy Zuo, “China Food Security: With New Law, Can Beijing Reverse Loss of Arable Land, or Will Policies Go to Seed at Grass-Roots Level?,” *South China Morning Post*, June 27, 2023; Zongyuan Zoe Liu, “China’s Farmland Is in Serious Trouble,” *Foreign Policy*, February 27, 2023.

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