

## CECC Annual Report 2021

### KEY FINDINGS

#### THE ENVIRONMENT AND CLIMATE CHANGE

- During the Commission’s 2021 reporting year, Chinese citizens continued to face problems of water pollution and water scarcity. In its 2020 National Environmental and Ecological Quality Report, the PRC Ministry of Ecology and Environment found that 83.4 percent of tested surface water and 13.6 percent of tested groundwater in China was fit for human consumption. Nine provinces and municipalities in China suffer from water scarcity. In addition, the construction of dams along major rivers in China may have a negative impact on countries downstream.
- China continues to experience high levels of air pollutants, contributing to negative health effects including premature death. For example, exposure to air pollution in Beijing and Shanghai municipalities reportedly resulted in approximately 49,000 premature deaths in the first half of 2020.
- Although the official “Olympic and Paralympic Winter Games Beijing 2022 Carbon Management Plan” lists measures to reduce and offset carbon emissions among its main objectives, doubts remain as to whether measures to reduce air pollution will be sufficient to reduce the risk to Olympic athletes’ health, including from pollutants such as carbon, methane, and sulfur.
- Chinese citizens continued to raise concerns about the environment through street-level protests and other forms of public advocacy at the risk of being persecuted. Individuals detained for environmental advocacy during the 2021 reporting year included **Li Genshan**, **Zhang Baoqi**, and **Niu Haibo**. In addition, authorities briefly detained teenage advocate **Howey Ou Hongyi** after she staged a Global Climate Strike in Shanghai municipality.

#### THE ENVIRONMENT AND CLIMATE CHANGE

##### *Findings*

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- China continues to experience high levels of air pollutants, contributing to negative health effects including premature death. For example, exposure to air pollution in Beijing and Shanghai municipalities reportedly resulted in approximately 49,000 premature deaths in the first half of 2020.

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- Chinese citizens continued to raise concerns about the environment through street-level protests and other forms of public advocacy at the risk of being persecuted. Individuals detained for environmental advocacy during the 2021 reporting year included **Li Genshan**, **Zhang Baoqi**, and **Niu Haibo**. In addition, authorities briefly detained teenage advocate **Howey Ou Hongyi** after she staged a Global Climate Strike in Shanghai municipality.

#### *Recommendations*

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

- Call on the Chinese government to cease harassment of environmental advocates and 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 and improving the environment.
- In meetings with international counterparts, develop a coordinated response to reports of both forced labor in the solar power supply chain, and to Chinese government sanctions placed on research institutes and individual scholars, including those that do important environmental work.
- In meetings with Chinese officials, raise the detentions of environmental researcher and former Xinjiang University President **Tashpolat Teyip** and environmental protection volunteers **Li Genshan**, **Zhang Baoqi**, and **Niu Haibo**; and the harassment of climate advocate **Howey Ou Hongyi**.
- 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.

## THE ENVIRONMENT AND CLIMATE CHANGE

### *Introduction*

In his 2018 report introducing the Framework Principles on Human Rights and the Environment, the UN Special Rapporteur on human rights and the environment noted that “[a] safe, clean, healthy and sustainable environment is necessary for the full enjoyment of a vast range of human rights, including the rights to life, health, food, water and development. At the same time, the exercise of human rights, including the rights to information, participation and remedy, is vital to the protection of the environment.”<sup>1</sup> During the Commission’s 2021 reporting year, Chinese citizens continued to face problems of water pollution and water scarcity; in addition, construction of dams along major rivers in China may have negative impact on countries downstream. China continues to experience high levels of air pollutants, contributing to negative health effects including premature death. China’s greenhouse gas emissions increased by 1.5 percent in 2020, due to a surge in emissions following its first coronavirus disease 2019 (COVID-19) lockdown. Chinese citizens continued to raise concerns about health issues related to the environment through street-level protests and other forms of public advocacy, and many faced official harassment and detention for raising these environmental concerns. In addition, a critical report issued by an environmental inspection group this past year documented governmental failures in enforcing environmental standards. Observers noted, however, that the fact that the government conducted such a review and published its findings publicly indicated potential progress.

### *The Environment and the Right to Health*

John H. Knox, then UN Special Rapporteur on human rights and the environment, stated in a July 2018 report that “a healthy environment is necessary for the full enjoyment of human rights, including the rights to life and health.”<sup>2</sup> The following subsections describe developments this past year in water pollution, air pollution, and climate change vis-à-vis the right to health.

#### WATER POLLUTION

According to a 2021 UN Human Rights Council report on human rights and the global water crisis, “[w]ater pollution, water scarcity and water-related disasters have major impacts on a wide range of human rights, including the rights to life, health, water, sanitation, food, a healthy environment, education, an adequate standard of living, development and culture, and on the rights of the child.”<sup>3</sup>

Chinese citizens continue to face problems of water pollution and water scarcity. According to a report from the Center for Strategic and International Studies (CSIS), the majority of China’s drinking water supply comes from surface water, followed by groundwater sources.<sup>4</sup> In its 2020 Report on the State of the Ecology and Environment, the Ministry of Ecology and Environment found that 83.4 percent of tested surface water and 13.6 percent of tested groundwater in China was fit for human consumption.<sup>5</sup> This represents, respectively, an increase from 74.9 percent and decrease

from 14.4 percent in 2019.<sup>6</sup> The Commission observed reports indicating that some water sources in China had been contaminated by unsafe amounts of metals,<sup>7</sup> nitrates,<sup>8</sup> and other chemicals.<sup>9</sup> Such forms of water pollution are linked with higher rates of disease.<sup>10</sup> In China, water pollution, as well as climate change and urbanization, all threaten to exacerbate the problem of water scarcity.<sup>11</sup> According to CSIS, nine provinces and municipalities suffer from water scarcity.<sup>12</sup>

In addition, China's construction of dams along major rivers may have negative impact on countries downstream.<sup>13</sup> Prior to this reporting year, an April 2020 report found that five upstream dams built in China since 2017 contributed to a "severe lack of water in the Lower Mekong during the wet season of 2019."<sup>14</sup> Upstream dams in China may contribute to flooding, drought, lack of access to freshwater, destruction of fish populations, and loss of sediment in South and Southeast Asian countries.<sup>15</sup>

#### AIR POLLUTION

China continues to experience high levels of air pollutants, contributing to negative health effects including premature death.<sup>16</sup> David Boyd, UN Special Rapporteur on human rights and the environment, reported in 2019 that the harmful effects of air pollution violate internationally recognized human rights, including the rights to life and health.<sup>17</sup> Environmental researchers estimated that exposure to air pollution in Beijing and Shanghai municipalities resulted in approximately 49,000 premature deaths in the first half of 2020.<sup>18</sup>

In the wake of early 2020 public health measures to contain COVID-19, air pollution levels in China fell, though not uniformly. While some international researchers recorded decreases in early 2020 in air pollutants such as nitrogen dioxide, sulfur dioxide, and fine particulate matter (PM2.5),<sup>19</sup> a U.K.-Chinese study found that pollutant levels dropped modestly, and ozone levels did not decrease despite COVID-19 lockdown measures.<sup>20</sup> As those measures lifted, air pollution levels returned to or exceeded pre-pandemic levels.<sup>21</sup> Observers attributed worsening air quality in areas around Beijing municipality in winter 2020 and spring 2021 to multiple factors, including heavy industrial activity, in particular cement and steel production,<sup>22</sup> as well as dust storms tied to land degradation.<sup>23</sup> In its 2020 report on pollution and the environment in China, the Ministry of Ecology and Environment (MEE) wrote that 202 out of 337 prefecture-level or higher jurisdictions met the 2020 air quality standard for PM2.5 pollution of 35 micrograms per cubic meter.<sup>24</sup> One study indicated, however, that local air quality monitoring in recent years has suffered from manipulation of testing equipment and misreporting of data.<sup>25</sup>

#### CLIMATE CHANGE

David Boyd, UN Special Rapporteur on human rights and the environment, wrote in 2019 about the effect of global climate change on human rights, and the importance of human rights in addressing climate change.<sup>26</sup> An annex to Boyd's report commended China for being a leader in transitioning to low-carbon technologies, while

noting that China was the world's largest emitter of greenhouse gases.<sup>27</sup>

In 2020, China's carbon dioxide emissions increased by an estimated 1.5 percent compared to 2019,<sup>28</sup> because of a surge in emissions during the second half of the year as the country's coal, oil, and gas consumption increased following its first COVID-19 lockdown.<sup>29</sup> While China experienced a slowdown in the emissions growth rate, the rebound in growth in the second half of the year could mark a setback to emissions reduction goals.<sup>30</sup> High-level economic officials reportedly restricted the initial scope of China's national Emissions Trading Scheme, which entered into force in 2021, in order to prioritize economic growth over the reduction of carbon emissions.<sup>31</sup>

#### Carbon Emissions and the 2022 Olympics

In June 2019, Chinese authorities released the "Olympic and Paralympic Winter Games Beijing 2022 Carbon Management Plan," which lists measures to reduce and offset carbon emissions among its main objectives.<sup>32</sup> Ma Jun, director of the Institute of Public & Environmental Affairs, noted that authorities face challenges in curbing emissions and controlling air pollution during the Games, particularly because of the potential for severe winter weather and higher emissions from residential and office heating.<sup>33</sup> Madeleine Orr, assistant professor at the State University of New York College at Cortland, questioned whether official measures to reduce air pollution would be sufficient to reduce the risk to Olympic athletes' health, including from pollutants such as carbon, methane, and sulfur.<sup>34</sup>

#### *Suppression of Environmental Advocates and Protests*

During the 2021 reporting year, Chinese citizens continued to raise concerns related to the environment through various forms of public advocacy at the risk of detention or harassment. China's Constitution provides for freedom of speech, assembly, and association,<sup>35</sup> as does the International Covenant on Civil and Political Rights (ICCPR)<sup>36</sup> and the Universal Declaration of Human Rights.<sup>37</sup> According to the Framework Principles on Human Rights and the Environment, "[s]tates should provide a safe and enabling environment in which individuals, groups and organs of society that work on human rights or environmental issues can operate free from threats, harassment, intimidation and violence."<sup>38</sup>

The following cases of harassment and detention, however, reveal an ongoing lack of protection for the rights of citizens when they raise environmental concerns:

- **Environmental Protection in Ningxia.** In September 2020, public security officials in Zhongwei municipality, Ningxia Hui Autonomous Region, criminally detained environmental advocates **Li Genshan**,<sup>39</sup> **Zhang Baoqi**,<sup>40</sup> and **Niu Haibo**<sup>41</sup> for "picking quarrels and provoking trouble," "extortion," and "robbery."<sup>42</sup> Later in September, the Shapotou district procuratorate in Zhongwei approved their formal arrests alongside five others on the same charges, also adding the charge of "illegally hunting or killing precious wildlife."<sup>43</sup> By

the end of September, authorities had detained a total of 14 individuals, 2 of whom were released on bail.<sup>44</sup> Some environmental advocates believed that the group was detained in retaliation for their environmental advocacy.<sup>45</sup> Some of those detained had previously reported corporate waste discharge in the Tengger Desert, the construction of wind farms that disturbed wildlife habitat, and the harboring of poachers by the local forestry police.<sup>46</sup>

• **Climate Activism in Shanghai.** In September 2020, public security officials from Shanghai municipality took into custody teen climate activist **Howey Ou Hongyi** after she staged a Global Climate Strike in Shanghai municipality.<sup>47</sup> According to Ou's Twitter account, officials released her after several hours of questioning and after requiring her to write a letter of "self-criticism."<sup>48</sup> Global Climate Strike is an international event in which thousands of individuals in thousands of locations demand that governments around the world take action against climate change.<sup>49</sup> Previously, public security officers from Guilin municipality, Guangxi Zhuang Autonomous Region, took Ou into custody for questioning in May 2019 after she staged a climate protest for several days in front of a government building.<sup>50</sup> Officials pressured Ou's parents to stop her from posting on Twitter and speaking to foreigners or journalists.<sup>51</sup> Shortly after Ou's climate protest, her internet was disconnected for three days and her phone number was suspended.<sup>52</sup> Additionally, in response to pressure from public security officials because of her climate activism, Ou's high school temporarily prevented her from attending classes.<sup>53</sup> An assistant professor at the school of journalism at the Chinese University of Hong Kong said that the pressure put on Ou is likely due to the fact that any form of collective action in China—even collective action against climate change—is "considered highly sensitive" by Chinese authorities.<sup>54</sup>

### *Transparency and Enforcement*

#### CEIT ISSUES REPORT CRITICAL OF NEA ON COAL POWER

According to the Framework Principles on Human Rights and the Environment, issued by the UN Special Rapporteur on human rights and the environment in 2018, states should be transparent in providing the public with environmental information, and should ensure that their environmental standards are effectively enforced.<sup>55</sup> A critical report issued by an environmental inspection group this past year documented governmental failures in enforcing environmental standards.<sup>56</sup> Observers noted, however, that the fact that the government conducted such a review and published its findings publicly indicated potential progress.<sup>57</sup>

In January 2021, the Central Environmental Inspection Team (CEIT), an entity administered by both the Communist Party Central Committee and the State Council, issued a report criticizing the National Energy Administration (NEA) for failing to limit the country's coal power capacity, and for other environmental and energy development shortfalls.<sup>58</sup> The CEIT reported that the NEA had been negligent in its supervision of coal mines, with more than

100 mines surveyed during random inspections operating at more than 30 percent above their approved capacity.<sup>59</sup> Ma Jun, director of the Institute of Public & Environmental Affairs, a Beijing municipality-based environmental non-governmental organization (NGO), noted that the NEA had once been an inspector that “supervised others” (such as local governments or state-owned enterprises), but had now, in a significant change, itself become a “subject of inspection.”<sup>60</sup>

#### LACK OF GDP GROWTH TARGET, ENERGY CONSUMPTION CAP IN FIVE-YEAR PLAN

At the annual meeting of the National People’s Congress in March 2021, officials for the first time referred to long-term climate targets in a five-year plan.<sup>61</sup> Observers noted, however, that the plan omitted a five-year GDP growth target and a goal to restrict total energy consumption, which had been included in previous five-year plans.<sup>62</sup> According to one climate analyst, while China’s GDP growth rate slowed over the past five years, it could potentially accelerate over the next several years, leading to a corresponding acceleration in emissions growth.<sup>63</sup> The analyst also expressed concern that the lack of a cap on total energy consumption meant that carbon emissions growth may not slow down by the year 2025.<sup>64</sup>

#### DETENTION OF MINE BOSS FOR ILLEGAL MINING IN QINGHAI PROVINCE

In the fall of 2020, following investigative reporting by state-affiliated media outlet Economic Information Daily into illegal mining operations causing environmental damage in the Qilian mountain range in Qinghai province, authorities criminally detained mine company owner Ma Shaowei and placed five local officials under investigation for corruption.<sup>65</sup> Ma’s company reportedly mined illegally in Tsonub (Haixi) Mongol and Tibetan Autonomous Prefecture, Qinghai, for 14 years, earning more than 10 billion yuan (approximately US\$1.5 billion) in an ecologically sensitive area that feeds the Yellow River and Qinghai Lake.<sup>66</sup> Environmental damage caused by the company’s coal mining activities has impacted the livelihood and livestock of local Tibetan residents.<sup>67</sup>

## Notes to Section II—The Environment and Climate Change

<sup>1</sup>UN Human Rights Council, 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/HRC/37/59, January 24, 2018, para. 2.

<sup>2</sup>UN General Assembly, Human Rights Obligations Relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment, John H. Knox, A/73/188, July 19, 2018, para. 12.

<sup>3</sup>UN Human Rights Council, Human Rights and the Global Water Crisis: Water Pollution, Water Scarcity and Water-Related Disasters, A/HRC/46/28, January 19, 2021, para. 25.

<sup>4</sup>“How Does Water Security Affect China’s Development?,” Center for Strategic and International Studies, China Power, August 26, 2020, accessed July 14, 2021.

<sup>5</sup>Ministry of Ecology and Environment, “2020 nian ‘Zhongguo shengtai huanjing zhuangkuang gongbao’” [2020 report on the “State of the ecology and environment in China”], May 24, 2021, 18, 32.

<sup>6</sup>Ministry of Ecology and Environment, “2019 nian ‘Zhongguo shengtai huanjing zhuangkuang gongbao’” [2019 report on the State of the ecology and environment in China], May 18, 2020, 17, 32.

<sup>7</sup>Zhifeng Huang et al., “Distribution, Toxicity Load, and Risk Assessment of Dissolved Metal in Surface and Overlying Water at the Xiangjiang River in Southern China,” *Scientific Reports* 11, no. 1 (January 8, 2021); Kwabena Agyarko Sarpong et al., “Waterscape, State and Situation of China’s Water Resources,” *Journal of Geoscience and Environment Protection* 8, no. 10 (October 15, 2020): 26–51.

<sup>8</sup>Mervyn Piesse et al., “China Continues to Confront Steep Environmental Challenges,” *Future Directions International*, November 5, 2020; Xin Zhang et al., “The Deep Challenge of Nitrate Pollution in River Water of China,” *Science of The Total Environment* no. 770 (May 20, 2021).

<sup>9</sup>Jiayuan Wang, “The Unfinished Battle for Drinking Water Security in Post-Poverty Rural China,” *New Security Beat* (blog), March 18, 2021; Kwabena Agyarko Sarpong et al., “Waterscape, State and Situation of China’s Water Resources,” *Journal of Geoscience and Environment Protection* 8, no. 10 (October 15, 2020): 26–51; “Drinking Water in Several Chinese Cities Contains High Levels of Persistent Chemicals,” *EurekAlert!*, January 18, 2021.

<sup>10</sup>UN Human Rights Council, Human Rights and the Global Water Crisis: Water Pollution, Water Scarcity and Water-Related Disasters, A/HRC/46/28, January 19, 2021, paras. 27, 28; Zhifeng Huang et al., “Distribution, Toxicity Load, and Risk Assessment of Dissolved Metal in Surface and Overlying Water at the Xiangjiang River in Southern China,” *Scientific Reports* 11, no. 1 (January 8, 2021); Kwabena Agyarko Sarpong et al., “Waterscape, State and Situation of China’s Water Resources,” *Journal of Geoscience and Environment Protection* 8, no. 10 (October 15, 2020): 26–51.

<sup>11</sup>UN Human Rights Council, Human Rights and the Global Water Crisis: Water Pollution, Water Scarcity and Water-Related Disasters, A/HRC/46/28, January 19, 2021, para. 26; “International Decade for Action ‘Water for Life’ 2005–2015. Focus Areas: Water Scarcity,” accessed July 14, 2021; “How Does Water Security Affect China’s Development?,” Center for Strategic and International Studies, China Power, August 26, 2020, accessed July 14, 2021; Kwabena Agyarko Sarpong et al., “Waterscape, State and Situation of China’s Water Resources,” *Journal of Geoscience and Environment Protection* 8, no. 10 (October 15, 2020): 26–51.

<sup>12</sup>“How Does Water Security Affect China’s Development?,” Center for Strategic and International Studies, China Power, August 26, 2020, accessed July 14, 2021. See also Kwabena Agyarko Sarpong et al., “Waterscape, State and Situation of China’s Water Resources,” *Journal of Geoscience and Environment Protection* 8, no. 10 (October 15, 2020): 26–51.

<sup>13</sup>Conn Hallinan, “The World Needs a Water Treaty,” *Common Dreams*, July 11, 2019.

<sup>14</sup>Alan Basist and Claude Williams, “Monitoring the Quantity of Water Flowing through the Upper Mekong Basin under Natural (Unimpeded) Conditions,” Sustainable Infrastructure Partnership, April 10, 2020, 12, 18.

<sup>15</sup>Jack Silvers, “Water Is China’s Greatest Weapon and Its Achilles Heel,” *Harvard Political Review* (blog), October 16, 2020; Tyler Roney, “What Are the Impacts of Dams on the Mekong River?,” *The Third Pole* (blog), July 1, 2021; Jagannath P. Panda, “Beijing Boosts Its Position as a ‘Himalayan Hegemon’ through Hydropower,” *China Brief*, Jamestown Foundation, June 7, 2021.

<sup>16</sup>UN Human Rights Council, Issue of Human Rights Obligations relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment, A/HRC/40/55, January 8, 2019, paras. 23–30; Peng Yin et al., “The Effect of Air Pollution on Deaths, Disease Burden, and Life Expectancy across China and Its Provinces, 1990–2017: An Analysis for the Global Burden of Disease Study 2017,” *Lancet Planetary Health* 4, September 2020: e387; Muyu Xu and David Stanway, “China Target to Allow Air Pollution to Rise Slightly in 2021—Environment Ministry,” *Reuters*, February 24, 2021; David Stanway, “China Air Quality Improved in 2020 on Lockdowns, Tougher Quality Control,” *Reuters*, January 14, 2021.

<sup>17</sup>UN Human Rights Council, Issue of Human Rights Obligations relating to the Enjoyment of a Safe, Clean, Healthy and Sustainable Environment, A/HRC/40/55, January 8, 2019, sec. III.

<sup>18</sup>David Stanway, “Smog Causes an Estimated 49,000 Deaths in Beijing, Shanghai in 2020—Tracker,” *Reuters*, July 9, 2020. A September 2020 study found that up to 30.8 million people in China had died prematurely from 2000 to 2016 due to air pollution. Fengchao Liang et al., “The 17-y Spatiotemporal Trend of PM<sub>2.5</sub> and Its Mortality Burden in China,” *Proceedings of the National Academy of Sciences* 117, no. 41 (October 13, 2020): 25602.

<sup>19</sup>European Space Agency, “Air Pollution Returning to Pre-COVID Levels,” *Phys.org*, March 16, 2021; Chanchan Gao et al., “Impact of the COVID-19 Pandemic on Air Pollution in Chinese



Megacities from the Perspective of Traffic Volume and Meteorological Factors,” *Science of the Total Environment* 773, no. 145545 (February 3, 2021): 1.

<sup>20</sup>“Lockdown in China Saw Only a Modest Drop Air Pollution,” University of Leeds, July 28, 2020.

<sup>21</sup>European Space Agency, “Air Pollution Returning to Pre-COVID Levels,” *Phys.org*, March 16, 2021; Jane Cai, “Beijing Chokes on Smog as China Tries to Balance Industrial Recovery and Greener Growth,” *South China Morning Post*, March 11, 2021.

<sup>22</sup>Centre for Research on Energy and Clean Air, “Air Pollution Increases around Beijing as Steel Mills Fail to Cut Capacity,” December 3, 2020, 5; Jane Cai, “Beijing Chokes on Smog as China Tries to Balance Industrial Recovery and Greener Growth,” *South China Morning Post*, March 11, 2021.

<sup>23</sup>Steven Lee Myers, “The Worst Dust Storm in a Decade Shrouds Beijing and Northern China,” *New York Times*, March 15, 2021.

<sup>24</sup>David Stanway, “China Air Quality Improved in 2020 on Lockdowns, Tougher Quality Control,” *Reuters*, January 14, 2021; Ministry of Ecology and Environment (MEE), “Shengtai Huanjing Bu fabu 2020 nian quanguo shengtai huanjing zhiliang jiankuang” [Ministry of Ecology and Environment issues 2020 national ecology and environment quality brief], March 2, 2021. The MEE’s 2021 target for PM<sub>2.5</sub> pollution, 34.5 micrograms per cubic meter of air, is over three times higher than the World Health Organization’s standard for healthy air quality. Muyu Xu and David Stanway, “China Target to Allow Air Pollution to Rise Slightly in 2021—Environment Ministry,” *Reuters*, February 24, 2021.

<sup>25</sup>Jesse S. Turiel and Robert K. Kaufmann, “Evidence of Air Quality Data Misreporting in China: An Impulse Indicator Saturation Model Comparison of Local Government-Reported and U.S. Embassy-Reported PM<sub>2.5</sub> Concentrations (2015–2017),” *PLoS ONE* 16(4), April 21, 2021: 1.

<sup>26</sup>UN Special Rapporteur on Human Rights and the Environment, David Boyd, “A Safe Climate: Human Rights and Climate Change,” October 16, 2019.

<sup>27</sup>UN Human Rights Council, Supplementary Information on the 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 Boyd, A/74/161, Annex, A Safe Climate: Good Practices, September 26, 2019, para. 20.

<sup>28</sup>National Bureau of Statistics of China, “Statistical Communiqué of the People’s Republic of China on the 2020 National Economic and Social Development,” February 28, 2021; Lauri Myllyvirta, “Analysis: China’s CO<sub>2</sub> Emissions Surged 4% in Second Half of 2020,” *Carbon Brief*, March 1, 2021.

<sup>29</sup>Lauri Myllyvirta, “Analysis: China’s CO<sub>2</sub> Emissions Surged 4% in Second Half of 2020,” *Carbon Brief*, March 1, 2021.

<sup>30</sup>Lauri Myllyvirta, “Analysis: China’s CO<sub>2</sub> Emissions Surged 4% in Second Half of 2020,” *Carbon Brief*, March 1, 2021.

<sup>31</sup>Sha Hua and Keith Zhai, “China Tempers Climate Change Efforts After Economic Officials Limit Scope,” *Wall Street Journal*, June 9, 2021.

<sup>32</sup>Beijing Organising Committee for the 2022 Olympic and Paralympic Winter Games, “Olympic and Paralympic Winter Games Beijing 2022 Carbon Management Plan,” June 24, 2019.

<sup>33</sup>“Beijing’s Rising Pollution Risks Smoggy 2022 Winter Olympics,” *Bloomberg*, May 10, 2021.

<sup>34</sup>David Lockwood, “2022 Winter Olympic Games: Beijing Air Pollution Fears Raised in New Report,” *BBC*, February 8, 2021.

<sup>35</sup>*PRC Constitution*, passed and effective December 4, 1982 (amended March 11, 2018), art. 35.

<sup>36</sup>International Covenant on Civil and Political Rights (ICCPR), adopted by UN General Assembly resolution 2200A (XXI) of December 16, 1966, entry into force March 23, 1976, arts. 19, 21, 22; United Nations Treaty Collection, Chapter IV, Human Rights, International Covenant on Civil and Political Rights, accessed June 11, 2021. China has signed but not ratified the ICCPR.

<sup>37</sup>Universal Declaration of Human Rights, adopted and proclaimed by UN General Assembly resolution 217A (III) of December 10, 1948, arts. 19, 20.

<sup>38</sup>UN Human Rights Council, 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/HRC/37/59, Annex, Framework Principles on Human Rights and the Environment, January 24, 2018, principles 4, 5, 12–14.

<sup>39</sup>For more information on Li Genshan, see the Commission’s Political Prisoner Data base record 2020-00248.

<sup>40</sup>For more information on Zhang Baoqi, see the Commission’s Political Prisoner Data base record 2020-00256.

<sup>41</sup>For more information on Niu Haibo, see the Commission’s Political Prisoner Data base record 2020-00255.

<sup>42</sup>Shapotou District, Zhongwei Municipality Public Security Bureau, “Guanyu gongkai zhengju Li Genshan, Zhang Baoqi, Niu Haibo deng ren weifan fanzui xiansu de tongzhi” [Public notice for collecting evidence regarding the criminal activities of Li Genshan, Zhang Baoqi, Niu Haibo, among others], WeChat post, September 10, 2020; Li You, “Ningxia Conservationists Detained for ‘Picking Quarrels,’” *Sixth Tone*, September 11, 2020.

<sup>43</sup>Shapotou District, Zhongwei Municipality Public Security Bureau, “Ningxia Zhongwei Shi Shapotou Qu Renmin Jianchayuan dui Li Genshan deng 8 ming fanzui xianyiren pizhun daibu” [Shapotou District, Zhongwei Municipality, Ningxia People’s Procuratorate’s office approves the arrest of 8 suspected criminals including Li Genshan], QQ, September 29, 2020.

<sup>44</sup> Civil Rights & Livelihood Watch, “Tenggeli Shamo wuran jubaozhe bei xingju” [Individual who reported pollution in the Tengger Desert criminally detained], October 1, 2020.

<sup>45</sup> Civil Rights & Livelihood Watch, “Tenggeli Shamo wuran jubaozhe bei xingju” [Individual who reported pollution in the Tengger Desert criminally detained], October 1, 2020; Li You, “Ningxia Conservationists Detained for ‘Picking Quarrels,’” *Sixth Tone*, September 11, 2020.

<sup>46</sup> Li You, “Ningxia Conservationists Detained for ‘Picking Quarrels,’” *Sixth Tone*, September 11, 2020; Civil Rights & Livelihood Watch, “Tenggeli Shamo wuran jubaozhe bei xingju” [Individual who reported pollution in the Tengger Desert criminally detained], October 1, 2020.

<sup>47</sup> Ou Hongyi Howey Ou #ClimateActivistsAqital (@howey\_ou), “In the police station . . .,” Twitter, September 26, 2020, 2:15 p.m.; Ou Hongyi Howey Ou #ClimateActivistsAqital (@howey\_ou), “#Shanghai #China 25th Sep 2020 . . .,” Twitter, September 30, 2020, 12:30 p.m.; Steven Lee Myers, “Ignored and Ridiculed, She Wages a Lonesome Climate Crusade,” *New York Times*, December 4, 2020.

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<sup>49</sup> Global Climate Strike, “Global Youth Climate Strikes Are Back: Meet the Strikers,” September 17, 2020; Steven Lee Myers, “Ignored and Ridiculed, She Wages a Lonesome Climate Crusade,” *New York Times*, December 4, 2020.

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