

Country: China

IPU geopolitical group: Asia-Pacific Group

National People's Congress of China (NPC)

Focus area: The National People's Congress of China (NPC) enacted a wide range of legislation and oversight measures to balance economic growth, social well-being and environmental protection, as a key approach in implementing the SDGs across the board.

Key highlights (messages)

- The NPC has strengthened China's ecological and environmental protection legal system to reflect both national characteristics and local circumstances. To this end it has adopted and amended legislation, and ensured greater accountability towards citizens by enhancing its oversight functions. The overall aim is to continuously improve China's ecosystem and environment.
- The adoption of China's environmental protection tax system is an example of how the NPC effectively engages the government, business sector and public in sharing the responsibilities of environmental protection to achieve the SDGs.

Summary

In recent years, the NPC has made significant legislative progress to enable the implementation of the SDGs. For example, regarding the ecosystem and environment, the NPC has adopted an amendment to China's Constitution which now incorporates "ecological civilization". The NPC has promulgated over 30 relevant laws, more than 100 administrative regulations and over 1,000 sub-national regulations. All of these have given shape to China's ecological and environmental protection legal system. The legal system consists of a number of comprehensive laws, including the Environmental Protection Law and the Biosecurity Law; special laws on preventing and controlling air, water, soil, solid waste, noise and radioactive pollution; laws on protecting ecological and biological diversity, including the Law on Prevention and Control of Desertification, the Law on Water and Soil Conservation, the Law on the Protection of Wildlife; laws on resource conservation and utilization, including the Forest Law, the Grassland Law and the Wetlands Protection Law; laws on river basin ecological and environmental protection, including the Yangtze River Protection Law and the draft Yellow River Protection Law (in deliberation); and laws to protect special geographies, including the Black Soil Protection Law and the Qinghai-Tibetan Plateau Ecological Conservation Law (in drafting). The above-mentioned laws and regulations cover a variety of natural systems, mountain ranges, water sources, forests, fields, lakes, grasslands and deserts, and form a coherent legal system.

These laws incorporate the principles of prioritizing prevention and ensuring protection, establish a comprehensive management system, encourage public participation, and outline the responsibilities for damages, thus forming a strict environmental protection framework. The framework includes: the environmental quality standard system; the environmental impact assessment system – an assessment mechanism for various planning and construction projects; the total discharge control system of key pollutants which sets targets for specific enterprises and public institutions; the cross-

administrative district pollution prevention and control system, allowing joint measures to be taken in key polluted regions and river basins; the social participation system which established an environmental governance structure, wherein the government leads, enterprises play a main role, and social organizations and the public participate; and the environmental protection tax system which introduced pollutant discharge fees to reduce pollutant discharge and so protect and improve the environment.

The NPC Standing Committee also disposes of a range of supervision measures, including law enforcement inspections, to contribute to China's battle against pollution as set out in the provisions of the said laws. From 2018 to 2022, the chairman of the NPC Standing Committee, who also chaired the law enforcement inspection teams for five years, carried out numerous field visits to examine the implementation of the laws on ecological and environmental protection. This has been important in guiding and enabling advances in ecological governance based on law. Every year the NPC Standing Committee hears and discusses the State Council's environmental status report and environmental protection goals accomplishments. Twenty-nine NPC deputies made specific comments and suggestions on the 2021 report.

Results and impact

With the strengthening of the rule of law in ecological and environmental governance, China's ecology and environment are continuously improving. Changes are being observed on the ground with local populations feeling reassured as their environment improves. For instance, as regards air quality, the proportion of days with good or excellent air quality in cities at or above prefectural level has increased from 76.7 per cent in 2015 to 87.5 per cent in 2021. The annual average PM_{2.5} concentrations have dropped from 50 mcg/m³ in 2015 to 30 mcg/m³ in 2021. The number of cities that have met air quality standards has grown from 73 in 2015 to 218 in 2021, with steady improvements to air quality nationwide. Similar upward trends have also been observed regarding surface water quality in China. The proportion of surface water with a national quality rating of Grade III or above has gradually risen from 64.5 per cent in 2015 to 84.9 per cent in 2021. Soil environmental risks in 2021 were largely controlled nationwide, while the trend of further pollution is being contained.

The legislation adopted by the NPC on environmental protection reflects China's realities and has produced sustainable and impactful results. The environmental protection tax, for example, conveys a very clear message that the more pollutants one discharges, the more tax will be levied, and that no pollutants will be exempted from this tax. The aim of these efforts is clearly to enhance environmentally-sensitive development through a green taxation system and adjustments in the actions of polluters.

Following the promulgation of the environmental protection tax law, Chinese enterprises have made remarkable changes. For instance, in the very year when the tax was to be levied, Shougang Shuicheng Iron and Steel (Group) Co., Ltd., the largest state-owned iron and steel combined enterprise in Sichuan Province and a major polluter, formulated its 2018 Green Action Plan Implementation Scheme – a total investment worth RMB 490.68 million (US\$ 73 million), and 11 environmental protection projects. Another example is Weihai Longgang Paper Co., Ltd., also labeled as a “big energy consumer and major polluter”, which has incorporated green development into its production and operation. The company

invested RMB 30 million (US\$ 4.46 million) in technical upgrading and applied qualitative management of the indexes of greenhouse gas emissions, comprehensive energy consumption and solid waste disposal. For more than three years since the launch of the environmental protection tax, the average emissions of major air pollutants, such as sulphur dioxide, nitrogen oxides, have dropped by 3.5 per cent and 3.1 per cent annually. Chemical oxygen demand and ammonia nitrogen emissions of major water pollutants have decreased by 3.8 per cent and 3.3 per cent annually. The pollution equivalent to a GDP output of RMB 10,000 has fallen by 25.8 per cent from 1.16 in 2018 to 0.86 in 2020.

Challenges

The structural pressure on China's ecological and environmental protection has not been eliminated yet. There is a gap between ecological and environmental quality and people's aspiration for a better life. The ecological and environmental legal system needs further improvements and alignment with the SDGs. Some complementary standards require upgrading. There is a need for raising public awareness about the urgency of advancing environmental protection. Some private enterprises and local governments still need to be more self-motivated to control pollution and protect the environment. In addition, the legal environmental protection framework has not been fully granted in practice, and law enforcement and supervision capacities of local governments require further technical support. In order to address these shortcomings, the National People's Congress of China plans to leverage the power of the rule of law, by improving the legal system of ecological and environmental protection, upholding the authority of the law with strict enforcement, and ensuring the effective implementation of the law, so as to provide strong legal guarantees for protecting the ecology and environment and building a sustainable China.

Sources and links

[Environmental Protection Law of the People's Republic of China](#)

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