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gLAWcal Comment #215

IS CHINA MAKING PROGRESSES IN TACKLING ITS ENVIRONMENTAL ISSUES?

Based on

**Luo Li “Research on the Reform of the
Judicial Relief System for Environmen-
tal Disputes in China”**



gLAWcal
Global Law Initiatives for Sustainable Development



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A gLAWcal comment on Luo Li “Research on the Reform of the Judicial Relief System for Environmental Disputes in China” in Paolo Davide Farah and Elena Cima (Eds.) China’s Influence on Non-Trade Concerns in International Economic Law

strengthening the links between related legislation on judicial relief for environmental disputes and, meanwhile, raise the professional knowledge level of judges on hearing environmental disputes by centralizing training and importing environmental law professionals. It should also seek to improve the level of the judges’ trial knowledge and ability within the field of environmental law in order to fully realize impartiality in the judicial system. Especially after courts in certain Chinese cities began establishing environmental trial divisions one after the other, the People’s Court earnestly started building a team of judges with specialized knowledge in environmental law, which is essential for correctly understanding and enforcing the law, realizing the environmental trial divisions’ functions, and achieving their real objectives.

Environment is defined as the sum of natural and artificial factors that influence human survival and development. The survival and development of human beings depends on the health of the environment, so care for the environment is in the common interest of mankind, both current and future. For China, a healthy environment serves as the premise for economic development and a comfortable life for its citizens. Therefore, environmental protection directly benefits the country’s well-being. Currently, China has developed a system of judicial relief for environmental disputes that integrates administrative litigation, criminal litigation, and civil litigation. This system has generated many advantages in the implementation of punishing perpetrators, inhibiting environmental pollution and destruction, and providing relief to victims as well as other objectives.

In today’s China, with its increasingly serious environmental situation and the difficulty in solving environmental disputes, the significance of establishing environmental protection trial divisions lies in its bold breakthrough in China’s current legislation. The breakthrough involves a number of different aspects, such as China’s current trial methods, the provisions on the jurisdiction of courts and the manner of accepting cases, and judgment method. It has thus promoted the development of the judicial relief system for environmental disputes in China. As a conclusion, it is submitted that in order to fully provide the benefits of judicial relief for environmental disputes, China should pay attention to

GLOBAL GOVERNANCE

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gLAWcal
Global Law Initiatives for Sustainable Development

Email: research@glawcal.org.uk

Website: glawcal.org.uk

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