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THE DEVELOPMENT OF ENVIRONMENTAL LAW IN CHINA: From the Holistic Perspective

Qin Tianbao & Liang Yang

ABSTRACT

This article outlines the three stages of the development of China's environmental law. It emphasizes the current stage, which is characterized by the holistic perspective rooted in traditional Chinese philosophy and integrated with the theory of sustainable development. It examines the evolution of China's environmental legislation, administration, and judiciary within this framework. This article argues that China's environmental legislation has transitioned from fragmentation to systematization; administrative enforcement departments have optimized functions through institutional and mechanism reforms; and the specialization of the environmental judiciary and the application of environmental restorative justice principles in the adjudication of environmental cases have effectively improved both the efficiency and quality of case judgments.

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I. INTRODUCTION

In recent decades, China has made significant progress in addressing environmental challenges, showcasing a strong commitment to ecological preservation and sustainable development. Acknowledging the crucial role of a robust legal framework in environmental governance, China has embarked on an ambitious path to develop and refine its environmental laws. The evolution of environmental law in China underscores the nation’s proactive approach to safeguarding its natural resources and promoting public health.

By integrating traditional Chinese philosophical principles with contemporary sustainable development theories, China has established a unique and progressive model of environmental law. The holistic perspective, deeply rooted in the notion that humans and nature are interconnected, has guided the nation in its pursuit of an ecological civilization. The substantial legislative, administrative, and judicial reforms implemented over the years reflect China’s dedication to achieving a harmonious balance between economic growth and ecological sustainability. These efforts have not only enhanced the effectiveness of environmental protection, but also set a positive precedent for other nations facing similar challenges.

This article aims to provide a comprehensive overview of the development of China’s environmental law and the systems that have shaped it, with a focus on the period from 2012 to the present. This article reviews the progressive stages of China’s environmental legislative, administrative, and judicial reforms, emphasizing the holistic perspective originating from traditional Chinese philosophy with the current Chinese environmental legal framework. By exploring the implementation and effectiveness of these reforms in addressing China’s environmental challenges, this article highlights the dynamic and holistic nature of China’s environmental legal development. Ultimately, this article aims to offer insights and inspiration for other countries facing similar environmental issues.

The article proceeds as follows: Part II delves into the philosophical foundations of environmental law in China, exploring the renewal of environmental philosophy at three different stages, as well as the origins and connotations of China's holistic perspective to environmental law. Part III focuses on legislative developments in China since 2012, taking into account both specialized environmental legislation and other sectoral laws. Part IV examines administrative reforms, detailing the restructuring of environmental departments and the enhancement of ecological and environmental law enforcement. Part V analyzes the environmental judiciary reform, emphasizing the specialization of the environmental judiciary, the synergies between the judiciary and other government departments, and the application of the concept of restorative justice in practice. Part VI anticipates the future direction and focus of China's environmental law.

II. THE PHILOSOPHY

To fully grasp the evolution of China's environmental law, it is essential to understand the philosophical foundations that have influenced its development. The transformation in China's environmental philosophy has been pivotal in shaping its legislative, administrative, and judicial approaches. This part examines the renewal of China's environmental principles and explores how shifts in China's approach and commitment to environmental protection have influenced and guided modern environmental governance towards a more integrated and sustainable framework.

A. *Philosophy Renewal of China's Environmental Law*

China's environmental law began at a later stage compared to European and American countries. Over the more than fifty years of its development, the underlying concepts have continuously evolved. Based on the timing of major milestones in the history of China's environmental law, its development can be roughly divided into three phases: the first stage from 1972 to 1992, the second stage from 1992 to 2012, and the third stage from 2012 to the present.

China's environmental law originated in 1972, coinciding with the United Nations Conference on the Human Environment. Following China's participation in the conference, the First National Conference on Environmental Protection was held in 1973, marking the beginning of China's journey toward developing environmental protection legislation. At the first stage, China's environmental legislation was guided by the Outlook of Environmental Protection, which fundamentally aims to safeguard public health and promote social development. The approach to environmental protection during this period primarily relied on administrative control and end-of-pipe management, resulting in fragmented and unsystematic protection of various environmental elements. While China began to establish a framework of environmental laws during this time,

the connections between these laws were weak. The legislation exhibited a basic characteristic of separating humans from nature, failing to conceptualize them as an integrated system.

The second stage of China's environmental law began in 1992, when the United Nations Conference on Environment and Development (UNCED) introduced the concept of sustainable development. That same year, the Chinese government approved the *Ten Major Strategies on Chinese Environment and Development* (《中国环境与发展十大对策》),¹ which emphasized the need to "change China's development strategy and pursue sustainable development." In 1994, the Chinese government issued the *White Paper on China's Agenda 21: Population, Environment, and Development in the 21st Century* (《中国21世纪议程——中国 21 世纪人口、环境与发展白皮书》),² marking the initial establishment of China's sustainable development strategy. Subsequently in 1996, China integrated the concept of sustainable development into China's *Ninth Five-Year Plan* (《“九五”计划》).³ The *Marine Environmental Protection Law* (《海洋环境保护法》), amended in 1999), the *Environmental Impact Assessment Law* (《环境影响评价法》), enacted in 2002), and the *Cleaner Production Promotion Law* (《清洁生产促进法》), enacted in 2002) all explicitly recognized the promotion of sustainable economic and social development, including environmental protection, as a legislative goal. During this stage, China's environmental law adopted the Theory of Sustainable Development as its guiding ideology, emphasizing environmental safety and the sustainable use of resources, with the right to development as core principles. Compared to the first phase, environmental law in this stage represented a conceptual advancement, beginning to consciously link economic, social, and environmental factors. However, the focus remained on economic and social development, and a comprehensive environmental legal framework had yet to be fully established.

The current stage, beginning in 2012, is defined by the Outlook of Ecological Civilization.⁴ In that year, China set forth the goal of build-

1. Zhou Feng, *Zhongguo Huanjing Yu Fazhan Shi Da Duice* (中国环境与发展十大对策) [*Ten Major Strategies on Chinese Environment and Development*] (2022), <https://www.zgbk.com/ecph/words?SiteID=1&ID=252093> [<https://perma.cc/ZJ2K-HBN3>].

2. *Zhongguo 21 Shiji Yicheng* (中国21世纪议程) [*White Paper on China's Agenda 21, Chinese Government*] (2015), <https://www.acca21.org.cn/trs/000100170002/9303.html> [<https://perma.cc/53KC-SF5Y>].

3. Li Peng, *Guanyu Guomin Jingji He Shehui Fazhan "Jiuwu" Jihua He 2010 Nian Yuanjing Mubiao Gangyao De Baogao* (关于国民经济和社会发展“九五”计划和 2010 年远景目标纲要的报告) [*Report on the Outline of the Ninth Five-Year Plan for National Economic and Social Development and Long-Range Objectives to the Year 2010*] (1996), https://www.gov.cn/test/2008-04/21/content_950407.htm [<https://perma.cc/BH4U-DUR9>].

4. In fact, the concept of building an ecological civilization was first introduced in China in 2007, but it was not until five years later that it was fully integrated as a guiding philosophy for national development. See Arthur Hanson, *Ecological*

ing society across five dimensions: economic, political, cultural, social, and ecological. Emphasis on environmental protection is at an all-time high, with ecological civilization now serving as the guiding philosophy for the ongoing transformation and enhancement of China's environmental legal framework. The concept of ecological civilization not only inherits the core principles of sustainable development, but also expands upon them.⁵ The most significant aspect is the holistic perspective, which integrates contemporary environmental protection ideas with traditional Chinese philosophy.

B. *The Holistic Perspective*

The holistic perspective in Chinese environmental law is deeply rooted in traditional Chinese culture and philosophy. It draws inspiration from the *I Ching* (《易经》) and its philosophy of “Man is an Integral Part of Nature” (天人合一), which asserts that humans and nature are inherently interconnected and must coexist harmoniously. This concept has been upheld by generations of Chinese philosophers throughout the country's long history of philosophical thought.

The holistic perspective has two fundamental orientations. The first is wholeness, which emphasizes the importance of viewing problems from a macro perspective and understanding them in the context of their broader relationships. The second orientation is systemicity, which focuses on respecting the objective laws and interactions of different elements while addressing issues. Wholeness represents the core characteristic of the holistic perspective, whereas systemicity is a higher requirement, reflecting the desired outcome of integrating and interacting the various components within the whole.

Guided by the holistic perspective, China has since 2012 undertaken reforms to its environmental legal system at the legislative, administrative and judicial levels. These changes are summarized in the following three parts.

III. THE LEGISLATION

During the first and second stages of the development of China's environmental law, China has enacted separate legislation for most environmental elements. Guided by the holistic perspective, China has revised existing specialized environmental laws and other sectoral laws to enhance legislative coordination. Additionally, China has established four new comprehensive environmental laws to protect specific watersheds and regions. This part first introduces the development of China's environmental legislation since 2012, and then summarizes the institutional framework of the current environmental legislation.

Civilization in the People's Republic of China: Values, Action, and Future Needs (Asian Development Bank, Working Paper No. 21, 2019).

5. Ben Boer et al., *Introduction to the Special Issue on Ecological Civilization and Environmental Governance*, 4 CHINESE J. ENV'T. L. 121 (2020).

A. *Developments in China's Specialized Environmental Legislation*

In 2014, China's 1989 *Environmental Protection Law* (《环境保护法》), underwent its first comprehensive revision. There are three highlights of this revision. First, the phrase "promoting ecological civilization improvement" was included in article 1, before the phrase "facilitating sustainable economic and social sustainable development."⁶ Second, in Article 4, environmental protection is identified as a basic state policy of China, and it is made clear that economic and social development should be coordinated with environmental protection, and that environmental protection is no longer just a backdrop for the promotion of economic and social development.⁷ Thirdly, Article 5 establishes "protection first" as the first basic principle of environmental protection.⁸ Following the revision of this law, which is now China's basic environmental law, dozens of specialized laws on the environment have been revised and enacted in order to harmonize other laws with it. Notably, the *Air Pollution Prevention and Control Law* (《大气污染防治法》) was amended twice, in 2015 and 2018, and the *Wild Animal Conservation Law* (《野生动物保护法》) was amended three times, in 2016, 2018 and 2022. The *Soil Pollution Prevention and Control Law* (《土壤污染防治法》) and the *Biosafety Law* (《生物安全法》) were enacted in 2018 and 2020, respectively.

Since 2021, China has enacted four specialized regional environmental laws, reflecting a practical application of the holistic perspective. Two of these laws are comprehensive basin laws: the *Yangtze River Protection Law* (《长江保护法》, 2021) and the *Yellow River Protection Law* (《黄河保护法》, 2023). The other two pertain to specific geographic areas: the *Black Soil Conservation Law* (《黑土地保护法》, 2022) and the *Qinghai-Tibet Plateau Ecological Protection Law* (《青藏高原生态保护法》, 2023). Before this, most of China's specialized environmental legislation had addressed individual environmental elements—such as air, water, and soil—but was insufficient to tackle the complex, interconnected environmental risks arising from the regional interplay of multiple environmental elements. For example, the jurisdiction of the *Yellow River Protection Law* encompasses the county-level administrative areas across nine provinces (autonomous regions) that intersect with the Yellow River's main streams, tributaries, and lakes.⁹ Coordinating environmental protection across such a large number of administrative divisions is undoubtedly a complex and extensive undertaking. However, guided by its holistic perspective, the Yellow River Protection Law makes this coordination feasible through its institutional design. The Yellow River Protection Law establishes an integrated and coordinated mechanism for environmental protection in the Yellow River basin, adopting the holistic perspective. This mechanism includes several key components:

6. Zhonghua Renmin Gongheguo Huanghe Baohu Fa (中华人民共和国环境保护法) [Environmental Protection Law of the People's Republic of China] (promulgated by the Standing Comm. Nat'l People's Cong., Apr. 24, 2014, eff. Jan. 1, 2015) art. 4 (China).

7. *Id.* art. 4.

8. *Id.* art. 5.

9. Zhonghua Renmin Gongheguo Huanghe Baohu Fa (中华人民共和国黄河保护法) [Yellow River Protection Law of the People's Republic of China] (promulgated by the Standing Comm. Nat'l People's Cong., Oct. 30, 2022, eff. Apr. 1, 2023) art. 2 (China).

a monitoring system for natural hydrological,¹⁰ geographic, disaster, and meteorological conditions; an expert committee to provide scientific advice;¹¹ an information-sharing platform among provincial governments within the Yellow River Basin;¹² and a regulatory framework to oversee development activities.¹³ These mechanisms are expected to enhance the effectiveness of environmental protection efforts in the Yellow River Basin moving forward.

B. *Other Laws that Integrate Elements Related to Environmental Protection*

The holistic perspective requires the infusion of an ecological order into the original social order. China has ecologized the traditional legal field and accommodated ecological interest claims in different laws.

The first law to consider is China's 2018 Constitutional Amendment, which introduced two significant changes related to environmental protection. The first change is the addition of the terms "Ecological Civilization" and "Beautiful China" (美丽中国) to the seventh paragraph of the preamble. The second change involves the inclusion of the phrase "directing and managing the construction of an ecological civilization" in Article 89, expanding the State Council's terms of reference. These two changes signify that China has integrated the construction of ecological civilization and environmental protection into all aspects, links, and processes of economic, political, and social construction. Consequently, ecological and environmental order has become a fundamental component of the rule of law.

The second important piece of legislation is China's Civil Code, promulgated in 2020, which includes several green provisions related to environmental protection. On one hand, the General Principles of the Civil Code feature Article 9, which introduces the "Green Principle" widely endorsed by Chinese environmental and civil law scholars: "The parties to civil legal relations shall conduct civil activities contributing to the conservation of resources and protection of environment." This provision establishes the Green Principle as a fundamental guideline for civil activities and provides a basis for its application across various sections of the Civil Code. On the other hand, the Real Rights and Contracts Sections of the Civil Code contain provisions that promote resource conservation and ecological protection.¹⁴ Additionally, the Tort Liability Section includes a dedicated chapter on "Liability for Environmental Pollution and Ecological Damage."¹⁵ The provisions on ecological environmental protection in the Civil Code clarify the relationship between

10. *Id.* art. 12.

11. *Id.* art. 14.

12. *Id.* art. 15.

13. *Id.* art. 104.

14. Zhonghua Renmin Gongheguo Minfa Dian (中华人民共和国民法典) [Civil Code of the People's Republic of China] (promulgated by the Nat'l People's Cong., May 28, 2020, eff. Jan. 1, 2021) arts. 274, 286, 294, 325, 326, 346, 509, 619, 937 (China).

15. *Id.* arts. 1229-35.

the environmental value and other parallel values. They are expected to play a positive role in safeguarding citizens' environmental rights and interests, resolving conflicts and disputes arising from environmental issues, and contributing to the construction of an ecological civilization.

Finally, Amendment XI to the Criminal Law, enacted in 2020, merits attention. This amendment expands the scope of environmental crimes and increases penalties for offenses that harm the environment. Specifically, Article 338 has increased the maximum statutory penalty for environmental pollution crimes from seven years to more than seven years of imprisonment. Article 341C prohibits the illegal hunting, acquisition, transportation, and sale of wild animals for food. Additionally, Article 342(I) introduces a new crime for the destruction of nature reserves, criminalizing reclamation, development activities, or construction in national parks and nature reserves that lead to severe consequences. These changes indicate that China has adopted a stricter stance on environmental crimes and elevated the legal status of environmental values.

C. *China's Current Environmental Law System*

China now has more than 30 pieces of specialized environmental legislation, more than 100 environmental administrative regulations, and more than 1,000 local environmental regulations.¹⁶ China's current environmental legal system can be summarized using the "1+N+4" model, which includes 1 Comprehensive Law, N Environmental Elements Laws, and 4 Specialized Regional Laws.¹⁷ A legal system including environmental protection law, laws on pollution prevention and control, laws on biodiversity protection, laws on resource protection and utilization, laws on watershed protection, and laws on protection of special geographical areas has been initially formed.

It is important to note that China is advancing the development of an *Ecological Environmental Code* (《生态环境法典》). This initiative reflects China's commitment to the holistic perspective by promoting comprehensive environmental legislation. The Ecological Environmental Code, as the highest form of legislation, aims to transform China's fragmented environmental laws into a unified system. The 14th National People's Congress Standing Committee's Legislative Planning identifies the codification of the Ecological Environmental Code as a Category I Project. In the future, this Code is expected to replace the Environmental Protection Law as the foundational legislation and serve as the fundamental law for environmental protection in China.

16. *More Than 30 Laws Have Been Enacted to Promote the Construction of a Beautiful China and Protect the Ecological Environment*, NATIONAL PEOPLE'S CONGRESS (2023), http://www.npc.gov.cn/npc/c2/kgfb/202308/t20230815_430991.html [<https://perma.cc/P4NN-6YWH>].

17. Li Zhanshu, *Speech at the Fifth Session of the Thirteenth National People's Congress*, NATIONAL PEOPLE'S CONGRESS (2023), http://www.npc.gov.cn/npc/c2/c30834/202303/t20230317_428429.html [<https://perma.cc/2Y33-BTUP>].

IV. THE ADMINISTRATION

The administrative authorities responsible for environmental protection are the primary enforcers of environmental law. As China's environmental legal system continues to improve and the need to manage environmental risks becomes more pressing, these authorities face increasingly stringent demands, the administrative authorities must adapt their practices in line with the holistic perspective. This Part first examines the reforms in China's environmental administration and then outlines the changes in environmental administrative enforcement mechanisms.

A. *Reform of China's Environmental Department*

The establishment and evolution of China's environmental authorities have closely mirrored the development of the country's environmental laws. In May 1973, following the first National Conference on Environmental Protection, the State Council formed a leading group on environmental protection and held its inaugural meeting. After the promulgation of the *Environmental Protection Law (for Trial Implementation)* (《环境保护法(试行)》) in September 1979, the Standing Committee of the Fifth National People's Congress decided to create the Ministry of Urban and Rural Construction and Environmental Protection, which included an Environmental Protection Bureau. Concurrently, the Leading Group for Environmental Protection was abolished. In December 1983, the Second National Conference on Environmental Protection was held, formally establishing environmental protection as a fundamental state policy. Subsequently, in December 1984, China established the State Environmental Protection Administration (SEPA), which continued to operate under the Ministry of Urban and Rural Construction and Environmental Protection. In April 1988, the Seventh National People's Congress approved a State Council reform program, which led to the creation of an independent State Environmental Protection Administration (SEPA) as a vice-ministerial level agency directly under the State Council.

With the introduction of the theory of sustainable development into China, the country has increasingly emphasized environmental protection. In December 1998, on its 10th anniversary, the State Environmental Protection Bureau was renamed the State Environmental Protection Administration (SEPA) and elevated to the rank of a full ministry. In March 2008, SEPA was further renamed the Ministry of Environmental Protection to align with China's vision of building an ecological civilization, first proposed in 2007. Despite this heightened focus, environmental governance in China continued to face challenges, including fragmented functions among environmental administrative authorities, overlapping responsibilities, and unclear authority. Since 2008, China has sought to address these issues by developing a comprehensive departmental system for systematic administrative management, with a focus on transforming

government functions. After a decade of exploration and experience accumulation from the State Council's institutional reform program, China integrated the functions of the Ministry of Environmental Protection (MEP) and other relevant ministries into the newly established Ministry of Ecology and Environment (MEE) and the Ministry of Natural Resources (MNR) in 2018.

Looking back on this history, almost every decade has ushered in a new wave of changes in China's environmental protection sector at the national level. This progression reflects, to some extent, the evolving nature of China's environmental protection concepts. The reform of the large ministry system, which signifies the integration of similar functions across various departments, aligns well with the holistic perspective.

B. Reform of Comprehensive Law Enforcement for Ecological and Environmental Protection

Before 2018 the environmental protection department and other relevant departments jointly perform environmental protection duties, which is a combination of "unified administration and separate administration." This mode of administration can lead to fragmentation, overlapping and duplication of responsibilities for environmental protection. At the horizontal level, there is the problem of multiple subjects of administrative law enforcement. Using administrative law enforcement for water pollution control as an example, water pollution control targets within a given watershed can be broadly categorized into surface water, groundwater, nearshore pollution sources, and aquatic pollution sources. Surface water and nearshore pollution sources are overseen by environmental protection administrative authorities, whereas aquatic pollution sources fall under the jurisdiction of transportation, maritime, and marine affairs departments. The administrative responsibilities for groundwater, however, remain contentious. This fragmentation substantially impairs the efficiency and effectiveness of environmental protection efforts. At the vertical level, a significant issue is the "homogenization of responsibilities" among environmental law enforcement departments at the sub-provincial level. In practice, ecological and environmental departments at the provincial, municipal, and county levels may all possess the authority to investigate and address a specific case. This overlap not only leads to the inefficient use of limited enforcement resources but also tends to result in redundant and multi-layered law enforcement efforts.

In 2018, the General Office of the State Council issued the *Guiding Opinions on Deepening the Reform of Comprehensive Law Enforcement for Ecological and Environmental Protection* (《关于深化生态环境保护综合行政执法改革的指导意见》, 中办发〔2018〕64号), emphasizing the need for comprehensive law enforcement in environmental protection. The document outlines the promotion of integrated administrative law enforcement for ecological and environmental protection through the establishment of a unified law enforcement team, the consolidation

of enforcement functions, and the coordination of enforcement resources and personnel. The newly established MEE has delineated the specific integration of responsibilities previously held by six departments: Environmental Protection, Land, Marine Affairs, Agriculture, Water Conservancy, and Forestry. The State Council has further mandated that, unless otherwise stipulated by laws and regulations, these departments are no longer authorized to exercise the aforementioned administrative penalties or coercive powers.¹⁸ The authority for law enforcement is now clearly defined. The Comprehensive Ecological and Environmental Law Enforcement framework, under the aegis of the MEE, uniformly exercises the authority to impose administrative penalties, conduct administrative inspections, implement administrative coercion, and perform other law enforcement functions.

V. THE JUDICIARY

With the advancement of China's environmental legal philosophy, the enhancement of environmental legislation, and the reinforcement of environmental administrative law enforcement, China's environmental judiciary has also been evolving under the guidance of the holistic perspective. This part will discuss both the specialization of environmental judiciary in China and the environmental restorative justice that is commonly used in the trial of environmental cases.

A. *The Specialization of Environmental Judiciary*

After the 1970s, many countries around the world began to explore the specialization of environmental judiciary, leading to the establishment of numerous institutions dedicated to environmental disputes, primarily through environmental courts or tribunals. China's specialization in environmental judiciary commenced in 2007, with the Qingzhen Municipal Court (清镇市人民法院) in Guizhou Province establishing a dedicated environmental protection court to handle environmental cases. In June 2014, the Environment and Resources Division of the Supreme People's Court (最高人民法院环境资源审判庭) was inaugurated, officially launching the specialization of environmental justice across all levels of China's judicial system.

According to the latest publicly available data, as of December 2023, China had established 2,813 specialized agencies for the adjudication of environmental resource cases.¹⁹ In 2023 alone, these specialized

18. Shenzhen Municipal Legal Affairs Office, *Notice of the General Office of the CPC Central Committee and the General Office of the State Council on Issuing the Guiding Opinions on Deepening the Reform of Comprehensive Administrative Law Enforcement for Ecological and Environmental Protection*, ACADEMY OF OCEAN OF CHINA (Nov. 26, 2019), <https://aoc.ouc.edu.cn/2019/1127/c9828a277126/page.psp> [<https://perma.cc/Z78D-XRBL>].

19. Zhongguo Huanjing Sifa Fazhan Baogao (中国环境司法发展报告) [China Environmental Judicial Development Report] (2023), <http://www.zcfy.gov.cn/upfile/File/202408/28/172835100.pdf> [<https://perma.cc/M3KV-DPYQ>].

agencies registered 231,625 first-instance environmental cases and concluded 231,830 cases.²⁰ To enhance adjudication efficiency and ensure the fairness of trials, specialized institutions for environmental cases in China have implemented several innovative practices under the guidance of the holistic perspective. Firstly, China's environment and resources divisions typically employ a unified approach, consolidating the adjudication of civil, administrative, and criminal cases (or a four-in-one model that includes enforcement cases). This integrated system enables the selection of appropriate adjudication procedures tailored to the specific circumstances of each case. Secondly, to address the cross-regional nature of environmental cases, these cases are adjudicated by specialized courts within specific regions, thereby avoiding jurisdictional disputes. Thirdly, to ensure professionalism and systematic adjudication in environmental cases, measures such as enhancing judges' specialized knowledge and involving individuals with expertise in environmental matters as expert witnesses or people's assessors have been implemented.

B. *Environmental Restorative Justice*

The logical foundation of restorative justice lies in protecting the interests of victims and restoring violated legal rights. The goal of environmental restorative justice is to rehabilitate damaged environmental and ecological legal interests. While there is no explicit law in China formally recognizing environmental restorative justice, this concept has been increasingly applied in judgments of environmental criminal cases in recent years. In May 2016, the Supreme People's Court issued the *Opinions on Giving Full Play to the Role of Judicial Functions to Provide Judicial Services and Guarantees for Promoting Ecological Civilization Construction and Green Development* (《关于充分发挥审判职能作用为推进生态文明建设与绿色发展提供司法服务和保障的意见》, 法发〔2016〕12号).²¹ The document emphasized the implementation of damage relief centered on ecological environment restoration, coordinating the application of criminal, civil, and administrative liabilities to maximize ecological environment restoration. It also established that the Supreme People's Court requires the adoption of a restorative-oriented modern environmental resources judicial concept, positioning ecological environment restoration as the fundamental value orientation in environmental judicial adjudication.

The ultimate goal of adjudicating environmental cases is to restore nature to its original state. Chinese courts are actively exploring methods to achieve environmental restoration through judicial decisions. These methods include directly or indirectly restoring the environment

20. *Id.*

21. *Opinions on Giving Full Play to the Role of Judicial Functions to Provide Judicial Services and Guarantees for Promoting Ecological Civilization Construction and Green Development*, SUPREME PEOPLE'S COURT OF CHINA, <http://gongbao.court.gov.cn/Details/3c4fb71f30beecb980640f3165d447.html> [<https://perma.cc/KPK6-2M5T>].

by replanting vegetation, restocking aquatic animals, implementing technological reforms, and investing in carbon sinks.

VI. CONCLUSION

Guided by the holistic perspective, China's environmental law has achieved long-term development, moving towards constructing a more comprehensive and integrated legal framework. This demonstrates China's solemn commitment to sustainable development and environmental protection. The development of China's environmental law can serve as a valuable reference for other countries.

In the future, China will continue to explore the profound connotations of the holistic perspective, infusing traditional Chinese philosophy with vitality and creativity. In terms of legislation, China will continue to advance the compilation of the Ecological Environmental Code. In terms of administration, China is building a perfect closed loop of comprehensive ecological and environmental law enforcement work with front-end prevention, mid-end control and back-end governance. In terms of the judiciary, China will focus on how to scientifically configure and manage the current large number of specialized environmental adjudication agencies, aiming to enhance their role in the adjudication of environmental cases.

