

Push Forward Law Education

• CBCGDF: Spotted Seals Rescue and Protection

Spotted seal is on the list of Class II National Protected Animals, and it is the sole pinniped creature that can breed in China seas. With efforts from government, society and volunteers, the population of spotted seals in Liaodong Gulf remains about 2,000. However, this event has posed a great threat to the breeding of spotted seal, and caused great damage to spotted seal inhabiting Liaodong Gulf. Consequently, CBCGDF timely created an “Inquiry Group for Dalian Spotted Seals Larceny Case”, and convened seminar on spotted seals conservation and follow-up of this larcenous event. The volunteers from CBCGDF contacted relevant international rescue experts to participate in the rescue; educate local people to stop poaching the spotted seals; and also provide termly orientation about EPIL cases for lawyers, judges, experts as well as volunteers.



Credit: CBCGDF



Credit: CBCGDF

• CBCGDF: Changzhou School Pollution Case

In 2018, over 600 students of Changzhou Foreign Language School were found to develop chronic coughs, headaches, rashes, vomiting, and other uncomfortable feelings because of the environmental pollution caused by the neighboring chemical plant. The result is that Changzhou Intermediate People’s Court determined CBCGDF lost the lawsuit against the polluting chemical companies, and CBCGDF and Friends of Nature (FON) must pay the legal fees (1.89 million RMB) resulting from the lawsuit. The verdict of the second trial released by Changzhou Higher People's Court waived the compensation fees of the polluting companies and turned the responsibility of soil restoration to the local government and taxpayer. This ridiculous verdict make more Chinese people start pay attention to the EPIL case and the environment issues.



Credit: Screenshot of Zhejiang News



Credit: 东方IC

Push Forward Law Enforcement

• CBCGDF: Promoting Law Enforcement

As the expert of China’s “Environmental Law Enforcement Training”, CBCGDF team scores and evaluates the national environmental law enforcement and continuously promoted the level of environmental law enforcement in China every year. At the same time, when CBCGDF's staff find some typical illegal information, they will report relevant information to ministries such as Ministry of Ecological Environment, Supreme People’s Procuratorate and Ministry of Public Security in time, and urge them to enforce the law more actively. For example, in the relevant reports on sand mining enterprises of the South-to-North Water Transfer Project in Hubei Province, 4 ministries have taken corresponding actions. The CBCGDF also actively contributes to the digital and intelligent law enforcement. CBCGDF FDY Fish Protection Center launched a free APP called “River Eye”, which people can collect the events of illegal fishing, illegal sand mining, sewage discharge, etc. One press to inform can lock illegal facts accurately. It reserved quick linkage interface for law enforcement as well. Now many law enforcement departments of local governments are also using this APP, which provides large convenience for combating illegal fishing and law enforcement of fishery administration.



Credit: CBCGDF FDY Fish Protection Center (Anti Electro-fishing Center)



"River Eye" APP launched by CBCGDF FDY Fish Protection Center (Anti Electro-fishing Center)

CBCGDF “China Conservation Area” (now total: 130): Protecting the ecological environment and filling the vacancy for existing reserve system anytime and anywhere without sticking to a fixed pattern is an innovation for natural protected area based on the UN’s Sustainable Development Goals (SDGs). There are also training bases in each conservation area for popularizing knowledge on biodiversity conservation, enhancing people’s awareness of biodiversity conservation, encouraging more people to participate and supervise, preaching the positive significance of ecological environment protection in the community, actively cooperating with local law enforcement agencies in anti-poaching, carrying out training on wildlife animals rescue, and also cooperating with China’s construction strategy of Eco-Civilization and take the initiative to contribute on the community level.

About CBCGDF



CBCGDF is an independent nonprofit organization dedicated to biodiversity conservation, environmental protection and green development. It was originated from the Milu (*Père David's deer*) reintroduction in 1985. After Convention on Biological Diversity (CBD) signed in 1992, it renamed into China Biodiversity Conservation Foundation. And in 2000s, it added Green Development into its core mission.

As China’s leading conservation NGO, it has about 50 staff and tens of thousands of registered volunteers today. With a national-level public fundraising license, the CBCGDF has funded over hundred grass root NGOs and individuals in the past four years. It envisions a world where people prosper while living in harmony with nature.



Selection of CBCGDF's Environmental Public Interest Litigation (EPIL) Case



HU Deping, Chairman of CBCGDF, inspects Finless Porpoises' Conservation in 2011



Rich Biodiversity in Beijing, published in 2008



Dr. Bráulio Dias, the then Executive Secretary of the Convention on Biological Diversity (CBD), attended CBCGDF's 30th Anniversary in 2015



Environmental Public Interest Litigation (EPIL)

by the

China Biodiversity Conservation and Green Development Foundation



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Environmental Public Interest Litigation Case

• CBCGDF: Volkswagen Exhaust Case

German Volkswagen and Volkswagen (China) sales company, as the producers and sellers of imported vehicle exhausts in the case involved in vehicle exhaust emissions and unqualified vehicles, are joint torts, and have joint intent and common faults. They should jointly assume legal liability for the consequences of infringement and the damage caused by them.



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• CBCGDF: Tegger Desert Pollution Case

In August 2015, 8 enterprises violated the regulations to discharge excess wastewater directly into evaporation ponds during the production process, resulting in serious pollution of Tengger Desert in Inner Mongolia Autonomous Region. On August 13th of the same year, CBCGDF filed environmental civil public interest litigation against 8 enterprises suspected of polluting Tengger Desert in Zhongwei Intermediate People's Court of Ningxia Autonomous Region. However, the public interest litigation process of Tengger Desert pollution case is very difficult. The case was rejected both in the first and second instance. Through the persistent efforts of the CBCGDF, this case was finally put on file through the judicial ruling of the Supreme People's Court. The filing and closing of the case fundamentally solved the subject qualification problem of Chinese social organizations participating in environmental public interest litigation, and finally confirmed that 8 defendant enterprises paid nearly 600 million CNY of compensation for environmental damage, which provided a good guarantee for the healthy development of the local environment and the people's livelihood, and also played a great warning role for enterprises' environmental violations.



Wastewater in Tegger Desert/Credit: CBCGDF



Tengger Desert in the Sunset after Totally No Pollution/Credit: CBCGDF

Environmental Public Interest Litigation Case

• CBCGDF: Taobao Network "Fire Lotus" Case

October 2016, the CBCGDF filed a lawsuit against Zhejiang Taobao Network Co., Ltd., Shenzhen Sumei Environmental Protection Co., Ltd. for illegal sale and production of automobile annual inspection equipment - also called "Fire Lotus", which causing serious air pollution, with the Hangzhou Intermediate People's Court. It formally filed a civil environmental public interest litigation, and relevant lawsuit materials have been received by Hangzhou Intermediate People's Court. The case has been accepted. At present, the case has been tried by the second instance and awaits judgement.



Unqualified Automobile Annual Inspection Equipment on Taobao/Credit: CBCGDF



Unqualified Automobile Annual Inspection Equipment on Taobao/Credit: CBCGDF

• CBCGDF: "Toxic Synthetic Plastic Running Tracks" Case

In 2015, according to the news, many students in Beijing suffered from nosebleeds, dizzy spells and coughs, after running on the plastic track. Tests on the track this week, nine months after it was put into use, showed excessive amounts of benzene substances and formaldehyde. Similar cases have occurred in Jiangsu, Guangdong and other provinces. To facilitate the process of the legislation and implementing stricter supervision, CBCGDF filed an EPIL against a kindergarten in Beijing in 2016, requiring them to remove the poisonous tracks. This first EPIL case of "Toxic Synthetic Plastic Running Tracks" being selected in the "2017 People's Court Ten Civil Administrative Cases", once again obtained the recognition of the typical EPIL case of the court system.



The Toxic Synthetic Plastic Running Tracks in a Kindergarten/Credit: CBCGDF



The Kindergarten Changed to the Natural Grass Tracks and Playground/Credit: CBCGDF

Environmental Public Interest Litigation Case

• CBCGDF: Pangolin Case

September 2018, CBCGDF filed an environmental public interest litigation (EPIL) lawsuit with the Nanning Intermediate People's Court, that the Guangxi Terrestrial Wildlife Rescue and Epidemic Disease Detection Center (hereinafter referred to as "Rescue Center") did not fully implement the rescuing on the received seized pangolins, that led to the death of all the pangolins. The lawsuit used the Rescue Center as the defendant, and its direct superior unit, the Department of Forestry of Guangxi Zhuang Autonomous Region, is the third party. On January 11, 2019, after correcting the complaint filed, CBCGDF finally obtained the notice of acceptance of the case of the Nanning Intermediate People's Court of Guangxi Zhuang Autonomous Region. This means that the first domestic public interest litigation on pangolins, which lasted for four months, was officially approved.



Credit: CBCGDF



Credit: CBCGDF

• CBCGDF: Public Places Indoor Tobacco Control Case

May 2019, the CBCGDF instituted the China's first environmental public interest lawsuit of smoking control in indoor public places, Baoding Intermediate People's Court was formally put on a record and accepted and accepted the application for evidence preservation submitted by the CBCGDF. It is hoped that this case can further promote the comprehensive smoking control in public places, enhance the awareness of smoking control in the whole society, and unveil laws and regulations as soon as possible to protect public life and health.



Selection of CBCGDF's Environmental Public Interest Litigation (EPIL) Case



HU Deping, Chairman of CBCGDF, inspects Finless Porpoises' Conservation in 2011

Push Forward Legislation and Justice

• CBCGDF: Promoting Legislation and Justice

As China's leading non-governmental organization devoted to biodiversity conservation, green development and promoting legislation, the CBCGDF actively promotes and participates in the work of domestic legislation and provides suggestions for the improvement of relevant laws and regulations. In addition, the CBCGDF holds EPIL proposal seminars every year and shares typical cases and themes of environmental public interest litigation, which including pangolin conservation, plastic book cover issue, plastic limitation, disposable tableware provided by takeout platform, etc.

At the same time, the CBCGDF has actively contributed to several major laws in China, such as Forest Law, Solid Waste Pollution Prevention and Control Law, Water Pollution Prevention and Control Law, Air Pollution Prevention and Control Law, Wildlife Protection Law, etc. The opinions and suggestions put forward by the CBCGDF have been widely adopted, especially the relevant environmental public interest litigation cases has been incorporated into the law.

In addition, the CBCGDF has also actively made suggestions in the domestic judicial field, and has written an investigation report on environmental criminal offences, and the suggestions in this report has been fully absorbed by the Supreme People's Court and the Supreme People's Procuratorate of China.



The Disposable Tableware Provided by Takeout Platform/Credit: CBCGDF



"Carry the Personal Tableware" Proposed by CBCGDF/Credit: CBCGDF



Pangolin Scales/Credit: CBCGDF



Pangolin Conservation Area in Guangxi/Credit: CBCGDF



Plastic Book-cover/Credit: CBCGDF



Plastic Book-cover in Store/Credit: CBCGDF