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China's new concept of development from the perspective of the sustainable development goals

Novo conceito de desenvolvimento da China a partir da perspectiva dos objetivos de desenvolvimento sustentável

Di Zhou

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China's new concept of development from the perspective of the sustainable development goals*

Novo conceito de desenvolvimento da China a partir da perspectiva dos objetivos de desenvolvimento sustentável

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ABSTRACT

The objective of this article is to analyze China's recent explorations on its new concept of development—the Ecological Civilization in the context of the 2030 SDGs which was put forward by the United Nations in 2015. The first part presents an introduction on the historical development of the 2030 SDGs of the international community and the Ecological Civilization of China. In the second part, it is shown that although these two new concepts of development coincide at the same moment, China's Ecological Civilization is not a simple follower of the SDGs and has its own independent values. It can also interact with the SDGs through various ways. Finally, China faces challenges both from international and national levels in implementing its new concept of development. It is argued that a combination of “top-down” and “bottom-up” ways is critical in the process of China's realization of the Ecological Civilization, along with the rule of law, the democracy and the globalization.

Keywords: new concept of development; SDGs; Ecological Civilization; China.

RESUMO

O objetivo deste artigo é analisar as recentes explorações da China sobre seu novo conceito de desenvolvimento - a Civilização Ecológica no contexto dos Objetivos de Desenvolvimento Sustentável (ODS) de 2030, apresentado pelas Nações Unidas em 2015. A primeira parte do artigo apresenta uma introdução sobre o desenvolvimento histórico dos ODS de 2030 pela comunidade internacional e da Civilização Ecológica da China. Na segunda parte, mostra-se que, embora estes dois novos conceitos de desenvolvimento coincidam, a Civilização Ecológica da China não é um simples seguidor dos ODS, pois apresenta seus próprios valores independentes. O conceito de Civilização Ecológica da China interage com os ODS de várias maneiras. Por fim, verifica-se que a China enfrenta desafios tanto a nível internacional como a nível nacional para implementação do seu novo conceito de desenvolvimento. Argumenta-se que uma combinação de formas “de cima para

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baixo” e “de baixo para cima” é essencial para o processo de implementação da Civilização Ecológica Chinesa, juntamente com o Estado de Direito, a democracia e a globalização.

1. INTRODUCTION

Human development is an eternal topic. In his remarkable book “*A New Concept of Development*”, François Perroux has explored the original definition of development and according to his theoretical system, development is defined as *for all people and for the whole person*¹ and the new development sets out to be “global”, “integrated” and “endogenous”², in stead of the one-sided growth indicators from econometricians. Since the industrial revolution, development has always been linked with economic growth. It is in recent decades that the stress and impact of development is extending to the wellbeing not just of this generation, but also for future generations, and indeed extending to the whole planet. From the 1990’s, consensus had formed around the concept that development should be accounted for economically, socially and ecologically, as well as globally and individually.

A trend of convergence can be detected with regard to the concept on human development, especially between developing countries and developed countries. This process of convergence will doubtless be informed by the 2030 Sustainable Development Goals (SDGs) put forward by the United Nations in 2015. The 2030 SDGs should be regarded as a new milestone in the process of the globalization of human development. This process of convergence is also strongly strengthened recently by the U.S. and China, with the world’s two large emitters and two biggest economies taking step together to formally ratify the Paris agreement to curb climate-warming emissions.

China, as the largest developing country in the world and the second largest global economy, which is experiencing a period characterized by a sharp contradiction between economic growth and environmental protection³, should no longer be absent from the trend of development globalization. The Chinese government has given an active political response by endorsing the concept of “Ecological Civilization” (2013) and conferring the construction of Ecological Civilization the status of National Development Strategy. More recently, in the year 2016, the released Thirteenth Five-Year Plan (2016-2020) on National Economic and Social Development contains five main principles underpinning the policies for China’s future development. These five principles, also called the “Five concepts for development of China” are: innovation-driven development, coordinated development, green development, development for global progress, and development for the benefit of all”.⁴

The world has been moving towards an era of Global Sustainable Development, while China has been moving towards an era of Ecological Civilization, what is the interactive relationship between these two concepts? Why is it now the “right time” for the advent of SDGs and China’s Ecological Civilization? What can we see from these concepts about the future of global sustainable development? How will these new development concepts be implemented at global and domestic level? ... This article is intended to seek answers to the above questions.

1 François Perroux, *A New Concept of Development*, Routledge Library Editions: Development, USA and Canada, 2014, foreword p.10.

2 François Perroux, *A New Concept of Development*, Routledge Library Editions: Development, USA and Canada, 2014, preface p.14.

3 “China is faced with the unprecedented conflict between environmental protection and development in human history”, according to Minister Chen Jining of the Ministry of Environmental Protection on the press conference on 7 March at the press center of the 4th Session of the 12th National People’s Congress.

4 Also known as “Innovative, open, green, coordinative and inclusive”.

2. HISTORICAL DEVELOPMENT OF THE ECOLOGICAL CIVILIZATION IN THE CONTEXT OF GLOBAL SUSTAINABLE DEVELOPMENT

2.1. The transitioning from millennium development goals to the sustainable development goals: everything but nothing?

The Millennium Development Goals(MDGs) mark a historic and effective method of global mobilization to achieve a set of important social priorities worldwide.⁵ And it has been proved that the MDGs have played an important part in securing the progress against poverty, hunger and disease, which should be continued under global consensus. Then it came with the Sustainable Development Goals(SDGs), put forward by the United Nations in 2015. The SDGs are part of the new United Nations Agenda for Global Action beyond 2015. They build on the foundation of many other instruments and work, including *the Agenda 21* and the *Rio Declaration on Environment and Development of 1992*. They also refer to the MDGs and state that they “seek to complete what these [the MDGs] did not achieve”.⁶

Table 1 - Selected international instruments and work concerning the issue of Environment and Development

1972 United Nations Conference on the Human Environment	1972	Stockholm Declaration of the United Nations Conference on the Human Environment
World Commission on Environment and Development	1987	Report of WCED: Our Common Future, which included the most widely recognized definition of “Sustainable Development”.
1992 United Nations Conference on Environment and Development(Earth Summit)	1992	Rio Declaration on Environment and Development
		Agenda 21 for Sustainable Development Statement of Principles for the Sustainable Management of Forests
Millennium Summit	2000	Millennium Development Goals: Packaging the concern about poverty, hunger, disease, unmet schooling, gender inequality and environmental degradation into a set of eight goals
2002 World Summit on Sustainable Development	2002	Johannesburg Declaration
2012 United Nations Conference on Environment and Development (Rio+20)	2012	The Future We Want
United Nations Resolution A/RES/70/1 of 25 September 2015	2015	Transforming our world: the 2030 Agenda for Sustainable Development (SDGs): a set of seventeen Global Goals with 169 targets on sustainable development

5 Jeffrey D Sachs, “From Millennium Development Goals to Sustainable Development Goals, http://www.grips.ac.jp/forum/IzumiOhno/lectures/2015_Lecture_texts/S16_From-MDGs-to-SDGs-Lancet-June-2012.pdf

6 Ben Boer, Drafting Green Legislation in the light of the Sustainable Development Goals, ECO Forum Global, Guiyang, P.R. China, 2015.

The SDGs can be seen as a holistic package of goals which are integrally related. They cover all aspects of the human endeavor and concern.⁷ This is not the first time that the concept of “Sustainable Development” was put forward by the international community. In 1980, the International Union for the Conservation of Nature published a world conservation strategy which was the first to introduce the term “Sustainable Development”. It is the definition of Sustainable Development included by Our Common Future, called the Brundtland Report that is most widely recognized.

Why does the “Sustainable Development” come back in the documents? This question can be divided into two parts: First, what are the reasons for the transitioning from MDGs into SDGs? Second, what’s the rationale of re-choosing the Sustainable Development?

A basic answer to the first question should certainly be the need for a new round of global goals to follow the 15-year MDGs period, as well as the need to recognize the successful experience and to draw lessons from the shortfalls of MDGs. While the answer to the second question could be much more complicated as for the reason of choosing the concept of Sustainable Development.

As for the MDGs, although covering various aspects, such as peace and security, environmental protection, human rights, etc, the main focus was poverty. Since the recent decades, especially after the new millennium, the issue of development has become much more than a single aspect of problem, or even of a fundamental problem. There is a need for emphasizing other serious challenges, including the undergoing climate change, alongside the poverty-reduction objectives. Compared to MDGs, the SDGs clearly indicate the core value of development, which is sustainability of all aspects. Furthermore, compelling scientific evidence suggests that the Earth has entered the Anthropocene, a new ecological epoch in which humans have become a major driver of global environmental change.⁸ Of particular concern to the unsuitability of current international mechanism to navigate the Anthropocene with its method of interconnecting various development matters on a sectoral basis rather than in a comprehensive, joined-up manner. The result is that international responses are fragmented and issue-based according to the objective of individual treaty systems, resulting in differing or even contradictory positions adopted across or within various treaty bodies.⁹ It’s time to re-pick up a concept which is comprehensive, integrated and all-inclusive. The SDGs can serve as a *grundnorm* with its general meaning and global acceptance.

What if we embrace an all-around concept which means everything but actually nothing since there is no specific focus? This concern does not come out of nothing. The implementation and enforcement of Sustainable Development has long been a debatable issue. Since there are a thousand understandings of Sustainable Development in a thousand people’s eyes, how will these various views and actions come together to strive forward to a bright future of “Sustainable Development”?

The inclusiveness of the concept of Sustainable Development has left the space for states to explore their own interpretations and to take their own actions in the framework of this global overarching vision.

7 Poverty, hunger, health, education, gender, equality, water and sanitation, energy, economic growth and work, resilient infrastructure, inequality within and among countries, human settlements, consumption and production patterns, climate change, oceans, seas and marine resources, ecosystems, peace and access to justice, and global partnership for sustainable development.

8 P.J. Crutzen, ‘Geology of Mankind’ (2002) 415(6867) *Nature*, p. 23; W. Steffen, P.J. Crutzen & J.R. McNeill, ‘The Anthropocene: Are Humans Now Overwhelming the Great Forces of Nature?’ (2007) 36(8) *Ambio*, pp. 614–21; W. Steffen et al., ‘The Anthropocene: From Global Change to Planetary Stewardship’ (2011) 40(7) *Ambio*, pp. 739–61; W. Steffen, J. Grinevald, P. Crutzen & J. McNeill, ‘The Anthropocene: Conceptual and Historical Perspectives’ (2011) 369 *Philosophical Transactions of the Royal Society A*, pp. 842–67.

9 Rakhyun E. Kim and Klaus Bosselmann *International Environmental Law in the Anthropocene: Towards a Purposive System of Multilateral Environmental Agreements*. http://journals.cambridge.org/abstract_S2047102513000149

2.2. The formation of the concept of ecological civilization in China

China has gone through a long and winding road before it finally realized the comprehensive and integrated dimension of the concept of “development”. The Ecological Civilization was firstly put forward as a political decision-making slogan by the ruling party of the Communist Party of China(CPC). Then it has been transformed into a national strategy as a forced response to environmental crisis and people’s livelihood needs in China. Now the concept of Ecological Civilization has come into the process of legal implementation at domestic level and has echoed the Sustainable Development at global level.

Table 2 – Selected policies and regulations concerning Ecological Civilization

13 th National Congress of the CPC	1987	Transitioning from extensive economy to an intensive economy
China’s Agenda 21-White Paper on China’s Population, Environment and Development in the 21 st Century	1994	For the first time to integrate Sustainable Development into the long-term Economic and Social Development Planning
5 th Plenary Session of the 14 th CPC Central Committee	1995	To achieve two fundamental changes in economic system and economic growth
9 th Five-Year Plan for Economic and Social Development of China	1996	To change the mode of economic growth and implement sustainable development strategies
15 th National Congress of the CPC	1997	Integrate the improvement of distribution structure, the adjustment and optimization of industrial structure and the improvement of people’s livelihood as the main content of economic development
16 th National Congress of the CPC	2002	Three pillars of a Civilized development-developed economy, rich life and sound ecology
3 rd Plenary Session of the 16 th CPC Central Committee	2003	Adhere to the concept of people-oriented, establish a comprehensive, coordinated and sustainable development concept, and promote the all-around development of economy and society
4 th Plenary Session of the 16 th CPC Central Committee	2004	Construct a harmonious society
State Council’s Decision on Strengthening the Environmental Protection by Implementing the Scientific Outlook on Development	2005	Rely on the scientific and technological progress, develop the circular economy, advocate the ecological civilization, Strengthen the rule of environmental law, improve the regulatory system and establish a long-term mechanism
5 th Plenary Session of the 16 th CPC Central Committee	2005	Construct a resource-saving and environmental-friendly society
11 th Five-Year Plan on Environment Protection	2007	Enhance the awareness of Ecological Civilization of the whole society
17 th National Congress of the CPC	2007	Ecological Civilization as a strategic task

4 th Plenary Session of the 17 th CPC Central Committee	2009	Stress that the construction of Ecological Civilization, along with the economic, political, cultural and social construction, are the five strategic tasks of building a moderately prosperous society
5 th Plenary Session of the 17 th CPC Central Committee	2010	Accelerate the construction of a resource-saving and environment-friendly society, improve the level of Ecological Civilization, actively respond to global climate change, vigorously develop the circular economy, strengthen resource conservation and management, increase environmental protection and disaster prevention and enable sustainable development
White Paper on China's Progress in Human Rights	2012	Integrate the Ecological Civilization into Human Rights Protection
18 th National Congress of the CPC	2012	Integrate the construction of ecological civilization into the overall layout of China's modernization
3 rd Plenary Session of the 18 th CPC Central Committee	2013	Set the goal of the establishment of a complete Ecological Civilization System and identify the approach of using legal systems to construct the Ecological Civilization
Environmental Protection Act (Amended)	2014	Integrate the goal of promoting the Ecological Civilization in Article 1
4 th Plenary Session of the 18 th CPC Central Committee	2014	Set the general target of forming a system serving "the socialist rule of law with Chinese characteristics" and build a country under "the socialist rule of law", and emphasize the using of legal system to protect the Ecological Civilization
The CPC Central Committee and the State Council's joint Opinions on Accelerating the construction of the Ecological Civilization	2015	Promote harmonized development of industrialization, IT application, urbanization, agricultural modernization and greenization
The CPC Central Committee and the State Council's joint integrated reform plan for promoting Ecological Progress	September 22, 2015	6 basic ideas ¹ + 6 Principles ² + 8 Systems ³

+ “6 matching programs”	2015	(1) Program on Environmental Protection Inspection (2) Program on the Construction of Ecological Environmental Monitoring Network (3) Pilot Program on Audits on Natural Resources on Leaving Officials (4) Measures for the Accountability of Party and Government Leaders for Damage to Ecological Environment (for trial implementation) (5) Pilot Plan for Preparing Balance Sheets of Natural Resources (6) Plan for the Pilot of the Ecological Environment Damage Compensation System
5 th Plenary Session of the 18 th CPC Central Committee	October 29, 2015	Green Development: green development is a necessity for the sustainable development and an important manifestation of people’s pursuit of a better life.
13 th Five-Year Plan for Economic and Social Development of China	March 17, 2016	5 Pillars for the New Development Concept: Innovative, Open, Green, Coordinative and Inclusive

1 (1) Respect, protect and stay in tune with nature; (2) Integrate development and conservation; (3) Lucid waters and lush mountains are invaluable assets; (4) Respect for the value of nature and natural capital; (5) Equilibriums in territorial space; (6) Mountains, forests and farmlands are a community of life.

2 (1) Ensuring that the reform moves in the right direction. China’s market mechanisms need to be improved, and the government should make better use of its leadership and regulatory roles. Those in the business sector should bring their own initiative into play and exercise self-restraint. Social organizations and the general public should participate and play a supervising role in ecological conservation; (2) Maintaining the public nature of natural resource assets. New property rights systems should be created for natural resources. Ownership rights should be clarified. There should be a distinction between ownership rights and the authority to manage. Powers and regulatory responsibilities of the central and local governments should be divided more appropriately. Everyone should be entitled to benefit from state-owned natural resource assets.; (3) Integrating environmental governance for rural and urban areas. Continued efforts should be made to strengthen urban environmental protection and industrial pollution prevention and control. The rural coverage of ecological and environmental protection efforts should be expanded. Effective systems and mechanisms for rural environmental governance should be established. The development of pollution prevention and control facilities should be stepped up in rural areas, and related funding should be increased; (4) Attaching equal importance to incentives and restraints. It is imperative to develop interest-related mechanisms for promoting green, circular, and low-carbon development, and at the same time practice strict prevention at the source of pollution, strict regulation over operations, strict compensation for environmental damage, and accountability for those responsible in order to effectively restrain all types of market entities and, step by step, make ecological conservation efforts more market-, law-, and procedure-based; (5) Combining China’s own independent efforts with international cooperation. Strengthening ecological conservation and environmental protection is something China is doing of its own accord, though at the same time it needs to deepen exchange and practical cooperation with other countries, borrow from their advanced technology and their valuable experience in institution building, take an active part in global environmental governance, and assume and perform its international responsibilities as a large developing country; (6) Integrating piloting first with overall coordination. It is necessary, in accordance with the unified plans of the CPC Central Committee and the State Council, to deal with the easier parts first, move forward step by step, and launch each reform when conditions are ripe to do so. On the basis of the fundamental direction laid out in this plan, encouragement should be given to local governments to explore and experiment boldly in light of their own local conditions.

3 These eight systems include a system of property rights for natural resource assets, a system for the development and protection of territorial space, a spatial planning system, a system for regulating total consumption and comprehensive conservation of resources, a system for payment-based resource consumption and compensating conservation and protection efforts, the environmental governance system, the market system for environmental governance and ecological preservation, and the system for evaluating officials’ ecological conservation performance and for holding those responsible for ecological damage to account.

It can be seen from the table that the Ecological Civilization has been put forward from top-level design to full deployment and from macro national level of endorsing the strategy to micro sub-national level of implementing the system and mechanism, while much more theoretical research, institutional guarantee and cultural support are still needed. Even in China, the understanding of Ecological Civilization will be a lasting and open debate in the future.

3. THE ECOLOGICAL CIVILIZATION: A CHINESE STYLE OF SUSTAINABLE DEVELOPMENT?

3.1. The coincidental coupling of new development concepts at international and national levels

Historically, China's interest in Sustainable Development and the environmental protection is not endogenous, but under the great influence of international community, specifically the Stockholm Conference held in 1972. A Chinese delegation of 40 members assigned by the then Premier Zhou Enlai had attended the Conference. On the basis of the report submitted by the delegation after coming back to China, the State Council has held its first National Environmental Protection Working Meeting in 1973, followed by the establishment of the State Council's Environmental Protection Leading Group Office in 1974, which was the first environmental protection agency in contemporary China. Unlike the initiation of environmental movements in some western countries including the U.S., for China in the 1970s, the process of industrialization had just started and had been severely disturbed by the "Revolution" during the years 1966-1976, which means that the "problem" of "environmental pollution" did not exist according to most of the Chinese including the government leaders, not to mention the ecological damage. The seed of the Sustainable Development had been planted in China at this special moment, when there existed no strong demands to protect the environment and to promote the sustainability.

The world has seen the dramatically rapid growth of China's economy after the Reform and Opening up Policy in late 1970s. China began to catch up with the pace of the world development, in aspect of the economic growth, but unfortunately not in aspect of social progress and environmental protection. In other words, despite the early importation of the concept of the Sustainable Development, Chinese understanding of development had still put the priority in single-sided economic growth, not an all-around development.

It was during these few decades after 1978 that China's economic and social development had seen an extreme imbalance. The most prominent problems include the poverty, education, medical treatment because of lack of justice, as well as the environment pollution and ecological damage as development¹⁰ is the absolute principle. China released its 21st Century Agenda in 1994, and for the first time to integrate the Sustainable Development into the long-term national economic and social plan, echoing to the Rio Declaration in 1992 and politically responding to its people's appeal for a coordinated development. In line with the new actions of international community of the MDGs in 2000, the 16th National Congress of the ruling party of China has endorsed the political slogan of constructing a "harmonious society", which was characterized by comprehensiveness, coordination and sustainability, of which an energy-saving and environmentally-friendly society is a critical dimension. China began to take the issue of Sustainable Development really seriously as the "real problems" started to appear. Despite the gap between China and the international community on the concept of development, a trend of convergence could be detected during this period.

The mass disturbance caused by the environmental pollution has shown a growth spurt during first ten years of the 21st Century, Since the year 1996, China had witnessed an annual growth rate of 29% in environmental

¹⁰ Here refers to economic growth.

mass disturbances, and the growth rate mounted up to 120% in 2011.¹¹In 2012, China incorporated the Ecological Civilization, a concept proposed by the ruling party in 2007, into its White Paper on Human Rights.

It was in 2012 that the Ecological Civilization had been raised as a national strategy, along with the Political Civilization, Material Civilization, Spiritual Civilization and Social Civilization, called the construction of “Five Civilizations” in China. This coincided with the Rio Conference which was held in the same year. China would no longer only follow the pace of the international community behind, but strive to explore its own independent concept of development. As was committed by the political leader of China, it’s time for China to make contributions to the global ecological security.

2016 is the beginning year of the 13th Five-Year Plan period of China. In the context of the promotion of the Ecological Civilization, the 13th Five-Year Plan has developed a core strategy of Green Development, which will serve as the overall guidance of the development in the coming years. Coincidentally, 2016 is also the beginning year of the SDGs put forward by 193 member states of the United Nations. The world is welcoming the new understanding and further actions on “Development” not only by the joint global community, but also by each country, including China at this “moment of Sustainable Development”. Is this Ecological Civilization a Chinese interpretation on the Sustainable Development? The answer cannot be as simple as a “Yes”.

3.2. The independent values of the ecological civilization

“Promoting ecological progress is a long-term task of vital importance to the people’s wellbeing and China’s future. Faced with increasing resource constraints, severe environmental pollution and a deteriorating ecosystem, we must raise our ecological awareness of the need to respect, accommodate to and protect nature. We must give high priority to making ecological progress and incorporate it into all aspects and the whole process of advancing economic, political, cultural, and social progress, work hard to build a beautiful country, and achieve lasting and sustainable development of the Chinese nation”¹².

The Ecological Civilization is a political response to the crisis, more specifically, the environmental crisis in China. According to the State Council’s report, the carrying capacity of the natural resources and the environment of China has reached or at least been close to the limits, and the ecological and environmental problems, particularly the problems of air, water and soil, have become a prominent short-board of an all-around development. This leads to the fact that environmental protection is considered as the main battlefield of the Ecological Civilization in China. This environmental focus fits with the main crisis that China is facing in this stage and may be changed in the future based on the specific situations. The SDGs are also results from crises. However, they come from a consensus made by a number of different sovereignties on the basis of an overall examination on all the problems of human development. The 17 Goals, if not fully covered, represent most of the global common issues. While the SDGs cover a wider area than the Ecological Civilization, the later seems to be more ambitious as it was put forward on the reflection on the development path of human civilization, directly against the drawbacks of the industrial civilization which had led the process of modernization since the 18th Century.

The Ecological Civilization requires the recognition that the ecology is the resource and the ecology is the productivity. How to deal with the relationship between the economic growth and the environmental protection is a worldwide challenge. In the first phase of development, the carrying capacity of the environmental had been rarely considered, if not at all been considered. This led to the result of rapid economic growth in a short term while excessive resources consumption, ecological damage and environmental pollution at the same time. Many countries, including China, had entered into the second phase, where as the environmental and ecological crisis appeared, people began to reflect on the traditional way of development. The Ecological Civilization will further guide the society into the third stage, where the ecological advantages themselves can be-

11 According to Yang Chaofei, ex Chief Engineer of the Ministry of Environment Protection, P.R. China. http://view.gmw.cn/2012-10/27/content_5500758.htm

12 Hujintao’s Report at 18th Party Congress, http://news.xinhuanet.com/english/special/18cpcnc/2012-11/17/c_131981259_9.htm

come the economic advantages, as Chinese President Xi Jinping noted, lucid waters and lush mountains are invaluable assets, and the protection of nature is the protection and development of the productive forces.

Fairness is a core value of the Ecological Civilization. The sound environment, as the fresh air and the clean water, is a kind of public goods which is fair to all, regardless of poverty or wealth, men or women, old people or children, etc. The transition to a Ecological Civilization means the access to the ecological public goods for *all*, as “no one should be left behind”.

The Ecological Civilization implies the ancient wisdom of China. Ecological progress means the whole process in which people continue to overcome the adverse effects and actively improve and optimize the relationship between man and nature and interpersonal relationships while reshaping the world, and in which people protect the ecological environment to maintain its good quality and safeguard the achievements attained in an equal, just social and environmental atmosphere while developing economy. This viewpoint, which is based on the perspective of the common interests of human kind, embraces the philosophical wisdom of the “Unity of Nature and Humanity”¹³ in Traditional Chinese Philosophy.

There exist cross-cutting values between the Sustainable Development and the Ecological Civilization. These two concepts of development also share the similar methodology of the “systems theory”. However, the Ecological Civilization has its own basis—the serious ecological crisis which will probably lead to a political crisis in China, its own path—to transform the ecology into the resources and the productivity, and its own cultural root—the ancient Chinese wisdom combined with the governing idea of the ruling party. Therefore, it has its independent values. Although the Sustainable Development has been and will still be the dominant discourse and strategy in the international green politics, now at least for China, it seems obvious that a theme conversion from the Sustainable Development to the Ecological Civilization has taken place. This reflects the necessity of specification and implementation of the Sustainable Development in China with the interpretation of the Ecological Civilization.

3.3. How can China interact with the world?

The construction of the Ecological Civilization is originally a program of action initiated by the ruling party of China. Then it has been raised to the level of a national development strategy. It belongs to China, but now it goes beyond China, as it advocates the “destiny community of human kind”. China is one of the largest countries in the world, with her territory being about the size of the whole of Europe. The global process of Sustainable Development and the Chinese process of Ecological Civilization cannot be separated from each other. As with the famous justification in the 1960s by Deng Xiaoping, a great Chinese revolutionary, “Black or white cat matters not as long as it can catch mice”¹⁴, China should break through the political shackles of ideology so as to respect the law of development and integrate into the global trend of development.

There are the questions about whether the Ecological Civilization is a compromise to the international trend, or a passive initiative to break through the bottleneck of economic growth, or an expedient in responding to the public voices. None of these arguments can be well supported by the real facts. Unlike the passive acceptance of the concept of Sustainable Development in the 1970s, now is China’s self-conscious realization on the ecological issue and on the necessity of an active integration into the world, with the am-

13 The Unity of nature and humanity means harmony between humanity and nature, complying with the laws of nature, self-discipline in the use of natural resources, and long-term coexistence between humanity and nature. See Angang Hu, *China: Innovative Green Development*, Springer-Verlag Berlin Heidelberg 2014, p17.

14 Deng Xiaoping said the following when discussing how to restore agriculture when he presided over the meeting of the CPC Central Committee on July 2, 1962: “For the time being, the most important thing is to increase food production. In so far as individual enterprises can further this production they are a good thing. It is not important whether the cat is black or white as long as it catches mice.... The best form of production is that which, within the framework of local conditions, is most likely to restore and develop production.” This proverb was also a response to Deng’s critics point out that his ideas were Capitalistic (free market). The response was meant to say, “It does not matter if it’s Communist or Capitalist, as long as it works.”

dition of being a pioneer in the coming new development process.

The Sustainable Development is the current trend, and this trend is doubtless informed by the emerging SDGs being implemented globally. The Sustainable Development capacity has become an important component of the comprehensive competitiveness of a country. As the SDGs and the Ecological Civilization coincide at this moment, China will have a more positive attitude towards the construction of the Ecological Civilization, thus making contribution to the global Sustainable Development. It's a good news for China, and it's a good news for the world.

The challenges coexist with the opportunities, while China should deal with the domestic crisis, and at the same time should integrate its actions into the world trend. The Sustainable Development brings a broader view for China to "see globally", and the Ecological Civilization urges China to focus on the most serious crisis and respond to individuals' needs, in other words, to "act locally". How can China coordinate these various requirements?

4. China's strategic choice in implementing the new concept of development from the perspective of the 2030 sdgs: "top-down" and "bottom-up"

There are two prominent common characters between the SDGs and the Ecological Civilization. The first one is an *overall comprehensive vision* shared by these two concepts. The second one is a *focus on individuals* as the SDGs claimed that "no one is left behind", while the Ecological Civilization emphasized that "let everyone feel the improvement through the process of Ecological Civilization". This may require a combination of a "top-down" and a "bottom-up" ways in the process of implementation.

It seems to be a common sense that the "top-down" model is the basic logic of Chinese way to resolve problems, in line with its long tradition of centralization. The promotion of the Ecological Civilization has followed this path as the concept has been put forward by the top political designers and the multiple goals have been decentralized through politics and legislations at sub-national level, also called a system of "targeted responsibility"¹⁵ introduced in the 1980s to facilitate the Chinese government's management of strategic objectives.

Innovation comes from the local practice. Although local authorities can only have limited power delegated by the central or upper-level authorities according to the *Constitution*, in China, the *de facto* power coming from the sub-national authorities cannot be ignored, as in some specific situations, they are granted wide range of autonomy through preferential policies to lead the reforms and innovations. For instance, the use of pilot projects is a common step in the formulation of Chinese policy. Pilot programs allow local governments to explore a variety of solutions for a specific problem by adapting them to local conditions; feedback on successes is then incorporated into the policy when it is rolled out generally at a national level. This working method is called "point to plane". However, this is actually the local actions under the original design and overall control of the central government.

Lack of local vitality and public participation in implementing the national strategy, China is committed to: (1) Enable the local authorities and the public in transformation of the concept of development; (2) Identify and confirm all these initiatives through the rule of law.

A recent breakthrough in the legal implementation of the Ecological Civilization is the amended *Legislative Law*. The *Legislation Law* of China was amended and entered into implementation on 15 March 2015. One of the highlights of the amendments is that the new Law allows all cities with subordinate districts to make local regulations *in the field of urban and rural construction, environmental protection and historical and cultural*

15 The system is designed to reasonably break down the overall objective at a regional level and incorporate implementation of objectives into the system of administrative appraisal. In particular, it implies that the politicians and local officers see their evolution of career accelerated or slowed down by the over- or under- achievement of their targets.

preservation, under the condition that such local regulations must be reported to the National People's Congress for the record and for examination to avoid contradictions and conflicts.¹⁶ 282 cities with subordinated districts¹⁷ have been authorized to develop local legislations in the field of urban and rural construction, environmental protection and historical and cultural preservation, which cover most areas that are related to sustainable development and people's daily life.

Earlier in the year of 2014, the amended Chinese *Environmental Protection Law* laid the foundations for future public interest litigation in China's environmental sphere, by legitimating the standing of the Environmental NGOs under some conditions. By the end of 2015, one year after the implementation of the updated law, 37 environmental public interest cases had been filed and accepted by the courts.

It can be seen from the above examples that China is on its way of integrating the efforts from the central authorities and the local authorities, from the government and the public, in an effort to involve as many stakeholders as possible in this process of new development. If well implemented, these "bottom-up" changes may bring dramatic help in implementing the new concept of development. This "if well implemented" is the key, and how to enable the local authorities and the public to lead the force to "bottom-up" is the key for the implementation.

Another challenge comes from the method of "top-down". As the Ecological Civilization has its origin

16 Comparison of the articles before and after:

Article 62 before the amendments:

In light of the specific situations and actual needs of the jurisdiction, the People's Congress of a province, autonomous region, municipality directly under the central government and the Standing Committee thereof may enact local decrees provided that they shall not contravene any provision of the Constitution, national law and administrative regulations.

In light of the specific situations and actual needs of the jurisdiction, the People's Congress and its Standing Committee in a major city may enact local decrees provided that they shall not contravene any provision of the Constitution, national law, administrative regulations and the local decrees in force in the province or autonomous region in which the city is located, and such local decrees shall be implemented after they are reviewed and approved by the Standing Committee of the People's Congress of the province or autonomous region. The Standing Committee of the People's Congress of the province or autonomous region shall review the legality of a decrees submitted to it for approval, and shall grant approval within four months if such decree does not contravene any provision of the Constitution, national law, administrative regulations, and the local decrees in force in the province or autonomous region in which the city is located.

In the course of reviewing a local decree submitted to it by a major city, if the Standing Committee of the People's Congress of the province or autonomous region finds that it contravenes a local rule issued by the People's Government of the province or autonomous region, it shall decide on how to handle such situation.

For purposes of this Law, a major city refers to a city where the People's Government of the province or autonomous region is seated, the city where a special economic zone is located, and any other major city approved by the State Council.

Article 72 after the amendments:

In light of the specific situations and actual needs of the jurisdiction, the People's Congress of a province, autonomous region, municipality directly under the central government and the Standing Committee thereof may enact local decrees provided that they shall not contravene any provision of the Constitution, national law and administrative regulations.

In light of the specific situations and actual needs of the jurisdiction, the People's Congress and its Standing Committee in cities with subordinate districts may enact local decrees in the field of urban and rural construction, environmental protection and historical and cultural preservation, provided that they shall not contravene any provision of the Constitution, national law, administrative regulations and the local decrees in force in the province or autonomous region in which the city is located, and such local decrees shall be implemented after they are reviewed and approved by the Standing Committee of the People's Congress of the province or autonomous region. The Standing Committee of the People's Congress of the province or autonomous region shall review the legality of a decrees submitted to it for approval, and shall grant approval within four months if such decree does not contravene any provision of the Constitution, national law, administrative regulations, and the local decrees in force in the province or autonomous region in which the city is located.

In the course of reviewing a local decree submitted to it by a city with subordinate districts, if the Standing Committee of the People's Congress of the province or autonomous region finds that it contravenes a local rule issued by the People's Government of the province or autonomous region, it shall decide on how to handle such situation.

17 A city with subordinate districts includes but not limited to a city where the People's Government of the province or autonomous region is seated, the city where a special economic zone is located, and any other major city approved by the State Council. China has 49 cities titled "a major city", and 282 cities title "a city with subordinate districts". Therefore, the amendment of article 62 means the expansion of local legislative power especially in the field of urban and rural construction, environmental protection and historical and cultural preservation.

as a political decision, the recognition of this concept in the country's legal framework is essential. The amended *Environmental Protection Law* incorporates the "promoting ecological civilization improvement" into its Article 1, as one of the purposes of the formulation of the law.¹⁸ In the coming phase of law reform, it would be appropriate to examine the whole framework of the current environmental legislation to check how closely it conforms to the idea of promoting ecological civilization improvement and the SDGs.¹⁹ The essence of the rule of law lies in the rule of the Constitution. The Constitution, as a fundamental law of a country, should recognize the value of the Ecological Civilization. It should be the top designer and a powerful defender of the national development strategy.

5. FINAL CONCLUSIONS

The SDGs draw a blueprint for the world's future, while the Ecological Civilization develop a long-term vision for China. The Chinese new concept of Ecological Civilization is rooted in China's economic, social, political and cultural background, but also absorbs the essence of the world's Sustainable Development. On the other hand, borrowing from the concept of the Ecological Civilization, China carries on its interpretation and implementation of the Sustainable Development Goals and establish its ambition of being one of the leading pioneers in a new round of global development.

China faces two challenges at this moment of realizing a new development. The first challenge is how to integrate itself into the global action. The second is how to respond to the urgent public demand for a sound development. These two challenges, on the one hand, requires China to have a global, comprehensive and integrated view on designing its national development strategy so as to actively adapt to the trend of Sustainable Development at international level and to prevent the fragmentation of development caused by the localism at domestic level; on the other hand, requires China to have a thorough examination on the individuals' needs and reaching out for the public to take effective actions at sub-national level. There is no doubt that the realization of China's new concept of development must be accompanied by the process of the rule of law, the democracy and the globalization.

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¹⁸ Article 1 of *Environmental Law* recognizes explicitly that: This Law is formulated for the purpose of protecting and improving environment, preventing and controlling pollution and other public hazards, safeguarding public health, promoting ecological civilization improvement and facilitating sustainable economic and social sustainable development.

¹⁹ Ben Boer, *Drafting Green Legislation in the light of the Sustainable Development Goals*, ECO Forum Global, Guiyang, P.R. China, 2015.

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