

China's Political System *in Brief*

Rock Environment and Energy Institute (REEI)

Lin Jiaqiao, 03rd Nov 2015

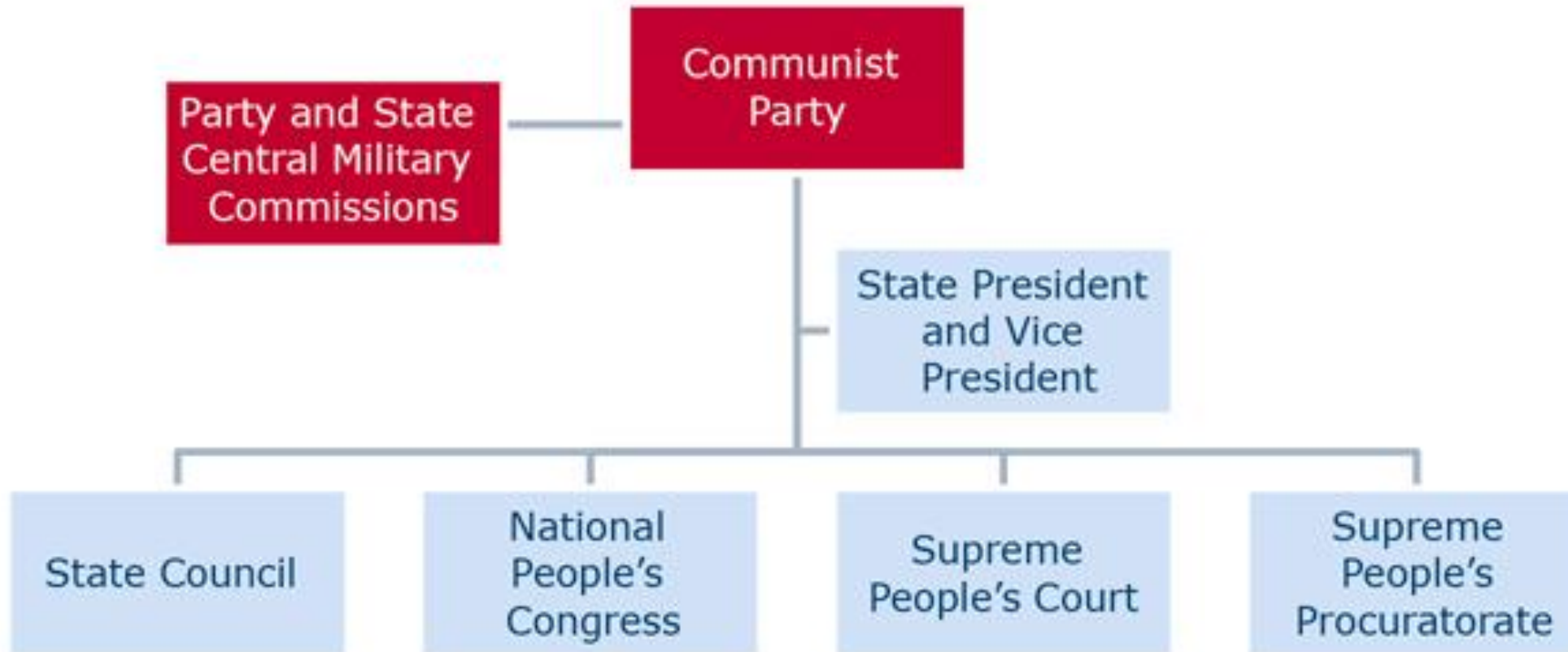
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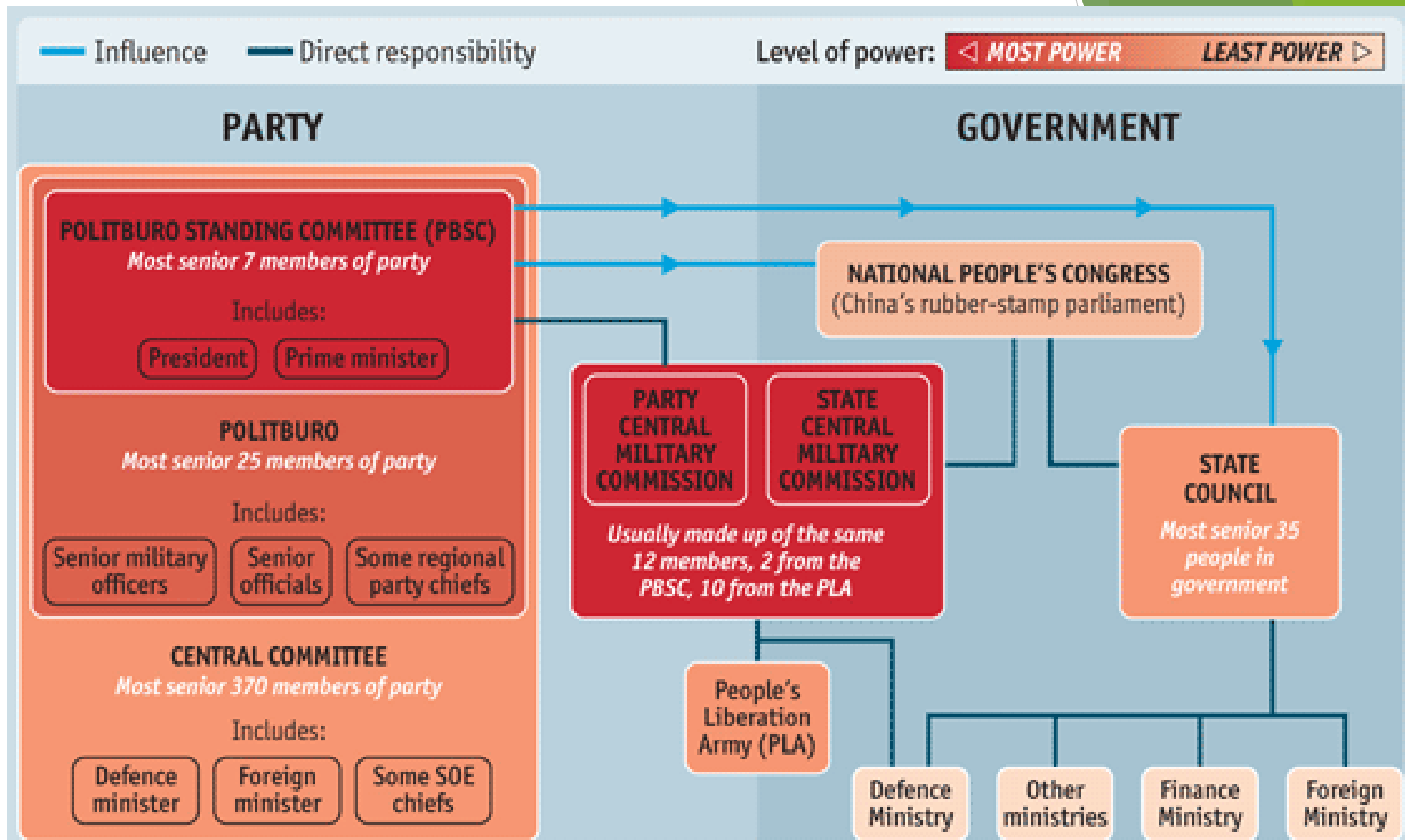
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Political Structure in China



Who is in Charge?



The Most Powerful 7



Xi Jinping

(b. 1953)

Party General Secretary

Chairman, Party and State Central Military Commissions

State President

Portfolio:

Party, military, and State; foreign affairs



Li Keqiang

(b. 1955)

No. 2-ranked PSC member

Premier and Party Secretary of the State Council

Portfolio:

government administration and economy



Zhang Dejiang

(b. 1946)

No. 3-ranked PSC member

Chairman, Standing Committee of the 12th National People's Congress

Portfolio:

legislative affairs



Yu Zhengsheng

(b. 1945)

No. 4-ranked PSC member

Chairman, 12th National Committee of the Chinese People's Political Consultative Conference

Portfolio:

relations with non-communist groups



Liu Yunshan

(b. 1945)

No. 5-ranked PSC member

Head, Party Secretariat
President, Central Party School

Portfolio:

Party affairs, including Party bureaucracy and ideology



Wang Qishan

(b. 1948)

No. 6-ranked PSC member

Secretary of the Central Disciplinary Inspection Commission

Portfolio:

Party discipline and fighting corruption



Zhang Gaoli

(b. 1946)

No. 7-ranked PSC member

Vice Premier and Deputy Party Secretary of the State Council

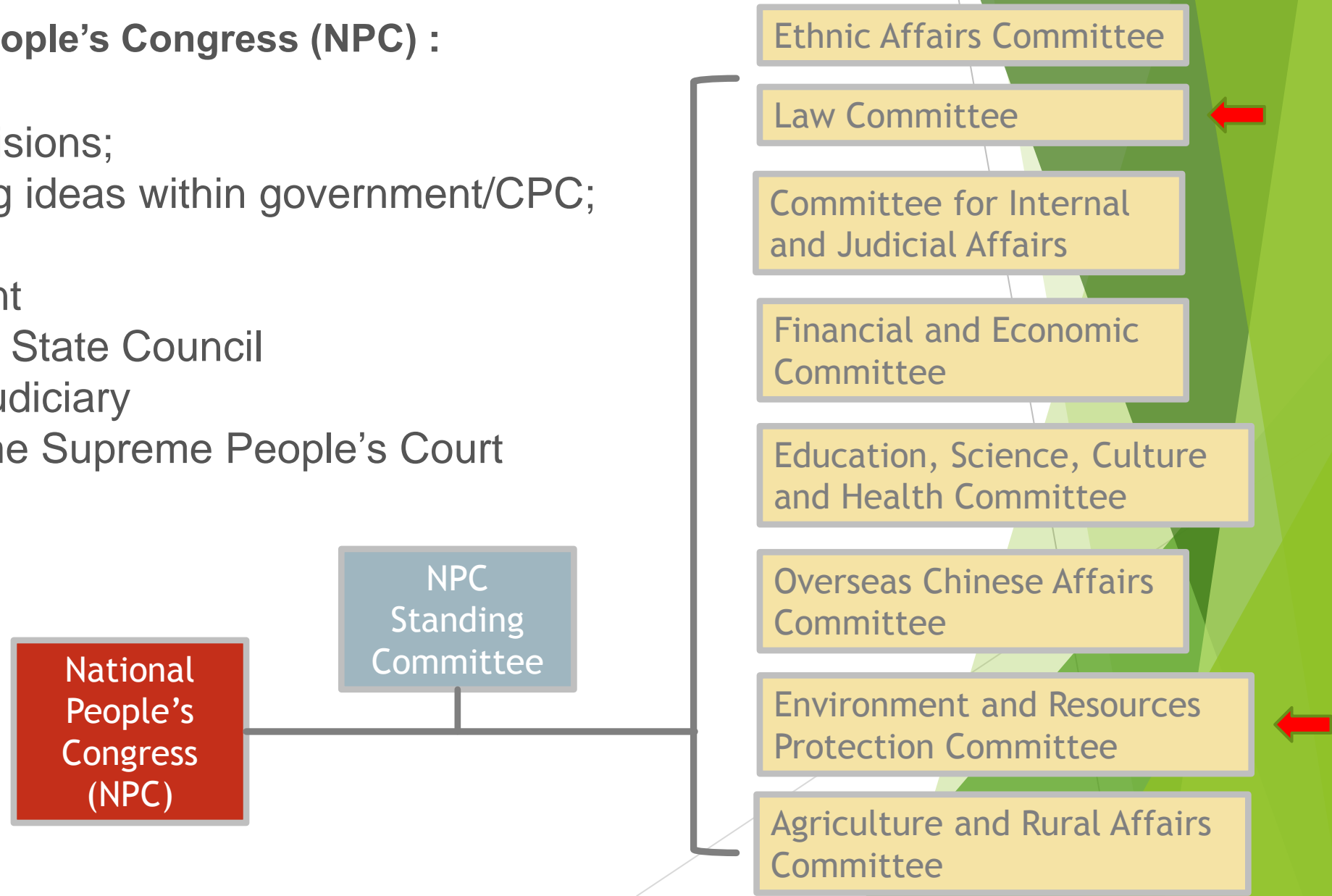
Portfolio:

assisting the Premier with government administration and economy

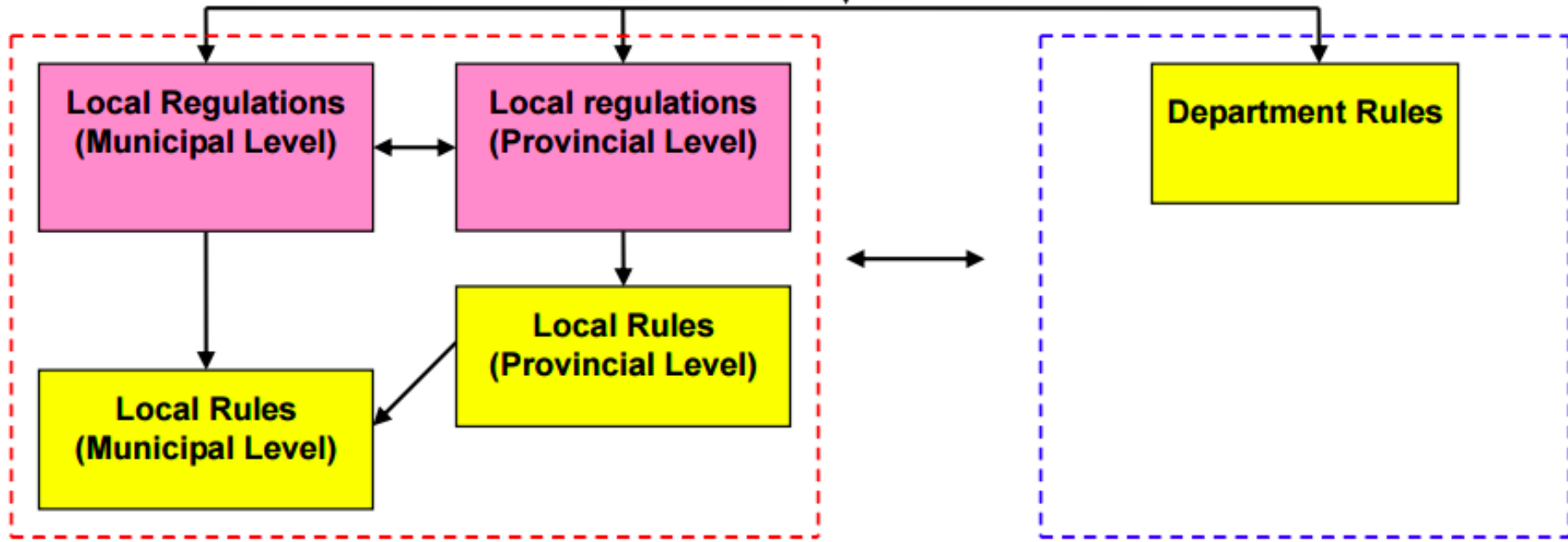
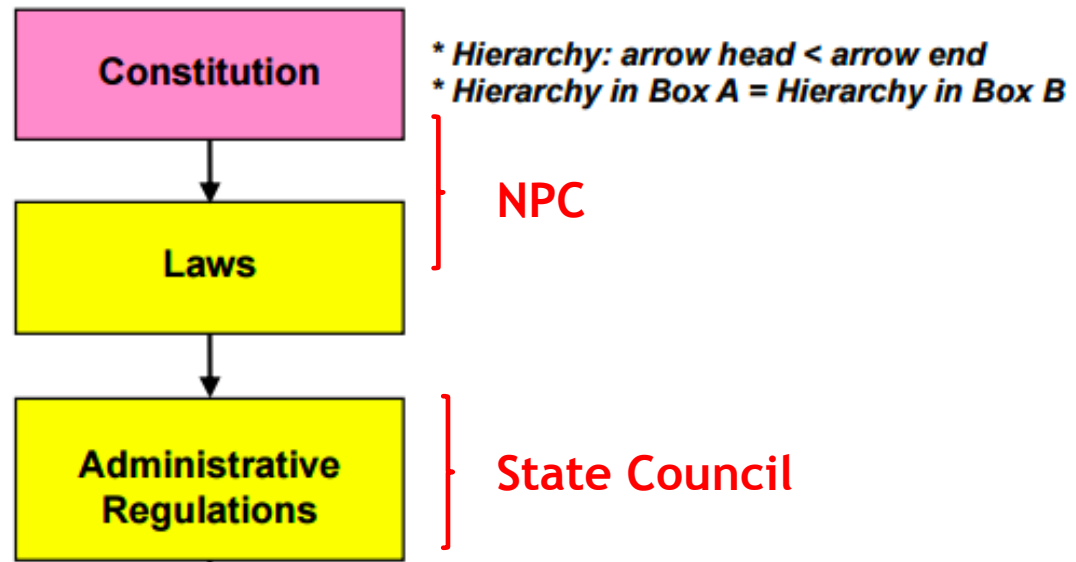
NPC - The Highest in Hierarchy of Governance

The Role of National People's Congress (NPC) :

- Legislative body;
- Approve CPC decisions;
- Forum for debating ideas within government/CPC;
- Elects
 - ✓ State President
 - ✓ Premier of the State Council
 - ✓ Head of the Judiciary
 - ✓ President of the Supreme People's Court



Chinese Legislative Hierarchy



A

B

The Birth of Environmental Protection Law (EPL)

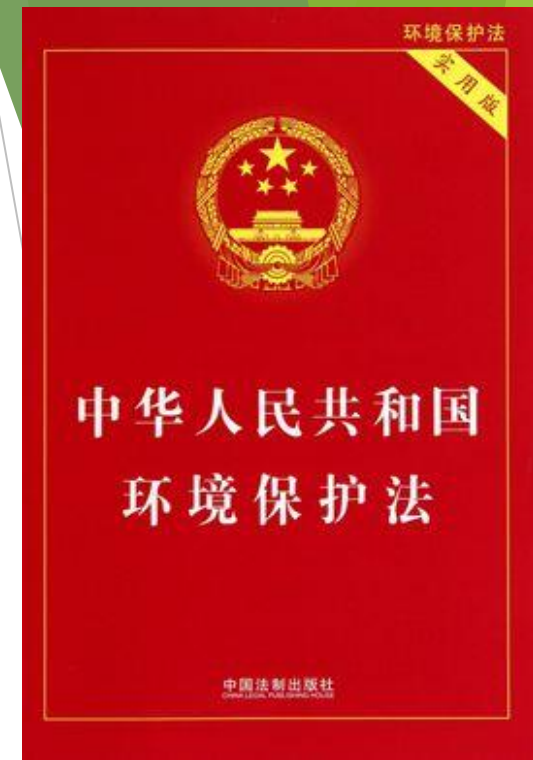
- ▶ First major revision since **1989**; the whole process took more than **3 years**;
- ▶ An ambitious 1st draft from **MEP** was **rejected by NPC** Standing Committee;
- ▶ **NDRC / Environmental Protection and Resources Conservation Committee** of NPC **took over**; released the 2nd draft version in mid-2012;
- ▶ The MEP catalysed the public dissent and publicly released a list of **34 arguments** countering the 2nd draft;
- ▶ Drafting responsibility shifted to the **Law Committee** of NPC, 3rd draft in mid-2013;
- ▶ The environmental proponents led an **intense debate** that delayed a quick approval of the draft;
- ▶ Standing Committee was **forced to call a 4th** extraordinary review in April 2014;
- ▶ The final draft had become something **dramatically different** from what observers expected at the beginning of the process three years earlier. And the EPL took effects on **1st Jan, 2015**.

New Environmental Protection Law (EPL)

Key Developments:

- ❖ **Transparency enhanced:** Enterprises and local government authorities will be required to **make public** environmental information and information on environmental quality, environmental monitoring, environmental incidents, administrative licensing and penalties relating to the environment, and the collection and use of pollutant discharge fees;
- ❖ **Increased liabilities for polluters:** Enterprises that violate environmental protection laws and regulations are now subject to fines that may accumulate on a **daily basis** and any violations may be made public;
- ❖ **Increased liabilities for government officials:** Local government departments and officials will have their **performance evaluations** take into account attainment of environmental protection targets, and the evaluation results will be made public;
- ❖ **Whistleblower protections:** Any citizen, legal person or other organization will have the right to report (i) environmental pollution or ecological damage caused by any institution or individual; and (ii) failure of any environmental regulatory body to perform its legal duties, and such report must keep the relevant information on the informant **confidential**;
- ❖ **Right to file environmental pollution claims:** A significant development in the EPL has been broadening the scope of parties with standing to file environmental pollution claims. A social public interest organization ("**NGO**") will now have standing to file claims in the People's Court for environmental pollution and ecological damage.

Source: Hoganlovells.com



NGO's Role Enforced under the New EPL

The scope of parties that can file environmental pollution claims broadens!

A social public interest organization (“NGO”) could now file claims to the courts for environmental pollution and ecological damage if it meets these requirements :

- ▶ Registered with the civil affairs department of the People's Government at the municipality divided into districts level or higher; and
- ▶ Specialized in environmental protection public benefit activities for five consecutive years or more, and has no record of violating the law.

The 13th Five-Year-Plan (2016 - 2020)

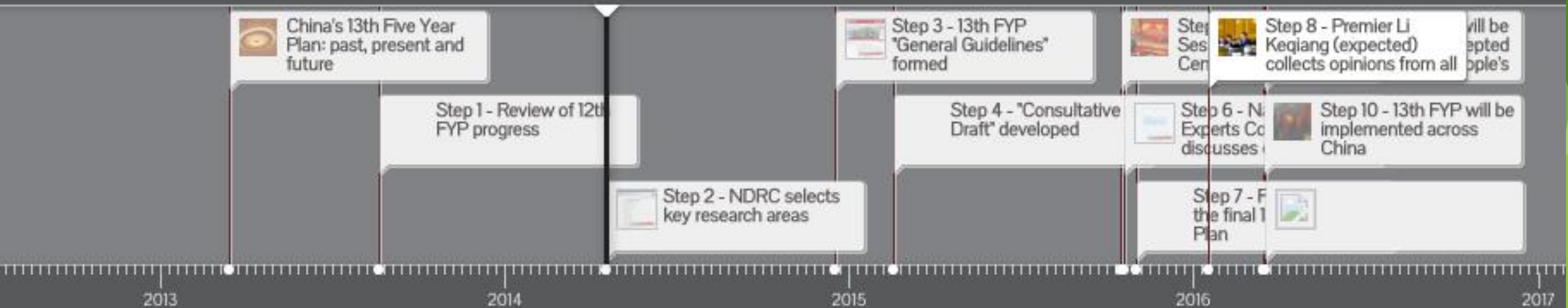


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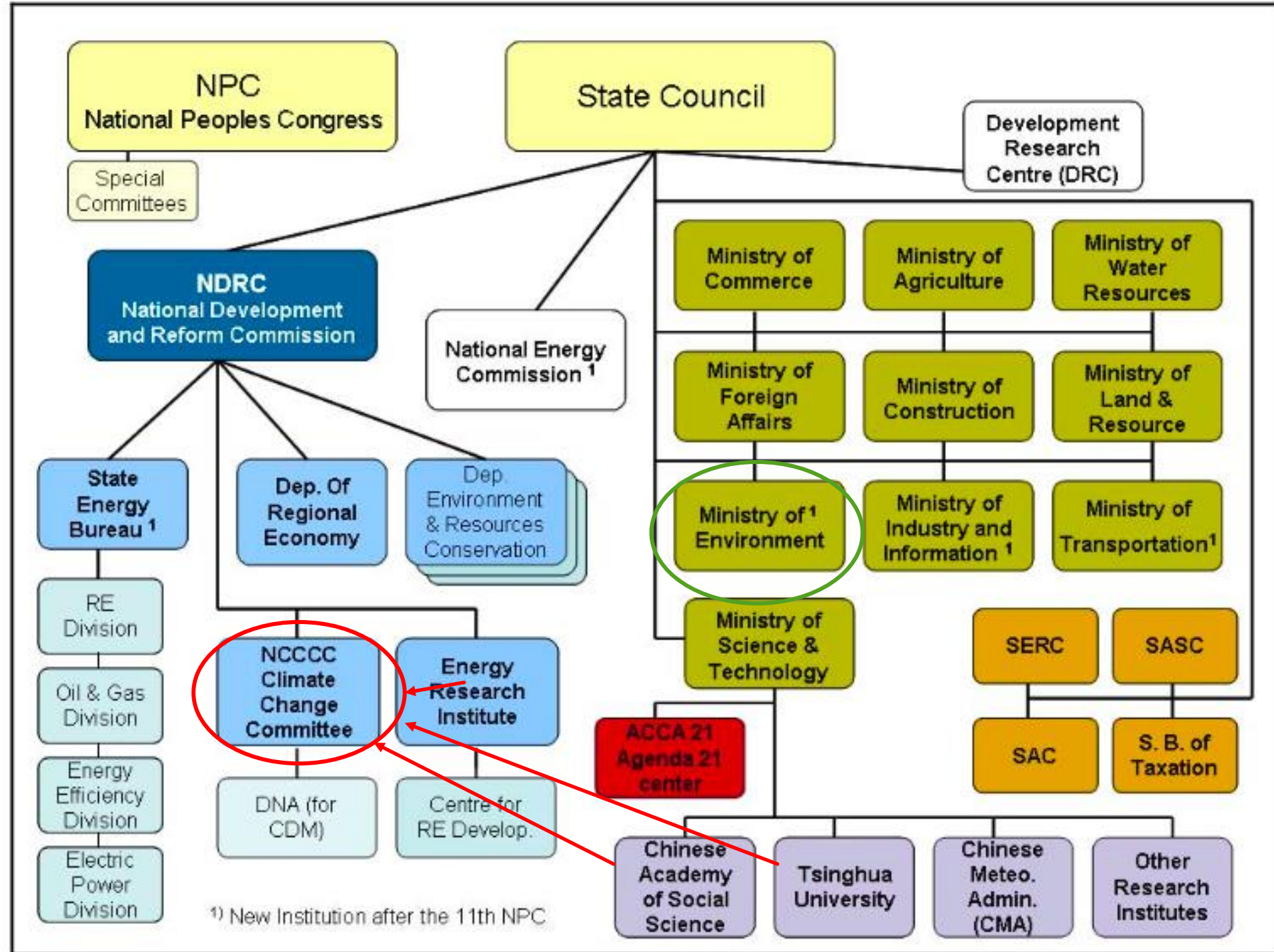
Step 8 - Premier Li Keqiang (expected) collects opinions from all levels of society

January 15, 2016 - February 15, 2016

Collection of further opinions and commentary is expected to continue given pressure to allow a larger voice to the general public, if not a larger role. Already, the NDRC has used popular social media software, including [Weibo](#), to allow the general public to voice their concerns and suggestions.



China's Energy and Climate Policy Making



Source: *Climate and Energy Policy in China* by Dirk Rommeney

THANKS FOR THE ATTENTION!

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