

# 中国环境公益诉讼如何保护野生动物

## Protecting Wild Animals Through Public Interest Litigation in China

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# 绿孔雀保护案例

## Green Peafowls Protection Case



# 2017年，云南戛洒江大坝正在建设 Dam Construction in Yunnan

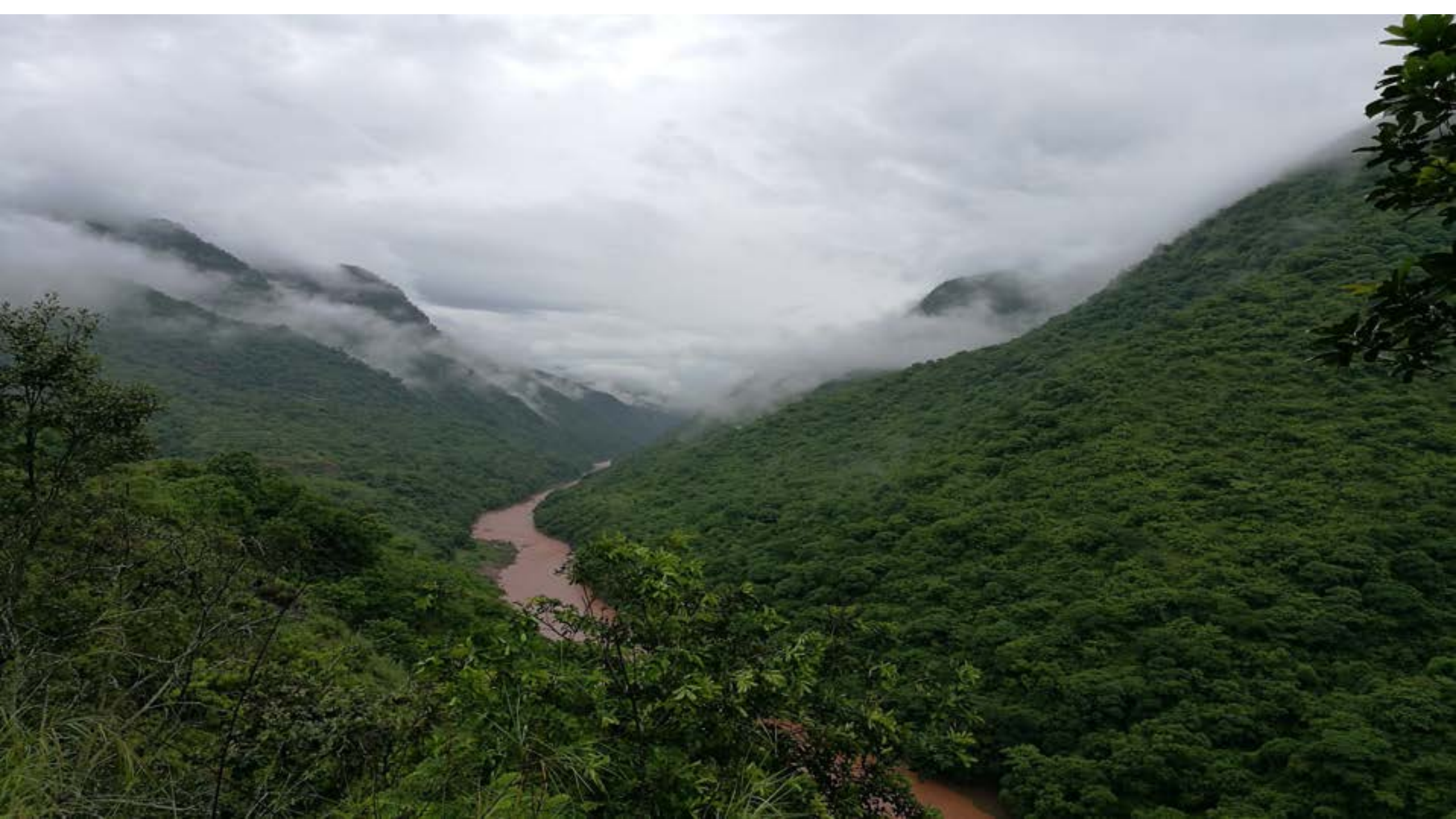


# 中国主要的野生动物保护制度

## Wild Animals Protection Systems in China




缺少公众参与和社会监督  
Lack of public participation and oversight





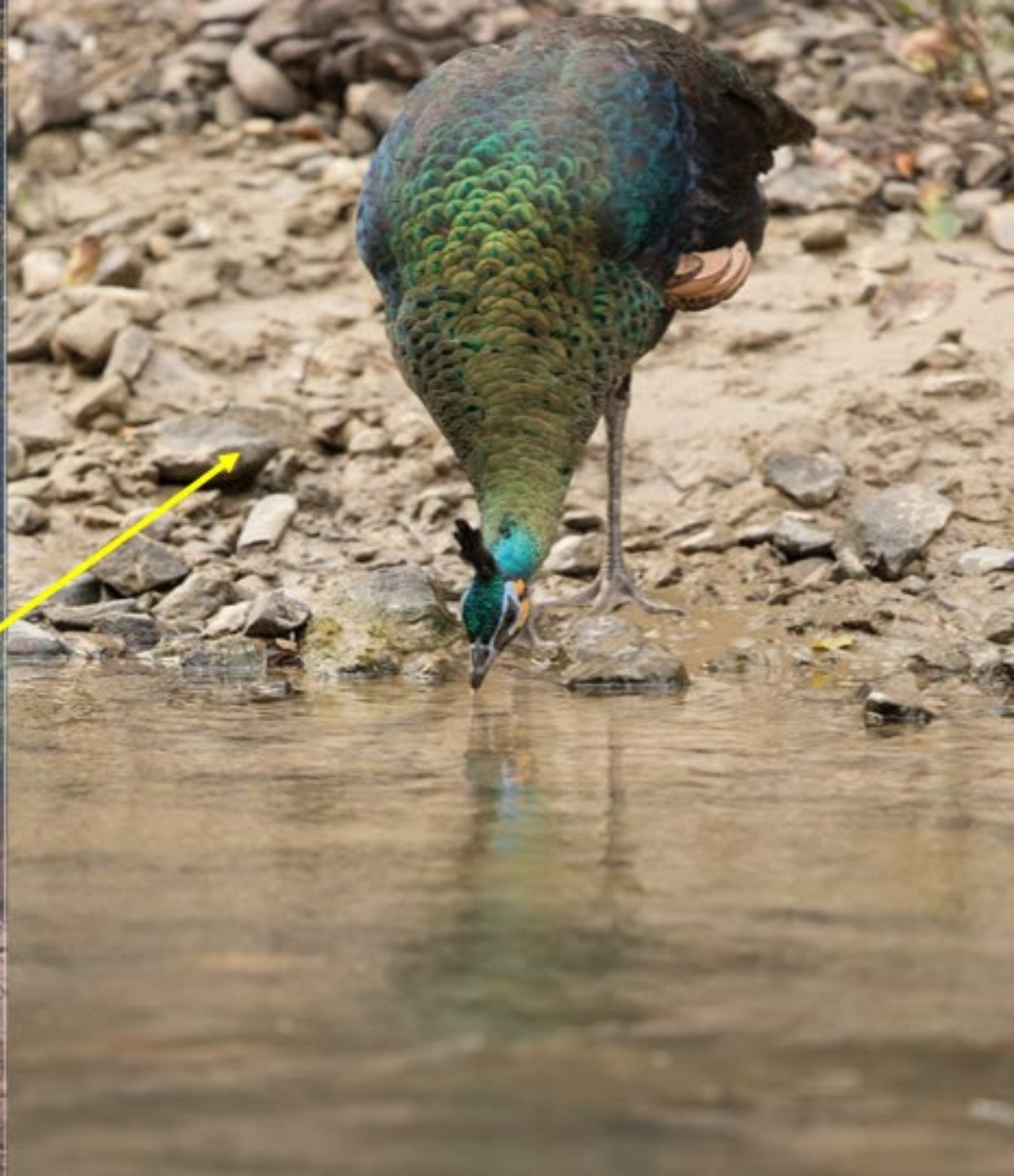






红河中上游绿孔雀栖息地  
石羊江河谷生物多样性调查

有更多专业的人一起来行动





**自然保护区生态破坏案**  
**Nature Reserve**  
**Protection Case**

# 广东南岭国家级自然保护区

## Nanling National Nature Reserve in Guangdong Province



2015年，一条穿过保护区核心区的公路正在修建  
A road was being built in the core area of the nature reserve

绿色和平

造成严重的生态破坏  
It Caused Serious Environmental Damage

南岭保护区核心区  
野 亦  
开 路





## 法院裁决The Court ruled:

- I. 被告违法修建的公路不得用于旅游等;  
The road built by the defendant in violation of the law is prohibited from being used for tourism;
- II. 赔偿500万用于生态修复;  
Compensation of 5 million RMB for ecological restoration;
- III. 修复过程与结果接受原告与社会的监督。  
The restoration is subject to the supervision of the plaintiff and society.



2016修复前Before the Restoration



2019修复后After the Restoration



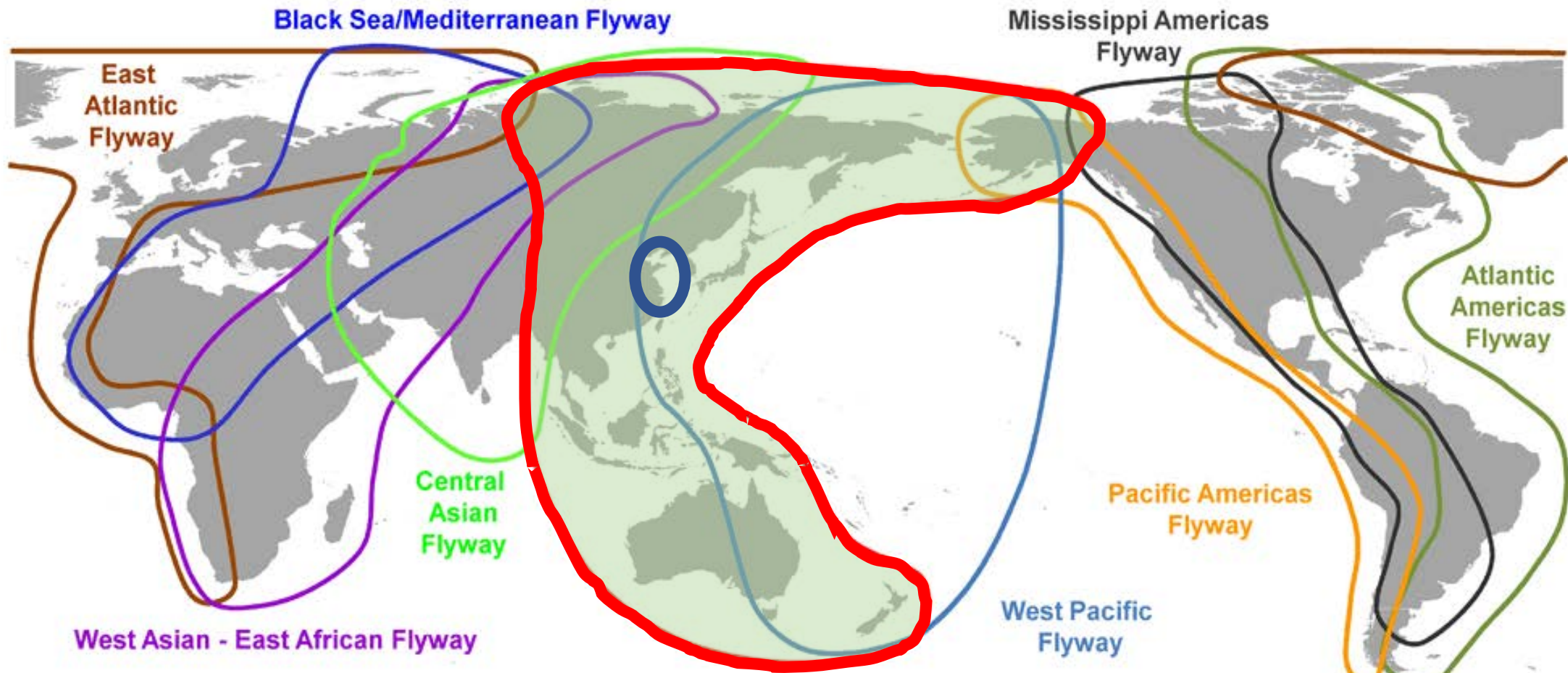


中国特有濒危物种黄腹角雉幼雏  
A young chick of the Cabot's  
Tragopan, an endangered  
species, was crossing the road.



黄腹角雉长大后  
This is what it looks like when it  
grows up.

**连云港滨海湿地保护案例**  
**Coastal Wetland**  
**Protection Case**



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East Asian - Australasian Flyway  
东亚-澳大利西亚迁飞区

## 全球鸟类九大迁飞区



半蹼鹬

-环抱堤建设将破坏超过1500公顷的滨海湿地。 A surrounding embankment was building, destroying more than 1,500 hectares of coastal wetlands.

-中央环保督察责令该建设工程暂时停工。 The construction was stopped temporarily by the Central Government.



**挑战与机遇**  
**Current Challenges and**  
**Future Possibilities**

## 法律的局限性 limitations in the law

- 中国大部分环保NGO不能提起环境公益诉讼。Most environmental NGOs don't have access to EPIL
- 中国环保NGO不能提起环境行政公益诉讼。No environmental NGO can use EPIL to sue the government

## 社会的局限性 Limitations connected to bigger issues

- 中国NGO弱小。NGOs in China are quite weak.
- 法院的局限性。Courts are just one player in a larger system with even bigger players.

## 展望未来 Future

- 需要更多的案例。Bring more EPIL cases
- 法律制度的完善。Advocate for changes in the legal system

**Thank You!**

**Ge Feng**

