



Public Interest Environmental Litigation in China



Robert V. Percival
November 27, 2012























1981年3月上海天际线





**The Bund
Shanghai
March 1981**

1981年3月上海外滩



**Huangpu River
Shanghai**

March 1981

Looking Toward Pudong

1981年3月上海黄浦江眺望浦东











Songhua River Benzene Spill November 2005



Peking University Professor Wang Jin Tries to Sue on Behalf of River & Fish

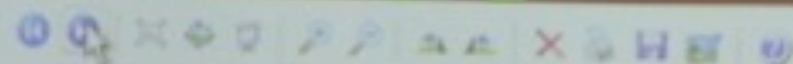
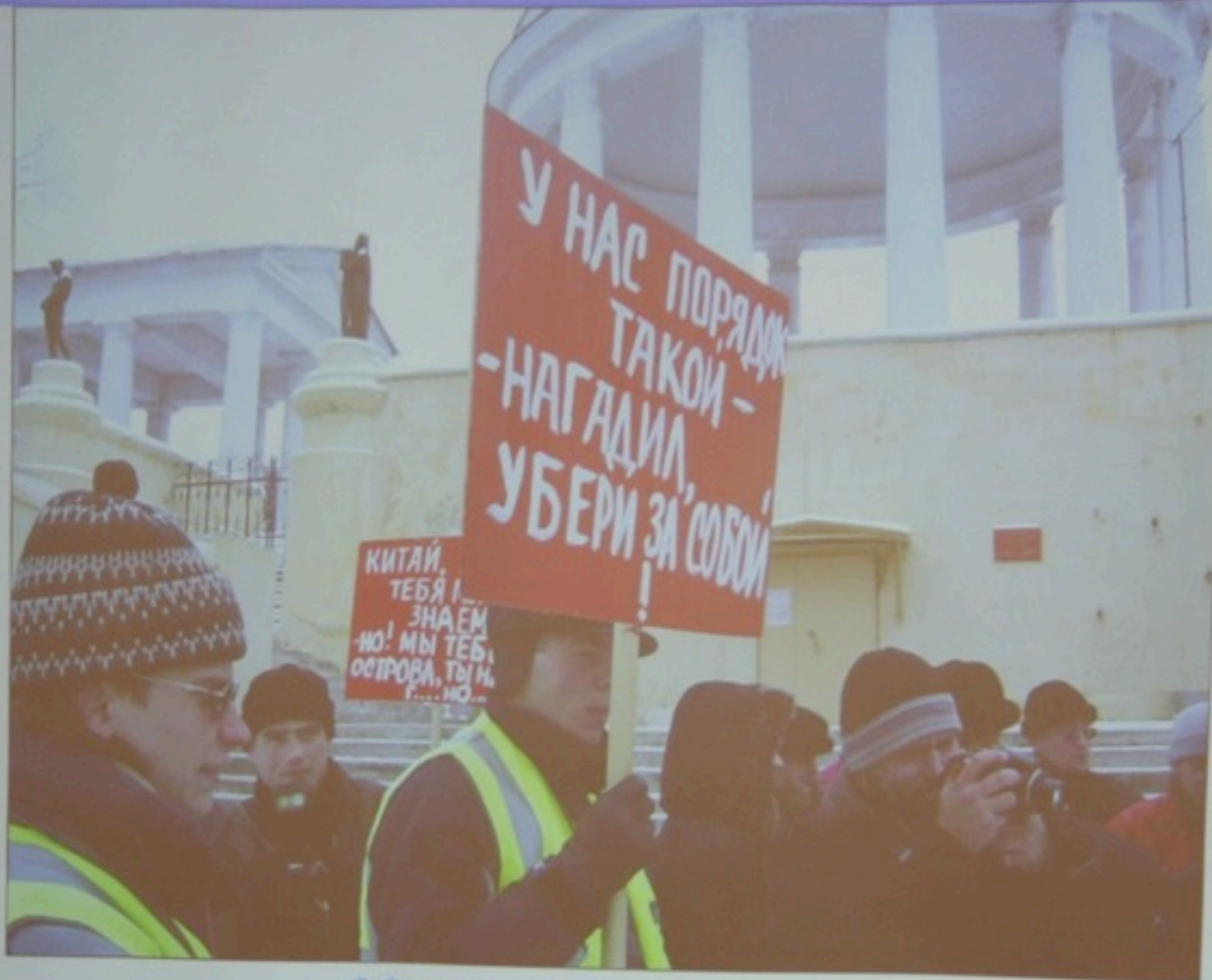




Prof. Daniel A. WAZMANIAN

ENG TAO





Center for Legal Assistance to Pollution Victims











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ALEX L. WANG

Environmental Courts and Public Interest Litigation in China

Guest Editor's Introduction

Abstract: *This issue of Chinese Law and Government offers translations of various documents related to China's framework for environmental litigation, proposals for the development of environmental public interest litigation, and the establishment and practice of environmental courts and tribunals.*

It is no hyperbole to say that China is in the midst of an environmental crisis. By many measures China has the most severe environmental degradation of any country in the world.¹ Among the many ways that the government, local citizens, and other stakeholders have attempted to address China's environmental challenges is through lawsuits and proposals to expand use of the judicial system through "environmental public interest litigation." This issue of *Chinese Law and Government* offers translations of various documents related to China's framework for environmental litigation, proposals for the development of environmental public interest litigation, and the establishment and practice of environmental courts and tribunals.

Traditional Environmental Litigation

Traditional environmental litigation in China includes tort cases seeking compensation for harms caused by environmental pollution, and "administrative failure to act" (*xingzheng buzhouwei*) cases brought by local citizens against polluters,

EFFORTS TO WIN COMPENSATION FOR POLLUTION VICTIMS IN CHINA

为中国污染受害者赢得赔偿而作出的努力



Investigating Chromium Pollution in Fujian Province (2004)
福建省铬污染调查（2004年）



Legal Basis for Environmental Tort Suits

- Article 124 of the General Principles of Civil Law: “Any person who pollutes the environment and causes damage to others in violation of state provisions for environmental protection and the prevention of pollution shall bear civil liability in accordance with law.”
- Article 41 of the Environmental Protection Law: “A unit that has caused an environmental pollution hazard shall have the obligation to eliminate it and make compensation to the unit or individual that suffered direct losses.”

SHIFTING THE BURDEN OF PROOF TO DEFENDANTS TO DISPROVE CAUSATION

将举证责任转移到被告，
由被告反证



- Civil Procedure Evidence Rule (2002) 民事程序证据规则
- Solid Waste Pollution Control Law (2005), Article 86 固体废物污染防治法 第86条
- Water Pollution Control Law (2008), Article 87 水污染防治法 第87条
- Tort Law (2009) 侵权法 (2009)

1,721 Villagers v. Rongping Chemical Plant (2003)

1721 村民诉榕屏化工厂 (2003)



Shifting of burden
of proof and no fault
liability was used by
judges.

违法性不是环境侵
权行为的要件。

Chinese Court Hearing
中国法院庭审

§ 6.0 Some Successful Cases Which We aided

(1) 97 Households of Dong Hai County, Jiangsu Province Sued Two Factories in Shangdong Province for Damages for Polluting the Shi Liang He Reservoir

In 2002, 97 households of farmers brought litigation in court and received 5.6 million yuan (700,000 USD) for damages, and quality of the water of Shi Liang He Reservoir is improved.

(2) Beijing 182 Households of Residents Sue Beijing Municipal Urban Planning Commission for Illegal Issuance of Permit

In 2003, 182 households of residents in Beijing won a lawsuit against Beijing Municipal Planning Commission and forced it to revoke a permit for building an animal laboratory in residential areas.


(3) 1721 People in Pingnan County, Fujian Province Sued Rongping Chemical Plant for Damages for Air Pollution

In 2002, 1721 people sued the biggest potassium chlorate plant in Asia in order to protect the residents and trees in the whole county from pollution.

环境诉讼与环境法律援助研讨会暨环境法律帮助热线

环境诉讼与环境法律援助研讨会暨
环境法律帮助热线开通十周年庆典

10 Years of Environmental Legal Assistance Hotline:
A Celebration and Seminar on Environmental Litigation and Legal Assistance

主办:  中国政法大学环境资源法研究和服务中心

Hosted by: Center for Legal Assistance to Pollution Victims, China University of Political Science and Law

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4F

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402 资讯天下(北京)信息科技有限公司	406B 北京九九联盟广告有限公司
403 北京天下互联信息科技有限公司	407 北京蓝鼎国际大律师事务所
404 北京窄告互动广告有限公司	408 北京有目律师事务所
405 北京资讯天下科技有限公司	409 北京维富泰利科技有限公司

3F

301 汇通华城楼宇科技(北京)有限责任公司	307 北京鑫光广告传媒有限公司
302 北京数字家园网络科技有限责任公司	308 法大律师事务所
303 北京金慧新悦科技有限公司	309 北京环亚律师事务所
305 北京友商教育科技有限公司	
306 北京盛广拓公路科技有限公司	

2F

201 北京传视数码科技有限公司	205 北京和南科技发展有限公司
202 北京麒麟电视文化传播有限公司	天一星网(北京)科技有限公司
203A 北京互动媒体技术有限公司	
203B 北京互动网视信息技术有限公司	
205 元化医疗咨询服务(上海)有限公司北京分公司	

1F

101 (北发大厦项目四)
102 北京西浦兴安科技有限公司
103 中央财经大学中国发展研究中心



北京环助律师事务所

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育新人法纪尊严
2010年11月1日

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贈予南門名港染受害者贈
二〇〇七年十月一日

致中国政法大学污染受害者法律帮助中心
《信息公开条例》的
捍卫者
上海金山月浦三村污染受害者贈
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All-China Environmental Federation



China: ConocoPhillips' Negligence Causes Bohai Bay Oil Spill, Says SOA

Posted on Nov 11th, 2011 with tags [asia](#), [Bay](#), [Bohai](#), [causes](#), [china](#), [ConocoPhillips](#), [Industry](#), [Negligence](#), [News by topic](#), [oil](#), [says](#), [SOA](#), [spill](#), [Subsea](#).



China's State Oceanic Administration (SOA) said on Friday that an oil leak by a subsidiary of Houston-based ConocoPhillips in

Oil Spill Liability Workshop March 2012



11th Standing Committee of the National People's Congress August 31, 2012



Chairman
Wu
Bangguo



Amended Article 55 of China's Civil Procedure Law

- Allows public interest actions to redress pollution of the environment against the legitimate rights and interests of many consumers by “agencies and related organizations according to the law.” (*Article 55: Regarding the tort behavior of environment pollution, collective consumer rights violation, public authorities and relevant organizations stipulated by law, can propose a litigation.* 第五十五条:“对污染环境、侵害众多消费者合法权益等损害社会公共利益的行为,法律规定的机关和有关组织可以向人民法院提起诉讼)”)

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China amends civil procedure law following third reading

(Xinhua)

14:59, August 31, 2012 🔍 + -

BEIJING, Aug. 31 (Xinhua) -- China's legislature on Friday approved an amendment to the Civil Procedure Law following a third deliberation of the bill.

According to the amended law, agencies or organizations determined by law can bring litigation against those whose acts undermine public welfare by polluting or infringing on consumers' interests, an addition that many experts believe signals a major step forward in creating a public interest litigation system in China.

The amendment stipulates that judges should not accept gifts or treatment from any interested parties or their attorneys.

If interested parties collude with each other for the purpose of undermining others' legitimate rights and interests through litigation or mediation, courts may deny their efforts and punish them.

The amended law also highlights an arrangement to allow small claims for debts or damage to be handled more efficiently.

Courts at the county level will be given permission to make a final judgment for first instance trials concerning civil claims for an amount of money equivalent to 30 percent of the average annual salary in the province where the case takes place.

China is striving to achieve a balance between justice and efficiency, as civil claims have been with a court system unequipped to deal with the surging number of cases, resulting in a large number of unresolved cases.

The Standing Committee of the National People's Congress, China's top legislature, passed the

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More groups can litigate in public interest

Updated: 2012-09-01 03:22

By ZHAO YINAN (China Daily)



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China's top legislature expanded on Friday the number and type of entities permitted to file class-action lawsuits, ending a heated debate on who has the right to defend the public interest by bringing a litigation to court.

Government agencies and related organizations are allowed to file class-action lawsuits, in which a group of people collectively bring a litigation concerning environmental pollution and unsafe food incidents to court to defend the public interest, the Amendment to the Civil Procedure Law states.

The amendment marks a step forward from the draft proposed to lawmakers on Monday, which empowered only social groups and government agencies to file class actions.

"Related organizations," as detailed in Friday's version of the law, covers a larger range of societies than the so-called social groups, said Wang Shengming, a lawmaker from the National People's Congress Standing Committee.

In China, a "social group" refers to a particular type of organization that has completely different registration and management procedures than other kinds of social organizations, such as private non-enterprise entities and NGOs, according to the country's Regulation on the Registration and Management of Social Groups.



自然之友
FRIENDS OF NATURE

A social group, the regulation said, should be registered at the Ministry of Civil Affairs and be affiliated to an administrative organ, in most cases, a government agency.

Wang said statistics showed that among the total 460,000 social organizations registered with the Ministry of Civil Affairs by 2011, about 250,000 of them are social groups, while the rest are private non-enterprises and foundations.

Wang said unlike the previous proposal, the amendment does not exclude private non-enterprises from the list of legitimate entities able to file a litigation.

Although he said various government agencies may later publish more specific regulations to help guide the organizations in their related fields.

The Supreme People's Court said in a previous interview that most of the plaintiffs in public interest suits are government administrations and prosecutors. Individuals and non-governmental organizations have rarely been able to file litigation aimed at protecting the public's interest, despite their many attempts.

The only accuser that was not completely official was the semi-official All-China Environment Federation, an organization affiliated with the Ministry of Environmental Protection, said Luo Dongchuan, former deputy director of the top court's research office.

Friends of Nature, China's oldest social organization, might be one of those who can benefit from the amendment. A private non-enterprise, it used to be among those excluded from bringing public interest litigations to court.

Chang Cheng, a program officer from the organization, said his organization could not file a class-action lawsuit on its own in the past, but he sees more opportunities in the revised law.

In a case that he is currently working on, Friends of Nature has teamed up with local environmental authorities to appeal for compensation and environmental rights for residents in Qujing, Yunnan province, where contaminating chromium was dumped, polluting water resources.

Yunnan is one of the several pilot provinces where about 60 environmental tribunals have been set up since 2008, a move expected to be rolled out nationwide if successful.

Chang said although the group had tried to register as a social group, it has to go through a set of strict procedures, making it almost impossible to succeed. He said the group has to register as a private non-enterprise since it failed to find an administrative organ to attach to.



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FRIENDS OF NATURE

Hailed as an Important Step by Public Interest Community

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China amends civil procedure laws making public interest litigation more accessible

Tagged in: [Barriers to Public Interest Litigation](#), [Public Interest Litigation](#)

 [Print version](#)

Civil procedure laws in China have recently been amended to provide further scope for public interest litigation. Under the amended law, agencies or organisations "determined by law" can bring proceedings against those whose acts "undermine public welfare by polluting or infringing on consumers' interests". The amendment was approved after extensive debate and following a third deliberation of the bill by the Standing Committee of the National People's Congress.

This extension of the type of entities permitted to bring class-action lawsuits will provide more opportunities for groups in China interested in public interest litigation. Previously, only social groups and government agencies were permitted to file class actions. A social group refers to a particular type of organisation and to be classified as one an organisation must go through a strict set of procedures. The new amendment allows "related organisations" to file class-action lawsuits, which covers a larger group of organisations.

Professor Zhao Huiyu



□ 赵绘宇 发表于2012-09-06 02:48

观公益诉讼发达的国家，无论是公民个人、社会组织、公诉机关，都是公益诉讼主体。

【早报自由谈】

8月31日，十一届全国人大常委会第二十八次会议审议通过对《中华人民共和国民事诉讼法》的新修订。其中有一个大的变动引人注目，那就是新增加了关于公益诉讼的条款。

《民事诉讼法》新增第五十五条：“对污染环境、侵害众多消费者合法权益等损害社会公共利益的行为，法律规定的机关和有关组织可以向人民法院提起诉讼。”细读该法条，不太寻常：到底谁可以是公益诉讼的原告？

三个关键词分别是“法律规定的”、“机关”及“有关组织”。“机关”与“组织”显然具有笼统性与模糊性；而“法律规定的”则又有援引其他法律的意思，现今的法律中，真正突破了公益诉讼原告资格的，就是该部刚修订的法律——又到哪找别的法律呢？也许是指未来要出台的法律或司法解释？因此，此法中修订的公益诉讼资格问题，目前还让人有云遮雾罩的感觉。

想进一步理解该新的法条，须对环境污染等公益诉讼的法学研究、法律实践的历史有大概了解。该法条大有“浓缩历史精华，继续展望未来”之义，读完令人喜忧参半。喜的是：涉及环境污染等方面事项的公益诉讼，历经各界多年奔走呼号，终有破冰之意。忧的是：法条吞吞吐吐，并未直接明确，究竟哪些主体是诉讼的扩大主体，颇类似各相关部门争论妥协后的产物。

公益诉讼是社会需求的必然选择，为解决如环境污染、群体性消费者侵权、垄断等社会问题，更需司法力量的救济。原《民事诉讼法》规定：“起诉原告是与本案有直接利害关系的公民、法人和其他组织。”而公共利益问题比传统民法个体间矛盾要复杂得多，往往是直接利害人无力告状、热心公益者无权诉讼，这使大量新兴社会问题绕道司法途径，引发集体上访、群体事件或网络情绪宣泄，司法改革没有跟进社会力量的变革。此次“破冰”当然意义斐然。

多年来，法学界在探讨究竟应扩大哪些主体到环境等公益诉讼中来时，主要聚焦于四种主体：一是检察机关；二是行政机关；三是社会团体与组织，如环保组织或消费者组织；四是公民个人。

先说行政机关。其起诉污染企业等侵权者的现象，虽在司法实践中时有发生，但从权力制衡原理上有“硬伤”。因为行政权与司法权应是社会管理中不同性质与相互独立的两种权力，行政机关既使用行政权作为行政管理的主体，又使用司法权做原告主体，这在法理上是混乱而自相矛盾的。

再来看其他三种主体：检察机关、社会团体与组织以及公民个人。

公民个人是公共利益的实体受影响者，环境保护等公共利益虽名为公共，但实则公民个人乃至其后代权益的群体化，公民个人为环境等公共利益进行诉讼，应是公益诉讼发展的最终形态。逻辑上，公民个人作为公益诉讼的主体是理由充分的。美国几十年来逐步发展起来的“公民诉讼”制度，就极大促进了美国环保司法化进程。



Mysteries of the New Article 55 of China's Civil Procedure Law

Shanghai Jiaotong
Prof. Zhao

- Who can be a “public interest plaintiff”?
 - Agencies (Procurate - but it does not want to be responsible for public interest litigation in China, Ministry of Environmental Protection and other government agencies)
 - “Related organizations” (but this does not necessarily mean all NGOs, will depend upon the judiciary)



● Cities where protests have occurred since Aug. 2011



Source: New York Times

'Social Risk' Test Ordered by China for Big Projects



Ng Han Guan/Associated Press

Residents protested last month in Ningbo, in Zhejiang Province, China, over the planned expansion of a petrochemical factory.

By [KEITH BRADSHER](#)


Published: November 12, 2012


BEIJING — The cabinet of [China](#) has ordered that all major industrial projects must pass a “social risk assessment” before they begin, a move aimed at curtailing the large and increasingly violent environmental protests of the last year, which forced the suspension or cancellation of chemical plants, coal-fired power plants and a giant copper smelter.

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Will China's New Policy Silence Future Protesters?

Mass protests in China have quadrupled over the last decade. A new environmental regulation could make it easier for authorities to suppress protesters before they hit the streets.

—By **Jaeah Lee** | Fri Nov. 16, 2012 3:13 AM PST

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Policemen try to drive away citizens protesting against the construction of the polyethylene chemical factory in Chengdu in 2008.
ZUMA/Color China Photos

China's leaders made it clear this week that they want to put an end to the growing number of environmental protests flaring up across the country. On Monday, environment minister [Zhou Shengxian](#) announced that future industrial projects must include a "social-risk assessment" before they can launch, a plan Zhou hopes will reduce "the number of emergencies and mass incidents." In other words, if you're a local official who has plans to build a new power plant in your town, you'll first have to predict how much it will piss off your citizens.

Many China observers see Zhou's statement as a reaction to the increasingly large, frequent, and violent environmental protests staged by citizens ranging from upset farmers in rural villages to students and middle-class residents in major cities.

Most recently, citizens in the coastal city Ningbo reportedly gathered by the thousands over three days to protest the expansion of a petrochemical plant that produces paraxylene, a toxic ingredient used to make polyester ([PDF](#)). The plant is owned by Sinopec, one of China's biggest oil and gas companies and the largest petroleum refiner in Asia. The *Washington Post* reported that some people grew violent after authorities opened tear gas and arrested protesters. Ningbo is hardly the first to see such protests; citizens in Xiamen, Dalian, and Shifang have staged similar demonstrations in recent years.

These protests, which the Chinese government calls "mass incidents," show few signs of abating; in 2010 they numbered around 180,000 by one scholar's estimate—four times the figure a decade earlier. Yang Zhaofei of the China Society of Environmental Sciences told the state-owned paper *China Daily* that public protests over the environment have been swelling by 29 percent annually. A protest in Wukan, Guangdong, late last year earned particular notoriety when some 4,000 villagers took to the streets to demonstrate against illegal land seizures and rigged local elections. The protests escalated after authorities allegedly tried to cover up the death of a demonstration organizer who was beaten by police.

China's legislature to amend law for environmental protection

English.news.cn 2012-08-27 16:43:31



BEIJING, Aug. 27 (Xinhua) -- The Standing Committee of the National People's Congress (NPC) Monday started its first reading of a draft amendment to the Environmental Protection Law.

"The Environmental Protection Law, which went into effect in 1989, was created during the primary stage of China's reform and opening-up and does not yet fit current economic and social requirements," said Wang Guangtao, chairman of the NPC's Environment and Resources Protection Committee.

From 1995 to 2011, the NPC received a total of 78 proposals to revise the law, Wang said at a bimonthly legislative session that will be held from Monday to Friday.

According to Wang, the draft highlights the government's responsibility and liability in the environmental protection as well as the improvement of environmental management regulations, the improvement of the country's environmental quality and the enterprises' responsibility in pollutant prevention and control.

The draft adds a clause that calls for governments and environmental protection departments to release information concerning environmental quality, pollution-related accidents and the collection and use of pollutant discharge fees to the public, as well as allows the public to request related information.

Moreover, since the discrepancies among the environmental data released by different governmental departments on a same subject have caused some negative effects, a national system will be established to streamline the environmental monitoring and evaluation practices and ensure the consistency of the data, the draft says.

People in charge of the monitoring facilities will be held responsible for the authenticity and accuracy of the monitoring data, the draft says.

Chinese Ministry Urges Sweeping Changes to Environmental Protection Law Revisions

SHENZHEN, China—The Ministry of Environmental Protection is calling for sweeping changes to proposed revisions to the Environmental Protection Law that the ministry was instrumental in drafting, a move experts say is unusual for its transparency. The proposed revisions were released in August by the National People's Congress. Analysts have told BNA that the proposed amendments do not do enough to address critical problems in China, although they would update the law with regulations adopted over the past two decades ([184 DEN A-5, 9/24/12](#)).

In an open letter posted on its website Oct. 31, the ministry raised 34 objections to the draft and proposed such additions as a “double punishment” mechanism that would penalize both businesses and their leaders for environmental infractions.

The ministry also suggested stronger language regarding pollution liability insurance requirements, public interest litigation, environmental impact assessments, emission and discharge permits, market-based mechanisms for addressing pollution, and rules on public disclosure of pollution information to keep up with regulations the body has been enacting.

The ministry was one of the main drafters of the proposed updated law, the first revision of the Environmental Protection Law since 1989.

Rare Move by a Ministry

The public posting of the letter was a rare move by a government ministry, experts told BNA.

“I’m a little surprised with this, but it seems the MEP hopes to achieve more, and that’s very positive,” Ma Jun, an environmental expert and director of the nongovernmental Institute of Public & Environmental Affairs in Beijing, told BNA in a phone interview Nov. 7.

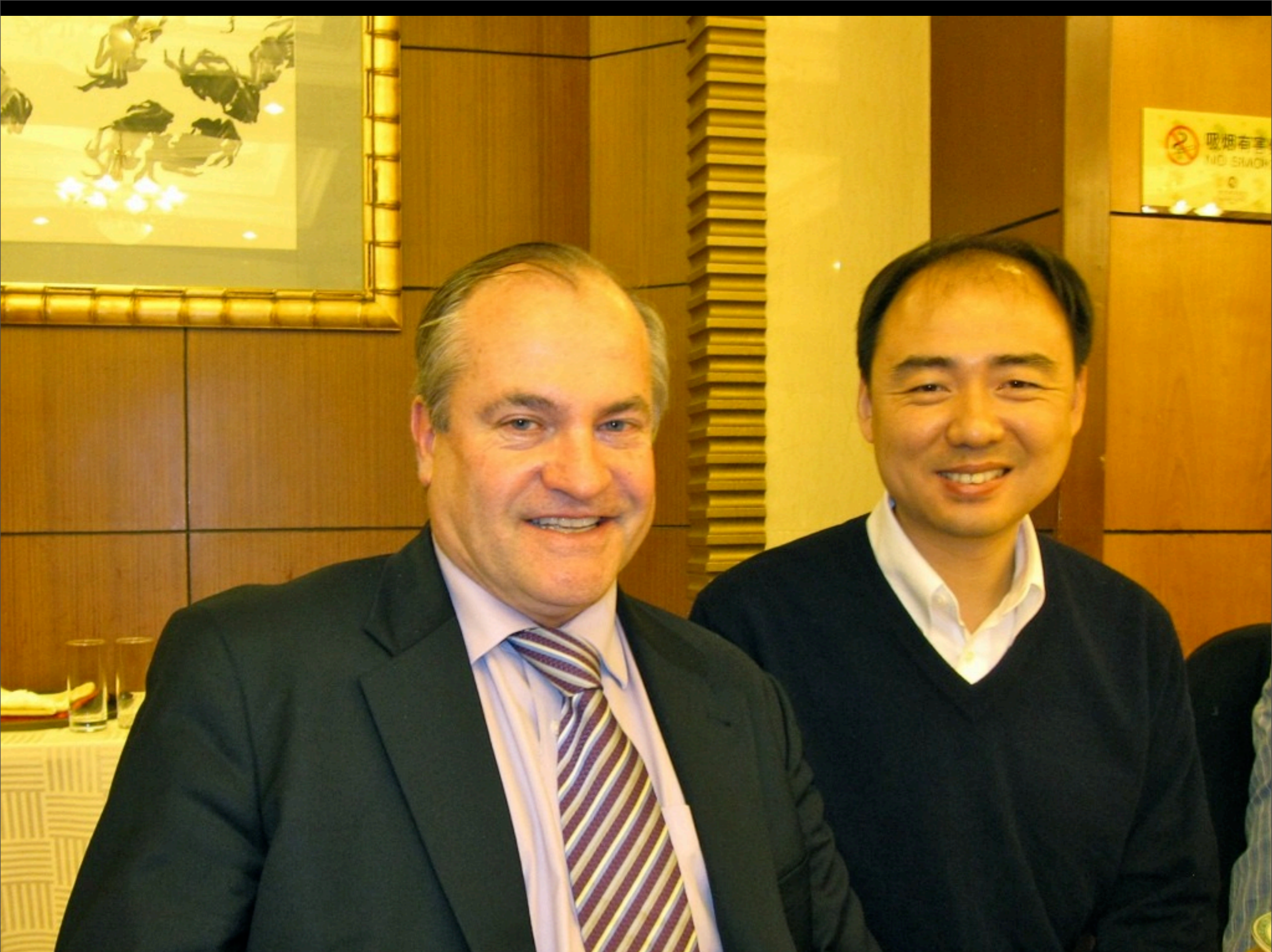
“I’m happy to see they put this out in an open way and wouldn’t have been surprised if they had just sent it through as an internal document,” Ma said. “With this open statement, it will in some way put pressure on the legislators.”

The National People’s Congress, the country’s top legislative body, released the draft law Aug. 31 for a one-month public comment period. According to Wang Yan, a senior attorney at the Natural Resources Defense Council in Beijing, the ministry has been working since then with the National People’s Congress on reviewing comments and holding seminars with experts on the draft.

“In general, it [the ministry’s letter] is very positive because it is a comprehensive overview of some of the comments they’ve been receiving,” Wang said in a phone interview Nov. 8, adding that open discussion of a draft law is an increasingly “normal” way of processing legislation in China.

“I feel the public has some certain expectations, and the government agencies, including the legislative body, might be pushed to do some overhaul” of the draft, Ma said. “I did not expect the MEP to come up with something so strong.”

Both Ma and Wang said they did not know how the letter’s posting would affect the timeline for releasing a final version of the law, though Ma said it could cause a delay as the National People’s Congress debates whether to include some of the ministry’s suggestions.



Apple plans environmental audits of China suppliers

By Kathy Chu, USA TODAY

Updated 2/20/2012 9:05 PM

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HONG KONG – Apple has told prominent environmental activists in the U.S. and China that it will soon allow independent environmental reviews of at least two suppliers' factories in China, the activists said.



Paul Sakuma, AP

The Apple logo is seen during an announcement at Apple headquarters in Cupertino, Calif.

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The reviews come as Apple ([AAPL](#)) faces rising criticism about toxic pollution and factory injuries at overseas suppliers' factories. Environmental examinations would be separate from an independent probe of working conditions at the Chinese factories of Apple suppliers, including Foxconn Technology, that began last week.

Ma Jun, founder of the Institute of Public & Environmental Affairs, told USA TODAY in a phone interview Monday that Apple agreed to the independent reviews in late January in response to two reports that IPE and other environmental groups released last year documenting hazardous-waste leaks and the use of toxic chemicals at suspected Apple suppliers.

The reviews, which could begin in March, will start with two suppliers but might expand to others, said Ma, one of China's leading environmental activists.

Bohai Bay oil spill lawsuits filed in US

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By WANG QIAN (chinadaily.com.cn)

CHINADAILY.com.cn

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United States attorneys acting on behalf of about 30 fishermen in Shandong province filed a lawsuit against ConocoPhillips in the Southern District Court of Texas on Tuesday (Beijing time).

The move is the latest by people affected by oil spills in Bohai Bay in June last year seeking to win compensation from the US company responsible for the disaster.

Three firms — Bilek Law Firm LLP in Houston, Smith Stag LLC in New Orleans, and Jones, Swanson, Huddell & Garrison LLC also in New Orleans — have been preparing the class action since last year, Jia Fangyi, a lawyer at Great Wall Law Firm, said on Monday in Beijing.

All of the firms have previously won environmental cases involving oil and gas production, including claims related to the BP oil spill in the Gulf of Mexico in 2010.

Attorney Stuart Smith from Smith Stag LLC of New Orleans confirmed the filing of the lawsuit to China Daily early on Tuesday morning.

Donna Xue, a spokeswoman for ConocoPhillips China, said her office did not have any knowledge of the proposed lawsuit and declined to comment further before she could contact the company's headquarters in the US.

Jia said the estimated direct economic losses caused by the oil leak for the 500 Shandong fishermen were about 870 million yuan (\$136 million). He added more fishermen near Bohai Bay are contacting him for legal help, which may push the number represented by the three US law firms to 2,000.

Jia said he has filed lawsuits against companies he says are responsible for the oil leak in Bohai Bay to courts in Shandong, Hainan province, and Tianjin. All were rejected.

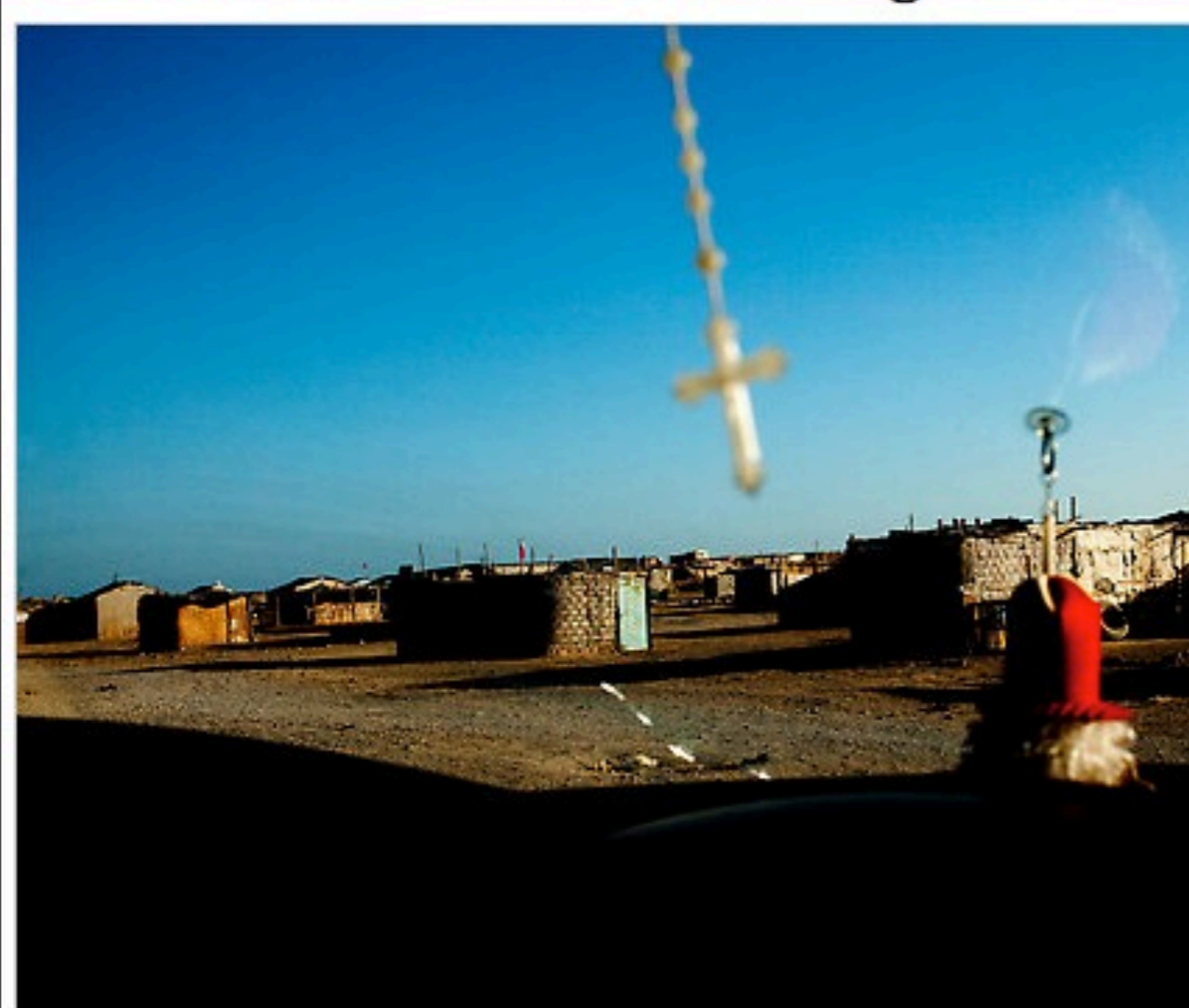
US courts carry the principal of long-arm jurisdiction, which refers to the ability of local courts to exercise jurisdiction over out-of-state defendants. It means that in this case the US court could decide to hear the case, even though it didn't occur in the US, Jia explained.

"It is a hard and long fight. We will fight to the end," Jia said.

In April, ConocoPhillips China, the operator of the Penglai 19-3 oilfield where the leaks occurred, agreed with the government to the setting up of a 1.1 billion yuan fund based on estimated damages, in addition to an earlier 1 billion yuan compensation fund for the affected fishermen in Hebei and Liaoning province.



Tensions Over Chinese Mining Venture in Peru



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Nov. 2 (Bloomberg) — Before Aluminum Corp. of China, known as Chinalco, can mine the more than \$50 billion of copper ore buried in the Toromocho mountain in Peru, the company must get the residents of the nearby town of Morococha to leave their land. Some residents are resisting the move, despite the offer of a free house in

Before Aluminum Corp. of China, known as Chinalco, can mine the more than \$50 billion of copper ore buried in the Toromocho mountain in Peru, the company must get the residents of the nearby town of Morococha to leave their land.

Some residents are resisting the move, despite the offer of a free house in a newly built town. They want a greater share of the spoils. The problem illustrates the challenges global mining companies face as copper resources decline, consumer demand increases and exploration is pushed to the frontiers of the earth. (Source: Bloomberg)



Tiananmen Square March 1981

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