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# Analysis of International Norms and Domestic Norms for Corporate Environmental Protection Responsibility from the Perspective of Public Management

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**Abstract.** As a cell of society, enterprises create productivity while making the ecology worse and threatening the survival of human beings. In the face of increasing global environmental problems, the community has reached a consensus that enterprises should consciously assume their environmental responsibility. This paper analyzes the legislative overview of corporate environmental liability system in the United States, Germany and Japan and the path of post-polluting governance, analyzes the real dilemma of China, and draws on the relevant norms of how to improve the environmental responsibility of Chinese enterprises from the path selection.

## 1. Introduction

In the increasingly accelerated modernization process, the concept of corporate environmental responsibility has gradually become an important concept of corporate governance and strategic management. The negative impact of the development and growth of industrial power on social ecology has become more and more serious, causing a certain degree of environmental imbalance. Sudden, large-scale environmental crises and environmental pollution accidents have pushed enterprises to the forefront. The voices of all parties in the society are clamoring for the responsibility of requiring enterprises to bear the responsibility of the ecological environment due to their own production and management practices. Since the 19th National Congress of the Communist Party of China, the Party Central Committee has advocated socialist core values and extensively promoted the construction of ecological civilization, adhered to the road of green development, and required enterprises to improve environmental governance methods in deepening reforms and explore ways to achieve economic, social and environmental benefits. At this stage, how to lead the transformation of traditional China enterprises into green enterprises and cultivate their environmental responsibility, actively respond to the call of the party and the state, and strive to promote the construction of beautiful China is particularly urgent.

## 2. Path selection in developed countries

### 2.1. The legislative trajectory of the United States and its path selection

The United States is one of the first national representatives to raise corporate environmental responsibility movements. In the 1980s, with the prevalence of environmental non-profit organizations



and the green consumption movement, the United States paid more and more attention to corporate environmental responsibility and promoted the continuous improvement of relevant domestic legal systems [1]. The Basic Law of the National Environmental Policy of 1969 laid the foundation for US environmental legislation. It clarified the purpose of legislation and marked the beginning of a new track for US environmental responsibility legislation. Since then, the Clean Air Act (1970) and the Water Pollution Control Act (1972) provide for the end-of-pipe control of exhaust and wastewater discharge through the use of technical reinforcement and emission control. The Solid Waste Disposal Law, promulgated in 1965, clarified the disposal of waste, and passed the Resource Conservation and Recycling Act. The Pollution Control Act passed by the United States in 1990 reflected the transformation of the concept of governance and stipulated the use of source governance to replace traditional end-of-pipe control. In addition, in terms of information disclosure, the United States has also introduced the "Freedom of Information Act" to clarify the responsibility of companies to disclose environmental responsibility.

The path selection of the governance model after its first pollution presents the following characteristics:

First, the US government has established a sound law enforcement system, which includes the Central National Environmental Protection Agency and its related departments and environmental law enforcement agencies in local states. The State Environmental Protection Administration is the dominant force. Not only does it have a professional law enforcement team, but it also has its own courts. The law enforcement agencies in the local states are also very professional. Adequate law enforcement equipment provides a strong guarantee for the development of law enforcement activities.

Second, adopt market-based economic incentives and economic punishment. In order to encourage the development of environmentally-friendly enterprises, the government purchases and installs sewage facilities, and provides them with subsidies for environmentally-friendly materials and preferential loans. Enterprises that illegally pollute the environment are blacklisted and imposed strict fines.

Third, a sound environmental law enforcement supervision mechanism has been formed. The linkage of the multiparty forces of government, enterprises, citizens and social organizations has made the US environmental protection supervision mechanism relatively perfect. Specifically, the supervision here has two layers of connotation. The first refers to the supervision of the enterprise itself; the second refers to the supervision of the law enforcement department.

## *2.2. The legislative trajectory of Germany and its path selection*

Germany was the first country to continuously regulate the implementation of environmental responsibility by introducing circular economy legislation, and became a model country for developing circular economy. The German government's focus on corporate environmental responsibility is in the recycling and development of renewable resources and the recycling of waste. With the promulgation of laws and regulations such as the Law on Controlling Atmospheric Emissions, the Law on Controlling Water Pollution, and the Waste Disposal Law, circular economy legislation has begun. After continuous development, Germany has raised a second legislation to deal with the shortcomings of end-of-pipe treatment. The Waste Law (1986) stipulates that waste should be classified and reused, emphasizing the efforts to implement harmless treatment. The producer responsibility extension system was proposed, which stipulated that the manufacturer was obliged to recycle the packaging. In Packaging Regulations (1991) for the first time. In addition, Germany enacted the Law on the Promotion of Renewable Resources in 2000, clearly stating that the government will provide economic subsidies to enterprises that develop renewable resources. In order to effectively supervise the development of waste treatment and recycling economy, Germany also set up a special supervision agency [2]. The introduction of this series of regulations and policies provide a strong guarantee for enterprises to fulfill their environmental responsibility.

The following characteristics are presented under the path selection of the post-pollution governance model:

First, the government has increased its support for environmental protection. The government must strictly punish illegal enterprises, encourage the development of clean and environmentally friendly industries through incentive mechanisms, and help some small and medium-sized enterprises to help them complete the relevant clean machinery facilities by increasing fiscal expenditures.

Second, the strict monitoring network has been established in environmental law enforcement. The environmental fields in all regions of the country have been included in the monitoring scope. If there are pollution incidents, they can be discovered and dealt with in time. On the other hand, Germany has an efficient law enforcement team with a reliable guarantee of law enforcement speed and law enforcement.

Third, Germany has a relatively complete public interest litigation system. The German Constitution stipulates that individual citizens can be brought under the “constitutional lawsuit” according to their rights; environmental groups can raise “group litigation” by protecting common environmental resources, and make a contribution to the regulation of environmental protection behavior of the whole society through the public interest litigation system.

Fourth, Germany implements an environmental liability insurance system. All industries and commerce have imposed this system since 1991, and it is stipulated that within the scope of insurance liability, all enterprises must take the initiative to assume the environmental responsibility.

### *2.3. The legislative trajectory of Japan and its path selection*

At present, from the perspective of the entire legal system, Japan has formed a series of environmental assessments, supervision, standards, and policies based on the Basic Environmental Law. In the Environmental Basic Law of 1993, it was clearly stated that enterprises should bear environmental responsibility. In May 2000, the Japanese Senate passed the Basic Law on Recycling Economy, which required companies to be responsible for the entire life cycle of products. In the "Specialized Household Appliances recommodification Law", it is pointed out that for refrigerators, air conditioners, color TVs, and washing machines with high abandonment rates [3], manufacturers should bear the obligation to recycle them. In addition, Japan has also established a corporate environmental liability insurance system, a clean production system, and an environmental information disclosure system. In addition, in order to motivate and constrain the behavior of enterprises, the government cooperates with banks to provide environmental protection responsibility for enterprises and provide them with low-interest loans. Since then, many developed countries have also strengthened relevant domestic legislation to legalize corporate environmental responsibility and established a circular economy development model.

The following characteristics are presented under the path selection of the post-pollution governance model:

First, Japan's public education has developed earlier. By publishing white papers, enacting environmental education laws, and coordinating the necessary environmental protection publicity work, Japan has also strengthened environmental education in schools, enterprises, and social environments. Eventually, the basic principles of environmental protection have been deeply rooted in the hearts of the people, and a multi-structure and multilevel environmental education has gradually formed the system [4].

Second, in the aspect of environmental assessment and supervision, we should fully listen to the voice of citizens and guarantee their right to participate. Under normal circumstances, the government will also collect opinions from the general public. In the supervision, through the flexible cooperation of social forces, the environmental monitoring network system has been gradually improved and the monitoring mechanism has been continuously improved.

Third, Japan has established a relatively sound environmental economic policy in environmental governance. By adopting strict payment fine regulations for polluting enterprises, the same economic nature of reward mechanisms can also effectively curb corporate pollution. The government actively guides companies to conduct environmental protection activities through the “soft bank loan” program that provides low-interest loans to enterprises, which is worth learning from.

### **3. The dilemma of environmental protection in China's enterprises**

#### *3.1. China's environmental protection investment is at a low level*

From the perspective of pollution control investment, China's environmental protection investment is at a low level. At present, the developed countries in the West have already gone through the difficult peak period of their environmental protection. The annual proportion of environmental protection investment accounts for an average of 2.5% of GDP in that year. China is currently in the tough area of environmental governance, but in 2015, China's environmental protection investment only accounted for 1.30% of the total domestic GDP. Compared with developed countries, the proportion of China's domestic environmental protection investment in GDP has not reached 2% for a long time, and there is still room for growth in environmental protection investment.

#### *3.2. Lack of system caused by imperfect laws and regulations in China*

From the perspective of legislation itself and enforcement power, China's own laws and regulations are not perfect, resulting in a lack of institutions. In terms of executive power, the implementation of the environmental responsibility of the government in regulating enterprises is insufficient. In addition, China market incentive mechanism is not perfect, the sewage charge system is not standardized, and the emissions trading market is not mature. China policy environment is not perfect, and the gap with the international community is still very large, it is difficult to effectively promote market demand and healthy operation.

#### *3.3. Our citizens have low environmental protection quality*

China environmental quality of citizens is far from the developed countries in the West. China overall national environmental protection quality is still relatively low. At present, most people still rely on economic interests and ignore environmental benefits. In addition, China overall scale of environmental protection is still relatively small, lacking of independent innovation, and the ability to use green energy and new technologies to achieve green production is not enough.

#### *3.4. China has not formed a complete monitoring mechanism*

China has not yet formed a comprehensive supervision mechanism like the United States, Germany and Japan. The government's supervision mechanism for regulating enterprises to fulfill their environmental responsibility is not perfect, and the supervision of environmental administrative law enforcement is not in place. China's environmental public interest litigation system is still not perfect, showing the crux of lack of supervision and insufficient supervision ability.

### **4. The Path Choice of Environmental Protection Legislation Enforcement in China**

#### *4.1. Continuously improve the legislation related to corporate environmental responsibility*

To establish the concept of circular economy and sustainable development, it is necessary to fundamentally control environmental pollution from the end of pollutant control to the source control. At the same time, China should improve the legislation on environmental protection legal responsibility of enterprises as soon as possible, constantly review China current environmental laws and regulations, and modify or delete the parts that are not suitable for China current economic and social development. In the process, the interests of all stakeholders must be maximized.

#### *4.2. Strictly regulate the environmental protection law enforcement of the Chinese government*

The government should strengthen supervision and effectively crack down on corporate illegal behaviors, and severely shut down illegal enterprises and limit their entry into the market. At the same time, in order to prevent the exaggeration of law enforcement methods, we must also use market incentives to solve law enforcement problems [5]. In addition, China needs to establish a strict

supporting system for emissions trading to regulate market order. The government must monitor the amount of emissions and trading volume in real time.

#### *4.3. Strengthening the education of environmental awareness among people*

The government must constantly improve the environmental education system and incorporate environmental education into schools, enterprises, and social education systems. Schools should often organize environmental protection extracurricular activities; enterprises should form an environmentally friendly corporate culture; society should play the role of news media. In addition, the government can enrich the content of environmental education from the three aspects of enriching the knowledge, legal system and behavior of environmental education.

#### *4.4. Aspects of the supervision mechanism*

Enterprises shall implement the environmental responsibility information announcement system and regularly announce the implementation; the government shall regularly announce the implementation progress of the regulatory measures and formulate a sound and effective environmental responsibility information announcement system. At the same time, we must continue to improve China environmental public interest litigation system, starting from expanding the scope of public interest litigation. In addition, it is especially important to play the role of environmentally-friendly NGO, improve their ability to conduct surveillance activities [6], and encourage and support more civil society organizations involved in supervision.

### **5. Conclusion**

With the concept of "beautiful China" and the green development road in China, in the long road of building a harmonious society and green development, The Chinese government should focus on building a sustainable development path of people-oriented circular economy, establish a multi-party environmental protection mechanism, and gradually narrow the gap with developed countries. In the global energy conservation and emission reduction, we will take the initiative to assume the responsibility of the largest developing country, embody the mission and responsibility of a great Eastern power, and realize the great rejuvenation of the Chinese nation at an early date.

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