

Review of Procuratorial Recommendations as a Mechanism for Environmental Administrative Public Interest Litigation

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Abstract

The prosecutorial recommendation system for environmental administrative public interest litigation represents a significant innovation in the procuratorial organs' fulfillment of their legal supervisory responsibilities. This article reviews relevant research and analyzes its development and challenges from the perspectives of institutional attributes, procedural rules, and practical difficulties. The research concludes that while this system combines pre-litigation procedural and independent oversight, it has become a relatively complete system. However, it still faces challenges such as insufficient rigidity, ambiguous standards, and poor coordination. Future efforts should strengthen its legalization, refinement, and coordination to promote its greater role in the rule of law for ecological civilization.

Keywords: environmental administrative public interest litigation, prosecutorial recommendations, legal supervision, system improvement

1. Introduction

The prosecutorial recommendation system for environmental administrative public interest litigation, a major innovation within the socialist judicial system with Chinese characteristics, plays an increasingly important role in advancing the modernization of national governance and the development of an ecological civilization. It serves as a core tool for procuratorates to fulfill their legal oversight responsibilities and safeguard environmental public interests. It also serves as a crucial link between administrative and judicial powers, achieving a virtuous interaction between law-based administration and fair justice. Since its formal establishment in 2017 through amendments to the Administrative Litigation Law, the system has rapidly developed in practice, achieving remarkable results. Numerous environmental public interest damage cases have been effectively resolved in pre-litigation proceedings, demonstrating its unique institutional value. However, as an emerging system, it still faces numerous challenges and unresolved issues in theoretical understanding, procedural development, and practical operation, sparking widespread attention and in-depth discussion within the legal community. A systematic review and evaluation of existing research findings is fundamental for accurately grasping the system's development trajectory, core issues, and future direction. This literature review aims to systematically sort out and integrate existing research, and outline the overall picture of research in this field around the three core themes of institutional positioning and legal attributes, procedural rules, and practical difficulties and institutional improvement, in order to provide a clear academic reference for the deepening of theory and the optimization of institutions.

2. Research on the Institutional Positioning and Legal Attributes of Procuratorial Recommendations in Environmental Administrative Public Interest Litigation

By reviewing existing literature, the main viewpoints on the positioning and legal attributes of the prosecutorial recommendation system for environmental administrative public interest litigation are as follows:

Lü Tao (2010) conducted a foundational analysis of prosecutorial recommendations from a legal perspective, arguing that they are a typical “factual prosecutorial behavior” with a non-compulsory nature. Their characteristics are the generality of their legal basis, the subordination of their legal status, and the negotiable nature of their legal effects. This early research provides a theoretical framework for understanding the flexible nature of prosecutorial recommendations, which distinguishes them from rigid supervisory methods such as appeals¹. Han Chengjun (2014) focused on the effectiveness of prosecutorial recommendations, arguing that their essence is a manifestation of legal supervisory power and that their rigid binding force must be enhanced through institutionalization and standardization². Zhang Zhihui (2009) also pointed out the need to transform the “soft constraints” of recommendations into “hard effectiveness” by improving legal basis and procedural safeguards³. Huang Wenyi (2021), from the broad perspective of national governance modernization, argued that the prosecutorial recommendation system is a crucial component in improving national governance effectiveness⁴. Its development should serve the overall goal of modernizing the national governance system and governance capacity, and play a greater role within the framework of the rule of law. Early researchers such as Liu Qiaoer (2018) and Xu Yinglan (2018) took an empirical approach⁵⁶.

This paper affirms the legitimacy of the procuratorate as the plaintiff in environmental administrative public interest litigation and provides a preliminary analysis of the “buffering” role of pre-litigation prosecutorial recommendations in balancing judicial and administrative power, providing practical material for subsequent research. Liu Yi (2018) emphasizes that the essence of environmental administrative public interest litigation is “objective litigation,” whose core purpose is to maintain objective legal order and public interests, rather than to remedy the subjective rights of specific individuals. Within this paradigm, prosecutorial recommendations, as a pre-litigation procedure, should function to supervise administrative agencies in administering according to law and ensure the uniform and correct implementation of environmental laws⁷. Feng Weiran (2020) systematically expounds on the dual nature of this system: its “pre-litigation procedural nature” and “independent legal oversight.” She points out that prosecutorial recommendations are not only a stepping stone to initiating litigation but also an important means for procuratorates to fulfill their constitutional legal oversight responsibilities. They possess relatively independent value and can effectively urge self-correction within the administrative system⁸. Wu Kaijie (2021) extends his research perspective to “preventive” environmental administrative public interest litigation, arguing that to address the irreversibility of ecological and environmental damage, the function of prosecutorial recommendations should expand from ex post remedy to ex ante prevention. When administrative actions pose significant environmental risks, the procuratorate should immediately issue recommendations, shifting the focus of protection forward. This reflects the principle of risk prevention⁹. Xiao Feng and Zhan Haoran (2021) conducted empirical analysis, revealing the complex functions of ecological and environmental prosecutorial recommendations in practice. These include not only a prejudicial function within litigation (laying the foundation for subsequent litigation) but also spillover effects such as handling similar cases, resolving jurisdictional conflicts, and promoting the rationality of administrative actions. This highlights their value as a tool for social governance¹⁰. Qin Qianhong and Wang Yuting (2022) proposed an

¹ Lü Tao, (2010). Legal Analysis of Procuratorial Recommendations. *Legal Forum*, (2), 108-114.

² Han Chengjun, (2014). The Essential Attributes and Legal Regulation of Procuratorial Recommendations. *China Legal Science*, (2), 279-295.

³ Zhang Zhihui, (2009). On the effectiveness of prosecutorial recommendations. *People's Procuratorate*, (17), 50-51.

⁴ Huang Wenyi, (2021). Research on the Procuratorial Recommendation System in the Perspective of National Governance Modernization. *China Legal Science*, (4), 45-63.

⁵ Liu Qiaoer, (2018). Legal Approach to Prosecutorial Recommendations in Environmental Administrative Public Interest Litigation. *Journal of China Environmental Management Cadres College*, 28(5), 10-13.

⁶ Xu Yinglan, (2018). Research on improving the environmental administrative public interest litigation system: Taking the plaintiff qualification of the procuratorate as the starting point. *Administration and Law*, (10), 90-96.

⁷ Liu Yi, (2018). Constructing an objective litigation mechanism for administrative public interest litigation. *Journal of Legal Studies*, (3), 39-50.

⁸ Feng Weiran, (2020). Improvement of the system of prosecutorial recommendations in administrative public interest litigation. *Jiangxi Social Sciences*, 40(8), 145-153.

⁹ Wu Kaijie, (2021). On the Nature and Positioning of Preventive Environmental Administrative Public Interest Litigation. *Journal of China University of Geosciences (Social Sciences Edition)*, 21(1), 30-44.

¹⁰ Xiao Feng, Zhan Haoran, (2021). On the compound functions of ecological environmental prosecution recommendations. *Journal of Central South University of Forestry and Technology (Social Sciences Edition)*, 15(3), 52-58.

innovative classification model. Based on the operational characteristics of procuratorial power, they categorized procuratorial recommendations into “closed” and “open” types. The former, while protected by subsequent substantive disposition power, emphasizes coordination with litigation; the latter, without mandatory safeguards, prioritizes consultation with administrative agencies and joint problem-solving. This provides new insights for precise institutional design¹. Li Lijing (2022) introduced the theory of “cooperative empowerment,” arguing that procuratorial recommendations in the new era should shift from the traditional one-way exercise of power to a collaborative model involving multiple actors, including the procuratorate and administrative agencies. By building a dialogue and consultation mechanism, we can empower each other and achieve the best results in public welfare protection².

3. Research on the Procedural Rules for Procuratorial Recommendations in Environmental Administrative Public Interest Litigation

Having clarified the institutional positioning and legal attributes of prosecutorial recommendations in environmental administrative public interest litigation, how to construct scientific and sophisticated procedural rules to ensure their effective operation has become a focus of theoretical and practical attention. Procedural rules bridge the gap between institutional ideals and practical effectiveness, directly impacting the standardization, operability, and ultimate effectiveness of prosecutorial recommendations. As pre-litigation procedures, procedural rules encompass the entire process, from case discovery, case filing and investigation, the issuance and delivery of prosecutorial recommendations, to feedback from administrative agencies on their performance, procuratorate review and judgment, and ultimately, the connection to the litigation process. Each link in this chain presents specific challenges: how to ensure the adequacy and effectiveness of investigation and evidence collection? How to establish scientifically sound deadlines and assessment criteria for performance? How to ensure the accuracy of prosecutorial recommendations and their coherence with subsequent litigation requests? In-depth exploration of these procedural issues aims to transform principled legal provisions into enforceable, rigid operational guidelines, thereby truly fulfilling the core functions of pre-litigation procedures in diverting cases, enforcing performance, and protecting the public interest. This section will review the key perspectives of existing literature on the specific procedural rules for prosecutorial recommendations in environmental administrative public interest litigation.

Shen Kaiju and Xing Xin (2017) revealed the great effectiveness of pre-litigation procedures in case diversion through empirical analysis of early pilot data, and the vast majority of cases can be resolved in the pre-litigation stage. They emphasized the key role of the clarity of procedural rules in improving the response rate and rectification rate of administrative agencies, and provided an empirical basis for procedural construction³. Hu Weilie and Chi Xiaoyan (2017) also based on pilot experience, deeply analyzed the value of pre-litigation procedures as a “buffer zone”, which effectively eased the direct confrontation between procuratorial power and administrative power. They pointed out that the design of procedural rules should fully reflect the respect for the administrative power’s first judgment power, and pay attention to the continuous tracking and effectiveness evaluation after the issuance of procuratorial recommendations⁴. Liu Chao (2018) conducted a systematic “reflection” on pre-litigation procedures, and profoundly pointed out that there is a risk of them becoming a “formality”. He criticized the overly lax standards for determining “administrative agencies’ failure to perform their duties in accordance with the law” in practice, advocating for the adoption of both “behavioral standards” and “results standards,” rigorously examining the substantive effects of performance rather than simply focusing on formal responses⁵. Yu Wenxuan (2019) systematically discussed the independent value of pre-litigation procedures and their connection to litigation procedures from a legal hermeneutic perspective. He emphasized that procedural rules should clarify the specific circumstances under which pre-litigation procedures terminate and transition to litigation, and established standards for initiating proceedings based on elements such as

¹ Qin Qianhong, Wang Yuting, (2022). Institutional Reflection and Functional Reconstruction of Procuratorial Recommendation Types. *Journal of Legal Studies*, 44(3), 102-117.

² Li Lijing, (2022). Collaborative empowerment: Paradigm transformation and reconstruction of procuratorial recommendations in China in the new era. *China Legal Science*, (2), 245-263.

³ Shen Kaiju, Xing Xin, (2017). An empirical study on the pre-litigation procedures of administrative public interest litigation initiated by the procuratorate. *Administrative Law Research*, (5), 39-51.

⁴ Hu Weilie, Chi Xiaoyan, (2017). Pre-litigation procedures of administrative public interest litigation: a review from the pilot program. *Journal of the National Prosecutors College*, 25(2), 30-48.

⁵ Liu Chao, (2018). Reflections on the Pre-litigation Procedures of Environmental Administrative Public Interest Litigation. *Journal of Law*, (1), 114-123.

illegality, actual danger, and the severity of damage¹. Gao Wenying (2020) focused on the key link in initiating proceedings—investigation and evidence collection. She pointed out the challenges faced by procuratorates in environmental case investigations, such as the high level of professional expertise and the perishability of evidence. She advocated for legislation granting procuratorates the necessary, limited compulsory investigative powers and clarifying the administrative agencies' obligation to cooperate to address the difficulties in obtaining evidence². Cui Jinxing (2021), using the marine environment as a specific scenario, revealed the unique challenges facing procuratorial recommendation procedures under cross-regional, multi-departmental collaborative governance, such as jurisdictional disputes and unclear roles and responsibilities. He proposed targeted innovations, such as establishing a dual pre-litigation procedural mechanism combining a “consultation process and prosecutorial recommendations”³. Zhan Shangang (2022) focused on the precision of litigation requests, arguing that the content of prosecutorial recommendations should be internally consistent with subsequent litigation requests. He demonstrated the necessity and limitations of specific litigation requests, emphasizing that requests must be clear and feasible, and that administrative discretion should not be excessively interfered with. This, in turn, requires that pre-litigation prosecutorial recommendations be precise⁴. Zhao Jun (2022) specifically studied the coordination mechanism between pre-litigation and litigation procedures. He analyzed manifestations of poor coordination, such as jurisdictional conflicts and inconsistent standards for evidence conversion, and proposed establishing a mechanism for information sharing and mutual recognition of results to ensure a smooth transition between the two procedures and foster a synergistic supervisory effort⁵. Xie Ling (2023) innovatively proposed a “three-dimensional” theory for determining “failure to perform duties in accordance with the law,” namely, behavior, results, and causal relationship. She advocated that judicial review should comprehensively examine whether the administrative agency took action, whether the action effectively prevented the infringement of the public interest, and whether there was a causal relationship between inaction and the damage, providing a refined judgment framework for judicial practice⁶. Li Wenjing (2023) regulates the process from the entry point. She emphasizes the importance of risk assessment criteria in preventive litigation⁷. Tang Yuzhong systematically elaborates on the criteria for determining the scope of cases, advocating for principles such as maturity, judicial review capacity, and economy to clearly define the boundaries for initiating the process⁸. Tian Yiyao (2023), through big data analysis, revealed the problem of concentrated types of litigation requests and extensive content. He proposed a specific path to achieve precision across four dimensions: object, time, subject matter, and method. This has direct guiding value for improving the pertinence of pre-litigation prosecutorial recommendations⁹. Zhang Li (2023), using guiding cases as a starting point, deeply analyzed the complexity and technicalities of determining whether administrative agencies have fulfilled their duties during judicial review. He advocated for the introduction of professional institutions and standards, and the establishment of typified identification criteria, providing courts with detailed rules for

¹ Yu Wenxuan, (2019). On the Pre-litigation Procedures of Environmental Administrative Public Interest Litigation. *China Journal of Applied Jurisprudence*, (1), 68-80.

² Gao Wenying, (2020). Study on the Pre-litigation Procedures of Environmental Administrative Public Interest Litigation: From the Perspective of Procuratorial Investigation and Evidence Collection. *Journal of Chinese People's Public Security University (Social Sciences Edition)*, 36(6), 1-10.

³ Cui Jinxing, (2021). The Lack and Innovation of Pre-litigation Procuratorial Suggestions in Administrative Public Interest Litigation on Marine Environment: An Analysis Based on Typical Cases of Administrative Public Interest Litigation on Marine Environment. *Journal of Nanjing Normal University (Philosophy and Social Sciences)*, (4), 115-124.

⁴ Zhan Shangang, (2022). The Concreteness and Limitation of Litigation Requests in Administrative Public Interest Litigation. *China Legal Science*, (5), 156-172.

⁵ Zhao Jun, (2022). Research on the connection mechanism between pre-litigation procedure and litigation procedure in environmental administrative public interest litigation. *Administrative Law Research*, (4), 112-125.

⁶ Xie Ling, (2023). Three Dimensions of Determining “Failure to Perform Duties in Accordance with the Law” in Environmental Administrative Public Interest Litigation. *Journal of Law*, 44(5), 88-100.

⁷ Li Wenjing, (2023). The Logical Mechanism and Normative Structure of Preventive Environmental Administrative Public Interest Litigation. *Journal of Legal Studies*, (2), 102-118.

⁸ Tang Yuzhong, (2023). Clarification of the scope of environmental administrative public interest litigation. *Journal of Legal Studies*, (1), 123-139.

⁹ Tian Yiyao, (2023). Research on the Precision of Litigation Requests in Environmental Administrative Public Interest Litigation: An Empirical Analysis Based on 540 Judgment Documents. *China Legal Science*, (4), 188-205.

adjudicating such cases¹.

4. Research on the Practical Dilemma and System Improvement of Procuratorial Recommendations in Environmental Administrative Public Interest Litigation

After establishing a theoretical foundation and establishing procedures, the ultimate test of the viability of the prosecutorial recommendation system for environmental administrative public interest litigation lies in its practical implementation. As the system has been widely implemented nationwide, while achieving significant success, it has also exposed numerous deep-seated practical difficulties and challenges. These difficulties not only constrain the full effectiveness of the system but also provide practical guidance for theoretical reflection and institutional refinement. Currently, core practical issues include: insufficient rigidity in prosecutorial recommendations, resulting in limited supervisory effectiveness and the frequent occurrence of “selective rectification” or “formalistic responses” by administrative agencies; a mismatch between investigative and evidence-gathering capabilities and the professional requirements of complex environmental cases; ambiguity in the criteria for determining whether administrative agencies have “performed their duties in accordance with the law,” with a conflict between “behavior standards” and “result standards”; the implementation of its preventive function is hampered by insufficient legal basis and unclear initiation criteria; and the poor integration between pre-litigation procedures and litigation procedures, as well as between prosecutorial public interest litigation and ecological damage compensation litigation. This section of the paper explores these practical difficulties and explores potential avenues for institutional improvement, aiming to advance the system from “functionality” to “excellence.”

Wang Xuanwei (2017) emphasized the limits of prosecutorial power in supervising administrative power, advocating that institutional design should adhere to the principle of modesty, respect the administrative power of first judgment and professionalism, avoid excessive judicial interference in administration, and ensure accurate and effective supervision². Chen Xiaojing (2019) argued from a macro-strategic perspective that in the new era, public interest litigation by prosecutors in the field of environmental law should shift from “post-event relief” to a balanced emphasis on “pre-event prevention” and “in-process supervision.” She emphasized that institutional optimization should focus on expanding the scope of cases, strengthening investigation and verification powers, and establishing a regularized collaboration mechanism with administrative agencies to enhance governance effectiveness³. Li Ying and Wang Miao (2019) systematically reviewed practical challenges, including a single source of case leads, insufficient investigation and evidence collection safeguards, weak binding force of prosecutorial recommendations, and difficulties in cross-regional and cross-departmental collaboration. They advocated addressing these challenges through optimizing internal assessment mechanisms, establishing external collaboration platforms, and legislating to clarify investigative powers⁴. Feng Jian (2019) advocated for the establishment of a public announcement system, focusing on specific measures to enhance the rigidity of prosecutorial recommendations. Through public service, media oversight, and other means, leveraging public opinion pressure and social oversight, administrative agencies are forced to pay attention to and implement prosecutorial recommendations⁵. Zhang Lu (2020) and Lü Zhongmei (2019), from the perspective of the judicial system, argue that increasing the level of specialization in environmental justice is an important external condition for ensuring the quality and effectiveness of prosecutorial public interest litigation. Establishing specialized environmental courts, cultivating professional judges, and improving evidence rules can provide a more favorable judicial environment for the operation of this system⁶. Xu Yixiang (2020), from the

¹ Zhang Li, (2023). Judicial Review of “Whether the Administrative Organs Performed Their Legally Mandated Duties” in Environmental Administrative Public Interest Litigation: Construction of Judicial Application Rules of Guiding Case No. 137. *Legal Application*, (10), 78-92.

² Wang Xuanwei, (2017). Legal Analysis and Institutional Design of Procuratorial Supervision of Administrative Power. *Journal of Law*, (9), 156-165.

³ Chen Xiaojing, (2019). Development Positioning and Optimization of Environmental Public Interest Litigation in the New Era. *Political and Legal Forum*, (6), 126-137.

⁴ Li Ying, Wang Miao, (2019). Challenges faced by procuratorates in filing environmental administrative public interest lawsuits. *Journal of North China Electric Power University (Social Sciences Edition)*, (2), 76-83.

⁵ Feng Jian, (2019). Establishing a public announcement system to enhance the rigidity of procuratorial recommendations. *People's Procuratorate*, (17), 10-12.

⁶ Zhang Lu, (2020). Functional Positioning and Path Selection of China's Environmental Judicial Specialization. *China Legal Science*, (4), 245-263.

⁷ Lv Zhongmei, (2019). Specialization and Professional Innovation in Environmental Judicial Practices: 2017-2018 Annual Observations. *China Law Review*, (2), 194-208.

perspective of administrative law, cautions that the priority of administrative orders in remedying ecological and environmental damage should be emphasized. Procuratorial public interest litigation should serve as a supplementary means to urge administrative agencies to effectively utilize their inherent power of administrative orders, fostering a synergistic force of administrative and judicial remedies¹. Liu Enyuan (2020) systematically reflected on the system, arguing that it suffers from structural flaws such as excessive judicial restraint, a narrow scope of plaintiffs, and a narrow scope of cases accepted. She advocates restructuring the system to moderately expand the scope of plaintiffs, incorporate abstract administrative actions into the scope of supervision, and strengthen the depth of judicial review². Wang Zheng (2021) focused on the effectiveness of the implementation of prosecutorial recommendations, pointing out that the high response rate lies behind the dilemma of a low implementation rate. He proposed building a three-pronged supervision system of “legal mandatory regulation + administrative agency self-correction + social supervision” to enhance the implementation of recommendations³. Li Guihua (2021) and Song Fumin and Guan Jinping (2022) conducted in-depth discussions on the necessity and feasibility of preventive environmental administrative public interest litigation. They pointed out that to address the irreversibility of ecological and environmental damage, it is necessary to move beyond the “damage has occurred” premise of prosecution, clarify the criteria for identifying “significant risks”, and design more forward-looking procedural rules that are different from ex post remedies⁴⁵. Deng Kezhu (2021) proposed an innovative path for “cooperative” environmental administrative public interest litigation. He believes that we should go beyond the traditional adversarial supervision model and establish a consultation and collaboration mechanism between the procuratorate and the administrative authorities. Through information sharing, joint investigations, roundtable meetings, and other forms, we should jointly work to resolve environmental problems and achieve win-win and multi-win results⁶. Liu Wei (2022) provided quantitative support for the effectiveness of the system through an empirical study based on data from 287 prefecture-level cities. Their research confirmed that public interest litigation significantly improved urban environmental governance performance, but the effects varied regionally, providing empirical evidence for targeted and differentiated institutional improvements⁷. Wang Xi (2022) proposed a new paradigm, the “Environmental Governance Conceptual Model,” emphasizing the holistic and systematic nature of governance. This macro perspective suggests that improvements to the public interest litigation system must be embedded within the broader national environmental governance system and coordinated with other governance tools to maximize its effectiveness⁸. Tan Zongze and Hu Xiaohang (2025) conducted an in-depth review of the practical implementation of prosecutorial recommendations, revealing issues such as insufficient binding force, unlimited issuance times, and inadequate follow-up and supervisory mechanisms. They proposed that future legislation should clarify the legal liability of administrative agencies for not adopting recommendations and establish a regular “review” mechanism to ensure effective rectification⁹.

Academia has developed a profound, multi-faceted understanding of the practical difficulties and improvement paths of the prosecutorial recommendation system in environmental administrative public interest litigation. Practical difficulties can be attributed to four core issues: “lack of rigidity,” “ambiguous standards,” “capacity mismatch,” and “poor integration.” Scholars have proposed solutions to these difficulties, demonstrating a clear trend toward “combining rigidity with flexibility,” “prevention first,” “win-win cooperation,” and “system

¹ Xu Yixiang, (2020). On administrative order relief for ecological environmental damage. *Journal of Legal Studies*, 42(6), 163-179.

² Liu Enyuan, (2020). On the Reflection and Reconstruction of the Environmental Administrative Public Interest Litigation System. *Law Forum*, 35(5), 148-156.

³ Wang Zheng, (2021). Research on the effectiveness of the implementation of prosecutorial recommendations in pre-litigation procedures of environmental administrative public interest litigation. *Sichuan Environment*, 40(6), 161-165.

⁴ Li Guihua, (2021). On Preventive Environmental Administrative Public Interest Litigation. *Legal Science (Journal of Northwest University of Political Science and Law)*, 39(5), 115-126.

⁵ Song Fumin, Guan Jinping, (2022). On the Institutional Establishment and Specific Promotion of Preventive Procuratorial Environmental Administrative Public Interest Litigation. *Qilu Journal*, (1), 104-112.

⁶ Deng Kezhu, (2021). Cooperative Environmental Administrative Public Interest Litigation: A Possible Path for the Development of Environmental Administrative Public Interest Litigation in my country. *Law Forum*, 36(4), 139-148.

⁷ Liu Wei, (2022). Does public interest litigation improve the environmental governance performance of cities? — An empirical study based on micro-data of 287 prefecture-level cities. *Chinese Industrial Economy*, (5), 155-173.

⁸ Wang Xi, (2022). Conceptual model of China’s environmental governance: a new paradigm tool. *Chinese Journal of Population, Resources and Environment*, 32(1), 1-12.

⁹ Tan Zongze, Hu Xiaohang, (2025). Practical Review and Normative Construction of Procuratorial Recommendations in Administrative Public Interest Litigation. *Journal of Southwest University of Political Science and Law*, 27(1), 112-125.

integration.” Specifically, they aim to strengthen rigidity through legislation clarifying rights and obligations and establishing public notice and oversight mechanisms. Second, they aim to strengthen prevention and clarify standards by introducing the “risk prevention” principle and clarifying the criteria for “significant risk” and “performance of duties in accordance with the law.” Third, they aim to optimize interaction by establishing a platform for consultation and collaboration between prosecutors and administrative departments and exploring collaborative litigation models. Fourth, they aim to promote systemic coordination by streamlining relations with other litigation procedures and promoting specialization in environmental justice.

A systematic review of existing literature reveals that scholarly research on the prosecutorial recommendation system for environmental administrative public interest litigation has formed a relatively comprehensive framework, encompassing multiple dimensions, from legal foundations to procedural details, and from practical reflection to future prospects. This research has evolved along a clear trajectory, evolving from macro-value argumentation to micro-technical construction, and from institutional introduction to problem-oriented critique. In terms of its institutional positioning, research generally agrees that it organically combines the essence of legal supervision with the form of public interest litigation, possessing the dual attributes of pre-litigation procedures and independent oversight. Regarding procedural rules, scholars are committed to constructing a refined and standardized operational process, from clue discovery, investigation and evidence collection, and recommendation issuance to performance judgment and procedural coordination, emphasizing the unity of effectiveness and standardization. Regarding practical difficulties and paths for improvement, research has deeply exposed core challenges such as insufficient rigidity, vague standards, and inadequate preventive functions, and has proposed constructive solutions such as strengthening institutional rigidity, clarifying judgment standards, expanding preventive litigation, and establishing a cooperative model.

However, current research still leaves room for further exploration. First, in terms of theoretical depth, the legal interpretation of the boundaries and scales of prosecutorial intervention in administrative power, particularly the allocation of power under the risk prevention principle, requires further development. Second, in terms of research methods, large-scale empirical research and quantitative analysis are relatively scarce. Most conclusions are based on individual cases or local observations. Future efforts require strengthened effect evaluation and causal analysis based on national data. Third, in terms of breadth of perspective, there is a lack of systematic, integrated research on how this system can collaborate with other important environmental governance tools, such as the ecological and environmental damage compensation system and the Central Ecological and Environmental Protection Inspectorate, to achieve institutional synergy. Finally, with the advent of the digital age, how to deeply integrate technologies such as big data and artificial intelligence into the entire operational process of this system, achieving the fusion of “smart prosecution” and “smart environmental justice,” will be a key direction for future innovation. Overall, the prosecutorial recommendation system for environmental administrative public interest litigation is a vibrant research field whose development depends on the continuous interaction and innovation between theory and practice. Future research should build on existing achievements and focus on refining theory, scientificizing methods, systematizing perspectives, and modernizing technologies. Together, these efforts will promote the maturity and improvement of this system and contribute more wisdom to strengthening the legal foundation for ecological civilization construction.

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