Proceedings of the 5th International Conference on International Law and Legal Policy
DOI: 10.54254/2753-7048/2026.39444

Environmental Tort Liability and Social Work Intervention in Protecting Rural Pollution Victims: A Case Study from Sichuan, China

Lange Guo

Social Work, Taiyuan University of Science and Technology, Taiyuan, China
3650363743@qq.com

Abstract. Rural environmental tort victims generally face practical difficulties in the process of legal relief, such as weak litigation capacity, evidentiary obstacles and narrow relief options. There is also a structural deficiency in the existing environmental tort relief mechanism: it tends to favour ecological restoration over individual compensation. Taking the case of a farming cooperative in Guang'an, Sichuan, which was selected as the 2024 Environmental and Resource Adjudication Guiding Case by the Supreme People's Court, as an example, this study employs case empirical research methods to systematically examine the legal framework of environmental tort liability in China. Five main difficulties faced by rural pollution victims in obtaining legal relief are analyzed: unequal litigation status, extreme difficulties in collecting evidence, complex procedures with high costs, a lack of professional relief resources, and insufficient protection of individual private interests. Based on the practical experience of the Pollution Victim Legal Assistance Center of China University of Political Science and Technology, and by incorporating the latest judicial spirit of the Supreme People's Court's 2023 Interpretation on Several Issues Concerning the Application of Law in the Trial of Disputes over Liability for Ecological Environment Tort, this study innovatively introduces a social work perspective and proposes four specific intervention pathways: claim transformation, resource linkage, lawyer collaboration, and multi-party coordination, building a compound rights relief mechanism that combines "rigid legal protection" with "flexible social work support". The goal of this research is to provide operable practical solutions for addressing the difficulties that rural environmental tort victims face in protecting their rights and promoting an effective connection between environmental public interest litigation and individual private interest claims.

Keywords: Environmental tort liability, rural pollution victims, social work intervention, judicial social work, diversified relief mechanism

© 2026 The Authors. This is an open access article distributed under the terms of the Creative Commons Attribution License 4.0 (https://creativecommons.org/licenses/by/4.0/).

DOI: 10.54254/2753-7048/2026.39444

1. Introduction

1.1. Research background and problem statement

With the rapid development of rural industrialisation in China, environmental damage has occurred frequently, such as pollution from aquaculture, and the pressure on rural ecological environment governance and the protection of rural residents' livelihoods continues to increase. As "typical environmentally vulnerable groups", rural villagers face many practical difficulties in exercising their rights, including limited litigation capacity, difficulties in providing evidence, high costs, and a shortage of legal resources. The environmental pollution case involving an aquaculture cooperative in Guang'an, Sichuan Province, which was published by the Supreme People's Court in 2024, is a typical case study that clearly shows a problem: "prioritising ecological restoration over individual compensation". The pollution caused by the aquaculture cooperative has seriously damaged the drinking water safety, physical health, and daily life of the surrounding villagers; however, administrative and criminal accountability measures have focused solely on ecological remediation, and the actual losses suffered by individual villagers have gone uncompensated through civil litigation, thus creating a clear gap between public ecological relief and the protection of private rights.

1.2. Research objectives and significance

Taking the case of environmental pollution in an aquaculture cooperative in Guang'an, Sichuan Province, as the starting point, this study hopes to expand research on the intersection of environmental tort remedy and social work, and build a composite rights-redemption theory based on "rigid legal safeguards combined with flexible social work support". Its practical value lies in providing a feasible path for rights protection for rural environmental pollution victims; through the intervention of social work, it can help villagers enhance their awareness of environmental rights and their basic ability to exercise these rights; promote the effective connection of environmental public interest litigation and individual private claims; address the problem of unequal parties in rural environmental tort lawsuits; and explore specific operational approaches for the participation of judicial social workers.

2. Literature review and theoretical foundation

2.1. The legal foundations of environmental tort remedies

The theoretical system for remedies in environmental torts has changed over time, moving from the concept of public trust to the protection of individual rights. Sax proposed the public trust theory and regarded environmental resources, such as air and water, as public goods; thus, this provided the basic legal basis for environmental rights and citizen litigation [1]. In *Silent Spring*, Carson showed that environmental pollution seriously affected the health of the public and social fairness, thus raising environmental problems to the level of social governance research [2]. Jin Ruilin systematically introduced the no-fault liability system for environmental torts to provide effective countermeasures for victims of rural pollution [3]. Lü Zhongmei further put forward an all-encompassing standard system for proof and proposed lowering the burden of proof in a specific case, applying a lower standard than the general probability requirement to alleviate the burden on

DOI: 10.54254/2753-7048/2026.39444

victims; it provided essential theoretical support for addressing the evidentiary problems faced by rural victims [4].

2.2. Green social work and environmental justice theory

Dominelli's Green Social Work Theory proposes that environmental justice should also include the dimension of social support, and it is necessary to enable marginalised groups to express their demands and access resources equally [5]. Tang Haoran and Luo Qiao have empirically demonstrated that social workers can take on roles such as companions, connectors, and policy practitioners in environmental governance to help mobilize external resources effectively [6], thus providing a specific theoretical basis for social work interventions in the remediation of environmental infringements.

2.3. Limitations of existing research and the positioning of this study

Existing research has several deficiencies: legal studies and social work research are relatively disconnected, and a collaborative framework tailored to rural local contexts has not been established; there is a lack of research on intervention pathways based on specific cases, and systematic studies focusing on the practical implementation of judicial social work interventions are particularly lacking. Based on the Guang'an aquaculture pollution case, this study aims to provide relevant conceptual ideas and empirical references for other researchers, and construct a composite remedy pathway that integrates "legal rigid safeguards + social work flexible support".

3. Case overview

3.1. Basic case information

The environmental pollution case of an aquaculture cooperative in Guang'an, Sichuan, was designated as a typical case of environmental and resource-related judgments by the Supreme People's Court in 2024. Between August 2020 and March 2022, during its pig farming operations, the cooperative failed to operate the pollution treatment facilities properly; instead, it repeatedly discharged untreated livestock manure directly into the natural environment by means of private excavation of manure storage ponds and installation of unauthorized pipelines, thus contaminating drinking water sources in the karst groundwater system with harmful substances. This led to a disruption of centralised drinking water supply at township-level water sources and caused serious harm to the drinking water safety, health and daily life of villagers in multiple surrounding villages.

3.2. Case resolution results and core issues

The Guang'an Intermediate People's Court found in the first instance that the cooperative had committed a crime of environmental pollution and imposed corresponding criminal penalties according to the law. However, the handling of this case displayed a serious defect: "only environmental remediation was carried out, and no civil compensation was provided to the individual victims". Specifically, the funds obtained through criminal restitution and public interest litigation were exclusively used for environmental remediation, while the individual private rights of the surrounding villagers—such as those concerning health damage and property loss caused by pollution—went uncompensated by civil remedies. This outcome shows a significant structural gap between public ecological remedy and individual private rights remedy in the current mechanism for

DOI: 10.54254/2753-7048/2026.39444

handling environmental torts, exposing systemic problems in terms of the legal standing, evidential capacity, and access to resources for rural pollution victims in litigation; thus, it provides a typical case study for this research on potential intervention paths involving social work.

4. Analysis of the challenges in safeguarding the rights and interests of rural pollution victims

4.1. Unequal litigation parties' status

Victims of rural environmental pollution face a substantial asymmetry in the legal standing for environmental tort litigation. As dispersed individuals, villagers lack organised resources and professional legal knowledge, so it is difficult for them to enter a balanced adversarial relationship with tortfeasors, such as large-scale livestock farming enterprises. Although the 2023 "Interpretation of the Supreme People's Court on Several Issues Concerning the Application of Law in the Trial of Cases Involving Disputes over Liability for Ecological and Environmental Infringements" introduced the no-fault liability rule and lowered the normative threshold for holding tortfeasors liable, the biased structure of the institution has failed to rectify the structural imbalance observed in practice (Supreme People's Court) [7]. Generally speaking, tortfeasors have financial advantages, information superiority and professional legal teams to conveniently navigate the litigation process; at the same time, affected villagers are in an extremely vulnerable position, and their demands are often scattered and rooted in daily life, making it difficult to convert these demands into formal legal claims and thus failing to address the actual damages effectively through litigation.

4.2. Gathering and presenting evidence is extremely difficult

Rural environmental pollution has the characteristics of concealment and delay; the migration and diffusion paths of pollutants are complex, and often, the damage caused does not occur until a long time after the polluting act. Most villagers lack professional knowledge of environmental protection or legal literacy, and they do not have the technical ability to collect fixed evidence or conduct expert assessments to establish a causal link between pollution and harm. Lü Zhongmei proposed that environmental tort litigation should use a special standard for the burden of proof and reasonably reduce the evidentiary requirements on victims [4]; however, current evidentiary rules still operate within the framework of traditional tort liability elements and do not fully consider the practical circumstances faced by vulnerable groups in rural areas. In a case of environmental pollution caused by an aquaculture cooperative in Guang'an, Sichuan Province, karst topography has increased the technical difficulty of tracing the pollution path significantly, making it difficult for villagers to independently prove the causal relationship between the polluting act and the damage; at the same time, the high costs and complicated procedures of professional expert assessments have further aggravated this evidentiary dilemma.

4.3. The rights protection process is complex and costly

Villagers are unfamiliar with the litigation process and legal document standards; the protection of their rights through litigation is often prolonged and has significant economic costs; due to a lack of legal awareness, most victims ultimately abandon individual claims. Litigation cycles frequently clash with the agricultural production cycle, and implicit costs, such as lost-wage compensation and transportation expenses, further reduce their willingness to seek legal recourse, thus creating a serious problem of "doubt and reluctance to file lawsuits" (Ma Heng) [8].

DOI: 10.54254/2753-7048/2026.39444

4.4. Gap in the alignment of professional relief resources

Villagers lack effective channels to connect with public-interest lawyers, legal aid services and environmental NGOs. Although the Legal Aid Center for Pollution Victims at China University of Political Science and Law has successfully provided assistance in cases such as the duck farming households case in Pizhou, Jiangsu Province, and the Longtian Village case in Tongren, Guizhou Province [9], such professional resources are still severely lacking in rural areas, and a mechanism for extending these resources to rural communities has not been established.

4.5. Structural shortcomings in the remediation mechanism

At present, the relief mechanisms tend to favour ecological restoration over individual compensation. Although the 2023 judicial interpretation issued by the Supreme People's Court clarified rules such as the statute of limitations for ongoing tort litigation, funds obtained from criminal restitution and public interest litigation are mainly used for environmental remediation [7]; thus, private compensation for villagers' loss of livelihood or health damage remains insufficiently guaranteed, and these institutional deficiencies urgently need to be rectified.

5. Social work intervention approaches

5.1. Role definition: the bridge and link for legal remedies

Social workers will be responsible for handling the problems caused by environmental pollution in rural areas. Tang Haoran and Luo Qiao have conducted empirical research on this and found that social workers can take on three roles in environmental governance: companions, connectors, and policy practitioners [6]; thus, they can help mobilize external resources and connect the interests of affected villagers with professional legal services. Therefore, their role is not to substitute for judicial decisions but to provide procedural support and relational coordination for rural pollution victims without interfering in the core functions of the judiciary or violating its independence.

In the case of environmental pollution caused by an aquaculture cooperative in Guang'an, Sichuan Province, the affected villagers were mainly left-behind elderly residents and low-income farming families, and their rights to environmental information, participation and compensation were all relatively weak. Given the urgency of the situation, professional expertise is needed to bridge the gap between legal remedies and the actual needs of rural victims. By taking on roles such as mediators, supporters and resource connectors, social workers can help alleviate the practical difficulties faced by villagers, such as not knowing how to file a complaint, not daring to file one, or failing to file it effectively due to information asymmetry, and also promote the organic integration of flexible services with strong safeguards in the legal system.

5.2. Basic support: psychological counseling and capacity building

Victims of rural environmental pollution have long faced numerous problems, such as high costs for asserting their rights, difficulties in collecting evidence, and lengthy litigation; as a result, many are anxious and helpless. Social workers use professional approaches, such as case work and group work, to provide systematic emotional counselling and psychological support, help these victims regain the will to fight for their rights, and at the same time, through needs assessment and the construction of social support networks, help victims access informal support resources to enhance

DOI: 10.54254/2753-7048/2026.39444

their coping ability in complex litigation and provide a psychological foundation for further legal action.

5.3. Core functions: demand conversion and legal terminology alignment

Social workers conduct in-depth one-on-one visits to rural areas,systematically cataloging the fragmented demands of villagers regarding drinking water safety,health impacts,and production and daily life;they precisely translate these villagers'colloquial expressions of livelihood concerns and demands into standardized legal terminology;clarify the specific categories of compensation for personal injury and property loss that can be claimed;address the shortcomings in villagers'litigation capabilities;and bridge the gap between their lived experiences and legal procedures.

5.4. Resource links: establishing a professional relief network

Social workers actively connect with professional resources, such as environmental protection NGOs and legal aid centres, to build free-of-charge legal rights protection channels. Based on the practical experience of the Legal Aid Centre for Pollution Victims at China University of Political Science and Law, they work with public-interest lawyers to carry out evidence collection and document preparation in rural areas [10], thus extending professional resources effectively to rural areas.

5.5. Collaborative mechanism: facilitating the linkage between public interest litigation and private claims for damages

Social workers and public interest lawyers should work together to coordinate with procuratorial offices, courts and environmental protection departments to offer rights protection assistance, promote the joint pursuit of environmental public interest litigation and individual private claims for damages, and achieve both ecological restoration and individual compensation through a diversified relief path based on "legal safeguards + judicial social work intervention".

6. Summary

6.1. Research conclusions

Based on the case of environmental pollution at an aquaculture cooperative in Guang'an, Sichuan Province, this paper systematically identifies five major problems in protecting the rights of rural environmental victims: unequal standing as litigation subjects, difficulties in collecting and presenting evidence, high costs of rights enforcement, a lack of effective linkage among professional resources, and structural deficiencies in relief mechanisms. These problems are interconnected and create systemic obstacles to the lawful exercise of rights by vulnerable rural environmental groups. Social work can use its professional knowledge to help reform claims, connect stakeholders with resources, coordinate efforts with lawyers, and provide psychological support; thus, it can address the deficiencies of individual legal remedies effectively. Therefore, this study proposes building a combined rights relief mechanism that integrates "strict legal guarantees + flexible social work support" to promote the joint achievement of environmental public interest litigation and individual private claim settlement, providing rural environmental victims with a practical and professional path for rights protection.

DOI: 10.54254/2753-7048/2026.39444

6.2. Research limitations and future directions

This study is based on a single case; therefore, the generalizability of its results needs to be further verified through multi-case comparative studies. In the future, it will be necessary to continue exploring standardised and institutionalised paths for judicial social work interventions, promote deeper integration of legal and social work disciplines, and establish a diversified environmental dispute resolution mechanism that better suits rural conditions and gives more weight to vulnerable groups.

References

[1] Sax, J. L. (1970). The public trust doctrine in natural resource law: Effective judicial intervention. *Michigan Law Review, 68*(3), 471–566.
[2] Carson, R. (1962). *Silent spring*. Houghton Mifflin.
[3] Jin, R. (1997). Environmental tort liability and civil remedies—A discussion on issues existing in environmental legislation. *Chinese Journal of Environmental Sciences, 17*(3), 193–198.
[4] Lü, Z. (2003). An initial exploration of the proving standards for environmental tort litigation. *Political Science and Law Forum, 21*(5), 160–166.
[5] Dominelli, L. (2012). *Green social work*. Polity Press. Cambridge.
[6] Tang, H., & Luo, Q. (2024). The sense of practice through companionship, connection, and inversion: The process of role shaping for social workers in environmental governance. *Social Work and Management, 24*(5), 55–63.
[7] Supreme People's Court. (2023, June 5). Interpretation of the Supreme People's Court on several issues concerning the application of law in the trial of cases involving disputes over tort liability for ecological and environmental damage. Judicial Interpretation No. 5 [2023].
[8] Ma, H. (2005). Interpretation of the "legal assistance center for pollution victims" phenomenon. *Environment*, 2005(8), 22–25.
[9] Tian, X., & Wang, C. (2006). The pioneer of civil legal aid for environmental rights protection. *Nanfengchuang*, 2006(2), 76–78.
[10] Shen, L. (2014). How far are we from environmental public interest litigation?—An interview with Professor Wang Canfa from China University of Political Science and Law. *Environment*, 2014(10), 22–25.