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Preface

The rule by law is the fundamental method for administering the country and managing governmental affairs, while justice is a key cornerstone of the system of rule by law. Comprehensively deepening judicial reform has great and profound implications for improving and developing the socialist judicial system with Chinese characteristics and promoting the modernization of governance system and capability in our country. Since 2013, by always taking the fundamental realities of our country into consideration and keeping pace with the times, and with the aim to make the public experience fairness and justice in each judicial case, the people's courts have unswervingly and comprehensively deepened judicial reform, and improved their adjudication and enforcement in an all-round way, and comprehensively enhanced the efficiency, competency, and public credibility of the judiciary, achieving fruitful results.

I. China's Court System and Reform Process

Institutional Basis of Court Reform in China

According to *the Constitution of the People's Republic of China* and *the Organic Law of the People's Courts of the People's Republic of China*, the people's courts, as judicial organs of the State, exercise adjudicative power in accordance with laws independently, free from any interference by administrative organs, social organizations, and individuals. The State sets up the Supreme People's Court, local people's courts at different levels and special people's courts such as military courts. In accordance with laws, these people's courts adjudicate civil, criminal and administrative cases and other cases prescribed by laws, and carry out judicial activities including the execution of civil and administrative decisions. Sole judges, collegial panels, judicial committees, and compensation committees are the judicial organs prescribed by laws.

The Supreme People's Court, as the highest judicial organ of the People's Republic of China, is responsible for adjudicating various cases that have material effects nationwide or are subject to its adjudication according to law, formulating judicial interpretations, supervising and guiding the judicial work of local people's courts at different levels and special people's courts, and managing certain judicial administration work of the courts nationwide within the scope of its functions and powers as per laws.

Local people's courts at different levels include primary people's courts, intermediate people's courts and higher people's courts. Special people's courts include military courts, maritime courts, IP courts, financial courts, etc.

A people's court at a higher level supervises the judicial work of the people's courts at the next lower level. In litigious activities, the people's courts adopt the systems of public trial, collegiate panel, challenge, people's assessors, defense, and judgment of the second instance as final, etc.

Basic Process of Court Reform in China

Since the introduction of the reform and opening-up policy, along with all-round economic and social development, continuous advancement of democracy and rule by law, and the public's ever-increasing demands for and expectations of judicature, the original judicial system has become unable to meet the need of new situations. As early as in the 1990s, China's courts started the reforms focusing on enhancing the function of court trials, expanding the openness of trials and improving judicial professionalization. Since the 15th National Congress of the Communist Party of China ("CPC"), the Supreme People's Court has initiated a series of reforms in the areas of organization and system of courts, judge system, litigation procedure, method of trial, enforcement system, judicial management, etc., and promulgated three "Five-year Reform Program for People's Courts" in 1999, 2005 and 2009 respectively. The said three Programs served as the basis of China's court reform before 2013.

The *Decision of the Central Committee of the CPC (“CCCPC”) on Some Major Issues Concerning Comprehensively Deepening the Reform* adopted at the 3rd Plenary Session of the 18th CCCPC set an important task of advancing rule by law in China and deepening the reform of the judicial system. The *Decision of the CCCPC on Some Major Issues Concerning Management of State Affairs under the Rule of Law in an All-round Way* adopted at the 4th Plenary Session of the 18th CCCPC set the establishment of a socialist system of rule by law with Chinese characteristics and the building of a socialist country under the rule of law as the general objective of advancing management of state affairs under the rule of law in an all-round way, and put forward a series of major reform measures in scientific legislation, strict law enforcement, judicial impartiality, universal law abiding and other areas. The judicial reform has become an important component of the program of comprehensively deepening the reform in China and has been included in the overall development strategy of the State.

In order to further deepening the reform of people’s courts, the Supreme People’s Court promulgated the *Opinions on Comprehensively Deepening the Reform of People’s Courts* on February 4, 2015, putting forward 65 reform measures, which was served as the *Fourth Five-year Reform Program for People’s Courts 2014-2018*. As of the end of 2018, 65 reform tasks had been carried out in an all-round way, 256 reform documents had been formulated. Among these reform documents, 173 were issued by the Supreme People’s Court separately, 46 were issued by it jointly with the

related departments of the Central Government, and 37 were formulated with its promotion or participation.

At the 19th National Congress of the CPC, major strategic arrangement was made as follows: “deepening the comprehensive and supporting reform of the judicial system and fully implementing the judicial accountability system so that people can experience fairness and justice in each case”, which marks a new stage of the judicial system reform. Based on the realities of courts, the Supreme People’s Court formulated the *Opinions on Deepening the Comprehensive and Supporting Reform of the Judicial System in the People’s Courts*, namely the *Fifth Five-Year Reform Program for People’s Courts 2019-2023* as an important program for instructing the people’s courts to deepen the comprehensive and supporting reform of the judicial system in the next five years.

Organization and Implementation of the Court Reform in China

In early 2014, China set up the Central Leading Group for Comprehensively Deepening Reform headed by President Xi Jinping, which is responsible for the overall design, arrangement, coordination, promotion and implementation of the reform. In March 2018, it was renamed as the Central Comprehensively Deepening Reforms Commission. Between January 22, 2014 and December 31, 2018, the Central Leading Group for Comprehensively Deepening Reform (hereinafter referred to as “CLGCDR”) and the Central Comprehensively Deepening Reforms Commission (hereinafter referred to as “CCDRC”), in aggregate, held 45 meetings, considered and passed 35 documents relating to important reforms of

people's courts.

The CCDRC has six special sub-groups, which are responsible for considering important issues relating to reforms in the relevant areas, coordinating and advancing the formulation and implementation of special reform policies and measures. The Leading Group for Reform of the Social System (also called Central Leading Group for Reform of the Judicial System) is responsible for deepening the reform of the judicial system.

The reform of the judicial system covers a wide range of issues and has high policy sensitivity. In consideration that the improvement of classified management of judicial personnel, improvement of judicial accountability, improvement of job security of judicial personnel and promotion of centralized management of personnel, financial and material resources of local courts below the provincial level are basic measures of the reform of the judicial system, according to the principle that major reforms shall be first conducted on a pilot basis, China launched pilot reforms in respect of the aforesaid four issues in some provinces, autonomous regions and municipalities directly under the Central Government in three batches, to accumulate experience for advancing the reform in an all-round way. Since June 2014, the first judicial system reform pilots have been initiated in 7 provinces and municipalities directly under the Central Government, namely Shanghai, Jilin, Hubei, Guangdong, Hainan, Guizhou, and Qinghai. Since June 2015, the second judicial system reform pilots have been initiated in 11 provinces, autonomous regions, municipalities directly under the Central Government, namely Shanxi, Inner Mongolia, Heilongjiang, Jiangsu,

Zhejiang, Anhui, Fujian, Shandong, Chongqing, Yunnan, and Ningxia. Since March 2016, the third judicial system reform pilots have been initiated in Beijing and other 13 provinces, autonomous regions, municipalities directly under the Central Government and the Xinjiang Uygur Autonomous Region Production and Construction Corps. Since July 2016, these four major reforms have been implemented nationwide in an all-round way.

The Supreme People's Court set up a leading group for judicial reform headed by Chief Judge Zhou Qiang, responsible for organizing, leading, arranging, and coordinating the judicial reform of courts, holding plenary and special meetings, overall planning of key issues of reform, considering reform proposals, discussing and deciding on major issues. Each higher people's court sets up a leading group for judicial reform, responsible for supervising, guiding, arranging, and coordinating the judicial reform of courts within its jurisdiction. Each higher people's court's proposal of pilot program for judicial reform is subject to examination and approval by the Supreme People's Court, and if it involves any major reform, by the Central Government.

II. Fully Implementing the Judicial Accountability System

It is both an objective requirement of the law of justice and a core content of the reform of the judicial system that one who tries a case shall have the power to decide the case and be responsible for his decision. In September 2015, the Supreme People's Court issued certain opinions on improving the judicial accountability system in the people's courts, establishing a new type of operating mechanism of adjudicative power, to instruct the courts nationwide to advance the reform of the judicial accountability system. In December 2018, the Supreme People's Court issued opinions on further comprehensively implementing the judicial accountability system, providing more guidance on issues such as improving the mechanism of trial supervision and management and the mechanism of unified application of law, to promote full implementation of the judicial accountability system. Since the full implementation of the judicial accountability system reform, in courts nationwide, the number of first-line judicial personnel has increased over 20%, the average number of cases handled by each person has increased over 20%, and the rate of conclusion of cases has increased over 18%.

Implementing accountability system for sole judges and collegiate panels handling cases. Fully respecting the status of sole judges and collegiate panels as statutory judicial organs, most of the courts at all levels

have established an accountability system in which “one who tries a case shall have the power to decide the case and be responsible for his decision”, and have revoked the system of asking for instructions and examination and approval level by level. The written judgments formed through adjudication by collegiate panels or sole judges are issued upon signature by collegiate panel members or sole judges. Except the cases considered and decided by the judicial committees, court/tribunal presidents no longer review or sign the written judgments on the cases of which they have not directly participated in the trial. Since the reform, in courts nationwide, the number of cases on which the judgments are directly made by sole judges and collegiate panels has reached over 98% of the total number of cases, and the number of cases referred to judicial committees for discussion has fallen sharply. In Shanghai, since the launch of the reform, the ratio of the cases directly decided by the sole judges or collegiate panels has reached 99.99%, and only 0.1% of the cases concluded have been submitted to the judicial committees for discussion.

Flexibly organizing the judicial team. According to laws and based on actual circumstances, the primary people’s courts organize judicial teams with judge as the core member, and judge assistant, clerk and other auxiliary judicial personnel as the supporting members, describe the duties of judges, judge assistants and clerks, and improve the case handling mechanism with clear power and responsibility, consistency between power and responsibility, both division and cooperation, and orderly operation, by taking into overall consideration the separation of complicated cases

from simple ones and the specialization of adjudication. By following the idea of separating complicated cases from simple ones, Chaoyang District People's Court in Beijing has organized 26 quick-track sentencing teams for simple cases, each of which concludes over 650 cases annually, and 45 specialized judicial teams for finance, intellectual property rights, real estate, bankruptcy and other meticulous trial of complicated cases, which have fairly tried a large number of major doubtful and complicated cases. Futian District People's Court in Shenzhen, Guangdong, has created a new mode of organizing judicial team as follows: in a quick-track sentencing, quick trial and quick enforcement team, each judge is supported by multiple assistants; in an ordinary judicial team, there are 3 relatively fixed basic case-handling units, each of which consists of 1 judge and 2 assistants, so that the judicial team is both stable and flexible and the judicial resources allocation is optimized. In 2018, all kinds of judicial teams in this court concluded 107,301 cases, with a YoY increase of 16.32%, and the quality and efficiency of trial continuously improved.

Reforming the case allocation mechanism. The courts at all levels have established a case allocation mechanism where random allocation plays a major role and assignment a supporting role. Cases are randomly allocated to judges based on the area and complexity of cases. If the judge handling a case needs to be replaced due to challenge or due to job transfer, health, risk of corruption, etc., the replacement is subject to review and approval by relevant court/tribunal president, and the replacement result shall be notified to the litigants in a timely manner and made public on the working

platform. The courts in Shanghai have formulated guidelines on random and automated allocation of cases and has realized random allocation of civil and commercial cases. The Suburb People's Court in Sanya, Hainan has introduced an automated case allocation system, whereby, after scientifically presetting saturated workload of judges, cases are randomly allocated upon automated calculation of workload based on case-handling quota and unconcluded cases of judges, to address the problem of unbalanced allocation of cases through informatization.

Innovating the auxiliary trial work mode. The courts at all levels have organized work teams specializing in service of process, property preservation, enforcement examination and control, document uploading, online announcement and other affairs. They manage auxiliary trial affairs in a centralized way to improve work efficiency. The courts in Beijing, Shanghai, Jiangsu, Fujian, Guangdong, etc. actively explore ways of handling notice service, material scanning, file filing and other auxiliary affairs by purchasing social services, to improve the efficiency of handling cases with the aid of external service providers. Shenzhen Intermediate People's Court in Guangdong has formulated guidelines on courts' purchase of social services, setting out the scope, procedures, and standards for courts to purchase social services, and listing seven categories of 41 services which may be outsourced in litigation service, adjudication and enforcement, court management, logistics support, judicial transparency, informatization, culture construction, and other areas. In 2018, by outsourcing mediation assistance service, it successfully mediated 15,829 disputes before litigation;

by using social services, it scanned hard-copy materials and generated soft-copy ones of over 200,000 cases, constantly improving the efficiency of handling cases. Siming District People's Court and Lujiang Notary Public Office in Xiamen, Fujian has created the first litigation-notary collaborative innovation center in China, clarifying that notary offices may assist people's courts with procedural and auxiliary judicial services.

Improving the mechanism for regular handling of cases by court/tribunal presidents. The courts nationwide have implemented the judge quota system. According to the requirements that registered judges must handle cases, the presidents (including vice presidents) of courts/tribunals at all levels generally engage again in trial work upon registration as judge. In April 2017, the Supreme People's Court issued guidelines on further promoting the presidents of courts/tribunals at all levels registered as judges to handle cases, establishing a mechanism for strict constraint, evaluation and supervision on case-handling by court/tribunal presidents and improving the mechanism for court officials mainly to adjudicate major doubtful and complicated cases, to give full play to the exemplary and leading role of court/tribunal presidents in handling cases. In 2018, in Jiangsu, the number of cases adjudicated by court/tribunal presidents as handling judge or chief judge accounted for 50.84% of the total number of cases before the courts across the province.

Improving the new trial management and supervision mechanism. In April 2017, the Supreme People's Court issued opinions on implementation of the judicial accountability system and improvement of the trial

supervision and management mechanism to instruct the courts at all levels to improve the new supervision and management system. The courts at all levels have formulated a list of powers and responsibilities of court/tribunal presidents and related regulations to set out the scope and method for court/tribunal presidents to exercise their power to supervise and manage trials, and to actively build a supervision and management mechanism covering the entire court, all staff, and whole process through informatization. The court/tribunal presidents may only express their opinions on specific cases publicly through professional judge meetings and the judicial committee, and such opinions shall be wholly recorded on the working platform, so that powers are delegated without indulgence and exercised under supervision. The courts in Jiangsu, Zhejiang, Shanghai, Sichuan and other regions, by relying on artificial intelligence and big data, explore how to achieve online supervision through automated recognition, labeling, system recommending, node control, authority freezing and other means. Tianjin Higher People's Court issued 29 categories of judicial standards in four batches covering adjudication process, power exercise, judicial transparency, litigation service and other areas. Chengdu Intermediate People's Court in Sichuan, by closely centering on five major links of case filing, adjudication, conclusion, appeal, and enforcement, and relying on online working platform, has achieved silent supervision on 183 work nodes and 68 monitoring nodes, in order to assist judges in handling cases.

Improving the chief judge meeting system. Most of the courts at all levels have established the chief judge meeting system to provide judges with

advice on correct application of law and provide opinions for reference by collegiate panels. In December 2018, the Supreme People's Court issued guidelines on improving the working mechanism of chief judge meetings in people's courts to improve the rules of procedure of professional judge meetings. Chongqing No. 2 Intermediate People's Court has established the systems of joint meeting of judges in the tribunals and the cross-departmental meeting of judges, with the number of cases submitted to the judicial committee for discussion being reduced by 42% year on year, thereby giving full play to the service and consultation functions of the meetings of judges and the function of filtration of the cases submitted to the judicial committee for discussion.

Reforming the system of judicial committee. The Supreme People's Court has formulated guidelines to strengthen the function of the judicial committees in summarizing experience in adjudication, unifying the application of law and discussing and deciding on major issues in respect of adjudication. Except as otherwise provided by laws, the decisions made by judicial committees on cases and the grounds therefor shall be made public in the written judgments. The people's courts above intermediate level shall hold criminal trials, civil-administrative trials and other professional committee meetings, based on professional background of and division of work among judicial committee members, as needed by adjudication. In addition to the cases required by the law and the major and complicated cases involving foreign affairs, security and social stability of the State, the judicial committees shall focus on the application of law in major, difficult

and complicated cases. Since the launch of the reform, the number of cases submitted to the judicial committees in the people's courts at all levels for discussion has decreased significantly. In the Higher People's Court of the Inner Mongolia Autonomous Region, since the launch of the reform of judicial committee system, the number of judicial committee meetings held has reduced by 14.3% year on year, and the number of cases discussed has reduced by 45.1% year on year, and the function of the judicial committees has become more focused on summarizing experience in adjudication and discussing and deciding on major issues in respect of adjudication. In all courts in Hainan, since the launch of the reform of judicial committee system, the number of cases discussed by judicial committee has reduced by 41.75% year on year.

Establishing the system of guiding cases, the system of similar case search report, and the like. The Supreme People's Court has established the system of guiding cases and formulated the detailed implementing rules for guiding cases. As of the end of 2018, a total of 106 guiding cases has been published in 20 batches. The cases tried by the courts at all levels that are similar to any guiding cases published by the Supreme People's Court in terms of basic circumstances of the cases and applicable laws shall be adjudicated by reference to the main reasons for the adjudication of such guiding cases and refer to such guiding cases in the statement of reasons for judgments. Most regions have established the system of reference cases, the system of guiding cases, and the like. Hainan Higher People's Court has established a database of reference cases, so as to effectively reduce

the phenomenon of “different judgments on similar cases”. The courts in Hunan requires handling judges to prepare related cases search reports in connection with the cases in dispute over law application or possibility of “different judgments on similar cases”.

Improving the accountability system for illegal adjudication. The Supreme People’s Court has issued the relevant regulations, expressly providing that a judge shall be responsible for his/her performance of duties of adjudication, and for the quality of cases handled by him/her for life, and that a judge shall be held liable for illegal adjudication if he/she intentionally violates the laws in adjudication or commits any gross negligence resulting in any wrong judgment and causing any serious consequences; specifying the circumstances and conditions for exemption from responsibility for adjudication; on the principle that one who has powers shall assume corresponding responsibilities and one who is derelict in his duty shall be held liable, specifying the responsibility for supervision and management that a court/tribunal presidents shall assume if he/she improperly exercises any power of supervision and management over trials due to intentional or gross negligence; and improving the procedures for the determination, investigation, review and affixation of responsibility in respect of misjudged cases to strictly hold judges liable for illegal adjudication.

Establishing the system for punishing judges. In October 2016, the Supreme People’s Court issued the opinions on the establishment of a system for punishing judges, which require the establishment of a system for punishing judges under which the people’s courts and judge punishment

committees assume their respective responsibilities. 27 provinces (autonomous regions, municipalities directly under the Central Government) have established judge punishment committees at the provincial level comprising judge representatives from courts at the three levels and civilians, which shall be responsible for reviewing whether any judge has breached the responsibility for adjudication or committed any intentional or gross negligence or should assume the liability for illegal adjudication, and proposing punishments to be meted out, thus realizing both goals of imposing punishments in a timely manner according to law and ensuring job security.

Improving the judge performance evaluation system. The Supreme People's Court has issued guidelines on improving the judge performance evaluation system and the performance-based bonus distribution mechanism, requiring that performance-based bonus may not be linked to judge's rank and shall be distributed mainly based on the level of responsibility, the quality, number, and difficulty of cases handled, and other factors and in favor of first-line case handling personnel. The courts at all levels shall formulate a judge performance evaluation system that is simple and easy to implement, by always combining objective quantification and subjective evaluation with a focus on quantitative evaluation, taking into full consideration of the differences between regions, trial levels, specialties and departments, in light of their respective local conditions.

Establishing the system of recording and circulating notices of criticism on the interference by officials and insiders of judicial organs with

judicial activities and handling of specific case and holding them accountable. The General Affairs Offices of the CCCPC and the State Council have jointly issued the regulations on recording, circulating notices of criticism on and investigating officials' interference with judicial activities and handling of specific cases and holding them accountable. The Supreme People's Court has formulated the measures for implementing the system of recording the interference by officials and insiders of judicial organs respectively with judicial activities and handling of specific case and holding them accountable. The courts at all levels shall each establish a special database of interference with cases by outsiders and insiders in their case information management systems. The staff members of people's courts shall record in a complete, truthful and timely manner all the correspondences, letters and oral opinions relating to any specific cases passed on by various people outside the legal proceedings. Each people's court shall summarize and analyze the information in its database of interference with cases by outsiders involving interference by officials on a quarterly basis, prepare a special report thereon and submit the same to the departments concerned and the people's court at the higher level. Any staff member of a people's court who fails to record such information or to record such information truthfully or any official in charge who incites any staff member not to record such information or not to record such information truthfully shall be subject to disciplinary actions depending on the actual circumstances. Since the establishment of the system, the interference with judicial activities and handling of specific case has been significantly reduced, providing stronger institutional protection for the independent and fair exercise of adjudicative

power by people's courts by law.

Improving the mechanism for protecting judicial personnel in performing their duties by law. In February 2017, the Supreme People's Court issued implementation measures for protecting judges in performing their statutory duties by operation of law, which expressly provide that no administrative organ, social organization or individual may interfere with the adjudication of cases by judges as per law; no entity or individual may request any judge to do anything beyond the scope of his/her statutory duties; except for legal causes or according to legal procedures, no judge may be transferred to a different post, removed from office, dismissed, demoted or discharged or subject to any other punishment; any person who interferes with or obstructs any judicial activity, threatens, disturbs, takes revenge on, frames up, insults, defames or commits violence towards any judicial person or any close relative thereof shall be subject to serious punishment immediately according to law; and any person who insults or defames any judge by submitting any false report, lodging false accusations or fabricating false charges through the information network or otherwise shall be held legally liable under the law, so as to create a favorable institutional environment for judges to perform their duties.

III. Advancing the Reform of Organizational Structure of Courts

Improving an optimized, coordinated and efficient organizational system and functional system of courts is an important part and goal of the judicial reform of the people's courts, and an important support for the modernization of judicial system and judicial capability. Since 2013, China's courts have actively promoted the reform of organizational system and internal organs of courts, optimized the jurisdiction and power allocation, and promoted the combination of specialized trials and flat management, laying a solid foundation for serving the big picture, exercising judicial power for the people, and judicial impartiality.

Setting up Circuit Courts of the Supreme People's Court. At the end of January 2015, the Supreme People's Court set up No. 1 and 2 Circuit Courts in Shenzhen and Shenyang respectively; at the end of December 2016, it set up No. 3, 4, 5 and 6 Circuit Courts in Nanjing, Zhengzhou, Chongqing and Xi'an respectively. These Circuit Courts of the Supreme People's Court, as standing local judicial organs dispatched by the Supreme People's Court, adjudicate the cases assigned by the Supreme People's Court according to law. The judgments and rulings made by these Circuit Courts have the equal effect as those made by the Supreme People's Court. Since their establishment and as of the end of 2018, the six Circuit Courts

have concluded 33,335 cases, accounting for 50.35% of the total number of cases concluded by the Supreme People's Court, and have received a total of 117,090 visitors who brought complaints and appeals before them and resolved relevant disputes before litigation. By vigorously carrying out the circuit adjudication and actively innovating working mechanism, these Circuit Courts have effectively realized the original intention to delegate the adjudicative power, facilitate initiation of lawsuits by the people, improved work efficiency, effectively promoted social harmony and stability, and served and protected the rule of law in respective circuits, thus being nicknamed by the people as the “supreme people's court at the doorstep”, playing an important role in improving the socialist judicial system with Chinese characteristics and promoting the rule of law in a comprehensive manner.

Enhancing the construction of a specialized IP judicial system. In order to further enhance judicial protection of intellectual property rights (IP) and unifying the adjudicative criteria for IP cases, with the approval by the Standing Committee of the National People's Congress, IP courts were established in Beijing, Guangzhou and Shanghai on November 6, December 16 and December 28, 2014 respectively. The Supreme People's Court has issued the relevant judicial interpretations, defining the jurisdiction of IP courts over cases, and providing guidelines on the appointment of IP judges, participation in litigious activities by technological investigation officers of IP courts and other issues. The IP courts have built a new image of China in judicial protection of IP through fair adjudication of typical cases, timely

publication of typical cases and otherwise. As of the end of 2018, these three IP courts had accepted a total of 90,578 cases and concluded 74,007 cases. In addition, the Supreme People's Court has also promoted the establishment of 19 IP courts in 16 provinces and cities such as Jiangsu, in order to realize centralized jurisdiction over some IP cases across regions. On January 1, 2019, the IP Tribunal of the Supreme People's Court, which was established according to the decision of the Standing Committee of the National People's Congress, was officially opened, for unified adjudication of highly professional and technical civil and administrative appeals such as those involving patent, to form a national mechanism for adjudicating IP appeals. The above-mentioned reform measures have effectively promoted the specialized adjudication of, centralized jurisdiction over, and intensified procedures for IP cases, and improved the IP judicial system with Chinese characteristics.

Launching pilot reform of trans-regional courts in Beijing and Shanghai. In order to ensure lawful and fair adjudication of trans-regional cases, the Beijing No. 4 Intermediate People's Court and the Shanghai No. 3 Intermediate People's Court were established in Beijing and Shanghai respectively in December 2014, as pilot trans-regional people's courts, through which experience has been accumulated in exploring how to establish a new pattern of litigation system in which general cases are adjudicated at local courts and special cases are adjudicated at trans-regional courts. These two courts are responsible for adjudicating major civil, commercial, administrative, environmental and resource protection, food and drug safety

and certain criminal cases involving different administrative regions, to ensure fair adjudication of cases involving local interests. From 2015 to 2018, the number of first-instance administrative cases brought against a district/county government and subject to the centralized jurisdiction of and accepted by the Beijing No. 4 Intermediate People's Court increased by 650%. As appointed by the Supreme People's Court, from October 26, 2017, this court began to accept the appeals of environmental-protection administrative cases adjudicated by relevant courts in Tianjin, marking an important step in cross-provincial jurisdiction of cases. The number of administrative cases accepted by the Shanghai No. 3 Intermediate People's Court increases by over 30% per year. In 2018, the number of settled and dropped administrative cases before this court increased by 126.67% over the previous year. These two trans-regional courts have fairly adjudicated a series of cases with major social impacts, effectively addressing the issue of "at home v. away in litigation" and enhancing the public credibility of the judiciary.

Setting up Shanghai Financial Court. According to the decision of the Standing Committee of the National People's Congress, on August 20, 2018, Shanghai Financial Court was formally established with special jurisdiction over finance-related civil-commercial cases and finance-related administrative cases subject to the jurisdiction of an Intermediate People's Court. The Supreme People's Court has issued judicial interpretations, clarifying the specific jurisdiction of the Shanghai Financial Court. As of the end of 2018, Shanghai Financial Court had accepted 1,897 cases, with a

total subject value of RMB 25.2 billion, mainly involving disputes related to liability for misrepresentation as to securities, financial loan contracts, corporate bond trading, repurchase of pledged securities, financial leasing contracts, for-profit trust, etc.

Setting up Internet courts in Hangzhou, Beijing and Guangzhou.

Internet court is a major institutional innovation whereby China's courts actively address the judicial needs in the Internet era and implement the Internet power strategy. On August 18, 2017, September 9, 2018, and September 28, 2018, Hangzhou Internet Court, Beijing Internet Court, and Guangzhou Internet Court were successively established. In September 2018, the Supreme People's Court issued judicial interpretations of trials before Internet courts, clarifying the jurisdiction, appeal mechanism, online litigation rules, and requirements for construction of litigation platform of Internet Courts. Internet Courts have actively promoted the "online resolution of online disputes" and facilitated the online verification of litigant's identity, online collection of evidentiary materials, online service of legal instruments, etc., thus significantly improving judicial efficiency. In Hangzhou Internet Court, the online case-filing rate has reached 89.2%, the online court-session rate has reached 59.9%, the online case-concluding rate has reached 83.6%, the online trial session has averaged 28 minutes, and the trial period has averaged 41 days, saving 60% and 50% of the time respectively compared with the traditional trial mode. With an emphasis on summarizing and refining the rules for adjudicating Internet-related cases, the Internet Courts have successfully and efficiently adjudicated a number of

difficult and complicated Internet-related cases of new types, including the ownership of big data, the liability for contracting fault in online shopping, and the ownership of copyright in AI works, thus strongly promoting the rule of law in cyberspace governance.

Reforming the organizational system of military courts. Military courts are judicial organs set up by the State in the army. According to the overall arrangement by the Central Government, the basis for the setup of military courts was changed from branches of services and systems into combat zones. After the said reform, the new organizational system of military courts includes the PLA Military Court (at the level of higher court), the Military Court of the East Combat Zone of the PLA, the Military Court of the South Combat Zone of the PLA, the No. 1 and No. 2 Military Courts of the West Combat Zone of the PLA, the Military Court of the Northern Combat Zone of the PLA, the Military Court of the Central Combat Zone of the PLA and the Military Court Directly under the Headquarters of the PLA (at the level of intermediate court), and 26 military courts of the PLA in Shanghai, Nanjing, and Hangzhou and other cities (at the level of primary court).

Promoting the reform of internal organs of people's courts below the provincial level. The Supreme People's Court, in conjunction with the related departments of the Central Government, has actively promoted the reform of internal organs of people's courts below the provincial level. In line with the principle of synergy, optimization and efficiency, the structure of people's courts shall be streamlined, the number of internal organs shall

be strictly controlled, the adjudicating departments shall be scientifically set up, and non-adjudicating departments with overlapping functions and similar services shall be integrated, in order to promote flat management. As of the end of 2018, Tianjin and Shanghai had completed the task of reforming internal organs. The number of internal organs of the intermediate and primary people's courts in Tianjin has been reduced from 361 before the reform to 234, a reduction of 35.2%; the number of internal organs (excluding people's tribunals) of 17 primary courts in Shanghai has been reduced from 298 to 197, a reduction of 33.9%. For the reform of internal organs of the primary courts in other provinces (autonomous regions and municipalities directly under the Central Government), relevant plan is going through reviewing, approving and filing procedure.

IV. Strengthening the System and Mechanism of Judicial Protection of Human Rights

To respect and protect human rights is an important principle set forth in *the Constitution of the People's Republic of China*, and an important content of the socialist judicial system with Chinese characteristics. China's courts have achieved positive results in the development of the mechanism of judicial protection of human rights through pushing forward the reform of the criminal litigation system centering on trials, strictly implementing the legal principles that crimes shall be punished only under the law, judgments shall be made upon evidence and presuming innocent until proven guilty, actively preventing cases in which people are unjustly, falsely or wrongly charged or sentenced, protecting the lawyers' right to practice according to law, achieving positive results in building the mechanism of judicial protection of human rights.

Pushing forward the reform of the criminal litigation system centering on trials. The Supreme People's Court, in conjunction with the Supreme People's Procuratorate, the Ministry of Public Security, the Ministry of State Security and the Ministry of Justice, issued the guidelines on pushing forward the reform of the criminal litigation system centering on trials and the documents on strictly excluding illegal evidence in handling of criminal cases. The reform of the criminal litigation system centering on trials

emphasizes making judgments upon evidence, excluding illegal evidence, presuming innocent until proven guilty, and other principles, and requires strengthening the substantiation of court trials, improving the mechanism for supervising investigation and prosecution activities through trials, preventing extortion of confessions by torture, collection of evidence through illegal means and other illegal acts from the source, and promoting the formation of a criminal litigation pattern with litigation centering on trial, trial centering on court trial, and court trial centering on evidence, so that the facts of cases found during investigations, prosecutions and trials will be proved to be true according to law. The Supreme People's Court implemented on a pilot basis the following provisions in 18 intermediate people's courts across the country in June 2017 and required the tentative implementation of them in all courts nationwide on and from January 1, 2018: holding pre-trial meetings, excluding illegal evidence, and conducting court investigation according to ordinary procedures in the first instance in handling criminal cases. All regions have fully implemented the principle of making judgments upon evidence, solidly promoted the substantiation of court trials, and improved the system for summoning key witnesses, , appraisers and investigators to testify before courts, so as to give full play to the role of witnesses', investigators', and appraisers' testifying before courts and effectively resolve the disputes between the prosecutors and the defenders. In 2017, the courts in Guangdong accepted 1,582 applications for excluding illegal evidence, initiated the process of excluding illegal evidence for 1,424 times, and excluded 235 pieces of illegal evidence, more than the sum of the previous three years. Chengdu Intermediate People's Court in Sichuan

took the lead in carrying out the reform of substantiation of court trials in the country, by fully implementing the provisions regarding holding pre-trial meetings, strictly excluding illegal evidence, summoning key witnesses to testify before court, admitting evidence at the court, announcing judgment at the court, trying all cases with lawyer's defense, separating complicated written judgments with simple ones, opening exemplary court trials, etc., so as to ensure that court trials play a decisive role in finding the facts, admitting evidences, protecting the right of action and making judgments fairly. In these exemplary court trials, a total of 1,469 witnesses, including 818 general witnesses, 114 appraisers, 455 investigators, 17 experts, and 65 victims, testified before courts. Wenzhou Intermediate People's Court in Zhejiang has improved the mechanism for protecting personnel testifying before court, issued detailed rules on investigators' appearance in court as witnesses, provided remote rooms for offering testimonies, devices for concealing faces of witnesses and other appropriate facilities, established the mechanism for protecting the rights and interests of witnesses in conjunction with the public security and procuratorial organs, and formulated the standard of subsidies for witnesses testifying before court. Since 2015, the courts in the city have given notices to require 1,434 people in 915 criminal cases to appear in courts, and 915 people in 581 criminal cases have actually appeared in courts to testify, with the rate of testimony before courts being 63.8%.

Preventing and correcting cases in which people are unjustly, falsely or wrongly charged or sentenced. The Supreme People's Court promulgated

the guidelines on improving the mechanism for preventing criminal cases in which people are unjustly, falsely or wrongly charged or sentenced, providing that in a case in which there lacks sufficient evidence to convict the defendant of a crime, the people's court shall pronounce the defendant innocent according to law, rather than imposing a relatively light penalty or otherwise imposing penalty on the defendant by leaving some leeway. On December 2, 2016, No. 2 Circuit Court of the Supreme People's Court publicly pronounced the judgment on the case of Nie Shubin suspected of intentional homicide and raping women, overruling the judgment of the lower court and pronouncing Nie Shubin innocent, thereby correcting the judgment on this major doubtful and complicated case that had lasting 22 years, and reflecting that the people's courts attach great importance to judicial protection of human rights and seriously observe the legal principles that judgments shall be made upon evidence and presuming innocent until proven guilty and other legal principles. Since 2013, the people's courts have corrected the judgments on 46 major criminal cases involving 94 people, in which cases, people were unjustly, falsely or wrongly charged or sentenced, including the case of Nie Shubin, the case of Hugjiltu and the case of Zhang Hui and Zhang Gaoping (nephew and uncle), thereby greatly enhancing the public's confidence in judicial impartiality. From 2014 to 2018, the people's courts at all levels pronounced 4,868 defendants innocent as per law, ensuring that the innocent will not be prosecuted under law.

Improving the quick-track sentencing procedure for criminal cases and the system of imposing lenient penalties on those who admit their guilt

and accept punishments. With the authorization of the Standing Committee of the National People's Congress, since August 26, 2014, China has launched a two-year pilot reform on quick-track sentencing procedure for criminal cases in 217 primary courts in Beijing and 17 other cities. During the period of the pilot reform, the pilot courts tried and concluded 52,540 criminal cases using the quick-track sentencing procedure, involving 54,572 defendants in total, accounting for 35.88% of criminal cases in which not more than one-year sentences were pronounced by such pilot courts in the same period, and 18.48% of the criminal cases tried by such pilot courts in the same period; among such cases, 95.35% were concluded within 10 days, 65.04 percent higher than those subject to the summary procedure, and the judgments on 96.05% of such cases were announced at the court, 41.22 percent higher than those subject to the summary procedure. Haidian District People's Court in Beijing has explored the mode of whole-course quick-track sentencing procedure to effectively reduce the time of circulation of cases at all the stages. Under the said mode, the average duration of the judicial procedure in which the defendants were under detention was 33 days, about 70% shorter than that of the similar cases concluded using the summary procedure prior to the reform. Among all the cases subject to the quick-track sentencing procedure, the rate of plaintiffs filing appeals who also lodged civil lawsuits was 0, the rate of defendants filing appeals was 2.01%, the rate of procuratorial organs filing protests was only 0.01%, and the overall rate of filing appeals or protests was 9.52 percent lower than that of the criminal cases taken as a whole. According to a third party assessment conducted by the China University of Political Science and Law, the defendants' rate of

satisfaction with the effect of the quick-track sentencing procedure reached 97.69%. Through shortening pre-trial detention and passing sentences on defendants quickly and leniently, the quick-track sentencing procedure can give full play to the function of social correction, and help the offenders reform themselves and return to the society. In September 2016, the 22nd Session of the Standing Committee of the 12th National People's Congress reviewed a report on the pilot reform, fully affirmed the efforts in these pilot reforms, and decided to incorporate the pilot reform of quick-track sentencing procedure for criminal cases into the pilot reform of imposing lenient penalties on those who admit their guilt and accept punishments and to continue the pilot reform. Between September 2016 and September 2018, a total of 281 pilot courts was identified, and 205,510 criminal cases were concluded by applying the system of imposing lenient penalties on those who admit their guilt and accept punishments, accounting for 53.5% of the criminal cases concluded by the pilot courts during this period. On October 26, 2018, at the 6th Session of the Standing Committee of the 13th National People's Congress, a decision was made on amending the Criminal Procedure Law to incorporate the achievements made in the pilot reform of imposing lenient penalties on those who admit their guilt and accept punishments into the newly amended Criminal Procedure Law and promote them nationwide.

Deepening the reform on standardization of sentencing. At the end of 2013, the Supreme People's Court promulgated the guidelines on measurement of penalty by people's courts to regulate the judges' discretion

in measurement of penalty, which require setting up an independent debate procedure regarding measurement of penalty, and promoting standardization of measurement of penalty throughout the country. In 2016, the Supreme People's Court further extended the kinds of charges and punishments under the pilot program on standardization of measurement of penalty by including dangerous driving and other seven charges into the scope of application of the pilot program and extending the kinds of punishment from imprisonment and criminal detention to fines and probation. The Supreme People's Court designated some courts to carry out the pilot program to ensure the standardization of measurement of penalty and the punishment meted out being appropriate to the crime committed. With this reform implemented, the methodology in sentencing has become more standardized and scientific, and the sentences received have become fairer and more balanced, bringing about a procedure with more transparency and fairness.

Strictly regulating commutation of punishment, parole and temporary execution of sentences outside prison. In April 2014, the Supreme People's Court issued the judicial interpretations regarding the hearing procedures for commutation of punishment and parole, requiring establishment of the system of public hearing on commutation of punishment and parole and the system of periodic publication of typical cases. In 2015, the information website on the cases of commutation of punishment, parole and temporary execution of sentences outside prison granted by the courts nationwide was opened, to publicize the information of the whole process from case filing to judgment entering of the cases involving commutation of punishment and

parole, so that commutation of punishment and parole is conducted under the supervision of the public. In November 2016, the Supreme People's Court promulgated specific rules on law application in cases involving commutation of punishment and parole, further clarify the application of commutation of punishment and parole, and unified the criteria of deciding such cases, ensuring that fairness and equality are well addressed therein. In November 2017, the Supreme People's Court launched a national online platform for processing cases involving commutation of punishment and parole. The new platform promotes the case information sharing and online case-handling collaboration among the people's courts and People's procuratorates and the penalty execution authorities and between the people's courts at all levels, ensuring the whole process of adjudicating cases involving commutation of punishment and parole traceable and under supervision.

Amending and improving court rules. In February 2015, the Supreme People's Court and the Ministry of Public Security jointly issued a circular, providing that when appearing in the court, the criminal defendants and appellants no longer need to wear their identification uniforms of detention houses and the criminals in jail no longer need to wear their prison uniforms, and that when the people's court brings a criminal defendant or appellant under detention to trial, the detention house shall turn over the criminal defendant or appellant in formal or informal wear to the people's court to reflect modern judicial civilization. On April 13, 2016, the Supreme People's Court promulgated the newly amended *Court Rules of People's Courts of the*

People's Republic of China, further specifying the code of conduct in courts, in order to maintain court order, strengthen judicial protection of human rights, and make the courts be more open, convenient, civilized and safer and become venues where the people can experience fairness and justice.

Improving the mechanism for protecting lawyers' rights in practice in accordance with law. In December 2015, the Supreme People's Court promulgated instructions on protecting lawyers' rights in practice, requiring protection of lawyers' rights to know, access case files, appear in court, debate, defense, apply for gathering evidence, apply for excluding illegal evidence, lodge appeals on behalf of their clients, and providing protection and convenience to lawyers in performing their duties under the law. The mechanism of soliciting lawyers' opinions in the review of death penalties has been established, which require protection of lawyers' rights, including the right to access case filing information and case files, and provide that lawyers can directly make defenses to the judges of the Supreme People's Court, so as to ensure the fairness of review of death penalties. In October 2017, the Supreme People's Court and the Ministry of Justice promulgated provisions on conducting pilot project of mandatory legal representation in all criminal cases and launched the pilot in Shanghai and Zhejiang. On December 30, 2015, the Supreme People's Court opened the lawyer service platform, on which the lawyers can, among other things, file cases, access case files and contact judges on online. As of the end of 2018, 1,924 courts nationwide had opened a lawyer service platform, providing services to lawyers for a total of 1.27 million times. The lawyer

service platform of the Supreme People's Court has provided 22,067 law firms and 89,338 lawyers with services such as online case filing, online access to case files, case inquiry, online payment, online refund, electronic service, and contact with judges. In 2018, the number of visits to the lawyer service platform was 43,527, which quadrupled the sum of the year 2017. The courts at three levels in Zhejiang each established a lawyer service center to provide access to case information and files, meeting with judges, rest, dressing and other services, and explored the establishment of special facilities at law firms for handling lawsuit-related matters on line.

Improving the system of state compensation. The Supreme People's Court has formulated the interpretations on certain issues relating to the application of law in cases of criminal compensation, improved the cross-examination procedure for compensation cases, standardized the measurement of consolation payment for psychological injuries, and expressed opinions on further improving state compensation in criminal cases in which people are unjustly, falsely or wrongly charged or sentenced, so as to give full play of the function of remedy of state compensation. From 2014 to 2018, the people's courts at all levels accepted 31,434 cases of state compensation. The victims unjustly, falsely or wrongly charged or sentenced or the close relatives of those executed in criminal cases such as the case of Hujiltu, the case of Zhang Hui and Zhang Gaoping, the case of Nie Shubin and the case of Liu Zhonglin, have received compensation in a timely manner according to law. For example, Liu Zhonglin has received a state compensation of RMB 4.6 million from Liaoyuan Intermediate People's Court in Jilin, the

authority liable for compensation.

Improving the judicial assistance system. In July 2016, the Supreme People's Court promulgated the opinions on strengthening and standardizing the work of national judicial assistance conducted by the people's courts, requiring unity of acceptance and handling of cases, scope of assistance, procedure of assistance, standard of assistance, fund guarantee and appropriation of funds, to realize the administration of the assistance system by law and the handling of assistance cases according to judicial procedures. On September 18, 2016, the Supreme People's Court set up the judicial assistance committee, and the local people's courts at all levels also set up their judicial assistance committees. In the work of judicial assistance, the courts in Tianjin have strengthened the joint actions with the assistance provided by other judicial authorities, social organizations and other provinces and cities, to realize seamless connection between judicial assistance and social security, and improve the accuracy, coverage and timeliness of judicial assistance. The courts in Sichuan have simplified the judicial assistance application process, and developed an online judicial assistance platform, to realize online and standardized handling of cases of judicial assistance.

Standardizing the judicial procedure for handling properties involved in cases. In October 2014, the Supreme People's Court promulgated judicial interpretations regarding the enforcement of property involved in criminal judgments for the purpose of standardizing the enforcement of properties involved in criminal cases, including confiscation and recovery of properties,

appraisal at the current price, handling of disputes in enforcement, etc. Between 2015 and 2018, the Supreme People's Court has, in conjunction with the related authorities of the Central Government, constantly pushed forward the establishment of inter-departmental information platforms for centralized management of properties involved in cases, improved the procedures of advance disposal and pre-trial return of properties, defined the interested parties' right of action, and improved the remedy mechanism and the accountability system. In May 2015, the first inter-departmental center for the management of properties involved in criminal lawsuits in our country was established in Zhuji, Zhejiang. The center established a centralized information platform for the management of properties involved in cases. All the public security, procuratorial and judicial departments are required to enter the information about the properties involved in cases under their respective management into the platform, thereby realizing electronic handover of properties involved in cases, facilitating the handling of cases and standardizing the procedures for handling properties involved in cases.

V. Promoting people's access to and benefits from the judiciary

Exercising judicial power for the people fairly is the primary work of people's courts. The people's courts have been reforming the system of acceptance and handling of cases, strengthening the establishment of litigation service centers and dispatched tribunals, improving the multiple disputes resolution mechanism and the mechanism of separating complicated cases from simple ones, promoting reforms on family law trials and taking other measures, to constantly enhance the exercise of judicial power for the people and make the people have a stronger sense of gain in the judicial reform.

Comprehensively implementing the case filing registration system. Since May 1, 2015, the people's courts have reformed the case filing system by introducing the case filing registration system and eliminating the prior examination³. This new system requires each case meeting the acceptance conditions shall be placed on file and be accepted and handled, thereby effectively protecting people's right to file a lawsuit and completely eliminating the institutional barriers causing the difficulties in case filing. As of the end of 2018, the courts nationwide registered over 64.89 million cases, with an on-the-spot case registration rate of over 95%. Courts nationwide have simplified the case filing procedure and by means of notification of

case filing, once-and-for-all list of supplements and corrections, request for response within prescribed time limit and otherwise, ensure successful filing of cases by the litigants in one attempt. The courts in Beijing introduced a mechanism of supervision and complaints rapid-handling over case filing, which enables the courts to promptly respond to and resolve litigants' complaints and problems therein. In 2016 alone, this mechanism successfully resolve complaints lodged by more than 1,300 people, thereby ensuring the effective implementation of the case filing registration system. The implementation of this reform has been under stronger monitoring by the Supreme People's Court. Practices such as setting additional conditions to constrain case filing have been firmly forbidden in order to prevent the targeted difficulties in case filing from rebounding.

Diversifying the case filing routines. Relying on information technologies, the people's courts have been promoting a variety of convenient methods of filing cases, forming a new pattern of case filing with on-the-spot case filing as main method, with online case filing, self-service case filing, cross-regional case filing, collaborative case filing and so forth as supplementary methods. People now can file a lawsuit more conveniently and quicker, and the efficiency of case filing has improved significantly. The courts in all regions have actively promoted online case filing while actively improving conventional channels for case filing such as on the spot of the courthouse, through appointment, and on site. Some courts actively explore cross-regional case filing service, enabling the litigants to file a lawsuit in a nearby court or any court chosen by them, and reducing the burdens of litigants

supposed to travel. As of the end of 2018, 3,044 courts nationwide had introduced online case filing service, and 2.38 million cases had been filed online; 1,154 courts had provided cross-regional case filing service, and 120,000 cases had been filed via the cross-regional filing systems ; 1,863 courts had set up self-service case filing areas, and litigants or lawyers had filed 1.03 million cases by themselves. 7 courts in Beijing, Tianjin and Hebei have established a new mode of collaborative case filing mechanism, which allows litigants equal access to the inclusive, convenient and efficient case filing services provided irrespective of whereabouts. The People's Court of Pudong New Area, Shanghai has developed a "QR code" self-service case filing system, through which each case may be filed within 15 minutes on average.

Enhancing modernization of litigation services. In December 2014, the Supreme People's Court promulgated the guidelines on promoting the establishment of litigation service centers at people's courts. As of the end of 2018, 98% of the courts nationwide had established litigation service halls up to 1.82 million square meters in area, 2,995 courts had opened litigation service websites, 1,623 courts had launched online litigation service Apps, and 2,813 courts had set up 12368 litigation service hotline. The courts at all levels have been actively and creatively developing online platforms such as 24-hour self-service courts, online mediation rooms, digital case files services, online video systems for complaints and appeals, and have been equipped with Intelligent Visitors Management Systems, Court-Operated Robotic Assistant, litigation assistance machines, litigation risk assessment

machines, convenient self-service terminals, intelligent cloud cabinets, smart navigation and others alike. The services provided include online case filing, online payment of fees, online mediation, access to information, submission of documents, examination of case files, electronic service of legal process, contact with judges, etc, amounting to 48 functions which is 40 more than available services in 2009. Along with the mechanism of separating complicated cases from simple ones, a combined mode, “cases identification + mediation + fast trial +proceeding expedition”, has been developed. Such mode well functions with staffs in charge of cases identification, venues specialized for mediation, equipped courtrooms for fast trials, optimized litigation-mediation coordination mechanism, plenty of judges and clerks specialized in fast trials, and an underlying electronic system. Owing to this mode, the litigation service centers have been transformed into one-stop hubs resolving a majority of cases filed in courts of first instance, fully exerting their roles as legal “clinics” of disputes resolution. Most courts nationwide have been carrying out reforms into this new mode, 2,464 courts have appointed 14,669 cases identification clerks, and 12,234 full-time mediators have been recruited. As of the end of 2018, the courts nationwide had resolved 1.71 million cases through the multiple disputes resolution mechanism without proceeding into trial, mediated 1.2 million cases after case filing, and resolved 1.75 million cases through fast trial in litigation service centers. The courts in Anhui have established family affairs, labor, property and other dispute mediation divisions at their litigation service centers, as well as workstations of representatives of the Party congress, people’s congress and people’s political consultative

conference, lawyer's offices and people's mediation rooms, and carried out online and remote mediations, multiple disputes resolution, achieving remarkable success. The courts in Zhejiang have been carrying out the 'at most one visit' scheme, and have successfully alleviated citizens' litigation costs and burden by promoting services both online and offline. The courts in Tibet, Ningxia and other regions have set up circuiting courts in vehicles to provide easier access to justice for the people..

Improving the multiple dispute resolution mechanisms. The multiple dispute resolution mechanism is an significant component of China's efforts in modernizing the governance. In June 2016, the Supreme People's Court promulgated the *Opinions on Further Deepening the Reform of Multiple Dispute Resolution Mechanisms in People's Courts*, proposing a "three-step strategy", "the state develops strategies for developments, the judiciary provides legal safeguards, and advances relative legislative proceedings". Modernized conception of disputes resolution has been established as "State-led, judiciary-advanced, society participatory, multiple routines, and safeguarded by rule of law". The Supreme People's Court, in conjunction with the Ministry of Public Security, the Ministry of Justice, the Ministry of Human Resources and Social Security, the Ministry of Civil Affairs, the National Development and Reform Commission, the China Securities Regulatory Commission, the China Insurance Regulatory Commission, the All-China Federation of Returned Overseas Chinese, the National Federation of Industry and Commerce, the All-China Women's Federation, and other authorities respectively, has issued over 20 documents in respect

of the litigation-mediation coordination mechanism, covering issues related to people's mediation, family law disputes, securities and futures disputes, insurance disputes, and assigning auxiliary judicial affairs to notary offices. These arrangements have constituted a solid framework of multiple disputes resolution mechanisms. The Supreme People's Court has promulgated the Provisions on Mediation Services Specially Appointed by People's Courts to instruct all regions to enhance litigation-mediation coordination and promote timely and efficient resolution of contradictions and disputes. As of the end of 2018, the courts nationwide had established 3,320 litigation-mediation coordination centers, and recruited nearly 22,194 specially appointed mediation organizations and 78,153 specially appointed mediators, which had mediated 1,862,800 cases as assigned or entrusted by the courts. The people's courts at all levels have established litigation-mediation coordination platforms in various forms which have operated in a standard manner and exercised the functions of cases identification, designated mediation before and after case-filing, after-case filing designated mediation and judicial confirmation, etc., and improved the mechanism of connection between courts and administrative agencies, people's mediation organizations, business-oriented mediation association, commercial mediation organizations, arbitration institutions and notary offices. By innovatively combining "Internet and dispute resolution", they establish unified online mediation platforms. As of the end of December 2018, 1,258 courts had conducted online mediation and thereby resolved 11,394 disputes. In 2018, the courts in Beijing referred 304,000 first-instance civil cases to the "multiple routines of mediation plus fast trial" mechanism,

and successfully concluded 176,000 cases via this mechanism, accounting for 39% of the first-instance civil cases concluded that year. The courts in Zhejiang have established an “online platform for diversified resolution of contradictions and disputes” and formed a progressive and funnel-typed mechanism of filtering and resolving contradictions and disputes level by level. As of the end of November 2018, the platform had attracted 432,000 registered users and 34,000 registered mediators, received over 240,000 applications for mediation, and successfully mediated 208,000 cases, with a success rate of 88.17%. These courts inherited and innovated the “Maple Bridge Experience” by upgrading “resolving small dispute before it goes out the village” to “resolving dispute before it goes out the house”. Ma’anshan Intermediate People’s Court in Anhui has promoted the diversification reform further by conducting online mediation off site and remotely, achieving success in 95.1% online mediations. Meishan Intermediate People’s Court in Sichuan have fully mobilized and utilized various kinds of resources for dispute resolution, and solved 80.72% of controversies and disputes by means of alternative dispute resolution between 2014 and 2016, with only 7.06% of cases entering into the judicial procedures to be adjudicated, thereby creating the “Meishan Experience” connecting the litigation and alternative dispute resolution. Heilongjiang Province, Anhui Province, Fujian Province, Shandong Province and Xiamen City, Fujian Province have issued local regulations on diversified resolution of contradictions and disputes, providing legal protection for dispute resolution and social governance.

Establishing and improving the lawyer mediation system. In September 2017, the Supreme People's Court and the Ministry of Justice jointly issued opinions on the pilot program of lawyer mediation, and launched the pilot program in 11 provinces (and municipalities directly under the Central Government) such as Beijing, Heilongjiang and Shanghai. Within one year after the launch, the pilot courts established 657 lawyer mediation rooms, and included 1,290 lawyer mediation organizations and 12,360 lawyer mediators in their panel of specially appointed mediation organizations and mediators; these lawyers participated in the mediation of 54,898 cases and successfully mediated 25,569 cases; they made 8,529 applications for judicial confirmation, issued 824 payment orders, and made 3,325 applications for enforcement of mediation agreement, effectively exploiting their advantages and playing their role in dispute resolution. 63% of the courts nationwide have established a system for lawyers to lodge appeals on behalf of their clients, and 78% of the courts nationwide have established a system for lawyers to reside in courts. As of the end of 2018, the lawyers residing in the courts nationwide have accepted 791,932 cases, lodged 26,942 appeals on behalf of their clients, and participated in the resolution of 27,499 disputes.

Pushing forward the reform of the mechanism of separating complicated cases from simple cases. In September 2016, the Supreme People's Court promulgated the opinions on furthering separation of complicated cases from simple cases and optimizing the allocation of judicial resources. In May 2017, the Supreme People's Court promulgated operating rules for

separating complicated civil-commercial cases from simple ones and resort to mediation and fast trial, to instruct the courts at all levels to optimize the allocation of judicial resources, to innovate and improve the working mechanism, and to alleviate the caseloads. The Supreme People's Court has formulated the criterion of model courts for piloting in separating complicated cases from simple cases and designated 80 such courts. In 2018, the number of cases concluded according to summary procedures increased by 38.81% compared with 2014. Courts nationwide have actively carried out creative mechanisms such as court trial focusing on essential factors, writ, and exemplary litigation to deepen the reform, address the new problem of rapid increase in the number of cases, shorten the case-handling period, and improve judicial efficiency. Most primary courts in Jiangsu have established divisions for fast adjudication of small claim cases, each of which comprises one judge and one clerk, adopts the mode of adjudication focusing on essential factors, simplifies the written judgments, announces judgments *ex tempore* in principle, and concludes a case within 20 days on average, with nearly 70% of cases dropped after mediation. Shenyang Intermediate People's Court in Liaoning has actively implemented the system of pre-trial meeting to handle procedural issues, such as notification of rights and obligations, petition for excusing judges, clarification the respective arguments of the plaintiffs and defendants, ascertaining non-disputed facts, identification of the points at issue, and urging the parties involved to submit evidences related to such points at issue. Since the launch of the reform, the duration of court trial has been reduced by about 50 minutes on average.

Deepening the reform of the system of handling letters and visits involving lawsuits. The Supreme People's Court has been actively promoting the handling of letters and visits involving lawsuits in accordance with the law. The courts at all levels have been improving the working mechanism of separating litigation from letters and visits and solving the people's lawful and reasonable claims with earnest efforts. The Supreme People's Court has established an online platform for complaints, enabling litigants to check anytime anywhere about the progress and result of a complaint provided that information about the complaint and appropriate materials submitted. This further unblocks the complaint channels and alleviates people's burden. The Supreme People's Court has launched an online video system to receive complaints, which is connected with the courts at four levels nationwide, enabling the Supreme People's Court, local people's courts and complainants to communicate face-to-face remotely, which reduces the visits to Beijing by about 30%. The Supreme People's Court has preliminarily established a national platform for courts to handle letters and visits involving lawsuits, to gather relevant information on the nationwide scale, and functions well in respects of publication and submission of the information of letters and visits, supervision of the handling of letters and visits, and realizing quick and accurate communication between the lower and upper courts consequently improves the efficiency and unified the coordination mechanism.

Pushing forward the reform of the approaches and working mechanisms for family law cases. In April 2016, the Supreme People's

Court issued the guidelines on carrying out the pilot reform of the approach and working mechanism for family law cases, exploring the ways to solve family disputes in a professional, socialized and people-oriented manner, and actively pushing forward the pilot reform. The pilot courts have made efforts in establishing family divisions or collegial panels for family law disputes, introducing domestic disputes investigator, social worker, child psychologist and others alike to provide mental guidance and other expertise to the parties involved, and advancing the integration of judicial, administrative and social resources, which constitutes a new mechanism for comprehensively solving family law disputes. On July 19, 2017, the Supreme People's Court took the lead in establishing a joint meeting mechanism involving 15 authorities for advancing this reform. On July 18, 2018, the Supreme People's Court issued opinions on further deepening the reform of the approach and working mechanism for family law cases. The courts in Hebei, Shandong, Zhejiang, Fujian, Shaanxi, Qinghai, Gansu, Tibet and other regions have established a similar joint meeting mechanism, contributing to the establishment of a working pattern where party committees exercise leadership, local governments fulfill their duties, courts lead, and the public participates. The high people's courts in Liaoning, Inner Mongolia, Anhui, Ningxia, Guangxi and other regions have formulated comprehensive procedures for adjudicating cases in regard to family law cases. The courts in Chongqing, Qinghai and other regions have strengthened the psychological assessment and intervention in handling cases, effectively preventing civil cases from deteriorating into criminal cases; Putuo District People's Court in Shanghai has created the mechanism of "representative of children's interests" where

the staff members at the Office of National Working Committee on Women and Children act as representatives to effectively protect the legitimate rights and interests of juveniles through independent investigations, evidence collection and participation in court trials; Linfen Intermediate People's Court in Shanxi has been exploring a mechanism of revisiting the parties and provides supports, so that the humanistic care from the socialist judiciary could be felt. Xicheng District People's Court in Beijing and Yiling District People's Court in Yichang, Hubei have been actively trying a cooling-off period in marriage mechanism in divorce cases.

Pushing forward pilot reform of integrated online data processing in respect of disputes over damages in road traffic accidents. In response to the prominent problem of rapid increase and lengthy resolution procedures of disputes over traffic accidents, the Supreme People's Court initiated a comprehensive pilot project, *the integrated digital database of traffic accidents disputes resolution*, in Yuhang District, Hangzhou. In November 2017, the Supreme People's Court and the Ministry of Public Security, the Ministry of Justice, and the China Insurance Regulatory Commission held a joint meeting. At this meeting, they decided to jointly carry out the above-mentioned pilot reform in 14 provinces and municipalities including Beijing. The pilot, integrates digital data in respect of responsibility determination by the traffic management authority, damages calculation by relevant entities, mediation, appraisal, litigation, damages paid by insurance company, and so on, and further realizes information sharing and joint actions, enabling case handled on one platform, insurance policy paid out through one click, quick

processing, and to make dispute resolution more convenient and quicker. In 2017 and 2018, nearly 370,000 and 360,000 first-instance civil disputes over damages in traffic accidents were mediated across the country respectively. In some pilot regions, due to the reform, the disputes referred to courts have dropped by 50%.

Reforming and improving the service system for civil litigations. In July 2017, the Supreme People's Court issued certain opinions on further strengthening service in civil litigations, proposing to comprehensively promote the mechanism of confirming litigants' address for service, to unify the format of conformation of address for service, to standardized the content of such conformation and to actively explore electronic service and effective way of preserving proof of service, in order to improve the quality and efficiency of service for civil litigations, and address the "difficulties in service" stumbling civil trials. Zhejiang Wenling People's Court, has set up a service management center, equipped it with 9 full-time staff members, developed management software, opened an official WeChat account for the service management center, strengthened cooperation with postal service, and preliminarily digitalized, intensified and standardized the management of the whole process of service, thus improving the efficiency of service. Jingyang District People's Court in Deyang City, Sichuan has cut 50% of service costs through a variety of methods such as electronic service, entrusted service by notary offices, and agreements-based service, and judicial advice. Owing to the implementation of electronic service, for those cases involving insurance contracts, the duration for service has been

shortened by over 5 days, and the entire trial has been shortened by over 10 days.

Enhancing the establishment of detached tribunals. In December 2014, the Supreme People's Court promulgated certain opinions on further strengthening the work of detached tribunals in the new context to instruct all regions to strengthen the development of detached tribunals, in order to truly achieve the goal of exercising judicial power for the people. It has actively developed the structure of courts relying mainly on central courts and supplemented by community courts and circuit adjudication venues, and optimized the regional layout of people's courts and distribution of judicial personnel. The courts in Henan have established an information center, networking and sharing data among all detached tribunals in the province, and developed the electronic signature system, the function of cross-regional circulation of digital case files and realized cross-county (city) filing of certain cases, enabling litigants to file cases with local courts or people's tribunals. The courts in Chongqing have pushed forward the development of tribunal liaison points and established litigation stations, in order to facilitate the filing of lawsuits by the public.

VI. Solidly Advance the “Basically Solving the Difficulties in Enforcement” Campaign

Enforcing the judgments that has come into force is the “last mile” towards judicial justice, significantly concerns the authority and public credibility of the judiciary. In March 2016, at the 4th Session of the 12th National People’s Congress, the Supreme People’s Court proposed to “basically solve the difficulties in enforcement within two to three years”. In April 2016, the Supreme People’s Court issued the Roadmap for Basically Solving the Difficulties in Enforcement within Two to Three Years, setting the overarching goal of “basically solving the difficulties in enforcement”. To achieve the goal on time, the Supreme People’s Court further set five core indicators for this ongoing phase: over 90% of the cases with available property for enforcement should be enforced within the statutory period; over 90% of the cases without available property for enforcement should discontinue the enforcement in compliance with the law; over 90% of the cases with letters and visits involving enforcement should be resolved or concluded; over 90% of the courts nationwide should achieve the foregoing goals; and the overall closure rate of enforcement cases in the last three years should exceed 80%.

Since the goal of “basically solving the difficulties in enforcement” was proposed, the people’s courts have comprehensively promoted the

informatization and standardization, continuously deepened the reform of the system and management model of enforcement, continued to strengthen personnel capabilities, and reinforce the supports. From 2016 to the end of 2018, the courts nationwide accepted 20,435,378 enforcement cases and enforced 19,361,165 cases, with total enforced value amounting to RMB 4.4 trillion, and the year-on-year increase during this period reached 98.45%, 105.09% and 71.2% respectively.

Advancing an overarching governance structure in respect of solving the difficulties in enforcement. In June 2016, The Central Leading Group for Comprehensively Deepening Reforms (CLGCDR) considered and approved the opinions on accelerating the development of a credit-management system for the supervision over, alerting and punishing dishonest persons subject to enforcement. 31 provinces (and autonomous regions and municipalities) have issued endorsing documents, and Standing Committees of 12 Provincial, Autonomous Regional and Municipal People's Congress have passed motions to support the campaign of people's courts. So far, the overarching governance structure for overcoming the difficulties in enforcement has emerged, featuring leadership by the CPC party committees, coordination by CPC Political and Legal Affairs Commission, supervision by the people's congress, support from the local governments, organization by courts, cooperation by other corresponding authorities, and participation of the public. With continuous adjustments, this structure has laid a solid foundation for "basically solving the difficulties in enforcement".

Developing an online property search and seizure system. In response to problems such as low efficiency of enforcement, limited coverage of properties, and high human resources costs in the traditional mode of property search and seizure, the Supreme People's Court has established an online property search and seizure system at the central government level, which connects the networks of 16 central government agencies (including the Ministry of Public Security, the Ministry of Civil Affairs, the Ministry of Natural Resources, the Ministry of Transport, the People's Bank of China, and the China Banking and Insurance Regulatory Commission) and those of over 3,900 banking financial institutions. Through this system, the property information of the persons subject to enforcement officers may check has been expanded into 25 sub-categories under 16 categories, such as real estate, deposits, financial investments, vessels, vehicles, securities and online funds nationwide, which effectively covers majority of the forms of properties and related information. It greatly improves the efficiency of enforcement, and fundamentally changes the methods adopted. As of the end of 2018, the courts nationwide have searched and seized property in 60.38 million cases via this new system, with acquiring 9.84 million pieces of information of houses, lands and other forms of real estate, information of 51.42 million vehicles, 142.1 billion shares of securities, 1.939 million vessels, and RMB 25.71 billion online funds, and a total of RMB 413.6 billion frozen. Thereby, the rights and interests of the prevailing litigants are effectively safeguarded.

Improving the system of joint punishments on dishonest persons subject to enforcement. In 2013, the Supreme People's Court established the system of blacklist of dishonest persons subject to enforcement and started to promote joint punishments on dishonest persons subject to enforcement, striving to crack down on the acts of maliciously avoiding enforcements. Since 2016, the Supreme People's Court has signed memorandums with the National Development and Reform Commission and other 60 authorities, advancing a credit-management system for the supervision over, alerting and punishing dishonest persons subject to enforcement. 150 punishment measures under 37 sub-categories of 11 categories are utilized to prevent dishonest persons subject to enforcement from serving as civil servants, CPC party representatives, members to the people's congress, and members of the people's political consultative conference. They may also receive constraints in traveling, house purchasing, investing, bidding and calling for bids, and so on. As of the end of 2018, the courts nationwide had publicized 12.88 million blacklisted dishonest persons, out of which 17.46 million reservations of air tickets and 5.47 million of bullet train or high-speed rail tickets were rejected. 3.51 million dishonest persons subject to enforcement have fulfilled their obligations under such pressure.

Promoting online judicial auctions. In order to overcome the shortcomings of conventional auction methods, the Supreme People's Court, absorbing and distilling the experiences of online judicial auctions in lower courts, has established a new judicial auction mode that online auctions are general and traditional auctions are exceptional, and promulgated judicial interpretations

regarding online judicial auctions, requiring full promotion of online judicial auctions nationwide and improvement of related supporting systems from January 1, 2017. Up to now, 92.5% of the courts nationwide (namely 3,260 courts) have fully adopted online auctions, and over 80% of the judicial auctions have been conducted online. Owing to the implementation of online judicial auctions, the successful auction rate and premium rate have increased exponentially, and the rate of failed auction and price reduction as well as the auction costs has dropped significantly. Online actions effectively eliminate the rent-seeking probabilities, cut off the illegal interest chain, and bring about “zero complaint” about violation of laws and disciplines during auctions. From its launch in March 2017 to December 2018, the courts nationwide have conducted over 940,000 online auctions and thereby sold over 270,000 items for RMB 604.9 billion, with successful auction rate of 70.8% and premium rate of 64.3%, and saving commissions of RMB 18.6 billion for litigants. To tackle the low efficiency of appraisal during judicial auctions, courts nationwide have diversified methods of appraisal such as bargaining between litigants, targeted inquiries, online inquiries and entrusted appraisals, and have established a unified online appraisal platform. With appraisals becoming more standardized and informatized, the efficiency of property disposal has been improved and the burden on litigants has been alleviated.

Improving the management of enforcements. Since 2013, the Supreme People’s Court has been striving for a normative enforcement system, and has promulgated 55 judicial interpretations and regulatory documents in this

regard. In particular, since 2016, 37 judicial interpretations and regulatory documents regulating property preservation, property investigation, enforcement settlement, enforcement guaranty, presupposed arbitration and other issues have been promulgated to strengthen the system, reify the rules, and effectively restrain and regulate the enforcement-related power. Since 2014, the courts nationwide have carried out a comprehensive check on the enforcement cases pending in the past 20 years, and entered over 16 million cases into the enforcement case management system, laying a solid foundation for an orderly, precise, comprehensive and intelligent management of the enforcement cases. A new mode of enforcement management has been established to put all courts in this country under “unified management, unified coordination, and unified command”, transforming the management into a new flat structure being more intensified, visualized, standardized, and intelligent. A unified enforcement case handling platform has been established so that all the enforcement officers nationwide work on the same platform, harmonizing the standards and procedures for enforcement cases, and strengthening the control over key nodes. An unified enforcement command and management platform has been established. With its nearly 20 functions including enforcement coordination, property management, complaints and appeals, and proceeding supervision, this platform realized the progress that enforcement information can be publicized at “one-stop” and case handling can be pressed via “one-click”. In response to the difficulties in overseeing the handling of letters and visits involving enforcement, the unified system also included all the information of letters and visits involving enforcement, through which the

entire process of handling is recorded, traceable, and managed precisely.

Deepening the reform of the enforcement system and mechanisms.

The pilot reform of the separation of adjudication power and enforcement power within the people's courts has been advanced actively and steadily. The Supreme People's Court has promulgated opinions on improving coordination of case filing, adjudication and enforcement, in order to strengthen the interactive engagements between case filing, adjudication, enforcement and preservation procedures. A team-based working structure has been established with judges as the team leader and legal assistants, clerks, judicial police and other auxiliary judicial personnel as the supporting members, which maximizes the utility of human resources for enforcement. The practice that property preservation applicants obtain insurance from professional insurers has been comprehensively promoted, which backs applicants struggling to provide collaterals and contributes to the increase of applications of property preservation measures. In response to the deficit of the judicial assistance fund, the Supreme People's Court, on the basis of the approved pilot projects in Ningbo courts, has explored methods to expand the capital source, such as insuring the judicial assistance funds. In 2018, the granted judicial assistance fund amounted to RMB 650 million.

VII. Deepening Judicial Openness and Judicial Democracy

Openness is the best means of anti-corruption. Since 2013, according to an overall integrated arrangement, by upholding to the principle of legality, voluntary, comprehensive and substantive disclosure, the Supreme People's Court has been simultaneously promoting the construction of four disclosure platforms for judicial process, court trials, written judgments, and enforcement procedures to improve judicial openness and transparency. Under the principle that disclosure is the general rule unless it meets the exceptional conditions defined by law, it has been promoting judicial openness in all areas and at all links of the adjudication and enforcement by the people's courts to ensure that all contents that should be disclosed and delivered to the public properly. In November 2018, the Supreme People's Court promulgated opinions on further deepening judicial openness to continuously expand the breadth and depth of judicial openness.

Promoting the openness of judicial process. In November 2014, the China Judicial Process Information Online was officially opened. Now, it has become a platform for centralized gathering and unified publishing of the information about the judicial process of the courts nationwide, providing “one-stop” disclosure service to the parties to the cases adjudicated by the courts nationwide. From the date of acceptance of a case, the parties to the case and their lawyers can, by entering their valid certificate numbers,

log onto the platform to check and download the process information and documents relating to the case at any time, and receive procedural legal process online. In March 2018, the Supreme People's Court promulgated provisions on the disclosure of judicial process by the people's courts through the Internet, clarifying that, except information involving state secrets, with confidential requirement or limited access in specified by laws, all the four categories of judicial process information, namely procedural information, information about other matters rising in litigation process, legal documents, and court transcripts, shall be disclosed to litigants and their legal representatives, attorneys, and mandatory legal representation properly. As of the end of December 2018, the China Judicial Process Information Online had released 229,377,909 pieces of information about 4,609,074 cases, with a disclosure rate of 99.43%, and had received over 34,530,649 page views and sent 18,145,449 pieces of text messages; and on this platform, the courts nationwide had released a total of 1,536,570 pieces of information in the column "Disclosure to the Public".

Promoting the openness of court trials. On December 11, 2013, the China Court Trial Live Broadcasting Website was opened. In September 2016, on the basis of comprehensively upgrading the China Court Trial Live Broadcasting Website, the Supreme People's Court officially opened the China Court Trial Online, thereby realizing the collection and authoritative release of videos of court trials conducted at the people's courts at all levels. Since July 1, 2016, the Supreme People's Court has provided online live broadcasting of the court trials of all the cases that can be made public

according to law. Through this website, the public can watch the court trials of cases that are conducted at the courts nationwide in real time, demand videos of court trials, access statistical information of court trials broadcast live, and store and share such videos and information through their Weibo and WeChat accounts, thereby realizing full coverage, real-time release and in-depth openness of court trial information. As of the end of 2018, the China Court Trial Online had broadcasted live over 2.3 million court trials with over 13.8 billion clicks. The people's courts at all levels have attached great importance to the openness of court trials of major cases, and broadcast live the courts trials of a lot of major cases drawing wide attention, such as the retrial of Archangelos Gabriel salvage case and the series case of administrative disputes over “Qiaodan” trademark. On January 7-8, 2016, Haidian District People's Court in Beijing broadcast live the entire court trial of the case of “Qvodplay” suspected of seeking profits by spreading pornographic items, which lasted for more than 20 hours, attracted over 1 million viewers, and simultaneously posted 27 long Weibo messages reporting the entire court trial, which accumulatively received over 36 million views.

Promoting the openness of written judgments. In November 2013, the Supreme People's Court opened the China Judgments Online as the centralized platform for the openness of written judgments nationwide, and took the lead in publishing the judgments made by it on the website. Since January 1, 2014, all the effective judgments made by the people's courts at all levels have been published on the China Judgments Online. In November

2015, the China Judgments Online underwent a revision by adding the functions such as one-click intelligent search, search of related documents and personalized services, and realized the openness of written judgments in five languages of minority nationalities, including Mongol, Tibetan, Uyгур, Korean and Kazak, available for viewing and downloading. On August 30, 2016, the mobile client App of the China Judgments Online was officially launched. Since August 2016, the China Judgments Online has received over 20 million page views every day. On August 29, 2016, the Supreme People's Court promulgated the amended provisions on the publication of judgments by people's courts on line, listing all the types of judgments that should be made public, and requiring that all the judgments shall be published on line except those involving state secrets, crimes committed by persons under legal age, cases settled through mediation or in which mediation agreements are homologated, divorce actions or upbringing and guardianship of minor children; judgments involving personal privacy shall be published on line after redacting the contents involving personal privacy; the judgments of first instance that have been appealed or protested shall also be published on line and linked to the corresponding judgments of second instance; and with respect to the judgments not made public, to the extent not disclosing any state secrets, the case numbers, courts trying the cases, dates of judgment and reasons for non-disclosure shall be stated. The mode of publication of judgments has been changed from the traditional mode of centralized publication by special organs into the mode of one-click publication by the judges handling the cases on the case handling platform, and the mechanisms for handling the complaints lodged and comments made by the

public and for public supervision of judgments have been established, so as to put the openness of written judgments under the supervision all social circles. As of the end of 2018, the China Judgments Online has published over 62 million judgments, received over 21 billion page views from more than 210 countries and regions worldwide, and become the largest judgment database in the world.

Promoting the openness of enforcement information. Since November 2014, the Supreme People's Court has begun to release the information of persons subject to enforcement, the list of dishonest persons subject to enforcement by the courts nationwide, information of enforcement process and the decisions on enforcement on the China Enforcement Information Online in a centralized manner, thus realizing unified, timely, and automatic disclosure of information about enforcement cases, persons subject to enforcement, discontinued current enforcement cases, and online judicial auction, and other information of the courts nationwide. On September 14, 2016, the WeChat account of "China Enforcement" opened by the Supreme People's Court was officially launched on line, which provides the functions of access to enforcement information, publication of enforcement regulations, interpretation of laws and regulations, publication of enforcement documents, etc., so that the public can access enforcement information and receive judicial services anytime anywhere. As of the end of 2018, the enforcement information release platform had announced 12.88 million dishonest persons subject to enforcement.

Promoting the openness of corporate bankruptcy information. In August 2016, the Supreme People's Court issued provisions on disclosure of information about corporate bankruptcy cases, and officially opened the National Enterprise Bankruptcy and Restructuring Case Information Disclosure Platform, which becomes an online information platform for releasing various information about bankruptcy cases, and on which the legal process, notices of recruitment of administrators, notices of recruitment of investors, notices of asset auction and other relevant information are simultaneously published. In 2018, the information about 29,856 bankruptcy cases was disclosed through the National Enterprise Bankruptcy Information Disclosure Platform.

Expanding the breadth and depth of judicial openness. The Supreme People's Court has published the *Gazettes of the Supreme People's Court*, *Work Reports of the Supreme People's Court* and the *Annual Work Reports of the People's Court* (in Chinese and English) on a regular basis, as well as the white papers on the situation of judicial protection of intellectual property rights in China, on the trial of maritime cases, on the trial of environmental and resource cases, on the trial of administrative cases, on the judicial reform and on the judicial openness, and released the judicial documents and information about major cases and the work of courts to people at home and abroad. The Supreme People's Court has established the Judicial Case Academy and opened the Online version (<https://anli.court.gov.cn/static/web/index.html#/index>), which, supported by the big database and the Information Technology, collects and publishes a large number of

Chinese and foreign cases, and intelligently produces typical cases widely recognized, thus promoting clear and defined guides to the society. The China Judicial Case Academy Online with columns such as “Hot Issues”, “Case Method” and “Case Forum”, has been leading the legal practitioners to participate in the collection, generation, research and communication on judicial cases, striving to become a new platform for case studies. The people’s courts at all levels have been making efforts to improve judicial openness by means of court official websites and accounts, Court Weibo and WeChat, mobile news client APPs, court president’s letterboxes, liaison platforms of members of people’s congresses and people’s political consultative conferences, open days and otherwise.

On December 31, 2014, the governmental service website of the Supreme People’s Court underwent a comprehensive revision and opened the litigation service website to facilitate consultations, inquiries, appointment for case filing, online examination of case files and contact with judges by the litigants, among other things. On December 15, 2015, the Supreme People’s Court opened its English website. Since 2013, the Supreme People’s Court has opened its official accounts on the major domestic Weibo platforms including Sina Weibo, Tencent Weibo and Renmin Weibo platforms, and press rooms for the courts nationwide on such Weibo accounts. As of the end of 2018, the three official Weibo accounts owned over 57.953 million subscribers, posted 44,000 pieces of Weibo messages, and received 5.084 million reposts and comments. The official WeChat account of the Supreme People’s Court was opened in November 2013, and had posted 3,909 pieces

of image-text messages and had 1,044,000 subscribers as of the end of 2018. Since January 2015, the courts nationwide have adopted the Monthly Updates Press system. From 2014 to 2018, the Supreme People's Court had held 114 news presses, released 76 judicial documents and circulated 53 reports on working progress. From 2015 to 2018, 477 typical cases in total have been made public through briefings on typical cases. The Supreme People's Court held the China-ASEAN Justice Forum, the BRICS Justice Forum and the Environmental Justice Sub-forum of Boao Forum for Asia, the Conference of Presidents of Supreme Courts of China and Central and Eastern European Countries, the Silk Road (Dunhuang) International Forum on Judicial Cooperation, the Forum on the Rule of Law in Cyberspace – Smart Court, the Conference of Presidents of Supreme Courts of China and Portuguese-speaking Countries, and the 13th Conference of Presidents of Supreme Courts of the Member States of the Shanghai Cooperation Organization, and other major events of foreign affairs related to justice. It has established friendly relations with the highest judicial authorities of over 140 countries and regions, 18 international and regional organizations and has signed cooperation agreements with the highest judicial authorities of 43 countries and 2 international organizations; in doing so, it has told a good story about the rule of law in China and transmitted the sound of the rule of law in China, effectively enhancing the international image and influence of China's judiciary.

Reforming the system of people's assessors. In May 2015, with the authorization of the Standing Committee of the National People's Congress,

the Supreme People's Court and the Ministry of Justice jointly issued the pilot program to reform the system of people's assessors and the measures for the implementation of the pilot program. The two-year pilot program has been conducted at 50 courts selected in 10 provinces, autonomous regions and municipalities directly under the Central Government. The items of the pilot program includes, among other things, reforming the requirements for the appointment of people's assessors, improving the mode of appointment of people's assessors, expanding the scope of participation in trials, defining the powers to participate in trials, enhancing job security, establishing the withdrawal mechanism, giving full play to the advantage of people's assessors in being familiar with the social situations and public opinions, and gradually realizing the goal that people's assessors no longer vote on issues relating to the application of law and only participate in the finding of facts. In order to further address the problems arising in the pilot reform, in April 2017, the Standing Committee of the National People's Congress decided to extend the pilot period by one year. In April 2018, the Standing Committee of the National People's Congress considered and passed the report of the Supreme People's Court on the pilot reform of the system of people's assessors, which was successfully completed. The pilot reform has achieved remarkable accomplishments, including "four conversions": the appointment of people's assessors has transformed from mainly relied on recommendations by social organizations to random selection; the scope of the discretionary power of people's assessor's in trials has been narrowed down from full participation to only factual issues; the maximum number of people's assessors in a collegiate panel has been enlarged from

3 to more than 7; and the evaluative assessment on the cases heard with the people's assessors has shifted from "quantity" to "quality". After the reform, the people's assessors come from more diverse background with a sound structure, and fulfill their responsibility more actively. In April 2018, the *Law on People's Assessors of the People's Republic of China* was promulgated, legally incorporated the improvements in the pilot reform of the system of people's assessors. The Ministry of Justice, the Supreme People's Court, and the Ministry of Public Security issued measures for appointment of people's assessors, and established the appointment of people's assessors mainly based on random selection and with supplement methods of individual applications and organization recommendations.

VIII. Promoting Scientific and Classified Management over Judicial Personnel

According to the overall arrangement by the State and in cooperation with related departments of the Central Government, the Supreme People's Court has fully reformed the judicial personnel management system.

Establishing a system for classified management of judicial personnel.

In response to the problem that the past judicial personnel management system did not fully reflect the characteristics of the judicial profession, the Supreme People's Court has actively promoted the reform of the system for classified management of judicial personnel, by classifying the judicial personnel into judges, auxiliary judicial personnel and judicial administrative personnel, and adopting different management systems for different categories of personnel, to ensure that each of judges, auxiliary judicial personnel and judicial administrative personnel is assigned to a definite post of duty and attends to his own duties. As of the end of 2018, the proportion of judges, auxiliary judicial personnel and judicial administrative personnel had reached 34.6%, 49.5% and 15.9% respectively.

Fully implementing the judge quota system. In line with the principle of determining quota based on cases, selecting personnel based on job requirements, controlling total number, and making overall planning at the provincial level, through well-designed examination and assessment

procedures, the courts nationwide have selected a total of 125,000 judges from the former 210,000 judges. The newly-selected judges are mainly placed on adjudicative posts rather than general administrative posts, and over 85% of judicial personnel resource are allocated to trial work, optimized the resource allocation and the team structure. All higher people's court have strictly honored the maximum quota and ratio determined by the Central Government, and according to the number of cases handled, and the situations of economic and social development, population and other basic figures of the places where the courts are located, the level of trial and functions of the courts, workloads of judges, staffing of auxiliary judicial personnel and other factors, have implemented a system of unified allocation of judge quota among the courts at three levels within one provincial jurisdiction and providing priority to the primary people's courts and the area where the conflicts between caseload and personnel is serious. Mainly on the amount of cases, Guangdong courts decided that the proportion of judges should be lower than 30% in Shantou where there are fewer cases but exceed personnel, and be higher than 50% in Shenzhen, Dongguan, Zhongshan and other cities where there are overloaded cases but relatively fewer staffs. A mechanism of exchange and removal of judges has been established, and a mechanism of dynamic management of quota has been gradually formed, whereby one may be appointed or removal as judge and an appointed judge may be promoted or demoted. As of June 2018, 5,938 judges nationwide have been removed due to post transfer, reassignment, resignation, retirement, and disqualification, or the like.

Reforming the judge selection and appointment system. The courts at the provincial level have established judge selection committees comprising judge representatives and relevant civilians, and formulated open, fair and just judge selection and appointment procedures, to ensure that only outstanding legal practitioners who are upright in character and have rich experience and a high professional level will become judge candidates. In order to improve the system of selection of judges level by level, in May 2016, the Organization Department of the CCCPC, the Supreme People's Court and the Supreme People's Procuratorate jointly promulgated the opinions on establishing the system of selection of judges and public prosecutors level by level, which express provide that the judges of the people's courts at the prefecture level or above shall be selected level by level generally. In October 2015, the Supreme People's Court, after strict selection procedures, selected 7 outstanding judges from 62 applicants from local courts nationwide. In March 2014, the Supreme People's Court conducted a program of publicly selecting high-level judicial talents from experts, scholars, lawyers and other personnel practicing law, and finally selected five persons, including experts, scholars, senior lawyers and outstanding public prosecutors, from 195 applicants. In 2015, the courts in Shanghai publicly selected one judge from outside the judiciary, and the courts in Qinghai publicly selected three judges from outside the judiciary. The courts in Shanghai, Guangdong, Fujian and other regions have begun to select judges from outstanding judge assistants and send them to serve in the primary people's courts.

Reforming the rank of posts and compensation & benefit system of judges. A system of independent rank of posts of judges has been established so that: registered judges could be managed according to such independent ranking order, judges' professional ranks are separated from their administrative ranks, and judges are promoted based on their seniority, on a selective basis or specially; a personnel management system for judges that is different from that for other public servants and reflects the professional characteristics of judges has been implemented, which will broaden the career development channels of grassroots judges and enhance the professional honor and work enthusiasm of judges. As of the end of 2018, all courts nationwide had established a mechanism for determining the independent rank of posts of judges, about 98% courts had begun to promote judges along with their seniority, and about 52% courts had begun to promote judges on a selective basis. A compensation & benefit system has been established, supporting the series of reforms of independent rank of posts of judges, and all courts nationwide have introduced the new salary system involving performance-based bonus, which greatly increased the salary level of judges. By actively coordinating with related departments of the Central Government, the Supreme People's Court has formulated policies on post exchange, retirement age, medical benefit,, travel allowance, traffic subsidy, and others benefits for judges, noticed those implementation of policies, and promoted the courts at all levels to effectively place these policies.

Reforming the system of recruiting and training auxiliary judicial personnel. The Supreme People's Court, in cooperation with related departments of the Central Government, has issued opinion on recruiting judge assistants by people's courts. All regions have conducted unified independent recruitment at provincial level in an orderly way, and steadily advanced the position transfer of unadmitted judges and qualified clerks to judge assistant, to equip the courts with more judge assistants. In April 2017, the Supreme People's Court, together with the Ministry of Finance and the Ministry of Human Resources and Social Security, launched a plan for reforming the system on managing clerks, with a focus on the problems solving that the management of contracted clerks was not standardized enough, the professional protection provided to contracted clerks is not strong enough, and the team of contracted clerks is not stable enough. The courts in all regions have expanded the sources of auxiliary judicial personnel and explored the improvement of the system on managing and training auxiliary judicial personnel, with a focus on optimizing the structure of auxiliary judicial personnel. Since the reform, the number of auxiliary judicial personnel in Beijing courts has increased 68.8% from 2,689 to 4,538; the ratio of number of judges to that of auxiliary judicial personnel in Shanghai courts has changed from 1:0.75 to 1:1.78. The Jiangsu Higher People's Court has vigorously pushed forward the reform of the clerk system, formulated the standards of the rank of posts of clerks and measures for the training and evaluating clerks, properly defined the posts, the quantity and responsibilities of clerks, and provided that the proportion of first-line judges to clerks shall be 1:1.1, thereby changing the situation that several

judges assisted by one clerk in the past.

Establishing the legal research scholar and legal intern systems. The Supreme People’s Court has established legal research scholar and intern systems, and received 30 legal research scholars and 313 legal interns, which enhances its judicial cooperation and exchanges with law schools and research institutes, and improves the legal practitioner training mechanism. Most local courts have enhanced their cooperation with law schools and established a system of receiving interns from law schools as judge assistants, who participate in the auxiliary judicial work under the guidance of judges, alleviated the difficulty of understaffed judge assistants in the people’s courts, and explored a new mode of classified management of judicial personnel. Chengdu Intermediate People’s Court in Sichuan has signed a cooperation agreement on a mechanism of “ Judge Assistant Internship” with 11 colleges and universities including Sichuan University, Southwestern University of Finance and Economics and University of Electronic Science and Technology of China, by launching a program of intern judge assistants on campuses, whereby the colleges and universities in cooperation could select and send outstanding law graduates (or undergraduates) to participate in the auxiliary judicial work. So far, a total of 304 interns of five phases have engaged in this program.

Strengthening the professional ethics of the judiciary. In order to comprehensively strengthen the professional quality of judges and abide by the professional ethics of the judiciary, the people’s courts have improved the unified vocational training system and entry/promotion oath ceremony

and the professional ethics standards, code of professional conduct and professional ethics evaluation mechanism for judges. In conjunction with the related departments of the Central Government, the Supreme People's Court has issued the relevant documents, prohibiting judicial personnel from entering into six ways of intercommunications with litigants, lawyers, specially interested parties or agencies, requiring judicial personnel handling cases to host litigants, lawyers, especially interested parties or agencies at working places and during working hours, and prohibiting judicial personnel from acting as attorneys or mandatory legal representation in any cases handled by the judicial organs he resigned, and prohibiting those from practicing law for life who have been dismissed from public office due to violation of the law and discipline.

IX. Improving the System and Mechanism of Judicial Service and Securing National Development

The people's courts shoulder an important mission for protecting the political security of the country, ensuring the stability of the overall society, defending social fairness and justice, and guaranteeing that people live and work in peace and satisfaction. Based on their judicial functions, the people's courts at all levels have deepened the reform of the judicial system by strengthening adjudication and enforcement, to promote the formation of a new pattern of reform and opening-up at higher lever and create a more stable, fair, transparent and predictable business environment under the rule of law.

Enabling the mechanism of judicial service and protection for the national development strategy. The Supreme People's Court has issued documents on providing judicial protection for improving the business environment under the rule of law. Higher People's Courts of Beijing and Shanghai have also improved relevant judicial policies, committed to create an international environment for doing business under the rule of law. In the *Doing Business 2019* released by the World Bank, China scored 78.97 in the indicator of “performing contract”, which indicator is ranked the 6th in the world, and closely related to the judicial efficiency, judicial cost, judicial organ, judicial procedure and informatization level. The Supreme People's

Court has issued opinions on providing judicial service and protection for the coordinated development of Beijing-Tianjin-Hebei, the development of the Yangtze River Economic Belt, and the rural revitalization strategy, and has innovated the judicial collaborative working mechanism, to provide judicial service and protection for the major strategic development of the country. It has improved the risk monitoring and warning mechanism in financial adjudication, established a big database for financial cases, and improved the information sharing and distribution mechanism for preventing financial risk.

Improving the international commercial dispute resolution mechanism in relation to “The Belt and Road”. In June 2018, the Supreme People’s Court promulgated judicial interpretations on the establishment of international commercial tribunals, and formulated supporting rules such as working rules for international commercial expert committees and guidelines on procedures of international commercial tribunals. The international commercial tribunals may entrust members of international commercial expert committees and international commercial mediation agencies to mediate international commercial disputes, and support domestic qualified arbitration institutions with international reputation in carrying out international commercial arbitration involving “The Belt and Road”, so as to create a system for diversified resolution mechanism of international commercial disputes with interconnected and supportive mediation, arbitration and litigation. On June 29, 2018, the No. 1 and No. 2 International Commercial Tribunals of the Supreme People’s Court were

established and officially opened in Shenzhen and Xi'an respectively.

Perfecting the system of judicial protection of property rights. In November 2016, the Supreme People's Court issued opinions on fulfilling the role and function of the judiciary to effectively strengthen the judicial protection of property rights and made comprehensive arrangements for improving the judicial protection of property rights. By upholding the concepts of equal, comprehensive and legitimate protection, the people's courts ensure that all types of property right owners should be given equal treatment on legal status and law application, strictly distinguish economic disputes from criminal offences, and resolutely prevent transferring civil obligations to criminal offences. The Supreme People's Court has published two batches of typical cases regarding protection of property rights and entrepreneurs' rights and interests, and has legally identified and corrected some property-right-related cases in which people are unjust, falsely or wrongly charged or sentenced, such as the case of Zhang Wenzhong, which has good social impacts.

Strengthening the reform and innovation in IP adjudications. In November 2017, at the first meeting of the 19th CLGCDR, the CLGCDR members reviewed and approved the *Opinions on Certain Issues Concerning Strengthening the Reform and Innovation in Adjudication of IP Cases*, and proposed to improve the IP judicial system by improving the examination mechanism and evidence rules on of validity of rights in line with the characteristics of IP adjudication and establishing a compensation rules based on marketing value for IP infringement. On April 20, 2017, the

Supreme People's Court issued outlines of judicial protection of intellectual property rights in China (2016-2020), which clarify the basic principles, main objectives and key measures for judicial protection of intellectual property rights. In July 2016, the Supreme People's Court issued the opinions on promoting three-in-one trial of civil, administrative and criminal IP cases at the courts nationwide, requiring that the IP adjudication divisions of all the people's courts at all levels shall be renamed IP tribunals, which shall be responsible for the trial of all the civil, administrative and criminal IP cases.

Improving the system and mechanism of judicial protection for ecological resources. The Supreme People's Court has issued documents to provide judicial protection for comprehensively promoting the ecological civilization construction and greenness development. All regions have strengthened the establishment of specialized judicial organs for environmental and resource cases. In June 2014, the Supreme People's Court established the Environmental and Resource Tribunal. As of the end of December 2018, 22 higher people's courts, 110 intermediate people's courts and 257 primary people's courts had established specialized judicial organs for environmental and resource cases; the courts nationwide had established 1,270 tribunals, collegiate panels and circuit tribunals for environmental and resource cases in total, including 390 tribunals, 808 collegiate panels, and 72 circuit tribunals. As required by the plan for pilot reform of ecological damage compensation system, all regions have actively explored adjudication rules for a provincial government to bring claims

for ecological damages. As of 2018, the courts nationwide had accepted and handled 20 cases claiming for and judicial homologation of ecological damage compensation.

X. Improving the Judicial Management System and the Jurisdiction System

Since 2014, in cooperation with related departments of the Central Government, the Supreme People's Court has promoted the reform of judicial management system, adjusted the jurisdiction system, improved the system for safeguarding the authority of judicature, and facilitated the creation of a favorable institutional and social environment trusting, respecting and supporting judicature.

Promoting centralized management of personnel, financial and material resources of local courts below provincial level. The reform of the judicial management system by promoting centralized management of personnel, financial and material resources of local courts below the provincial level reflects that the judicial power is a power of the Central Government in nature. All the regions have advanced the work of centralized management in an open, transparent and democratic manner relying on the provincial platforms. The size and composition of local courts below provincial level in a provincial-level region are subject to management by the provincial commission department with the assistance of the higher people's court in that region. The commission departments at municipal or county level are no longer responsible for the management of size and composition of courts within their respective jurisdictions. Each provincial-level region has

established the mechanism that the judges of local courts below provincial level are subject to nomination, management, appointment and removal according to the legal procedures by the provincial-level government in a centralized manner. Judge assistants are recruited and employed by provincial-level public server management departments in conjunction with higher people's courts in a centralized manner. Junior judges are subject to professional qualification examination by provincial-level judge selection committees, and nomination, appointment and removal according to the legal procedures by provincial-level governments in a centralized manner.

The provincial-level regions have also explored the reform of centralized funding management system for local courts below provincial level in light of their respective local conditions. In 18 provinces, autonomous regions and municipalities directly governed by the Central Government such as Beijing, Tianjin and Shanxi and 2 cities specifically designated by the state plan namely Dalian and Shenzhen, the funds required by local courts below provincial level are managed in a unified way by the provincial level, and all the courts at the provincial, municipal and county levels are classified as first-level budgetary units and prepare and submit their respective budgets to the provincial-level financial departments; their budgetary funds are appropriated from the central payment system of the Treasury.

Improving the trial-level system. In order to adapt to the situations of economic and social development, and reasonably defining the respective functions of the courts at four levels, the Supreme People's Court adjusted the thresholds for the jurisdiction of the higher people's courts

and intermediate people's courts over civil and commercial cases of first instance, and increased the threshold of the subject value of civil and commercial cases of first instance under the jurisdiction of primary people's courts; provided that major, difficult and complicated cases, new types of cases and typical cases in terms of application of law may be adjudicated by a people's court at a higher level as determined by it in its sole discretion or at the request of a people's court at a lower level. In February 2015, the Supreme People's Court promulgated the judicial interpretations on issues concerning strict application of order for retrial and remand for retrial in the supervisory procedure for the trial of civil cases, which unify the standard for order for retrial and review of cases, strictly prohibit remand for retrial at will, and request that if a people's court at a higher level orders to retry a case or remands a case for retrial, it shall elaborate in the ruling the detailed reasons for such order for retrial or remand for retrial.

Conducting pilot reform of trans-regional centralized jurisdiction over administrative cases. Considering that an administrative case is subject to jurisdiction of the court in the place where the administrative organ as the defendant is located and may be subject to interference by local administrative organs, according to the overall arrangement by the Central Government, the courts in all regions have been exploring the establishment of a system of jurisdiction over administrative cases relatively separate from administrative divisions, through escalation of the jurisdiction to the higher level, cross-jurisdiction among different regions, relatively centralized jurisdiction and otherwise, carrying out reforms of the jurisdiction system

with different characteristics, to practically solve serious problems in administrative lawsuits, such as difficulty in case filing, difficulty in trial and difficulty in enforcement. In June 2015, the Supreme People's Court promulgated the opinions on trans-regional centralized jurisdiction over administrative cases, instructing certain higher people's courts to, according to their respective local conditions, designate some courts to exercise jurisdiction over trans-regional administrative cases, so as to integrate resources of administrative adjudication and improve the judicial environment for administrative adjudication. The higher people's courts in Fujian, Shandong, Henan, Guangdong, Hubei, Hunan and other regions assigned the jurisdiction over certain administrative cases of first instance to some designated primary or intermediate people's courts other than the courts originally having the jurisdiction over such cases, so as to eliminate the public's concern about local protectionism, through fairly adjudicating all kinds of administrative cases as per law.

Improving the system of specialized adjudication of and centralized jurisdiction over environmental and resource cases. The courts at all levels have been exploring the mode of specialized adjudication of civil, administrative and criminal environmental and resource cases. The Environmental and Resource Tribunals of the Supreme People's Court hear and adjudicate civil and administrative environmental and resource cases in a centralized manner. 16 higher people's courts such as those in Jiangsu and Fujian hear and adjudicate civil and administrative environmental and resource cases or civil, administrative and criminal environmental

and resource cases in a centralized manner. The courts in all regions have been exploring the mode of centralized jurisdiction over trans-regional environmental and resource cases, based on the characteristics of environmental and resources protection in each region. The higher people's courts in Jiangsu, Henan, Hainan, Hubei and other regions have been exploring the centralized jurisdiction over environmental and resource cases within each of the ecosystems or ecological functional zones such as river basins and sea areas, and have been exploring the jurisdiction and adjudication mode more matching the characteristics of the ecological environment laws, to effectively prevent local protectionism and enhance ecological environmental protection.

Strengthening the system requiring principals of administrative organs to appear in the court to respond to charges as per law. In July 2016, the Supreme People's Court issued a notice requiring the people's courts in all regions to further regulate and promote response to administrative lawsuits pursuant to the relevant provisions of *the Administrative Procedure Law of the People's Republic of China*, and providing that if the principal or related staff members of an administrative organ do not appear in the court personally and just appoint an attorney to appear in the court, or if the principal of an administrative organ fails to appear in the court at the written request of the people's court, the people's court shall record the fact in the case file and state it in the judgment, and may issue public notices thereon according to law, and suggest that the appointing authority, supervisory authority or the administrative organ at the higher level should impose

serious punishments on the responsible persons. In Jiangsu, the rate of appearance of principals of administrative organs in the court to respond to charges has remained above 90% for two consecutive years, in particular, the rate of their appearance in the court has been above 90% in Nantong and other eight prefecture-level cities, and reached 100% in Kunshan and other 58 counties (cities and districts); while in Hai'an County, the three consecutive heads of the County have appeared in the court to respond to charges and the rate of appearance of principals of administrative organs in the court to respond to charges has remained 100% for six consecutive years.

Improving the system for safeguarding the credibility of lawsuits and the authority of judicature. The Supreme People's Court, in conjunction with the Standing Committee of the National People's Congress, amended certain charges under the Criminal Law, to further safeguard the authority of judicature. The Ninth Amendment to the Criminal Law of the People's Republic of China adopted on August 29, 2015 further defined the offences of refusal to execute judgments or rulings, added an offence under the Criminal Law and inserted the provisions regarding offences committed by entities; amended the offences of interference with court order by defining the acts of beating up the parties to lawsuits, or insulting, defaming or threatening the judicial personnel or parties to lawsuits, or refusing to obey the court's order to stop such acts or otherwise seriously interfering with court order as offences; and added the offences of false charges by defining the acts of bringing any civil lawsuit on the ground of fabricated facts,

disturbing the judicial order or otherwise seriously damaging the legitimate rights and interests of others as offences. In June 2016, the Supreme People's Court promulgated the guidelines on preventing and punishing the persons lodging false charges, instructing the courts in all regions to identify the elements of false charges, and enhance the examination of and punishment against false charges, to safeguard the credibility and order of lawsuits.

XI. Advancing the Construction of Intelligent Courts

Since 2013, the people's courts have conscientiously implemented the innovation-driven strategy, the national cyber development strategy, the big data strategy, and the new-generation artificial intelligence development plan, and comprehensively strengthened the construction of intelligent courts. The open, and intelligent online Apps have been comprehensively developed, and the main framework of court informatization version 3.0 has been established, which greatly promotes the modernization of the judicial system and judicial capability.

Enhancing the formulation of top-level informatization planning and standards. The Supreme People's Court has issued the *Five Year Development Plan on Informatization of People's Courts 2016-2020*, clarifying the key tasks and specific requirements for the construction of intelligent courts. In accordance with the guidelines of “systematic projects, standards first”, the Supreme People's Court has improved the system of standards for informatization of the people's courts, developed and released 85 technical standards focus on the case data standards, to support the information resource sharing and exchange, R&D, information security and high quality and efficiency operation and maintenance system construction. It has issued certain provisions on the Numbers of Cases Handled by People's courts and supplementary standards, the Case Information Standard

for People's courts (2015) and other normative documents to implement code-based management of 3,500 courts nationwide, built a three-level case types system, thereby laying a solid foundation for building a new standard system for case information.

Strengthening the construction of informatization infrastructure and security system. The courts at all levels have been constantly upgrading and improving the court network systems to support online handling of all judicial matters, including specific court network, mobile network, specific external network, confidential intranets and Internet. Over 3,500 courts and over 10,000 detached tribunals across the country have connected with the specific court network. Over 28,000 scientific and technological courtrooms have been established nationwide to realize multimedia evidence discovery, remote trial, audio and video recording of court trials, and automated voice recognition in process, and other functions. The Supreme People's Court took the lead in proposing and establishing a high quality and efficiency operation and maintenance guarantee system, and building and using visualized operation and maintenance management tools, which horizontally cover the five major network systems, vertically run through five layers, namely infrastructure, judicial application, data management, information security, and operation & maintenance.

Fully promoting electronic litigation. For further development in the Internet era, to promote the innovation of litigation mode and mechanism, the courts at all levels have been vigorously promoting electronic litigation for whole-process online. The Supreme People's Court has been instructing

and promoting the courts nationwide to deploy five online standard modules for case filing, payment, evidence exchange, hearing, and electronic documents service. The courts in Jilin, Zhejiang, and Jiangsu have fully established and widely used these modules. Zhejiang took the lead in piloting in Ningbo and promoting across the province “Mobile WeCourt”, an one-step mobile litigation platform on WeChat small procedures, which enables the litigants handles more than 20 judicial matters online, such as case filing, inquiry, mediation, court trial, enforcement and payment. Mobile WeCourt has reduced the average time consumption for the courts in Ningbo, Zhejiang to adjudicate first-instance civil and commercial cases by 17 days, the average time consumption to enforce by 28 days, and the figures of litigants’ complaints on “judges are often too busy to contact” by nearly 30%.

Developing and applying a criminal trial intelligent assistant system.

According to the Central Government’s plan for pushing forward the reform of the litigation system with a focus on trials, Shanghai has developed a criminal trial intelligent assistant system with high-techs such as big data, cloud computing, and artificial intelligence to formulate uniformly evidence standards applicable and evidence rules and embed them in the criminal case handling system of public security organs, procuratorial organs, courts, and judicial administrative organs, so as to help staff on duty to collect and examine evidence in a legal, comprehensive, and standardized manner, and ensure that the facts of cases found during investigations, prosecutions and trials are legitimate and that the whole process of handling criminal

cases should be visualized, recorded and supervised, so as to reduce the arbitrariness of the judiciary and effectively prevent the occurrence of unjust, falsely or wrongly charged or sentenced cases.

Strengthening the intelligent assistance in case trial and judicial management. In August 2016, the Supreme People's Court issued guidelines on Comprehensively Promoting the Simultaneous Generation and In-depth Application of Electronic Case Files by People's courts, for the purpose of promoting the electronic archiving of case files and the uploading to the case handling system, creating conditions for online case-handling and the intelligent assistance in case trial for judges. Relying on the big data management and service platform, the Supreme People's Court has generated the information about cases files of courts nationwide, which lays the technical foundation for a court to access the electronic case files of another court. The Supreme People's Court has established the "Faxin" platform to build a world-class legal information service, gather various academic resources, cases, professional practices and improvements, and provide comprehensive, convenient and intelligent service for searching and delivering legal academic resource to different groups such as judges, legal professionals, scholars and the public. All regions have developed a voice recognition system for trials, which can automatically transform voice into texts. Suzhou Intermediate People's Court in Jiangsu has implemented the system to support over 27,000 court-hearings, with accuracy rate of voice recognition above 90%, and with which trial time shortened by 20%-30% on average.

Having informatization and big data serve judicial management and decision making. The Supreme People's Court has built a big database to collect, manage, and analyze the judicial information from the courts nationwide and provide information services in need. This big database collects the information about the case acceptance and closure by the courts nationwide in real time, automatically updates such information every 5 minutes, and collects information about 70,000 to 80,000 cases every day. It is now the world's largest database of judicial information and supports the analysis on the information about case acceptance and closure by the courts nationwide and the distribution of cause of action of these cases. In 2016, the courts nationwide fully realized the integration of judicial statistics with the big data management and service platform, which indicates that the people's courts have completely ended the history of manual justice statistics. As needed by the quantitative personnel performance evaluation, the big data management and service platform connects and integrates the collected personnel data and case data, put forward the central method of judicial personnel management shifting from qualitative to quantitative.

Conclusion

The new round of the reform of judicial system has been both problem-oriented and goal-oriented, starting from the deep-seated problems affecting judicial impartiality and inhibiting judicial capability, and the problems involving the direct and realistic interests that the public care most; such reform has been observing all the time the laws of justice while proceeding from China's actual conditions, exploring the road of reform of the judicial system with Chinese characteristics, focusing on building and improving the socialist judicial system with Chinese characteristics, and has been pushed forward step by step by operation of law, and combined top-down design with exploration through pilot programs, so as to ensure that the reform will be conducted in a vigorous and steady manner.

The people's understanding and support are the driving force behind the judicial reform, and the people's sense of gain is the standard for evaluating the judicial reform. In light of the new challenges in the new era, the people's new expectations and new progress in science and technology, the judicial reform of China's courts will always be pushed forward and never be finished. In the next step, the people's courts will, follow the guidance of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, hold high the great banner of reform and opening up in the new era,

and unremittingly pursue the goal to make the public experience fairness and justice in each judicial case, make the fair, efficient and authoritative socialist judicial system with Chinese characteristics more mature and well-established, comprehensively improve the competency, efficiency and credibility of the judiciary, create a better environment for socialist rule of law, advance the judicial civilization to a higher level, and strive to make the people obtain fair and just outcomes in every judicial case.