

General Regulations on the Organization of People's Tribunals

(Adopted at the 41st Government Affairs Meeting of the Government Administration Council on July 14, 1950, submitted for approval to the Chairman of the Central People's Government, and promulgated on July 20, 1950)

Article 1.

In order to safeguard revolutionary order and to ensure the implementation of the land reform policies and laws of the People's Government, provincial-level and higher People's Governments may, as circumstances require, order the establishment of or approve the establishment of County (or Municipal) People's Tribunals. Their task is to employ judicial procedures to punish local bullies, bandits, secret agents, counterrevolutionaries, and criminals who resist land reform laws—those who endanger the people and the interests of the state, conspire to rebel, or disrupt public security—in order to consolidate the people's democratic dictatorship and to successfully complete land reform. In addition, disputes over the classification of class status and other cases related to land reform shall also be adjudicated by the People's Tribunals. When the tasks of a People's Tribunal are complete and its continued existence is no longer necessary, it shall be abolished by order of the provincial-level or higher People's Government.

Article 2.

A People's Tribunal shall be established on the basis of the county (or city) unit. Where necessary, it may be established on the basis of the district unit or set up as a branch tribunal combining two or more districts. County (or municipal) People's Tribunals and their branches may conduct circuit trials.

Article 3.

County (or municipal) People's Tribunals and their branches are directly under the leadership of the county (or municipal) People's Government. At the same time, they form a component part of the county (or municipal) People's Court. Their nature is that of a special tribunal distinct from the civil and criminal divisions of the court. Ordinary civil and criminal cases shall continue to be handled by the civil and criminal divisions.

Article 4.

County (or municipal) People's Tribunals and their branches shall each establish an Adjudication Committee, composed of one presiding judge, one deputy presiding judge, and several judges. The presiding judge, deputy presiding judge, and half of the judges of a county (or municipal) People's Tribunal shall be selected by the county (or municipal) People's Government; the other half of the judges shall be elected by the People's Representative Assembly of the county (or city) or by people's organizations. The presiding judge, deputy presiding judge, and half of the judges of a branch tribunal shall be selected by the county (or municipal) People's Government; the other half shall be elected by the People's Representative Assembly or people's organizations of the area in which the tribunal is established (in rural areas, primarily by peasants' representative assemblies or peasants' associations). All appointments of presiding judges, deputy presiding judges, and judges shall be submitted by the county (or municipal) People's Government to the immediately higher-level People's Government for examination and approval.

Article 5.

After accepting a case, county (or municipal) People's Tribunals and their branches must conscientiously investigate evidence and examine the facts of the case. The use of torture to extract confessions is strictly prohibited. During trial, with the permission of the tribunal, observers may speak, but they must maintain courtroom order.

Article 6.

During trials, county (or municipal) People's Tribunals and their branches must guarantee the defendant the right to defend themselves and to request defense by another person. However, any defense counsel requested by the defendant must be approved by the tribunal before appearing in court.

Article 7.

County (or municipal) People's Tribunals and their branches have the authority to arrest, detain, and sentence defendants to death, imprisonment, confiscation of property, compulsory labor, public repentance, or acquittal.

- Death sentences, confiscation of property, and prison sentences of more than five years issued by county People's Tribunals or their branches must be approved by the provincial People's Government (or a commissioner's office specially authorized by the provincial People's Government). Death sentences shall be executed by order of the chairman of the provincial People's Government (or by a commissioner specially authorized by the provincial People's Government).
- Prison sentences of less than five years and acquittals require approval by the county People's Government.
- In municipal People's Tribunals and their branches: if the city is directly under a Greater Administrative Area, then the approval authority that would otherwise belong to the provincial People's Government shall be exercised by the People's Government (or Military Administrative Committee) of the Greater Administrative Area, and death sentences shall be executed by order of its chairman. If the city is under provincial jurisdiction, the rules for counties shall apply.

Article 8.

Sentences of death imposed by county (or municipal) People's Tribunals and their branches on bandits, secret agents, and counterrevolutionaries shall, after approval and execution according to Article 7 of these Regulations, not be subject to appeal.

Disputes concerning the classification of class status in the land reform process, once adjudicated in accordance with Article 31 of the Land Reform Law, must be executed immediately.

Other judgments of county (or municipal) People's Tribunals and their branches: if the defendant or plaintiff disagrees, they may, within ten days after the judgment, request the county (or municipal) People's Government to order the tribunal to re-examine the case. If still dissatisfied with the decision after re-examination, they may file an appeal.

Article 9.

If personnel of county (or municipal) People's Tribunals or their branches engage in unlawful or derelict conduct, the people may submit evidence to report them. Upon verification, the county (or municipal) People's Government or the immediately higher-level People's Government shall severely punish them according to law.

Article 10.

The presiding judge, deputy presiding judge, and judges of county (or municipal) People's Tribunals and their branches must recuse themselves from cases in which they have a personal interest.

Article 11.

Other staff members of county (or municipal) People's Tribunals and their branches shall be assigned

from among the staff of the county (or municipal) People's Government, the People's Court, and people's organizations.

Article 12.

The expenses of county (or municipal) People's Tribunals and their branches shall be stipulated separately by the Government Administration Council.

Article 13.

To adapt to specific local conditions, Greater Administrative Areas or provinces may, in accordance with these General Regulations, formulate their own regulations on People's Tribunals, promulgate and enforce them, and submit them for filing with the Government Administration Council of the Central People's Government. If regulations on People's Tribunals have already been formulated before the promulgation of these General Regulations, any provisions inconsistent with these General Regulations must be amended accordingly.

Article 14.

These General Regulations, after being adopted by the Government Affairs Meeting of the Government Administration Council of the Central People's Government and approved by the Chairman of the Central People's Government, are hereby promulgated and put into effect.