

Joint Directive from the Government Administration Council and the Supreme People's Court

People's Judicial Organs Must Promptly Clear Backlogged Cases and Proactively Play a Positive Role in Current Political Tasks

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The Government Administration Council of the Central People's Government and the Supreme People's Court have jointly issued a directive on the need for the people's judicial organs to promptly clear backlogged cases.

To all local people's judicial organs:

Judicial authorities across the country are currently beginning efforts to clear case backlogs. Some regions have completed this task and gained experience, but overall, the problem of case backlogs remains serious nationwide. Failure to promptly resolve these cases undermines the law's ability to punish and educate counterrevolutionaries and other criminals in a timely and effective manner, hinders the establishment and consolidation of revolutionary order, burdens litigants with prolonged lawsuits that negatively affect production, and puts the judicial system in a passive position, preventing it from effectively contributing to the state's current political tasks.

Therefore, all levels of people's governments and judicial organs should analyze the current state of case backlogs, adopt a prudent and responsible attitude, implement effective measures, and strive to complete the clearance of backlogged cases within a defined period—while also preventing new backlogs from forming.

The following instructions are issued concerning the principles and key points of this effort:

1. Promptly Clear Unresolved Criminal Cases:

1. For counterrevolutionaries who have committed extremely serious crimes and against whom evidence is solid, judgments should be swiftly rendered in accordance with the Supreme People's Court's directive of July 23 this year on suppressing counterrevolutionary activities.
2. Suspects for whom evidence is insufficient and no further evidence can be obtained—except in counterrevolutionary cases—should be dealt with based on the circumstances: either released after education or released on bail.
3. Those wrongfully detained should be immediately released.
4. For unresolved detainees who should not be released or bailed, investigations, prosecutions (or decisions not to prosecute), or trials must be promptly carried out depending on the stage of the case.

2. Align Case Clearance with Local Conditions:

Backlogged cases should be prioritized based on the local social context and current work. Particular urgency should be given to counterrevolutionary cases, cases involving sabotage of national economic construction, and those with significant local impact.

3. Strengthen Leadership and Coordination:

People's governments at all levels must provide serious leadership in the clearance effort. Where necessary, cadres from other agencies should be temporarily assigned to assist. Depending on the nature of the case, relevant organizations may be invited to help—for example:

- Counterrevolutionary cases: Public Security
- Marriage disputes: Women's Federation
- Labor disputes: Trade Unions
- Commercial debts: Economic departments or industry & commerce bureaus

Provincial (or administrative region) and municipal people's courts should develop realistic backlog clearance plans, supervise their implementation, and organize assistance in key counties or cities to gain experience and push the work forward effectively.

4. Simplify Procedures and Avoid Formalism:

Judicial organs should make every effort to streamline litigation procedures and eliminate formalism and bureaucratism inherited from the old judicial system. At the same time, strict care must be taken to avoid any careless, perfunctory, or hasty attitudes in clearing cases.

5. Prevent Future Backlogs and Improve the Judicial System:

To ensure successful clearance and prevent future backlogs:

- Establish strict procedures for arrest and detention
- Reinforce the rule-of-law mindset
- Strengthen case intake and resolution processes

For cases that can be resolved on the spot, resolve them immediately. Do not detain those who don't need to be detained.

Additionally, considering local social conditions and ongoing work, judicial organs should experiment with:

- Inviting organization delegates to participate in jury proceedings
- Holding peer mediation and adjudication meetings within work units
- Conducting circuit trials and local adjudications
- Expanding mediation and legal education work at district and village levels

These measures will help consolidate and expand the results of the clearance work and contribute to the establishment and improvement of the people's judicial system and its future development.

All levels of people's governments and judicial organs are requested to earnestly implement these instructions and report implementation progress through the proper channels.

Premier Zhou Enlai

President of the Supreme People's Court Shen Junru

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