

# TEMPORARY REGULATIONS FOR THE SURVEILLANCE OF COUNTERREVOLUTIONARY ELEMENTS

*(Adopted by the State Administrative Council, June 27, 1952)*

## ARTICLE 1

These regulations have been drawn up for the purpose of effecting the complete suppression of a counterrevolution, strengthening the democratic dictatorship of the people, and intensifying surveillance of counterrevolutionary elements in the spirit of the resolution of Article 7 of the Common Program of the People's Political Consultative Council of China and of the Statute on Punishment for Counterrevolutionary Activity.

## ARTICLE 2

The purpose of the surveillance is to achieve the transformation of counter-revolutionaries into new persons under the observation of the government and control of the popular masses by means of specific punishment and ideological education.

## ARTICLE 3

The counterrevolutionary elements listed below who have committed crimes in the past and have not shown repentance or proved it by deeds after liberation and are continuing counterrevolutionary activity shall be placed under surveillance in accordance with these regulations if they are liable for a certain punishment but depending on the extent of their crimes, it is not obligatory to take them into custody and apply criminal punishment. In this category of persons belong: (a) Agents of the counterrevolutionary special service [Kuomintang Counterintelligence -- (Russian) translator's note], (b) Main cadres of reactionary parties and organizations, (c) Leaders of reactionary religious sects, (d) Landlords stubbornly maintaining reactionary positions, (e) Chiang Kai-shek military and civilian officials stubbornly maintaining reactionary positions. (f) Other counterrevolutionary elements subject to surveillance.

## ARTICLE 4

Persons placed under surveillance are subject to deprivation of the following political rights:

- a. The right to vote and to be elected,
- b. The right to accept an administrative post in a state institution,
- c. The right to enter the people's armed forces and the people's organizations,
- d. Freedom of speech, publication, assembly, unions, correspondence, choice of dwelling place, moving to other places, street processions and demonstrations,
- e. The right to enjoy the people's honors.

## ARTICLE 5

Persons under surveillance must:

- a. Observe the governmental decrees on surveillance,
- b. Engage in an appropriate activity, work activity in a factory,
- c. Report promptly the presence of any persons who are engaged in counterrevolutionary activity.

## ARTICLE 6

The term of surveillance is up to 3 years, but in case of necessity it may be extended.

## ARTICLE 7

In the event that persons under surveillance violate the regulations or continue to engage in counterrevolutionary activity, the term of surveillance may, depending on the seriousness of the circumstances, be extended or they may be taken into custody.

## ARTICLE 8

In the event that one of the conditions mentioned below obtained for the persons involved, the term of surveillance may be shortened or completely terminated.

- a. Persons who conscientiously obey the laws and decrees of the government as well as the rules of surveillance and by their actions have shown themselves to be well behaved;
- b. Persons who submit to the control of the masses, actively share in the work at a factory, and have genuinely reformed;
- c. Persons who render the people's government the service of actively exposing counterrevolutionary elements;
- d. Persons who have performed their services that atone for their guilt or who have conferred

special benefits.

#### **ARTICLE 9**

The surveillance over the counterrevolutionary elements applies only to the given person, not to the members of their families and friends.

#### **ARTICLE 10**

Everyone has the right to check on persons placed under surveillance and to report their illegal actions.

#### **ARTICLE 11**

The right to order surveillance over counterrevolutionary elements, except for cases involving decisions by judicial organs, belongs to district, municipal, and the higher organs of public security.

In rural localities a decision to impose surveillance shall be made by regional and district people's governments and confirmed by the district bureau of public security.

In cities a decision to impose surveillance shall be made by divisions and branches of the bureau of public security and confirmed by the municipal bureau of public security.

A similar arrangement applies in connection with the extension and reduction of the term of surveillance as well as its termination.

After confirmation of the decision to impose surveillance, the organ that has confirmed the surveillance shall assume an official decree, which is to be announced and come into force at an appropriate mass meeting.

#### **ARTICLE 12**

These regulations also apply to counterrevolutionary elements whom the people's judicial organs have decided to place under surveillance.

#### **ARTICLE 13**

Responsibility for enforcement of these regulations is assigned to the local organs of public security.

#### **ARTICLE 14**

Detailed instructions confirmed by the people's governments (military-administrative committees) of the major administrative regions must be drawn up in all the provinces (cities) in conformity with these regulations and specific local conditions.

#### **ARTICLE 15**

These regulations shall be confirmed by the State Administrative Council of the Central People's Government and published by the Central Ministry of Public Security for enforcement.