

PRC courts to publish judgments online December 2013

Judgments handed down from the People's Court all over the country will be available online from 1 January 2014, as part of the initiative by the Supreme People's Court of China ("**SPC**") to increase judicial transparency.

Pursuant to the regulation issued by the SPC on 21 November 2013 (the "**Regulation**"), all judgments shall be passed on to the relevant authority for publication on the internet within 7 days after the effective date of the judgment. However, certain cases are exempt from publication, such as those involving national secrets, personal privacy or resolutions by mediation. All judgments will be published on a designated website (www.court.gov.cn/zgcpwsw) and shall not in principle be altered, replaced or withdrawn to ensure their authenticity and reliability.

The Regulation (which repeals a similar regulation issued in November 2010) changes the default position from non-publication to publication. This move is part of a larger scheme to reform the court system in China to make information more accessible to the public at large. At a meeting held in Shenzhen, China on 27 November 2013 on judicial transparency, the SPC called for an increase in transparency of the trial procedure, judgments and information about execution. According to a statement issued by the SPC on 28 November 2013, the SPC urges the courts to develop a comprehensive and unified enquiry system to facilitate parties concerned to know about the progress of their case. The representative of the SPC emphasised that the mandatory publication of court judgments would increase the quality and skill of the judges and promote fairness.

The Regulation will become effective on 1 January 2014.

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