

Don't neglect public interest, courts told

Chinese courts have been ordered to increase their efforts to handle public-interest lawsuits brought by prosecuting authorities, after a successful pilot program was rolled out nationwide.

The two-year pilot program, which started in July 2015 after approval by the Standing Committee of the National People's Congress, the top legislature, gave prosecutors the power to sue poorly performing government departments and business agencies. The idea was to improve compliance with the law by administrators and factories.

"In the test period, more civil and administrative cases were brought by prosecuting authorities, which has contributed a lot to pushing government departments to do their jobs and effectively protect the public interest," Jiang Bixin, vice-president of the Supreme People's Court, said on Tuesday.

The latest data show that Chinese courts filed 831 public-interest lawsuits brought by prosecutors between July 2015 and September this year, with 455 of those concluded.

Now, the program has been extended across the country after it was written into the Chinese Administrative Procedure Law and Civil Procedure Law in June.

The move encourages prosecutors to play a stronger oversight role to ensure that local authorities and companies fully carry out their duties in environmental protection, food and drug safety, preservation of State assets and the transfer of land rights.

It also "raised the bar for judges on handling such lawsuits", Jiang said, adding that there are lessons to be learned from measures taken by some of the courts in the pilot.

To improve the quality of public interest case hearings, some provinces, such as Guizhou and Shandong, set up tribunals to study and hear disputes. They also crafted guidelines to clarify the steps required in the process.

Zhang Dechang, a judge from the Guizhou High People's Court, said that in addition to tribunals, environmental experts are invited to help investigate and evaluate losses caused by polluters.

"What we want with our judgments is to urge government departments or business agencies to implement laws in a timely manner and uphold justice. The experts' efforts can save time in acquiring environmental knowledge and so speed up our hearings," he said.

Applauding the achievements of the pilot program, Jiang, the SPC vice-president, ordered Chinese courts to lay down precise procedures for making

cases brought by prosecutors more transparent and making the public interest a priority.

“An online platform, such as WeChat, is also necessary to increase communications between courts,” he said. “We need to learn from each other as we handle these new types of lawsuits.”