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Article in Brief

The President Yang Xiao's Speech in the Supreme Court of the P.R. of China Meeting

Full text: http://news.xinhuanet.com/legal/2006-01/05/content_4011380.htm

China Court Online, 5th May 2006: Today the Supreme court hold a meeting in Beijing. The president, Yang Xiao gave an important speech. The vice president, Jianming Cao made a work report, the title was Providing Powerful Judicatory Safeguards in Order to Establish a Harmonious Society from a View of Scientific Development to Lead the Work of the People's Court.

The Supreme Court Researches the Establishment of a National Help System for Victims of Crime

Full text: <http://news.cctv.com/law/20070108/102474.shtm>

International Central Television www.cctv.com, 8th January 2007: The People's Supreme Court has proposed to improve the judicial aid system to bring out conspicuously judicial humanistic care. It will research the establishment of a national system to help victims of crime.

According to a telegram from the Xinhua News Agency, on the 7th the People's Court put forward its plans for work in 2007, it will improve the judicial aid system and bring out conspicuously judicial humanistic care. The Research into the Establishment of a National Help System for Victims of Crimes will become one of its important tasks.

National Help System Proposes Schedule

According to a brief from the High Court's Deputy Chief Justice, Jianming Cao at present judicial aid from the People's Court is given before and during a lawsuit. Some courts are already exploring the setting up of judicial aid after lawsuits have come to a close, for example establishing and putting a relief fund into effect, people can apply these courts (The Chief Justice of the People's High Court, Yang Xiao) for economic relief or emergency aid etc. The Chief Justice of the People's High Court, Yang Xiao pointed out that "if there is no special system of protection for weaker parts of society it will be easy for the courts to become an arena for skills in lawsuits, it will be very difficult to achieve equal justice of any substance between the strong and

the weak, this totally goes against our original intentions, we want to advocate a more patience when listening to the voices of weaker groups in society.”

Apart from “researching the establishment of a national help system for victims of crime” the People’s High Court also proposed to pay full attention to the need for justice for disadvantaged groups, improve the economic difficulties of these people through measures for delaying, reducing or becoming exempt from paying the fees for lawsuits, as long as these people fulfill the conditions for assistance to fight a lawsuit; The People’s Court should appoint an advocate for defendants who are blind, deaf, mute or have restricted movement, minors younger than 18 when the court is opened, those who could be sentenced to death and those who don’t have an entrusted advocate.

The People’s Court’s Criminal Trial is Persisting in Safeguarding the Right to Increase Aid for Serious Cases

On the 7th the High Court’s Chief Justice, Yang Xiao in a meeting of the national High Court reemphasized that enlarging the seriousness of help of the criminal justice policy should be correctly implemented, to enlarge the scope of safeguarding human rights.

Yang Xiao said that the People’s Court will run true to form when punishing dangerous crimes against national security, terrorist crimes and organised crimes with gangster like characteristics according to the law; According to the law bombing, murder, hijacking, kidnapping and other such crimes which harm public security, will be severely punished. Crimes which seriously affect the safety of the masses, robbery, theft and other such multiple crimes such as crimes involving trespassing, narcotics, trafficking in women and children etc. as well as manufacturing criminal activities which are charged with heavy responsibility will be punished according to the law to safeguard social stability and allow the masses to live and work in peace and contentment.

Safeguarding the High Court’s Right to Approve Cases of the Death Penalty

The Supreme Court of P.R China emphasized that it cannot relax punishment and revoke authorization of the death penalty.

Integrated Xinhua News Agency, from January to November last year national courts tried and closed 593,020 criminal cases, 759,230 people were sentenced, an increase of 1.6% and 4.3% respectively. In the same period, according to a legal judgment 1,464 criminal defendants were cleared. This is the information concerning the situation from People’s High Court’s Chief Justice, Yang Xiao given on the 7th at the meeting of Chief Justices of the Supreme Court.

全国高级法院院长会议召开 肖扬发表讲话

全文: http://news.xinhuanet.com/legal/2006-01/05/content_4011380.htm

中国法院网 2006 年 01 月 05 日讯: 今天, 全国高级法院院长会在北京召开。最高人民法院院长肖扬做重要讲话, 常务副院长曹建明做工作报告, 题为《以科学发展观统领人民法院工作 为构建和谐提供有力司法保障》。



最高法研究建立刑事被害人国家救助制度

全文: <http://news.cctv.com/law/20070108/102474.shtml>

央视国际 www.cctv.com 2007 年 01 月 08 日讯: 最高人民法院提出, 要完善司法救助制度, 彰显司法人文关怀。要研究建立刑事被害人国家救助制度。

据新华社电 最高人民法院7日在部署2007年人民法院工作时提出,要完善司法救助制度,彰显司法人文关怀。“研究建立刑事被害人国家救助制度”成为其中一项重要任务

国家救助制度提上日程

据最高人民法院副院长曹建明介绍,目前,人民法院的司法救助有诉前救助和诉讼中救助。已经有部分法院在探索建立诉讼终结后的司法救助,比如建立执行救助基金,对部分申请执行(最高人民法院院长:肖扬)人进行经济救助或救急资助等。最高人民法院院长肖扬指出,“如果没有对困难群众、困难群体特殊的制度保护,法庭就容易变成诉讼技巧的竞技场,强者和弱者在形式正义面前会很难获得实质正义的平衡,这绝对有违我们的初衷,我们要提倡更耐心一点地倾听弱势一方的声音。”

除要“研究建立刑事被害人国家救助制度”外,最高人民法院还提出,要充分关注贫困群众的司法需求,完善对经济困难的当事人缓、减、免交诉讼费的具体条件与标准,对经济上确有困难的当事人,积极采取缓、减、免交诉讼费的措施,确保符合救助条件的当事人打得起官司;对于被告人是盲、聋、哑人或者限制行为能力的人,开庭审理时不满18周岁的未成年人,可能被判处死刑的人,没有委托辩护人的,人民法院应为其指定辩护人。

人民法院刑事审判坚持“宽严相济”保障人权

最高人民法院院长肖扬7日在全国高级法院院长会议上再次强调,要正确贯彻宽严相济的刑事司法政策,加强刑事司法领域的人权保障。

肖扬表示,人民法院将一如既往地依法严惩危害国家安全犯罪、恐怖犯罪和黑社会性质组织犯罪;依法严惩爆炸、杀人、抢劫、绑架等严重危害社会治安、严重影响群众安全的犯罪,抢夺、盗窃等多发性侵犯财产犯罪,毒品犯罪,拐卖妇女儿童等犯罪,依法惩治生产活动中的重大责任犯罪,保障社会安定和人民群众安居乐业。

确保最高法院统一行使死刑案件核准权有序进行

最高法强调不能因收回死刑核准权放松惩处

综合新华社电 去年1月至11月,全国法院共审结一审刑事案件593020件,判处罪犯759230人,同比分别上升1.6%和4.3%,同期依法宣告1464名刑事被告人无罪。这是最高人民法院院长肖扬7日在全国高级法院院长会议上通报的情况。

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UNIAP Cambodia news digest: kristy.fleming@undp.org
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UNIAP China Office

Address: Room 210, Building 4, No. 28 Donghousiang, Andingmenwai,
Beijing 100011, P.R. China

Tel: (+ 86 10) 6420 3307, 6420 1671

Fax: (+ 86 10) 6420 3115

Email (general): uniapchina.feng@gmail.com

Website: <http://uniap.law.pku.edu.cn> , and www.no-trafficking.org

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<http://uniap.law.pku.edu.cn>

UNIAP 中国办公室

地址：中国北京安定门外东后巷28号4号楼210室

邮编：100011

电话：(+ 86 10) 6420 3307, 6420 1671

传真：(+ 86 10) 6420 3115

电子邮件 (办公室)： uniapchina.feng@gmail.com

项目网页: <http://uniap.law.pku.edu.cn> , and www.no-trafficking.org