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TICKET STUBS ENABLING SETTLEMENT PAYMENTS BEFORE YEAREND

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PEOPLE'S REPUBLIC OF CHINA

Strengthening Training and Research  
in Selected Key Universities

by

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United Nations Educational, Scientific  
and Cultural Organization (Unesco)

Paris, 1982

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## I. I N T R O D U C T I O N

1. In response to a request from the Government of the People's Republic of China and in the framework of the project "Strengthening Training and Research in Selected Key Universities" (CPR/80/041), an Evaluation Mission was fielded in May, 1982.

2. The purpose of the Mission was to make a critical evaluation of the progress of the project and its achievements with reference to the immediate objectives set out in the project document, and more particularly, in the light of the recommendations of the Planning Mission fielded in August/September 1980, the earlier mission providing the overall guidelines for the improvement and strengthening of scientific and technological training and research in certain key universities and institutions in China. In addition, the Evaluation Mission had the task of providing a new set of guidelines and recommendations for the development of social sciences departments in certain selected universities in the subject areas of law and management, particularly of international law.

### TERMS OF REFERENCE:

3. The Terms of Reference for the Mission were;

- to study the Government's objectives for the development and organization of university level education and research in the fields of science, technology and international law;
- to propose a long term programme to meet such objectives;
- to assess present institutional resources as well as short and medium term needs for academic and support staff and physical facilities with due regard to the specific functions and objectives of the proposed programme;
- to make specific recommendations on programmes and staff development, physical requirements, institutional management and the need for possible assistance from external sources;
- to make a critical evaluation of the progress made under the operation of the present project;
- to formulate a programme for the utilization of UNDP/Unesco assistance

## II. METHOD OF OPERATION

4. The Mission consisted of three members, Prof. A.J. Birch of Australian National University and President of the Australian Academy of Science, Prof. R. St. John Macdonald of Dalhousie University, Halifax, Canada and Unesco Staff Member, D.K. Ghosh from the Science Sector. The Mission members visited nine universities and institutions and additionally held discussions with the two groups from Nanjing University. During these visits accounts were given of Study Tours undertaken by the senior staff members and proposals were outlined for further UNDP/Unesco assistance. In some cases, separate discussions were conducted by members of the Law Departments with Prof. Macdonald.

5. All members of the Mission were fully briefed by officials of the Ministry of Education and by the UNDP office prior to undertaking the tour, and at times during the visits. Throughout these visits, the Mission members were accompanied by the National Project Director and Project Coordinator.

PART I - GENERAL: SCIENCE AND TECHNOLOGY

I.1 Study Tour Assessment

1. We tried to ascertain the results of Study Tours in the following terms:
  - (i) Have they influenced thinking to broaden previous approaches in teaching?
  - (ii) What lessons were learned about Chinese deficiencies? What decisions were made in consequence to modify
    - (a) teaching (types, breadth and content of courses, extent and type of laboratory work) and
    - (b) research (choice of projects, conduct of projects, use of instrumentation, etc.)?
  - (iii) What personal contacts were made and the extent to which these are of continuing value?
  
2. We did not have the opportunity to do more than carry out broad sampling. However, our impressions were usually favourable. The Tours had clearly both opened a window on to the World for the Chinese and a window into China for many people outside. We believe that contacts will continue to be fruitful. Many lessons have been learned and some in teaching and research, notably in choice of suitable equipment. More applications are planned. Standards of comparison have been provided where none existed previously.
  
3. We believe, however, that this phase has passed except in social sciences such as law, economics and psychology which are new fields in China for development. We think that in the science and technology field, Tours may still be needed but that these should be justified by the proposers in rather specific topics and with well-defined objectives in view. This requirement will also help to make necessary a clear definition of priorities on the Chinese side. Related questions concerning visits and workshops are discussed on the following pages.

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## I.2 Future UNDP Activities

4. With a new situation arising from the availability of other funding, such as from World Bank credit, which permits the Ministry of Education and tertiary institutions to make their own decisions on priorities entirely according to their own criteria, we have deemed it desirable to discuss with the Ministry representatives and the institutions visited, ways in which the special abilities of UNDP can be best applied to supplement other available methods. In discussing our conclusions we do not wish to imply that these are necessarily accepted by the representatives of the Ministry or the institutions.

5. What are the special capabilities of UNDP? They are:

- (i) It has the means through Unesco and other agencies to establish fruitful contacts with expert consultants throughout the World.
- (ii) It has relatively small (in the circumstances) but no negligible funding available in World currencies.
- (iii) It has a staff experienced in many kinds of organising operations.
- (iv) It has continuing and valid contacts in various nations, but notably in China, which make it aware of local conditions and needs and assist in defining priorities. We consider therefore that the special abilities should be taken into account both by the Chinese and UNDP itself, in a very conscious fashion, in formulating requests and making and assessing grants for future aid.

6. In connection with project requests, particularly those defining equipment, we sought to ascertain why these could not be supported by other means. The brief answer seemed to be that the enormous task facing the Ministry and the institutions concerned had led to priority decisions which support other activities. The question, therefore, arises as to whether UNDP might justifiably use somewhat different criteria to the Ministry and the institutions.

7. We, accordingly, examined the following criteria:

- (i) Is the project a clearly definable consequence of a Study Tour which should be supported as a follow-up operation?
- (ii) Is the activity of a new kind in which UNDP capabilities can find particular expression?
- (iii) Can UNDP capabilities define priorities which are not so readily defined within an institution?

8. One example discussed under (ii) is the assessed Workshop. The scheme is to have a Workshop on a clearly defined subject area with a special topic, carefully planned with the aid of a Chinese or a mixed international committee if needed and Unesco. This will be followed up after 18 months to two years by a revisit of some of the experts involved to see whether further assistance can be given to carrying out the conclusions and any recommendations arrived at by the Workshop. In appropriate cases the proceedings might be published in China. While likely to be concerned with research topics, such examinations and conclusions by a consensus of Chinese and outside consultants could deal with aspects of administration, of teaching, of instrumental use, or industrial topics. Outside science, there are possibilities in law or commerce to be examined. The approach is an alternative to the invitation of individual consultants and lecturers (although this is not ruled out) and its advantages could be discussed in more detail.

9. An example of (iii) lies in desirable trans- or multi-disciplinary projects which are often difficult to organise in institutions where priorities are often defined by discipline-based departments. We believe that a special effort should be made to support such studies, which tend to be task rather than discipline oriented in ways important to China at this stage of development. As before, studies new to an institution, or particularly ones new to China, come under this heading for UNDP assessed support.

10. Grants for further equipment pose a particularly difficult problem, since it was often not clear to us why quite basic general equipment was not provided by the institutions or the Ministry. We accept at this stage that gaps may be filled if the need is demonstrated, but suggest that UNDP should discuss with the Ministry the basic principles which define relative roles of UNDP or the Ministry.

#### Applications

11. A problem in assessment of new projects has been the lack of information supplied. This is largely due to the inexperience of both the scientific proposers and the administrators in this kind of operation. To assist them, we believe that the information needed should be categorised so that they know exactly what information to seek and what ideas of their own to clarify. It was particularly difficult to convince them that, in the new situation, the virtues of the project as such are not the only criteria. It goes without saying that a project must be

relevant to the situation and to offer scientific or technical promise. In some instances we were not in a good situation to judge purely technical aspects and further refereeing may be desirable. However, we tended to assume initially that they would not be before us at all if not sound.

12. The chief problem was to gain any insight from the administrators or the Ministry why in terms of policies and priorities one project had been chosen above others. We believe that a fairly clear statement of UNDP policies should be made available to potential applicants and the administrators of their institutions, to assist in formulating projects acceptable in principle to UNDP. One difficulty seemed to concern communication. Our previous report (Appendices B and C) which contains some of the headings needed does not appear to have reached the proposers. Whether application forms should be modified is doubtful, it would be more useful to accompany them by a document headed "Advice and Information for Applicants".

13. The necessity to provide the information sought is that it ensures that for research projects the proposers are clear about the objectives and methods and that administrative aspects have been cleared with the right people in their institutions. With equipment, the objective is dual: to ensure that the proposers have thought and done all that is necessary before the proposal is finally defined, and that the proposal contains the information necessary for UNDP and Unesco to make a decision and, if made, to implement it rapidly. This saves time, correspondence and money. It also ensures that, so far as is possible, the right equipment is bought and maintained and profitably used to its capacity.

14. In arranging visits, either to or from China, the situation is now that much closer attention must be paid to the particular reasons and to the background of choice of topics and of individuals. The present approach seems rather haphazard and may no longer be considered as valid.

#### Collaborative Research

15. Genuinely collaborative research with laboratories and/or institutions abroad deserves encouragement. The index would be the likelihood of joint publications. It seems the best way to train Chinese in the formulation and conduct of research. It would involve the mutual exchange and periodic short visits by principals. It may be one way to bring to bear the highest levels

of expertise on specifically Chinese problems in, e.g. entomology, geology, oceanography. The necessities should be examined more closely. The point was made to us that workers from abroad might not be willing to work in Chinese laboratories less well equipped than their own, a fact which should be borne in mind; nevertheless, the availability of materials and situations (marine, geological, seismological, etc.) may compensate and be attractive to foreign workers. So also, in the funding situation abroad, would be the availability of highly capable Chinese workers in a joint project.

### Study Tours

16. Tours of the previous type are still necessary in topics being developed at initial stages, e.g. in law and social science. In areas still at a very undeveloped stage, such as industrial psychology, it seems that before a Study Tour is defined and undertaken, one or two experts from abroad should be invited to China to help define the priorities and the Tour programme. In the example mentioned, for instance, one adviser in the general undergraduate teaching area and one in the more specific industrial psychology field. Endeavours should be made to ensure that all members of delegations should have at least a working knowledge of the language of the country or an applicable one (e.g. English in Japan). This applies even more strongly to people sent for training for extended periods.

17. Otherwise, Study Tours should be limited to more closely defined topics defined as priorities, and the individuals sent should be justified in terms of their particular suitability.

18. We consider that Workshops (discussed para. 8) should be closely considered as alternatives to Study Tours.

### I.3 Some Further General Considerations

19. Universities have very high staff to student ratio, and it is clear that many staff members are incompetent. We were repeatedly told that many need "refresher" courses. This seems true, but it should be noted that any UNDP support should go to basically competent people, and not an endeavour to revive the incompetent.

20. Part of the need for UNDP assistance arises from the very poor position of universities with basic equipment. This is still true in some cases despite the prospects of remedy from the World Bank loan. Part of the problem lies in the role of the Academy alluded to in the last Report, about which nothing seems to have changed. This Report recommended a closer relationship with Academy employees doing some teaching and universities having access to Academy services. This is not an attempt to downgrade the Academy, but to raise it. The effectiveness of scientific research is not measured just by the time and effort put into it but by ideas of the people. Also, in a period of expansion, there is no difficulty about flexibility to change direction and to make new appointments. Such a phase cannot last forever. The Academy is eventually going to be faced with a standstill or even a reduction, as has occurred recently in the UK, USA, Australia, etc. Association with universities will ensure a continuous flow of bright young minds challenging those of the research workers and assisting to prevent the diseases of research institutions: overall aging and a tendency of researchers to rotate their ideas in ever-decreasing circles in an insulated environment. China cannot afford to wall off some of its best minds from the new generation of learners. In the meantime, UNDP is asked to assist in the training for research of people in universities when some, at least of the kind needed, are likely already to be found in the Academy.

21. In recommending on priorities for limited funding, which the Mission tries to do, several limitations need to be noted. One is that the personal expertise of members of the Mission is limited in some technical areas, and further advice may be required. Another is that a number of purely Chinese factors, of which UNDP is aware, may modify priorities set largely on technical grounds by the Mission.

#### I.4 Assessment of Projects and Proposals

22. (Qingdao) The Institution is an interdisciplinary one, and the particular project seems to accord with UNDP policies. One of us, Arthur J. Birch, on a previous visit supported the suggestion that the Institute of Oceanology should expand its graduate teaching and research greatly, and at the same time broaden its undergraduate science base either inside the Institute or by taking students from elsewhere. Effective steps are being taken in both directions, and the future looks hopeful.

23. The only problem with the project request, which clearly is well thought out and has capable direction, is its comprehensive nature and the lack of information as to the detailed reasons for the choice of particular models. If materials like air conditioners, typewriters, xerox machines and other very general items are required, more justification should be given. If overall funding is insufficient, one may suggest further enquiry as to the minimum which will permit this worthwhile project to begin in an effective manner.

24. (Nankai) The project is, at present, not sufficiently clearly set out, either in convincing aims and methods, nor proper details of equipment models or reasons for their choice are available. The projected work is in two areas: insecticidal materials from natural resources and by synthesis both of phosphorus compounds and by following clues from the extraction work.

25. The natural product extraction work is of some scientific and possibly practical interest, but the probabilities of useful outcome are low. We are not clear about the type and efficiency of screening (Dr. Toy, a former consultant to the project, did not seem impressed with the biological side) and if only active extracts are followed-up, a large collecting effort may lead to insignificant results.

26. The phosphorus work could not be judged in detail. (Neither was Dr. Toy able to according to his report, despite his much longer stay). The idea seems to be to start with some known industrial insecticide and synthesis analogues, also with some idea of relating biological activity to structure. This presents great problems. The original firms are likely to have made the obvious changes, and will in any case have them covered by patents (which will cause problems at some future stage). We could not ascertain any novel approach to structural change. Toy comments, and we support the point, that five to six thousand compounds a year must be made and tested in a realistic approach to a new active compound. This is industrial type not university work, and is not possible without a great increase in number of workers. The biological activity-structure work is now so sophisticated in the USA, etc. that it requires highly expensive computers with molecular imaging and data from hundreds or thousands of compounds. It is not feasible here except in a primitive fashion not likely to lead rationally to a new active structure.

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27. The modern trend with natural product work (including those from insects themselves) is in the direction of pheromones hormones, feedants and antifeedants, not just of insecticidal compounds. Pheromones were mentioned, but no specific programme was indicated: which insects, why chosen, how materials are to be obtained, etc. More detailed thought, including how testing is to be organised, seem desirable.

28. Testing laboratories must set up standard screens of defined tests which are accurate, and they then must be provided with a steady flow of material for testing. It is not easy to organise and it requires high skilled people and a clear notion of objectives and means.

29. We comment therefore: insect chemistry in general, and the relations of insects with plants are clearly of great relevance in China. Biodegradable insecticides are clearly also important. A broad base in insect chemistry should be desirably set up, but this requires much more formulation than has so far been given in Nankai. We suggest that this be done with the aid of a consultant or consultants in relevant areas. The phosphorus work should be done in industry, but if carried out in the university should either be viewed as an exercise in phosphorus chemistry, or re-thought in forms of possible novel approaches.

30. The name of the laboratory probably needs re-thinking in terms of its role. If it means anything, it implies investigation of organic compounds containing P, Si, etc., which is a legitimate approach, but which does not cover the natural product work, or have any implications or involvement of insecticides.

31. The equipment sought is of types (no justification or indication of models) basic for any organic research laboratory. We are not clear also about the grounds of its justification in relation to planned availability in a central instrument facility, although there may well be some more justification, and more details are requested.

32. The staff appointments and/or training indicated are clearly critical for any moves, even if this is to be in the direction of implementing a policy to set up in Nankai a high level organic structure synthesis laboratory with biological attachments, which would be a legitimate aim irrespective of what work areas are involved. In that case more than those indicated for training are likely to be needed, for example one in NMR and one in mass-spectroscopy,

and also in the end more equipment, such as combined gas-chromatography-mass spectroscopy. We could not obtain a very clear idea of the role of the biological person. Such staff should be at the highest research level in their fields and involved in research in their own areas, not just in interpretation for others.

33. We suggest therefore, further refinement of policies and priorities with clear decisions in detailed initial programmes, with a reasoned case for the resulting requirements. We would suggest for UNDP the initial support of further consultants and training programmes for a synthetic chemist (or chemists) and instrumental scientists (when it is clear what instruments will be available). The question of expansion of biological testing personnel could be evaluated by a proper indication of projected requirements and organisation.

34. Consideration of equipment awaits further formulation of policies and information on models and full justification as noted elsewhere in the Report, together with rationalisation in connection with the instrument centre being set up.

35. (Hangzhou) The industrial psychology project is clearly in an area of work very appropriate to Chinese needs. However, to formulate future decisions we suggest that the first move should involve perhaps two consultants, one in the teaching field of general psychology, and one in the specific field of industrial psychology. They should advise on Study Tours and on the content of undergraduate courses and particularly in laboratory equipment. Following this evaluation, a justified request in specific terms could be examined. Initial support for further assessment comes under Category A; further project requests require detailed examination.

36. (Xiamen) The general approach is to be commended as being in the forefront of world science in the organometallic area, and as providing a training ground for scientists and technologists in a number of industrial areas, certainly petrochemicals, probably in the long-term nitrogen fixation.

37. The project is largely dependent on Prof. Tsai, and if he ceased for whatever reason to be associated with it, there are likely to be difficulties. Steps should be taken to define the long term direction and organisation if further equipment, largely only relevant in this technical area, is bought. An EPR spectrometer is highly desirable to pursue fundamental research in the topic.



38. (Tongji) A convincing case was made both for the relevance of the project and the technical approach taken. It comes under Category A with the reservation that if in examination of the global sum available, complete support is not feasible, examination should be made, relative to other Category A classes, to see what is the minimum sum which will enable a reasonable start to be made to the work. It seems an interesting area for an international Workshop.
39. (East China Normal University) The work seems good and relevant, and the equipment is rather standard support for projects in the general area. Visits could perhaps be considered on the basis of a workshop on Estuaries or suitable related topics. More information is needed on policies and justification and on priorities if all equipment cannot be provided within the global funding which seems likely.
40. (Qinghua) The idea of establishing material science on a fundamental broad basis is a good one. It is likely to require appointments in new areas, and the cost of equipment required should not be underestimated. A more detailed consideration and plan is needed.
41. Coal utilisation is clearly relevant to Chinese needs. The type of work to be undertaken is of a very applied type and consideration might be given to siting it in industrial establishments. Given, however, that the present equipment and personnel situation exists, in the short term use might well be made of it. The fellowship programme at any rate seem in part reasonable for UNDP. It is not so clear that all of it should be funded, or that equipment sought should be funded since the importance to China in relation to energy use seems to indicate that the project should be a priority for support from the coal and energy industries. It contains an element of the training of teachers, but the main outcome desired seems to be the technical results. Further information and justification as a UNDP project seems required.
42. (Nanjing) Both the acoustics and environmental projects are relevant, and appear well conducted and to be producing useful results. The discussion with the proposers, modified proposals in line with UNDP policies were canvassed, and new detailed proposals are awaited.
43. (Fudan) The work is of scientific interest and possible industrial relevance, although mainly a contribution at a fundamental level. Following discussions, a more detailed proposal is awaited.

### I.5 Recommendations

We recommend:

44. That UNDP examine the suggested policies related to project support which are mentioned in this report, to accept, modify or reject them. To the extent that they are accepted they should be notified to institutions and applicants.
45. That application forms be accompanied by "Advice and Information to Applicants" which outlines both policies, and the detailed and categorised information required (modelled after Appendix B and C attached herewith).
46. That refereeing of projects by experts be sought when this is desirable to assist in decisions. (Referees probably need some guidance in connection with the Chinese situation).
47. That UNDP confers with the Ministry of Education in connection with the policies under (44) and seek what information it can in relation to Ministry policies in support of work so that approaches can be dovetailed.
48. That in considering new funding the following policies be adopted:
  - (a) To continue the Study Tour programme for groups or individuals but with increasing attention paid to priority topics, except in areas at a very early stage of development such as Law.
  - (b) As an alternative to individual lecture-oriented visits (which can be continued as necessary) to support Workshops bearing on priority topics.
  - (c) That special efforts be made to support genuinely collaborative research programmes with institutions abroad, probably on problems of direct relevance to China.
  - (d) That inter and multi-disciplinary task-oriented work and organisation be specially encouraged (e.g. in meteorology, oceanography, earthquake research, etc.)
49. That at the present juncture of new programmes, further information be sought as indicated, in order to have a fully comprehensive and accurately costed list of project requests. That, if, as seems inevitable, full requested funding is not possible, projects which are funded should receive enough to enable real

starts to be made, even if this implies no funding for other projects.  
(In this connection, proposers should be consulted on the consequences to  
the project of designated financial cuts).

50. In the Law area, the Mission supports the recommendations formulated  
by Prof. Macdonald and set out in Part II.

## PART II - GENERAL: LAW

### II.1 Introduction

51. What follows is a brief summary of major recommendations based on this recent visit to the People's Republic of China under the auspices of UNDP/Unesco and on sustained relationships with distinguished Chinese professors of law.

52. Some of the recommendations that follow are for urgent immediate action, others are strongly suggested for implementation prior to the year 2000. Some recommendations will involve little financial outlays but their success will depend upon concerted and cooperative efforts by existing personnel, departments and organisations; others will require very substantial financial support.

53. While it is hoped that these recommendations will be useful, and while it is anticipated that outside financial assistance will become available to carry through the creative programmes desired by the scholars of the law departments, it is absolutely clear to all concerned that the imaginative and practical planning, initiative and sustained efforts of the Chinese people themselves are the basic prerequisites.

54. Since this is an interim report only, and since priorities must be set by the Chinese academic and administrative authorities, the recommendations that follow are not listed in order of priority. Nevertheless, we feel that most, if not all, of these short term objectives should be implemented immediately.

### II.2 Short Term Recommendations

55. Preparation in mimeographed booklet form of profiles of all law departments in the country. For example, a booklet on "Law Departments in the People's Republic of China 1982" would include information for educators about the location, history, background, size (faculty, students, researchers, support staff), programmes and specialisations of each law department in the country. This information would be updated annually and circulated to all institutions concerned with the teaching of law in China. Copies would be available in the Ministry of Education and in all major libraries for use by educators, scholars,

students, lawyers, and other interested persons.

56. Preparation and prioritizing of current needs and project proposals of each law department in as much written detail as possible. For example, "The Law Department of Nankai University 1982" would include:

- (1) number of students to be sent abroad each year and for how long;
- (2) number of faculty members to be sent abroad each year and for how long;
- (3) proposed countries to which students and teachers are to be sent;
- (4) list of books and journals, documents and other legal texts required over a 10-20 year period indicating immediate, intermediate and longer-term needs;
- (5) equipment in order of need and quantity;
- (6) relationship with existing personnel and other divisions of the University e.g. Department of Environment, Department of Energy, Department of Marine Science, in planning new programmes and projects;
- (7) proposed or possible cooperation with other institutions, agencies and organisations in the geographical region. More detailed information would, of course, be provided on the proposed expansion of international economic law at Xiamen, Hangzhou, Fudan, Nankai and Wuhan, and in marine law at Shandong. Appropriate detail would also be provided on how these programmes might be related to and coordinated with each other.

57. In line with the present plan of making the already well established Beijing Law Department a model for other law departments in China, it is suggested that immediate support be given to this department in the form of a capital grant to support

- (1) the University's graduate programme with law teachers drawn from all parts of China and abroad;
- (2) the sending abroad of law graduates and librarians for training in law, librarian science and modern education technology;
- (3) the development of a computerised and diversified law literature collection and;
- (4) the support of essential services such as microfich, micro-processing, duplicating and printing equipment, computer terminals, and most up-to-date recording and audio-visual machines.

58. The School of Library Science at Beijing University to give attention on a priority basis to the needs of the law library collections in Beijing University and in the law departments of other universities throughout China.

59. As a matter of urgency, commissioning of an expert study of existing law libraries in China, including the law collections in Beijing central library and in the institutions of government, such as the Ministry of Justice and the Foreign Ministry, by a qualified law librarian familiar with the most up-to-date library technology. This study, undertaken in cooperation with the existing librarians in Beijing and elsewhere, would assess needs and resources and plan a course of action to strengthen the law collections in China over the next twenty years. Such a report could be completed within 6-8 weeks. Places to look for an expert include Harvard and Yale law schools, the Library of the Congress in Washington, the Max Planck Institute in Heidelberg, and the Swiss Institute of Comparative Law in Basle.

60. Formation of a national association of law librarians drawn from each major region of the country; the association might sponsor annual conferences, specialised workshops, newsletters, exchange of acquisition lists, and serve as the liaison body with sister organisations abroad.

61. On an immediate basis, even before receiving the report referred to in paragraph 59 above, the sending abroad of two young law graduates to undertake a comprehensive course of study in law library management and development giving special attention to the rapidly expanding field of educational technology. It is crucial to recognize that the pace of change is such that information storage and retrieval techniques of 1982 are becoming outdated as quickly as they are refined. While costs of equipment currently is high, they are rapidly declining. On their return, these two specialists would assume leadership roles in the implementation of the report referred to in paragraph 59 above and in cooperation with the School of Library Science in Beijing University and with the to-be-established Association of Law Librarians in training a corps of Chinese law librarians and supportive staff.

62. To investigate, through the Chinese Mission to the UN, the possibility of having several libraries in China designated as UN deposit libraries for the purpose of collecting UN documentation, records, etc.

63. Establishment of on-going links with institutions of pedagogical research and training in China and abroad in order to relate relevant new methods of learning and teaching to the specific environment of law and legal education. For example, it might be useful to make contact with the law teachers training clinics in Canada and the U.S. and to send several young Chinese professors to the summer sessions of these institutions.
64. Establishment, and if already established, financial support to a national association of professors of law in the law departments and colleges of law. Such an association, similar to counterpart societies in various other countries, would seem to have a central role to play in standard-setting and in virtually all aspects of legal education as it develops in China.
65. A Study Tour of 3-4 western countries by a relatively small and compact team of scholars to be followed by a national conference on law school planning in conjunction with the preparation of the long-term planning report referred to in the conclusions below. Prior to departure, the members of the team should spend 1-2 days together to establish close working relationships among themselves and to arrive at a consensus on the process which they find most useful during the Study Tours.
66. The following recommendations to be carried out immediately and simultaneously are made in relation to the strengthening of research and teaching in the fields of international law.
- (1) A development grant for the China Association of International Law, founded in 1980, and still the only professional organisation of its kind in China.
  - (2) A development grant for the Chinese Yearbook of International Law. The first issue of which is expected in 1982.
  - (3) A workshop on the teaching of international law in China with special reference to international economic law and its place in the curriculum of the law departments.
  - (4) Establishment, through the Chinese Mission to the UN in New York, of contact with UNITAR in order to obtain fellowships and internships at the UN and the ILC for Chinese students.

- (5) "Seed Money" to encourage the Fudan proposal for an annual publication on "Chinese Practice in International Law" subject to the project organizer providing detail on the relationship between the project and the work of the Chinese Association of International Law and the documents section of the Chinese Yearbook of International Law.

### II.3 Long Term Recommendations

67. In effect, the foregoing recommendations underscore the need for immediate and substantial financial support in order to meet short term goals. More importantly, they emphasise the urgency of institutions by the Ministries of Education and Justice, the universities and outstanding experts of a comprehensive and detailed programme of development for the law departments in the selected Chinese universities to the end of this century.

68. This plan of action for development will assess and set priorities for: the education of both undergraduate and graduate legal workers in China; the appropriateness of curriculum and areas of research in the context of an ever-increasing complex modernisation programme and in the context of an anticipated greater involvement of legal workers in the international community; specialisation, division of labour, and increasingly close communication and cooperation among universities and other institutions involved in the professional preparation of legal workers; the expansion of international legal studies throughout the country in the light of China's expressed intentions to assume larger responsibilities within the international community; a critical analysis of the adequacy of the current facilities, equipment, services, and supportive personnel in each of the selected universities and the setting of priorities for action to be taken to raise them to maximum efficiency.

69. Only on the basis of such a comprehensive, detailed and very specific People's Republic of China plan of action will it be possible to attract the levels of financial support required to realise the goals of modernising the law departments in accordance with the outstanding ability and potential of the Chinese people. It is strongly recommended that such a plan of action be complete within the next two years, by which time the short term goals outlined above will have been realised, in order that a search for funding can go forward as soon as possible thereafter.



QUESTIONS RELATED TO PROJECTS

1. What is the objective of the work?
2. In what way does it relate to (i) broad and defined categories of need, and (ii) scientific and/or technical opportunities?
3. Why is the objective being sought in this way and not some other way?
4. What other methods have been considered?
5. What space facilities are required and available and who supplies them?
6. What equipment is needed and what is available?
7. What academic staff members are involved?
8. If multidisciplinary, testing, development or collaboration activities are required at any stage of the work, what arrangements have been agreed?
9. What technical support (technicians, research assistants, secretaries, information facilities, computer time, etc.) is needed? Is it available?
10. What support of any kind (financial, logistic) is available or being sought and from what sources?
11. If the project is successful/unsuccessful what further steps or requests can you foresee?
12. If the project involves appointments are these for the period of the project or with tenure?

QUESTIONS RELATED TO EQUIPMENT

1. What is the equipment to be used for -
    - (a) in the short-term, and
    - (b) in the long-term?
  2. What defined research/teaching programmes does it support?
  3. What makes and models of equipment have been considered and why has this one been chosen (including manufacturer's quote, performance, operating characteristics, servicing, etc)?
  4. What information is available to you, either through personal acquaintance with the operation of the equipment, or through close informants, on details of operation and reliability?
  5. What experts have you consulted?
  6. Does the purchase of this model have any future likely consequences in purchase of attachments, or other instruments of the same make?
  7. What is the servicing situation in regard to -
    - (a) technician maintenance
    - (b) workshop requirements
    - (c) spare parts? Discuss the availability of these.
  8. If the project has a definable termination, what subsequent use can be made of the equipment?
  9. Are there other projects which can benefit by the availability of the equipment? If so attach supporting statements.
  10. What extra technical support appointments are required, and have these been agreed with the appropriate authorities?
-

### III. A C K N O W L E D G E M E N T S

The Mission members wish to acknowledge kindness with which they were universally received, cooperation that was unhesitatingly extended to them and frankness with which technical and other problems were discussed with them. They wish to thank most sincerely the Presidents, Vice-Presidents and Staff of the Institutes visited as well as the various officials of the local Reception Committees entrusted with making local arrangements. Special thanks are due to the National Project Director, Mr. Wang Fusan, for his care and attention to detailed arrangements and to the National Project Coordinator, Mr. Cui Jian Guo for his personal attention and highly efficient translation.

The Mission members are grateful to Mrs. Chen Mohua, Counsellor of State Council for the audience given and the guidance provided at the latter stage of the Mission.

Mr. Nessim Shallon along with Mr. Alan Doss and Miss Kerstin Leitner of UNDP greatly helped the Mission in its task by their constant support and extensive knowledge of the country.

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The subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures. JUNIUS

## Beijing's brutal blunder

How feeble our protests sound.

The Canadian government regrets that China has slaughtered her students with machine guns and broken the people of Beijing beneath the tread of tanks. Has Joe Clark yet said "This is unacceptable?" We can hear him say it on behalf of all Canadians in his flat, decent voice. Such events make our most earnest responses sound trivial. Unacceptable, unspeakable events.

Canadians of Chinese origin and visiting students are asking today if their friends and family are unharmed — it is too early to imagine that anyone is safe. Was a brother trapped in Tiananmen Square with the other martyrs to democracy when the troops began mopping up? Did a grandmother go the window as the soldiers emptied their automatic rifles indiscriminately into the night? Ambulance attendants have been shot as they tried to succor the wounded; doctors killed by troops firing on the hospitals. When a government takes up arms against a people, no one is safe.

The streets of Hong Kong have swollen with thousands of frightened citizens demonstrating their horror that soon this regime will direct their fate. The government of the People's Republic has promised to respect their freedoms but it also promised that the army would not be used against the students.

The student occupation of Tiananmen Square was a classic exercise in peaceable dissent. Young Chinese returned from studies in the West with an appreciation for the tactics of Martin Luther King and a realistic sense of how high the asking price of freedom can be. They called for a free press. They asked for honest government. They sought intellectual liberty.

For six weeks, Chinese Communist Party leaders have met these pleas for democracy with bewilderment and vacillation. The visit of Mikhail Gorbachev delayed the suppression of the

students and inspired the demonstrators, who saw in the Soviet leader a Marxist who understands a people's need for freedom. As he left, Mr. Gorbachev gently urged his Chinese comrades to talk to their children in the square.

But for the inward-looking Chinese Communist Party leaders, the student unrest simply became ammunition in their internal struggle over the succession to 84-year-old Deng Xiaoping. When the hard-liners won, the soldiers were set upon the people. It was a decision made in frustration and resentment. The slaughter advances no policies, secures no significant end except a brief stunned silence over the bodies of the victims. The hard-liners have made a pact with the devil — one of whose names is Anarchy. In their effort to exert absolute control, they have sacrificed the legitimacy of their administration and they have corrupted the People's Army by bathing it in the people's blood.

China's leaders have brought a tragedy down upon her people which will estrange them from their friends and debase them in the eyes of the world. The faith in China's progress that underpins the loans, investments technological aid from many Western nations has been seriously damaged. While this regime survives, China's influence and prospects will shrink.

Perhaps the massacre will buy the Communist Party government a little time. Their propagandists are claiming a great victory over counter-revolution. But the courageous students who gave their lives for their beliefs will not be forgotten by their countrymen. The martyrs will inspire demands for change that cannot be stopped by guns or shut up in prison cells. In time, even the most callous member of this brutal regime will learn that real power does not come from the barrel of a gun. It comes from the hearts of a people. Today those hearts are heavy.



. Forward .

STRIVE FOR THE FOUNDING OF THE SCIENCE OF INTER-

NATIONAL LAW OF NEW CHINA

( Notes )

- . The publication of the Yearbook is a big event to the Chinese international lawyers.
  
- . The fundamental changes of the Chinese status in the world community have afforded the best political, social and historical environment for the development of the science of international law in China.
  
- . The Chinese have made great contributions to the development of international law, such as the Five Principles of Peaceful Coexistence and the Principle of Anti- Hegemonism.
  
- . The study of international law was at a standstill during the Cultural Revolution.
  
- . The new policy of emancipating the mind and being practical and realistic today bring a new life to the study of international law in China.
  
- . To maintain a peaceful international environment, to develop the economical relationship with other countries, to make use of foreign investment, to learn the advance science and technology from abroad and to promote cultural exchange are very

important to realize the historical task of the Chinese modernization. These activities have raised new problems and granted new tasks to the study of international law in China.

- . The Chinese international lawyers should work hard at the international treaties adopted after the Second World War and the new branches of international law, such as the law of the sea, space law, international economic law, the international environmental law, etc.
- . The study of international law should be guided by Marxism, Leninism and Mao Tsedong Thought.
- . The tasks for the Chinese international lawyers are:
  - to analyse and sum up the development of international law with Marxism-Leninism and Mao Tsedong Thought;
  - to give a scientific analysis and a proper criticism to all the bourgeois and revisionist theories of international law;
  - to create a system of theory while expounding the Chinese pinions in international law;
  - to study all the branches of international law in depth and to make contributions to the Chinese practice in international affairs and the domestic legislative work; and,
  - to train and bring up a new generation of Chinese international lawyers.

- . The Yearbook should play the role of promoting the realization of the tasks listed above.
  
- The policy of letting a hundred flowers blossom and a hundred schools of thought contend should be carried on in the work of publishing the Yearbook.
  
- . To introduce the academic activities in international law all over the world, the new development of the theory of international law and the new publications in this field will be one of the tasks of the Yearbook, in order to promote the academic exchange with foreign international lawyers and enlarge the field of vision of the Chinese international lawyers.

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Year Book.

May 19/83

①

①

There are two articles on state spaces,  
one by Ni Zhongze member of the I.L.C.  
His article is a review of the present state of  
S.S.P.; fully and clearly outlined, especially,  
it has 4 parts: ① historical review; how relations  
- among state spaces; ② state spaces above and below  
a topological group; a general theory of topological  
groups; ③ topological groups (a historical review); ④ survey of  
literature.

The second article by He Qing, a recent member  
of the I.L.C. deals with the theory of state spaces: a clear  
definition of dualities; a five parts, but  
is not really clear and concise.

① the concept of state spaces; ② the author of  
surveys the state spaces theory; ③ various ideas  
and boundary problems. ④ logical states of  
generalized 5. recent developments.

Both articles are fractional,  
but really are clear.

May 19/83 (2)

(2)

There is a very early copy by T.C. Chan  
- the first vol. in BFI book by Prof.

Chan who died in 1971. Chan into this book  
in 1969 and it was published in 1976,  
5 yrs after her death and of course after the C. Book.

Publication was hindered for ~~other~~ intend use;  
it could not be bought in book stores, anybody  
who wanted to buy it had to buy a title for  
her working unit. TC says this book is

v. v. sp. in Chinese in her notes, because this  
is the first BFI book of PII <sup>same edition</sup> in Chinese:

it deals with the in 1900s, not now.  
The author studies 15 vols in 2 vols but he  
does a type earlier vol 2, His system of  
organization is the historical one: introduction;  
subjects (sites, receipts, succession); rights &  
duties of sites; the aspect of 1st vol;  
birthdays; high fees; numbers; books;  
and requests;

~~in the end, T.C. Chan ~~reports~~ designed~~  
of book was with vol 1 & others of first  
(because TC does not agree with the

~~Focus~~

Some up' pts: to be necessary:  
~~to~~ subjects etc. prior to this not be  
 it is unstable but we all know we are all right  
 can be done.

~~2. the nature of etc~~

2. class analysis of PIL:  
 Prof. Chan follows Smith here, but to clear  
 questions to expectations of using the relevant  
 analysis here.

3. Sovereignty:  
 Chan said that a state has sovereignty, but  
 not that it is not granted by PIL.  
 But ~~the~~ to say that is not  
 properly expressed.

3. whether protected states are subjects of PIL.

③ Prof. Chan studied in Trier, France and Lyell in his early  
 years. Received doctorate degree from U. Paris. at  
 Paris 1925 awarded his professorship of law at Poly U.,  
 South East U., and Wake University. ~~He wrote~~  
 Before 1949 he wrote Principles of Public Law but he  
 in 1934, A New Level of P. L. L. in 1934,  
W. L. L. L. in 1947. After the liberation



(4)

Wang (1963) ~~is~~ <sup>was</sup> ~~an~~ ~~author~~ ~~of~~ ~~the~~ ~~book~~ ~~on~~ ~~the~~ ~~PIK~~

(4) Prof. Wang's book is being used as a  
way of spreading in China.

---

There is another comment in the Y. B. on  
the U.S. - Taiwan Relations Act which  
came from a CIA. source, by

Zhang Hong Zeng. This source  
was used in official Chinese articles.

---

Anyone who writes ~~in~~ should read  
this article.

1. ~~the~~ <sup>reported</sup> The 2 articles a chinese wholly owned  
The first article, review, at present  
legislation of the Principles of double  
entry bookkeeping is being prepared.

Ms.  
by Shen Yu, Vis-Cont.

The second article, auth by Mr. Wang Kefu,  
(T. 16) review, china principle of double  
entry bookkeeping after the Transition  
period will be the no legislation;  
it is to be enacted at present - to cover  
1982 china legislation, which will  
cover upward of the 1981 or  
double entry or applied to china  
china. The new law has to  
avoid double entry. at present, it seems  
china to be subject of the early and  
single entry. It is just, it is  
single entry is applied to  
to china and other part of china.

1. Article by Nici Schar you enter:

1. ~~evolution~~ evolution of ch. article law, over the latter but at 1909 1982 as article & the 1914 revision as article law
2. - original survey of all people at practice of chess practice as article probe after practice.
3. It was article & article of the 1982 article law
4. It ~~practice~~ practice of foreign countries & all people, of PIE as article.

2. Article by Wm Kepri

the general purpose used by the 1982 law:

the 5 of them: ① a ~~complete~~ <sup>simple</sup> article based on the equity, of ~~the~~ people hood.

- ② the equity of men & women
- ③ for requirements the new doings with are the requirements.
- ④ no recognition of double article: try to avoid this
- ⑤ a ~~complete~~ article of application by all persons - covered as the general approval a case of equity, double, and other chess article.

②

to analyze a foreign market by

Yao H. Lichten (p. work) : this is a  
policy analysis  
~~general review of~~ pol. law and practice;  
why some are better than others  
practice;

foreign legislative and  
regulatory techniques & various countries.

→ there are 4 cases - LA 7 others  
but for market = ~~the~~ China, but  
there are not rules. But in  
this of B. there are 11 states  
of China ~~law~~ as per market.

3

Some legal aspects of an export of  
Technology & Utilization of Pat. Market  
a small by - of the - (see book)

4 pts here:

1. the main provisions of <sup>Paris Convention on 1889</sup> ~~Paris Convention on 1889~~ = 11 subjects of export  
technology: ~~the scope of the patent~~

2. the number of subjects ~~covered~~ patent  
rights in China.

3. the new develop. of the law of the  
joint venture using Chinese & foreign  
investor.

4. Arbitration in ~~export~~ <sup>China practice</sup> ~~export~~ <sup>arbitration</sup>  
↑  
↓  
Trade

4a) total for 6

= it is necessary to recognize that debtors  
in arrears will enter good will  
to a sum of all

4

# Just cogent and not later

mainly about the Union Council

- the concept of free export
- the status of free export - it has been since 1969
- the principle on free export is the 1969 context

Exchange:

(N.B.)

to export with the idea and  
 the need for free exports  
 the principle of

- the 1969 context is complete  
 because it did not clearly define  
 the scope, extent of free export,  
 and it did not define a  
procedure, but defined in  
 the spirit of dispute.  
 This situation is  
 regrettable - leads to  
 instability.

(N.B.)

= the point is that  
 the principles of liberalization are  
 not correct, because it does  
 not export with freedom  
 and the needs of the country.

⑤ Articles on the Veto Power of the Pres. & Members of the S.C.

1. a people of vote not be limited or abolished,
2. ~~but~~ there are difficulties in doing so now
3. revision of the decision-making process in S.C. and adjustment of the vote of the members.

4. Coalition:

1. vote is vs. all members of same equally
2. who uses all vote is a major coalition and for vote purposes.

③ it is not possible to abolish vote it must be

④ was ruled by to keep same way to limit it.



# 1. Permanent Sovereignty of States over their natural resources.

by Wang-Xuena (a general article)

1. ~~is~~ ~~the~~ ~~idea~~ of sovereignty permanent SSRS.  
~~is~~ ~~the~~ ~~idea~~ developing countries need the idea sovereignty  
or not or partially.
2. needs to UN solutions a solution - this  
type.
3. UN Charter art. 2 ; control of foreign invest.  
has to bring to general policy or big measures  
(not on case, but a general).
4. Transitional stages a total sovereignty.
5. redefinition - UN principles there.

## 2 Legal Protection of Int. Investment. Yao-Meighan

(also a very good article) - mostly that class.

- it ~~illustrates~~ the legal regimes (national & int)
- on LP of i.i. as the practice of foreign countries.
- talks mainly about the business, West Germany, Japan

1. →) discussion of the problems is the theory & practice

- 1 LP II:
1. Calvo clause; diplomatic protection;
  2. treatment of the foreign investor;
  3. expropriation.

2. the ~~effect~~ effect of state expropriation

3. compensation = reparation:
- (1) legitimacy of expropriation;
  - (2) ~~the~~ standard of compensation: the way the int. std requires only partial compensation; complete compensation is not required

### 3. Privileges and Immunities of I.O.

Scan Jir, Zhang Hongbing.

- history of codification in this field.
- the legal functions of privileges & immunities of IO
- special features: cooperation with diplomats.
- recent developments
- problems:
  - 1. what laws are applicable.
  - 2. permeability of host states.
  - 3. jurisdiction
  - 4. nature of activity.
  - 5. > equal treatment: depends on the host state.
  - 6. personal security.
  - 7. nature of deposit

- the conflict of ~~law~~ to ILC.  
→ choice of a party to the Vienna Convention on Dipl. Priv. & Imm., and choice of a number of former UN agencies.

- to practice, China ~~has~~ asserts all int. law & treaties. In late 1970's, all the <sup>major</sup> ~~types~~ of I.O. were given diplomatic immunity.  
- Permanent  
- Deputy  
- Minister.

- UNDP  
- World Bank  
- WHO.

# CHINA

## Facts & Figures

### Legal System

#### General Introduction

The Common Programme of the Chinese People's Political Consultative Conference, which was adopted as a provisional constitution at the inauguration of the People's Republic of China in 1949, stipulated that China was a state of the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants. Accordingly, New China abolished the legal system of Old China in its entirety and formulated a new legal system and various policies conforming to the character of the new state.

In the first few years after its founding, the People's Republic adopted a series of laws and regulations for the purpose of accomplishing the tasks left unfinished in the new-democratic revolution and rehabilitating the war-torn economy of the nation. In June 1950, for instance, it adopted the Agrarian Reform Law, which had as its aim the abolition of land-ownership by the landlord class and the redistribution of confiscated land among the tillers. In April of the same year, it passed the Marriage Law, which provided

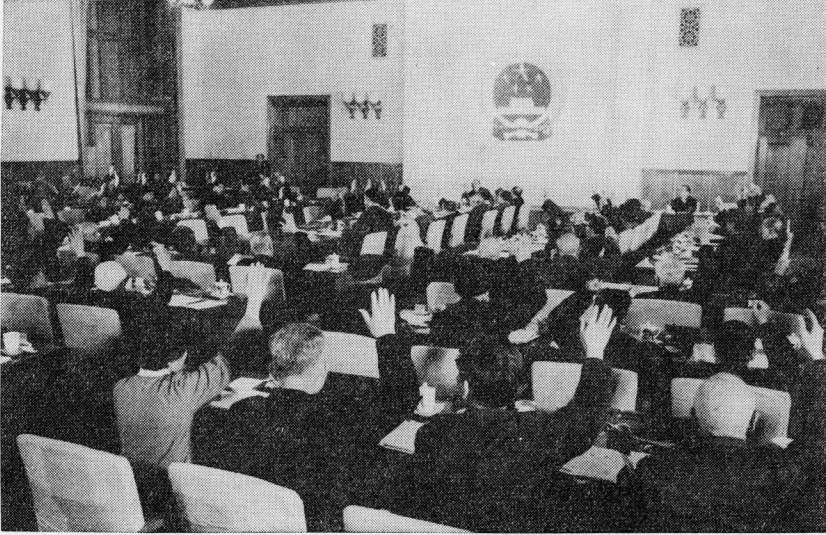
for the annulment of the arbitrarily arranged feudal marriage, the institutionization of monogamy and the establishment of a new matrimonial and family system based upon the protection of the lawful interests of women and children. In February 1951, it promulgated the Regulations Concerning the Punishment of Counter-Revolutionaries to safeguard the economic rehabilitation and the land reform movement against the sabotage by remnant counter-revolutionary forces. The Trade Union Law adopted in June 1950 and the Labour Insurance Regulations promulgated in February 1951 (the latter being revised in January 1953) made specific provisions with regard to the role and functions of trade unions in the new regime, in addition to the prescribed material benefits which workers and staff members expected to receive in case of sickness, injury, disability, death, old age and childbirth.

Upon the completion of the three-year economic recovery in 1953, China entered upon a period of gradual socialist transformation and planned economic development. In September 1954, the First Session of the First National People's Congress promulgated the first Constitution of the People's Republic of China, followed in the same year by a number of statutes such as the Organic Law of the National People's Congress, the

Organic Law of the State Council, the Organic Law of the People's Courts, the Organic Law of the People's Procuratorates, and the Organic Law of the Local People's Congresses and Local People's Councils. These statutes played an important role in perfecting and strengthening the functions of the organs of the state. In 1956, the state adopted the Model Regulations for an Agricultural Producers' Co-operative and the Model Regulations for an Advanced Agricultural Producers' Co-operative, with a view to accelerating agricultural development and improving the organization of farm co-operatives. In 1954, it approved the Provisional Regulations Concerning the Joint State-Private Industrial Enterprises to help change a capitalist industry to a state-capitalist industry in the form of joint state-private ownership. At the same time, it adopted similar regulations for the socialist transformation of privately owned handicraft industry.

For a considerable time after 1957, the building of China's legal system was adversely affected by the prevalent "Leftist" trend. Socialist democratic practices and legislative principles were criticized and repudiated. Among the repudiated were the independent exercise of judicial authority by the people's courts according to law, the jurisdiction and supervision over procuratorial organs at lower levels by those at higher levels, the right to defence and the right to be represented by attorneys at law.

The "cultural revolution" that began in 1966 wrought havoc on the entire legal system. People's courts at various levels became paralysed and people's procuratorates were abolished altogether. No prescribed judicial proceedings were observed in criminal cases, especially cases involving counter-revolutionaries; nor were sentencing and punishments meted out in accordance with provisions of the law. As a result, the distinction between guilt and innocence was



**The Standing Committee of the Fifth National People's Congress adopts the Law of Civil Procedures of the People's Republic of China at its 22nd Session on March 8, 1982. The law will be enforced on a trial basis as of October 1, 1982.**

never clear-cut and large numbers of people were unjustly, falsely or wrongly charged. Not until the end of the "cultural revolution" in 1976 was the legal system restored and improved upon.

In March 1978, a new Constitution, the third of its kind after two previously promulgated ones in 1954 and 1975, was approved and made public at the First Session of the Fifth National People's Congress. This was followed by the enactment of several other statutes and regulations, either newly adopted or revised, such as the Criminal Law, the Law of Criminal Procedure, the Law on Chinese-Foreign Joint Ventures, the Marriage Law, the Nationality Law, the Income Tax Law Concerning Chinese-Foreign Joint ventures, the Individual Income Tax Law, the Economic Contracts Law, the Environmental Protection Law (Draft), the Regulations on the Granting of Academic Degrees, the Provisional Regulations on Lawyers, and the Regulations on the Granting of Natural Science Awards.

Meanwhile, judicial organs and systems were either established, restored or improved upon. Among

them were a Commission of Legislative Affairs of the Standing Committee of the National People's Congress and a Ministry of Justice under the State Council. People's procuratorates and people's conciliation committees at various levels were restored, people's courts at various levels were restored or improved upon, notariation work and the right to defence by attorneys at law were all restored, and the system of having Party committees to have the final say on legal cases was abolished.

Worthy of special mention here is the people's conciliation committee, an institution unlike any legal organization in foreign countries. The conciliation committee, a mass organization where people settle their own disputes, is different from an administrative or judicial organ of the state. In settling a dispute, it must obtain the consent of both sides and uses reasoning and persuasion instead of compulsory administrative or legal means. In case one of the parties refuses to entertain mediation, or the mediation is unsuccessful or one of the parties is dissatisfied with the findings of the

mediation, he can file a lawsuit directly with the people's court at the corresponding level. The task of the people's conciliation committee is to settle ordinary civil issues or minor criminal cases and, through its mediatory work, to familiarize the people with the government's policies and laws. Ordinary civil issues refer to minor disputes involving neighbourhood relations, housing, debts, marriage, family, compensation for losses, inheritance, division of family property, provision of livelihood for aged parents, support of children after divorce, etc. Minor criminal cases involve such matters as physical injury of a minor type, maltreatment, petty larceny, encroachments, scuffles or fist-fights, and slandering. The results of mediation are filed for record's sake and written agreements may be issued at the request of the interested parties.

People's conciliation committees may be set up in the rural people's communes, production brigades (or production teams located far from communes or brigades), urban neighbourhood committees, factories, mines and government institutions. They work under the guidance of people's governments and people's courts at the basic level. In 1980, there were throughout China some 810,000 people's conciliation committees with a staff of 5,750,000. In that year, they mediated more than 6,120,000 ordinary civil issues and minor criminal cases, approximately 10.8 times the number of civil cases of first instance handled by the people's courts in the same period. The notable decrease of lawsuits benefitted both the judicial organs and the masses.

### **Judicial Organs and the Judicial System**

A complete judicial system in China is composed of public security organs, people's procuratorates and people's courts. According to the Law of Criminal Procedure, the public security organs are responsible for in-

vestigations into criminal cases and the detention of suspects; the people's procuratorates for the approval of arrests and the initiation, and subsequent sustention, of public prosecution; and the people's courts for the rendering of decisions.

### 1. THE PEOPLE'S COURTS

The people's courts are judicial organs of the state. They function at four levels — the basic, the intermediate, the higher and the supreme, in addition to a number of special people's courts. The Supreme People's Court supervises the administration of justice by local people's courts at various levels and by special people's courts, and people's courts at the higher levels supervise the administration of justice by people's courts at the lower levels.

**Basic People's Courts** These are people's courts in counties, cities, autonomous counties (banners) and municipal districts. Except for cases to be handled by people's courts at the higher levels according to law, all the ordinary civil and criminal cases come within the jurisdiction of people's courts at the basic level as the procedure of first instance. Because most of the counties embrace vast areas and large populations and some of them are difficult of access, people's courts at the basic level may, according to circumstances, set up people's tribunals, whose judgements and orders are as binding as those issued by people's courts at the basic level.

**Intermediate People's Courts** Generally speaking, intermediate people's courts can be found in prefectures and autonomous prefectures of provinces and autonomous regions as well as in centrally administered municipalities and large cities under the direct administration of provinces or autonomous regions. They handle cases of first instance that fall within their jurisdiction according to law; cases of first instance transferred by people's courts at the basic level; appeals

by a party or parties who disagree with the judgements or orders issued by people's courts at the basic level; and protests against such judgements or orders lodged by people's procuratorates at the corresponding level in pursuance of the procedure of judicial supervision.

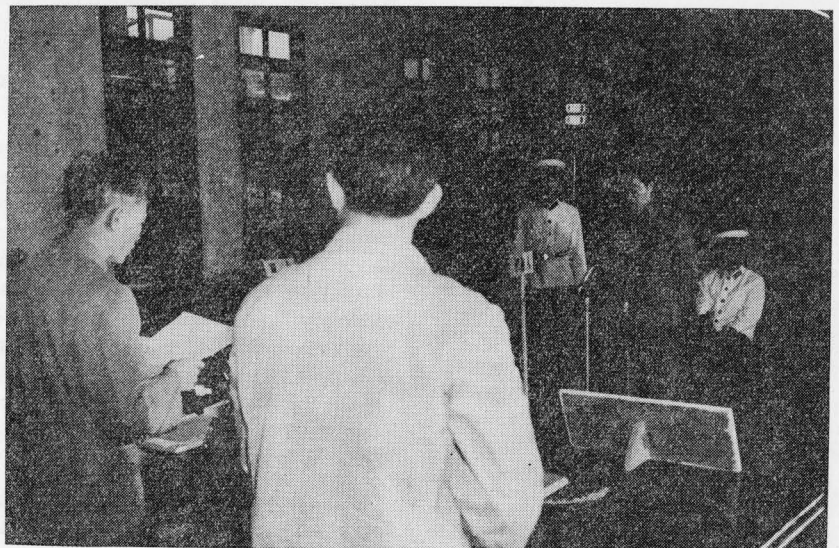
**Higher People's Courts** Higher people's courts are found at the level of provinces, autonomous regions and centrally administered municipalities. Higher people's courts take cognizance of the following: cases of first instance assigned to their jurisdiction according to provisions of the law; cases of first instance transferred from lower people's courts; appeals brought from the judgements and orders issued by intermediate people's courts; and protests lodged by people's procuratorates at the corresponding level in accordance with the procedure of judicial supervision.

**The Supreme People's Court** As the highest judicial organ, the Supreme People's Court takes cognizance of the following: cases of first instance assigned to its

jurisdiction according to provisions of the law or cases that it, in its judgement, should try itself; appeals and protests against the judgements and orders of higher people's courts and special people's courts; and protests lodged by the Supreme People's Procuratorate in accordance with the procedure of judicial supervision. Decisions of the Supreme People's Court and its judgements or orders in the first or second instance are judgements or orders in the last instance; they become legally effective as of the date of announcement. The Supreme People's Court gives explanations on questions concerning specific applications of laws and decrees in judicial procedure.

**Special People's Courts** These include: military court, railway transport court, water transport court, forest court and other special people's courts. Special people's courts are established not according to administrative divisions but according to specific organizational set-ups. They handle cases that occur in the respective organizational set-ups.

**Wang Weijing, formerly director and secretary of the Party committee of the Guangzhou City Telecommunication Bureau, is sentenced to two years' imprisonment for engaging in smuggling, illegal acquisition of foreign exchange and speculation together with his wife.**





**Women serving sentences in a Beijing prison make socks and stockings.**

## 2. PEOPLE'S PROCURATORATES

**The Structure of People's Procuratorates** The people's procuratorates are organs of the state supervising the administration of justice. They are established at four corresponding levels to the people's courts. There are also special people's procuratorates. The Supreme People's Procuratorate exercises leadership over the work of local people's procuratorates at various levels and of special people's procuratorates, and the people's procuratorates at the higher levels exercise leadership over the work of those at the lower levels.

**Functions and Powers of People's Procuratorates** People's procuratorates at all levels exercise the following functions and powers: 1) To exercise procuratorial authority over cases of treason and attempts to split the country and major criminal cases seriously sabotaging the overall implementation of the policies, laws, decrees and government orders of the state; 2) To investigate criminal cases of which the people's procuratorates have taken direct cognizance; 3) To examine cases which public security organs have investigated and make decisions on arrests, prosecutions or exemption from prosecutions; and

see to it that the investigations conducted by the public security organs conform to the law; 4) To institute or sustain public prosecutions in criminal cases and see to it that the judicial process of the people's courts conform to the law; and 5) To see to it that the execution of judgements and orders in criminal cases and the operation of prisons, detention houses and establishments in charge of reform

through labour conform to the law.

**Guiding Principles of People's Procuratorates** The guiding principles include: 1) The law is applied equally to all citizens, and there will be no favouritism; and 2) procuratorial authority is exercised independently in accordance with the law, free from interference by other administrative organs, public organizations or individuals.

## 3. PUBLIC SECURITY ORGANS

Public security organs are organs of state administration. The Ministry of Public Security at the central level is under the jurisdiction of the State Council and the public security organs at the various local levels are subordinate to the people's governments of the corresponding levels. In addition, there are special public security organs in water transport, railway transport and other fields. Public security organs at various levels work under the guidance and supervision of the State Council and local people's governments at various levels. Professionally, they also come under the jurisdiction of the Ministry of Public Security and public security organs at the higher levels.

**Neighbours in a Beijing street community discuss the revised draft of the Constitution of the People's Republic of China, which was promulgated for nationwide discussion by the Standing Committee of the National People's Congress on April 27, 1982. The Constitution now in effect in China was adopted in 1978.**



The major tasks of public security organs are to combat counter-revolutionaries and other criminals, fight against and prevent the destructive activities of criminals, reform through labour those counter-revolutionaries and other criminals who have been sentenced to prison terms, supervise criminals who have been subject to surveillance according to law, administer public security, maintain social order, and protect state institutions, enterprises and social organizations.

#### 4. PROCEDURE OF LITIGATION AND JUDICIAL SYSTEM

**Procedure of Litigation** The litigation of a criminal or civil case must be conducted according to proper procedure as prescribed by the law. A criminal case generally goes through three litigious steps. First, the public security organ places the case on file for investigation and pre-trial; the people's procuratorate then examines the case and decides, affirmatively or negatively, on the institution of public prosecution; and finally, the people's court administers justice. According to provisions of the law, it is the people's procuratorate, instead of public security organs, that files and in-

vestigates criminal cases such as embezzlement, encroachment upon the democratic rights of citizens and malfeasance. Light criminal cases are handled directly by the people's courts, as are civil cases.

In criminal proceedings, the people's courts, people's procuratorates and public security organs have among them a division of labour and co-ordinate with as well as exercise restraint upon one another. Arrests for investigation by public security organs must be approved by people's procuratorates. The institution of prosecution of a criminal to the people's court and holding him to criminal liability which a public security organ deems necessary after investigations and pre-trial should be reported to the people's procuratorate, which alone can make decisions on whether to prosecute or exempt or waive prosecution altogether. After conducting its own examination, a people's court has the power to decide whether to take cognizance of a case as prosecuted by a people's procuratorate or to return it to the same for a supplementary investigation. It may request the people's procuratorate to withdraw the prosecution of a case that does not call for punishment. When the

people's court tries a case, the people's procuratorate should assign procurators to attend the session so as to sustain prosecution and see to it that the judicial process of the people's court conforms to the law. It has the power to lodge protests against the judgement and order of the people's court.

**Judicial Principles** A people's court must abide by the following judicial principles: 1) Administer justice independently, subject only to provisions of the law. 2) The law is applied equally to all citizens, irrespective of their nationality, race, sex, occupation, social origin, religious belief, education, property status, or length of residence. No favouritism is allowed. 3) As citizens of all nationalities are equal before the law, litigants have the right to use their own spoken and written languages in court proceedings. Hearings in the people's courts should be conducted in the language commonly used in the locality.

**Judicial Systems** 1) All cases in the people's courts are heard in public except those involving state secrets, personal secrets of a shameful nature and juvenile delinquencies. 2) The accused has the right to defence. The accused can not only personally defend himself but also has the right to entrust a lawyer, a citizen recommended by a people's organization or by the unit to which the accused belongs, a citizen approved by the people's court, or a near relative or guardian to defend him. 3) The people's courts apply the system of people's assessors in all cases of first instance. People's assessors are elected by the people or chosen by workers and staff members in government institutions, social organizations and enterprises. The people's assessors, during the course of exercising their functions as assessors in the people's courts, are full-fledged members of the courts and have the same power as that of the judges. 4) People's courts, in the administration of justice, apply the system of the court of second instance as the court of last

Youths play basketball in a Shanghai reformatory.





instance. An appeal may be brought by a party from a judgement or order issued by a local people's court as a court of first instance to the people's court at the next higher level in accordance with the procedure prescribed by law. A judgement or order of the people's court at the next higher level as a court of second instance is the judgement or order of last instance. 5) Re-examination of death sentence. People's courts above the intermediate level and special people's courts take cognizance of the cases of death penalty. The judgement of a case of death penalty shall be examined and approved by the Supreme People's Court, while a death sentence with a two-year reprieve shall be ratified by a higher people's court.

People's courts at all levels are to set up judicial committees, which are an organizational form of collective leadership over judicial work. The presidents of people's courts preside over meetings of the judicial committees, whose members are appointed and removed by organs of state power. The tasks of judicial committees are to sum up judicial experience and to discuss cases of great importance or difficulties as well as other questions in connection with judicial work. The principle of subordination of the minority to the majority shall be followed in case of differences in judgement.

## 5. REFORM THROUGH LABOUR

**The Work of Reform Through Labour** Reform through labour aims, through forced labour, to enable counter-revolutionaries and other criminal offenders who have been sentenced to prison terms according to law, to turn over a new leaf in their lives. The principle of combining productive labour with political education with emphasis on education is practised in the reform. Through study sessions, private talks, group discussions and other forms of education, prisoners are helped to recognize their crimes and the need to abide by law and to familiarize themselves with current events and general knowledge as well as

special know-how to enable them to participate in production. Regular sporting and recreational activities are also provided for prisoners.

In pursuance of the principle of being strict and fair in meting out awards and punishments, prisoners are encouraged to atone for their crimes with meritorious service. The awards include, on the merits of the cases, commendation, material rewards, filing citation for record, commutation and parole. (The commutation and parole shall be submitted to people's courts for approval.) Those who have gravely violated the law or committed new crimes while serving their terms shall be dealt with by people's courts according to law.

Reform through labour is conducted by detention houses, reformatories for juvenile delinquents, establishments in charge of reform through labour, and prisons. All these institutions are administered by public security organs, with supervision by people's procuratorates and judicial guidance by people's courts.

**Detention Houses** Detention houses take into custody criminals detained or arrested according to law, mainly those pending sentencing. They also help the trial procedure by helping criminals recognize their crimes and the need to abide by the law. In addition, they detain and reform criminals who have been sentenced to less than two years' imprisonment and are not to be entrusted with establishments in charge of reform through labour.

**Reformatories for Juvenile Delinquents** Juvenile reformatories take in teenage delinquents ranging from 13 to 17 in age and concentrate on political-ideological education and education in social morality, general knowledge and production skills. Such education is supplemented with light manual labour befitting their physical conditions. The purpose is to remould them to become useful citizens.

**Establishments in Charge of Reform Through Labour** These

establishments put under surveillance convicts who have already been sentenced and for whom it is judged appropriate to perform labour service outside prisons. They organize prisoners to work in farms, industrial enterprises or construction, and conduct political education in combination with productive labour.

**Prisons** Prisons take in mainly those who have been sentenced to death with reprieve or to life imprisonment and for whom it is not judged appropriate to perform labour service outside prisons. While prisoners are kept under strict surveillance, reform through labour and ideological education may be applied according to the merits of individual cases.

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scientific and cultural organization

7, place de Fontenoy, 75700 Paris

To Professor Macdonald

With the compliments of

D. G. G. G.

I hope this little extract from the  
'Beijing Review' will interest you.

Trust all is well with you & your sister.  
Hope to see you one of these days.  
Thanks once again

25/3/82

# China's Lawyers

by He Bian

CHINA'S system of legal counsel is consciously tailored to meet its own needs as a developing socialist country. It differs from that of capitalist countries just as China's political and economic systems differ from those nations.

China's lawyers are state legal workers whose salaries are covered by the state budget.

Unlike a Western lawyer who can be an independent professional with a privately operated firm, a Chinese lawyer must work in a legal advisory office which provides collective consultation and organizational leadership.

A Chinese lawyer's first duty is to find the truth and uphold the law, not to protect a guilty client from legal prosecution. At the same time, lawyers pledge to safeguard the interests of the state while protecting the legitimate rights and interests of their clients.

Does the fact that lawyers are on the state payroll affect their ability to work independently from the government? One lawyer answered, "Nothing in the world can be called absolute independence. In our country the state entrusts lawyers with the task of correctly implementing the law while protecting their clients' lawful rights. Seeking personal gain or bending the law for the benefit of relatives or friends is illegal and punishable by law. Moreover, because lawyers have a fixed income, we are neither controlled by our clients nor by money, so we can concentrate our efforts on serving the interests of our country's legal system as a whole."

## Legal Quagmire

China's court proceedings emerged from the legal quagmire of the old society and the crippling effect of more recent incorrect "Left" policies.

For centuries of feudal monarchic rule, China's legal system was in the hands of appointed officials at various levels who decided civil and criminal complaints. Lawyers did not exist, so that for an ordinary citizen to file a complaint or prepare to go to court was an arbitrary process. The best a civilian could hope for was

advice from someone who was familiar with the court.

Feudal rule ended when the Qing Dynasty was overthrown in 1911. A year later the new government drafted a set of Provisional Regulations Governing the Work of Lawyers—the first document concerning legal counsel in China's history. In 1941, the Kuomintang government promulgated its own law governing lawyers.

Both provisions served to safeguard the old social system. In those days, the majority of lawyers worked hand in glove with the judges and prosecutors to serve the rich and powerful. Their main relationship with their clients was to extort fees to line their own pockets. Understandably, most lawyers did not enjoy a good reputation and were not trusted by the public. The few exceptions were unusual; they worked to uphold justice.

## Process of Development

All earlier legal codes were discarded with the founding of the People's Republic in 1949. China promulgated its first Constitution and the Organizational Law of the People's Court in the mid-1950s, both landmarks in the country's legal system. Shortly afterwards, an experimen-



The Beijing Western District Legal Advisory Office.

tal legal counselling system was designed to protect the rights of the accused in criminal cases. It was put into effect on a trial basis in 1955 in Beijing, Shanghai and other places.

This system of legal counsel for criminal defendants was later spread to all big and medium-sized cities and some of the counties and towns throughout China. By June 1957, there were 19 preparatory committees of lawyers' associations and more than 800 legal advisory offices staffed with nearly 3,000 lawyers all over the country.

But, due to the influence of the feudal and "Left" ideas, lawyers became a butt of attack from many people. Legal counsel was criticized as the "bourgeois trash," and lawyers were accused of "protecting criminals."

As a result, the legal defence system was aborted less than three years after it was introduced. This was a loss for China's legal system.



Lawyers Li Jingzhi (right) and Yang Yuzhen (middle) giving legal advice to clients.

Lin Biao and the gang of four later took advantage of the incomplete legal system to frame, falsely accuse and wrongly charge many people during the "cultural revolution."

After the downfall of the gang of four, accompanied by the development of socialist democracy and the strengthening of the socialist legal system, the system of legal counsel was reinstated. Beijing lawyers began to defend

## Lawyers in Beijing

WANG Shuhai of Miyun County on the outskirts of Beijing was jailed for attempted murder in 1981. His lawyer found that Wang had contemplated the crime but had taken no action. So he lodged an appeal and his client was released five months afterwards.

Not long ago, an 81-year-old woman asked for legal advice because one of her daughters refused to contribute to her support as her other children did. Her lawyer helped her file a complaint with the local court. The court ruled that the daughter was obliged to support her mother in accordance with China's Marriage Law.

These are just two of the examples given by the staff at the Beijing Municipal Legal Advisory Office.

Since the resumption of legal counselling in 1979, legal advisory offices have been set up in the capital's 19 different districts and counties with a total staff of 303 lawyers serving the city's 9 million people.

During the last three years, these lawyers gave legal advice to 23,000 people and defended 2,600 criminal cases in courts. They also wrote 2,500 complaints and other legal documents for their clients, acted on behalf of 140 litigants involved in civil suits, handled 8,000 letters and co-ordinated with related departments to settle 30 economic disputes.

The lawyers usually try to avoid taking cases to court but, where possible, attempt to mediate disputes. For example, a man named Zhou had a violent quarrel with his wife which drove her to leave him and return to her mother's home. She then decided to sue for divorce and asked a lawyer for advice. The lawyer looked into the situation and was convinced that the marriage could be saved. He then persuaded the man to apologize and advised the wife to try again. Finally, the wife withdrew the request for divorce and the couple got back together again.

Now about 100 people consult with Beijing's legal advisory offices every day.

In recent years, measures have been taken to train more lawyers and raise the professional level of the lawyers in Beijing. These include the establishment of an evening law school at the college level and regular lectures on civil and criminal law, economic contracts, Chinese-foreign joint ventures, credit loans, patents, insurance and international law. The municipal government increased the 1982 appropriations for judicial departments to provide better conditions for the lawyers' work.

According to the stipulations of the law, all accused persons are entitled to have a lawyer defend them in court. Usually the attorneys are appointed by legal advisory offices. Some lawyers with a good reputation for their successes in court are asked for by name.

the accused in court in 1978. Lawyers' organizations have been founded throughout China since 1979, and by the end of 1981, the country had had 2,020 legal advisory offices staffed with 6,200 professionals and 2,350 part-time lawyers. Many provinces and municipalities have established their own lawyers' associations.

In August 1980, the Provisional Regulations Concerning the Work of Lawyers of the People's Republic of China were adopted by the Standing Committee of the National People's Congress, which ushered in a new stage in the setting up of China's legal counselling system. The 21 articles of these regulations specify the nature, tasks, principles of performance, qualifications and the organizational system governing lawyers. It was tried out and then formally put into practice on January 1 this year.

### Tasks for Lawyers

Under this law, China's lawyers have the following main tasks:

1) Act as legal advisers to government organs, enterprises and other state institutions, public organizations and people's communes;

2) Act on behalf of litigants involved in civil suits;

3) Defend the accused involved in criminal cases on request of the defendant or upon the assignment of the people's court; take part in litigation on request of the party which initiates a private prosecution or of the victims or their close relatives involved in a public prosecution;

4) Furnish legal advice to parties who are not involved in litigation or act on their behalf in mediation or arbitration;

5) Answer legal questions from the general public and draft legal papers and other related papers upon request.

Another regular task of China's lawyers is to popularize the socialist legal system in the course of their regular practice.

### Legal Rights of Lawyers

To guarantee that lawyers can perform their services normally, the stipulations clearly specify the following rights of the lawyers:

— The right to be protected by the state law while performing services according to law without interference from any organization or individual;

— The right to read the files of the case the lawyer is dealing with and to investigate concerned units and individuals while taking part in litigation;

— The right to meet and correspond with the defendants under detention while acting as their defenders in criminal cases;

— The right to refuse to take up a case if convinced that the defendant is lying.

### Legal Offices

Chinese legal advisory offices are organizations set up by the state, with local branches in counties, towns and districts directly under the authority of big and medium-sized city governments. Enterprises, institutions and public organizations can set up their own specialized legal advisory offices with the approval of the Ministry of Justice.

These offices are organizationally led and vocationally supervised by the state judicial organs which train, examine, assign and transfer lawyers, and establish lawyers' organizations that perform various administrative functions such as the management of funds and the preparation of materials and equipment.

Lawyers' associations are organized by lawyers themselves at the provincial, municipal and autonomous regional levels. Their function is to safeguard the lawyers' democratic rights and their legitimate professional rights, help them exchange experiences, facilitate the performance of their functions and increase contacts between Chinese and foreign lawyers. The association is also committed to help judicial administrative organs guide the work of legal advisory offices.

### Qualifications of Lawyers

Any citizen who is willing to serve the socialist cause and has the right to vote and to stand for election is qualified to be a lawyer after he/she is proved professionally competent through examinations. Those who qualify as lawyers include:

1) University graduates specializing in law who have practised judicial work, have taught law or have been engaged in judicial research work for more than two years;

2) Those with professional legal training who have worked as judges in the people's court or as procurators in the people's procuratorate;

3) Competent individuals who have been engaged in economic and scientific and

technological work for more than three years, are familiar with laws and regulations related to their own specialities, and show their competence after receiving professional legal training.

People serving in the court, procuratorate or public security organs should not work concurrently as lawyers.

### Fees and Charges

The Tentative Methods for Charges for Legal Counsel were drafted recently by the Ministry of Justice on the basis of the Chinese people's present standard of living. Generally speaking, the fees are moderate, so that an ordinary citizen can afford to pay them. For example, the fee charged for answering legal questions not involving disputes over property is between 0.5 and 3 yuan (one US dollar equals 1.80 yuan); the fees are 3-10 yuan for answering legal questions involving disputes over commercial property; in criminal cases, the total charge is 10-30 yuan, which includes legal advice, drafting papers and courtroom defence. For exceptionally complicated cases, the highest charge is not likely to be more than double the above figures.

Fees can be reduced or exempted for citizens who are unable to pay (which must be verified by his/her work unit, neighbourhood committee or commune leadership), or who are:

— Appealing for compensation for losses or injuries incurred at work (except accidents for which the injured is held responsible);

— Requesting alimony or financial support for parents or children and have verifiable financial difficulties;

— Requesting labour insurance premiums, pensions or relief funds.

— Asking for simple legal advice in which no disputes over property are involved;

— Involved in other special cases which require that fees be reduced or exempted.

These standard fees and provisions for fee exemptions were designed specifically in accordance with the Chinese standard of living. Because China's wages and income are substantially lower than those of other countries, foreigners do not qualify for the same rates, nor do cases involving foreign countries or citizens. Various considerations, including the standard legal fees of the country in question, determine the fees charged in such cases. □

## *Municipal People's Congress and People's Political Consultative Conference*

# Criticisms and Suggestions on Government Work

*The municipal people's congresses and the municipal committees of the Chinese People's Political Consultative Conference of Tianjin and Shanghai were held respectively at the end of March and in early April. The following are excerpts from some of the speeches delivered at these meetings which will help our readers better understand China's democratic processes.* — Ed.

### **Combat Waste Is a Big Issue**

In order to maximize profits, some casting factories in Tianjin only accept large pieces with few technological processes. Many casting orders have to be done by nearby rural casting

shops. However, the quality of the castings produced by some of them is very poor (sometimes, 80 per cent are rejects). Moreover, transportation expenses and large sums of state funds are wasted. (Liu Shizeng and Quan Jida, Tianjin.)

The problem of waste should be solved if we are to stress economic results. The leadership of a plant in Tianjin rashly decided to take up a new production item. Last year, the plant purchased a machine for making steel cables from another province. Soon afterwards, because the plant's production plan was readjusted, this machine was not needed and was abandoned. Some people at this plant came up with

## Chinese Politics and Law University Established in Peking

Chinese Politics and Law University — the first comprehensive law university in China is established on April 7, in Peking. Cheng Pi-xian, Hu Qi-li, secretaries of the Secretariat of the Central Committee of the Chinese Communist Party attended the inauguration and made speeches. Also present at the meeting were the other leading cadres of the concerned government departments, Jang Nan-xiang, Zheng Tian-xian, Yang Yi-cheng, You Wen, Chang Cheng-xing, Liu Fu-zhi, Ling Yun, Zhou Yu and celebrated persons from law society Chang You-yu, Qing Rui-sheng and Cheng Shou-yi.

*outlining*  
Liu Fu-zhi, Minister of the Justice and ~~the~~ President of this University began his speech by ~~briefing~~ <sup>outlining</sup> the preparation work for the University. He said that ~~the~~ Chinese Politics and Law University ~~was~~ has been established with the direct concern of the Central Committee of the Party and the State Council. The planned total enrollment ~~of it~~ for the University is Seven thousand students, he went on, the University is composed of three colleges, the first is undergraduate college with four-year program with Peking Politics and Law Institute as its base; the second is the training college based on ~~the~~ Central Politics and Law School for Cadres; the third is graduate college. ~~The training~~ The University aims at ~~training~~ fostering *the* teachers and professional workers of politics and law. The University is located at Huang Chun,

*No training*

the satellite city of Peking.

Cheng Pi-xian pointed out the law education is an important section of the whole educational cause. In view of the present situation of the contingent of political and legal workers and scholars, ~~the law edu~~ and in light of the development of the situation, the law education must be strengthened with great effort and put on the agenda. He said, it is advisable to educate and foster ~~the~~ specialists of politics and law in two ways: one is to bring up college students to provide new blood for the political and legal contingent; the other is to train the present cadres quickly and in a large number, to train those promising cadres who are not old enough, and received some education ~~to~~ up to sub-collegial and senior-middle school level.

Hu Qi-li call on provincial and municipal ~~author~~ and autonomous authorities to pay attention to the training and education of political and legal ~~cadre~~ cadres. ~~to~~ with a view to meeting the ~~new~~ need of the new situation. He encouraged the whole students of the University to overcome the difficulty and successfully fulfil their study and make new contributions to the people and the Party.

from People's Daily dated May 8th, 1955