

Speech at the Inaugural Meeting of the International Judicial Dispute Resolution Network

**By YANG Wanming, Justice and Vice President of the
Supreme People's Court of the People's Republic of China**

Honorable Chief Justice Sundaresh Menon, distinguished fellow
judges and guests,

Ladies and gentlemen, dear friends,

Good morning/afternoon! It's my great pleasure to attend this virtual inaugural meeting of the International Judicial Dispute Resolution Network (JDRN) at the invitation of the Supreme Court of Singapore. Entrusted by Mr. ZHOU Qiang, Chief Justice and President of the Supreme People's Court of the People's Republic of China, I would like to extend, on behalf of the Supreme People's Court of P.R.C., warm congratulations on the success of the meeting, and heartfelt thanks to the Supreme Court of Singapore and Chief Justice Sundaresh Menon for inviting China to join the JDRN as a founding core member!

The imbalance between the surging number of lawsuits and limited judicial resources is a global challenge. In recent years,

various countries around the world have focused on the theme of “justice and efficiency” and proposed their judicial reform measures such as establishing ADR modalities and simplifying litigation proceedings.

The tradition of mediation has existed since ancient times as Chinese civilization advocates the principle of “paramount importance of peace” and “no litigation”. Since the founding of the People’s Republic of China, public participation mediation systems represented by the “Ma Xiwu’s Way of Judging” and “Fengqiao Experience”, have been acclaimed by experts and scholars from many countries as the “Oriental Experience” with Chinese characteristics. In the dispute resolution system of people’s courts in China, mediation has always been an important tool to resolve disputes between parties throughout the whole process of litigation. Recent years have witnessed Chinese courts’ efforts to prioritize the non-litigation dispute resolution mechanism. We have comprehensively established a one-stop diversified dispute resolution mechanism led by people’s courts, creating a new model of judicial dispute resolution with Chinese characteristics.

First, one-stop dispute resolution. We have built one-stop informatized and intensive litigation service centers in over

3,500 people's courts in China. The center integrates functions of case-filing, mediation, adjudication, and service delivery, which facilitates the parties to solve all their issues in litigation in one place. In the center, we have litigation guides, legal consultation counters with public interest lawyers and volunteers, and intelligent litigation result evaluation equipment. For various disputes submitted to courts, we guide the parties to choose the best dispute resolution method through on-site counseling, intelligent services, etc. Litigation service centers set up specialized mediation rooms for different types of issues like marriage and family, labor disputes, road traffic, intellectual property, financial and commercial affairs, etc., and trial teams have also been expanded. For parties who are willing to mediate, we provide "menu-style" mediation services to resolve conflicts and disputes in a timely, efficient, fair and friendly manner without harming people's feelings. In case of failure of mediation, simple cases are heard by the speedy adjudication judge who will continue to mediate if possible or make a judgment if necessary, in order to achieve one-stop dispute resolution. Difficult and complex cases are handed over to specialized divisions for trial. In 2021, 88% of first-instance civil and commercial cases were substantially resolved by the

people's courts through mediation, speedy arbitration, and expedited trial at litigation service centers. The average trial period of speedy arbitration and expedited trial cases is 32 days, 43% shorter than that of first-instance civil and commercial cases. In this way, disputes can be settled efficiently and judgement can be timely made.

Second, diversified participation. Leveraging the advantages of the socialist system with Chinese characteristics, people's courts in China have accelerated the development of a judicial dispute settlement system featuring “courts + all sectors of society” to resolve disputes with joint efforts of diversified subjects. Since 2020, the Supreme People's Court has successively issued over ten normative documents jointly with other organizations, in order to improve the substantive connection mechanism between litigation and non-litigation, mediation and adjudication, as well as the system of the court specially-invited mediation and appointed mediation before case-filing. We have continuously expanded the channels for social forces to participate in judicial dispute resolution. A wide range of participants such as deputies to the people's congresses, members of the Chinese People's Political Consultative Conference (CPPCC), people's mediation, administrative

mediation, trade unions, chambers of commerce, experts from different sectors, lawyers and scholars, retired legal practitioners, grassroots officials, grid members, etc. have been invited to get involved in the mediation, acting as a dispute resolution resource pool with diversified means to choose. In this way, disputes filed with the court can be resolved more through mediation by social forces. In handling international commercial affairs, we initiated the International Commercial Expert Committee and engaged Chinese and foreign experts and scholars. Meanwhile, Chinese and foreign mediation organs have been invited to jointly resolve disputes. In 2021, the number of mediation organizations and mediators in connection with the courts nationwide reached 63,000 and 260,000 respectively, and 6.107 million cases resulted in successful entrusted mediation before litigation. At present, the number of mediators admitted in people's courts at various levels has exceeded the number of judges under the personnel quota system. These mediators have become important players in assisting the courts to resolve disputes in a diversified manner.

Third, the whole process available online. Online dispute resolution presents the development trend of diversified dispute resolution mechanisms in various countries. The Supreme

People's Court took the lead in promulgating the "Rules of Online Mediation of the People's Courts" which specified the online mediation procedural rules and practice standards in the form of a judicial interpretation document for the first time, providing useful institutional guidance for judicial dispute resolution in the Internet era. Currently, more than 3,500 people's courts in China have all applied a unified online mediation platform. For various disputes submitted to courts that can be mediated in accordance with the law, judges, mediators, and parties can log in to the platform on computers or mobile phones to conduct all or part of the mediation activities online, including online mediation application, delegated or entrusted mediation, audio or video mediation, application for judicial confirmation, mediation documents production, etc. From February 2018 when the platform was launched to the end of 2021, people's courts have mediated more than 24 million cases online with an average duration of 17 days, less than one-third of the average trial period of first-instance civil and commercial cases. On average, 43,000 disputes are mediated on the platform every working day, with 51 cases settled prior to litigation every minute. Especially in face of the unexpected outbreak of COVID-19 pandemic, the advantages of online

mediation have been given full play, and parties who are thousands of miles away from each other can resolve their disputes with the whole process available online. From February 3 to July 3, 2020 when the epidemic was most severe in China, 1.29 million cases were mediated online by people's courts across China, a year-on-year increase of 291%, which presented a Chinese solution to judicial dispute resolution under the premise of epidemic containment in various countries.

Fourth, judicial services delivered to the doorstep. There will be no lawsuit once disputes have been resolved. Efforts have been made by people's courts in China to nip disputes in the bud. We have actively participated in social governance at the primary level and borne a part in various links of the no-litigation villages (or communities) construction in order to suppress disputes from the source. With full respect to the multi-level and diversified needs of the parties to settle disputes, circuit service sites have been set up in villages, towns, streets, and other areas where people have intensive needs so that they can enjoy dispute settlement services such as on-site case-filing, on-site mediation and on-site trial in their neighborhoods. In remote places where traffic is inconvenient, judges on horseback and judges with back baskets would visit

villages in person and mediate disputes at the villagers' homes. This can eliminate the inconvenience of litigation to the greatest extent, and allow all parties to share homogeneous, equal, and convenient dispute resolution services.

Ladies and gentlemen, it has become a trend for the development and progress of modern judicial civilization to establish a diversified judicial dispute resolution mechanism. As a founding core member of the JDRN, people's courts in China are willing to further exchange and cooperation with other countries in the world, share valuable experience, and actively promote international judicial dispute resolution procedures, contributing Chinese wisdom and solutions to promoting reforms of the global governance system and building a community with a shared future for mankind!

Finally, I wish this meeting a complete success! Thank you!