

Opinions of the Supreme People' s Court on Strengthening Blockchain Application in the Judicial Field

The Opinions are herein made for further implementation of the Xi Jinping Thought on the Rule of Law and General Secretary Xi Jinping' s instructions on actively promoting the application of blockchain technology to provide more intelligent, convenient and superior public services for the people, and for the earnest fulfillment of the Outline of the 14th Five-Year Plan (2021-2025) for National Economic and Social Development and the Long-Range Objectives through the Year 2035 of the People' s Republic of China and the 14th Five-Year Plan (2021-2025) for National Informatization. While taking the real work of the people' s courts into consideration, the Opinions aim to leverage the role of blockchain in cementing judicial credibility, facilitating social governance, preventing and resolving risks, promoting high-quality development, etc., so as to reinforce the advance of smart courts on all fronts and the modernization of the judicial system and judicial capabilities.

I. Overall requirements

(1) Guiding philosophies. Concentrating on the goal of “working to ensure that the people feel fairness and justice prevails in every judicial case” , the Opinions, under the guidance of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, endeavor to thoroughly implement Xi Jinping Thought on the Rule of Law and on building China' s strength in cyberspace, and are committed to serving the overall interests, administrating justice for the

people and maintaining judicial fairness. The Opinions intend to vigorously promote in-depth integration between blockchain technology and diversified dispute resolution, litigation services, trial and enforcement and judicial administration. People's courts in China need to actively utilize the blockchain platform to facilitate social governance, optimize business environment, cement the development of the credit system, prevent and resolve major risks and underpin the establishment of a new development paradigm, sparing no efforts to elevate digital justice to a higher level.

(2) Overall objectives. By 2025, a blockchain alliance featuring interconnectivity and sharing between the people's courts and all social sectors will come into being and a relatively complete standard system for blockchain application in the judicial field will be in place with the capabilities for fundamental support for data verification, trusted operation, smart contract, interoperation collaboration, etc. to be dramatically improved. Moreover, diversified dispute resolution, litigation services, trial and enforcement, and judicial administration will witness the comprehensive application of blockchain technology which effectively enhances judicial credibility, efficiency and integrity. By then, the judicial blockchain interoperation alliance is to be integrated into the economic and social operation system, enabling interoperation information sharing and coordination with the political and legal, industrial and commercial, financial, environmental, social credit and other sectors, which will actively contribute to the improvement of business environment, economic and social governance, risk prevention and resolution, and industrial innovation and development, back China to become a peaceful, digital and credit-based country

under the rule of law, foster a world-leading model of blockchain application in the judicial field with Chinese characteristics, providing superior judicial services and solid guarantee for China's economic and social digital transformation and high-quality development in the new era.

(3) Basic principles.

Pursuing law-based coordination and emphasizing collaboration and interconnectivity. It is necessary to strengthen overall planning of blockchain infrastructure in accordance with laws and regulations and carry out top-level design of blockchain application in the judicial field in view of the needs of economic and social development as well as that of trial and enforcement. Research on interoperation collaborative application models with all walks of life should be intensified to promote data sharing and collaborative application between different parties.

Upholding openness and sharing and prioritizing standards. It is necessary to build a blockchain alliance with interconnectivity and sharing among all social sectors, develop capabilities to support common fundamental technologies, establish a unified and open technical standard system for blockchain application in the judicial field, making standardized services available to cross-departmental node access and joint maintenance and utilization of data across different industries.

Underlining application and valuing innovation-based development. Guided by the principles of administering justice for the people, maintaining judicial fairness and facilitating social governance, it is necessary to give full play to the

function of the blockchain in business process optimization, operation cost reduction, collaborative efficiency improvement, trusted system establishment, and other fields. Consistent efforts are required to promote the in-depth application of blockchain in the judicial field and to improve the performance of blockchain in cross-domain automatic enforcement.

Ensuring security and reliability and highlighting orderly progress. On the premise of security and trustworthiness, it is necessary to work hard to improve the accuracy and controllability of stored data and smart contracts on the blockchain, ensure data security, and protect personal information, in a bid to foster an environment of blockchain application in the judicial field with steady progress, orderly development, security and reliability.

II. Requirements on building the blockchain platforms of the people's courts

(4) Strengthening top-level design of blockchain application. In accordance with laws and norms, and the overarching concept of internal and external efficient collaboration, it is required to systematically design the scenarios of blockchain application in the judicial field in response to the needs of coordinating the court work with the improvement of social governance. In view of the needs of collaboration between internal and external networks, an overall plan for building a blockchain that is unified nationwide, enables inter-network and interoperation judicial application should be developed.

(5) Constantly advancing capacity building for interoperation collaborative application. In order to actively serve the economic and social governance and

application scenarios of judicial work, it is required to build the infrastructure of the blockchain alliance based on distributed identification, interconnectivity, and interoperation mutual trust, effectively integrate the enforcement blockchain construction achievements, give full play to the technical strengths of the alliance chain, and boost the development of the interoperation alliance of the judicial blockchain platform and that of all walks of life so as to constantly enhance synergy.

(6) Enhancing technical capabilities of the judicial blockchain. It is required to gather superior strengths to make a breakthrough in key technologies, create an open and shared judicial blockchain platform among people' s courts nationwide, improve basic technical capabilities such as data verification, trusted operation, smart contract and interoperation collaboration, etc., and support people' s courts at all levels to engage in innovative application based on the judicial blockchain platform.

(7) Building an Internet-based judicial blockchain verification platform. Based on the data of the national judicial blockchain platform, it is required to build a judicial blockchain verification platform on the Internet, which enables parties and other relevant subjects to verify the authenticity of mediation data, electronic evidence, litigation documents and other judicial data.

(8) Establishing and optimizing a standard system. It is required to establish and optimize the technical standards and management specification for the application of blockchain in the judicial field, and provide technical guidance and standardized access support for the interconnectivity, sharing and collaboration with blockchain platforms and nodes in relevant fields.

III. Making the most of the data tamper-proof technology of blockchain to further enhance judicial credibility

(9) Ensuring the security of judicial data. Judicial data of the people's courts, including electronic case files, electronic archives, judicial statistical reports and the status of concluding cases, are expected to be stored on the blockchain, to make sure the judicial data are tamper-proof and enhance data security.

(10) Ensuring trustworthiness of electronic evidence. It is necessary to perfect the evidence verification function of the blockchain platform, which enables parties and judges to verify the electronic evidence stored on the blockchain online, so as to contribute to setting sound standards and rules for blockchain-based storage and improve the efficiency and quality of electronic evidence identification.

(11) Ensuring compliance of enforcement operations. It is necessary to store data and operations, such as information on enforcement cases, information of parties and organizations, notice of enforcement, investigation and control of property, disposal of property, collection and distribution of money related to the cases, credit-based punishment, evidence collection, interactions of enforcement, reporting and conclusion of cases, archiving of cases on the blockchain, regularly carry out a security audit on operation of the whole process to enhance the normativity of enforcement operations, and consider the method of online closed-loop examination of sensitive operations such as investigation and control in enforcement, so as to make sure reliability and accuracy.

(12) Ensuring the authority of judicial instruments. It is necessary to uniformly store litigation documents served by the people's courts and receipts of service on the judicial blockchain platform, and allow online verification of served documents to make sure the security and reliability of the whole process of service, so as to eliminate concerns of the parties about the authenticity of served information and maintain the authority of judicial instruments being served.

IV. Giving full play of the essential role of blockchain in optimizing business processes to constantly improve judicial efficiency

(13) Enabling circulation and application of case-filing information. It is necessary to set operational rules on the classification and categorization and later automatic circulation of documents to be docketed so as to achieve the automatic docketing of cases after their classification and categorization upon the expiry of the prescribed period for submission of materials, consolidate the fruits of the reform on case-filing registration system and improve case-filing efficiency.

(14) Enabling connected application between mediation and trial procedures. It is necessary to set operational rules on automatically triggering the trial procedure or the enforcement procedure upon the failure to perform mediation agreements and launch the smart contract procedure, so as to cement judicial authority of the mediation procedure and support diversified dispute resolution.

(15) Enabling the connection between trial and enforcement procedures. It is necessary to comprehensively advance the interoperability and sharing of information and data between trial and enforcement case handling systems, and

explore the possibility of making rules and linkage mechanisms on automatically triggering the enforcement procedure upon the failure to perform judicial decisions, so as to optimize the convergence from trial to enforcement, ensure the information is transformed smoothly, reduce duplicate work and solve the problems of enforcement difficulties.

(16) Enhancing the efficiency of enforcement. It is necessary to explore the possibility of establishing a smart contract mechanism to automatically investigate, freeze and seize property in eligible enforcement cases and distribute money related to the enforcement cases, so as to simplify the approval process under the premise of ensuring procedural compliance; establishing a smart contract mechanism to automatically file a case and resume enforcement without filing a separate case for cases where the enforcement procedure was suspended after the enforcement of the whole property discovered by unified investigation clues and settlement cases of enforcement for non-fulfillment of obligations.

(17) Enabling enforcement officers and police staff to handle cases more conveniently. It is necessary to utilize blockchain technology to promote the extension to mobile ends and formation of decentralized, de-networked, de-systematized data strings for online investigation and control, evaluation and auction, collection and distribution of money related to the cases, restriction of consumption for credit-related punished people, matters entrusted and electronic files generated with the case to enable enforcement officers and police staff to handle enforcement matters more conveniently at anytime and anywhere.

V. Fully tapping the tremendous potential of blockchain connectivity to enhance judicial collaboration

(18) Improving collaboration in verifying lawyers' qualifications. In response to the needs of verifying lawyers' qualifications, it is necessary to realize interoperation collaborative application between the people's courts and administrative organs, to enable online inquiry and verification of qualifications and credit reports of lawyers in litigation activities, with higher time efficiency.

(19) Improving collaboration in case handling between political and legal organs. To facilitate cross-departmental collaboration in operation involved in abatement from penalty, release on parole, criminal, civil and commercial cases and certification of citizenship, it is necessary to realize interoperation collaborative application between the people's courts and procuratorial, public security, judicial, administrative and other organs, so as to improve the efficiency of online case circulation and data mutual trust.

(20) Improving the capability of cross-departmental collaborative enforcement. To facilitate investigation and control of property subject to enforcement and cooperative punishment for judgment debtors subject to enforcement, it is necessary to realize interoperation collaborative application between the people's courts and organs involved in administrative law enforcement, immovable property registration, financial securities and insurance, or organs cooperatively imposing credit-based punishment, etc. and develop a model of automatically carrying out investigation and control in enforcement and imposing credit-based punishment, so as to improve the working efficiency of collaborative enforcement.

VI. Leveraging properties of the blockchain alliance of mutual recognition and trustworthiness to facilitate economic and social governance

(21) Protecting intellectual property. It is necessary to build an interoperation collaborative mechanism with blockchain platforms for intellectual property, such as copyrights, trademarks and patents, and enable inquiry about and verification of information related to intellectual property ownership, registration, transfer and others to facilitate the evidence identification of intellectual property cases, so as to further push forward the implementation of the national innovation-driven development strategy.

(22) Supporting the improvement of the business environment. It is necessary to build an interoperation collaborative mechanism with blockchain platforms for market regulation, property registration, transactions and others, and enable inquiry about and verification of information related to the ownership registration and status of transactions, such as basic business profile, variation of corporate equities, correlation between businesses, ownership of immovables and movables, financial leasing, precious metal trading, to facilitate the identification of ownership and transactions of property rights, so as to intensify the development of the classified and categorized supervision system based on data and credit, and to further improve the national business environment.

(23) Underpinning data development and utilization. It is necessary to build an interoperation collaborative mechanism with blockchain platforms, such as data ownership, online data trading, etc., and enable inquiry about and verification of information related to data ownership confirmation and data trading and other processes as well as handling of smart contracts, to propel the construction of data markets and the release of data value, so as to better facilitate the implementation of the national big data strategy.

(24) Supporting circulation and application of financial information. It is necessary to build an interoperation collaborative mechanism with blockchain platforms of financial institutions, and enable inquiry about and verification of information related to approval, performance and default of financial loan contracts and credit cards as well as handling of smart contracts, so as to better contribute to preventing and resolving financial risks.

(25) Supporting bankruptcy and restructuring of enterprises. It is necessary to build an interoperation collaborative mechanism with blockchain platforms of relevant government departments, and enable interoperability and sharing of business information of debtor enterprises and information related to litigation and enforcement, and enable online verification and cross-examination of information of submission of creditor claims, strengthen open and transparent verification of creditor claims while safeguarding the right to information and access of all creditors, and further ensure the voting effectiveness of online creditors' meetings to better serve the rescue and exit of market entities.

(26) Facilitating the construction of the credit system. It is necessary to build an interoperation collaborative mechanism with the National Credit Information Sharing Platform, the National Enterprise Credit Information Publicity System, and credit-breaking punishment organs, and enable inquiry about and online verification of information of the blacklist of judgment debtors and people banned from high-spending as well as handling of smart contracts, to make sure the judgment debtors' information is generated reliably, transmitted securely and used compliantly, so as to further develop the function of cooperative punishment for credit-breaking individuals, contribute to improving the new

credit-based supervision mechanism, and push forward the construction of the social credit system.

VII. Guarantee measures

(27) Cementing organizational leadership. People's courts at all levels shall attach great importance to the development and application of blockchain in the judicial field, strengthen coordination, and specify leading departments in charge of overall progress and management of blockchain application.

(28) Establishing a collaborative mechanism. People's courts at all levels shall coordinate priorities of blockchain application in their respective jurisdictions, unite political and legal departments, social organs and other forces to strengthen the collaborative working mechanism, jointly promoting blockchain application in the judicial field.

(29) Strengthening support. People's courts at all levels shall incorporate blockchain application into the development plan of smart courts for coordinated implementation, and combine it with innovation of social governance of local governments, to seek funding support and expedite the progress.

(30) Paying attention to demonstration projects. People's courts at all levels shall choose relatively mature application scenarios to launch demonstration projects, with focus on needs of the economic and social development and the business needs of the people's courts, to form innovative models that can be reproduced and popularized.

(31) Ensuring security and reliability. People's courts at all levels shall optimize the pre-review, testing and evaluating mechanism to make sure the

authenticity, accuracy and compliance of the stored data on the blockchain as well as the consistency of data on and off the chain, and make sure the legality, effectiveness, security and reliability of smart contracts.

(32) Taking active steps towards publicity and guidance. People' s courts at all levels shall intensify publicity and promotion of best practices, and provide training on blockchain application for court officers and police staff, to improve the effects of blockchain application in the judicial field on all fronts.

The Supreme People' s Court

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