

Within the context of the Exchange Program organized by A.I.H.J.A. I visited China from the 30th of August to the 12th of September 2025, hosted by the Supreme People's Court (SPC). During my stay, I spent 11 days in Beijing and 2 days in Shanghai. It has been a lifetime opportunity to be warmly welcomed by Chinese judges and exchange ideas about various issues on administrative law cases.

This exchange of views demonstrated that China, although far from Europe, shares common ground on various aspects of the administrative law. Therefore, it would be really useful for all European colleagues to get a better insight into the Chinese judicial system.

I. The exchange program

The International Department of the SPC organised a well-structured and really interesting program. During my visits I was accompanied at all times by an assistant judge and an interpreter of the SPC. I have to emphasize how important the support I received was. Thanks to the efforts of the International Department of the SPC, my visit in China was smooth and convenient.

Firstly, I had the special opportunity to visit the Administrative Division of the SPC where I had the honor to meet the Chief Judge. Moreover, my discussions with the Chinese colleagues from the Environment and Resources Division of the SPC about current issues on environmental protection cases were of great importance. In addition, I visited the Digital Court Lab of SPC, where I had the chance to experience first hand some examples of the digitalized court proceedings. Within the same context, special attention should be drawn to the Museum of the SPC where the history of the Chinese justice up to our days is presented.

My next visits were at the Intermediate Court and the First Instance Court of Beijing where I attended an administrative dispute hearing with real time translation that gave me an insight into the vast use of high-end technologies in administrative proceedings. During our discussions with the Chinese colleagues

we focused our interest on cultural heritage protection cases. the smart and internet courts of Beijing.

I also visited the Ministry of Environment where the competent officials presented me the basics about national policies on climate change, as well as specific projects in important regions and national emission reduction targets.

My last stop in Beijing was the National School of Judges in Beijing, as well as the School of Law and Political Sciences, where I had interesting discussions with professors and students on special issues of administrative law. I also had the opportunity to elaborate on the main aspects and key principles of greek and european administrative law.

My agenda in Shanghai was also very well organised. Firstly, I visited the Shanghai High People's Court. After a very interesting presentation regarding the works of the Shanghai High People's Court, I had the honor to discuss with the Chief Judge and other distinguished judges. Moreover, I had the opportunity to exchange ideas and views with my Chinese colleagues about specific issues we have to deal with in cases brought before our courts. It allowed me to gain a basic knowledge of the Chinese administrative jurisdiction.

The next day, I visited Shanghai Financial Court. It was a great honor for me to be welcomed by the Chief Judge, accompanied by other judges. Besides the fruitful discussion I had with the Chinese judges, I was really impressed by the electronic service centre for the litigant parties and the various technological tools used in the everyday works of the Court, indicatively electronic case filing, videohearings, AI translation etc. Shanghai Financial Court provides an example of how the introduction of blockchain technology and AI tools has facilitated the access to justice, especially of foreign companies operating business in Shanghai. The role of the Shanghai Financial Court enhances Shanghai's position as one of the most prominent global trade centres.

As a last stop I visited East China University of Political Science and Law where I was warmly welcomed by professors and students. There, I had the opportunity to provide an overview of the Greek legal system and especially the Greek judicial administrative system, focusing on specific administrative case law. I really appreciated the genuine interest of professors and students about the role of the Council of State of Greece.

II. The Chinese legal and judicial system

The judicial review of administrative action in China is recent in relation to the European legal systems. It has been introduced in 1989, as a part of a general reform aiming to promote judicial protection. According to the Chinese Constitution, only the Parliament has the power to amend the Constitution. In addition, only the competent committee of the National People's Assembly has the exclusive competence to interpret the Constitution and laws and supervise compliance with the Constitution.

In China there are people's courts of four instances which, according to Chinese constitution, are judicial organs of the State. The first instance people's courts, the intermediate people's courts, the higher people's courts and finally the Supreme People's Court (SPC). There are also courts of special jurisdiction, such as military, intellectual property, maritime, fiscal courts, etc. In China there are no Administrative Courts. However, there are special divisions in the courts for adjudicating administrative disputes. Administrative proceedings include two instances of jurisdiction, while the SPC has the final word.

The SPC does not, in principle, have the power to interpret the Constitution. In China there is no separation of powers. Judicial review is limited to administrative acts issued by other state bodies. The SPC has the competence to interpret laws and decrees, and in case of disagreement between them, it is the National People's Assembly or its Permanent Standing Committee which is competent to resolve the issue.

The SPC has the following jurisdictional powers: (a) supervises the inferior courts, (b) adjudicates at first instance, among others, on administrative cases of great national importance, (c) hears appeals of parties or complaints of the People's Procurator against decisions of the higher people's courts, (d) uphold or annul death sentences imposed by the higher courts in criminal cases, (e) interpret laws on issues raised in court proceedings, (f) participates in the drafting of judicial and other draft legislation and (g) organises national judicial examinations of candidates for judges and prosecutors.

The people's court does not directly amend the administrative act within the context of a case brought before it. The Administration fully respects the decisions of the people's court and issues a new administrative act in accordance with the decision of the people's court.

The access to Chinese administrative justice is affordable due to extremely low courts fees. Also, the litigant party is not obliged to hire a lawyer to defend his case, even before the Supreme Court.

All courts have an electronic service centre where the litigant party can receive guidelines to self-service disputes, such as advisory services, court guidance on case law and other services through various advanced equipment. In China, the whole process (case filing, court hearing, deliberation, decision-making) is performed online. The judicial system is fully digitalized and all trials are conducted through telematics. For instance, at the premises of the Smart Court Laboratory of the SPC there is a large database that collects real-time information on all cases, as well as statistics per court throughout the country.

Last but not least, China has had a long tradition in arbitration and mediation. This is clearly reflected in administrative law disputes such as civil liability cases with regard to the compensation calculation.

In a nutshell, my exchange experience in China has been extremely valuable. In particular, I find my visit in China of great importance. I hope that in the future there will be other occasions to organize more exchange visits.

Dionysios Antonatos
Auditor in the Hellenic Council of State