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## Senior judge proposes raising threshold for corruption cases in China

BEIJING, Nov. 4 (Xinhua) -- A Supreme People's Court (SPC) official said that the threshold for laying charges of corruption and bribery should be raised to bring it more in line with today's conditions, China daily reported Wednesday.

"The 5,000 yuan (threshold) in 1997 and 2009 is so different considering the social changes and economic development over the last 12 years, yet the law has not changed at all," Zhang Jun, vice-president of the SPC, said during a seminar at Renmin University of China.

According to current criminal law, those who embezzle or accept bribes of more than 5,000 yuan (\$730) can be found guilty of corruption, a standard set in 1997.

Zhang said today's reality is that a lot of cases involving more than 5,000 yuan are not sent to court, as local prosecutors, especially those in economically developed areas, have raised the threshold.

Experts, while agreeing changes are necessary, differ on how they should be made.

Fan Chongyi, a law professor from China University of Political Science and Law, said it is more appropriate to let provinces or cities make their own thresholds, as economic levels vary from place to place.

"For example, two officials, one from Shanghai or Beijing, the other from the mountainous area of Yunnan province, both embezzle 1 million yuan. In most cases the one from Yunnan should receive a harsher punishment, as his incentive and the result of his crime are more severe compared to the other," Fan said.

Zhu Wenqi, a law professor from Renmin University of China, also thinks the threshold should be raised.

"Laws usually lag behind social development, so the change is appropriate. Besides, it is also about the dignity of the law. I think making 5,000 yuan a crime is not proper today," Zhu said.

Yet measuring the penalty according to the amount of money involved is not practical either, Zhu said.

"Each case in court is different, with its own condition, and it is impractical to only take the amount of money into consideration," Zhu said. "Factors like the results and modes of corruption should also be considered in the penalty."

Currently, amounts between 5,000 and 50,000 yuan carry sentences of one to 10 years in prison, 50,000 to 100,000 yuan carry five years to life and more than 100,000 yuan carries penalties of 10 years in jail to the death sentence.

Zhang also said that as there is a range of penalties, the public has been questioning some rulings. "It happens, and not seldom, that one who accepts 10 times the bribes of another receives a lighter sentence, and the public has doubted the justice of such cases."

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