



# General Assembly

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## Ad Hoc Committee for the Negotiation of a Convention against Corruption

Third session

Vienna, 30 September-11 October 2002

Agenda item 3

### Consideration of the draft United Nations Convention against Corruption, with particular emphasis on articles 1-39

## Proposals and contributions received from Governments

### China: amendments to the proposal on article 9 bis contained in document A/AC.261/L.111

In accordance with the Chinese Constitution, the judicial service and the prosecution service enjoy the same independence and equal legal status. The amendments to the title and paragraph 2 of article 9 bis are intended to improve the wording of the article in such a way that it suits and covers different situations in different legal systems. The amended article should read as follows:

*“Article 9 bis*

*“Measures within the judicial and prosecution services*

“1. Bearing in mind the crucial role of the judiciary in combating corruption, each State Party shall, in accordance with the fundamental principles of its legal system and without prejudice to judicial independence, take measures to prevent opportunities for corruption in the judiciary and to reinforce judicial integrity. Such measures may include rules and procedures with respect to the conduct of members of the judiciary.

“2. Measures taken pursuant to paragraph 1 of this article may be introduced and applied within the public or state prosecution service in those States Parties where it enjoys independence the same or similar to that of the judicial service.”

