



**Asia-Pacific
Economic Cooperation**

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Agenda Item: 4

APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies (ACT-NET) - Terms of Reference

Purpose: Consideration
Submitted by: ACT Chair



**19th Anti-Corruption and Transparency
Experts' Working Group Meeting
Beijing, China
13 August 2014**

APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies (ACT-NET)

Terms of Reference

(Draft)

1. Introduction

Corruption erodes social integrity and fairness, undermines government accountability and public trust, and impedes healthy economic growth. Observing the urgent demand for enhancing joint effort against transnational corruption, we APEC economies are strongly obliged to advance greater collaboration among anti-corruption authorities and law enforcement agencies in the Asia-Pacific region. Building upon previous anti-corruption commitments, we agreed to establish a network of Anti-Corruption Authorities & Law Enforcement Agencies (ACT-NET) at the 17th APEC Anti-Corruption and Transparency Working Group (ACTWG) Meeting in Indonesia, 2013.

As a mechanism under the auspices of the ACTWG, the ACT-NET will follow directions given by the ACT Chair. The ACT-NET will supplement existing cooperation programs and assist in the implementation of ACTWG's decisions and of other international initiatives against corruption. It will coordinate with other anti-corruption organizations and activities to facilitate contact, communication, and capacity-building among regional anti-corruption partners, and advance pragmatic cooperation in fighting corruption, bribery, money laundering, and illicit trade.

2. Purpose

To this end, the ACT-NET defines its functions as follows:

- To establish and develop an inter-economy network connecting anti-corruption and law enforcement officers to enhance informal cross-border cooperation between agencies responsible for investigations and prosecutions of corruption, bribery, money laundering, and illicit trade and the identification and return of the proceeds of those crimes. The ACT-NET will function as an informal platform for regional anti-corruption investigators and prosecutors to more easily consult, coordinate, and share effective practices with their counterparts from other economies in order to more efficiently and effectively carry out these activities.
- To share experiences, case studies, investigative techniques, investigative tools, knowledge products, and effective practices in order to help build more efficient cross-border anti-corruption cooperation and enhance the capacity of member economies in fighting against corruption, bribery, money laundering, and illicit trade and the identification and return of the proceeds of those crimes. Such activities would include supporting, with the ACTWG, workshops and seminars to be held throughout the APEC region.
- To provide an informal platform for bilateral or multilateral cooperation where appropriate, subject to domestic laws and policies, in the areas of corruption, bribery, money laundering, and illicit trade as well as in the identification and return of the proceeds of those crimes. Through this informal platform, the ACT-NET will advance pragmatic anti-corruption cooperation activities in support of economies' commitments to the provisions of the United Nations Convention against Corruption (UNCAC) where appropriate. On the basis of its routine relationship-fostering efforts, the ACT-NET shall complement international efforts against corruption and bribery.

3. Structure

Under the direction of the ACTWG, the ACT-NET will be composed of anti-corruption authorities and law enforcement agencies from APEC member economies. All economies identify specific focal points for ACT-NET-related

cooperation activities. With the concurrence of the ACTWG, the ACT-NET will also coordinate capacity building programs with relevant international organizations, institutions, associations and projects whose knowledge, experience and products can substantially contribute to the capacity building purpose of the ACT-NET.

The ACT-NET Chair shall be assumed on a rotation basis by the hosting economy of ACTWG each year. An ACT-NET Office will be established at the working level to handle the network's daily administrative tasks, including maintaining a list of focal points and providing assistance in conducting/coordinating capacity building programs. In close consultation with the ACT Chair, and the Friends of the ACT-NET, China will serve as the initial host of the Office in 2014-2015. ACT members will review the future hosting of the Office at the next ACT meetings in 2015.

4. Administration

The ACT-NET will meet annually prior to one of the ACTWG Meetings each APEC year. Celebrating its official establishment, the first meeting of the network is scheduled on August 15th 2014 in Beijing, China. The ACT-NET will report on its activities to ACTWG each year.