

2023/CSOM/015 Session 4.2

Framework for APEC Anti-Corruption Thematic Areas 2023-2026

Purpose: Consideration Submitted by: ACTWG Chair



Concluding Senior Officials' Meeting San Francisco, United States 11-12 November 2023 Framework for APEC Anti-Corruption Thematic Areas 2023-2026

Corruption is a global, pervasive challenge, with increasingly sophisticated, crossborder criminal actors threatening the region's sustainable growth. Combating these challenges requires sustained efforts, strategic responses, and innovative approaches. Corruption is also a cross-sectoral problem, posing risks to all aspects of the public and private sectors. APEC has long been a leader in the fight against corruption. As the global anti-corruption community celebrates the 20th anniversary of the UN Convention against Corruption (UNCAC) in 2023, we recommit to fulfilling the obligations under the Convention, as applicable, and we will strive to more comprehensively drive strategic, practical efforts that help member economies better understand corruption risks, identify best practices for preventing and combating corruption, and develop innovative ways to tackle these challenges.

I. Background

In 2004, an APEC ACT Task Force was established following leaders' endorsement of the Santiago Commitment to Fight Corruption and Ensure Transparency and the APEC Course of Action on Fighting Corruption and Ensuring Transparency. In 2010, this initiative led to the APEC Senior Officials' establishment of the Anti-Corruption and Transparency Experts Working Group (ACTWG). In 2013, the ACTWG established a subsidiary body, the Network of Anti-Corruption Authorities and Law Enforcement Agencies (ACT-NET). At the 2014 APEC Ministerial Meeting in Beijing, China, APEC Ministers adopted the Beijing Declaration on Fighting Corruption,¹which, among other things, urged member economies to further intensify collective efforts in the fight against corruption.

To coordinate and implement these APEC commitments, as well as facilitate the implementation of our respective international anti-corruption obligations, as appropriate, the ACTWG has had a strong work program on anti-corruption with several important initiatives. In 2022, the ACTWG developed a new Strategic Plan for 2023-2026 that sets the course for our APEC anti-corruption efforts.²

II. Vision

Recognizing that combating corruption requires a collective approach and strategic direction with high-level support, this document aims to more effectively implement the Strategic Plan 2023-2026 to prevent and combat corruption throughout the region. These efforts are in addition to the concrete steps taken by individual member

¹ Beijing Declaration

² ACTWG Strategic Plan 2023-2026

economies to address corruption and work with other economies in this regard; any such domestic anti-corruption efforts will continue to be integral to informing APEC activities. The ACTWG, under the leadership of its Chair, considers the following thematic areas for focusing its work as well as in cross-fora collaboration in anti-corruption activities across APEC:

- **Prevention and Transparency (2024):**³ Strengthen measures to effectively prevent corruption and ensure transparency, particularly in public sector integrity.
- **Cooperation (2025):**⁴ Intensify actions through practical cooperation and exchange of information between/among APEC member economies and with a particular emphasis on promoting implementation of APEC anti-corruption commitments and UNCAC obligations, as appropriate, as well as supporting processes to identify challenges.
- **Denial of Safe Haven (2026):**⁵ Discuss efforts on denying safe haven to corruption offenders and their assets, including through encouraging effective and timely cooperation among APEC economies.

The following topics could also be considered as the options for thematic areas:

- **Tomorrow's Challenges:**⁶ Address new and emerging anti-corruption issues such as technology, crises or emergencies, or changing environments.
- Implementation and Capacity Building:⁷ Apply lessons learned to develop and implement targeted, results-oriented technical assistance and capacity building for APEC economies.
- **Asset Recovery:**⁸ Discuss available tools for asset recovery and return and explore ways to clarify and improve mutual legal assistance processes, in order to advance asset recovery proceedings.
- **Corruption-related Money Laundering:**⁹ Discuss cross-border cooperation between agencies responsible for investigations and prosecutions of money laundering.

³ ACTWG Strategic Plan: Strategic Vision

⁴ ACTWG Strategic Plan: Strategic Direction (Point 3), ACTWG Objectives: Part A(1)

⁵ ACTWG Strategic Plan: ACTWG Objectives: Part A(1)

⁶ ACTWG Strategic Plan: ACTWG Objectives: Part A(6)

⁷ ACTWG Strategic Plan: Continuing Priorities: Part C(1), ACTWG Objectives: Part A(2)

⁸ ACTWG Strategic Plan: The ACTWG Terms of Reference 2022 - 2025, Key Activity 1.2

⁹ ACTWG Strategic Plan: Continuing Priorities, Key Activity 3.2

• The Role of Technology in Promoting the Work in Fighting Corruption:¹⁰ Explore digital, information and communication technologies to promote anticorruption efforts of APEC economies.

In 2026, the ACTWG will discuss whether to continue identifying thematic areas beforehand for subsequent years.

In our anti-corruption activities, we will continue to identify and pursue opportunities to contribute to the implementation of the La Serena Roadmap for Women and Inclusive Growth (2019-2030), including through promoting and enabling an environment that actively supports gender equality and women's empowerment.¹¹ We will also encourage engagement with relevant stakeholders in applicable activities under this document.¹²

Recognizing also the rich body of anti-corruption work that the ACTWG has already undertaken, we will strive to take those efforts into account when proposing new projects, either by taking stock of past efforts to see how they may be further advanced or otherwise modernized to provide strategic continuity and avoid duplication. These projects should stimulate research and promote sharing best practices and lessons learned. While each year's theme is self-contained, initiatives that build upon the prior years' themes are encouraged to further strengthen APEC's contribution to preventing and combating corruption.

III. Guidelines

Taking into account that APEC economies have diverse policy objectives and priorities as well as domestic laws and regulations, the policy and programmatic development and coordination among APEC economies should be based on the APEC principles of consensus, non-binding, voluntary participation, cooperation, and flexibility.

IV. Implementation

This document is to be implemented in accordance with agreed APEC rules and principles and as approved by ACTWG members. The ACTWG, under the leadership of its Chair, is to take the thematic areas into consideration while planning its annual work. The ACTWG will also inform other relevant APEC sub-fora of the thematic areas and seek their engagement and inputs, as appropriate, in conducting applicable anti-

¹⁰ This theme is not presently in Strategic Plan 2023-2026, but that it could be considered for incorporation when the next version of the plan is drafted.

¹¹ ACTWG Strategic Plan: Continuing Priorities: Part C(4)

¹² ACTWG Strategic Plan: ACTWG Objectives: Part A(3) and A(5); and Putrajaya Vision 2040: Part B(1)

corruption activities. The ACTWG Chair may consider incorporating progress under this document in its annual report to the Steering Committee on Economic and Technical Cooperation (SCE).