



**Asia-Pacific
Economic Cooperation**

2016/SOM1/ACT/004
Agenda Item: 6.2

**Anti-Corruption and Transparency Expert's Working
Group – Proposed Work Plan for 2016**

Purpose: Consideration
Submitted by: ACT Chair



**22nd Anti-Corruption and Transparency Experts'
Working Group Meeting
Lima, Peru
23 February 2016**

APEC ANTI-CORRUPTION AND TRANSPARENCY WORKING GROUP (ACTWG)

Proposed Work Plan for 2016

1. Proposed Work Plan for 2016 in Response to Leaders/Ministers/SOM/SCE Priorities and Decisions, and to ABAC recommendations.

In light of the anti-corruption initiatives launched by previous chairs, the 2016 Chair of the Anti-Corruption and Transparency (ACT) Working Group aims to continue to promote and strengthen the implementation of existing APEC anti-corruption commitments, including the UN Convention against Corruption and other related international standards and commitments.

ACT will be guided by our commitments outlined in the 'APEC Course of Action on Fighting Corruption and Ensuring Transparency'; the 'APEC Code of Conduct for Business'; the 'APEC Principles on the Prevention of Bribery and Enforcement of Anti-bribery Laws', the 'General Elements of Effective Voluntary Corporate Compliance Programs', the 'Beijing Declaration on Fighting Corruption' and other relevant actions agreed to by our Ministers and Leaders.

The priorities during the Peru's year as APEC Host Economy in 2016, consistent with our general theme of "Quality Growth and Human Development", will focus on:

- Advancing Regional Economic Integration and Quality Growth
- Modernization of micro, small and medium enterprises (MSME) in the Asia-Pacific
- Developing Human Capital
- Regional Food Market

ACT will develop its 2016 work plan accordingly to these priorities playing a vigorous role in fostering economic growth and prosperity in the Asia-Pacific region, primary goal of the APEC forum.

In this order of ideas, the work plan will center on the following issues that promote good governance, the rule of law, market integrity, and human security:

Facing Foreign Bribery on APEC Economies Workshop

Corruption has damaging consequences on economic growth and sustainable development of all APEC economies. It can deter foreign and domestic investment, distort competition and hamper the smooth operation of markets as well as the raising of the cost of public services and infrastructure projects. As such, economies have made the robust fight against corruption and achieving progress in economic and social development important areas in APEC.

One of the priorities chosen by Peru for 2016 is in advancing on regional economic integration and quality growth. The ACT will develop its work plan to achieve this priority by addressing the challenges posed by the fight against bribery of foreign public officials in international business transactions.

The 'APEC Course of Action on Fighting Corruption and Ensuring Transparency' recommends a collaborative partnership between APEC and OECD, and other relevant international partners, for developing effective actions to fight different forms of bribery, across borders and markets, taking into account the OECD's Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

Accordingly, the ACT with the technical advice of the OECD will organize a workshop in Lima in February 2016 to address this theme. This includes sharing successful experiences and identifying the obstacles that have been overcome on the criminalization of foreign bribery and successful prosecution of this criminal offence by APEC members.

Effective Corporate Compliance Programs Workshop

Corrupt practices such as international and domestic business bribery involve supply and demand side, active and passive actors. In that sense, it is crucial to foster more transparency and integrity in the business sector. The ACT will continue to work with the business sector focusing on the implementation of an Effective Voluntary Corporate Compliance Programs.

The ACT will organize a workshop on 'Effective Corporate Compliance Programs' in partnership with the United States and the APEC Business Advisory Council (ABAC). This workshop mainly aims to share the best practices and strategies on the implementation of corporate compliance programs and to look at corporate approaches to anti-bribery commitment and compliance management. The ACT invites all member economies and other relevant organizations to be actively involved in the workshop that will take place in Lima, in August 2016 (TBC).

Pathfinder Dialogue III on 'Preventing and Combating Corruption and Illicit Trade'

There is an increasingly need to strengthen the inter-regional partnerships of law enforcement and criminal justice bodies to prevent and combat the corruption and money laundering related to illicit trade -including trafficking in persons, illegal logging, wildlife trafficking, and other environmental crimes. Frequently those crimes are associated with corrupt practices that affect the environment in which we live, our health, prosperity and world security.

As agreed to in the ACT Strategic Plan Multi-Year, and drawing upon the successes of earlier APEC Pathfinder Dialogues, the APEC ACT will evaluate the partnership with other APEC subfora to host Pathfinder III workshop in SOM 3. We expect to organize a workshop in Lima in August 2016 to further enable anti-corruption authorities, law and justice officials, and civil society to work together to combat the illegal economy and illicit trade and also support to legitimate trade and economic growth through effective anti-bribery and anti-crime initiatives.

Collaboration with international organizations

The ACT will continue to enhance collaboration with international organizations in the fight against corruption and bribery. The ACT would like to invite the following regional and international organizations, which are interested in fighting corruption, to participate as observers in ACT's meetings and workshops.

- American Bar Association (ABA)
- Organization for Economic Co-operation and Development (OCDE)
- The World Bank
- United Nations Office on Drugs and Crime (UNODC)
- International Anti-Corruption Academy (IACA)
- Transparency International (TI)
- INTERPOL
- Asian Development Bank – Organization for Economic Co-operation and Development
- Inter-American Development Bank (IADB)
- APEC Business Advisory Council (ABAC).

ACT - NET

The ACT-NET is a platform that aims to facilitate cross-border cooperation between agencies responsible for investigations of corruption, bribery, money laundering, and illicit trade. Proceeding from its second meeting in Cebu, the APEC Network of Anti-corruption Authorities and Law Enforcement Agencies (ACT-NET) will at SOM 3 this year. Its Terms of Reference need to be updated. It will be generally discussed at SOM 1 but its finalization and the preparations and agenda for the 3rd ACT-NET will be done by ACT-NET members at intersessional level leading up to SOM 3.

2. Anticipated Activities and/or Proposed Work Plan with outside organizations in response to Leaders' and Ministers' calls for greater engagement, as follows:

- To host the APEC Anti-corruption Workshop on 'Facing Foreign Bribery' with the participation of the Organization for Economic Cooperation and Development (OECD) and other APEC economies (SOM 1).
- To host a workshop on 'Effective Corporate Compliance Programs' (US and Peru) (SOM 3).
- To host a workshop on APEC ACT Pathfinder Dialogue III on 'Preventing and Combating Corruption and Illicit Trade' (US and Peru) (SOM3).
- To promote and foster collective efforts in the fight against corruption with other international organizations including the Organization for Economic Cooperation and Development (OECD), United Nations Office on Drugs and Crime (UNODC), Transparency International, the World Bank and International Anti-Corruption Academy (IACA).
- To host the 3rd ACT-NET Meeting in Lima City, Peru (SOM 3).

3. Expected Outcomes/Deliverables for 2016.

The expected outcomes for 2016 are:

- Workshop on 'Facing Transnational Bribery on APEC Economies'.
- Workshop on 'Effective Corporate Compliance Programs'.
- Workshop on 'Pathfinder Dialogue III on 'Combating Corruption and Illicit Trade'.
- 3rd ACT-NET Meeting in Lima City, Peru.
- 2016 ACT Deliverables to Ministers (AMM) and Economic Leaders (AELM)