

## Future Outlook

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Since the United Nations Conventions against Corruption came into effect on December 14<sup>th</sup>, 2005, “clean government” has become a universal value and anti-corruption work is a challenge and responsibility every government must face. To continue to effectively carry out anti-corruption work, meet the public’s high expectations with respect to clean government and fall in line with world trends, the Ministry of Justice put forward the “Agency Against Corruption Ministry of Justice Organization Act Draft”, the draft was passed into law after a third reading on April 1 2011 and the Agency Against Corruption was established and began operating on July 20, 2011.

After more than five months of actual operations, the implementation of each area of work is basically on track and anti-corruption work will, in the future, still be centered on three objectives, cutting down the rate of corruption crime, raising the rate of conviction on corruption crime and protecting human rights, with preventing corruption the main focus and fighting corruption of secondary importance, the ultimate objective being zero corruption. Also, understanding the expectations with regards to fighting corruption of various quarters, investigating and auditing high risk business will be key future work. There are 19 high risk areas of operations: major construction projects, large procurement, industrial and business registration, urban planning, bank loans, securities management, vehicle inspection, tax affairs, customs affairs, the policing, the judiciary, correctional affairs, building administration, land administration, environmental protection, medicine, education, fire prevention and mortuary services, and, in the future, investigation and auditing will be strengthened with the aim of eliminating malpractice and acting as a deterrent.

Anti-corruption work is a long and arduous process and the aim of establishing the Agency Against Corruption was to establish an agency with the special responsibility for fighting and preventing corruption and

implement national anti-corruption policies. The future directions of our efforts are described below:

#### **A. National anti-corruption work**

(1) The AAC has the heavy responsibility fulfilling the national clean government building vision and will, with United Nations Conventions against Corruption as the blueprint, formulate inter-Yuan, inter-ministry and inter-level national anti-corruption policy; and will act as adviser to the Central Integrity Committee, reviewing and promoting all the measures of the National Integrity Building Action Plan; promote anti-corruption policy research and accumulate and spread corruption prevention and fighting knowledge, promoting cleanliness in the public and private sector.

(2) With ethics units at the center, a strategy of treating cause and symptoms will be adopted, with a policy of treating the symptoms (enforcing the law), treating the cause (preventing corruption) and eradication (education) effectively integrating ethics units and through strengthening of communication and establishing a cooperation mechanism, increasing the corruption prevention and corruption fighting ability of ethics units, building a dense anti-corruption network to prevent corruption or major negligence cases occurring.

(3) In its capacity as the special national anti-corruption agency the AAC will take part in anti-corruption events held by the OECD, APEC and the ethics units of various countries, raising the country's profile and anti-corruption image, as well as organize international anti-corruption conferences and plan exchange visits with the ethics units of other countries. In 2012 it is planned to visit Singapore and Malaysia to observe anti-corruption work, strengthening experience exchange with other countries and sharing anti-corruption promotion experiences.

(4) The AAC alone or together with various ethics units will hold integrity governance and corporate integrity forums and activities and invite the European Chamber of Commerce Taipei, American Chamber of Commerce In Taipei and other foreign business organizations In

Taiwan to allow them and their members to understand and spread related integrity governance practices, helping to promote Taiwan's integrity image.

(5) Implement the spirit of the United Nations Conventions against Corruption, linking various ministries and ethics units, energetically implementing the measures in the Conventions with respect to government, schools, enterprises, groups and communities, and according to its articles and spirit cooperate with respect to money laundering prevention, extradition, joint investigation, criminal proceed transfer, confiscation and recovery, personnel training and technical support and other international cooperation matters.

(6) Monitor and interpret national anti-corruption indices issued by Transparency International, the IMF, the WTO, IMD Business school, the Heritage Foundation, Freedom House, Political and Economic Risk Consultancy Ltd. etc., providing timely responses and explanations to these organizations and put forward counter measures suggestions.

(7) Continue to carry out research into anti-corruption indicators, establishing a systematic domestic clean government rating framework and, carry out continuing domestic clean government opinion polls, by long-term observation obtaining a grasp of Taiwan's anti-corruption advantages, shortcomings and public opinion and providing this information to the government for reference in adjusting policies and methods.

## **B. Deepen anti-corruption awareness**

### **(1) Actively publicize clean government, form an anti-corruption consensus**

1. In coordination with the UN International Anti-corruption Day on December 9<sup>th</sup>, a series of public information activities was held to publicize the significance of United Nations Conventions against Corruption and International Anti-corruption Day, to increase public awareness of the international anti-corruption movement and their confidence in the government's determination to oppose

corruption and build a clean government.

2. In cooperation with ethics units hold forums and conferences on the subject of global anti-corruption trends, integrity and ethics directions, conflict of interest recusal, transparency and accountability and other issues.
3. Collect corruption cases or major administrative errors and compile anti-corruption directives and anti-corruption work manuals to strengthen the corruption prevention knowledge of various quarters.
4. Make a public information film, with lively content conveying the values of integrity and honesty to awaken the public's anti-corruption awareness.
5. Every ethics unit will promote the participation of non-public sector individuals and groups in preventing and fighting corruption and, the power of the government, private sector and society, combined to form a national anti-corruption consensus.

## **(2) Grassroots cultivation, promoting social participation**

1. In combination with community development work, promoting the Village and Borough anti-corruption platforms, implementing the AAC Village and Borough Anti-corruption platform implementation plan.
2. Promote public participation in fighting corruption, creating an atmosphere of "zero tolerance" in society, and implementing the AAC's Anti-corruption Volunteer Plan.

## **(3) Advocate corporate integrity, promote professional ethics**

1. Strengthen cooperation between enterprises, private groups and NGOs, redouble private sector honesty and professional ethics promotion, strengthening the social anti-corruption network
2. Together with ethics units, hold corporate integrity and social responsibility forums and conferences, expanding discussion and dialogue relating to the issues of clean government.

## **(4) Promote honesty and clean government ethics education and training**

1. Combine resources to merge honesty and clean government ethics

study activities into the training courses or activities of every level of government agencies and schools.

2. Through the mass media and a variety of art and cultural events and competitions promote anti-corruption integrity values.

### **C. Strengthening anti-corruption mechanisms**

#### **(1) Implement the “National Integrity Building Action Plan” strengthen supervision of integrity report**

Implement the “National Integrity Building Action Plan”, and promote the release of information about the operation of the integrity report meetings and meeting resolutions of the Executive Yuan’s Central Integrity Committee and every level of agency, and strengthen follow-up control.

#### **(2) Implement risk management, strengthening auditing and internal control**

1. Supervise and direct the ethics units in all levels to implement the assessment and management of the ethics situation and malpractice risk, effectively identify and assess events and personnel that have attached risk, and report the results to the agency leader or report in integrity meetings so appropriate action can be taken (such as adjusting position, strengthening audit and evaluation, post rotation) to increase internal control.

2. Through identifying and assessing risky operations and taking into account cost effectiveness and importance, suitably design auditing processes and regularly or irregularly audit risk business.

#### **(3) Build a complete clean government legal system, strengthen transparency and accountability**

Formulate the “Act on Property-Declaration by Public Servants” and “Act on Recusal of Public Servants Due to Conflicts of Interest” and continue to promote complete sunshine laws and a public functionary asset online reporting system.”

### **D. Comprehensive corruption fighting and prevention**

Most corruption cases are hidden and not easy to investigate,

however to ensure government officials adhere to the official admonitions and win the trust of the public and arriving at a situation that sees civil servants “Not willing to corrupt, Not necessary to corrupt, Not possible to corrupt, Not dare to corrupt”, this agency will continue to carry out corruption fighting work, with the aim of achieving a situation in which corruption crimes “can be prevented, offenders are caught and convicted”.

Methods to increase conviction rate and guarantee human rights are as follows:

### **(1) Increase conviction rate**

1. Effectively promote a preliminary investigation model, combining ethics units as quickly as possible carry out judicial investigation and convert rumors, clues, and intelligence into concrete intelligence or evidence to increase case handling efficiency.
2. With regards to the relationship with investigation agencies when handling cases a strategy of “diverging advance and converging attack” and “crossfire” will be adopted with regards to case handling; when the same case is being handled, the prosecutor should carry out a unified investigation so that corruption fighting is a joint effort.
3. The following types of case will be the focus of investigation, with importance attached to public well-being and social sentiment, showing the value of the AAC and winning acceptance, trust and support so that the public are not antagonistic to the civil servants.
  - 1.) Long-term, structural and group corruption cases.
  - 2.) Cases involving ingrained vices that arouse public complaint.
  - 3.) Cases in which offenders confess or surrender themselves.

### **(2) Guarantee human rights**

1. Establishing strict case handling discipline: After the AAC was established “AAC Staff Personnel Discipline Rules”, “AAC work guidelines for accepting report of wrongdoing” “Guidelines for communications monitoring by the AAC” Guidelines for the establishment of the AAC Clean Politics Advisory Committee”

“Main work points for the AAC’s intelligence examination team” “Work Guidelines for the AAC for the guaranteeing of human rights” and other rules were established, supported by a case management assessment mechanism making every effort to establish strict case handling discipline and culture to protect the rights of related parties.

2. Implement a system to protect people who report corruption: encourage the public to boldly report wrongdoing through the AAC’s diverse corruption reporting channels and reward people handsomely for reporting corruption according to the “The Anti-Corruption Informant Rewards and Protection Regulations” and “Witness Protection Law” and provide suitable protection. In addition, to better protect people who report corruption, the “Research into improving rewards and protection for anti-corruption informants” will be commissioned externally, the aim being to combine theory and practical viewpoints for reference when legislation and systemic reform directions are formulated in the future.

The AAC will also strengthen special case investigation by ethics units giving heed to high corruption risk business in an agency. If indications of wrongdoing area found, investigation should be launched in the ethics units in coordination with the AAC to effectively shorten investigation time and raise overall investigation efficiency.

The foreword to the United Nations Conventions against Corruption says that corruption is no longer only affects certain pockets of society, it is an international phenomena that affects the whole of society and the entire economy and to effectively prevent and fight corruption, comprehensive and multidisciplinary measures need to be adopted. These words also show that there is no panacea for fighting corruption and this means that to rectify corruption a variety of participants need to be brought together, with all levels of society including government agencies

involved, joining forces to solve the problems of character, honesty and corruption faced by society root and branch.

In future, in addition to actively strengthening anti-corruption work within government agencies, it will also carry out long-term cultivation at the enterprise, school and community level, to raise people's anti-corruption awareness. Firstly, the public and private sectors should establish partnerships based on mutual trust and in the future, in addition to strengthening anti-corruption marketing to government bodies, schools, enterprises and groups, the AAC will also join with financial supervisory agencies and vocational training organizations to implement corporate integrity, promoting corporate governance and social responsibility and improve enterprise operating integrity and law observation. Also, the AAC will make good use of the Internet, printed media, TV and radio and other media resources and keep close contact and good relations with the mass media, through accepting interviews, issuing press releases voluntarily and holding media seminars, taking the initiative with respect to explaining policy, two-way communication of policy connotations and marketing a positive image.

In addition, the AAC has also held the "water-care and water replenishment" activity series activity series together with the MOEA that an example of cross area integration of engineering, prosecution units, anti-corruption units and local government launched by operational units, and this was combined with the "borough and village anti-corruption platform" and "anti-corruption volunteer" social participation and function operating method; it was a breakthrough innovation in anti-corruption and corruption work and will have indicator value for future anti-corruption work. This activity series actively implemented anti-corruption and corruption prevention ideas, making prevention the departure point for anti-corruption work, lowering the risk of malpractice, eliminating inappropriate interference and, for the first time, the AAC played the important role of guardian of major national construction plans, with an approach based on a systematic strategy, guaranteeing that projects are completed on time, increasing quality; in the future, the AAC will



accumulate related knowledge, carry on with this type of operation form and assist various kinds of risky operations to carry out effective prevention work effectively.

Anti-corruption work is a systematic project and national cleanliness needs all levels of society, including government, to move forward hand in hand. As an agency with special responsibility for preventing and fighting corruption, the AAC will remain determined to eliminate malpractice and promote integrity governance and will continue to pursue a forward looking macro vision, increase professional ability in various areas and meet the expectations of the public, energetically promote national anti-corruption work, aiming in cooperation with all circles of society to achieve the objective of clean government.