



**Asia-Pacific
Economic Cooperation**

2018/SOM3/ACT/NET/005

Agenda Item: 11

**Anti-Corruption Authorities and Law Enforcement
Agencies Network - Terms of Reference
(Endorsed 2016)**

Purpose: Consideration
Submitted by: ACT Chair



**5th Anti-Corruption Authorities and Law
Enforcement Agencies Network Meeting
Port Moresby, Papua New Guinea
5 August 2018**

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

Terms of Reference

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 efforts 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 is a collegiate body of anti-corruption and law enforcement officials that will report annually to the ACTWG. The ACT-NET will supplement existing cooperation programs and assist in the implementation of ACTWG's decisions and other international initiatives against corruption. Consistent with each economy's legal system, it will provide an informal platform for bilateral case cooperation, or multilateral if appropriate, in the areas of corruption, bribery, money laundering, and illicit trade subject to the purview of individual member organizations. In conjunction with the ACTWG, 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 these 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, and effective practices in order to help build more efficient cross-border cooperation in and enhance the capacity of economies' fight against corruption, bribery, money laundering,

and illicit trade and their identification and return of the proceeds of these crimes. Such activities may include supporting, in coordination with the ACTWG, workshops and seminars to be held throughout the APEC region. With the concurrence of the ACTWG, the ACT-NET may coordinate capacity building programs with relevant international organizations, institutions, associations and projects whose knowledge and experience can substantially contribute to the capacity building purpose of the ACT-NET.

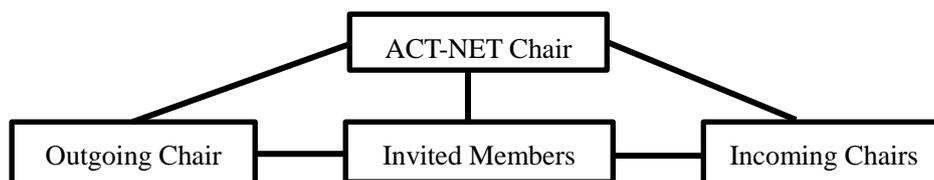
- To provide an informal platform for bilateral or multilateral case cooperation, subject to the purview of individual member organizations, in the areas of corruption, bribery, money laundering, and illicit trade as well as in the identification and return of the proceeds of these crimes. Through this informal platform, the ACT-NET, in coordination with the ACTWG, will advance pragmatic anti-corruption cooperation activities in support of economies' commitments to the provisions of the United Nations Convention against Corruption (UNCAC). 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 will identify specific focal points for ACT-NET-related cooperation activities.

As a collegiate body, ACT-NET will set its own agenda and activities. The ACT-NET Chair shall be assumed on a rotation basis by the hosting economy of ACTWG each year. The Chair will be assisted by the Friends of the Chair (FOTC) to set ACT-NET agenda and activities. The FOTC forum is composed by the outgoing and incoming Chairs. The other FOTC shall be invited by the Chair. The APEC Secretariat will provide the administrative requirements of the ACT-NET, including maintaining a list of focal points and providing assistance in coordinating capacity building programs.

Figure 1. FOTC Structure Diagram



4. Administration

The ACT-NET will meet annually back-to-back at one of the ACTWG Meetings each APEC year.