



**Asia-Pacific
Economic Cooperation**

Independent Assessment Report of the Anti-Corruption and Transparency Experts' Working Group

**SOM Steering Committee on Economic and Technical Cooperation
(SCE)**

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EXECUTIVE SUMMARY

This is a report of the independent assessment of the efficiency and effectiveness of APEC's Anti-Corruption and Transparency Experts Working Group (ACTWG). The Terms of Reference for the assessment were to:

- assess the outcomes and how ACTWG supports the main objectives/goals of APEC and their impacts in APEC member economies
- evaluate whether ACTWG is operating effectively and efficiently
- evaluate whether the group's Terms of Reference, strategic plan or operations could be modified to better respond to APEC ECOTECH priorities and contribute to the achievement of APEC goals
- identify ways to strengthen ACTWG's strategic priorities and direction for future work
- recommend how ACTWG can better focus and more efficiently and effectively manage its tasks and assure that its capacity building activities are providing benefits according to Leaders' and Ministers' priorities, and
- identify ways to develop synergies among the work of the forum and other relevant APEC groups.

The ACTWG was established as the result of APEC's commitment to transparency standards and a related acknowledgement that corruption threatened good governance, unimpeded flows of investment and shared prosperity in the APEC region. The work of the Group supports the implementation of the *2004 Santiago Commitment to Fight Corruption and Fight Transparency* and the *APEC Course of Action and APEC Transparency Standards*. It is also to contribute to the *APEC Conduct Principles for Public Officials* and the *APEC Code of Conduct for Business*, in the fight against bribery and facilitation payments.

In launching the initiative in Santiago in 2004, and reaffirmed at every Summit afterwards, Leaders recognize that no economy is immune from corruption and that every economy should take active leadership in combating corruption and strengthening cooperation.

The ACTWG was initially established in 2005 as a Task Force. In 2011 a proposal was put forward to the Senior Officials Steering Committee on ECOTECH (SCE) seeking the transformation into a Working Group with a five-year Terms of Reference. With the transition to a Working Group status, the group continued to operate by electronic means, with face-to-face meetings held at least annually and on an as needed basis. The ACTWG initial Terms of Reference expired in May 2015. In February 2016, an extension of the ACTWG mandate for five years to 2020 was proposed by the ACTWG, endorsed and recommended by the SCE¹ and subsequently approved by the SOM.

This review is the third in a series of independent assessments, with the first completed in January 2009, and the second being completed in August 2012.

Overall conclusions

The fight against corruption and the need for transparency is an ongoing battle in the achievement of economic cooperation and growth. As recognised through Leader Declarations, member economies annually reaffirm the commitment to undertake actions and initiatives to address corruption in the achievement of the long-term goal of free and open trade and investment in the Asia-Pacific.

In this context, the ACTWG has been an effective forum to nurture and sustain good governance, economic development and prosperity, and facilitate working together to fight

corruption and ensure transparency. The ACTWG is an active working group that meets bi-annually, usually on the margins of the SOM1 and SOM3 meetings. As well as the regular meeting, detailed technical capacity development workshops are often held. Topics for the detailed workshop are normally based on the host economy's anti-corruption priorities and are outlined in the annual work plan. The ongoing support of the ACTWG mandate was reaffirmed by member economies in February 2016 with the extension of the Terms of Reference to 2020.

Since 2013, 13 workshops and meetings have been held in addition to the bi-annual ACTWG meetings. However, over the same period no new ACTWG projects have been approved and included in the APEC Project Database. While there are different requirements associated with APEC funded versus self-funded projects, projects that are self-funded are still required to be included in the APEC Project Database before commencement, and project completion reports are strongly encouraged to be submitted. As a result the APEC Project Database does not reflect the full extent of the ACTWG work, and the impact of this work is not being captured.

Approval has been provided by the SCE for the Chair of the ACTWG to rotate annually and become the responsibility of the host economy. Notwithstanding the administrative challenges this annual rotation presents, it supports and provides the mechanism for every APEC host economy to have the opportunity to take active leadership in making anti-corruption an important policy deliverable. It also allows for fresh perspectives and different experiences to be introduced to the ACTWG on a regular basis.

However, this annual rotation also presents a risk to the efficiency and effectiveness of the Chair, particularly in the first meeting of the year when the host economy may not have had sufficient time to obtain feedback and buy-in on the meeting agenda and annual work plan. To optimise the value with the annual rotation, strong knowledge management and governance structures need to be in place and effectively utilised. In addition, in incoming Chairs need to reach out to members as early as possible in their host year.

ACTWG initiatives and activities can be classified against each of the listed purposes in the ACTWG Terms of Reference. In particular, the active participation of member economies in relation to ongoing technical capacity building workshops combined with the development and circulation of codes of conduct, corporate compliance programs and guidelines underpin the achievements against the Terms of Reference. Amongst other things, the regular ACTWG meetings also encourage the cooperation and exchange of information between anti-corruption experts and helps facilitate individual and joint actions to fight corruption and ensure transparency.

The Multi-Year Strategic Plan 2013-2017 provides key performance indicators and specific actions to enable deliver against the Terms of Reference. The Plan is regularly updated to ensure that the work of the ACTWG continues to be responsive and relevant to the broader APEC goals as well as the declared priorities of APEC Leaders. Allocation of nominated Leads and achievement of activities/ actions against agreed deadlines are, however, areas for improvement. With the recent extension of the ACTWG mandate to 2020, and the current Plan only endorsed for up to 2017, there would be value in the ACTWG commencing longer term strategic planning to reflect this new time period.

The operation of the Secretariat appears to be efficient and is supported by survey respondents. Communication around meetings is good, however the meeting summaries and other outcome documents should be made available more quickly. Public communication could also be improved by keeping the ACTWG webpage up to date.

There is no single, comprehensible and accessible store of core governance documentation associated with the ACTWG. While the documentation is often included in the APEC Meeting

Database (MDDDB), knowing where to find it, especially across APEC fora and meetings is difficult, particularly if you are not sure what you seeking. Improving knowledge management by compiling a consolidated list of core material and making this readily accessible to members would allow all delegates to become more familiar with key governance documents.

Member economies considered that the establishment of the APEC Network of Anti-Corruption and Law Enforcement Agencies (ACT-NET) as a major initiative in implementing the *APEC Course of Action on Fighting Corruption and Ensuring Transparency* and achieving the ACTWG's purpose of promoting cooperation. It should however be recognised that this concept is still in its infancy and, as a result, it is too early to assess the relative impact of the initiative. The ACTWG can ensure the ongoing efficiency and ultimate effectiveness of this initiative by clarifying the administrative arrangements surrounding the ACT-NET initiative.

ACTWG has effective engagement with some other APEC fora, in particular the joint meetings and workshops that have been held with the Experts Group on Illegal Logging and Associated Trade (EGILAT). Given the intended purpose of promoting and increasing private sector participation in the development of anti-corruption measures, there would be benefit in exploring further opportunities for collaboration with other subfora, and in particular with the Small and Medium Enterprises Working Group (SMEWG). Respondents ranked the lack of engagement initiated by ACTWG with other APEC fora and vice versa as the second and third highest barriers to meeting APEC's ECOTECH objectives. Consequently, a focussed effort will be required to improve this level of engagement.

While not considered a barrier to achieving APEC's ECOTECH objectives, there is opportunity for the ACTWG to assess how the proactive implementation of the APEC's gender agenda could improve its delivery against the Terms of Reference.

The work of the ACTWG is seen as complementary to the work of other anti-corruption entities rather than duplicating other stakeholders and organisations. It was also recognised that member economies differ between the various bodies and there is considerable value in sharing initiatives and lessons learned. The fight against corruption is seen as an ongoing battle and the more participants there are who are focused on implementing anti-corruption initiatives and increasing transparency, the better.

Recommendations

Recommendation 1

Document and communicate the operations and recommended timelines for action associated with the governance structure outlined in the ACTWG's Terms of Reference. This will optimise the value of the rotating annual Chair.

Recommendation 2

All ACTWG projects be included in the APEC Project Database and project completion reports undertaken. This will capture the full extent of the ACTWG output and its impact.

Recommendation 3

The Multi-Year Strategic Plan 2013-2017 should be updated to reflect the extended mandate of the ACTWG to 2020. Activity/ action Leads should also be identified to encourage other member economies to meet the agreed timing for the delivery of output as specified in the Plan.

Recommendation 4

The APEC Secretariat compile a consolidated list of core ACTWG material and make it readily accessible to members. This will improve delegates' familiarity with key governance documents.

Recommendation 5

The ACTWG clarify the administrative arrangements of the APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies (ACT-NET) initiative. This will improve the ongoing efficiency and ultimate effectiveness of this initiative.

Recommendation 6

Given the aim of promoting and increasing private sector participation in the development of anti-corruption measures, the ACTWG should further explore collaboration opportunities with other relevant subfora, and in particular with the Small and Medium Enterprises Working Group.

INTRODUCTION

This report presents the results of an independent assessment of the operations and structure of the Anti-Corruption and Transparency Experts' Working Group (ACTWG) in order to ensure that the Working Group's activities are targeted, effective, efficient, and make the best use of scarce resources. This independent assessment also recommends actions to ensure that the Working Group is responsive to APEC's current priorities and contributes to the achievement of APEC's overall vision and objectives.

The Terms of Reference for the assessment include:

- to assess the outcomes and how ACTWG supports the main objectives/goals of APEC and their impacts in APEC member economies
- to evaluate whether ACTWG is operating effectively and efficiently
- to evaluate whether the Group's Terms of Reference, strategic plan or operations could be modified to better respond to APEC ECOTECH priorities and contribute to the achievement of APEC goals
- to identify ways to strengthen ACTWG's strategic priorities and direction for future work
- to recommend how ACTWG can better focus and more efficiently and effectively manage its tasks and assure that its capacity building activities are providing benefits according to Leaders' and Ministers' priorities, and
- to identify ways to develop synergies among the work of the forum and other relevant APEC groups.

Structure of this Assessment

This assessment is divided into 5 sections which follow the format prescribed by APEC:

- Introduction, including purpose of the independent assessment, methods, and a short overview of ACTWG and its history
- Background, including a short overview of the history of ACTWG, its structure and the review's Terms of Reference
- Assessment of the ACTWG's alignment with APEC priorities
- Assessment of ACTWG's operations, and
- Assessment of co-operation with other APEC Fora and other stakeholders including industry, academia and other multilateral organisations.

BACKGROUND

The APEC Anti-Corruption and Transparency Experts' Working Group (ACTWG) is one of 15 APEC Working Groups and partnerships (Appendix A – APEC Working Groups). The ACTWG was established as the result of APEC's commitment to transparency standards and a related acknowledgement that corruption threatened good governance, unimpeded flows of investment and shared prosperity in the APEC region. The work of the Group supports the implementation of the *2004 Santiago Commitment to Fight Corruption and Fight Transparency* and the APEC Course of Action and APEC Transparency Standards. It is also to contribute to the *APEC Conduct Principles for Public Officials* and the *APEC Code of Conduct for Business*, in the fight against bribery and facilitation payments.

According to the Terms of Reference for ACTWG reaffirmed in 2011, "Given the crosscutting nature of activities related to combating corruption and ensuring transparency there is a need for a procedural structure to promote and coordinate these activities within APEC. Furthermore, the global nature of corruption and the implementation of the punitive and preventive anticorruption policies and practices consistent with the United Nations Convention against Corruption require that APEC coordinate closely with other international activities where appropriate, for which the Task Force would provide the single point of contact to promote and facilitate such interaction."¹

This independent assessment focussed on the 7 meetings held since the presentation of the previous independent assessment to the SOM Steering Committee on Economic and Technical Cooperation (the SCE) in August 2012. The Working Group's response to the previous assessment's findings and recommendations were also taken into consideration in the completion of this report.

Method

The Method is detailed at Appendix B – Method. It included a survey of member economies' ACTWG representatives (Appendix C – Results of Written Survey); face-to-face or phone interviews with a number of representatives of ACTWG member economies and invited guests (Appendix D – Face-to-Face Survey); and attendance by the lead assessor to the 22nd APEC ACTWG meeting held in Lima, Peru, in February 2016. The online survey was developed in consultation with the Program Director for ACTWG and was endorsed by the Chair. Summary responses to each question in the written survey are provided in the appendices.

Appendix E – Source Documents includes a list of written sources that provided background to the purpose and activities of ACTWG and the SCE. Documents presented to 22nd APEC ACTWG were also reviewed.

The draft assessment was submitted to the APEC ACTWG Secretariat and Board for initial comments on factual matters and then was circulated to representatives of member economies. On finalisation and adoption by APEC it will be transmitted to ACTWG for implementation.

History of ACTWG

APEC's goals focus on achievement of free trade and open investment by reducing barriers to trade and promoting free flow of goods, services and capital (Bogor Goals, 1994). These goals were later moved to an action footing with agreement on the Osaka Action Agenda in 1995. Actions by APEC fora were identified as an integral component of this action agenda.

¹ APEC 2011/SOM1/SCE/004, Annex 3 ACTWG Terms of Reference, Section 1 – Introduction.

In 1996, APEC's Economic Framework for Strengthening Economic Cooperation and Development (ECOTECH) were agreed and included the intention to cooperate in economic and technical areas at a regional level, through constructive and genuine partnership. In 2010 officials agreed on medium term priorities, highlighting the importance of regional economic integration, inclusive growth, quality of life and sustainability, structural reform and human security.

In Los Cabos in 2002 and Bangkok in 2003, APEC Leaders committed to implementing general and area-specific APEC Transparency Standards. In November 2004, APEC Leaders met in Santiago, Chile, and further acknowledged that corruption was a serious threat to the APEC agenda and priorities to sustainable economic growth, good governance, market integrity and enhanced trade and investment. They also agreed that APEC can make a difference by working together to fight corruption and ensure transparency, cutting the cost of corruption to their economies and create a culture of integrity and shared prosperity. Accordingly, Leaders endorsed the *Santiago Commitment to Fight Corruption and Ensure Transparency* and the *APEC Course of Action on Fighting Corruption and Ensuring Transparency*, including the APEC anti-corruption initiative *From Santiago to Seoul*.

Also in 2004, Senior Officials approved a recommendation by APEC Anti-Corruption Experts and agreed to establish an Anti-Corruption Experts' Task Force to implement the *APEC Course of Action on Fighting Corruption and Ensuring Transparency*. In September 2010 in Sendai, Japan, member economies arrived at a consensus decision to formally submit a proposal to the SCE to upgrade the task force to working group status.

In 2011 the then Chair presented a proposal to the SCE for the upgrade of status. The stated benefit of this change for the operations of the group would be to eliminate the short-term planning horizon inherent in the two-year renewals of a task force and allow the entity to better meet its goals by adopting a long term agenda and strategy. The proposal was adopted without amendment.²

The 2014 the *Beijing Declaration on Fighting Corruption* was developed and endorsed by Leaders. The *APEC Principles on the Prevention of Bribery and Enforcement of Anti-Bribery Laws*, and *APEC General Elements of Effective Voluntary Corporate Compliance Programs* were also introduced.

Structure of ACTWG

ACTWG reports to the Standing Committee on ECOTECH (SCE). All 21 member economies of APEC can provide delegates (officials, industry and academic representatives) to ACTWG meetings and can nominate others to participate in ACTWG activities.

There is provision for specific organisations to be accepted as delegates, guests and non-member participants. For example, amongst other non-APEC stakeholders the American Bar Association, the World Bank, Transparency International (TI), the Organisation for Economic Co-operation and Development (OECD), the United Nations Office on Drugs and Crime (UNODC) and the Inter-American Development Bank have provided representatives on a regular basis as non-member participants. This means that in each opportunity that they are invited or want to attend a meeting, they require a request and approval from the ACTWG. There is provision for specific individuals to also be accepted as delegates. For example, the international expert on other international instruments on anticorruption, Mr Guillermo Jorge, had guest status at the 22nd ACTWG meeting in 2016. It is the responsibility of the

² Summary Report – SOM Steering Committee on ECOTECH, 9 March 2011, Agenda Item 5.2 and paper APEC 2011/SOM1/SCE/004.

Program Director to ensure that guests are invited in accordance with the *Updated Guidelines on Managing Cooperation with Non-Members*.³

Terms of Reference of ACTWG

The Terms of Reference for ACTWG were reaffirmed in 2011 when the Anti-Corruption and Transparency Task Force sought endorsement by the SCE to become a working group.⁴ The purpose of the ACTWG is to:

- Coordinate the implementation of the *Santiago Commitment to Fight Corruption and Ensure Transparency*, the *APEC Course of Action on Fighting Corruption and Ensuring Transparency* and the *APEC Transparency Standards*; including promoting cooperation in areas such as extraditions, legal assistance and judicial and law enforcement, asset forfeiture and recovery.
- Elaborate more specifically on actions outlined in the *APEC Course of Action*, and subsequent actions in succeeding years called by Senior Officials, Ministers, and Leaders including, for example, combating corruption and illicit trade.
- Promote the implementation of ACT initiatives such as the *APEC Conduct Principles for Public Officials* and the *APEC Code of Conduct for Business*.
- Facilitate the implementation of the United Nations Convention against Corruption (UNCAC) by member economies where appropriate.
- Promote programs and initiatives to increase the participation of the private sector in the development of anti-corruption policies and/or measures within the economies, as well as to enhance the support by governments of efforts for greater integrity within the private sector.
- Develop innovative training, targeted capacity building and results oriented technical assistance to fight corruption and ensure transparency, in conjunction with the APEC Anti-Corruption and Transparency (ACT) capacity-building program.
- Intensify individual and joint actions to fight corruption and ensure transparency, including cooperation with other multilateral and regional intergovernmental institutions where appropriate.
- Exchange information between anti-corruption experts on the implementation of domestic anti-corruption commitments and successful practices to fight corruption and enhance the transparency of public and private sectors.
- Cooperate with the international organizations, as appropriate, to implement the *APEC Course of Action on Fighting Corruption and Ensuring Transparency*.
- Facilitate cooperation between APEC fora, including the Finance Minister's Process and Committee on Trade and Investment and its relevant sub-fora on corruption issues and assist in making recommendations on proposals/projects to Senior Officials.

During the 22nd ACTWG meeting member economies discussed the Terms of Reference and whether economies thought any amendment was needed. The only suggested change related to updating the date of renewal. Accordingly, member economies agreed to propose to the SCE an extension of the mandate for five years to 2020. The revised Terms of Reference was endorsed and recommended by the 2016 SCE1 and the SOM approved them.

³ The most recent version of the Guidelines were discussed and presented in September 2015. See APEC 2015/SOM3/005, Agenda Item 12.4, Guidelines on Managing Cooperation with Non-Members.

⁴ APEC Upgrading the Anti-Corruption and Transparency Task Force (ACT), 2011/SOM1/SCE/004, Agenda Item: 5.2, Annex 3.

Outputs of ACTWG

ACTWG has, on average, two meetings per year. The Summary of each meeting and agreed meeting documents are uploaded onto the APEC Meeting Database (MDDDB) site soon after the meeting. Specific ACTWG publications are available through the APEC website.

ALIGNMENT OF ACTWG WITH APEC PRIORITIES

A particular focus of the review was the assessment of how the ACTWG supports APEC's main objectives/ goals and their impact in APEC member economies; and whether the ACTWG Terms of Reference could be modified to better support the Economic and Technical (ECOTECH) priorities and achievement of APEC goals.

In this respect it is important to acknowledge the harm caused by corruption in achieving the APEC goals. Corruption can be far-reaching and deeply damaging. It is a major obstacle to social and economic development. Corruption increases the cost of doing business and inhibits legitimate trade, investment, and enterprise. Corruption and bribery facilitate and provide an enabling environment for moving and exchanging drugs, arms, people, and stolen or pirated goods, as well as for funding criminal and extremist activities. Corruption also diverts precious resources away from the fight against hunger, disease and poverty; contributes to environmental destruction; and undermines public trust in government.

Bogor Goals (1994)

APEC's 1994 Bogor Goals aim to achieve economic cooperation and growth within APEC by adopting "the long term goal of free and open trade and investment in the Asia-Pacific."⁵ The Bogor Goals are being pursued through reducing barriers to trade and investment and by promoting the free flow of goods, services and capital among APEC economies.

The ACTWG's Terms of Reference are specifically focused on addressing the serious threat of corruption to the achievement of APEC agenda and priorities to sustainable growth, good governance, market integrity, and enhanced trade and investment.

Santiago Commitment to Fight Corruption and Ensure Transparency and the APEC Course of Action on Fighting Corruption and Ensuring Transparency (2004)

In Santiago, Chile in 2004, APEC Leaders acknowledged the threat that corruption poses to good governance and economic growth in the Asia-Pacific. Leaders agreed that APEC economies should nurture and sustain good governance, economic development and prosperity by working together to fight corruption and ensure transparency.

In 2005, the Anti-Corruption and Transparency Experts' Task Force was established. The purpose of the taskforce was to coordinate the implementation of the Santiago Commitment, the APEC Course of Action and the APEC Transparency Standards. It also promoted cooperation in areas such as extradition, legal assistance and judicial/law enforcement (especially asset forfeiture and recovery).

In 2010, the re-affirmation by APEC member economies that a consistent and tireless approach to strengthening anti-corruption activities was necessary to combat corruption resulted in the institutionalisation of the taskforce into a working group. Accordingly, the 2011 ACTWG Terms of Reference continued to focus on the coordination of efforts to implement the Santiago Commitment and APEC Course of Action.

Annual Leader Declarations

Each year, APEC Leader Declarations recognise that corruption impedes economic sustainability and development. The declarations acknowledge the strong resolve, or reaffirm the commitment amongst member economies to undertake actions and initiatives to address corruption. Specific initiatives that have recently been undertaken are also announced.

⁵ <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Bogor%20Goals.aspx>

For example, in 2014 the APEC Leaders' Declaration supported the Beijing Declaration on Fighting Corruption and welcomed the APEC Principles on the Prevention of Bribery and Enforcement of Anti-Bribery Laws, and APEC General Elements of Effective Voluntary Corporate Compliance Programs. It also introduced the new anti-corruption mechanism/platform known as the APEC Network of Anti-Corruption and Law Enforcement Agencies (ACT-NET).⁶

Similarly, in 2015, the Leaders Declaration supported the work of the ACT-NET in advancing pragmatic anti-corruption cooperation and welcomed the Cebu Manifesto for the Protection of Anti-Corruption Officials.⁷

Current performance

The survey sought feedback on significant existing or future initiatives that the ACTWG could implement in addressing its Terms of Reference (Questions 1 to 4). The fields were specifically free text to gain an appreciation of how well understood the work of the ACTWG is amongst member economies. The most significant initiatives are discussed below. Details of all responses are included in Appendix C – Results of Written Survey.

The survey found that that the three most important ACTWG initiatives assisting the APEC *Course of Action on Fighting Corruption and Ensuring Transparency* were:

1. Development of training and capacity building efforts including the specific workshops on Combating Business Bribery, and Prosecuting Corruption and Money Laundering Cases
2. ACT-NET co-ordination with other anti-corruption initiatives, and
3. UNCAC ratification and implementation by all economies.

Respondents considered the following three initiatives were most important in promoting cooperation in areas such as extradition, legal assistance and judicial/law enforcement, asset forfeiture and recovery:

1. The development and publication of the APEC Guide on Mutual Legal Assistance (MLA)
2. Establishment of ACT-NET and resulting enhanced cooperation, and
3. The Capacity-Building Workshops and Guidelines on Designing Best Models on Prosecuting Corruption and Money Laundering Cases using financial flow tracking techniques and investigative intelligence for effective conviction and asset recovery to promote regional economic integration.

Respondents predominantly considered that the development and circulation of codes of conduct,⁸ corporate compliance programs⁹ and guidelines¹⁰ increased the participation of the private sector in the development of anti-corruption policies and/or measures within the economies, and enhanced the support by governments for greater integrity within the private sector.

Additional important initiatives mentioned by respondents included the recent Beijing Declaration on Fighting Corruption, and the Pathfinder Dialogues.

⁶ APEC (2014): Leaders' Declaration, paragraph 48.

⁷ APEC (2015): Leaders' Declaration, paragraph h.

⁸ Such as the APEC Anti-Corruption Code of Conduct for Business.

⁹ Such as the APEC General Elements of Effective Voluntary Corporate Compliance Programs.

¹⁰ Such as the APEC Guidelines on Enhancing Governance and Anti-Corruption.

Alignment of ACTWG Outputs with ECOTECH Priorities

In 2010 APEC Senior Officials endorsed a new *Framework to Guide ECOTECH Activities* including APEC-funded capacity building and those of the working groups.¹¹ The framework adopted a holistic approach by revising APEC ECOTECH priorities and introducing a uniform set of criteria for all project funding, where funding is based on the link between proposals and APEC's core objectives.

The new framework made a distinction between priority 'work streams' and 'cross-cutting methodologies' that should be considered in all ECOTECH cooperation work and activities. The following five areas were identified as the medium-term ECOTECH priorities:

1. Regional Economic Integration, ensuring that goods, services and people move easily across borders with the focus being on customs, the business environment and aligning regulations and standards;¹²
2. Addressing The Social Dimensions Of Globalisation (inclusive growth), which includes the impact of globalisation on the life and work of people, families and societies through employment, working conditions, income social protection; security, culture and identity, inclusion or exclusion and family/community cohesiveness¹³;
3. Safeguarding The Quality Of Life Through Sustainable Growth, which includes sustainable development of the marine environment, clean technology and clean production, and sustainable cities¹⁴;
4. Structural Reform, relating to domestic policies and institutions that affect the operation of markets and the capacity of international businesses to access those markets and operate efficiently including competition policy, regulatory reform, public sector governance, corporate governance and economic and legal infrastructure;¹⁵ and
5. Human Security, relating to counter-terrorism, health security, emergency preparedness and energy security.¹⁶

Key ACTWG initiatives and activities tend to cut across the ECOTECH priorities, although most activities include elements addressing regional economic integration. For example, the ACT Pathfinder Dialogues address issues of regional economic integration, safeguarding the quality of life through sustainable growth, and human security. Similarly, annual workshops on anti-bribery and anti-corruption across APEC economies regularly cover matters related to regional economic integration and addressing social dimensions of globalisation. Activities of the ACT-NET are considered to cover regional economic integration and human security subject matters. Notwithstanding the high number of examples addressing regional economic integration, one of four respondents considered that ACTWG had failed to support this priority. Respondents' examples of alignment and gaps are expanded in Appendix C – Results of Written Survey, Question 17 and Question 18.

¹¹ <http://www.apec.org/Groups/SOM-Steering-Committee-on-Economic-and-Technical-Cooperation.aspx>

¹² <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Regional-Economic-Integration-Agenda.aspx>

¹³ From World Commission on the Social Dimension of Globalization (<http://ilo.org>). Inclusive growth refers to participation of all members and communities in the region through initiatives which enhance human capital development see <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Inclusive-Growth.aspx>

¹⁴ <http://www.apec.org/Groups/Other-Groups/Sustainable-Development.aspx>

¹⁵ <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Structural-Reform.aspx>

¹⁶ APEC (2007): Preliminary Conference for APEC 2007 - 'Reshaping APEC for the Asian Pacific Century – Priorities and Strategies', 11 and 12 December 2006, Melbourne, page 5

Respondents reported that the biggest barriers preventing ACTWG from meeting ECOTECH priorities were lack of central APEC funding for ACTWG projects, and the lack of engagement between ACTWG and other APEC fora, either initiated by the ACTWG or the other APEC fora with ACTWG. One respondent commented that it can be difficult to comply with the strict guidelines for seeking funding from APEC. Another noted that the ACTWG placed too much focus on remedial action rather than preventative action, and this presented a barrier to meeting the APEC's ECOTECH objectives.

ACT Multi-Year Strategic Planning 2013 – 2017

The ACTWG has a multi-year strategic plan that is updated to include the enhanced strategic directives and priorities relating to anti-corruption and transparency reflected in the Leader's Declarations. For example, the 2015 version of the document reflected the seven key themes from the 2012 Vladivostok Declaration. During the 22nd ACTWG meeting in February 2016, proposed updates were discussed to incorporate the additional priorities from Beijing in 2014 and Manilla in 2015 and revised timeframes for completion of activities and actions.¹⁷

The 2015 version of the Multi-Year Strategic Plan is a comprehensive document. It includes important elements such as vision and mission statements. It also identifies critical success factors for the strategy, and clear objectives and Key Performance Indicators (KPIs) for the nominal period of 2013-2017. Also, particular KPIs have specific activities/ actions listed with a corresponding timeframe. There is also a column to nominate the activity 'Leads' however these were all blank. It was noted during the discussion on the strategic plan (mentioned above) that some timeframes needed extending. Inclusion of a lead economy would enable targeted encouragement to others so that timeframes can be met.

With the recent extension of the ACTWG mandate to 2020, and the current Plan only endorsed for up to 2017, there would be value in the ACTWG commencing longer term strategic planning to reflect this new time period.

APEC Tasking Statements for 2015 and 2016

APEC's Tasking Statements for 2015 and 2016 proposed three specific requirements for the ACTWG namely:

- Implement the Beijing Declaration on Fighting Corruption
- Strengthen pragmatic anti-corruption cooperation
- Take forward work under the APEC Network of Anti-Corruption and Law Enforcement Agencies

Overall respondents considered that the ACTWG was addressing these requirements between "neither poorly nor well" and "well". Suggestions for improvement included establishing bi-lateral anti-corruption law enforcement mechanisms to improve the direct contact between anti-corruption and law enforcement agencies. As international cooperation in corruption case work is guided by treaty and domestic law (including, in common law jurisdictions, case law), concern was raised that while building understanding as to how respective systems work is desirable, sharing policies, laws and practices may be the limit of the discussion.

¹⁷ See 2016/SOM1/ACT/005 (formerly 2015SOM3/ACT/013) and 2016/SOM1/ACT/006 at Agenda Item 6.3.

APEC Gender Agenda

A specific focus of the review's terms of reference was to identify how ACTWG can better take into account the APEC commitment to give gender greater consideration, in accordance with directions outlined by the Policy Partnership on Women and the Economy. APEC also announced in September 2015 a new initiative to advance women's representation in leadership within their economies over the next five years.¹⁸ Under the scheme APEC member economies are developing their own set of measurable and aspirational voluntary goals towards enhancing the role of women in leadership, decision-making and management across the public and private sectors, while taking into account the individual economic and social circumstances of each economy.

Active engagement on the APEC gender agenda was not visible through the work of the ACTWG. Gender issues are also not a separate part of the Working Group discussion and, in general, have not been highlighted in specific ACTWG activities or initiatives. However, during the 22nd ACTWG meeting, barriers to active contribution were not evident for either male or female delegates. Examination of the circulated Member Profiles for the ACT-NET¹⁹ highlighted that many economies had at least one contact officer being female, and in some member economies, both the focal point and alternate contact person listed was female.

In examining survey responses on gender issues more closely, more than half the survey respondents were female (eight of the 14 respondents). Overall respondents considered that specific engagement with women in business/ industry organisations, women's chambers of commerce and industry would have a minimal impact on ACTWG engaging in greater collaboration with non-APEC parties.

While not considered a barrier to achieving APEC's ECOTECH objectives, there is opportunity for the ACTWG to assess how the proactive implementation of the APEC's gender agenda could further enhance its anti-corruption activities.

Discussion and Conclusions

The ACTWG has been an effective forum to nurture and sustain good governance, economic development and prosperity, and facilitate working together to fight corruption and ensure transparency. Noting that ACTWG's Terms of Reference are specifically focused on addressing the serious threat of corruption to the achievement of the APEC agenda and priorities, the activities of the working group in turn help support the goals of APEC.

Recognising the perceived value by member economies to the importance of the ACTWG's work (including through annual recognition in Leader Declarations), no suggested changes to the detail of the Terms of Reference, and the general consensus for continuing the work of the ACTWG given the ever present and evolving nature of corruption, this independent assessment would have recommended the extension of the ACTWG's mandate had it not recently occurred.

The regularly updated Multi-Year Strategic Plan 2013-2017 ensures that the work of the ACTWG continues to be responsive and relevant to the broader APEC goals as well as the declared priorities of APEC Leaders. It also provides the operational framework to help deliver against the Terms of Reference. However, the allocation of nominated Leads and the better achievement of activities/ actions against agreed deadlines are areas for

¹⁸ http://www.apec.org/News/News-Releases/2015/0930_IAP.aspx

¹⁹ Republic of the Philippines, Office of the Ombudsman, *ACT-NET – APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies – Members' Profile*. Circulated at the 22nd ACTWG meeting, February 2016, Lima, Peru.

improvement. Recognising that the mandate for the ACTWG was also recently extended to 2020, there would be value in reflecting this in future versions of the plan.

ACTWG initiatives and activities tend to cut across the ECOTECH priorities. While most activities include elements addressing regional economic integration, effort is also made on safeguarding the quality of life through sustainable growth, human security matters, and addressing the social dimensions of globalisation.

The active participation of member economies in relation to ongoing technical capacity building workshops combined with the development and circulation of codes of conduct, corporate compliance programs and guidelines underpin the achievements against the ACTWG Terms of Reference.

FORUM OPERATIONS

This section covers operational issues that support the ACTWG to meet its objectives.

Structure and Operations of ACTWG

Chair and Vice Chair arrangements

In 2008 (and while still a taskforce), permission was sought from the SCE for exemption to the then *Consolidated Guidelines for the Rotation System for Lead Shepherds and Chairs*, which stated that a Chair's term should be a minimum of two years, with a possible extension for two years.²⁰

As outlined in that submission, the underlying thrust for the consensus view on this issue was to advance the continued leadership of APEC Leaders to this important issue and their efforts to create a culture of integrity throughout the Asia Pacific region. In launching the initiative in Santiago in 2004, and reaffirmed at every Summit afterwards, Leaders recognized that no one economy is immune from corruption and that every economy should take active leadership in combating corruption and strengthening cooperation. Consistent with that mandate, anticorruption has been an important policy deliverable for every APEC host economy and the Chair should therefore rotate regularly to inject fresh perspective, unique experience, and provide dynamic leadership that can only strengthen the collective APEC effort to combat corruption. There was also a strong belief among members that maintaining an annual Chair rotation from the host economy would deliver strong, practical anti-corruption outcomes for APEC and the host economy.

The proposal to SCE was considered in May 2008.²¹ The Chair noted that the request was well supported and the measures outlined in the proposal would help to ensure continuity in the work plan. Accordingly, the SCE approved the request and the Terms of Reference were adjusted to reflect the change in the term of the chairmanship.

In 2010 and again in 2012, revised guidelines for Lead Shepherd/Chair and Deputy Lead Shepherd/Chair of APEC Working Groups and SOM Task Forces were circulated.²² The revised guidelines continued to outline that each Chair will have a minimum two year term. Exemptions were available for this rule where approval by the group concerned and the SCE had been obtained. As noted above, approval had been sought and provided in 2008.

In 2011 when application was made to SCE for the task force to formally become a working group, the proposed Terms of Reference attached to the SCE submission included the continuation of the existing structure, that is, amongst other things that the host APEC economy each year would become the Chair of the Working Group.²³ The SCE endorsed this proposal without amendment.

In 2013 the ACTWG provided to SCE their response to the 2012 independent assessment recommendations.²⁴ The SCE Chair noted that the ACTWG had indicated that they accepted recommendations 2 to 20 but did not support recommendation 1. The summary record notes that the ACTWG believed the current arrangement involving annual rotation, with the

²⁰ See 2008/SOM2/SCE/005, Agenda Item 3.

²¹ See APEC 2008/SOM2/010

²² 2010 APEC SOM Report on Economic and Technical Cooperation – Annex 4, *Revised Guidelines for Lead Shepherd/Chair and Deputy Lead Shepherd/Chair of APEC Working Groups and SOM Task Forces* and 2012/SOM1/SCE-COW/004 Agenda Item: 6.1 (a), *Revised Guidelines for Lead Shepherd/Chair and Deputy Lead Shepherd/Chair of APEC Working Groups and SOM Task Forces*.

²³ APEC 2011/SOM1/SCE/004, Annex 3 ACTWG Terms of Reference

²⁴ APEC 2013/SOM2/SCE/014

host economy chairing each year, together with the previous and subsequent hosts serving as vice-chairs was an effective arrangement. SCE agreed that the ACTWG did not need to implement recommendation 1 from their independent assessment and could continue with their existing chairing arrangement.²⁵

The current approved structure is that the ACTWG Chair is appointed annually from the upcoming host economy. This announcement takes place before the end of the calendar year to ensure the appropriate handover of the relevant information as well as a joint work plan proposal for the coming chairmanship.

In addition to the chair, there are two vice chairs. As noted above, the previous and subsequent hosts serve as vice-chairs. The nomination of the vice chairs relies on the economy and this title won't necessarily be attached to the person that the economy will nominate or it nominated as ACTWG Chair in each host year. It is understood that as vice chair the member economy can learn the process for hosting the upcoming ACTWG meetings the following year, and then can share their experience and potentially guide the process the year after hosting.

The ACTWG also uses a Friends of the Chair (FOTC) forum composed by the outgoing and incoming chairs. The other FOTC are to be invited by the Chair. The aim of the FOTC is to support the work of the Chair and give frank advice on the discussion of issues, in coordination and cooperation with members of the whole group. Few details of the operation of this forum were available.

While the governance structure is in place for effective knowledge transfer between upcoming and past chairs, the level of utilisation was not visible. For example, other than a report from the outgoing Chair in the first meeting of the year, it is not clear what ongoing involvement, in practice, occurs. Similar, the level of involvement by the vice chair in the year prior to hosting is not formalised.

Program Director

The level of assistance that the Chair can expect from the APEC Secretariat's Program Director are also outlined in the revised guidelines for Lead Shepherd/Chair and Deputy Lead Shepherd/Chair of APEC Working Groups and SOM Task Force.

Specifically, Program Directors are officially seconded by member economies to work for the secretariat for a period of normally three years. As their responsibilities may cover more than one forum, Program Directors are unable to be a full-time assistant to the Chair. The Guidelines recommend that the Chair utilise the Program Director in a way that best services the group.

In relation to the ACTWG, the Secretariat's current Program Director has been in place since late 2015.

Meeting frequency

Again in line with APEC practice, the host economy rotates annually, being Peru in 2016, Viet Nam in 2017 and so on, with the forward plan being mapped out to 2023. Host economies determine the timing and location of ACTWG meetings, though they are usually held on the margins of the SOM1 and SOM3 meetings. As well as the regular meeting, either before or afterwards, a detailed technical capacity development workshop is also held. Topics for detailed workshop are normally based on the host economy's anti-corruption priorities and

²⁵ Summary Report – SOM Steering Committee on ECOTECH, 17 April 2013, Surabaya, Indonesia, Agenda Item 6.1. (APEC 2013/SCE2/Summary)

are outlined in the annual work plan. In 2014 and 2015, an annual meeting of the ACT-NET has also been held back to back to the second ACTWG meeting.

Economies can bring delegations of any size. These can range from one person to over 20 people. There is room at the main table for only 2-3 people per economy. Generally the host economy takes the opportunity to bring additional delegates from local industry and institutions if it is relevant to the discussions.

The meeting venue setup can also impact on the effectiveness of discussions. For example, the main table is effective when delegates have specific economy update statements to share with member economies, however, such a layout does not encourage group discussions on examples and practices that may be sought from delegates during a practical workshop. Having alternate venues with different set up arrangements available for break-out activities enhances the outcomes that can be achieved. This was particularly evident in the increased discussions that arose once delegates moved to a break-out room during the Facing Foreign Bribery workshop on 22 February 2016.

Meeting management and documentation

The APEC Meeting Document Database (MDDDB) hosts documents for each meeting. While the Project Director asks for papers 10 working days ahead of the meeting, documents often arrive late. Documents may also be tabled at the meeting. At the conclusion of each meeting, the Secretariat conducts a classification of meeting documents and undertakes to have all meeting documents submitted by members prior to and during the meeting available on the MDDDB within a week after the event.

Each year it is the responsibility of the incoming Chair to coordinate the overall theme and focus of the coming 12 months. These themes are often driven by the key priorities that the host economy would like to showcase or desire the collective group to focus upon. However it is important that there is engagement with member economies and the new Chair prior to the first meeting of the year. For example, one respondent considered that incoming Chairs need to reach out to members earlier in their APEC host year to allow greater input into ACT agendas and annual work plans. Such early engagement would also increase the effectiveness of member participation during the meeting, particularly where the attending delegate undertakes more of a coordination role and must engage with other areas prior to the meeting.

The agenda is circulated in draft some weeks before the meeting, and in final form shortly before the meeting. Respondents considered that agenda documents were made available within a short time of receipt from the secretariat. In respect to the ACTWG, there are usually 20-30 documents circulated per meeting. Survey respondents considered that the number of documents provided for each meeting was manageable.

Respondents to the survey noted no concerns evident around meeting planning and associated documentation.

One issue that was highlighted during face-to-face discussions was the ability for a new delegate to become familiar with the core documentation associated with the ACTWG. While the documentation is often included in the MDDDB, knowing where to find it, especially across APEC fora and meetings is difficult. For example, draft work plans are included in the meeting folder where it is discussed, but to find the agreed work plan is more difficult. Similarly, where do you start looking for the latest Terms of Reference and the approved strategic plan? Or how do you know who you should ask to be sent the information by email? Improving knowledge management by compiling a consolidated list of core material and making this readily accessible to members would allow all delegates to become familiar with key governance documents.

Project initiation, funding and management

A large proportion of the ACTWG’s annual work plan is implemented through detailed workshops undertaken back to back with bi-annual ACTWG meetings. In addition, specific projects have been undertaken member economies resulting in guidelines or better practice publications being published.

Many of the significant activities that have resulted in a published report, guideline or code of conduct are included in the project listing for the ACTWG located in the APEC Project Database.²⁶ However, assessment of this database has highlighted that no new projects have been approved since 2013. The full listing of projects is found at Appendix G – Detailed list of ACTWG’s Projects in APEC Project Database. APEC projects often include seminars, publications and research.

It is apparent from examination of the APEC Project Database that many of the initiatives identified through the survey as being key in assisting the ACTWG deliver against its Terms of Reference are not treated as ‘projects’ as such. For example, in addition to the bi-annual ACTWG meeting, Table 1 lists the 13 additional ACTWG-related meetings and workshops that were held between 2013 and 2016.

Table 1: ACTWG-related meeting and workshops between 2013 and 2016

Date	Meeting
2016/02/22	Workshop on Facing Foreign Bribery 2016
2015/08/27	Roundtable on Corruption Related to Trafficking in Persons 2015
2015/08/26	APEC Pathfinder Dialogue II on Strengthening the Fight Against Corruption and Illicit Trade 2015
2015/08/25	Joint Experts Group on Illegal Logging and Associated Trade and Anti-Corruption and Transparency Experts Working Group and 2015
2015/08/24	Capacity-Building Workshop on Designing Best Models on Prosecuting Corruption and Money Laundering Cases Using Financial Flow Tracking Techniques and Investigative Intelligence for Effective Conviction and Asset Recovery to Promote Regional Economic Integration 2015
2015/08/23	APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies Meeting 2015
2014/08/15	1st APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies Meeting 2014
2014/08/14	High-Level Anti-Corruption Workshop on Combating Business Bribery 2014
2014/02/21	Workshop on International Recovery of the Proceeds of Corruption 2014
2013/09/18	Anti-Corruption and Transparency Network Preparatory Meeting 2013
2013/06/26	Joint Meeting of Anti-Corruption and Transparency Experts Working Group and Experts Group on Illegal Logging and Associated Trade 2013
2013/06/24	Workshop on Strengthening Integrity Through Public-Private Partnership: Preventing Facilitation Payment and Managing Gift Rules 2013
2013/01/28	Workshop on Challenge and Strategy of Strengthening Anti-Corruption Authorities to Combat Corruption in a Modern World 2013

Source: Extracted from the APEC Meeting Database

These workshops have often been self-funded by the host economy and have therefore not been developed, approved and undertaken in accordance with the APEC Projects

²⁶ <https://aimp2.apec.org/sites/PDB/default.aspx>

framework.²⁷ Amongst other things, the framework requires that projects should maximise the cross-cutting methodologies included in the Framework to Guide ECOTECH Activities. Specific consideration is to be given to the incorporation of gender perspectives. Project management reporting such as monitoring and project completion reports are also required to be completed. Self-funded projects are required to be included in the APEC project database before commencement, and project overseers are strongly encouraged to submit associated project completion reports.²⁸

Two survey respondents disagreed or strongly disagreed with the comment that there was sufficient funding available for the ACTWG's projects. It was also suggested that you could improve the overall project funding process to increase the chances of ACT related projects getting funded.

Formation and management of the ACT-NET

In order to enhance the enforcement of members' laws addressing corruption and bribery in compliance with their respective international commitments and in accordance with the *APEC Course of Action on Fighting Corruption and Ensuring Transparency*, in June 2013 Indonesia invited APEC economies to establish a network of Anti-Corruption and Law Enforcement Authorities (ACT-NET) under the auspices of the ACT, to meet once a year to discuss anti-corruption and anti-bribery efforts.²⁹ This initiative was endorsed by member economies during the 17th ACTWG meeting.

An initial preparatory meeting for the ACT-NET was held in September 2013 in Bali. During this meeting proposals and suggestions were made by delegates on the objectives of the ACT-NET and other practical aspects that would contribute to the building process of the network. Draft administrative arrangements were discussed with the anticipation of adopting the final draft during the following ACTWG Meeting to be held in SOM1 in China. It was agreed that as the 2014 ACTWG Chair, China would be chairing and hosting the first ACT-NET.³⁰ Through the APEC Ministerial Joint Statement and the Leaders Declaration known as the *Bali Declaration – Resilient Asia-Pacific, Engine of Global Growth* Leaders endorsed the establishment of the ACT-NET on 8 October 2013.

While the terms of reference, administrative arrangement and structure for the ACT-NET were still the subject of discussion, during the 19th ACTWG meeting members agreed that the ACT-NET Chair shall be assumed on a rotation basis by the host economy each year. It was also agreed that an ACT-NET Office 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 and coordinating capacity building programmes. It was agreed that China would serve as the initial host of the Office in 2014-15 and that members would review the future hosting of the Office at the next ACT-NET meeting in 2015.³¹

The administrative arrangements associated with the day to day management of the ACT-NET Office was discussed during the 2015 ACT-NET meeting but an agreement on the way forward was not reached. During discussions on the ACTWG's Strategic Plan at the 22nd ACTWG meeting, it was also evident that there is uncertainty on whether the ACTWG has a role in directing the ACT-NET's activities or whether the ACT-NET is able to set its own

²⁷ APEC Secretariat, *Guidebook on APEC Projects, Edition 11*, Updated February 2016.

²⁸ APEC Secretariat, *Guidebook on APEC Projects, Edition 11*, Updated February 2016, Section: Self-Funding, paragraphs 3.20 to 3.23.

²⁹ 2013/ACT/NET/003, *Proposed Initiative: APEC Anti-Corruption and Transparency Network Meeting*.

³⁰ 2013/ACT/NET/010, Session 5, *Final Remarks and Meeting Summary*.

³¹ 2014/ACT/ACT2/Summary.

agenda and activities particularly as the delegates involved with the ACT-NET are often, though not always, different to the delegates who attend the ACTWG meetings.

Given the developing nature of the ACT-NET and the ongoing discussions surrounding the structure and administrative arrangements, for the purposes of this assessment the ACT-NET has been treated as an ongoing initiative of the ACTWG. Also, as this concept is still in its infancy, it is too early to assess its relative impact. However, the ACTWG can ensure the ongoing efficiency and ultimate effectiveness of this initiative by clarifying the administrative arrangements surrounding the ACT-NET.

Communication

The Program Director in the Secretariat is the central point through which information flows (mainly by email) in between meetings. The Secretariat also provides support and advice to the Chair, although the Chair may also have his/her own small secretariat to provide greater capacity. The Program Director will also attempt to keep delegates/economies up to date on other issues related to ACTWG activities.

Practices for the circulation of documents prior to each meeting is unclear. For example, certain papers were circulated to member economies via email prior to the 22nd ACTWG meeting but no papers were available on the APEC Meeting Document Database.

The APEC website (www.apec.org) has a dedicated ACTWG page. However, some of the material on this page is out of date. At the time of drafting this independent assessment (in March 2016) the current activities listed on the website related to meeting outcomes achieved in 2015. The upcoming workshop and events did not contain dates and details for the February 2016 meeting in Lima, or the Foreign Bribery Workshop that was held at that time. Other details had been updated to reflect the new Chair and the current Program Director.

The hardcopy circulation during the 22nd ACTWG Meeting of the member profiles for the ACT-NET provides a valuable ongoing tool for delegates. It is not clear if this information is or will be circulated more broadly to economies who were unable to attend the meeting.

Relevance of the Terms of Reference

The review undertook an assessment of the ACTWG Terms of Reference against the important initiatives communicated by respondents in the survey, and the meeting summaries for the last seven ACTWG meetings.

The Terms of Reference note that the working group will have a term of five years and that, after that term (that expired in May 2015), the SOM shall review the work of the ACTWG and decide whether to extend its mandate.

ACTWG initiatives and activities can be classified against each of the purposes of the group. Amongst other things, regular ACTWG meetings encourage the cooperation and exchange of information between anti-corruption experts and help facilitate individual and joint actions to fight corruption and ensure transparency. Notwithstanding the ACTWG achievements and outputs to date, the fight against corruption and the need for transparency is an ongoing battle in the achievement of economic cooperation and growth.

Discussion and Conclusions

Given the cross cutting nature of activities related to combating corruption and ensuring transparency, the ACTWG provides the procedural structure within APEC to promote and coordinate these activities.

The ACTWG is an active working group that meets bi-annually, usually on the margins of the SOM1 and SOM3 meetings. As well as the regular meeting, a detailed technical capacity

development workshop is also often held. Topics for detailed workshop are normally based on the host economy's anti-corruption priorities and are outlined in the annual work plan.

Notwithstanding 13 workshops having been held in addition to the bi-annual meetings since 2013, no new ACTWG projects have been approved since 2013. Even when projects are self-funded they are required to be included in the APEC project database before commencement, and project completion reports are strongly encouraged to be submitted. The different requirements associated with APEC funded versus self-funded projects may explain why many recent ACTWG initiatives are not included in the APEC Project database.

Approval has been provided by the SCE for the Chair of the ACTWG to rotate annually and become the responsibility of the host economy. Notwithstanding the administrative challenges this annual rotation presents, it supports and provides the mechanism for every APEC host economy to have the opportunity to take active leadership in making anti-corruption an important policy deliverable. It also allows for fresh perspectives and different experiences to be introduced to the ACTWG on a regular basis.

However, this annual rotation also presents a risk to the efficiency and effectiveness of the Chair, particularly in the first meeting of the year when the host economy may not have had sufficient time to obtain feedback and buy-in on the meeting agenda and annual work plan. To optimise the value with the annual rotation, strong knowledge management and governance structures need to be in place and effectively utilised. In addition, in incoming Chairs need to reach out to members as early as possible in their host year.

The operation of the Secretariat appears to be efficient and is supported by survey respondents. Communication around meetings is good, however the meeting summaries and other outcome documents should be made available more quickly. Public communication could also be improved by keeping the ACTWG webpage up to date.

There is no single, comprehensible and accessible store of core governance documentation associated with the ACTWG. While the documentation is often included in the APEC MDDB, knowing where to find it, especially across APEC fora and meetings is difficult, particularly if you are not sure what you seeking. Improving knowledge management by compiling a consolidated list of core material and making this accessible to members would allow all delegates to become familiar with key governance documents.

Respondents considered that the establishment of the ACT-NET is a major initiative in implementing the *APEC Course of Action on Fighting Corruption and Ensuring Transparency* and achieving the ACTWG's purpose of promoting cooperation. However, as the concept is still in its infancy, it was considered too early to assess the relative impact of the initiative. The ACTWG can ensure the ongoing efficiency and ultimate effectiveness of this initiative by clarifying the administrative arrangements surrounding the ACT-NET initiative.

CO-OPERATION

This section explores co-operation by ACTWG with other APEC fora. The assessment was also required to identify opportunities for greater collaboration with non-APEC parties, including the private sector, civil society and other international organizations; and ways for ACTWG to tap resources for its programs.

Co-operation with other APEC Fora

In July 2014, the 2014 SCE Chair wrote to all SCE members in relation to Cross Fora Collaboration.³² In this letter, the SCE Chair had reviewed SCE sub-fora current annual work plans and made some suggestions to enhance cross fora collaboration amongst subgroups. For ACTWG, SCE noted that the ACTWG work plan did not identify any collaboration with other fora. SCE suggested that the group consider collaborating with the Experts Group on Illegal Logging and Associated Trade (EGILAT) and the Small and Medium Enterprises Working Group (SMEWG) as both of these groups' work plans included an intention to collaborate with ACTWG.

In assessing progress on cross fora collaboration, the survey asked members to rank in order all relevant APEC working groups for which the work of ACTWG has potential relevance, without duplicating their work. While corruption is a cross-cutting issue, many respondents only ranked the most relevant APEC working groups to the ACTWG's work, with many fora considered 'not applicable'. Respondents ranked the relative importance to the existing work of the ACTWG with the EGILAT most highly. Reasons include that there is an ongoing multiyear project with this group, and that crimes of corruption and illegal logging have linkages between both crimes and that they are often transnational in nature. The next highest ranked in importance to existing work was the SMEWG. Respondents considered that this area is vulnerable to corruption and that business ethics and specific codes of conduct are important to fighting corruption. As corruption is one of the major ways to fund terrorism, two respondents also considered the Counter-Terrorism Working Group was of highest relevance to the ACTWG's existing work. The SMEWG was also the highest ranked for potential future relationships.

The ACTWG's contact with other fora is often initiated through specific activities. For example, the 2012 project proposal for the *Capacity Building Workshops on Designing Best Models on Prosecuting Corruption and Money Laundering Cases Using Financial Flow Tracking Techniques and Investigative Intelligence for Effective Conviction and Asset Recovery*, indicated that the APEC Human Resource Development Working Group (HRDWG) and the Intellectual Property Rights Experts Group (IPEG) would be involved in the project. The project proposal also listed the involvement of the APEC Business Advisor Council (ABAC), United National Office on Drugs and Crime (UNODC) and the World Bank.³³

Another example includes the *Pathfinder 2015: Strengthening the Fight against Corruption and Illicit Trade* held during APEC SOM3 in 2015 and co-hosted by the Philippines and the United States Government. The Chair's Summary Report circulated during the 22nd ACTWG meeting³⁴ explained that the dialogue involved some 120 delegates from APEC, ASEAN and the Pacific Islands Forum. Delegates included members from the ACTWG, the EGILAT, the Oceans and Fisheries Working Group (OFWG), the APEC Business Advisory Council (ABAC), the Policy Partnership on Women and the Economy (PPWE) and a range of international and

³² See 2014/SOM3/ACT007, and

³³ <https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=1316>

³⁴ APEC SOM1 2016, *PATHFINDER 2015: Strengthening the Fight against Corruption and Illicit Trade*, Chair's Summary Report, Lima Peru.

non-governmental organisations. The American Bar Association's Rule of Law Initiative (ABA ROLI) and UNODC also supported the Pathfinder Dialogue.

While there are difficulties in arranging joint meetings of working groups, first in June 2013 and again in August 2015 a joint expert's group meeting was held between ACTWG and EGILAT.³⁵ Amongst other things, during the meetings members were encouraged to discuss law enforcement issues that were of common interest to both groups and to discuss suggestions to strengthen the cooperation and information sharing related to combating illegal logging and associated trade.

Cooperation with other Stakeholders

A regular feature of ACTWG meetings are reports from members regarding ongoing and proposed projects and ACT initiatives and related synergies with other relevant fora. Member economies are also provided with the opportunity to report on anti-corruption progress and development in implementing the UN Convention Against Corruption (UNCAC) and other initiatives related to Anti-Corruption and transparency.

For example, during the 21st ACTWG meeting an update on the activities of the G20 Anti-Corruption Working Group was provided. Information was also provided on the upcoming Pathfinder Dialogue 2 (mentioned above) and members were invited to participate in the upcoming activities.

The aim is to make the work of the ACTWG complementary to the work of other anti-corruption bodies rather than have the ACTWG duplicate the work undertaken elsewhere. It was also recognised that member economies differ between the various bodies and there is considerable value in sharing initiatives and lessons learned.

ABAC

The survey of member economies sought to capture the level of ACTWG involvement with ABAC. Respondents listed a broad list of specific ACTWG activities that involve the ABAC. Aspects of the engagement with ABAC that respondents considered were working well included the regular reporting at ACTWG meetings and the close coordination and cooperation, especially on anti-bribery and illicit trade. For example, during the 21st ACTWG Meeting, ABAC provided a report on its good governance and anti-corruption activities.³⁶

Respondents considered that engagement with ABAC could be improved by enhancing the visibility of the links and work between ACTWG and ABAC. Respondents also considered that greater participation of ABAC in ACTWG and vice versa could be made in progressing the rule of law in trade, investment and business.

Co-operation with Other International Organizations

During each meeting other international organisations are provided with the opportunity to report on their anticorruption activities and the synchronizing of this work with the activities of the ACTWG. During the 22nd ACTWG meeting, reports were provided by:

- American Bar Association (ABA)
- The World Bank
- Transparency International (TI)
- Organisation for Economic Cooperation and Development (OECD)
- United Nations Office on Drugs and Crime (UNODC)

³⁵ See 2013/SOM3/ACT-EGILAT/001 and 2015/SOM3/EGILAT-ACT001.

³⁶ See 2015/SOM3/ACT/014, Agenda Item 9.

In addition to presenting during the bi-annual ACTWG meeting, these guests may be invited to present to the group more broadly during adjoining workshops. For example, during the Facing Foreign Bribery workshop held in February 2016, a representative from the Organisation for Economic Cooperation and Development (OECD) presented on the OECD Anti-Bribery Convention and how this related to standards and practice on corporate liability.³⁷

In previous meetings, other participants have included the Inter-American Development Bank, the United Nations Development Programme (UNDP), the International Anti-Corruption Academy, INTERPOL, and the Asian Development Bank/OECD Anti-Corruption Initiative for Asia and the Pacific.

Discussions and Conclusions

ACTWG has effective engagement with other APEC fora, in particular the joint meetings and workshops that have been held with EGILAT. Given the intended purpose of promoting and increasing private sector participation in the development of anti-corruption measures, combined with the support within the ACTWG, there would be benefit in further exploring collaboration opportunities with other working groups and in particular with the SMEWG.

ACTWG has effective engagement with some other APEC fora, in particular the joint meetings and workshops that have been held with EGILAT. Given the intended purpose of promoting and increasing private sector participation in the development of anti-corruption measures, there would be benefit in exploring further opportunities for collaboration with SMEWG. Respondents ranked the lack of engagement initiated by ACTWG with other APEC fora and vice versa as the second and third highest barriers to meeting APEC's ECOTECH objectives. Consequently, a focussed effort will be required to improve this level of engagement.

The work of the ACTWG is seen as complementary to the work of other anti-corruption entities rather than duplicating other stakeholders and organisations. It was also recognised that member economies differ between the various bodies and there is considerable value in sharing initiatives and lessons learned. The fight against corruption is seen as an ongoing battle and the more participants there are who are focused on implementing anti-corruption initiatives and increasing transparency, the better.

³⁷ 2016/SOM1/ACT/WKSP/003

APPENDIX A – APEC WORKING GROUPS

Working Group	Relevance to APEC objectives	Working Group Objectives	Current Priorities
Agricultural Technology Cooperation	Contribution of agriculture to APEC economies	To enhance agriculture's contribution to the region's economic growth and social well-being	To improve capacity of agriculture and related industries and to share information in agriculture, biotechnology, and animal and biogenetic resource management.
Anti-Corruption and Transparency	Reduce the threat to good governance and economic growth in the Asia-Pacific	To coordinate the implementation of Santiago Commitment, APEC Course of Action and APEC Transparency Standards	To implement the UN Convention Against Corruption
Counter Terrorism	secure the region's people and its economic, trade, investment and financial systems from terrorist attack or abuse and trade-based money laundering	To coordinate commitments on fighting terrorism and enhancing human security; assist members to identify and assess counter-terrorism needs; coordinate capacity building and technical assistance programs	
Emergency Preparedness	enhancing human security and reducing the threat of disruptions to business and trade	To enable the region to better prepare for and respond to emergencies and disasters	To build capacity in relation to emergencies and disasters, and collaboration on emergency preparedness issues
Energy	Further APEC goals to facilitate energy-related-trade and investment	To maximize energy sector's contribution to APEC's economic and social well-being, while mitigating environmental effects of energy supply and use	To ensure energy security, removing barriers to energy trade and investment, facilitating LNG trade, promoting new and renewable energy, energy efficiency, and smart communities, keeping up safe nuclear power development, and cooperating on clean fossil fuel.
Health	Address multi-sectoral impacts of health threats	To address health-related threats to economies' trade and security, focusing mainly on emerging infectious diseases	To provide policy guidance, align activities with ECOTECH priorities, address life sciences and innovation
Human Resource Development	promote well-being of all people and achieve sustainable and inclusive economic growth	To build the region's human capacity and achieving this goal.	To develop initiatives on education, labour and capacity building to develop human resources
Illegal Logging and Associated Trade (Experts Group)	Enhance cooperation to address concerns with illegal logging and associated trade	To enable member economies to strengthen policy dialogue on combating illegal logging and associated trade and promoting trade in legally harvested forest products	To exchange information on policies, regulations, governance and law enforcement relating to combating illegal logging and promoting trade in legal forest products

Ocean and Fisheries	Facilitate trade and investment opportunities that promote the sustainable use of fisheries, aquaculture, and marine ecosystem resources.	To exchange information and help foster institutional capacity building; advance discussions and the development of solutions for common resource management problems and share best practices	Measures to establish a more integrated and sustainable ocean partnership in the region.
Science Technology and Innovation*	APEC's primary forum to engage government, private sector and academia in joint scientific research.	To enhance economic growth, trade and investment opportunities, as well as social progress, in harmony with sustainability	Strengthen collaboration and enhance innovative capacity; develop science, research and technology cooperation; build human capacity; support infrastructure for commercialization of ideas; develop innovation policy frameworks and foster an enabling environment for innovation.
Small and Medium Enterprises	Contribution of SMEs to APEC economies	To encourage the development of SMEs and to build their capacity to engage in international trade	To build management capability, financing and business environment
Telecommunications and Information	Building confidence and security in the use of ICT to promote economic growth and prosperity	To improve telecommunications and information infrastructure in the Asia-Pacific to become an information society	Telecommunications regulations liberalisation, development and implementation of advanced information and communications technologies, promoting security in these technologies
Tourism	Sustainable tourism as an economic driver	To share information and exchange of views and development of cooperation	Removal of impediments to tourism, increasing mobility, sustainable management of tourism, enhance understanding of tourism as a means of economic development
Transportation	Liberalisation of Transport Services; enhanced safety of transport systems	Efficient and safe transportation of Goods and People	Harmonisation of security measures, capacity building in security and safety compliance, liberalisation of air services
Women and the Economy*	Promote greater inclusion of women in the regional economy	To advance the economic integration of women in the APEC region	Focus on women's access to capital, access to markets, skills and capacity building, leadership and agency, innovation and technology

* Policy Partnerships

APPENDIX B – METHOD

This is the second of four independent assessments that Sustineo has been engaged to undertake on behalf of the APEC Secretariat. In order to develop a comparable body of work, this review builds on the approach and presentation of the 2015 Independent Assessment of the Policy Partnership on Science, Technology and Innovation.

The detailed steps of the Method are as follows:

1. Understanding of APEC's goals

Review of APEC key documents, APEC goals/objectives and procedures, other official and non-official assessments of APEC work including ECOTECH goals.

2. Review and research ACTWG's objectives and activities

Review of ACTWG key documents, primarily the agenda papers for the 20th and 21st ACTWG meetings held in 2015 and the 22nd ACTWG meeting held in February 2016; and statements by APEC associated with the transition from being a taskforce to becoming a working group in 2011.

Review of Leaders' and Ministers statements, ACTWG records of meetings, key project documentation and workshop activities to assess the outcomes and how ACTWG supports the main objectives/goals of APEC.

3. Survey

A short online survey of ACTWG economy representatives was developed in consultation with the ACTWG Program Director. The questions were cleared with the Chair prior to dissemination in mid-February 2016. Respondents were asked to complete the survey online by 28th February but due to low response rates the closing date was further extended. The final survey response was accepted on 23rd March. Summary answers from the survey are contained in Appendix C – Results of Written Survey.

Face-to-face discussions were undertaken with member economies during the ACTWG meetings held in Lima, Peru over 21 to 23 February 2016. Follow-up discussions were held with member economies unable to attend the Working Group meeting either in person or via telephone. Notes were taken during each interview and have been referred to in compiling the assessment. Summary answers from the face-to-face interviews are contained in Appendix D – Face-to-Face Survey.

4. Draft Assessment

A draft assessment was submitted at the end of March 2016 to the ACTWG Program Director and APEC Secretariat for comment on factual matters. The Program Director also circulated the draft assessment to member economies for comment by 15 April 2016. These comments were incorporated into the final assessment and significant comments were analysed. The final draft report was finalised by end April 2016. The draft final report was delivered to SCE in xxxxx 2016]

APPENDIX C – RESULTS OF WRITTEN SURVEY

A written survey was developed and, following input from both the Secretariat and the Chair's Office, was administered using SurveyMonkey.com during February and March 2016. Prior to the meeting in Lima, Peru three of the 21 delegations had provided a response. The survey and intended results were highlighted to all member economies during the SOM1 meeting. However, by the end of the initial period, only one more response had been received. An extension was arranged and reminders were circulated after the meeting. By 23rd March 2016, 14 of the 21 member economies had responded to the survey.

The following pages summarise the responses to each question in the survey. Note that some respondents did not answer all questions and hence the total respondents in each question may be less than 14.

ACTWG's Current Performance

Question 1 – As outlined in the ACTWG Terms of Reference, it was established in 2011 to implement the *APEC Course of Action on Fighting Corruption and Ensuring Transparency*. What do you think are the three main existing initiatives that could implement this goal?

Most important initiative	2nd most important initiative	3rd most important initiative
Beijing Declaration on Fighting Corruption	APEC Guide on Mutual Legal Assistance (MLA)	APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies (ACT-NET)
APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies which is intended to develop informal cross-border cooperation between agencies in APEC economies.	Development of the Code of Conduct for Business, Conduct Principles for Public Officials and Complementary Anti-Corruption Principles for the Public and Private Sector in 2007.	
Capacity-Building Workshops and Guidelines on Designing Best Models on Prosecuting Corruption and Money Laundering Cases using financial flow tracking techniques and investigative intelligence for effective conviction and asset recovery to promote regional economic integration (The Philippines and Chile)	APEC Guide to Mutual Legal Assistance (Australia)	Workshops on Combating Business Bribery (China 2014 and Peru 2016)
Develop training and capacity building efforts	Establish objective and transparent criteria	Public-Private Partnerships
Facilitate the implementation of UNCAC by member economies	Develop training in conjunction with ACT capacity-building program	Exchange information between anti-corruption experts
ACT Anti-Bribery Initiative with Host Economy Focus	ACT-NET	ACT Pathfinder Dialogues
Implementation of UNCAC	Implementation of the 2014 Beijing Declaration	

ACT-NET co-ordination with other anti-corruption initiatives	UNCAC ratification and implementation by all economies	Strengthening of informal co-operation channels
Ongoing work on money laundering and asset recovery	Pathfinder dialogue series on preventing and combatting corruption and illicit trade	ACT-NET
APEC-NET	EGILAT	Multi-Year Project (Thailand-Chile)
The ratification of/accession to and implementation of UNCAC	Deny safe haven to officials / individuals guilty of public corruption (informal cooperation)	Preventing and combating private sector corruption
Meetings of ACTWG itself		
ACT NET initiative	Projects supported by the group and workshops	Report on the progress on the implementation of ACT commitments

Question 2 – ACTWG's purpose (as stated in the approved Terms of Reference) includes the aim of “promoting cooperation in areas such as extradition, legal assistance and judicial/law enforcement, asset forfeiture and recovery”. Name the top three initiatives which you consider to have been important in meeting this objective (respondents could suggest up to three initiatives)

First initiative	Second initiative	Third initiative
APEC Guide on Mutual Legal Assistance (MLA)	Beijing Declaration on Fighting Corruption	APEC Principles on the Prevention of Bribery and Enforcement of Anti-Bribery Laws
Guidance Material, such as the Australian-led 'Guide for Seeking Mutual Legal Assistance in Corruption Cases' which provides instructions on how to initiate requests for mutual legal assistance from APEC member economies.		
Capacity-Building Workshops and Guidelines on Designing Best Models on Prosecuting Corruption and Money Laundering Cases using financial flow tracking techniques and investigative intelligence for effective conviction and asset recovery to promote regional economic integration (The Philippines and Chile)	APEC Guide to Mutual Legal Assistance (Australia)	
Beijing Declaration on Fighting Corruption	ACT-NET Meetings	APEC workshop on denial of safe haven (Shanghai 2006)

First initiative	Second initiative	Third initiative
Understanding the difference of each economy's regulations		
Enhance cooperation among members of ACT-NET	Organize workshops for members of ACT-NET	
Asset Recovery Guides	Beijing Declaration	ACT-NET
Establishment of ACT-NET	Chile & Thailand's multiyear Project	
Establishment of ACT-NET	Collaboration on guidance for MLA procedures and information	Various training opportunities promoted through the ACTWG
Ongoing work on money laundering and asset recovery	Mutual Legal Assistance Guidebook	ACT-NET
APEC: Guide to MLA	APEC-NET	International Recovery, the Corruption Proceeds (SOM1 Workshop)
Asset forfeiture and recovery	Legal assistance	MLA facilitation
APEC Guide to Mutual Legal Assistance		
MLA Guide developed by Australia	Handbook on Prosecuting Corruption and Money Laundering Cases developed by Chile and Thailand	

Question 3 – ACTWG's purpose (as stated in the approved Terms of Reference) includes the aim to "promote programs and initiatives to increase the participation of the private sector in the development of anti-corruption policies and/or measures within the economies, as well as to enhance the support by governments of efforts for greater integrity within the private sector". Name the top three initiatives which you consider to have been important in meeting this objective.

First initiative	Second initiative	Third initiative
APEC Anti-Corruption Code of Conduct for Business	APEC General Elements of Effective and Voluntary Corporate Compliance Programmes	APEC Guidelines on Enhancing Governance and Anti-Corruption
Workshops engaging with, or encouraging participation with private sector such as the US-led Pathfinder Dialogue series that is largely driven by the American Bar Association, and the workshop led by the Philippines on the 'Rule of Stakeholders in Fighting Corruptions.'		

First initiative	Second initiative	Third initiative
APEC General Elements of Effective Voluntary Corporate Compliance Programs (USA)	APEC Anti-corruption Code of Conduct for Business (Australia, 2007)	
APEC high-level workshop on fighting business bribery (Beijing, 2014)	APEC ACTWG 2007 deliverables (Sydney, Australia)	unknown
Inviting private sectors to ACTWG		
Collaborate with APEC SME Working Group on involving the private sector in ACT initiatives		
ACT-ABAC Partnerships and Workshops	ACT Pathfinder II	Host Economy Inclusion of civil society in ACT Programs
Participation of ABAC to the ACT as observer	Participation of TI to the ACT as observer	
Inclusion of private sector contributions at fora meetings and related discussions	Legislative change affecting private sector that has occurred in some member economies in order to ratify UNCAC	
APEC Anti-Corruption Code of Conduct for Business	Corporate Compliance Program	Business ethics initiatives
APEC Code of Conduct for Business	Complementary Anti-Corruption Principles for the Public and Private Sectors	
Sharing experience and technical assistance in preventing corruption in the private sector		
APEC General Elements of Effective Voluntary Corporate Compliance Programs		
APEC Anti-corruption Code of Conduct for Business, Business Integrity and Transparency Principles for the Private Sector.	APEC General Elements of Effective Voluntary Corporate Compliance Programs	

Question 4 – ACTWG's purpose (as stated in the approved Terms of Reference) includes the aim to "develop innovative training, targeted capacity building and results oriented technical assistance to fight corruption and ensure transparency". Name the top three initiatives which you consider to have been important in meeting this objective.

First initiative	Second initiative	Third initiative
ACT-NET meetings	APEC Workshop and Handbook on Designing Best Models on Prosecuting Corruption and Money Laundering Cases using Financial Flow Tracking Techniques	OECD-APEC ACT workshop on Combating Business Bribery for Healthy Economic Growth
Workshops and Seminars, such as the 'Transparency of Activities of Executive Bodies'	Guidance Material – such as the Chile/Thailand guide on 'Designing Best Models on Prosecuting Corruption and Money Laundering Cases using Financial Flow Tracking Techniques and Investigative Intelligence for Effective Conviction.	
Capacity-Building Workshops on Designing Best Models on prosecuting Corruption and Money Laundering Cases using financial flow tracking techniques and investigative intelligence for effective conviction and asset recovery to promote regional economic integration (The Philippines and Chile)	APEC Guide to Mutual Legal Assistance (Australia)	
ACT-NET workshop(Beijing, 2014)		
Exchanging knowledges of each economy's laws and policies		
Workshops organized by ACT-NET		
Principles of Financial Disclosures	Chile-Thailand Project Guidebook on ML and Asset Recovery	ACT Pathfinder Dialogues
Capacity Building Workshop (Aug. 24, 2015) on Designing Best Models on Prosecuting Corruption & Money Laundering Cases ...		
Collaboration on guidance for MLA procedures and information		

First initiative	Second initiative	Third initiative
Multi-year project on Investigating money laundering cases and asset recovery	pathfinder dialogue series	Workshop of foreign bribery
Multi-Year Project (Thailand-Chile)	APEC Pathfinder Project	
Training on Preventing corruption in the private sector		
Various work shops		
Pathfinder and OECD Workshops	Thailand and Chile's Workshops	

Question 5 – The rows below list the factors which the ACTWG's 2013-2017 Multi-Year Strategic Plan deems to be critical for success of ACTWG's mission. Please indicate how well you think these factors are being addressed.*

FACTOR	Average Score
APEC members implement Leaders' commitments to fight corruption and promote transparency	4.00
APEC members ratify and implement key international frameworks, particularly the United Convention against Corruption (UNCAC)	4.21
APEC ACT members take ownership and cooperate well with one another, as well as with other APEC sub-fora	3.86
APEC members and civil society organizations partner together effectively to advance and implement APEC commitments to combat corruption and promote transparency	3.64
APEC members share an understanding of how corruption facilitates and enables transnational crime, and cooperate to detect and disrupt criminal networks	4.50
APEC members cooperate to remove the profit from corruption and associated transnational crime, denying safe haven to corrupt officials and freezing, seizing, and recovering the proceeds of corruption	3.93

**Note – this and other questions asked for responses on a Likert scale from “Strongly Disagree” to “Strongly Agree”, with the midpoint neutral. These were converted to scores of between 1 (strongly disagree) to 5 (strongly agree) and are presented as averages for these and similar questions. 3 is neutral, higher is better*

All 14 respondents answered this question. An average score of 4 equates to an “agree” and that of 3 is neutral.

Question 6 – Please suggest ways to improve action on any items above which you ranked “Disagree” or “Strongly Disagree”

Suggestions:

- Encourage more participation in workshops and initiatives from international organizations that work closely in APEC economies with civil society. Such organizations as transparency international.
- There is scope for greater cooperation between APEC fora and civil society organisations to maximise the impact of the ACT seminars and workshops.

ACTWG and Other APEC Fora

Question 7 – ACTWG aims, among other things, to work collaboratively with other APEC fora to enhance its own activities and reduce duplication. ACTWG's Strategic Plan is already relevant to several other APEC working groups, many of which have been involved in the ACTWG work. Please rank the relative importance of the following APEC fora to ACTWG's existing work (1 is highest, 14 lowest, n/a if considered not applicable)

APEC FORUM	Ave. rank	Reasons for top ranking*
Agricultural Technical Cooperation	8.75	
Counter-Terrorism	4.25	<p>Corruption is one of the major ways to the flow of funds to terrorists. Taking appropriate financial measures are essential to prevent terror-activities.</p> <p>Because anti-corruption and counter-terrorism shares common goals of rule of law, good governance, transparency and so on.</p>
Emergency Preparedness	6.80	
Energy	6.88	
Health	8.29	
Human Resources Development	5.83	Most of the work in ACTWG is based on remedial action taken where there are existing cases of corrupt conduct. Little attention is given to preventative measures. Collaboration with HRDWG would be a good way to build in ethics in the public service and private sector.
Illegal Logging and Associate Trade	2.62	<p>Illegal trade is so much related to the anti-corruption</p> <p>There are significant elements of corruption in the illegal logging domain, for example, the complicity of officials throughout the entire production chain including those involved in forestry management, local government, transport authorities, police and customs.</p> <p>Because the ACTWG is working on a multiyear Project about 'Pathfinder Dialogue on Combatting corruption and Illicit Trade' that considers illegal logging as a crime associated with corrupt practices that affect the environment in which we live.</p> <p>There appears to be limited interaction with ACTWG and other APEC fora currently. The WG ranked above is one that the US has previously successfully worked with for the Pathfinder Dialogue Workshop series to combat the illicit trade in wildlife trafficking.</p> <p>The crimes of corruption and illegal logging and associate trade have linkage between both of crimes. Also, both crimes are transnational in nature.</p> <p>EGILAT is the only group with which ACTWG is currently related. Bilateral dialogues and workshops have been shared with this group.</p>
Ocean and Fisheries	6.25	

APEC FORUM	Ave. rank	Reasons for top ranking*
Policy Partnership on Science, Technology and Innovation	8.60	
Policy Partnership on Women and the Economy	8.00	
Small and Medium Enterprises	3.30	Because it is vulnerable to corruption
		Business ethics in Small and Medium Enterprises
		ACT-SMEWG partnership on specific codes of conduct in fighting corruption.
		SMEs, especially small enterprises, often lack the capacity to develop institutional anti-corruption programs. Work in this area could help identify means to extend existing ACTWG and other relevant outputs into the APEC SME community
Telecommunications and Information	6.57	
Tourism	11.80	
Transportation	7.50	

Note – Only 4 respondents ranked all working groups

**Taken from answers to Question 8.*

One respondent ranked all fora as not applicable. It was considered that all above-mentioned items are not so liked relevant to the ACTWG. Only SME have some relevance.

Question 9 – Please rank the relative importance of the following APEC fora, with which ACTWG currently does not have any working relationship, to the future work of ACTWG (1 is highest, 14 lowest)

APEC FORUM	Ave. rank	Potential initiatives suggested
Agricultural Technical Cooperation	6.44	
Counter-Terrorism	3.80	Working Group, Network of practitioners in both group.
Emergency Preparedness	6.38	
Energy	5.20	
Health	6.30	Joint session to identify common issues: The impact of corruption on Health Sector. This could be undertaken in conjunction with SME Working Group
Human Resources Development	7.13	Best practices and experience sharing in building public sector ethics
Illegal Logging and Associate Trade	7.50	Consider Guidance Material on verifying timber to identify the location of wood
		Workshop and information sharing
Ocean and Fisheries	5.56	

APEC FORUM	Ave. rank	Potential initiatives suggested
Policy Partnership on Science, Technology and Innovation	9.88	
Policy Partnership on Women and the Economy	9.71	
Small and Medium Enterprises	3.00	Joint workshop on business ethics
		Joint meeting
		Bilateral meeting or workshop
Telecommunications and Information	7.60	
Tourism	7.13	
Transportation	6.50	Joint Workshop

Note – xx respondents ranked all working groups *Taken from answers to Question 10

**Taken from answers to Question 11

ACTWG and External Organisations

Question 12 – APEC is encouraged to engage in greater collaboration with non-APEC parties including the private sector, civil society and other international organizations. In relation to the ACTWG, please indicate whether you agree or disagree whether any of the following initiatives will achieve this.

Answer Options	Average Score
Non-APEC parties participation in ACTWG workshops	4.50
Non-APEC parties leading of ACTWG workshops	3.36
Roundtable events involving non-APEC parties	4.21
Non-APEC parties involvement in development of the annual work plan	2.93
Connections with non-APEC associations	4.07
Non-APEC parties participation in economy delegations	3.21
Specific engagement with women in business/ industry organisations, women's chambers of commerce and industry etc	3.86

*Likert scale question, 3 is neutral, higher is better

Fourteen respondents answered this question. An average score of 4 equates to an “agree” and that of 3 is neutral. The comment was also made that host economies may wish to consider whether neighbouring non-APEC economies might have relevant experience to share with the ACTWG. This is likely more relevant in Latin America where most regional economies are not APEC members.

Question 13 - Please provide details of one initiative by organisations other than ACTWG which has been, in your opinion, successful in strengthening ties between an APEC forum and non-APEC parties.

Initiatives suggested included the APEC Business Card, workshops on combating business bribery in China 2014 and Peru in 2016, the StAR initiative, the ACT Pathfinder dialogues, round table discussions with OECD and the G20 Anti-Corruption Working Group.

ABAC and ECOTECH Priorities

Question 14 – The ACTWG Strategic Plan objectives include cooperation and partnering activities with ABAC. What specific activities of the ACTWG involve the ABAC?

Responses:

- Economy reports aim to encourage clear, publicised and fair rules for businesses, consistent with the rule of law focus of ABAC.
- The 2016 Work Plan of the ACTWG considers a Workshop on 'Effective Corporate Compliance Programs' in partnership with the APEC Business Advisory Council (ABAC).
- In the field of developing innovative training and capacity building.
- Numerous Workshops on active and passive bribery; combating illicit trade.
- Promoting the General Elements of Effective Voluntary Corporate Compliance Programs.
- Business ethics initiatives.
- Cooperating in promoting the General Elements of effective voluntary corporate compliance.
- ABAC is invited to the ACTWG as a non-economy participant.

Question 15 – What, if any, aspects of the ACTWG engagement with ABAC are working well?

Responses:

- Regular reporting at ACTWG meetings.
- ABAC's knowledge regarding corporate governance would contribute to ACTWG activities.
- Close ACT-ABAC coordination and cooperation especially on anti-bribery and illicit trade.
- Public awareness on business compliance programs
- Reporting of work in ABAC relevant to ACTWG through economies.

Question 16 – What, if any, aspects of the ACTWG engagement with ABAC could be improved?

Responses:

- Enhanced visibility of the links and work between ABAC and ACTWG.
- More active participation by private sector members in ACT.
- More participation of ABAC to the ACTWG needed.
- Encourage greater participation of ABAC in ACTWG and vice versa to discuss issues in relation to progressing the rule of law in trade, investment and business.

- It would be useful to have a dialog with knowledgeable ABAC representatives. That would be a different discussion than we would have with an individual ABAC representative at the designated point of the meeting.

Question 17 - In 2010 APEC Senior Officials endorsed a new Framework to guide APEC-funded capacity building and all ECOTECH activities. Please identify what recent initiatives of ACTWG have supported the following medium-term ECOTECH priorities.

Priority	Initiative
Regional Economic Integration	Capacity Building Workshop on designing best models on prosecuting corruption and money Laundering Cases using financial flow tracking techniques and investigative intelligence for effective conviction and asset recovery to promote regional economic integration (The Philippines and Chile)
	ACT Pathfinder Dialogues
	ACT-NET
	Multi-Year Project
Addressing the social dimensions of globalisation	Numerous ACT workshops on anti-bribery and anti-corruption across APEC economies
Safeguarding the quality of life through sustainable growth	ACT Pathfinder Dialogues
Structural reform	Cebu Manifesto for the Protection of Anti-Corruption Officials
Human security	Activities of ACT-NET
	ACT Pathfinder Dialogues
	round-table with OECD on human trafficking

Note –between four and seven respondents

Question 18 - Please comment on any areas where you feel that ACTWG has failed to support APEC's ECOTECH priorities as listed above.

Responses:

- Regional economic integration
- Inclusive growth i.e. addressing the impact of corruption on service delivery and economic participation of less privileged groups.
- Corruption takes many forms and can negatively impact across government sectors and initiatives. Even in work areas where corruption is not a serious factor, the diversion of public resources into priorities identified through corrupt decision making may divert resources from activities that support, for example, social infrastructure.

Question 19 – Rank the following barriers to meeting APEC’s ECOTECH objectives since 2013, from ACTWG’s perspective.

BARRIER	Average rank in descending order of importance
Lack of central funds for ACTWG projects	1.89
Lack of engagement initiated by ACTWG with other APEC fora	3.13
Lack of engagement initiated by other APEC fora with ACTWG	3.44
Lack of industry involvement with ACTWG's work plan	4.29
Lack of non-APEC party (e.g. private sector, civil society) involvement with ACTWG's work plan	4.57
Lack of support from ABAC	5.00
Lack of self-funding of ACTWG projects from individual economies	5.50
Unwillingness of other APEC fora to engage with ACTWG	6.60
Unequal engagement of women members of the community	6.60

Note – three of the 14 respondents considered that all the proposed barriers were not applicable. Many respondents only partially completed the question.

Question 20 -Are there any other barriers to ACTWG's ability to meet APEC's ECOTECH objectives (apart from those listed in Q19)?

Responses:

- It is understood that the process for seeking funding from APEC is difficult, with strict guidelines that can be difficult to comply with.
- No. ACT advance many of APEC's ECOTECH objectives.
- Too much focus on remedial action than preventative action

Question 21 – APEC's Tasking Statement for 2015 and 2016 set the foci listed below for ACTWG. How well do you think that ACTWG is addressing these?

FOCUS	Average score*
Implement the Beijing Declaration on Fighting Corruption	3.57
Strengthen pragmatic anti-corruption cooperation	3.71
Take forward work under the APEC Network of Anti-Corruption and Law Enforcement Agencies	3.79

**Likert scale question, 3 is neutral, higher is better*

All respondents answered this question. A score of 4 is equivalent to “well” and a score of 3 is neutral.

Question 22 - Please suggest one way that one of the areas (if any) that you have ranked poorly or extremely poorly in Question 21 (above) can be improved.

Responses:

- Establish bilateral anti-corruption law enforcement mechanism to improve the direct contact between anti-corruption and law enforcement agencies.

- On the latter two it is not clear that the eventual mandates/opportunities will live up to the expectation of the member economies that initially proposed the initiative. International cooperation in corruption case work is guided by treaty, domestic law including, in common law jurisdictions, case law. It is not that building understanding as to how our respective systems work within APEC is undesirable, but rather a recognition that sharing policies, laws and practices is likely to be the limit of the discussion rather than the beginning. Although case cooperation is theoretically possible on the margins of a multilateral meeting like APEC if the right officials are present, it really is a bilateral matter.

Question 23 – The APEC medium-term priorities listed below have been recommended for adoption in 2015-19. Please list ways that, in your view, ACTWG could support these priorities.

Priorities	Suggestions
Developing human capital through capacity building	Promote standards of conduct
	Training for law enforcement officials through ACT-NET
	Developing workshops through project funding
Developing and strengthening the dynamism of Small and Medium Enterprises	To work in partnership with the Small and Medium Enterprises Working Group to prevent foreign bribery on business transactions.
	Codes of conduct for SME's
	ACT could play a role of getting rid of unethical behaviours of the industry in the region to create level playing field in entire business environment
	Ethics for small businesses
	This priority could be advance through work with the SME group.
	Working in corporate compliance programmes and/or principles
Harnessing technologies for the future and supporting innovation	ACT could play a role of getting rid of unethical behaviours of the industry in the region to create level playing field in business environment, thereby companies put more efforts to increase productivity depending on new technology and innovation
	Use of ICT for greater cooperation between financial institutions to exchange information on corruption cases
	There are a number of APEC and other economies and civil society organizations that have developed innovative and interesting uses of technology to make information available to and to collect information from the public in the corruption space. Some are purely government (e.g., automating procedures that do not require human interaction) while others may be a partnership with CSOs or CSO only initiatives (e.g., bribe reporting websites, apps, etc)
	Introducing hi-tech investigation techniques for corruption cases.
Regional economics integration	Repository of information on national requirements for investigating and prosecuting corruption cases
	Working together between Asia Pacific and America.
Structural reform	ACT could play a role of setting common standards of business code of conduct
	Efforts to better coordinate the work of anti-corruption agencies
Safeguarding the quality of life through sustainable growth	ACT Pathfinder Dialogues
	ACT could play a role of getting rid of unethical behaviours of the industry in the region to create level playing field in business environment
	Anti-corruption initiatives for better management of natural resources
	Combating illicit trade

ACTWG's Efficiency

Question 24 – ACTWG is served by a Secretariat based in Singapore. For each statement pleased indicate your level of agreement to the following questions which relate to the efficiency of the Secretariat

Efficiency Measure	Average score*
Meeting agenda documents are made available within a short time of their receipt by the secretariat	4.14
After each meeting, summaries and other meeting outcome documents are made available promptly on the APEC meeting document site	3.64
Meetings are managed smoothly	4.14
Meetings run to time	4.21
The number of documents provided for each meeting is manageable	4.00
The structure of the meeting agenda is well matched to the aims and objectives of the ACTWG	4.00
There is sufficient funding available for the ACTWG's projects	3.14
Meetings are structured in a way that accommodates participation by women (such as adequate toilet breaks, and arranged during periods where childcare is available)	3.86
Meetings are scheduled to allow direct liaison between APEC fora where there is a common linkage	3.36
With the introduction of the APEC Network of the Anti-Corruption Authorities and Law Enforcement Agencies (ACT-NET), the ACTWG is able to focus on its main objectives	3.86
The current administrative arrangements for the ACT-NET meet your economy's needs	3.43

**Likert scale question, 3 is neutral, higher is better*

All respondents answered this question. A score of 4 is "agree" and a score of 3 is neutral.

Question 25 – Please suggest ways to improve action on any items from Q24 above which you ranked "Disagree" or "Strongly disagree".

Responses:

- ACT NET Meetings could focus more upon open discussion and sharing of information, such as through sharing 'lessons learnt' from finalised cases.
- While not a Secretariat issues, incoming Chairs need to reach out to members earlier in their APEC host year to allow greater input into ACT agendas and work plans.
- Improve the overall project funding process to increase the chances of ACT related projects getting funded.
- It's not clear that meetings are scheduled in a manner that would help link groups. The silos are strong. Without strong and shared leadership of joint efforts within all partner groups, little will be achieved.

Question 26 – What do you suggest, if anything, that would make the ACTWG Secretariat more efficient than it is today?

Responses:

- The efficiency is ok now
- Present secretariat, PD is managing very well
- Better coordination between ACT Chair's Office and Secretariat
- Facilitate more discussions with relevant international organizations.
- Distributing sufficient meeting document for individual participant and handing out meeting presentation as well.
- Secretariat works fine as it is

Question 27 – What would improve the process of developing the annual work plan for the ACTWG?

Responses:

- Encourage more regular email correspondence to finalise documents.
- Promote greater coordination among economies to implement the Work Plan.
- Improve the pre-meeting negotiation.
- Early planning by incoming Chair and stronger Chair-led discussions at SOM 1 meetings.
- Annual survey for identifying capacity building needs.
- More coordination of the host economy.

Question 28 – Is there an ACTWG-specific process to enable quantitative and/or qualitative measurement of approved projects/ programmes?

Three economies responded yes, two responded no and nine responded don't know.

Question 29 – If you answered yes to Q28, are the results of this research used to modify projects/ programmes to achieve maximum results?

Responses:

- It is understood that informal feedback received following workshops or seminars are incorporated for planning of the next workshops.
- Don't know in specific cases but it should be.

Question 30 – Characteristics of respondents

Respondents ranged from Legal Officer to Head of International Cooperation Division. Experience ranged from attending no meetings to attending all meetings since 2004.

APPENDIX D – FACE-TO-FACE SURVEY

ACTWG Independent review – guide for face-to-face interview

All member economies attending the meeting in Lima, Peru in February 2016 were met and encouraged to complete the online survey. In addition, specific discussions were undertaken with a number of member economies during the workshop or in the weeks following. Where the delegation also answered the written survey, contact may have been made to clarify or expand on some of the issues raised.

1. Introduction to the discussion –how long respondents have been on ACTWG, general background, describe purpose of the face-to-face as supplementary to the survey.
2. The 2012 independent assessment recommended that the Chair should rotate every two years in accordance with the APEC Consolidated Guidelines. This recommendation was rejected by the ACTWG. What was the reasoning behind this disagreement.
3. With the annual rotation of Chair, can you please comment on the continuity and support provided to incoming Chairs, particularly if they have not previously been involved in the Working Group.
4. What overlaps (if any) do you see between ACTWG and other APEC working groups?
5. With the recent establishment of the ACT-NET, where does it fit in relation to the ACTWG umbrella? For example, is it a sub-group? How should it be administered, and by whom?

In addition to the completed online survey, discussions were undertaken with the following people for the study:

- Guests Mr Peter Richie (American Bar Association), Ms Liz Owen (OECD),
- Members of the delegations of Australia, Canada, Chile, Indonesia, Papua New Guinea, Peru, the Philippines, People’s Republic of China, Singapore, USA
- Project Director for ACTWG.

APPENDIX E – SOURCE DOCUMENTS

The following documents were reviewed and specifically mentioned as part of this independent assessment:

- APEC 2007: Preliminary Conference for APEC 2007 - *Reshaping APEC for the Asian Pacific Century – Priorities and Strategies*, 11 and 12 December 2006, Melbourne
- APEC 2008/SOM2/010
- APEC 2008/SOM2/SCE/005
- APEC 2010 SOM Report on Economic and Technical Cooperation – Annex 4, *Revised Guidelines for Lead Shepherd/Chair and Deputy Lead Shepherd/Chair of APEC Working Groups and SOM Task Forces*
- APEC 2011/SOM1/SCE/004
- APEC 2011/SOM1/SCE/004, *APEC Upgrading the Anti-Corruption and Transparency Task Force*
- APEC 2012/SOM1/SCE-COW/004 Agenda Item: 6.1 (a), *Revised Guidelines for Lead Shepherd/Chair and Deputy Lead Shepherd/Chair of APEC Working Groups and SOM Task Forces*
- APEC 2013/ACT/NET/003, *Proposed Initiative: APEC Anti-Corruption and Transparency Network Meeting*
- APEC 2013/ACT/NET/010, Session 5, *Final Remarks and Meeting Summary*
- APEC 2013/SCE2/Summary, *Summary Report – SOM Steering Committee on ECOTECH*, 17 April 2013, Surabaya, Indonesia
- APEC 2013/SOM2/SCE/014
- APEC 2013/SOM3/ACT-EGILAT/001
- APEC 2014/ACT/ACT2/Summary
- APEC 2014/SOM3/ACT007
- APEC 2014: Leaders' Declaration
- APEC 2015/SOM3/005, Agenda Item 12.4, *Guidelines on Managing Cooperation with Non-Members*
- APEC 2015/SOM3/ACT/014
- APEC 2015/SOM3/EGILAT-ACT001
- APEC 2015: Leaders' Declaration
- APEC 2016/SOM1/ACT/005 (formerly 2015SOM3/ACT/013)
- APEC 2016/SOM1/ACT/006 at Agenda Item 6.3
- APEC 2016/SOM1/ACT/WKSP/003
- APEC Anti-Corruption Code of Conduct for Business
- APEC General Elements of Effective Voluntary Corporate Compliance Programs
- APEC Guidelines on Enhancing Governance and Anti-Corruption
- APEC Secretariat, *Guidebook on APEC Projects, Edition 11*, Updated February 2016.
- APEC SOM1 2016, *PATHFINDER 2015: Strengthening the Fight against Corruption and Illicit Trade, Chair's Summary Report*, Lima Peru
- <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Bogor%20Goals.aspx>
- <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Inclusive-Growth.aspx>
- <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Regional-Economic-Integration-Agenda.aspx>
- <http://www.apec.org/About-Us/About-APEC/Fact-Sheets/Structural-Reform.aspx>
- <http://www.apec.org/Groups/Other-Groups/Sustainable-Development.aspx>
- <http://www.apec.org/Groups/SOM-Steering-Committee-on-Economic-and-Technical-Cooperation.aspx>
- http://www.apec.org/News/News-Releases/2015/0930_IAP.aspx
- <https://aimp2.apec.org/sites/PDB/default.aspx>

- <https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=1316>
- Republic of the Philippines, Office of the Ombudsman, *ACT-NET – APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies – Members’ Profile. Circulated at the 22nd ACTWG meeting, February 2016, Lima, Peru*
- Summary Report – SOM Steering Committee on ECOTECH, 9 March 2011

APPENDIX F – ACTWG PUBLICATIONS

In date order

Best Practices in Investigating and Prosecuting Corruption (2015), APEC#215-ES-01.9

This handbook was elaborated under the scope of APEC project M SCE 01/12A-1 "Capacity Building Workshops on Designing Best Models on Prosecuting Corruption and Money Laundering Cases Using Financial Flow Tracking Techniques and Investigative Intelligence for Effective Conviction and Asset Recovery to Promote Regional Economic Integration."

Requesting Mutual Legal Assistance in criminal matters from APEC Economies: A Step-by-Step Guide (2015), APEC#214-AC-01.1

This guide provides concise, step-by-step instructions on how to initiate and successfully conduct requests for mutual legal assistance made within the APEC region.

Implementing the APEC Anti-Corruption Code of Conduct for Business (2013), APEC#213-AC-01.1

This project report documents the processes, results, lessons, and recommendations that emerged from the ACT 02 2011A project's two main components: the Baseline Study and the Forum on the Implementation of the APEC Anti-Corruption Code of Conduct for Business.

Implementation of the Code of Conduct for Business in Chile (2011), APEC#211-SO-01.2

This report presents the findings from the above workshop held in Chile in January 2011. The main objective of the workshop was to disseminate the content and implications of the APEC Code of Conduct for businesses in the Asia-Pacific region.

Anti-Corruption Cooperation-Stocktaking of Bilateral and Regional Arrangements on Anti-Corruption Matters between/among APEC Member Economies (2010), APEC#209-SO-01.9

This report is structured as follows. In Part 1, Sections I and II examine the legal basis and preconditions for rendering extradition and MLA. Section III considers some procedures and measures that facilitate international cooperation. Section IV focuses on the confiscation and repatriation of the proceeds of corruption, a subject which has received particular attention recently in Asia-Pacific. Part 2 includes detailed information for the additional APEC economies taken from the material provided by each economy in its responses to the questionnaire.

International Symposium "Anti-Corruption And Administrative Reform", June 2008, APEC#208-SO-04.4

This symposium took place on 25 and 26 June 2008 in Ha Noi, Viet Nam. This document includes the presentation materials used for the five sessions in the symposium.

Capacity Building Workshop on Combating Corruption Related to Money-Laundering (2007), APEC#207-SO-04.2

The workshop was held in August 2007 in Thailand. This document contains the presentation materials used at the workshop and 11 economy reports.

APEC Anti-corruption Code of Conduct for Business, September 2007, APEC#207-SO-05.1

This document highlights four key business integrity and transparency principles for the private sector.

APPENDIX G – DETAILED LIST OF ACTWG’S PROJECTS IN APEC PROJECT DATABASE

Project title	Project number	Project year	Proposing economy	Co-sponsoring economies	Other fora involved	Non-APEC stakeholders
APEC Guide to Mutual Legal Assistance	ACT 01 2013A	2013	Australia	Canada, Papua New Guinea, Thailand, Chile	n/a	n/a
Capacity Building Workshops on Designing Best Models on Prosecuting Corruption and Money Laundering Cases Using Financial Flow Tracking Techniques and Investigative Intelligence for Effective Conviction and Asset Recovery	M SCE 01 2012A	2012	Chile; Thailand	Australia, Brunei Darussalam, China, Indonesia, Korea, Malaysia, Papua New Guinea, Russia, Singapore, Chinese Taipei, United States, Viet Nam	Human Resource Development Working Group (HRDWG); Intellectual Property Rights Experts Group (IPEG)	ABAC, UNODC, World Bank
Capacity Building Workshop on Effectively Combating Corruption and Illicit Trade through Tracking Cross – Border Financial Flows, International Asset Recovery and Anti-Money laundering Efforts; its impact on poverty reduction and economic growth	ACT 01 2011A	2011	Thailand	Australia, Hong Kong, China, United States	n/a	n/a
Implementation of the APEC Code of Conduct for Business (Integrity and Transparency Principles of the Private Sector)	ACT 02 2011A	2011	Philippines	Australia, Brunei Darussalam, Chile, Thailand, Viet Nam	n/a	n/a
Capacity building workshop on effectively addressing corruption in the developing economies	ACT 02 2009A	2009	Korea	Indonesia, Peru, Thailand, United States	n/a	n/a
Implementation of the APEC Code of Conduct for Business - Pathfinder Project	ACT 01 2009	2009	Australia	Chile, Viet Nam	n/a	n/a
Capacity Building Workshop on Formulating Strategies for Strengthening Inter-Agency Mechanisms on Combating Corruption Related to Money Laundering	ACT 03 2009A	2009	Thailand	Australia, United States	n/a	n/a

Project title	Project number	Project year	Proposing economy	Co-sponsoring economies	Other fora involved	Non-APEC stakeholders
Governance in Public and Private Sector & Impact on Anti-Corruption	ACT 04 2009A	2009	Singapore	Brunei Darussalam, Korea, Hong Kong, China, Peru, Viet Nam	n/a	n/a
Comparative Study of Anti-Corruption Measures and Procedures in APEC	ACT 01 2008	2008	Thailand	Indonesia, Korea	n/a	n/a
Workshop on Special International Cooperation to Facilitate Asset Recovery within the Scope of the Fight against Anticorruption	ACT 03 2008A	2008	Peru	Viet Nam, Thailand	n/a	n/a
Symposium on Anti-Corruption and Administrative Reform	ACT 02 2008A	2008	Viet Nam	China, Korea	n/a	n/a
Anti-Corruption Cooperation in APEC: Stocktaking of bilateral and regional arrangements on anti-corruption matters between/among APEC member economies	ACT 01 2007T	2007	Indonesia	Chile, Korea	n/a	n/a
Capacity Building Workshop on Combating Corruption Related to Money Laundering	ACT 01 2007A	2007	Thailand	United States, Australia, China	n/a	n/a
The Fight against Corruption is a Common International Responsibility: Strengthening the Cooperation Mechanisms in the Asia Pacific Region	ACT 02 2007A	2007	Peru	Korea, Papua New Guinea, United States, Viet Nam	n/a	n/a
Capacity Building for Developing Economies on Combating Corporate Corruption and Promoting Governance	ACT 01 2006	2006	Hong Kong, China	Korea, Philippines, United States, Singapore	n/a	n/a
Public-Private Dialogue on Anti-Corruption and Ensuring Transparency in Business Transactions	ACT 01 2006T	2006	Viet Nam	Australia, Korea, Singapore, United States	n/a	n/a

Source: <https://aimp2.apec.org/sites/PDB/default.aspx>, accessed 29 March 2016.