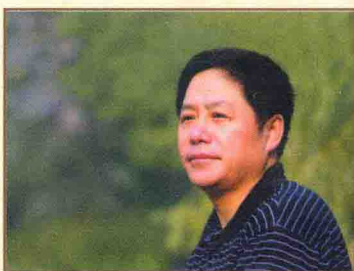


STUDY ON SPECIAL MODEL
AND MECHANISMS TO
PREVENT AND
PUNISH ABSCONDING
CORRUPT OFFICIALS IN CHINA



中国预防和惩治 贪官外逃 模型与机制研究

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ABSTRACT

The prevention and punishment of absconding corrupt officials is a serious global issue. Whether in eastern country or in western country, whether in developed country or in developing country, absconding corrupt officials exist at various degree. Facing the challenge from absconding corrupt officials, all political parties, governments are studying on how to prevent and punish those officials. Due to the different national conditions, reasons of the occurrence of absconding corrupt officials are different, thus the strategies to punish absconding corrupt officials are different. China's prevention and punishment of absconding corrupt officials have has Chinese characteristics, so China should take the path with Chinese characteristics.

Absconding of corrupt officials, will in politics ruin the image of our party and government, lead to loss of large amount of state asset, and at the same time bring serious harassment of normal social order as well as social stability. In order to fight absconding corrupt officials, many countries took a lot of measures on it, such as: strengthening legislation on integrity and establishing anti-corruption law, carrying out "transparent system" and "sunlight bill", implementing finance audit surveillance system, setting up special anti-corruption organizations, and strengthening international cooperation, etc, some measures of which are efficient and worth learning for our country.

With the accelerated process of economic globalization, especially, China strengthens efforts on anti-corruption; to combat absconding corrupt officials plays a key and difficult position in the field of duty crime. Most absconding corrupt officials are head or important person in financial field, the state-owned enterprise, or the party and government organizations. This dissertation brings forward specific strategies to prevent and punish absconding corrupt officials, through not only general analysis of current situation and features of absconding corrupt officials in our country, but also deducing a cost-income model, a trust-surrogate model and an illegal fund flight model.

Firstly, establish perfect mechanism to prevent and punish absconding corrupt officials from the source. Such as constructing state-owned anti-corruption and prevent-corruption mechanism, setting up family property reporting system, perfects financial real name system, creating inheritance tax and donation tax.

Constructing anti-corruption mechanism of state-owned enterprises is to hold an important door from the source. The reasons that State-owned enterprises become a main field of corruption and absconding officials are unavailable reform and imperfection supervision. Specifically: First, the power framework of enterprises is unreasonable, duty is not clear. Second, some leaders of state-owned enterprises are irresponsible and short of ideals. Third, the weak institutional and the absent supervision increase opportunities for corruption. Therefore, to fight corruption and construct anti-corruption mechanism of state-owned enterprises, we must focus on the power enforcement, and build effective power balance mechanism from the state-owned assets supervision and management system.

Family property reporting system makes government officials property under the supervision of the public, which can not only offers an early warning for corrupt officials, but also offers evidence for litigation.

The implementation of inheritance tax and donation tax, on one hand, increase the "economic cost" for corrupt officials. Because part of grey income and illegally income are turned into state income by way of tax, therefore, it does not only dilute corruption motivation, but also enrich state treasury; on the other hand, the tax encourage people to improve their standard of living through legitimate labor.

Secondly, establish perfect mechanism on economy to prevent and punish absconding corrupt officials, such as strengthening force on combating money laundering, and retrieving flight capital by civil law. Given the different ideologies, it is difficult to obtain evidences of a crime, and the practice of the International Criminal Police Organization is limited, therefore, criminal proceedings face huge difficulties in the international anti-corruption cooperation. This paper gives up criminal way to recover bribes, but adopts civil way to recover it, that is civil prosecution. Meanwhile, "benefit sharing" plan is put forward to recover bribes and restore national to the maximum extent.

Thirdly, establish perfect mechanism on entry and exit frontier to prevent corrupt officials from absconding and punish absconding corrupt officials. Such as establishing citizens' credit insurances system, perfecting the management of passports, setting up checkup system for officials and their relatives going abroad, perfecting electronic system on entry and exit frontier, and carrying out "unani-

mous card and fingerprint”, and carrying out “blacklist” system.

Fourthly, establish perfect mechanism on legislation to prevent and punish absconding corrupt officials, such as abolishing death penalty of corruption and bribery, establishing absent trial for absconding corrupt officials, strengthening cooperation efforts in judicial assistance and law enforcement, and establish a special law called “anti-corruption law of CCP” .

The application of death penalty brings up obstacles for china to join in international cooperation in anti-corruption field, and to recover the bribes. Fine and disqualification will make up for the lack of death penalty, so to fight corruption crime more effectively and diversify means to control crime.

Absent trial for absconding corrupt officials can, when the corrupt officials are unable to appear at trial for various reasons, make judgments in the case of conclusive evidence, according to the law.

Judicial assistance and law enforcement cooperation are two mechanisms of anti-corruption cooperation and play important role. To combat the increasingly rampant transnational crimes and safeguard the common interests of all countries in the world, all countries should strengthen mutual judicial assistance. First, the scope of the anti-corruption legal assistance should be clearly. Second, relation between legal assistance and basic principles of criminal justice should be appropriate coordinated. We should refuse to grant judicial assistance of the international consensus should be made on reasons and conditions to refuse grant.

The prevention and punishment of absconding corrupt officials relies on a scientific and complete legal system. This dissertation brings forward “Anti-Corruption Law of CCP”, by constructing a set of systematic and effective law to prevent and punish absconding corrupt officials, so that officials “do not want to corrupt”, “are unwilling to corrupt”, “unable to corrupt” and “dare not corrupt”, then to prevent the abuse of power, and fundamentally curb and eliminate corruption.

This dissertation deeply analyzes strategies of prevention and punishment of absconding corrupt officials by making use of knowledge from politics, economics, finance, integrity, law, history, ethics, management, auditing, psychology and party building and discipline of the latest research, and by adopting methods of Marxist materialist dialectics, comparison, synthesis, theoretical research and practice research. It strives to provide decision-making reference for the party and the government.

KEY WORDS: Absconding of Corrupt Officials, Prevention, Punishment, Mechanism

Chapter 1

Introduction

1. 1 Research background

To prevent and punish absconding of corrupt officials is a serious world topic of study. Every country, no matter in the east or in the west, no matter it is developed or developing, is troubled to a certain degree by absconding of corrupt officials. Challenged by absconding of corrupt officials, the ruling party and the government of every country are trying to find proper measures and strategies to prevent and punish absconding of corrupt officials. Based on different national conditions, the birth of corrupt officials' absconding often has special causes, so the measures and strategies to oppose it may also show national differences. The prevention and control of corrupt officials' absconding cause of China has its own peculiarity, so it must display Chinese characteristics.

Absconding of corrupt officials damages image of the party and the nation in politics and reduces public trust in the party and the government. Most absconding corrupt officials are head of financial field, state-owned enterprise or the party and government organizations, owning important public power. They seek private gains with power, occupy a great deal of illegal wealth with loopholes in the transferring system and imperfect law and institution and then abscond abroad to escape punishment by law, which not only directly weakens public trust of present system, seriously damages image of the party and the government, but also has a terrible international influence.

Corrupt officials' fleeing overseas results in state-owned asset running off in great quantities, corrodes state economic foundation seriously and endanger state economy safety directly in economy. Economist Rostow Walt Whitman explained

in his “theory of the stages of economic growth” that it is an essential condition for the economic takeoff that the rate of net investment in national income increases to more than 10%. However, the growth of the net investment must depend on accumulations of the social capital. American economist Arthur Lewis also emphasized in “dualistic economy theory” that the key of economic development is accumulations of capital. As a whole, the economy of our country is still in a stage lack of capital. However, a great many corrupt officials flee overseas with huge sums of funds, which put great negative influence on our economy. Firstly, it weakens the material basis of domestic construction, restrains the speed of the technological advances and economic growth; Secondly, it affects the macroscopic stability of domestic economy, weaken the ability of the government to use monetary policy, and brings risks to governmental forecast and estimate of the macroscopic economy. The third point is that serious capital flight can easily cause financial crisis and lower the rank of state’s credit. The actuality that corrupt officials fleeing overseas suggests that there are still deficiencies in our relevant preventative and punitive system. The first point is the lack of relevant system. For example, registration and report system of family property and the financial real-name system have not been carried out yet in China, which results in lack of supervision of officials’ property. There is still no inheritance tax and donation tax system, which is widening the gap between the rich and the poor. The second point is the imperfection of related mechanism. For example, lack of foreign exchange management mechanism make it possible that the illegal income of the corrupt officials can flee abroad; The reviewing mechanism of official’s go-abroad and the entry and exit of territory system are not perfect, making it possible for the corrupt officials to abscond abroad easily; The absence of civil-retrieving mechanism and social security number system makes it extremely difficult to pursue those corrupt officials. The third point is imperfection of legislation. For example, “anti-corruption law” is still under research; there is still death penalty for crime of corruption and bribery; trial by default system has not been established, etc. . The fourth point is that international cooperation is not intense enough.

Therefore, the text, by an analysis of the present situation of fleeing of Chinese corrupt officials, mainly tally up the experience and precept as well as drawing lessons from the foreign countries to fight corrupt officials’ fleeing overseas, intends to offer practical suggests for the Party and government, in order to maintain the reputation of the Party and the state by fighting corrupt officials’ fleeing overseas and to insure smooth progress of the reform and open and sustainable and healthy development of economy and society.

1.2 Current situations of domestic and overseas research

1.2.1 Current situation of domestic research

In home, our theoretic and judicial practice circles have studied and explored the prevention and punishment of corruption and corrupt officials' fleeing overseas from various angles and levels, especially the prior edition of this text——“A Study of Special Strategies and Measures to Oppose and Control Corruption in China in the New Century”, a national social science fund topic——proposed several original counter measures and suggestion, which arose highly recognition of relevant central departments and leaders, and some of which have been adopted in national policy.

——On establishment and perfection of the registration and report system of family property

Some scholars think the registration and report system of family property as an important measure to cure corruption ultimately. The current “Provision on report of income of leadership staff in Party and government organizations above county (department) class” (called Provision below) has initially established the family property report system for national public servant, constructed a fundamental frame and provided a reality basis for our property report system, and can strengthen the clarity of the family income of national public servant to certain degree. However, some scholars think the scope of the subject to report designed by the Provision too narrow, thus its function is limited. Other scholars think the operability of the Provision is not scientific. Some to be certain are absent. And there are a lot of problems in detailed practice etc. Owing to this, in the special interview by Chinese Youth Daily and the International Herald Guide, the author indicted that we should draw lessons from the successful experience in foreign anti-corruption, perfect the Provision further and speed up the draft of property report law, consequently the corruption can be reduced to the lowest extent by system.

——On prevention of the flight of corrupt capital

Some scholars think that the main reason of the corrupt capital flight is extensive existence of the power corruption. The related functional department do not implement their responsibility sufficiently, and is not strict enough in the strike and punishments of capital flight. There is no special anti-money laundering law currently, for the Anti-money Laundering Law (draft) is still under deliberation of Standing Committee of the National People's Congress. The current main basis

of anti-money laundering is “Provision on Anti-money Laundering of Financing Institutions”, “Rules on Report of Large and Suspicious Payment by RMB”, “Administrative Rules on Report of Large and Suspicious Payment by RMB in Financial Institutions” and No. 191 of the criminal law concerning “crime of money-wash”. Some scholars think that although the above-mentioned administration regulations can suppress money-laundering in a certain degree, there is no comprehensive norm specially concerning money laundering. The above-mentioned regulations only have the effect of administration regulation, they are limited both in its operating circle and its authority and can’t adjust between different businesses. Some scholars also think that these provisions are just related to or have influence on money-laundering. They are not special laws to directly prevent money-laundering. The current legislation of our country preventing money-laundering is still very weak and behind the international legislation. Some scholars think that our country has adopted some legal measures in preventing money-laundering, but no perfect legal mechanism has established. The legal measures controlling money-laundering of our country is mainly limited in the criminal realm, while no valid preventive mechanism is built up in the financial system. Noticing more and more multinational phenomenon currently, some scholars think that the premise to control the multinational money-laundering is a pithily stroke to the native money-wash activity. Whether the domestic anti-money legislation is complete or not is important for a country’s to control the multinational money laundering. In the special interview by “the Legal System Evening”, the author indicted that our country should cooperate with other countries to perfect the anti-money laundering system and legal provisions and be in line with the international legislation.

——On the usage of civil law to fight fleeing corrupt officials

Some scholars think that civil procedure is better than crime procedure according to “anti-corruption convention of United Nations” and the relevant provision of the international private laws, in the fight with fleeing corrupt officials, especially in the aspect of retrieving corrupt capital fleeing overseas. In the special interview by Yang Cheng Evening the author indicted that it would be easier to pursue and arrest the fleeing corrupt officials and bring them to the court for prosecution to use the civil procedure than crime procedure. Crime procedure pays more attention to the proof which is very hard to collect and depends on the judicial administration relation between nations. Thus there will be no good effect in a short time. While in civil procedure which is more simple and easy to set up, we need not to bear fastidious onus of verification and can deprive the fleeing overseas corrupt officials of their illegal property right.

——On rational approaches towards the “United Nations Convention against Corruption” (called Convention below)

Some scholars believe that the “convention” is the first legal instrument guiding international anti-corruption struggle in the history of United Nations and it is also the most comprehensive, broad, innovative international legal instrument on governing crime of corruption so far. At the international level it first established five legal mechanisms: preventive mechanism against corruption, criminal convict and executing law mechanism, international judicial cooperation and executing law cooperation mechanism, asset recovery and return mechanism, and performance monitoring mechanism, which is of great significance and far-reaching impact on international anti-corruption struggle and China’s anti-corruption cooperation with foreign countries. Some scholars believe that the “convention” established the legislative idea first to prevention, mainly to fight, to emphasize international cooperation and asset recovery, which is a major breakthrough to implement the provisions of the “Convention”. “Convention” will have a significant impact on China’s criminal law. Over the years some cruxes about corruption and bribery crimes which plagued the theoretical and practical sides should have a major breakthrough. Meanwhile some scholars believe that the role of the “convention” on China’s anti-corruption should not be overestimated. I wrote an article in the “China discipline inspection and supervision newspaper” that the “convention” is conducive to the fight against corrupt officials who fled abroad, to combat “money laundering” crime and to curb corruption, but it is one-sided and undesirable only to lie the hope of anti-corruption on “convention”. “Convention” its own identity and complicated international environment decided the limited nature of its role. National differences in ideology make the “convention” may not achieve the desired objectives in the international anti-corruption cooperation and the fight against corrupt officials. The limitations of international judicial assistance affected the efficiency and effectiveness of the application of the “convention”. The principle of national sovereignty and invisibility and uncertainty of corruption crime evidence make international cooperation quite difficult in the fight against corruption through the “Convention”. To prevent and punish corrupt officials fleeing fundamentally, it is necessary to use legislative, judicial, administrative and other multi-subject, multi-level and multi-field means to manage in a comprehensive way.

——On establishment of warning mechanism and strengthening supervision.

January 27, 2005, the State Administration of Foreign Exchange, Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Supervision and Min-

istry of Justice jointly issued a notice to implement a joint supervision on public officials and their relatives transferring property abroad. Central Commission for Discipline Inspection plans to establish a plant manager of immediate family members of leading cadres of state-owned enterprises and government to study abroad and settle.

——On international judicial cooperation.

Some scholars believe that States Parties of the “convention” should adopt effective measures to strengthen relationship and establish a channel of communication between authorities and departments, when necessary, to promote safe, rapid exchange of information on all aspects of the crime of corruption. Some scholars believe that although the “Convention” has been made and has been open to signing countries, it is only a sweeping regulation, which does not take into account anti-corruption in various countries and regions. Thus, the advocated States of the convention should consider establishing bilateral or multilateral agreements or arrangements for direct cooperation between their law enforcement agencies, and in the case such agreements or arrangements, amendment should be taken into consideration.

Documents reflecting domestic research condition are below:

“The economics of corruption and anti-corruption”, written by Nixing, China Social Sciences Publishing House published, 2004

“China: Challenging Corruption”, Edited by Hu An-gang, Zhejiang People’s Publishing House published, 2001

“Economic and social institutions compare”, Editorial series

“Corruption: the exchange of power and money”, China Economic Publishing House published, 1993

“New path of anti-corruption—research on corruption issue in China in transition period”, Central Compilation and Translation Press published, 2002

“Government officials’ moral construction under the condition of market economy”, written by Li Shi-yin, Chinese People’s University of Public Security Publishing House published, 2002

“Corruption and Anti-Corruption”, Edited by Wang Hu-ning, Shanghai People’s Publishing House published, 1990

“Economic Analysis of Corruption”, Written by Zheng Li-ping, Central Party School Press published, 2001

“A Study of Special Strategies and Measures to Oppose and Control Corruption in China in the New Century”, Written by Wang Ming-gao, Hunan People’s Publishing House published, 2002

1. 2. 2 Current situation of the Overseas Research

Preventing and punishing the absconding corrupt officials is the problem the national anti-corrupt organizations and all responsible nations in the world pay attention to. In order to suppress the absconding corrupt officials, international society has taken a lot of measures.

1. Strengthen incorrupt and anti-corrupt lawmaking. Incorruption legislation includes two forms. One is to rule incorrupt and autonomic item in the public official's laws, like Singapore's Public Officials' Behavior and Discipline Regulation, Australia's The Behavior Standards of Government Functionary, Mexico's The Public Officials' Duty Law etc. The other is to draw up specialized incorruption rules, like the United States' The Government Morals Law, France's Finance Clarity Ordinance Concerning Political Life, Philippines's Public Officials and Employee's Personal Conduct and the Morals Standard Rule, Korea's Public Officials Morality Rule etc. . These incorruption rules mainly include: (1) The restriction of accepting gift; (2) Limit of the government officials to have a part-time job; (3) Strictly forbid to gain private ends in the name of public with embellish for show and the waste provision; (4) Limit wages besides income; (5) Limit the officials of the government to acquire malfeasant benefits from making use of the influence of the original post after leave office. Meanwhile nearly 70 nations in the world also have drawn up different types of anti-corruption laws under the situation that they have already had criminal laws or criminal procedure laws. These laws include anti-corrupt penal law, like Sri Lanka's Bribe Law IN 1995; Anti-corrupt Investigation Law, such as South African Republic's Important Economic Crime Investigation Law in 1991; Anti-corrupt Procedure Law, such as Canada's Corruption Procedure law in 1991; And anti-corrupt law containing entity law, procedure law and organization law, like Malaysia's Anti-corrupt law, 1997 etc. .

2. Carrying out "transparent system" and "sunlight bill". In order to inspect government and its officials more availably, foreign countries extensively promote the government "transparent system" and make the government policy open and clarity. The "transparent system" mainly includes: (1) The government reports to congress (2) The government publicly handles affairs; (3) The document publicity system (4) The service promises system. "Sunlight bill" is mainly to indicate intendance measures to the officials of the government abroad. It's a provision of government public policy and clarity of official's public activity, such as signing contract of true state publicity, the land affiance publicity, campaign fund publicity, the government officials' property and income publicity etc. . The gov-

ernment officials' property declaration is the important contents of "sunlight bill". Also it is a kind of widespread intendance system in the world and gradually legalized. The property declaration is included in comprehensive corruption laws in some nations, such as the United States' the Government Morals Law, Canada's Benefits Conflict Law, Singapore's Prevent Corruption Law, Korea's Public Officials Morality Rule etc.; Some of them have specialized lawmaking, such as Mexico's Public Officials' Property Register Law, Thailand National officeholder's property and obligation declaration national law etc. .

3. The widespread execution finance audit and supervision system. The audit organization abroad is divided into three types: national audit, inner audit, social audit (also called civil audit). Prevention and combating public official's corrupt behavior which all countries pay attention to is important functions and contents of audit, and in incorruption intendance system it also have the function that can't be filled in. The 16th tallest international audit organizations' conference convened in Uruguay in November 1998, took the establishment of "preventing and detecting corruption" as the first topic, went deep in to study and discuss "function of the audit in the aspects of preventing and detecting corruption". The Korea's surveillance office takes surveillance and audit as a whole, its basic function is finance audit and duty surveillance. It cannot only discover a case source but also can take finance audit as breakthrough of detecting the cases. So it can do good to fighting corruption. In addition to finance audit to each section of government audit, Singapore audits organ also carries on rechecking checkup (audit each section's performance of executing the law). The United States audit headquarters defines three levels of audit, in which checking the consistency of current laws is required, such as financial audit, a social economic responsibility audit as well as audit to government's application power of illegally included. These nations have legal procedure to promise that the corrupt behavior is pursued when they find corruption in the audit which is benefit for government incorruption. The audit system of abroad has very great independence. Although the audit organ belongs to parliament or national legislature or government or judicial organ, its function is free from an outside intervention. When they find irregularity or delinquent and corruption, they can take it to the power organ to handle by law. Currently, the main content of audit in all countries has three items: finance audit; results audit and specific audits.

4. Establish special anti-corrupt organization. Synthesizing circumstances in all countries, mainly there are 5 kinds of organizations for anti-corrupt of function. The first is justice judicatory organization. Many nations' justice judicatory or-

ganizations have the power of inquisition and obtaining evidence and even prosecution to the illegal officials. Such as the judiciary of the United States, prosecution office of Japan, prosecution court of Korea, Milan prosecution court inner anti-corrupt activity group of Italian etc. The second is a lawmaking organization. The west nations establish parliament which have legislative and superintendence authority according to the principle of "separate power". The parliament practice impeach senior officer and corrupt officials who is delinquent through query, investigation, accepting appeal, no-confidence case and impeachment to the government administration organization, judicial section and the senior officer, mainly president, deputy president, premier, Lord Chancellor, attorney general. . . etc. . The third is audit organ. It includes the parliament audit organ and administration audit organ. Since 1809 Sweden established the first special audit commission until now, more than 70 nations in world have already built up audit system. They play an important part in anti-corruption and auditing public official to administrate by law. The fourth is a special anti-corrupt organization. Many nations have built up specialized anti-corrupt organization since 50' S for fighting with corrupt phenomenon. This organization contains specialized law guarantee and generally have the functions of judicatory check and administrative audition, such as investigative bureau in Singapore etc. . The fifth is anti-corruption harmony organization. Some nations establish specialized organization according to the state of the nation to harmonize anti-corrupt work of supervising department or take it as anti-corrupt consultation organization. Such as Central audit committee in India, Prevent corruption and Anti-corrupt central bureau in France etc. .

5. Strengthen international cooperation. In the aspects of preventing corruption and combating the absconding corrupt officials, all the countries in the world also pay attention to ask for help of related international organization and strengthen anti-corrupt international cooperation in addition to perfect domestic anti-corrupt system. Currently, the international organizations do a great deal of work to prevent and punish corruption and fight with the absconding corrupt officials.

(1) United Nations: United Nations crime prevention and criminal treatment conference will take graft offense, bribe offense and embezzle offense etc. as important subject at each meeting. In the eighth meeting held in August in 1990, they discussed the corruption in the government particularly. The meeting suggested the member countries establish administration mechanism of preventing corruption and abusing power, and advised Each State Party to establish laws to punish corrupt behavioral, requested United Nations department to provide technical assistance to Each State Party. The meeting also passed practical Anti-corrupt manu-

al, which tallies up experience and valid ways of anti-corruption in all countries, provided original version of processing corrupt problem for decision makers and full-time organizations in all countries. Since 90's United Nations pay more attention to punishing corruption, especially in the aspects of fighting crime, improving management and enhancing system. United Nations drew up Public officials' international behavior standard in 1996; the United Nations General Assembly passed the declaration of the anti-corruption in the international business activity. United Nations convened anti-corrupt experts' meeting in the capital city of Argentine in 1997, put forward 50 pieces of advice as a guidebook of anti-corrupt decision and activities for all countries. Early in 1999, United Nations decided to amend United Nations Convention against Transnational Organized Crime to enforce punishment of corruption. The United Nations also fight with corruption internally by establishing inspecting office in a large scale and exclusively establish inspect office. A Deputy Secretary-general is concretely responsible for it. It constitutes United Nations employee behavior rules. United Nations Convention against Transnational Organized Crime taking effect on 29 September 2003 takes punishing absconding corrupt officials as one of the main targets. That pact definitely put forward obligation of "extradition" in addition to emphasize on the judicial cooperation between state-to-states. At the same time, United Nations Convention against Corruption taking effect at the same year established the principle to transfer return of corrupt assets. It's more important to build up the system of preventing and combating corruption through strengthening international cooperation on the level of international law.

(2) OECD: Organization for Economic Co-operation and Development (OECD) is a non-political organization for industrialized nations to research and draw up economic and social policy. At present there are 29 member countries, which are all most flourishing in the world, and another 5 affiliation countries. In recent years, that organization tries to draw up "rules of game" of the global economic trade. At the end of 1997, the ministers of these nations signed the convention on Combating Bribery of Foreign Officials in International Business Transaction. It is deemed to be an important measure which may eliminate international bribe. It is common to bribe the local government officials in international business; Many European nations even regulate that the expenditure of bribe can be free from tax. Convention says: Any behavior of bribing foreign public officials is criminal offence. Convention requires that each signing country draw up explicit crime and economic penalty, cancel the provision that bribery can be free from tax, perfect accountancy and audit system and regulate public purchase sys-

tem. Currently each member country is implementing legislation according to Convention, make its clauses constraint laws of each member country. OECD passed Convention on Combating Foreign Public Official Crime in 1999. Each member country will combat government official's corruption together and deals with foreign corrupt officials hiding in it in the same way.

(3) The World Bank: The World Bank is named "another United Nations", it plays an important part in the world. It lends nearly 20, 000, 000, 000 to the countries encountering difficulties. After James D. Wolfensohn occupied the position of president in 1995, it has intervened actively in international anti-corrupt work at relevant international conferences and connected a nation's anti-corruption with a loan, declaring anti-corruption is a first condition. The World Bank stopped lending money to Kenya and several other nations for the reason that they didn't do their best in anti-corrupt reform. The World Bank also strengthened audit and supervision on the loan to its engineering project. Once finding transfer or remain of item funds, it will stop aid.

(4) Transparency International: Transparency International (TI) is an international non-governmental organization which came into existence in 1993; the headquarters was established in Berlin. It built up branches in about 90 nations. At the beginning it mainly paid attention to bribery in international business and investigated it and put forward a solution of it. In recent years it turn around government corruption, blazon forth its standpoint and opinion toward governments in all countries, provide consultation and help some international organizations to draw up anti-corrupt measure. That organization lays claim to build up extensively anti-corrupt alliance within the scope of world. It promotes anti-corrupt sport in the world well. From 1995, Transparency International starts to evaluate the condition of corruption in all countries once a year and arrange all countries according to corruption degree. It brings about great waves among nations. It vends Corruption Perceptions Index. The tallest is 10; it means that the country is almost incorrupt. The lowest is 0; it means the country is corrupt severely. The valuation of recent 4 years is: Northern European nations, New Zealand, Canada and Singapore etc. are arranged in the front, they are more incorrupt nations; The United States, Japan and most European nations are in the middle; Latin America, African and Asian nations lay behind. What should be pointed out is that the arrangement is only a viewpoint or an impression of one country. It is unilateral and can't completely reflect the truth that country.

In addition Inter-continental organizations promote anti-corrupt cooperation actively; the non-government anti-corruption organizations are also very ac-