

For discussion
on 13 May 2014

Legislative Council Panel on Security

Information Paper by the ICAC in response to the agenda item on Cross-Boundary Corruption

Purpose

This paper provides a summary of the mechanisms and measures taken by the Independent Commission Against Corruption (ICAC) in the fight against Cross-Boundary Corruption since its last report to the Panel on Security in June 2010.

Background

2. On 1 June 2010, the ICAC attended a meeting of the Panel on Security and provided information vide LC Paper No. CB(2)910/09-10(02) on the mutual case assistance in cross-boundary corruption enquiries and the collaboration among the ICAC, the Guangdong Provincial People's Procuratorate (GDPP) and the Commission Against Corruption (CCAC) of Macao in providing corruption prevention services to cross-boundary business enterprises in the Pearl River Delta (PRD) Region in the context of the "Framework Agreement on Guangdong/Hong Kong Co-operation" (the "Framework"). Following the meeting, the ICAC updated the position on 11 occasions between 3 September 2010 and 5 October 2012. Further updates taken by the ICAC in the fight against cross-boundary corruption are set out in the ensuing paragraphs.

Mutual Case Assistance

3. In 1990, the GDPP was designated by the Supreme People's Procuratorate (SPP) to set up with the ICAC a Mutual Case Assistance Scheme (MCA scheme) to render mutual assistance in conducting enquiries in corruption cases. The GDPP was the Mainland's point of contact with the ICAC on behalf of the Guangdong province and all the Mainland procuratorates. In April 2000, the SPP took over the role of contact point with the ICAC for cases involving all Mainland provinces other than the Guangdong province which continued to be served by the GDPP.

4. Under the MCA scheme, the ICAC and the GDPP agreed to render assistance in arranging witnesses to be interviewed or to testify in court on a voluntary basis, or checking of public records. Statistics on mutual assistance under the MCA scheme among GDPP, SPP and ICAC for the last three years are as follows:

Year	Requests from ICAC to GDPP	Requests from GDPP to ICAC	Requests from ICAC to SPP	Requests from SPP to ICAC
2011	21	8	10	10
2012	25	8	11	12
2013	27	15	12	9
Total	73	31	33	31

5. Moreover, an exchange forum on mutual case assistance in cross-boundary corruption is held annually by GDPP, CCAC and ICAC on rotation to foster working relationship among the respective liaison units. In 2013, it was the ICAC's turn to host the annual exchange forum in Hong Kong.

Corruption Prevention Service

6. Between the end of 2011 and August 2012, the ICAC also joined GDPP and CACC under the "Framework" in the organisation of a Cross-boundary Anti-corruption Computer Animation/Comics Competition for the promotion of probity among youngsters. Around 3,700 secondary and tertiary students from Guangdong, Hong Kong and Macao participated in the Competition and related educational activities.

Way Forward

7. The ICAC will continue to seek opportunities to further its efforts and cooperation with Guangdong and Macao to curb cross-boundary corruption in all fronts under the "Framework" and to build up a clean business environment for the PRD Region. In 2014-15, the ICAC will participate in the annual exchange forum under the MCA scheme to be organised by GDPP in Guangzhou.