

## Brief Introduction to the Work of Corruption Prevention in China

### **I. Development Course of Corruption Prevention in China since China's Reform and Opening up**

In the late 1970s, China began to carry out the policy of reform and opening up. China has implemented the policy of punishing corruption while making efforts to develop the economy, and carried out a series of special campaigns against such serious economic crimes as smuggling, illegal arbitrage of foreign exchange, embezzlement and taking bribes. In the 1990s, China started to establish the socialist market economic system. China intensified efforts in opposing corruption and established a work pattern in anti-corruption that covered three aspects, i.e., ensuring leading cadres are incorruptible and self-disciplined, investigating and dealing with all breaches of law and discipline, and rectifying malpractices in various trades and departments. The work of combating corruption and building a clean government has embarked on a road that features addressing of both symptoms and root causes of corruption, comprehensive treatment and gradual intensification of efforts to eliminate the root causes.

Since the start of the 21st century, China has placed in a more prominent position the work of combating corruption and building a clean government, adopted the principle of addressing both symptoms and root causes of corruption, enforcing comprehensive treatment, giving simultaneous stresses to punishment and prevention while giving priority to prevention, and establishing the national anti-corruption strategy by setting up and perfecting a system of punishment and prevention of corruption to comprehensively promote this undertaking. In combating corruption and building a clean government, China is more explicit in direction, clearer in thought, and more effective in measures. On the whole, it shows a good trend of development.

During the process, China constantly expands and innovates corruption prevent work and gradually deepens its development, making its strategic position and fundamental role more prominent. As a whole, The trend of China's corruption prevention work develops from special prevention for individual corruption to prevention in key areas focusing on administrative examination and approval, financial management and cadre and personnel system reform, then to all-round prevention marked with the establishment and improvement of corruption punishment and prevention system. Currently, China's corruption prevention work has entered the new phase of all-round deployment, promotion as a whole and coordinative development. On September 13, 2007, China established the National Bureau of Corruption Prevention to coordinate the work of corruption prevention in various aspects and pragmatically implement Article 6 "Each State Party shall, in

accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption...” of UN Convention against Corruption.

## **II. The Leadership System, Work Mechanisms and Competent Departments of Corruption Prevention in China**

In the practice of combating corruption and building a clean government over the years, China has put into place a leadership system and a working mechanism, in which Party committees take unified leadership of the work, the Party and government both administer it, discipline inspection commissions of the Party organize and coordinate it, different departments take their due responsibilities related to it, and the masses support and participate in the endeavor.

In china, the competent departments of anti-corruption mainly include the CPC departments on discipline inspection, judicial departments, government supervision departments, audit departments and the special organization of corruption prevention. Meanwhile, other departments and organizations such as public security and finance also undertake related work of corruption prevention within their jurisdiction according to law. The above-mentioned organizations with different functions jointly shoulder the important responsibility of combating corruption and building a clean government construction as well as maintaining social equality and justice. In the work of combating corruption and building a clean government, the above organizations with different functions are independent in performing their duties and, at the same time, coordinate and collaborate with one another.

The National Bureau of Corruption Prevention of China is an organ that the Chinese government has specially set up to take overall responsibility for the work of corruption prevention. Its major responsibilities are to organize and coordinate the national work of corruption prevention, make overall plans in this regard, formulate relevant policies, examine and direct the work, coordinate and direct the work of corruption prevention in enterprises, public institutions, social groups, intermediate agencies and other social organizations, and take charge of international cooperation and technical assistance in this regard. Some provinces and municipalities have also established corruption prevention bureaus.

## **III. Major Work of Corruption Prevention Launched in China**

In recent years, China issued the Implementation Outline on the Establishment and Improvement of Corruption Punishment and Prevention System and the 2008-2012 Work

Plan on the Establishment and Improvement of Corruption Punishment and Prevention System. On the basis of implementing the program of reform and opening up and developing economy, China always attaches great importance to the work of anti-corruption.

Firstly, China attaches importance to the regulating and safeguarding role of laws and regulations. Based on the Constitution, China has formulated a series of anti-corruption laws and regulations. In order to ensure that leading cadres work in a clean and honest way, the CPC has issued a series of codes of conduct and ethical rules for Party members who hold leading positions, and is building and improving a system to prevent conflicts of interest. To ensure the proper exercise of public power, China has enacted a series of laws and regulations to strengthen restraint and supervision over the exercise of power by leading cadres. In addition, China has enacted a series of laws and regulations closely related to corruption prevention.

Secondly, China strengthens construction of power restraint and supervisory system. China actively promotes procedural power exercise featuring transparency and strengthens restraint and supervision of power exercise. Now, a supervisory system with Chinese characteristics has been established, composed of intra-Party supervision in the CPC, supervision by the National People's Congress and the local people's congresses (NPCs), supervision within the governments, and democratic supervision by the Chinese People's Political Consultative Conference National Committee and local people's political consultative conferences (CPPCCs), judicial supervision, supervision by the general public and supervision by public opinion. It also gives play to the role of the supervision of the public opinion and the positive role of the Internet in strengthening supervision, and actively promotes publicity of government affairs, factory affairs, village affairs and management of public enterprises and institutions.

Thirdly, China prevents and punishes corruption through system reform and institutional innovation. In view of the major fields and key links likely to breed corruption, vigorous efforts have been made to promote institutional reform and innovation, and strive to prevent and control corruption at the very source. Related departments are urged to deepen reforms in aspects of administrative examination and approval system, judicial system and work mechanism so as to minimize the system and mechanism loopholes for corruption. For instance, since 2001, various departments of the State Council have totally cut and adjusted more than 2,000 items of administrative examination and approval; local governments of various levels have also cut and adjusted more than 77,000 items, accounting for more than half of the original amount. For the remaining items of administrative examination and approval, efforts have been made to overall promote government affairs publicity, and a total of 2,842 administrative service

centers and 24,289 town-level service centers have been established.

Fourthly, China gives play to the punishment functions in dealing with corruption cases. Efforts have been made to severely deal with corruption activities of the Party members, cadres and civil servants and maintain the strong impetus in punishing corruption so as to give play to its function of addressing root problems. In recent years, major efforts have been made to deal with cases of commercial bribery in six major areas, namely, engineering construction, grant of the land-use right and mineral resources exploration and mining right, trade of property rights, purchasing and marketing of drugs, government procurement, and development of and deals in resources, as well as those related to bank credit, securities and futures, commercial insurance, publishing and distribution, sports, telecommunications, electric power, quality control and environmental protection. In addition, crackdown has also been launched on cross-border commercial bribery in accordance with the law and discipline. From 2005, when the special campaign against commercial bribery was launched, to 2009, over 69,200 cases of commercial bribery had been investigated and dealt with, involving 16.59 billion yuan in total.

Fifthly, China energetically promotes integrity education and clean-governance culture construction. China launches clean-governance education for civil servants mainly to help them build correct concepts, urge them to consciously abide by laws and regulations, perform official duties honestly and consolidate their moral defense line of resisting corruption in their minds; it launches integrity education for university, middle school and primary school students to foster their moral consciousness and legal concepts of integrity, honesty and lawfulness and raise their awareness of integrity; China launches the activities of creating incorruptibility culture throughout the society to carry forward the social trend of honoring on incorruption and shaming on corruption; China also stresses on the activity of creating incorruptibility culture to inherit and carry forward the essence of incorruptibility culture in excellent Chinese traditions and give play to the role of various media in guiding the social trends.

Sixthly, China deepens international exchanges and cooperation in the field of anti-corruption. By December 2010, China has signed 110 judicial assistance and extradition treaties with 57 countries and regions. It has established the China-US Joint Liaison Group on Law Enforcement Cooperation and an anti-corruption panel with the United States. It has also set up a bilateral Law Enforcement and Judicial Cooperation Consultations with Canada. China has engaged in friendly exchanges with anti-corruption institutions in more than 80 countries and regions, and concluded cooperation agreements with relevant institutions in eight countries, including Russia. Multi-field exchanges and cooperation have been carried out with such international organizations as the United Nations, European Union, World Bank, Asian Development Bank (ADB) and

Organization for Economic Cooperation and Development (OECD). China has also actively participated in anti-corruption cooperation within the framework of the G20 and Asia-Pacific Economic Cooperation (APEC). China actively participates in international cooperation and technical assistances under the framework of the UN Convention against Corruption. China has held three sessions of workshop on corruption prevention for developing countries. A total of 75 government officials engaged in the work of corruption prevention from 23 countries in Asia and Africa came to China for the workshops.

## China's Practices of Civil Servants Supervision and Administration

Ever since the adoption of the reform and opening-up policy some 30 years ago, especially since the beginning of the 21st century, China has been actively promoting reform in public administration and a civil servant administration system with Chinese characteristics has been established on the basis of drawing from useful experience of western countries. Its experience mainly includes:

### **I Focus on standardized rules and regulations to promote law-based duty fulfillment and scientific administration**

China's civil servant administration system has experienced the development course from theoretical discussion to pragmatic implementation. The implementation of the Civil Servant Law of the People's Republic of China (hereafter referred to as Civil Servant Law) on January 1, 2006 marked a new legalization phase of China's civil servant administration system.

The Civil Servant Law defines the scope and basis of civil servant administration. It is formulated in accordance with the Constitution of the People's Republic of China and actual practices of cadre and personnel system reforms. Civil servants as defined by the Civil Servant Law refer to those who perform public duties according to the law and have been included into the state administrative staffing with wages and welfare borne by the state public finance. The people working in the departments of the Communist Party of China, organs of people's congresses, administrative offices, departments of the Chinese People's Political Consultative Conference, judicial organizations, procuratorate departments and departments of democratic parties all belong to the category of civil servants.

The Civil Servant Law defines the principles and contents of civil servant administration. The Civil Servant Law stipulates that civil servants administration should follow the principle of openness, equality, competition and selecting the superior ones, should be carried out pursuant to the legal power limits, qualifications, standards and procedures and should adhere to the principle of paying equal attention to supervisory restrictions and incentive guarantees. The Civil Servant Law covers all the links of civil servant recruitment, management and dismissal and every aspect of a civil servant's public career is provided for in a comprehensive manner including employment, assessment, appointment and dismissal, promotion and demotion, reward, government discipline punishment, training, intercommunication, avoidance, resignation and dismissal, salary, welfare and insurance, retirement, appeal and accusation and appointment.

The Civil Servant Law defines China's classified system of posts of civil servants as well as the categorization of posts and ranks. The Civil Servant Law establishes the principle of classified administration of civil servants and further improves the categorization of posts and ranks. The posts of civil servants, in light of the nature, features and necessities of administration on civil servant posts, are classified into such categories as comprehensive administrators, technological professionals and administrative law enforcers. The posts of civil servants are divided into leading posts and non-leading posts.

The Civil Servant Law defines the fundamental requirements and intrinsic nature of civil servants administration. Civil servants' activities of fulfilling duties according to law are under legal protection. The Civil Servant Law not only stipulates the basic principles, basic systems and basic measures of civil servant administration, but also clarifies the rights and obligations of civil servants, the organizations of administration, and related legal liabilities. Through clearly defining the essential aspects of civil servant administration, the Civil Servant Law provides the solid foundation for the administration of civil servants in a scientific and law-biding manner.

## **II Focus on institutional innovation to prevent illegitimate manipulations of civil servant selection and appointment**

The Civil Servant Law has scored much reformative and innovative progress in terms of improving the civil servants administration system and related mechanisms.

The Civil Servant Law establishes the mechanism of succession by providing for the recruitment and dismissal of civil servants. For instance, it stipulates that citizens can become civil servants through public examinations, a constitutional right equally bestowed upon every one. It is also stipulated that all the civil servants should be recruited through examinations, which contributes to the effective prevention of certain malpractices in public servants selection. During the past five years since the implementation of the Civil Servant Law, a total of 11.77 million people have participated in public examinations and 620,000 of them have been selected as civil servants.

The Civil Servant Law establishes the mechanism of competition. It is stipulated that recruitment of beginning public servants must follow the principle of open examination, strict assessment, competition on an equal footing and selection by merits and that candidates to be promoted to a leading position within the same public organ shall be selected through competitive post bidding. For certain post vacancies, candidates may be selected through an open selection from the society. The introduction of the mechanism of competition effectively increases the transparency of public servants selection and

prevents varied forms of illegitimate manipulation.

The Civil Servant Law establishes the mechanism of protecting the rights and interests of civil servants. The Civil Servant Law stipulates that civil servants enjoy eight rights including participating in trainings, provides for the system of launching an appeal or accusation, the arbitration system for personnel disputes of contracted civil servants, and the system of salary, welfare and insurance for civil servants, and establishes the four circumstances where civil servants cannot be dismissed. All these reflect the importance that the state attaches to the protection of civil servants' rights and interests.

The Civil Servant System establishes the mechanism of supervision and restraint by providing for the nine obligations of civil servants including exemplarily abiding by the Constitution and laws, 16 disciplines that civil servants should not violate, and systems of assessment, punishment, dismissal, voluntary resignation and forced resignation, all combined to strengthen institutional supervision over civil servants. The establishment of such systems such as responsibility investigation, resignation and dismissal greatly strengthens the administration and supervision of civil servants.

### **III Focus on supervisory and restraining measures to promote open and transparent operation of public power and clean governance**

In recent years, China has made constant reformative and innovative progress in the supervisory mechanism of civil servants and the promotion of clean governance.

China has established the power restraint and supervisory system. On the principles of reasonable structure, scientific distribution, rigorous procedures and effective restraint, China is gradually establishing a sound power structure and operation mechanism featuring both restraint and coordination among decision-making power, executive power and supervisory power. Now, a supervisory system with Chinese characteristics has been established, composed of intra-Party supervision in the CPC, supervision by the National People's Congress and the local people's congresses (NPCs), supervision within the governments, and democratic supervision by the Chinese People's Political Consultative Conference National Committee and local people's political consultative conferences (CPPCCs), judicial supervision, supervision by the general public and supervision by public opinion. These relatively independent supervision mechanisms collaborate closely with one another to form an integrated force.

Consolidated efforts are devoted to ensuring the proper exercise of public power. The Law of the People's Republic of China on the Supervision of Standing Committees of People's Congresses at All Levels enacted in 2007 strengthened the supervisory role of



those committees in the form of law over the administrative, judicial and procuratorial powers of the people's governments, people's courts and people's procuratorates at corresponding levels. Also enacted are the Law of the People's Republic of China on Administrative Supervision, Audit Law of the People's Republic of China, Administrative Reconsideration Law of the People's Republic of China, Administrative Procedure Law of the People's Republic of China to establish the systems of administrative supervision, audit supervision, administrative re-consideration and administrative procedure to strengthen supervision over the administrative organs and their staff.

China has established the system of making public such information as related to the exercise of power. Since the 1980s, the Chinese government has proactively implemented the systems of making public government affairs. The Regulations of the People's Republic of China on Making Public Government Information and some other important statutory documents have been promulgated. The Regulations stipulate that government information, other than that related to state secrets, business secrets and personal privacy, should be made public in a timely and accurate manner, with the requirement of making public as the principle and holding back as the exception, to guarantee the people's right to know, participate, express and supervise.

China has formulated and strictly implemented the codes of conduct for public servants. China has issued a series of codes of conduct and ethical rules for civil servants including the Guidelines of the Communist Party of China for Party-member Leading Cadres to Perform Official Duties with Integrity which clearly prohibits Party-member leading cadres seeking illegitimate gains by taking advantage of their positions and power in violation of the established rules and the Regulations on Leading Cadres' Report of Relevant Personal Matters which requires leading cadres to honestly report their incomes, the employment status of their spouses and children, and other related issues. The implementation of such codes of conduct and ethical rules has effectively promoted the standardized and clean performance of official duties by civil servants.

## China's Awareness-Raising Policies and Practices in Fighting Corruption

Awareness-raising stands as one of China's fundamental measures of corruption prevention. While attaching significant importance to educating public officials in clean governance, China spares no efforts to promote public information activities that contribute to non-tolerance of corruption, including school and university curricula. Some of China's practices are listed below:

### **I. Clean governance education that builds a strong moral and ideological defense line against corruption for public officials**

Clean governance education is launched in China to assist public officials in developing the correct mindset that stimulates the conscientious conformity with laws and regulations and the clean performance of official duties.

China makes cadre training and education a routine task among other anticorruption practices. The Regulations for Cadre Education and Training and a nationwide plan for cadre education and training have been worked out, which designate education in performing official duties with integrity as a key content of such education and training. Education in performance of official duties with integrity has been incorporated into the teaching plans of the CPC's Party schools and the government's schools of administration at all levels, as well as other organizations of cadre training, making it a required course for leading cadres of all levels. According to statistics, since the enactment of the Civil Servant Law of the People's Republic of China in the year 2006, more than 30 million public officials have participated in clean governance training programs and virtually all newly recruited public officials have received novice training before taking their offices.

On-the-job education and training is a new educational mode that starts from the specific needs of different official posts and targets at the ultimate goal of preventing and resolving integrity risks. The content is mainly based on the codes of conduct and job responsibilities of specific posts and the form is often case study. In order to carry out targeted on-the-job education and training in clean governance, China has established 50 national bases and compiled related textbooks to ensure such education is delivered in a human-oriented and systematic manner.

China emphasizes demonstrative education with examples. It publicizes exemplary public officials and their deeds through news media, films and TV programs, and holding meetings to publicize their meritorious deeds. For instance, certain excellent and honest civil servants are selected who follow laws and have made great achievements and their

deeds publicized so that other civil servants understand how to better fulfill their duties.

China stresses admonishing education. By compiling educational materials of typical cases, shooting films warning people against corrupt behavior, establishing education bases, holding relevant exhibitions and organizing corrupt officials to give speeches from their own experiences, it whets public officials' awareness against corruption. It also uses typical cases to educate people, thereby punishing one as an example to others.

Training in performance of official duties with integrity has been held for newly elected or appointed leading cadres and newly recruited public officials before they take their offices, and files have been established for such training. As a measure of precaution, talks related to clean governance are also held with the would-be leading cadres before they assume office.

Party classes and clean governance examinations provide another effective means of awareness-raising. Some departments and organs hold regular party classes in which integrity issues are analyzed and adjustment measures proposed. In some provinces (autonomous regions, municipalities directly under the central government), examinations in laws and regulations related to clean governance are held for those before they are selected to take leading positions, and passing such examinations has been taken as one important qualification for such positions.

## **II Integrity education in schools and universities that contributes to the clean, honest and law-biding social atmosphere**

Schools and universities in China vigorously carry out integrity education so as to foster among students the consciousness of being honest and incorruptible.

Different educational modes have been adopted and varied educational materials prepared for students at different physical and psychological stages. Plans to incorporate integrity education in the ideological, political, and theoretical curriculum of universities and the moral curriculum of primary and secondary schools have been respectively formed, effectively promoting the culture of integrity in classrooms and on campus. While visual images and interesting activities are more often used in primary and secondary schools, universities frequently resort to the more rational forms of thinking, analyzing, reasoning and discussions in their integrity education programs.

China devotes continuous efforts to exploring new approaches of integrity education in schools and universities. Integrity education is frequently considered an essential part of behavior formation and included in everyday school life, leading to a favorable

educational atmosphere both for personal development and moral growth. In some places, special integrity education courses are provided when students are about to enter a new phase of their life. Some of the crucial points when integrity education is launched include admission to higher education, acquisition of Party membership, winning an internship opportunity or a job offer. Other schools and universities offer courses of integrity education among youngsters, supply concise textbooks and other relevant teaching materials, and sometimes provide specialized teachers.

China spares no efforts to expand the platform for extracurricular integrity education activities. Full use is made of such extracurricular activities as summer and winter camps for primary and high school students, and social practices and campus cultural construction for university students to carry out education in integrity. Many schools and universities utilize newspaper columns, art festivals, and radio stations to promote the culture of integrity on campus and foster among youngster the fine moral values of being incorruptible, honest and law-abiding as well as the sense of the rule of law.

### **III Creation of a clean culture that honors integrity and disgraces corruption**

China stresses not only clean governance education for public officials, but also integrity education for the general public.

China attaches significant importance to the creation of a culture of integrity. The Opinions on Strengthening Construction of a Culture of Integrity has been worked out to promote the culture of integrity in offices, communities, households, schools, enterprises and rural villages. In urban areas, posters, public-interest advertisements, and cartoons are the common forms while in rural areas activities aimed at developing a culture of integrity and promoting a sound social tendency contribute to the development of grass-root democracy as well as civilized living style.

China pays special attention to carrying on the quintessence of the culture of integrity in the fine traditions of Chinese nation and presenting the rich connotations of the integrity culture by means of literature and art, films and TV series, calligraphy and painting exhibitions, and ads for public good. A number of outstanding works advocating the culture of integrity have been produced and they give expression to inspiring themes, the spirit of the times and humane care. Rich in content and varied in form, these cultural activities are popular among the people, and they sing praises of the Chinese nation's fine tradition of upholding integrity and further promote the development of such construction of integrity culture.

China emphasizes the active role that media play in guiding social trends and

tendencies. The wide coverage, high transmission speed and transparency of newspapers, radio and television stations, news agencies and other media forms provide favorable conditions for releasing anticorruption discourses, be they oral speeches and discussions or written laws, regulations and policies. China also makes active use of the internet, mobile phones, and other new means of media, which are know for their open, real-time and interactive features, to promptly respond to the questions and confusions of the general public.