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GLOBAL SOCIETY

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**ANTI-CORRUPTION INTERNATIONAL COOPERATION BETWEEN CHINA AND ASEAN:  
STATUS QUO PROSPECTS AND CHALLENGES**

**Abstract:** Corruption is an important issue in global governance, which requires the active participation of various countries and regions. Anti-corruption cooperation is an considerable part of China's overall diplomacy. Due to the proximity of geographical space and the closeness of economic activities, anti-corruption cooperation between China and ASEAN is of great significance. China-ASEAN anti-corruption cooperation has acquired abundant achievements in the past ten years, but it also faces many unpredictable crises and challenges. This paper points out the necessity and importance of anti-corruption cooperation, it reviews the achievements and status quo of anti-corruption cooperation between China and ASEAN, finally, it stresses the prospects and challenges of cooperation between the two sides.

**Key words:** China, ASEAN, Anti-corruption Cooperation Mechanism

Generally speaking, Corruption originates from the internal political system of a country and the improper use of public power by public officials caused by the lack of domestic restriction and supervision mechanism, which is usually manifested as the use of power to collect money. The concepts of the World Bank and Transparency International also emphasize that corruption refers to the abuse of public power for private interests. There are a lot of researches on corruption in academia, but most of them are from the perspective of Law, and less from the perspective of International Relations. In terms of domestic research, Lei Jun's doctoral dissertation "Research on judicial cooperation between China and ASEAN (1991-2014)" makes a general discussion on the historical background, cooperation foundation and development stage of China-ASEAN judicial cooperation, some of which involve anti-corruption cooperation, but not much<sup>1</sup>. As far as foreign research is concerned, as early as 1982, Jon S. t. Quah used the method of comparative analysis to reveal the official corruption situation of ASEAN countries and the different anti-corruption strategies of each country<sup>2</sup>. What Mathias Bak, Matthew Jenkins and Ondřej Cakl published in Transparency International reviewed the corruption and anti-corruption situation in Myanmar<sup>3</sup>. Nieves Z ó IgA, Ilham Mohamed and Jessica Schultz introduced anti-corruption measures in the health sector in Southeast Asian countries<sup>4</sup>. In terms of anti-corruption theory, Liu Yanhong pointed out that according to the differences in the means of corruption governance, anti-corruption can be divided into hard anti-corruption and soft anti-corruption. The former shows that power is restricted by power, the state is the leading force, and anti-corruption is

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<sup>1</sup> Lei Jun, Research on judicial cooperation between China and ASEAN (1991-2014), Doctoral Dissertation, Yunnan University, 2015.

<sup>2</sup> Jon S.T. Quah, Bureaucratic Corruption in the ASEAN Countries: A Comparative Analysis of Their Anti-Corruption Strategies, *Journal of Southeast Asian Studies*, May.1982, Vol. 13, No. 1, pp. 153-177.

<sup>3</sup> Mathias Bak, Matthew Jenkins and Ondřej Cakl, Overview of corruption and anti-corruption in Myanmar, *Transparency International*, 2019.

<sup>4</sup> Nieves Zúñiga, Ilham Mohamed and Jessica Schultz, Anti-corruption in the health sector in Southeast Asia, *Transparency International*, 2018.

carried out from top to bottom in the public power system; The latter is characterized as rights restricting power, society leading and circumambient environment surrounding power to carrying out anti-corruption. This governance means are dense and non-mandatory, which can produce long-term anti-corruption effect. She believes that in the modern national governance system, the above governance means support and complement each other because of their own advantages and disadvantages<sup>1</sup>.

In a word, there are abundant research results on anti-corruption, anti-corruption in ASEAN and anti-corruption measures and effects of a specific country in ASEAN, while the research findings of international cooperation on anti-corruption between China and ASEAN are relatively weak. From the perspective of International Relations, this paper intends to elaborate the theory, process, status quo and challenges of China- ASEAN anti-corruption international cooperation, trying to make up for the lack of domestic research.

#### 1. The necessity and possibility of anti-corruption international cooperation

Corruption is a common problem faced by all countries in the world. It undermines the dignity and value of law, erodes social fairness and justice, and is regarded as the public enemy of human society. Under the background of the deepening of global integration, closer exchanges between countries, and significant increase in the mobility of transnational funds and personnel, the problem of corruption has already crossed the boundary between countries, becoming a global governance problem that must be dealt with jointly by all countries. Therefore, anti-corruption cooperation is imperative for all countries in the world.

In terms of the possibility of international anti-corruption cooperation, The view of global governance represented by Stephen Krasner holds that the international mechanism which is conducive to international cooperation to solve global problems is an intervention variable. Although it is attached to a specific power structure, under certain power structure conditions, international mechanism can indeed affect cooperation between countries<sup>2</sup>. As long as there are certain regulations and mechanisms, it is possible for all countries to carry out anti-corruption cooperation and achieve certain results. As far as the anti-corruption cooperation between China and ASEAN is concerned, since the establishment of the "10 + 1" mechanism in 1997, the areas of cooperation between the two sides have been continuously expanded and deepened, which has become an important mechanism of regional cooperation in East Asia. Therefore, there are favorable conditions for expanding the cooperation in the field of anti-corruption.

The regional and global governance of corruption is very complicated. On the one hand, the issue of anti-corruption is different from climate change, counter-terrorism and refugee crisis, which are embedded in the international power game. Due to less conflict of interest, the common interests of various countries in anti-corruption are far greater than the differences. It has become a consensus of the international community to jointly manage transnational corruption. However, on the other hand, this does not mean that close international cooperation against corruption can be easily achieved. In fact, there are significant level in the difficulty of cooperation in different problem areas. Among them, economic cooperation such as signing free trade agreements and currency swap agreements is relatively easy to reach, while cooperation in the security area, such as information sharing, joint development of weapons and even forging alliances, is the most difficult to achieve. Bilateral or multilateral anti-corruption cooperation is between the two aspects. It often needs and reflects a high degree of political cooperation and positive trust between participants.

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<sup>1</sup> Liu Yanhong, Strategic Transformation and systematic construction of China's anti- corruption legislation, *China law*, No. 4, 2016, pp.222-223.

<sup>2</sup> Stephen Krasner, "Structural Causes and Regime Consequences Regimes as Intervening Variable," *International Organization*, 36:2(1982), pp. 185-205.

From the perspective of China, China actively promotes regional and global cooperation in anti-corruption. Anti-corruption cooperation is an important part of China's comprehensive diplomacy in the new era. Since the general secretary Xi Jinping came into power, he has taken the initiative to set up issues of international cooperation against corruption on various foreign affairs occasions, discussing with all the countries in the world the strategy to reinforce the criminal chasing. He has actively demonstrated China's position and opinion, and has tried to win the initiative and the greater representation in the field of anti-corruption. Statistics show that from 2014 to June 2020, China has recovered 7831 people from more than 120 countries and regions, including 2075 party members and public officials, 348 "Hongtong personnel" and 60 "100 Hongtong personnel", retrieved 19.654 billion yuan of stolen money. Significant achievements have been made in the recovery of stolen goods and Corrupt personnel<sup>1</sup>.

China has actively voiced its opinion in bilateral and multilateral diplomatic cooperation and played a leading role in promoting the establishment of a new international anti-corruption order. At the bilateral level, China has concluded 169 extradition treaties, judicial assistance treaties, and asset return and sharing agreements with 81 countries, signed financial intelligence exchange cooperation agreements with 56 countries and regions, and initially established an anti-corruption justice and law enforcement cooperation network covering all continents and key countries. At the multilateral level, led the formulation of the APEC Beijing Declaration on Anti-corruption since 2014; The G20 Hangzhou Summit in 2016 adopted the G20 High-level Principles on Asset Recovery and Anti-corruption; Beijing launched Clean Silk Road Initiative at the second Belt and Road International Summit Forum in April 2019, the National Supervisor Committee signed the memorandum of cooperation with the United Nations for the first time in the October 2019. Under the multilateral frameworks of the United Nations, the G20, APEC and BRICS, China has actively expounded on its propositions and written the recovery of stolen goods and Corrupt personnel. into documents of major multilateral summits and bilateral meetings of state leaders on many occasions, demonstrating its confidence and determination in international anti-corruption cooperation. International cooperation against corruption is not only an innovation in China's international practice in building a community with a shared future for mankind, but also an important part of China's plan for global governance.

## 2.The current situation of anti-corruption cooperation in ASEAN

Southeast Asia and China are geographically close, and economic and trade ties have been very close since ancient times. After China's entry into WTO in 21 Century, especially with the promoting of the Belt and Road Initiative, the trade volume between China and ASEAN has expanded rapidly. China has been the largest trading partner of ASEAN for ten consecutive years, and ASEAN has become China's largest trading partner in 2020. Because of the proximity of geographical space and the close economic and trade ties, cross-border duty criminals take this place as their main destination. According to statistics, from January to August 2020, the Chinese government has recovered 799 people who have fled the country, including 292 from ASEAN countries<sup>2</sup>. From the perspective of history, the judicial cooperation between China and ASEAN can be traced back to 1991. In the initial stage of cooperation, China pays more attention to bilateral cooperation, mainly signing extradition treaties and judicial assistance treaties with individual ASEAN Member States. With the deepening of cooperation, the multilateral stage has gradually replaced the bilateral cooperation. The representative

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<sup>1</sup> Deepening international cooperation in anti-corruption with the thinking and way of rule of law, Xinhua Net, November 19,2019, [http://www.xinhuanet.com/legal/2020-11/15/c\\_1126742511.htm](http://www.xinhuanet.com/legal/2020-11/15/c_1126742511.htm) (accessed: 11.11.2020).

<sup>2</sup> China and ASEAN countries deepen anti-corruption cooperation and organize a secret network for chasing fugitives and stolen goods, Xinhua Net, September 30,2019, [http://www.xinhuanet.com/world/2020-09/30/c\\_1126560418.htm](http://www.xinhuanet.com/world/2020-09/30/c_1126560418.htm) (accessed: 11.11.2020).

cases are the Action Plan of Anti-Drug Cooperation between ASEAN and China signed in 2000 and the Joint Declaration of China and ASEAN on Cooperation in Non-traditional Security Field in 2002.

The international cooperation of anti-corruption between China and ASEAN has been steadily promoted. In 2004, the Supreme People's Procuratorate of China initiated the establishment of the China-ASEAN Procurators-General Conference, aiming at strengthen the exchange and cooperation between prosecutors of China and ASEAN countries, and form regional joint forces to effectively combat transnational organized crime, protect people's livelihood and maintain stability. One of the important themes is to strengthen international cooperation in the recovery of stolen goods and Corrupt personnel, building an international cooperation mechanism between the prosecutors of China and ASEAN countries, and to explore strategy and measures to deepen cooperation, effectively punish and prevent corruption crimes<sup>1</sup>. In 2006, promoting anti-corruption cooperation was included in the joint statement of China-ASEAN Commemorative Summit. On November 2, 2016, the China-ASEAN anti-corruption seminar was opened in Yunnan<sup>2</sup>. This seminar is the first cooperation project between China and ASEAN in the field of anti-corruption under the framework of 10 + 1. At the meeting, representatives from anti-corruption agencies of China and ASEAN Member States and experts from relevant international organizations exchanged and discussed the theme of "anti-corruption and sustainable development". In April 2019, the Philippine presidential Anti-Corruption Commission signed a memorandum of understanding with China's National Supervisory Commission. The two sides jointly promised to cooperate in the fields of preventing and combating corruption and global governance against corruption. On September 25, 2020, 18 diplomatic envoys from ASEAN countries in China had in-depth exchanges with relevant heads of the National Supervisory Commission on issues such as deepening practical cooperation between China and ASEAN countries in combating corruption, recovering stolen goods and Corrupt personnel, and promoting the construction of the Clean Silk Road<sup>3</sup>. China-ASEAN anti-corruption cooperation has achieved fruitful achievements. At present, China has signed memoranda of understanding on anti-corruption with four countries, extradition treaties with six countries and criminal judicial assistance treaties with six countries.

On November 13, 2017, at the 20th China-ASEAN leaders' meeting held in Manila, the Philippines, the two sides signed the China-ASEAN Joint Statement on Comprehensively Strengthening Effective Anti-Corruption Cooperation, which marked a major breakthrough in the field of anti-corruption cooperation between them. For the first time, China has reached a consensus with ASEAN on anti-corruption cooperation, which has effectively guaranteed the launching of specific joint anti-corruption actions<sup>4</sup>.

First of all, the bilateral statement laid a legal foundation for anti-corruption cooperation between China and ASEAN. The statement clearly pointed out that "we should strengthen coordination and cooperation under international legal instruments and multilateral mechanisms, such as the United Nations Convention against Corruption, APEC Anti-Corruption Working Group. Meanwhile, promoting practical cooperation through bilateral judicial assistance treaties based on the declarations and resolutions of the above-mentioned instruments and mechanisms." The cooperation between the two sides is part of the broader and higher level of anti-corruption cooperation. China regards anti-

<sup>1</sup> <http://www.ca-pgc.org/>(accessed: 11.11.2020).

<sup>2</sup> "China ASEAN anti corruption seminar opens in Yunnan", website of the supervision department of the Central Commission for Discipline Inspection, november32016, [http://www.ccdi.gov.cn/ldhd/wbld/201611/t20161103\\_115663.html](http://www.ccdi.gov.cn/ldhd/wbld/201611/t20161103_115663.html) (accessed: 11.11.2020).

<sup>3</sup> Deepening anti-corruption cooperation between China and ASEAN countries, organizing a secret network to pursue fugitives and stolen goods", website of the supervision department of the Central Commission for Discipline Inspection, september302016, [http://www.ccdi.gov.cn/yao wen/202009/t20200930\\_226501.html](http://www.ccdi.gov.cn/yao wen/202009/t20200930_226501.html) (accessed: 11.11.2020).

<sup>4</sup> China ASEAN joint statement on Comprehensively Strengthening effective anti corruption cooperation, Sina News, November 13, 2017, <http://news.sina.com.cn/c/2017-11-13/doc-ifynrsrf4444434.shtml> (accessed: 11.11.2020).

corruption cooperation as a strategic and comprehensive task, and ASEAN is an important part of the overall strategy of anti-corruption cooperation. Therefore, the cooperation between China and ASEAN in this field must follow the relevant rules and regulations at a higher level. This is not only conducive to standardizing the anti-corruption cooperation with ASEAN, avoiding the cost of re-establishing relevant systems, but also forming a unified position to prevent conflicts between policy implementation and policy declaration at different levels.

Secondly, the Bilateral statement made clear the multi-subjects of anti-corruption international cooperation. The government, enterprises, non-governmental organizations, community organizations, media, research institutions and think tanks are encouraged to actively participate in the global anti-corruption struggle and take effective measures and joint actions to eliminate the destructive impact of large-scale corruption in the region and beyond." All kinds of global governance problems have never been solved by a single actor of a nation state. In a broad sense, global governance includes the state, enterprises, communities, individuals and other actors. Only in this way can we form the most extensive united front and a strong joint force to solve the global governance problems. The same is true of the international fight against corruption. Because of the consistency of interests mentioned above, it is not only effective but also imperative to get the support and cooperation of various actors to the greatest extent, and activate the functions that various actors can play in this governance problem.

Thirdly, the bilateral statement confirmed the strategic position of China-ASEAN anti-corruption international cooperation. "Strive to incorporate anti-corruption into regional cooperation and enrich the connotation of China-ASEAN strategic partnership". China regards anti-corruption cooperation with ASEAN as part of a broader comprehensive cooperation. According to functionalism in international politics theory, cooperation in one field can cultivate the soil of trust, thus producing spillover effect and driving cooperation at a larger level and in more fields<sup>1</sup>. Over the past two decades of "10 + 1" cooperation between ASEAN and China, great achievements have been made in the cooperation at various levels. At the same time, closer political mutual trust has been achieved. It is timely to continue to deepen bilateral cooperation, which is also the need to continue to deepen bilateral relations.

Finally, "respect cultural differences and emphasize the importance of strengthening effective anti-corruption cooperation between China and ASEAN, including the important role of implementing the 2030 Agenda for Sustainable Development of the United Nations with practical actions, so as to realize the healthy development of region social economy " This announcement coincides with the concept of "A Community with a shared future for mankind" advocated by the Chinese government. The core of the concept of "A community with shared future for mankind" is not to completely eliminate the differences between civilizations, but to advocate mutual respect, mutual reference and deepening exchanges among civilizations. The anti-corruption cooperation between China and ASEAN must respect the unique national conditions of ASEAN countries and the cultural differences between them, and advocate flexibility in methods. The cooperation between the two sides is not a struggle for the representation of one party over the other. Its ultimate goal is to achieve the results and objectives recognized by both sides.

### **3. Prospects and Challenges of anti-corruption International Cooperation between China and ASEAN**

The anti-corruption cooperation between China and ASEAN has a long way to go. At present, the cooperation between the two sides is still in the primary stage, and the implementation of some specific cooperation projects needs further evaluation. Affected by the cooperation intention of all parties, what is the upper limit of cooperation between China and ASEAN in this field? Can effective

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<sup>1</sup> David Mitrany, *The Functional Theory of Politics*, New York: St. Martin's Press, 1975.

cooperation be maintained for a long time? These still need further observation. Right now, the challenges faced by China- ASEAN anti-corruption cooperation mainly lie in the following aspects.

First, it remains to be observe whether the anti-corruption cooperation between China and ASEAN can be implemented in the policy field. Several factors may have an adverse impact on policy implementation. The domestic laws of China and ASEAN countries are different, and the definition of corruption is also biased. In terms of legislation, the anti-corruption legislative strategy can be divided into "prevention type" and "punishment type"<sup>1</sup>. The anti-corruption legislation strategies of Vietnam, Thailand, Indonesia and other Southeast Asian countries have obvious "punishment type" characteristics. China has begun to change from "punishment type" to "prevention type". This kind of deviation in legislative strategy makes the cooperation between the two sides have great differences, to a certain extent, it will lead to the anti-corruption cooperation between China and ASEAN countries mostly stay at the stage of keeping consensus, but lack of institutional guarantee such as treaty.

Second, there are still deviations in the demands of all parties, which leads to the lack of motivation for cooperation. China has a strong anti-corruption determination, while ASEAN governments have a higher degree of corruption, thus a lower degree of anti-corruption determination. The governance of corruption inevitably faces a dilemma. It is precisely because of the widespread phenomenon of corruption that anti-corruption is needed. However, if the level of corruption is too high, the anti-corruption measures will be invalid, that is to say, the initial state of corruption is one of the important factors affecting the result of anti-corruption. Because only by “cleaning up a large area of deep corruption and to create a better political ecology, we can establish an effective anti-corruption and anti-corruption system only in a better political ecology<sup>2</sup>”. In order to effectively solve the problem of corruption, “only through continuous institutional innovation to change the incentive mechanism of people's behavior, reduce the chance of corruption, and strengthen the restraint mechanism of power exercise, can corruption be effectively curbed<sup>3</sup>”. The corruption level of most ASEAN countries is higher than that of China, so their anti-corruption work is facing greater difficulties. There are also differences in the anti-corruption willpower between the two anti-corruption groups. Whether ASEAN countries can persistently maintain the determination of anti-corruption and effectively cooperate with China in depth anti-corruption is an important basis for bilateral cooperation, it is also an uncertain factor.

Third, There is a problem of political mutual trust between China and ASEAN .The anti-corruption cooperation between China and ASEAN needs a high level of political mutual trust. Although great achievements have been made in the past two decades, there are still some problems hindering the further development of bilateral relations and anti-corruption cooperation between China and ASEAN. The wrong "Chinese Threat Theory" is still popular in Southeast Asia. "Chinese Threat Theory" is essentially a contemporary continuation of the Cold War thinking. This argument mainly comes from western countries because they are dissatisfied with the continuous improvement of China's international status and the increasingly prominent influence in East Asia. ASEAN countries have always been wary of great powers entering the Southeast Asia region. In addition to the territorial disputes with China in history, they are very worried that China will dominate the region and even exercise control over itself. Moreover, the South China Sea issue has become a potential tipping point for the smooth development of bilateral relations. The South China Sea is China's inherent territory, but

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<sup>1</sup> Liu Yanhong, Strategic Transformation and systematic construction of China's anti corruption legislation, *China law*, 2016, No. 4, pp 224-229.

<sup>2</sup> Zheng Yongnian, Anti corruption and China's second political revolution, *youth reference*, 3rd Edition, August 13, 2014.

<sup>3</sup> He Zengke, *A new way to fight corruption: a study of corruption in China in the transitional period*, Central Compilation and Translation Press, 2002, p. 9.

the actual situation is that many Southeast Asian countries have territorial disputes with china, both sides regard it as the core national interests and refuse to make concessions. The ownership of the South China Sea has not yet been solved. In the future, it is still possible that the bilateral relations between China and ASEAN will drop to the freezing point for this reason. In addition, the South China Sea issue is closely intertwined with the "Chinese Threat Theory" mentioned above. Foreign powers pay close attention to this issue and constantly suppress China and try to stir up friendly relations between China and ASEAN. This will undoubtedly make the situation more complicated. Finally, different political systems, economic systems and development levels will also reduce the level of political mutual trust.

Finally, how can anti-corruption cooperation serve China's neighborhood diplomacy. Anti-corruption cooperation is an integral part of China's comprehensive diplomacy, in other words, China's national development strategy. With the continuous expansion of overseas interests, China is increasingly becoming the center of the world as a great power. The importance and necessity of anti-corruption cooperation are also rapidly increasing. In the past 40 years, China has benefited from economic globalization process, which has been dominated by the United States. In order to guarantee their separate development, China has put forward "the Belt and Road" Initiative, which has abundant meaning and wide geographical scope. There is also the regional comprehensive economic partnership agreement (RCEP), which focus on the surrounding areas. In essence, both are an open political and economic institutional arrangement. At any time, China's belief in promoting economic globalization is very firm, but it also requires better domestic governance capacity and international cooperation ability. Anti-corruption cooperation is particularly important in such an environment, and its significance is dual. On the domestic front, this means that foreign investment whose main body is large state-owned enterprises will be more standardized, the illegal loss of state-owned capital within enterprises will be eliminated, and every amount of money will be spent very meaningful. On the foreign side, anti-corruption cooperation has created a very important international issue, which will undoubtedly enhance China's institutional competitiveness and international influence.

**Conclusion.** With the deepening of the cooperation between China and ASEAN, as well as the common practical needs of anti-corruption, the anti-corruption cooperation between China and ASEAN has gradually developed. The China-ASEAN Joint Statement on Comprehensively Strengthening Anti-Corruption and Effective Cooperation signed in 2017 marks that China and ASEAN have reached a firm consensus on anti-corruption cooperation. However, at the same time, the further anti-corruption cooperation also faces many challenges, such as whether the policy can be implemented or not, and whether the bilateral cooperation can be sustained and in-depth developed. The promotion of anti-corruption cooperation between China and ASEAN requires the two sides not only to deal with the territorial disputes, but also to deepen the political mutual trust and friendly relations on the basis of seeking common ground while reserving differences.

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**МЕЖДУНАРОДНОЕ АНТИКОРРУПЦИОННОЕ СОТРУДНИЧЕСТВО МЕЖДУ  
КИТАЕМ И АСЕАН: ПЕРСПЕКТИВЫ И ВЫЗОВЫ СТАТУСА-КВО**

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**Аннотация:** *Коррупция - важная проблема в глобальном управлении, которая требует активного участия различных стран и регионов. Сотрудничество в сфере борьбы с коррупцией составляет значительную часть общей дипломатии Китая. Из-за близости географического пространства и близости экономической деятельности сотрудничество Китая и АСЕАН в сфере борьбы с коррупцией имеет большое значение. Сотрудничество Китая и АСЕАН в области борьбы с коррупцией за последние десять лет достигло огромных успехов, но оно также сталкивается с множеством непредсказуемых кризисов и проблем. В этом документе указывается на необходимость и важность антикоррупционного сотрудничества, в нем рассматриваются достижения и статус-кво антикоррупционного сотрудничества между Китаем и АСЕАН, и, наконец, подчеркиваются перспективы и проблемы сотрудничества между двумя сторонами.*

**Ключевые слова:** *Китай, АСЕАН, Механизм антикоррупционного сотрудничества*

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