

2004

Annual Report of the Commission Against Corruption of Macao

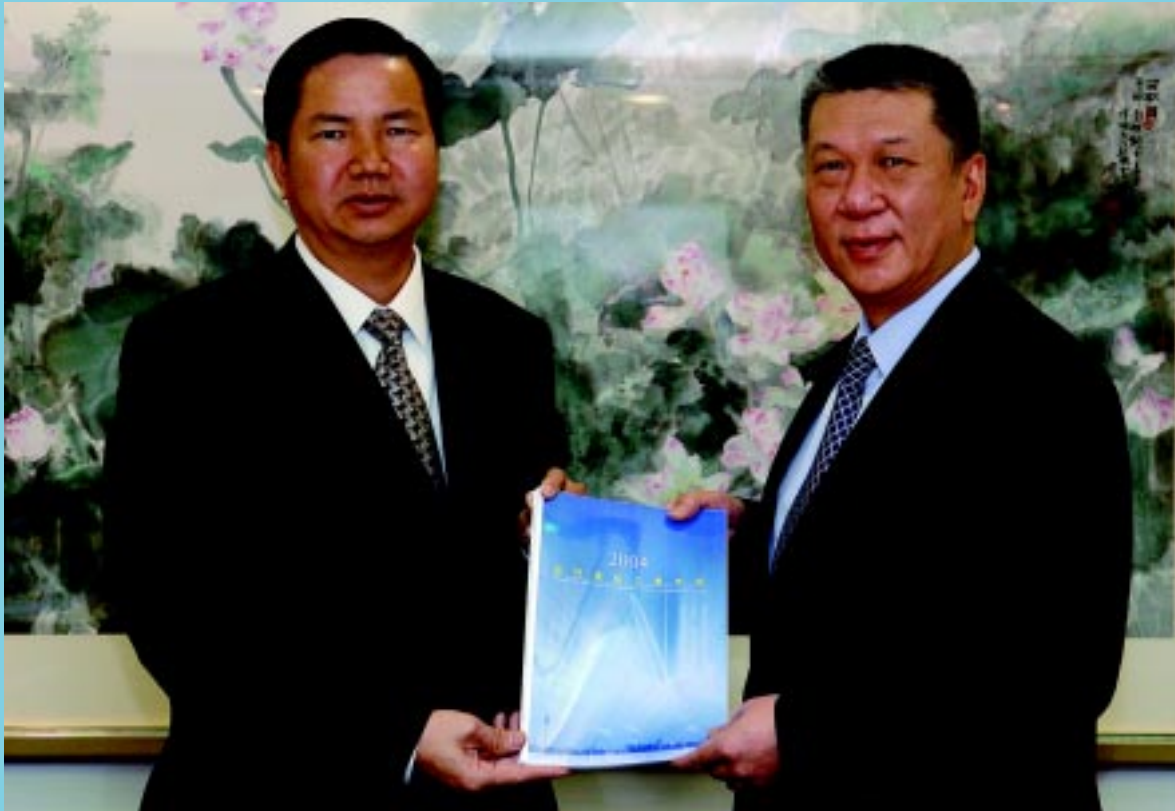


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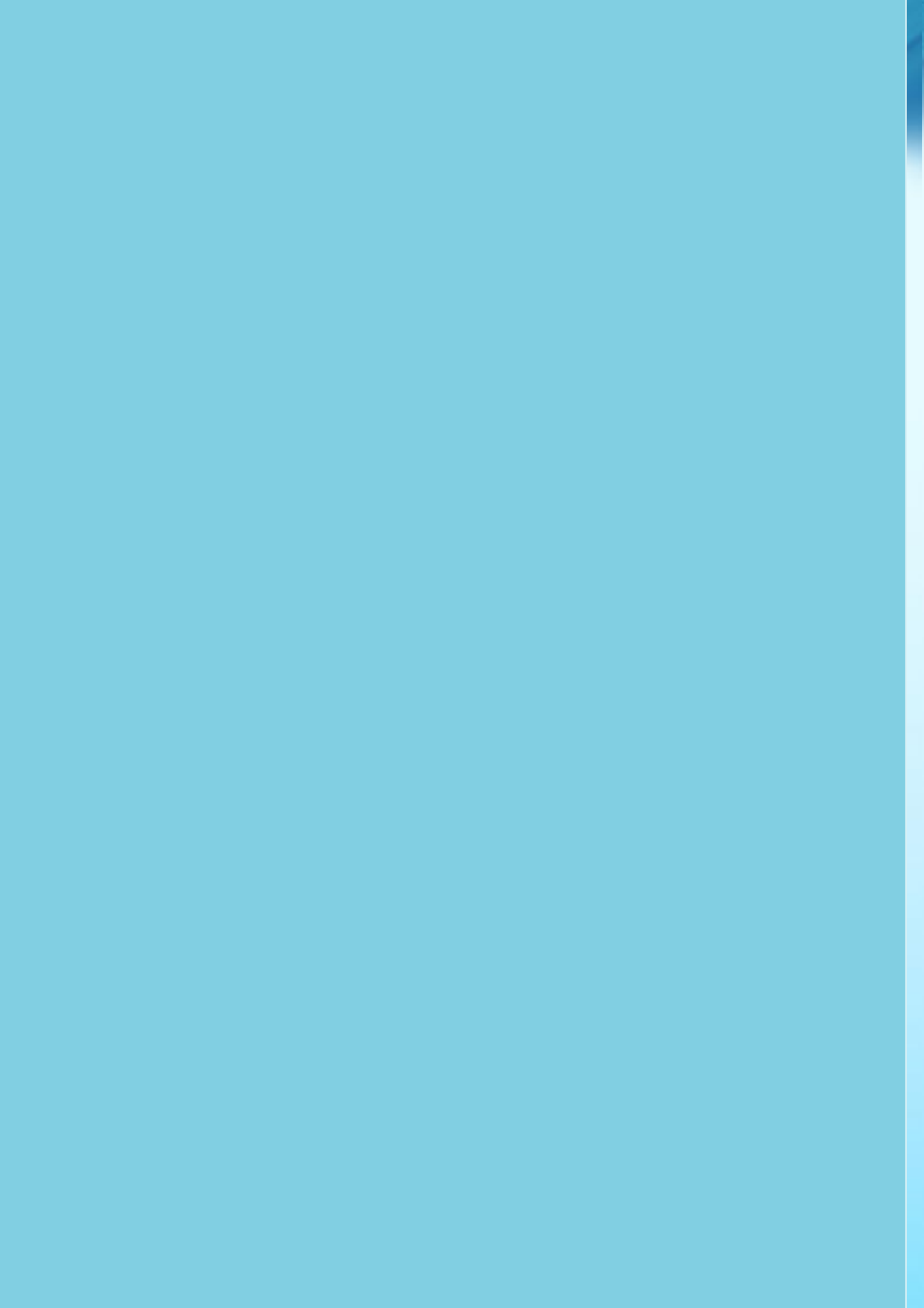
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The CCAC Commissioner Cheong U submits to the Chief Executive, Mr. Ho Hau Wah, the Annual Report of the CCAC 2004 (Photo of GCS)



CHAPTER I
INTRODUCTION



CHAPTER I – INTRODUCTION

2004 is the fifth anniversary of the Commission Against Corruption of Macao (CCAC) and the last year of the first term of the government of Macao Special Administrative Region.

Looking back at the anti-corruption institution over the past five years, the most prominent events have been the approval and promulgation of the Organizational Law of the CCAC (Law No. 10/2000) and the Organization and Operation of the CCAC (Administrative Regulation No. 31/2000) which have determined the position and functions of the CCAC and endured it with necessary competences and resources for fighting corruption and lodging administrative complaints. The successful adoption of the law and the regulation was also a reflection of the public support and expectations for the anti-corruption institution.

Initially, the CCAC adopted a “four pronged strategy: anti-corruption, prevention, law enforcement and education”, aiming at actively investigating the possible corruption and frauds as well as perfecting the anti-corruption system. Over the past five years, thanks to the supports and cooperation of the public, the government and the Legislative Assembly as well as the joint efforts of the CCAC’s personnel as a whole, Macao has witnessed a noticeable decrease of corruption, an increased awareness of integrity and improved social ethos. According to a questionnaire survey carried out by an academic institution on behalf of the CCAC in 2004, the satisfaction rate of the residents on Macao’s current anti-corruption conditions had reached 70.7%, with 86% residents being positive about the possibility of turning Macao into a corruption-free city.

In 2004, on the basis of experiences concluded over the previous years as well as in view of the problems existing in the anti-corruption institution of Macao, the CCAC adopted multidimensional measures. With the continuation of fighting corruption and frauds, several cases of corruption involving public servants (some of them were senior officials) had been referred to the authorities concerned. In the meantime, the CCAC had issued a series of documents as a guide to carry out

uninterrupted public education programmes which have gradually been transformed from general ones to more specifically targeted ones.

In 2004, the CCAC recorded a total of 1,227 complaints, an increase of 13.9% over the 1,077 complaints recorded in the previous year, concentrating on administrative complaints after their functions had been widely publicized by the CCAC and various convenient measures adopted for residents and communities. Out of these 1,227 cases, however, there were only 519 cases meeting the criteria for follow-up, a dramatic decrease of 225 cases compared to that of 2003. A total of 691 cases had been processed by the end of the year, of which 166 cases were transferred from the previous year and 6 cases reopened. In 2004, there were 76 cases commenced for investigation, together with a backlog of the previous year and reopened cases totalling 163 cases, plus 528 cases being processed through preliminary or transferred procedures. Over the year, 415 non-commenced cases and 91 commenced cases were concluded, of which 12 cases were referred to the Public Prosecutions Office and 72 cases left for 2005, a continued decrease over the 81 cases recorded in the previous year.

In 2004, there were almost half of the recorded complaints involving criminal offence, featured with corruption, abuse of power and fraud committed by public servants detected by the CCAC which paid close attention to the corruption and frauds originated from the economic development.

Knowing that fighting against electoral corruption would be a major task for the year 2005, the CCAC set up two special groups against electoral corruption, one for promotion and the second for investigation, for the 3rd Legislative Assembly Election by late 2004, ensuring the integrity and public trust.

Meanwhile, in 2004 there were 24 cross-regional cases that the CCAC assisted in investigating; although a slight decrease in numbers, cross-regional criminal offence has become a trend as case-analysis revealed. Strengthening international and cross-regional cooperation in fighting corruption has thus become one of the main tasks for the anti-corruption entities.

In the area of ombudsman, the CCAC made better efforts to promote adequate ways for residents to lodge their complaints. According to statistics, there was a drastic increase in complaining, reporting offences and requiring consultations as a result of the promotion. In 2004, the CCAC recorded a total of 365 cases commenced for investigation, including 311 complaints and a backlog of recorded cases from the past, a great increase of 42.6% over the previous year, of which 282 cases have been concluded. In dealing with the complaints, the CCAC has adopted a pragmatic measure with reference to the existing laws to avoid time-consuming procedure, in order to solve problems more efficiently for the public. In addition, the CCAC recorded 645 cases from the public for help and consultations, mostly relating to the legal system governing public services and regulations, an increase of 85.9% over the previous year.

Regarding “conflict of interest”, the CCAC compiled *Guidelines on Professional Ethics and Conduct of Civil Servants* and *Recommendations on Formulation of Code of Conduct for Public Services and Institutions* with reference to the practice of case-investigation and system-securitization over the previous years, in order to further infuse the consciousness of integrity to public servants in Macao SAR. In the meantime, the CCAC joined hands with the Civic and Municipal Affairs Bureau, the Health Bureau, and Macao Trade and Investment Promotion Institute in processing the relevant projects and following up on concluded cases.

To consolidate the achievements of anti-corruption entity and build a long-term corruption-free society, it is imperative to carry out a persistent promotion. In recent years, a multidimensional network of integrity culture has gradually been formulated by way of publishing a periodical journal of *CCAC Bulletin* and contributing the “*Clean Administration Forum*” column in the newspapers, holding seminars on “combating corruption and upholding integrity”, making radio-dramas and TV advertisements, distributing posters and leaflets and so on. After several years of promotion, the CCAC has gradually adopted a pertinent strategy for publicity in 2004. There were specified lectures for public servants on anti-corruption and procurement, acquisition of public goods and services. Meanwhile, the “Education

Programme on Honesty” for primary and secondary students and teenagers was carrying on. In 2004, the CCAC held a recorded number of 385 seminars, symposiums and workshops, reaching 30,768 participants.

In order to get closer to the residents, and better listen to their views and suggestions, the CCAC set up its branch office, which was open to the public in December 2003. Over the past year or so, while the branch office had many exchange visits with the northern district community, it also recorded 421 complaints, appeals and enquiries, playing an important and promising role in receiving the public.

In short, over the past five years, thanks to the joint efforts of all sectors of society, the anticipated administrative target has been achieved and the residents are generally satisfied with the current progress of the anti-corruption entity. However, this is only an initial step in terms of public anticipation. As the economy further develops, corrupt skills may become more hidden and complicated, therefore the promotion of integrity culture must be further enhanced.

On 4 December 2004, nominated by the Chief Executive, the State Council of the People’s Republic of China appointed the chief officials including the CCAC Commissioner Cheong U and the general procurator. On 20 December, in the presence of the Head of State Hu Jintao, they took an oath of office. The re-appointment of the Commissioner was an approval for the CCAC from the Central Government and the Chief Executive.

Looking into the future, the CCAC will continuously adhere to the policy of “anti-corruption, prevention, law enforcement and education”, selflessly fight against corruption and frauds. Joining hands with all residents of Macao, we will together build a fair and corruption-free society.



Reception celebrating the 5th Anniversary of Macao SAR on 20 December 2004



The ceremony of the 5th Anniversary of Macao SAR and the inauguration of the second term of Macao SAR Government on 20 December 2004