

# 國家廉政建設行動方案

## National Integrity Building Action Plan

資料整理 | 政風處王筱妮

Data stored | Wang Xiao-ni Department of Ethics

促廉反貪是世界趨勢，也是目前政府施政重要目標之一，而廉政工作應該標本兼治，必須以「不願貪」、「不必貪」、「不能貪」、「不敢貪」四不要求下，嚴選品操優良正直的人員擔任公職，要加強教育宣導與遵守倫理規範，使公職人員清廉自持，同時要有健全的法規、透明的行政及透過強而有力的檢肅，以塑造優質公務環境。

行政院為推動廉政永續的發展，於去（98）年7月訂頒「國家廉政建設行動方案」，本署亦就該方案所列加強肅貪防貪、落實公務倫理、擴大教育宣導、提升效能透明及貫徹採購公開等具體策略訂定執行計畫，據以落實執行並擴大推動廉政工作的能量，廣維維護本署清廉形象。本方案不採「肅貪、防貪」之二元思維模式，改採國際透明組織倡議之「國家廉政體系」概念，以多元策略整合國家各部門的力量提升廉政，其主要內容如下：

The concept of anti-corruption and integrity promotion is not only an international trend but also one of main administrative goals of the government. Integrity promotion should concentrate on addressing both the symptoms and root cause of corruption. With the requirements of upholding the "Not willing to corrupt, Not necessary to corrupt, Not possible to corrupt, and Not dare to corrupt" conviction, the personnel department of government shall strictly select qualified public officials with integrity and virtue, and enhance the propagation of ethics and morality. In addition to incorruptible public servants, the government needs complete provisions, transparent administrations, and a powerful system of inspection and supervision to establish high-quality public service environment.

In order to promote the sustainable development of national integrity construction, the Executive Yuan promulgated the "National Integrity Building Action Plan" in July 2009. The Administration set up an implementation plan according to the practical actions of the plan including strengthen combating corruption and prevention, implement public service ethics, expand education and promotion, improve transparency and efficiency, and thorough publication of procurement. By implementing the plan and strengthening the integrity promotion, the Administration endeavors to maintain the image of honest and upright. The Plan does not adopt the binary thinking pattern of "elimination and prevention of corruption." Instead, the concept of "National integrity system" promoted by the Transparency International is adopted to improve integrity by integrating strengths of each sector in the nation with diversified strategy. The main contents are as follows:

一、本方案之目標為：（一）不願貪：型塑誠信反貪意識，健全國家廉政體制。（二）不必貪：完善員工福利待遇，激勵提升服務品質。（三）不能貪：強化公私部門治理，促進決策程序透明。（四）不敢貪：打擊公私部門貪腐，維護社會公平正義。

二、本方案之政策方向：

- （一）型塑倫理倡議廉正價值，加強倫理建設。
- （二）整飭官箴全力查辦貪腐案件，不問黨派、身分、地位、背景。
- （三）陽光透明落實陽光法律，強化透明與課責。
- （四）跨域治理防範濫用權力，整合公私部門治理。
- （五）乾淨政府端正政治風氣，促進公共利益及決策透明。
- （六）多元策略採取多元合作策略，發揮跨部會統合力。
- （七）建立網絡建立完善國家廉政體系，重視人權、法治、生活品質及永續發展。
- （八）全民參與鼓勵人民參與監督政府，培養反貪公民意識。
- （九）國際接軌落實國際反貪腐公約，提升國家競爭力。

I. The goals of the Plan:

- (I) Not willing to corrupt: Shape up the consciousness of honesty against corruption and build a health system of national integrity.
- (II) Not necessary to corrupt: Perfect the employee welfare and encourage improvement of the service quality.
- (III) Not possible to corrupt: Strengthen governance of public and private sectors, as well as facilitating transparent procedures in making decisions.
- (IV) Not dare to corrupt: Strike the corruption in public and private sectors for maintaining social justice.

II. The directions of policy for the Plan:

(I) Shaping ethics

Promote value of integrity and strengthen the ethics construction.

(II) Consolidating official admonitions

Strive to fight corruption in spite of Party, identity, position and background.

(III) Sunshine and transparent

Put Sunshine Act into practice; emphasize transparency and accountability.

(IV) Cross-boundary governance

Prevent abusive use of power; integrate governance of public and private sectors.

(V) Clean government

Correct the political ethics; facilitate the public interest and decision transparency.

(VI) Diversified strategies

Adopt the diversified strategy of cooperation to bring out the cross-Sector strength of union.

(VII) Build network

Establish thorough system of national integrity; value human rights, lawful order, living quality and sustainable development.

(VIII) Public participation

Encourage the public to participate in monitoring the government and cultivate public consciousness against corruption.

(IX) Be geared to international standards

Put UNCAC into practice and enhance the national competitiveness.

### 三、本方案之具體作為：

#### (一) 加強肅貪防貪：

- 1、獎勵檢舉不法，落實檢舉人保護。鼓勵民眾向各檢察機關、法務部調查局暨其各處、站、機動組及各機關政風機構檢舉貪瀆，提供具體資料。受理檢舉機關對檢舉人之身分應予保密，有關檢舉人之資料，非有絕對必要，不列入偵查卷宗；對檢舉人之安全，必要時應聯繫有關機關，予以保護，並應依「獎勵保護檢舉貪污瀆職辦法」之規定，主動從優發給獎金。
- 2、落實公務員行為規範，建立乾淨政府典範。落實執行公務員廉政倫理規範，加強請託關說、受贈財物、飲宴應酬及其他廉政倫理事件登錄。加強宣導公務員廉政倫理規範，並適時表揚廉潔楷模。
- 3、健全陽光法令，促進課責透明。加強宣導並執行公職人員財產申報法及公職人員利益衝突迴避法等陽光法令，強化相關案件審核調查。

#### (二) 落實公務倫理：

- 1、推動制定及研修公務倫理相關法令：目前人事行政局已配合考試院推動公務人員基準法等法案，並研訂落實公務人員核心價值及公務倫理宣導計畫。
- 2、合理調整公務員待遇及福利，安定公務員生活，以抗拒貪腐誘因：合理規劃待遇福利措施，適時合理調整公務員待遇，規劃辦理各項福利措施，尤其年度文康福利經費，適時檢討調整，以激勵服務士氣。
- 3、結合懲戒機制，對簡任第十二職等以上高階公務人員涉及不法不當行為案件迅速進行調查議處。

### III. The practical actions of the Plan:

#### (I) Strengthen combating corruption and prevention

1. Reward the report against illegal action and put protection of the whistle blower into practice. Encourage the public for reporting corruption and provide practical data to each prosecuting authority, Investigation Bureau, Ministry of Justice and its Field Offices, Stations, Mobile Team and the ethics authority. The authority receiving the report shall keep the identity of whistle blower confidential. Unless it is absolutely necessary, the whistle blower's data is not listed in the investigation file. For the safety of whistle blower, relevant authority shall be contacted when needed for protection. Substantial bonus shall be issued initiatively according to the requirements under the "Anti-Corruption Informant Rewards and Protection Regulation."
2. Put behavior regulations for civil servants into practice and establish an example of clean government. Put the Ethics Directions for Civil Servants into practice. Enhance registration of entreaty to lobby, property gift accepted, social gathering and other matters of integrity and ethics. Enhance the promotion of Ethics Directions for Civil Servants, as well as recognizing the integrity model adequately.
3. Complete the sunshine law and facilitate transparency of accountability. Enhance promotion of sunshine laws such as the "Act on Property-Declaration by Public Servants" and "Act on Recusal of Public Servants Due to Conflicts of Interest", and enhance the review and investigation on relevant cases.

#### (II) Implement public service ethics:

1. Promote setting and revising laws related to civil ethics. Cooperate with the Examination Yuan to promote the "The Fundamental of Governing Civil Servants." Draft and achieve core value of civil servants and promotion of civil ethics.
2. Reasonably adjust the remuneration and welfare for civil servants, as well as stabilizing their living to resist corruption incentives. Reasonably plan the remuneration and welfare measures; adequately adjust the remuneration for civil servants and plan to process various welfare measures. For the fund of annual leisure fund in particular, review and adjust it adequately to encourage the spirit of service.
3. Combine the punishment mechanism and promptly investigate and punish high-tier civil servant above selected rank 12 that involve with illegal and improper actions.



- 4、機關首長及各級主管對於所屬人員涉及貪瀆不法情事，刻意庇護或顯有疏失而未能查辦者，依情節予以議處。
- 5、落實公務員品德考核及輪調機制，落實平時考核，激勵同仁士氣，各機關首長及各級主管應加強對所屬人員之品德考核，作為獎懲及職務調整之依據，並對於貪腐風險較高的業務，貫徹職期輪調制度。
- 6、配合研修「旋轉門條款」規範，迴避利益衝突，減少灰色地帶，杜絕利益輸送。



### (三) 推動企業誠信：

- 1、強化公司治理及企業倫理，推動相關配套措施，加強企業內、外部監督，保障投資人及員工權益。
- 2、倡導企業社會責任，加強與企業及民間各界的溝通，舉辦推動企業倫理宣導座談會或研討會，全面推廣企業社會責任概念，凝聚企業與私部門反貪共識。
- 3、輔導、獎勵企業建立倫理規範及內控機制，包括：鼓勵企業設置審計委員會；檢討企業董監事酬勞揭露；檢討強化企業董事會及獨立董事之職能；檢討強化企業監察人之職能，研訂監察人行使職權參考範例。
- 4、建立公司治理、企業誠信與倫理評鑑機制，以利社會大眾及員工監督企業經營持續推動公司治理評量及認證機制，鼓勵上市（櫃）公司接受外部獨立機構評量，提升我國公司治理國際評比。
- 5、加強與跨國企業經理人及國際重要機構派駐人員溝通座談，改善妨礙競爭力的因素，並提倡企業誠信與公司治理。

4. For Director and each level of supervisor in the authority that intentionally cover up the subordinate's involvement for corruption and malfeasance or reflect distinct negligence and fail to prosecute, such action shall be punished accordingly.
5. Bring the morality audit and transfer mechanism of civil servants into practice. Bring the general audit into practice and cheer up the spirit of colleagues. The Director and supervisor in each authority shall enhance morality audit towards their subordinates for basis of reward, punishment and duty adjustment. For the affair with greater risk of corruption, implement the transfer system thoroughly.
6. Revise the regulation of "Revolving Door Clauses" to avoid conflict of interests, reduce grey area, and eliminate benefit transportation.

### (III). Promote corporate integrity:

1. Enhance the corporate governance and ethics by promoting relevant pair measures, strengthening internal and external supervision, as well as protecting best interests of the investor and employees.
2. Promote Corporate Social Responsibility (CSR) ; enhance communication between enterprises and public; hold seminars or symposiums on corporate ethics; thoroughly promote the concept of CSR; as well as consolidating mutual understanding of anti-corruption between enterprises and private sectors.
3. Guide and reward the enterprises to establish ethics regulation and mechanism of internal control, including establishment of audit committee; review remuneration of corporate directors and supervisors; review for strengthening the occupational capacity of the board of directors, independent director and supervisors; as well as setting reference examples for the supervisors to exercise their occupational powers.
4. Establish the mechanism for corporate governance, honesty and ethics assessment, so the general public and employees can supervise the corporate operation easily. Continue to promote the assessment and certification mechanism for corporate governance; encourage the listed companies to accept external assessment from independent institute and improve international assessment of corporate governance in Taiwan.
5. Enhance communication and seminar with managers and employees from international corporate and institutes to improve the factors that obstructing the competitiveness, as well as promoting the corporate honesty and governance.

#### (四) 擴大教育宣導：

- 1、透過各項大眾傳播媒體，強化民眾對政府反貪的信心：針對國家廉政之重要公共服務資訊，規劃製作電視宣導短片或插播卡、廣播帶、平面文宣品、燈箱等，並運用各類媒體通路進行宣導。
- 2、推動民間團體、非政府組織和民眾積極參與反貪腐運動，宣導貪腐的弊害及風險，辦理大型反貪宣導活動，促進民眾參與並且加強反賄選宣導，鼓勵檢舉，淨化選風。
- 3、推動校園誠信，將廉政題材納入教科書及教學活動，深化學子品格教育，推動與落實校園法治教育，發展具有特色之品德校園文化，廉政倫理課程納入社區大學等成人教育。
- 4、結合社區組織、民間團體，提升精神倫理建設，鼓勵民眾投入廉政志願服務工作，發揚公民參與精神，並舉辦社區座談，溝通廉能與倫理觀念、推動退休公教人員及民眾參與廉政志願服務，促進對貪腐零容忍。
- 5、活化公務人員廉政與法治教育宣導，使其正確、誠實和妥善執行公務，提高對貪腐風險的認識，公務倫理與廉政倫理規範教育納入公務人員職前訓練及在職訓練，並加強公務人員社會公義的人文素養教育。

#### (IV) Expand education and promotion:

1. Strengthen public faith on the government's anti-corruption via various broadcast media. For important information of public service on national integrity, plan for the production of TV promotion films or Telop cards, broadcast tapes, print outs and light boxes, as well as using various media channels for promotion.
2. Promote private groups, non-government organizations and the public to actively participate in movement of anti-corruption, as well as announcing the disadvantages and risk of corruptions. Provide large promotional event of anti-corruption and urge the public to participate. Enhance promotion of anti-bribery; encourage report and clean the election ethics.
3. Promote honesty on campus and subsume the integrity topic to text books and learning activity. Provide profound personality education to students. Promote honesty and personality education, as well as developing characterized campus culture. Subsume the integrity and ethics courses into adult education under community universities.
4. Combine community organizations and private groups to enhance construction of spiritual ethics, as well as encouraging the public to volunteer in integrity service and demonstrate the spirit of public participation. Hold community seminars to communicate the concepts of integrity and ethics. Promote retired civil and educational servant and the public to volunteer in integrity service and facilitate zero tolerance to corruptions.
5. Provide active promotion of integrity and legal education on civil servants, so they can perform civil services correctly, honestly and adequately, as well as enhancing their understanding on corruption risks. Include the education of civil ethics and integrity into the orientation and on-job training for civil servants, as well as enhancing the cultural education of social justice to civil servants.



#### (五) 提升效能透明：

- 1、電子化政府：創新政府網路資訊服務，建立中央及地方多元網路高速資訊交換服務，提升使用率及資訊透明。
- 2、推動法規鬆綁：修正不合時宜法規，推動財經法規鬆綁，促進財經法制與國際接軌，以活絡經濟發展並優化我國經商環境。
- 3、宣導政府資訊公開法，並研議建立政府資訊公開評鑑及設置專責機關之可行性，提高決策透明度，保障人民知的權利。

#### (六) 貫徹採購公開：

- 1、政府採購程序公平、公開，提升採購效率，確保採購品質。健全採購申訴、履約爭議調解、仲裁機制，並促進資訊公開、透明，建置整合性政府電子採購系統，推動政府採購電子化。
- 2、解決機關與廠商間之爭議。加強政府採購稽核及公共工程施工品質查核、複評、績效考核等事項，落實推動全民監督公共工程實施方案，強化品質查核。

#### (V) Improve transparency and efficiency:

1. E-government - Innovate the government's internet service; establish diversified high-speed internet information exchange service between central and local networks; improve rate the use and transparent information.
2. Regulation relaxing - Promote regulation relaxing and revise inappropriate laws. Promote financial regulation relaxing; facilitate financial law and be geared to international standards to activate economic development and improve the commercial environment for Taiwan.
3. Promote The Freedom of Government Information Law and discuss the feasibility of establishing assessment on government's open information and provide exclusive authority. Enhance transparency of decisions and protect the public's right to know.

#### (VI) Thorough fair and open procurement:

1. Fulfill fair and open procedures of governmental procurement; improve efficiency of procurement and ensure quality of procurement. Provide perfect procurement appeal, mediation and arbitration mechanisms for contractual dispute, as well as establishing and promoting the integrated e-government procurement system.
2. Solve disputes between the authority and vendor. Enhance audit on governmental procurement, and strengthen assessment, re-evaluation and performance audit on quality of public works. Practically promote public supervision on public works and enhance the quality assessment.



### (七) 實踐公平參政：

- 1、健全選舉罷免法制，建立優質參政環境，擴大保障選舉權。
- 2、健全政治獻金法制，確保公正政治活動。強化政治獻金監督及公開機制，促進政治環境之公正、公平。
- 3、落實執行遊說法制，辦理遊說法宣導活動及教育訓練工作，促使遊說公開透明。辦理遊說法宣導活動及教育訓練工作，研議改進遊說制度。
- 4、建立政黨公平競爭機制，杜絕政黨選任職賄選。

### (八) 參與國際合作：

- 1、輔導、補助非政府組織參與國際反貪腐組織及相關論壇：積極參與國際非政府組織活動及相關廉政論壇，如亞洲太平洋經濟合作組織資深官員會議之反貪污及透明化專家工作小組、國際透明組織年會暨國際反貪腐研討會。
- 2、加強國際交流合作，宣傳我國廉政成果：推動廉政外交，宣傳我國廉政革新經驗，辦理國際研討會、國際會議、專案邀訪及相關活動，運用媒體通路推動創意文宣。
- 3、參照《聯合國反腐敗公約》有關國際合作、資產追回之規定，就貪腐刑事案件加強與其他國家相互合作。

### (VII) Bring fair political participation into practice:

1. Build perfect election and recall law, as well as building an excellent political environment. Expand the protection of election right.
2. Build perfect political donation law and ensure justified political event. Enhance the supervision and open mechanism of political donation, as well as facilitating a justified and fair political environment.
3. Put execution of Lobbying Act into practice and facilitate open transparency of lobby. Provide promotional event and training of Lobbying Act and discuss to improve the lobby system.
4. Establish mechanism of fair competition between political parties and eliminate bribery in election and appointment.

### (VIII) Participate international cooperation:

1. Guide and subsidize the non-government organization to participate international anti-corruption organization and relevant forums. Actively participate the international events for non-government organization and relevant integrity forums, e.g. the Anti-Corruption and Transparency Experts' Task Force of APEC conference, annual meeting of Transparency International and international anti-corruption seminar.
2. Enhance international interaction and cooperation, as well as promoting Taiwan's achievement for integrity. Promote foreign affairs of integrity and Taiwan's experience of integrity evolution. Hold international seminars, international conference, project interviews and relevant event. Use the media channels to promote for creative propaganda.
3. Refer to UNCAC regulations related to international cooperation and asset pursuit for enhancing cooperation with other countries on criminal cases of corruption.



廉能政治為提升國家競爭力之必要條件，反貪去腐不但是政府責無旁貸的任務，更是全國人民的期望，馬總統就職演說指出，新時代的任務之一為「導正政治風氣，恢復人民對政府的信賴」，並宣示：「新政府將樹立廉能政治的新典範，嚴格要求官員的清廉與效能，並重建政商互動規範，防範金權政治的污染。希望每一位行使公權力的公僕，都要牢牢記住『權力使人腐化，絕對的權力使人絕對的腐化』這一句著名的警語。所有的施政都要從全民福祉的高度出發，超越黨派利益，貫徹行政中立。要讓政府不再是拖累社會進步的絆腳石，而是領導台灣進步的發動機。」因此，「國家廉政建設行動方案」是當前廉能革新的重要課題。

Clean politics is one of crucial elements of national competition promotion. Anti-corruption is not only an unshirkable mission of the government but also an expectation of the national. President Ma has pointed out in his inaugural speech that one of the missions in new age is to "restore political ethics to regain the people's trust in the government." The President also declared: "The new government will establish new example of integrity by strictly demanding integrity and efficiency from officers, as well as rebuilding well example of political-commercial interaction and prevent the contamination of money politics. I wish every civil servant with power of execution can remember that "Power corrupts and absolute power corrupts absolutely...The new government will be for all the people, remain non-partisan and uphold administrative neutrality. The government will not stand in the way of social progress, but rather serve as the engine that drives it." Therefore, it is an important issue to establish the "National Integrity Building Action Plan" for the blueprint of national integrity construction for current reformation.