Contemporary Dilemmas and Future Directions of Anti–Corruption Foreign–related Legal System: From the Perspective of "Substance–Procedure" Dichotomy and Canada’s Legal Practice

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Abstract: Corruption crime is a global issue that requires the joint efforts of the international community. From the perspective of the "substance-procedure" dichotomy, current international cooperation in anti-corruption governance faces challenges such as reconciling differences in the concepts and charges of corruption between international and domestic laws, coordinating extraterritorial jurisdiction over anti-corruption crimes, and establishing cross-border judicial assistance systems. Consequently, China's contemporary anti-corruption struggle should strengthen the construction of a "domestic-foreign" linkage mechanism, call on countries to focus on resolving core disputes in international cooperation, and build an international cooperation path under the concept of a "community with a shared future for mankind." Canada enforces the CFPOA to combat corruption in international business transactions, which criminalizes bribery of foreign public officials and applies extraterritorially, allowing Canada to prosecute corruption offenses committed by Canadian individuals or entities abroad. And Canada’s legal practice in this field offers deep insights and references for China.

Keywords: Corruption Crime, International Law, International Cooperation, Community with a Shared Future for Mankind, CFPOA

1 Introduction

Corruption is a global public hazard and a "slippery slope" in society(Ji, 2005), not just a simple crime but also a facilitator of other transnational organized crimes(Sandage, 2015). According to information published on the official website of the International Monetary Fund (2016), the annual cost of bribery worldwide reaches 1.5-2 trillion US dollars, accounting for nearly 2% of the global GDP, while the indirect losses caused by corruption are even greater. Taking China as an example, a report from Global Financial Integrity shows that from 2005 to 2011, approximately $2.83 trillion in illegal funds flowed out of China(Pomfret & Miller, 2013). In the process of globalization, the complexity, transnationality, and organized characteristics of corruption crimes have become increasingly prominent. It is no longer possible for a single country to solve the real corruption problems: First, the phenomenon of corrupt individuals colluding with external forces and fleeing abroad with funds is increasing, bringing new challenges to cross-border anti-corruption efforts(Report on the Work of the Supreme People's Procuratorate, 1999); Second, corrupt individuals use modern financial information technology and transaction tools to transfer corrupt assets abroad through complex financial transactions and underground banks, making them legally appear legitimate and evade legal investigation(Tang, 2022); Third, multinational companies, driven by commercial interests and

international competition, use their resource and technological advantages to implement commercial bribery, threatening global financial security and economic order. If not controlled, these behaviors may create anti-corruption vacuum areas, leading to institutional failure, thereby weakening the effectiveness of anti-corruption struggles and potentially having a negative demonstration effect, reducing the psychological burden on corrupt individuals, and making their actions more unscrupulous(Kan, 2024).

At present, countries around the world have unanimously made anti-corruption a key issue in global governance. However, in terms of specific implementation, countries have adopted a more cautious or conservative attitude, prioritizing national interests when facing corruption threats, showing a significant degree of shortsightedness. The contemporary international cooperation system in anti-corruption still faces multiple challenges and restrictions: First, under the current international political and economic framework, Western countries hold the main discourse and control power in anti-corruption actions, often adopting unilateralism and hegemonism to deal with corruption issues, causing chaos and imbalance in global anti-corruption governance; some Western countries, for their own interests, even provide shelter for corrupt individuals, further damaging the effectiveness of international anti-corruption struggles. Second, Western countries tend to link corruption issues with specific political systems, using this topic to blame and denigrate developing countries. In addition, due to the lack of a broad foundation for international cooperation and effective institutional design, traditional global anti-corruption governance mechanisms have significant deficiencies in fairness, rationality, authority, and effectiveness, urgently needing improvement and perfection.

From the 1990s to the early 21st century, Chinese judicial authorities emphasized the investigation and punishment of unit bribery and corruption crimes through a series of documents, established a system for querying bribery crime records, and ensured the integrity of officials and the cleanliness of the government(Kan, 2024). Since the 18th National Congress of the Communist Party, the General Secretary has repeatedly discussed the issue of international cooperation in anti-corruption in both international and domestic talks, mentioning the pursuit of fugitives and the recovery of stolen assets and international cooperation in anti-corruption seven times in diplomatic occasions in November 2014 alone(Luo, 2018); the report of the 19th National Congress once again emphasized, "No matter where corrupt individuals flee, they must be captured and brought to justice."(Xi, 2017) At present, the central government pays increasing attention to international cooperation in anti-corruption, and China's corruption governance has gradually shown a "domestic-foreign" linkage mechanism. As the anti-corruption struggle deepens, cross-border corruption governance has become a key area in the anti-corruption struggle, and the unification of domestic and international anti-corruption struggles must be taken seriously. Continuously combating cross-border corruption, preventing fugitives, and recovering stolen assets is crucial for consolidating the achievements of the anti-corruption struggle. Faced with the great changes in the world that have not been seen in a hundred years and the strategic opportunity of the great rejuvenation of the Chinese nation, it is necessary to transform the political, institutional, and legal advantages of anti-corruption into comprehensive advantages in the construction of a modernized strong country and the rejuvenation of the nation.

So far, cross-border corruption issues involve different jurisdictions and are still difficult to eradicate, and international cooperation in anti-corruption faces many dilemmas. Therefore, building a more fair, rational, and efficient global anti-corruption cooperation governance system is an urgent task, requiring the joint efforts of the international community to overcome existing obstacles and achieve deeper cooperation and exchange. Based on this, this paper systematically analyzes the international cooperation governance system in anti-corruption from the perspective of "substance-procedure," focusing on current practical dilemmas, trying to propose practical paths that are in line with China's specific national conditions and the correct direction of world development.

2 Substance: Disputes over the Concept and Charge Recognition of "Corruption" in Domestic and International Law

In the context of increasing internationalization, cases of corrupt criminals fleeing abroad and the proceeds flowing to other countries are common. To attribute such transnational criminal acts and help countries recover transferred assets, there has been an increasing legal cooperation based on bilateral and multilateral treaties. The United Nations Convention against

Transnational Organized Crime and the United Nations Convention against Corruption are the two most representative international conventions in the field of cross-border anti-corruption. Article 6, 8, and 23 of the United Nations Convention against Transnational Organized Crime specifically stipulate general provisions on corruption issues (Yin, 2018). The United Nations Convention against Corruption has established a very comprehensive legal system throughout the entire process of anti-corruption. In addition, in regional cooperation mechanisms, the issue of cross-border anti-corruption has also been increasingly frequently brought to the agenda, such as the 26th Ministerial Meeting of the Asia-Pacific Economic Cooperation, which passed the Beijing Anti-Corruption Declaration under China's leadership in 2014; the first G20 Anti-Corruption Ministerial Meeting in 2020 passed the G20 Anti-Corruption Ministerial Meeting Communique, calling for G20 parties to deepen international cooperation in the pursuit of fugitives and the recovery of proceeds of crime (G20 holds first anti-corruption ministerial meeting: Consensus reached on strengthening international cooperation, 2020), and so on.

These cooperations have largely unified the design of the legal system against corruption in various countries, making the pursuit of fugitives and the recovery of criminal proceeds across borders possible. However, on the other hand, due to differences in national positions, legal domains, and other reasons, there are still certain gaps and obstacles in the conventions themselves and their implementation. Among them, due to differences in national criminal law systems, social backgrounds, and cultural moral concepts, countries have different approaches of recognizing the definition of "corruption" and the setting of corruption-related charges, becoming the "substance" problem in international cooperation in the field of cross-border corruption.

2.1 Recognition of Key Concepts

Firstly, as for the term "corruption," there is a lack of an accurate and unified definition internationally. Discussions on the definition of "corruption" among domestic and foreign scholars have been ongoing for a long time. The definition accepted by many domestic and foreign scholars is that in the World Bank's "Helping Countries Combat Corruption: The Role of the World Bank", which states that "corruption is the abuse of public office for private gain" (Yu, 2003). Some scholars point out that from this definition, the object of corruption is public power, the means is the abuse of public office, and the purpose is to seek private gain (Yu, 2003).

However, as countries deepen their understanding of "corruption," the inaccuracies and limitations of this definition are becoming increasingly apparent. Firstly, this definition only includes the object, means, and purpose elements of the "corruption" concept, without involving the subject, result, characteristics, and essence of corruption. Secondly, this definition still has unclear criteria. Different countries and different social and cultural backgrounds form different moral scales, and the understanding of terms such as "private gain" and "abuse" also differ. For example, in the interpretation of the term "private gain", should it be narrowly interpreted as personal interest or broadly interpreted to include all interests that are not maintained by public officials and others performing public duties? There is still no consensus on this point among countries. Due to excessive divergent opinions among legal representatives, the United Nations Convention against Corruption did not include a definition of "corruption" (Li, 2020).

At present, China's Criminal Law also does not provide a legal definition for corrupt behaviour, and in the context of China's anti-cross-border corruption, how to polish a definition that can more accurately summarize China's national conditions and comply with international anti-corruption practices is a problem that needs to be solved. In the absence of such an ideal definition, it is particularly important to reasonably set up charges and replace a comprehensive general definition with a listing of charges.

Secondly, the definition of "public officials" has reached a basic consensus through international cooperation. The United Nations Convention against Corruption defines "public officials" as "persons holding legislative, executive, or judicial positions at the national level, and any other person performing public functions or providing public services for public institutions or state-owned enterprises, etc.". Regarding this definition, countries have basically reached an agreement after discussions and consultations during the convention formulation process. In the context of cross-border anti-corruption, the "foreign public official" is only based on this definition with the addition of the requirement of being a foreign country.

Third, the recognition of "proceeds of crime" has basically reached a consensus internationally, but there is a significant

divergence in the application of the recovery mechanism. In the legal texts of various countries and international conventions, "proceeds of crime" is the commonly used term (Hu, 2023), such as the phrase "proceeds of crime" used in the United Nations Convention against Corruption. It can be seen that in the context of anti-cross-border corruption, if criminal law is applied to the recovery of proceeds of crime, it should be based on the premise that corrupt acts constitute a crime. Although China's Criminal Law often uses the term "illegal proceeds", such as Article 64 of China's Criminal Law stipulates that "all property illegally obtained by criminals shall be recovered or ordered to be compensated", establishing a system for the recovery of illegal proceeds, this does not mean that China's definition of proceeds of crime exceeds the scope of "proceeds of crime" stipulated internationally. In response, Chinese scholars believe that the term "illegal" should be narrowly interpreted here and "illegal proceeds" should be understood as "proceeds of crime" (Jiang, 2022). The Criminal Law has the principle of proportionality between crime and punishment; if an act does not constitute a crime in the Criminal Law, it naturally does not bear criminal responsibility, and the system for recovering illegal proceeds stipulated in the Criminal Law should not apply to such acts. Therefore, from the perspective of concept definition, China and the international community have essentially reached a consensus.

In addition, regarding the method of property recovery, although Articles 53 and 54 of the United Nations Convention against Corruption stipulate direct recovery and recovery through confiscation mechanisms, enriching existing property recovery methods and making the recovery of assets from the exporting country more convenient and faster, in practice, it is often difficult for the main asset-importing and asset-exporting countries to reach an agreement on which recovery mechanism to apply due to different national conditions. Under the leadership of the asset-importing country, the asset-sharing method is still widely applied, such as the Canadian Criminal Code stipulates that its confiscated proceeds of crime are returned according to the provisions of the Mutual Legal Assistance in Criminal Matters Act and the Seized Property Management Act, in accordance with the asset-sharing mechanism (Liao, 2020).

As for the specific scope of property included in "proceeds of crime", both the United Nations Convention against Corruption and the United Nations Convention against Transnational Organized Crime stipulate "property directly or indirectly obtained from criminal acts". This definition's general scope is the same as that in Chinese law. The Provisions on Several Issues concerning the Application of the Procedure for Confiscation of Illegal Proceeds in Cases of Fugitives or Deceased Suspects and Defendants, issued in 2017, stipulates three categories of "illegal proceeds," including property directly or indirectly generated by crimes, transformations of illegal proceeds, and income from illegal proceeds. It can be seen that in the recognition of proceeds of crime, apart from the different names, there is no significant divergence internationally in terms of the substantive connotation and specific scope of definition.

Fourth, there is a lack of official regulations on the understanding of the term "cross-border" in cross-border corruption, but there is actually little divergence in substance. Although there is no international convention that officially defines the term "cross-border", Legislative guide for the implementation of the United Nations Convention against Corruption (2012) uniformly uses the term "jurisdictions" instead of "countries". It can be seen that the term "cross-border", in addition to the meaning of across national borders and borders, should also be interpreted as "across jurisdictions". In the process of pursuing fugitives and recovering stolen assets, as long as it involves different legal systems or criminal legal systems, it should be defined as "cross-border".

2.2 Constituent Elements of Corruption

The United Nations Convention against Corruption has made a very complete provision for the corruption charge system, meaning that countries have initially reached a certain consensus on the conditions for recognizing corruption as a crime in their criminal law. After signing and ratifying the convention, China has also actively adjusted the provisions related to corruption in China's Criminal Law to keep pace with international standards. For example, the Standing Committee of the National People's Congress passed the Criminal Law Amendment (Seven) of the People's Republic of China on February 28, 2009, adding the crime of accepting bribes by influence, and on August 29, 2015, passed the Criminal Law Amendment (Nine) of the People's Republic of China, adding the crime of bribing persons with influence (Yin, 2018); in the Criminal Law Amendment (Eight) of the People's Republic of China in 2011, the crime of bribing foreign public officials or officials of

international public organizations was added (Wu & Men, 2023). However, summarizing practical problems, it can still be found that there are some issues in China's current Criminal Law that cannot be connected with international conventions.

Firstly, in terms of bribery crimes, China's criteria for conviction are stricter than international conventions. Bribery crimes are divided into the crime of offering bribes and the crime of accepting bribes, and also divided into domestic and foreign bribery. In the context of domestic bribery, for the crime of offering bribes, Article 15 (1) of the United Nations Convention against Corruption stipulates that the object of bribery is "public officials or other persons or entities", the method includes "promising, offering, and giving", the object of bribery is "undue advantages", and the subjective requirement is "intention." In comparison, Article 389 and 390 of China's Criminal Law stipulate that the object of the crime of offering bribes is "state workers", the method of bribery is limited to actual "giving", the object of bribery is "property", and the subjective requirement is limited to "for the purpose of seeking undue benefits." It can be seen that China's provisions for the crime of offering bribes to domestic officials are more stringent in the composition of criminal elements than the United Nations Convention against Corruption, excluding the situation where the briber intends to bribe but has not fully implemented the "promise" or "offer", and the limitation of the subjective requirement of "for the purpose of seeking undue benefits" also makes the establishment of the charge more difficult.

For the crime of accepting bribes in the domestic context, the relevant provisions of the United Nations Convention against Corruption are in Article 15(2), where the bribe taker is "public officials or other persons or entities", the method includes "soliciting or receiving", the object of bribery is "undue advantages", and the result is "acting or not acting in the performance of official duties". In contrast, Article 385 of China's Criminal Law stipulates that the crime of accepting bribes, with "state workers" as the bribe takers, includes "soliciting or illegally receiving", but the object of bribery is limited to "property", and the act is limited to "seeking benefits for others". Compared with the United Nations Convention against Corruption, using "seeking benefits for others" as a constitutive element of the crime of accepting bribes seems to narrow the scope of the establishment of the crime of accepting bribes (Yan, 2020). However, in fact, in the relevant expressions of the United Nations Convention against Corruption, officials take "the other party giving undue advantages" as a condition for their actions or inactions in the performance of official duties, that is, "undue advantages" are the premise for officials to act (act or not act). In this case, the briber naturally gives "benefits" to officials out of their own need for benefits, and the officials' actions are influenced by the briber's intentions. It can be inferred that although the expression of this article is different from that of China's Criminal Law, it essentially implies the purpose of officials' actions "seeking benefits for others". Therefore, the provisions for the crime of accepting bribes from domestic officials are essentially the same between China's Criminal Law and international conventions.

In foreign bribery, the constitutive elements of the crime of offering bribes and the crime of accepting bribes stipulated in the United Nations Convention against Corruption are the same as those for domestic bribery, except that the subjects are changed to "foreign public officials" and "officials of international public organizations". China has only added the crime of bribing foreign public officials or officials of international organizations in Article 164 of the Criminal Law, but has not stipulated charges for foreign bribe takers. Compared with the United States' Foreign Corrupt Practices Act, the application of charges for foreign bribery in Chinese law is much less. From a legislative perspective, one interpretation is that the United States' Foreign Corrupt Practices Act adopts a broad personal jurisdiction over the subjects of corruption. As long as the subject is within the territory of the United States or outside the territory of the United States but uses the United States mail or interstate commercial tools, it is subject to the jurisdiction of this law (Liu & Hu, 2017).

Secondly, for the constitutive elements of the crimes of embezzlement and misappropriation of public funds, China's provisions are stricter than international conventions. The United Nations Convention against Corruption combines embezzlement and misappropriation of public funds in one article. Article 17 stipulates that the subject of embezzlement and misappropriation of public funds is "public officials", and the public funds embezzled and misappropriated refer to "any property entrusted due to the position," including public funds, securities, and private funds, securities, etc., and the subjective requirement is "for the benefit of oneself or other persons or entities". In contrast, China's crime of embezzlement only targets situations where state workers illegally possess public property or entrusted personnel possess state-owned property, but there is a lack of provisions in China's Criminal Law for the act of illegally possessing private property

and transferring it overseas, which causes cross-border corruption. The crime of misappropriation of public funds has requirements for personal illegal activities or the amount and duration of misappropriation; both of these crimes have stricter standards for conviction in China's Criminal Law than the United Nations Convention against Corruption.

Third, there is a substantial difference between the crime of trading in influence as stipulated in the convention and the same crime in China's Criminal Law. In response to the call from the academic community, Chinese legislative authorities included "crime of accepting bribes by influence" in the Criminal Law system in the Criminal Law Amendment (Seven) of the People's Republic of China in 2009. However, in fact, there is still a significant difference between China's "crime of accepting bribes by influence" and the "crime of trading in influence" in the international convention (Wu & Men, 2023). The United Nations Convention against Corruption stipulates that the crime of trading in influence includes public officials and others who, in order to obtain benefits, use influence to seek benefits for others and its counterpart crime. The subject mainly involves public officials, and the method of committing the crime is "using influence", which is different from the direct action or inaction in the performance of official duties in the aforementioned crime of accepting bribes. However, China's "crime of accepting bribes by influence" is stipulated in Article 388 (1) of the Criminal Law, and the charge is classified under the crime of accepting bribes, with the subject being "close relatives of state workers or other persons who have a close relationship with the state worker". That is to say, for crimes involving the use of influence, China's Criminal Law does not cover the situation where state workers use influence to commit crimes as stipulated in the United Nations Convention against Corruption. In fact, there is a concept of "convenience of position" in China's Criminal Law system, which is similar to the provisions of the aforementioned United Nations Convention against Corruption. Some scholars have studied the difference between "convenience of position" and "influence", suggesting that the definition of "convenience of position" should follow the Minutes of the National Court's Work Conference on the Trial of Economic Crime Cases, that is, "using the authority of one's own position in charge, responsible, and handling of a certain public affair, including using the authority of other state workers who have a subordinate and restraining relationship in position," while "using influence" to commit crimes is exactly the situation where state workers and the convenience of position are separated (Chen & Huang, 2010).

In addition, among the types of predicate offenses for money laundering in China, only crimes of corruption and bribery are included, which is obviously less than the provisions of Article 23 of the United Nations Convention against Corruption. From the perspective of laws and related international conventions of countries around the world, the core meaning of money laundering behaviour is the process of legitimizing illegal income. However, due to different legal systems in various countries, there are also differences in the determination of whether the income is "illegal". In response to this issue, the United Nations Convention against Corruption only makes recommendatory provisions for the legislative work of countries, and there is still a lack of a convention with binding force that is recognized by all countries to solve this problem. Taking China as an example, China's substantive law for punishing money laundering crimes is composed of a system of charges formed by Article 191 (Money Laundering Crime), Article 312 (Crime of Concealing or Hiding the Proceeds of Crime), and Article 349 (Crime of Harbouring, Transferring, and Concealing Drugs and Drug Proceeds) of the Criminal Law. Although with the development of China's Criminal Law, the types of predicate offenses for money laundering have expanded from the initial four to the current seven, only embezzlement and bribery crimes are stipulated in the field of anti-corruption, and other types of corruption crimes are not explicitly included. The convention does not mandatorily require countries to adopt all types of predicate offenses stipulated in it, which may lead to inconsistencies in the recognition of money laundering behaviours for different types of predicate offenses in practice, and there will be obstacles to related judicial assistance, including the seizure, freezing, and confiscation of property.

3 Procedure: Extraterritorial Jurisdiction over Corruption Crimes and Cross-Border Judicial Assistance System

The United Nations Convention against Corruption (UNCAC) indicates that corruption is no longer a localized issue but a transnational phenomenon affecting all societies and economies, making international cooperation in the prevention and control of corruption crucial. According to the Xinhua News Agency (2019), The Fourth Plenary Session of the 19th Central Committee of the Communist Party of China adopted the "Decision of the Central Committee of the Communist Party of China on Persisting and Perfecting the System of Socialism with Chinese Characteristics and Promoting the Modernization

of the National Governance System and Governance Capacity", which proposes to accelerate the construction of China's extraterritorial legal system. The insufficient legislative supply of China's extraterritorial application seriously restricts the judicial and administrative organs in the extraterritorial application of Chinese law. On July 19, 2024, the Central Committee of the Communist Party of China held a press conference to introduce and interpret the spirit of the Third Plenary Session of the 20th Central Committee, which reviewed and adopted the "Decision of the Central Committee of the Communist Party of China on Further Comprehensively Deepening Reform and Promoting Chinese-style Modernization". It explicitly proposed some important legislative tasks, including the formulation of the "Anti-Cross-Border Corruption Law." Therefore, to promote cross-border governance of corruption according to the law and scientifically set the main content of anti-cross-border corruption legislation, countries should not only reach a consensus on the substantive recognition of cross-border corruption but also on procedural matters: "Regulate the jurisdiction for punishing cross-border corruption, further improve the extraterritorial jurisdiction systems such as territorial jurisdiction, personal jurisdiction, and protective jurisdiction, and clarify the jurisdictional objects and scope."(Wu, 2024) To achieve this goal, the academic community urgently needs to answer: What is the basis of extraterritorial jurisdiction over corruption crimes? Where exactly is the boundary of its expansion? Based on this, how should a scientific and effective cross-border judicial assistance system be established?

3.1 Expansion and Coordination of Extraterritorial Jurisdiction over Corruption Crimes

3.1.1 Expansion of Jurisdictional Standards

The exercise of national jurisdiction is usually based on territorial jurisdiction as the principle, with extraterritorial jurisdiction as the exception. Regarding territorial jurisdiction issues, the principle of territorialism occupies an absolute mainstream position. As for the issue of extraterritorial jurisdiction of domestic law, there is currently a lack of unified clear rules in international law, and the development of this issue in different fields also varies.

Generally speaking, there are two modes for states to exercise sovereign power beyond their territory: one is that states exercise jurisdiction over persons, objects, and acts outside their territory within their own territory; the other is that states exercise jurisdiction beyond their own territory. The latter historically manifested as the highly colonial "extraterritoriality" and "consular jurisdiction," while in modern times it is presented in the form of extraterritorial regulation. This situation often requires obtaining the consent of other countries and is carried out through joint law enforcement or on-site supervision, which belongs to the disposition and concession of their own jurisdiction on their own territory by other countries. The logic of the exercise of jurisdiction is not determined by the regulations or recognized customs formulated by the country itself, and it is essentially not the exercise of jurisdiction by the country itself. Therefore, when discussing extraterritorial jurisdiction in this part, the main consideration is the situation where states exercise jurisdiction over persons, objects, and acts outside their territory within their own territory (Liao, 2024). Similarly, the discussion on concepts such as "the extraterritorial effect of domestic law" in this paper also adopts a narrow concept, that is, it refers to the situation where a state's power organs apply or enforce their domestic law within their territory for acts that occur abroad, or threaten to apply or enforce their domestic law(Huo, 2020).

With the increasing frequency of cross-border flows of personnel, capital, goods, and data, coupled with the universal connection of the global internet, the leapfrog development of human society and the relative lag in the development of international law make the traditional concept of limiting jurisdiction to within national borders no longer applicable(Huo, 2020). Although the Lotus principle(S.S. Lotus (Fr. v. Turk.), 1927) is the most frequently cited principle in international law by countries in practice, it still faces great controversy and is increasingly unsuited to the latest developments in international law. In this sense, the Lotus principle often becomes an excuse for major powers and strong countries to expand their own power and jurisdiction(Chen, 2011). With the process of globalization, the harm and impact of international corruption crimes are not limited to the countries where the acts occur, and effective management and control cannot be achieved through the actions of a single country. The official commentary of the UNCAC points out that the territorial basis of jurisdiction must be broadly interpreted, and the rigid expansion of physical connections is inappropriate, which is not conducive to the punishment of corrupt acts(United Nations Convention Against Corruption, 2003).

Therefore, beyond the territory, the expansion of jurisdictional connecting points has become a common international

phenomenon. This expansion is mainly based on elements such as the subject of the act, the subject of the victim, the effect of the act, controlled objects, national security, and important interests to determine new jurisdictional principles. In addition, protective jurisdiction and the principle of universal jurisdiction are also widely recognized internationally. For anti-corruption issues, how to maintain the balance and harmony of international forces while expanding the connecting points of one's own jurisdiction is essentially a negotiation between major powers and the formation of a new order.

Another way to solve the problem of insufficient jurisdictional capacity is to expand the interpretation of the concept or standards of connecting points. For example, the meaning and scope of "Americans" vary in different American laws. For instance, the First War Powers Act of 1941 uses the expression "any person subject to the jurisdiction of the United States," which includes persons with U.S. nationality, persons within the United States, partnerships, associations, corporations, or other organizations established under U.S. law in the United States, and any agents and branches directly or indirectly owned or controlled by them. In the United States' Export Controls Act of 2018, "Americans" include persons with U.S. nationality, foreigners with permanent residence, stateless persons, refugees who meet certain conditions, any entity established under U.S. law in the United States (including permanent institutions established by foreign entities in the United States), and foreign affiliates or subsidiaries (including permanent institutions established abroad) actually controlled by domestic entities. Of course, its practice of extending the effectiveness of domestic law to overseas subsidiaries of domestic entities in the field of export control is too extreme and has not been widely recognized by the international community(Liao, 2024).

In addition to the above jurisdictional standards, some special fields have developed a more radical "effects doctrine," the most typical of which is the field of antitrust. Many countries have established the "effects doctrine" in the field of antitrust regulation and have carried out law enforcement and judicial activities based on it, forming a more unified national practice at the international law level. According to the "effects doctrine," states have the right to exercise jurisdiction over acts that have a "substantial effect" or "impact" on their territory. The "effects doctrine" further weakens the correlation between acts and territory based on objective territorial jurisdiction and is generally recognized as "extraterritorial jurisdiction." In recent years, the United States has begun to adopt the effects doctrine in foreign sanctions and other matters, mainly reflecting the inclusion of acts by actors abroad that lead to "Americans" violating the law within its jurisdiction. For example, in the 2007 revision of the International Emergency Economic Powers Act, Article 206 clearly states that any act that leads to Americans violating the law constitutes an illegal act and will face civil fines or criminal prosecution. Article 228 of the Countering America's Adversaries through Sanctions Act passed in 2017 expanded this provision, clearly stating that the relevant provisions of the International Emergency Economic Powers Act also apply to "non-Americans." These provisions have greatly expanded the scope of U.S. foreign economic sanctions(Liao, 2024). However, due to the vagueness of the "impact" required by the effects doctrine, except in the field of antitrust, international law has not recognized this principle in other fields, and if it is to be used in the field of anti-corruption crimes, its applicability and feasibility need further discussion.

3.1.2 Boundary of Extraterritorial Jurisdiction

The Lotus principle only recognizes the general freedom of extraterritorial jurisdiction at the legislative level, not the general freedom of extraterritorial jurisdiction at the enforcement level. The exercise of enforcement jurisdiction is still subject to strict territorial restrictions. The Lotus case judgment pointed out: "One of the primary restrictions that international law imposes on states is that, in the absence of contrary permissive rules, a state may not exercise any form of power on the territory of another state. In this sense, jurisdiction is, of course, territorial; it cannot be exercised beyond the territory of a state without the support of permissive rules from international custom or treaties."(S.S. Lotus (Fr. v. Turk.), 1927) According to Rule 4 of the Tallinn Manual 2.0, if a state exercises governmental functions within the territory of another state, it will constitute an infringement of the sovereignty of the territorial state unless the state has obtained its consent or its actions are authorized by other rules under international law(Mecheal N. Schmitt, 2017). Therefore, enforcement jurisdiction can only be restricted to implementation within its own territory, and the issue of foreign territory enforcement jurisdiction belongs to the issue of jurisdiction concession, and its legal basis has a fundamental difference.

The boundary of extraterritorial jurisdiction should not be arbitrarily expanded, otherwise, it will be regarded as malicious "long-arm jurisdiction." The Lotus principle is merely the basis of jurisdiction and cannot solve the conflict

of jurisdiction, nor can it guarantee that the effectiveness of jurisdiction will be recognized by other countries, nor can it guarantee that sovereign states can effectively counter the long-arm jurisdiction of other countries. The expansion of sovereignty of developed countries is often based on the sacrifice or weakening of the sovereignty of developing countries, and this unequal power dynamic is particularly evident in the field of cross-border anti-corruption. In recent years, the United States has frequently implemented "long-arm jurisdiction" for various reasons, such as anti-corruption, violation of sanctions, anti-money laundering, antitrust, internal control requirements of listed companies, human rights, intellectual property rights, national security, nuclear proliferation, and environmental protection, and has carried out unilateral sanctions on a large scale. Correspondingly, the U.S. has a wide variety of legal names involving "long-arm jurisdiction," among which the Foreign Corrupt Practices Act (FCPA) applies to all individuals or entities that make corrupt payments directly or indirectly within the territory of the United States, as long as they use the U.S. telecommunications system for communication or corrupt payments, it constitutes the minimum connection with the United States, thus obtaining jurisdiction. Former Secretary for Home Affairs of Hong Kong, Joseph Wong, was arrested under this act, causing some controversies in the academic and political circles. Another example is the "BAE Systems Inc. case" in 2010, where the U.S. Department of Justice submitted a single charge information accusing the company of conspiring to make false statements related to the company's commitment to the FCPA compliance program and violating the U.S. Arms Export Control Act; in 2016, Teva Pharmaceuticals was civilly and criminally charged by the U.S. for bribing foreign government officials in Russia, Ukraine, and Mexico, violating the FCPA in the "Teva Pharmaceuticals Bribery Case"; and the "FIFA corruption case" and "Siemens bribery case," etc., although they belong to the field of corruption issues, they are essentially long-arm jurisdiction in the name of anti-corruption, based on national interests rather than mutual benefit and win-win, and are actually undesirable.

Overall, most countries in the world hold a negative position on U.S. "long-arm jurisdiction." In the "Empagran case," Germany, Canada, and Japan believed that a broad interpretation of U.S. law would undermine the ability of other countries to establish and enforce competition law rules(F. Hoffmann-La Roche, Ltd. v. Empagran S. A., 2004). In the "Morrison case," Australia, France, and the United Kingdom pointed out that U.S. law should not consider its own political decisions in corporate law and financial law(Morrison v. National Australia Bank Ltd., 2010). However, countries start from their own interests and lack the motivation to directly confront U.S. "long-arm jurisdiction" together. Against this backdrop, China can join the international community, respect differences, obtain consensus, and jointly propose new rules for cyberspace law enforcement jurisdiction that are recognized by all parties, strengthen cross-border law enforcement cooperation in the cyberspace, and jointly resist U.S. "long-arm jurisdiction."

At the same time, China should demonstrate a posture on the international stage that is completely different from U.S. "long-arm jurisdiction" and advocate a new type of international relationship based on the principles of "mutual respect, fairness, and win-win cooperation." The extraterritorial jurisdiction over corruption crimes is a complex and sensitive issue, and although its boundaries have gradually expanded with the development of the times, they should not be arbitrarily broken. Therefore, in order to balance the need to combat corruption crimes and the conflict of jurisdiction between countries, the international community should consider formulating unified standards and rules for corruption crime jurisdiction through multilateral cooperation and consultation.

3.2 Anti–Corruption Cross–Border Judicial Assistance System

Since the entry into force of the United Nations Convention against Corruption in China, China's international cooperation in the field of anti-corruption has shown an increasingly strong trend. At the domestic legislative level, China has significantly strengthened the construction of laws related to international cooperation in anti-corruption, which is specifically reflected in the promulgation of a series of important legal documents such as the Extradition Law in 2000 and the Anti-Money Laundering Law in 2006. At the level of cooperation with international organizations, China has actively participated in multiple international anti-corruption organizations and mechanisms, sharing experiences and exchanging information with other countries through these platforms, and providing support and assistance when necessary. In addition, China has signed bilateral extradition treaties and judicial assistance agreements with several countries, providing a legal basis for

cross-border law enforcement cooperation in anti-corruption. On November 23, 2023, the Ministry of Justice pointed out that China has signed bilateral judicial assistance treaties with 86 countries and transfer of sentenced persons treaties with 17 countries; it handles more than 300 international criminal judicial assistance requests and more than 3,000 civil and commercial requests annually(Judicial Department, 2023).

Practice has shown that China actively promotes international cooperation in combating corruption crimes, however, there are still several shortcomings in China's system of cross-border judicial assistance in anti-corruption. From the perspective of the subject of judicial assistance, although the International Criminal Judicial Assistance Law clearly defines the competent authorities and case-handling authorities for China's international criminal judicial assistance, the description of the "competent authorities" is relatively general and lacks detailed provisions, especially the specific division of responsibilities and boundary issues of powers among various law enforcement and judicial authorities in international criminal judicial assistance need further clarification; from the connection between judicial assistance law and related laws, the connection mechanism between the International Criminal Judicial Assistance Law and the Supervision Law, the Criminal Procedure Law, and other laws needs to be improved. For example, the Supervision Law only mentions extradition in the part of international cooperation against corruption, but does not involve repatriation and persuasion, and the International Criminal Judicial Assistance Law does not clearly provide the provision of repatriation with the recovery of proceeds. In addition, the current legislation is more principled and lacks corresponding supporting measures, coupled with insufficient practical experience, leading to unsatisfactory implementation effects of the relevant legal systems in the recovery of fugitives and proceeds, such as the criminal absence trial system established in the Criminal Procedure Law, there are issues such as unclear conditions for absence prosecution and unclear prosecution and delivery time limits(Wu & Xia, 2023), all of which restrict the implementation of the system to a certain extent.

Particularly worth noting is that with the rapid development of network technology, the flow of corrupt assets has become more concealed, and the territorial jurisdiction in the network field has become extremely complex. On December 16, 2015, Chinese President Xi Jinping, in his keynote speech at the second World Internet Conference, further listed "respect for cyber sovereignty" as the core of the four principles of the global internet governance system(Xi, 2015). As mentioned earlier, although the extraterritorial jurisdiction over corruption crimes in the network field has an expanding trend, it also faces great difficulties. China often faces refusal of assistance by the requested country on the grounds of insufficient legal basis or procedural flaws in the recovery of fugitives and proceeds in international cooperation against corruption. In the process of recovering proceeds abroad, whether it is the recovery of funds or real estate, when requesting foreign countries to seize, freeze, or confiscate criminal assets, it is necessary to prove that there is a clear and uninterrupted connection between these assets and the proceeds of crime, and to provide corresponding evidence or request evidence collection assistance from the asset's country through international judicial assistance. In terms of evidence, criminals usually use complex money laundering methods to transfer and cover up the proceeds of crime, destroy or hide evidence, which has a strong concealment and brings great challenges to the investigation and evidence collection, and also hinders the smooth progress of cross-border judicial assistance work; in terms of jurisdiction procedures, in the case of the general expansion of jurisdiction in the network field, it is necessary to provide solutions to the conflict of jurisdiction through clear treaties or customary rules.

4 Core Issues and Future Directions in Anti-Corruption International Cooperation

Anti-corruption international cooperation involves complex relationships between countries, between countries and international organizations, between domestic law and international law, and between international treaties, which are mixed with differences and contradictions in political systems, values, economic interests, and specific legal systems. In dealing with this issue, the basic principles of international law not only play a guiding role in establishing and improving relevant international cooperation mechanisms but are also an important part of international law and should be followed by all countries. Among them, the principle of international cooperation is of great significance for maintaining the overall peace and security of the international community, which requires that every country should carry out cooperation in international affairs with an equal legal entity status. The principle of equality and mutual benefit requires that any subject of international law should be equal in legal status, and one party should not harm the interests of the other party to meet its own needs, nor

should it use its economic advantages to force the other party to sign unequal agreements. However, facing the global issue of anti-corruption, the existing international cooperation mechanisms for overseas pursuit and recovery of corruption have not fully reflected the requirements of the principles of international cooperation and the principle of equality and mutual benefit.

The above discussion on substantive and procedural issues has revealed the various limitations at the legal level of global anti-corruption governance. At the level of international relations, due to the different positions and interests of countries, violations of the basic principles of international law have occurred repeatedly. Such practices not only violate the basic spirit of international law but also pose numerous comprehensive challenges to international cooperation in anti-corruption governance beyond the legal system.

With the acceleration of globalization and the increasingly transnational nature of corrupt practices, the importance of enhancing international cooperation against corruption has become more pronounced. This is particularly true for China, which faces new challenges such as the flight of corrupt officials and the transfer of assets abroad. Effectively conducting cross-border anti-corruption efforts is not only crucial for the success of domestic anti-corruption campaigns but also an important measure to enhance national image and uphold international justice. In this context, deepening international anti-corruption cooperation is not only a shared responsibility of the international community but also a necessary path to promote global governance towards a fairer and more reasonable direction.

4.1 Conflicts of National Interests in International Cooperation

4.1.1 Lack of Political Trust and Ideological Conflict Between Nations

Political factors are a key obstacle to international anti-corruption cooperation. Corruption often involves public officials and state assets, making it a highly political issue. As a global challenge, corruption is not only a legal matter but also a political one. For example, the principle of non-extradition of political offenders can be exploited by some corrupt individuals who hide their criminal acts abroad, claiming they are victims of political persecution. If such claims are accepted, the principle could be misused to shield corrupt individuals from legal accountability, thereby hindering international anti-corruption efforts.

For China, as a socialist country, interactions with Western nations in economic and cultural exchanges are often met with suspicion or hostility regarding its political system. This deep-seated bias leads to a lack of political trust between China and Western countries. Adhering to Marxism as a guiding ideology, China faces ideological differences or conflicts when engaging in anti-corruption cooperation with other nations. In the current era of intense ideological competition between East and West, despite positive evaluations from many overseas observers on the Chinese Communist Party's stringent anti-corruption measures, there remain some Western individuals with ideological biases or specific political stances who misinterpret or defame the CCP's anti-corruption philosophy and practices. This results in scepticism, misunderstandings, and even malicious rhetoric about the CCP's anti-corruption efforts. (He, 2023) The existence of significant political biases in some Western countries, which question China's supervisory and judicial systems and apply double standards in combating corruption, creates major obstacles in law enforcement cooperation. This places China at a disadvantage in international anti-corruption law enforcement cooperation. (Wu & Xia, 2023) Some countries also view anti-corruption actions as politically motivated crackdowns on different factions or treat corruption involving state assets as political behavior, leading them to refuse participation in international anti-corruption cooperation.

International non-governmental organizations (NGOs) are also influenced by political factors. NGOs play a critical role in global corruption governance and serve as a bridge in international anti-corruption cooperation. Their reports are important references for assessing a country's integrity, directly impacting its image and influence in international anti-corruption cooperation. Transparency International, the most authoritative and influential anti-corruption NGO, has shown discrepancies between its Corruption Perceptions Index and China's actual anti-corruption achievements, especially during key periods like China's anti-corruption campaign in 2012, overseas anti-corruption efforts in 2014, and comprehensive promotion of national supervision system reform in 2018. This has negatively affected China's international image and weakened its appeal in international anti-corruption cooperation. (Zhang & Gao, 2022) Transparency International's

assessments are based on Western political systems, overlooking the uniqueness of Chinese political culture, leading to biased interpretations of China's anti-corruption practices.

4.1.2 Economic Interest Conflicts Between Nations

Corruption affects both the political and economic spheres. Pursuing corrupt officials internationally not only involves apprehending the criminals but also recovering their illicitly obtained assets. Recovering these assets is a challenging task in international anti-corruption cooperation, and properly handling this economic interest relationship is another significant challenge. When corrupt officials flee abroad, they often carry substantial assets, causing significant economic losses to the source country while benefiting the receiving country.

In the current global economic downturn, although no country wishes to become a haven for corrupt officials, the influx of large sums of money can stimulate the market and boost economic growth. For countries that have absorbed corrupt assets, once these funds are integrated into the national economy, tracing their origins becomes less critical. If the source country successfully recovers these funds through international asset recovery, it will inevitably have a negative impact on the receiving country's economy, potentially damaging financial institutions' credibility and creating economic conflicts. (Mei, 2020) Moreover, due to the enormous amount of corrupt assets, the process of recovery inevitably involves issues of interest distribution between countries. Receiving countries often do not wish to fully return all assets but seek to share them to gain certain benefits. Given the economic interests of receiving countries, they may be reluctant to respond positively to China's requests for asset recovery. Internationally, there is a general acceptance of an asset-sharing mechanism, where receiving countries (often developed nations like the UK and the US) prefer to return assets partially to the source country, which hinders the development of deeper anti-corruption cooperation. (Xu & Liu, 2019) Transparency International is also influenced by economic interests. As an NGO, it needs to ensure its survival and development. Its funding primarily comes from Western countries, and it may be hesitant to invest substantial resources in closer cooperation with China without clear expected returns, preferring to maintain good relations with Western donors. (Zhang & Gao, 2022)

4.2 International Cooperation Under the Concept of a Community with a Shared Future for Mankind

The concept of a "Community with a Shared Future for Mankind" was proposed by President Xi Jinping in response to the rise of anti-globalization trends in some Western countries and the increasing fragility of global governance. The failure of international rule of law and global governance tools necessitates new solutions to address governance challenges. China's proposal of this concept aims to transform international rule of law and meet global challenges.

Strengthening international anti-corruption cooperation, jointly combating corruption, preventing its spread, and ensuring the common welfare of all countries is an integral part of China's anti-corruption efforts and a vital component of building a "Community with a Shared Future for Mankind." China advocates for a genuine, equal, and mutually beneficial international community, encouraging countries to establish partnerships and consider each other's legitimate concerns while pursuing their own interests. By promoting global progress through national development, rather than maintaining traditional center-periphery capitalist exploitation models, China aims to expand its anti-corruption efforts internationally, sign agreements with other countries, and implement pursuit operations to combat transnational corruption, contributing Chinese solutions and demonstrating Chinese leadership. (Xu & Lu, 2018) This reflects the practical logic of the "Community with a Shared Future for Mankind" theory.

Through equal dialogue and comprehensive cooperation in various fields, building a new type of international relationship based on win-win principles, and enhancing the international community's understanding and support for China's anti-corruption work. International cooperation is a critical link in China's anti-corruption efforts, requiring a healthy international political environment and a robust global governance framework. Building a "Community with a Shared Future for Mankind" provides an opportunity to elevate the strategic position of anti-corruption work, allowing China to establish an international anti-corruption cooperation network and promote a fairer and more reasonable global governance system.

In current international relations, anti-corruption cooperation faces challenges from conflicts of national interests, including lack of political trust, ideological conflicts, and economic interest disputes, making it difficult to advance. In the face of lost direction in globalization and stalled governance reforms, the "Community with a Shared Future for Mankind"

concept offers a new perspective and potential solutions to these conflicts.

First, establishing a win-win concept of righteousness and interests. Anti-corruption is a two-way and interactive global challenge, where all countries have the right to participate equally in international and regional anti-corruption affairs and the obligation to combat corruption. All countries should adhere to a win-win concept of righteousness and interests, considering the anti-corruption needs of each country while conducting their own anti-corruption actions. They should build a common, comprehensive, cooperative, and sustainable anti-corruption philosophy, creating a stable and reliable development environment for the world.

Second, establishing an innovative governance concept. China should integrate domestic governance modernization with global governance, encourage NGOs, civil society groups, and multinational corporations to actively participate in the fight against corruption, and promote the effectiveness, accuracy, and efficiency of corruption governance, driving the global corruption governance system towards a fairer, more reasonable, and more effective direction.

Third, establishing a concept of rule-of-law and justice. Rule of law is a fundamental means of modern governance, and anti-corruption enforcement and prevention cooperation should be conducted under the framework of the United Nations Convention Against Corruption, adhering to international law and national laws. China should actively participate in formulating international anti-corruption rules and maintaining a just and reasonable international political and economic environment, guiding countries to cooperate within the framework of law and order to solve global challenges posed by transnational corruption and achieve fairness and justice in the international community.

In practice, China should actively participate in the formulation of global anti-corruption governance rules, conduct active international publicity and exchange, and seek more international partners. To overcome cooperation barriers caused by political and economic interest conflicts, China has put forward a series of proposals and initiatives, indicating that China emphasizes the importance of international law and multilateralism in promoting global governance reform, upholding the UN-centered system and the purposes and principles of the UN Charter. In advancing foreign-related rule of law, China stresses respecting basic national rights, deepening multilateral coordination, enhancing fairness and justice, and achieving win-win cooperation. These principles provide important guidance for anti-corruption cooperation, helping to build a more just and reasonable international legal environment. In the future, China should continue to actively engage in specialized anti-corruption cooperation, fully utilize multiple resources at home and abroad to adjust and supplement global corruption governance strategies, and maintain its leading position in corruption governance.

5 Academic Insights from Canada's Legal Practice

5.1 Extraterritorial Application of Anti–Corruption Laws

The Corruption of Foreign Public Officials Act (CFPOA), Canada's primary anti-corruption statute, has been widely studied as an example of effective extraterritorial anti-corruption enforcement. Academic research emphasizes that the CFPOA criminalizes bribery of foreign public officials and applies to acts committed outside Canada by Canadian entities or individuals. Scholars highlight the importance of robust extraterritorial legislation in addressing the global nature of corruption.

Insight for China: Strengthening China's extraterritorial anti-corruption laws can reinforce its international cooperation efforts by holding individuals and entities accountable for corrupt activities abroad, aligning with global norms.

5.2 Role of International Treaties in Shaping Domestic Law

Canada's adherence to international treaties like the United Nations Convention against Corruption (UNCAC) and the OECD Anti-Bribery Convention demonstrates the integration of international norms into domestic frameworks. Academic discourse notes that Canada's participation in these conventions has driven domestic legislative changes, such as amendments to the CFPOA and enhanced mechanisms for mutual legal assistance.

Insight for China: China's deeper engagement with international treaties can align its domestic anti-corruption framework with global standards, facilitating cooperation and fostering trust in international anti-corruption efforts.

5.3 Mutual Legal Assistance and Judicial Cooperation

Research highlights the effectiveness of Canada's Mutual Legal Assistance in Criminal Matters Act (MLACMA) in enabling cross-border collaboration on anti-corruption cases. Canadian scholars argue that mutual legal assistance mechanisms are critical for evidence-sharing, extradition, and the recovery of illicit assets, which are essential components of international anti-corruption governance.

Insight for China: By enhancing its mutual legal assistance frameworks, China can strengthen its ability to collaborate with other nations, particularly in tracing and recovering assets linked to corruption.

5.4 Asset Recovery and Financial Transparency

Canada's role in asset recovery efforts under UNCAC and its cooperation with institutions such as the Financial Action Task Force (FATF) are frequently cited in academic literature. Studies emphasize the importance of financial transparency and the role of agencies like FINTRAC in detecting and reporting suspicious transactions, aiding in the recovery of illicitly acquired funds.

Insight for China: Establishing specialized financial intelligence units and collaborating with international bodies can enhance China's asset recovery capabilities, a key aspect of anti-corruption governance.

5.5 Corporate Accountability and Deferred Prosecution Agreements (DPAs)

Academic analysis of Canada's adoption of Deferred Prosecution Agreements (DPAs) in 2018 underlines their role in encouraging corporate transparency and self-reporting. DPAs enable companies to avoid criminal convictions by cooperating with authorities and implementing compliance measures. Scholars argue that DPAs strike a balance between enforcement and minimizing harm to innocent stakeholders.

Insight for China: Introducing DPAs can incentivize corporations to disclose corrupt practices and comply with anti-corruption regulations, promoting corporate accountability.

5.6 Whistleblower Protections and Public Sector Integrity

Canadian academia frequently explores the role of the Public Servants Disclosure Protection Act (PSDPA) in encouraging whistleblowers to report corruption in the public sector. Effective whistleblower protection fosters a culture of transparency and accountability, reducing opportunities for corruption.

Insight for China: Strengthening whistleblower protections within China's anti-corruption framework could encourage reporting of corrupt practices and bolster transparency in governance.

5.7 Balancing Legal and Political Considerations in Anti–Corruption Efforts

Canadian legal scholars emphasize the challenges of balancing legal enforcement with political considerations in international anti-corruption cooperation. Studies underscore the importance of depoliticizing anti-corruption measures to ensure fairness and credibility in enforcement.

Insight for China: Ensuring the impartiality of anti-corruption efforts and separating them from political considerations can build greater trust in China's domestic and international anti-corruption initiatives.

6 Conclusion

International anti-corruption cooperation is not only a key link in China's comprehensive strict governance and anti-corruption efforts but also a critical component of the global governance system. Therefore, China's contemporary anti-corruption struggle should strengthen the "domestic-international" linkage mechanism, addressing bottlenecks and exploring pathways from the perspective of "substance-procedure" dichotomy. In terms of "substance," China should pay attention to the differences between domestic and international laws in defining corruption and recognizing crimes, propose constructive suggestions through participation in international organizations and multilateral forums, and promote uniformity in the international community's recognition of corruption crimes. Additionally, China should enhance legal exchanges and cooperation with other countries, improve global legal norms for corruption crimes, and provide legal basis for cross-border pursuit and asset recovery, ensuring the applicability and effectiveness of the law. In terms of "procedure," China should actively participate in the construction of international anti-corruption cooperation mechanisms, promote the establishment

of more efficient extraterritorial jurisdiction and cross-border judicial assistance systems for corruption crimes, ensuring mutual respect and equal treatment among countries in anti-corruption cooperation, avoiding the influence of political and economic interests on judicial fairness.

Fundamentally, the construction of a "Community with a Shared Future for Mankind" provides an opportunity to elevate the strategic status of anti-corruption work and offers a scientific pathway to promote international anti-corruption cooperation, pushing the international system and global governance towards a fairer and more reasonable direction. Since the 18th National Congress, the concept of a "Community with a Shared Future for Mankind" has guided China's international development cooperation, making China's approach to international anti-corruption cooperation more open. China has transitioned from an "observer" to a "participant" and is gradually becoming a "rule-maker." While fighting corruption domestically, China has provided wisdom, strength, and solutions to international anti-corruption efforts. On the path of international anti-corruption cooperation, China will continue to play a leading role, uphold multilateralism, advocate democratization of international relations, respect the diversity of national sovereignty and development paths, and promote reforms and improvements in global governance. Through enhanced communication and coordination with other countries, China will strive to eliminate obstacles in international anti-corruption cooperation and work towards building a more just and reasonable international order.

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