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The Development of China's Legal Mechanism for Pursuing Fugitives Overseas in the New Era

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Abstract: General Secretary Xi Jinping clearly proposed in the Report to the 20th National Congress of the Communist Party of China to “deepen international cooperation to combat corruption and establish an integrated mechanism for pursuing fugitives preventing escape and retrieving stolen assets”. Pursuing fugitives overseas thus plays a fundamental role in the construction of an integrated mechanism for combating corruption and preventing escape. Under the guidance of Chinese-style modernization theory China's legal mechanism for anti-corruption and pursuing fugitives overseas has been gradually improved. However from the perspective of law enforcement and judicial practice in overseas pursuit of fugitives there are bottlenecks in the commonly applied extradition measures the function of pursuing fugitives in absentia is limited the degree of legalization of sentencing commitments in overseas pursuit needs to be improved and the issue of commuting the term of imprisonment for overseas detention needs to be clarified. In order to promote the construction of an integrated mechanisms for the recovery of fugitives it is necessary to broaden the channels for the application of extradition measures solve the difficult problems of the application of absentia trials with institutional innovation promote the development of the rule of law in sentencing commitments in overseas pursuit of fugitives and clarify the relevant circumstances of commutation of sentences for the duration of overseas detention.

Key words: Pursuing Fugitives Overseas Trial in Absentia Extradite Sentencing Commitment

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