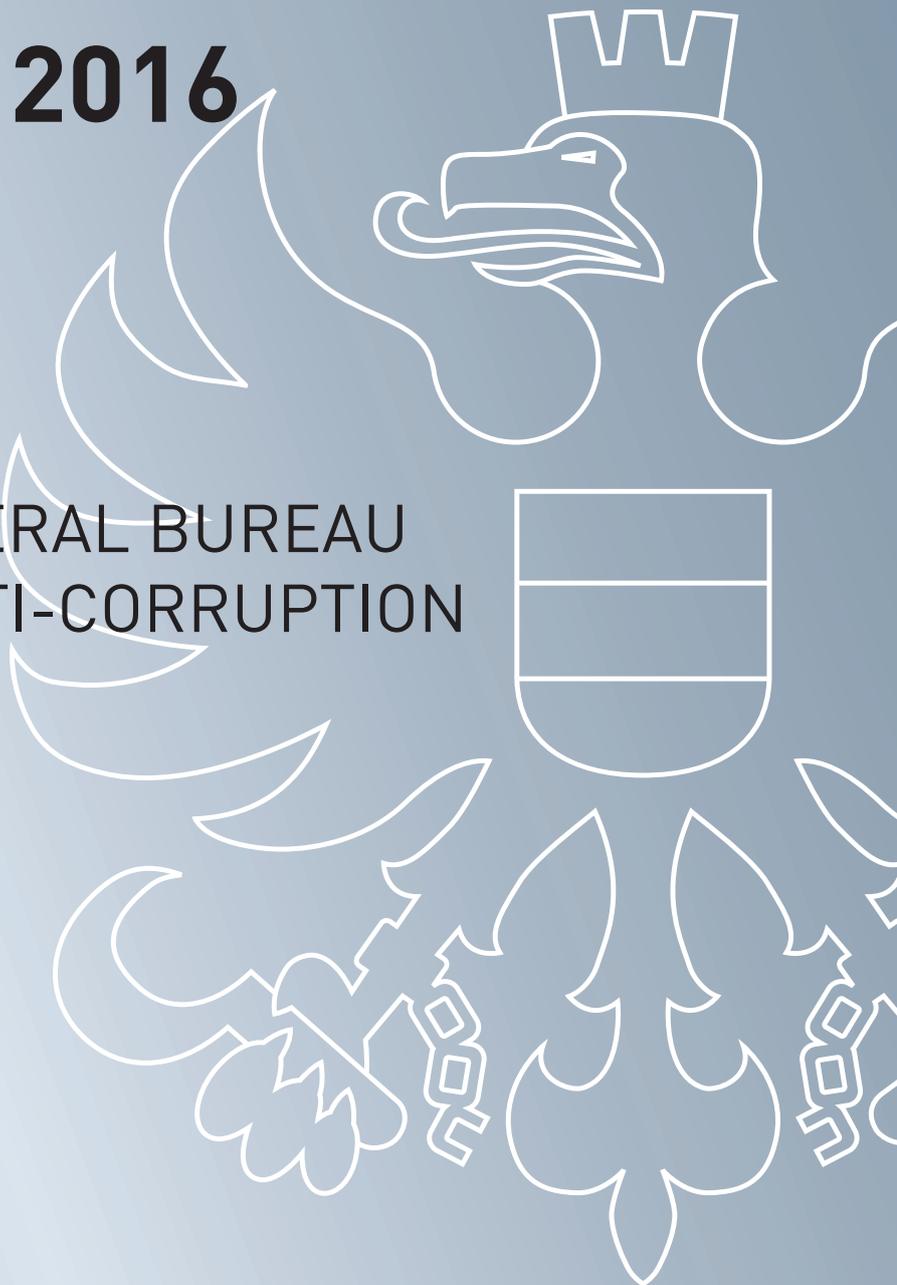




ANNUAL REPORT 2016

FEDERAL BUREAU
OF ANTI-CORRUPTION



IMPRINT

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The BAK

The Austrian Federal Bureau of Anti-Corruption (BAK) was established as of 1 January 2010 and is based in Vienna. The BAK has nationwide jurisdiction in the prevention of and fight against corruption, the close cooperation with the Federal Public Prosecutor's Office for Combating Economic Crime and Corruption (WKStA) as well as in matters of security police and criminal police cooperation with foreign and international anti-corruption institutions.

The BAK and its organizational structure

The BAK is an institution of the Austrian Federal Ministry of the Interior (Mol). Organizationally speaking, it is established outside the Directorate-General for Public Security (see section 1 of the Federal Law on the Establishment and

Organization of the Federal Bureau of Anti-Corruption [BAK-G]), namely within the Directorate-General IV (Services and Supervision), and thus directly responsible to the Director-General IV.

According to the current organization chart, the BAK is divided into three departments. Department 1 and 2 are subdivided into three units, Department 3 consists of four units.

THE BUREAU'S CONTACT OFFICE

The Single Point of Contact (SPOC) is the main contact office of the BAK. The SPOC receives reports, allegations, complaints etc. that may be relevant to criminal investigation. It examines whether the BAK has jurisdiction in the particular case and whether instant measures have to be taken, and distributes the cases. Additionally, the SPOC is responsible for security matters in the BAK.

RESOURCES, SUPPORT AND LEGAL AFFAIRS

Department 1 provides the complete support for the Federal Bureau. The area of responsibility ranges from human resources, budget, controlling, fleet management, logistics, media analyses and public relations to IT infrastructure management, the preservation of evidence in the field of IT, the analysis of data and visualization, the statistical analysis of the BAK's activities, various legal services for the BAK and the implementation as well as supervision of the BAK's compliance management system (CMS). Due to the heavy workload in the field of IT seizures, more IT forensic experts were employed in 2016.

PREVENTION, EDUCATION AND BASIC RESEARCH

Department 2 of the BAK is responsible for, inter alia, prevention and basic research. This comprises preventive activities in the entire civil service, the implementation of studies as well as scientific exchange and supervision of external projects, e.g. the National Anti-Corruption Strategy (NACS). Another area of responsibility of Department 2 is education, which includes, in particular, the servicing of the Austrian-wide Network of Integrity Officers (NIO) as well as the organization of trainings and awareness-raising events for the Federal Ministry of the Interior and other public authorities. Furthermore, Department 2 is responsible for international cooperation, i.e., inter alia, the promotion of bilateral exchange and cooperation with various European or international anti-corruption bodies and institutions.

As regards the field of international cooperation, the project "SIENA for Anti-Corruption Authorities (S4ACA)" was successfully completed in 2016. Additionally, the Director of the BAK was elected President of EPAC/EACN. Thus, the BAK will service this network for the next two years.

The BAK's activities in the field of education are supported by so-called corruption prevention officers (CPOs) in each provincial police directorate. In coordination with the BAK, they give lectures and carry out advanced training courses in their respective province on

issues related to corruption prevention. Consequently, they contribute to saving resources (less travel expenses).

THE OPERATIONAL SERVICE

Department 3 is responsible for operational matters in the BAK, i.e. security police and criminal investigation in the fields of corruption offences, abuse of

official authority and internal affairs. Unit “General Corruption Offences and Accompanying Crime” comprises four investigation teams, units “Abuse of Official Authority and Accompanying Crime” and “Internal Affairs” each consist of two investigation teams. Unit “EKA” is responsible for the coordination of operations, operational case analysis and asset investigations.

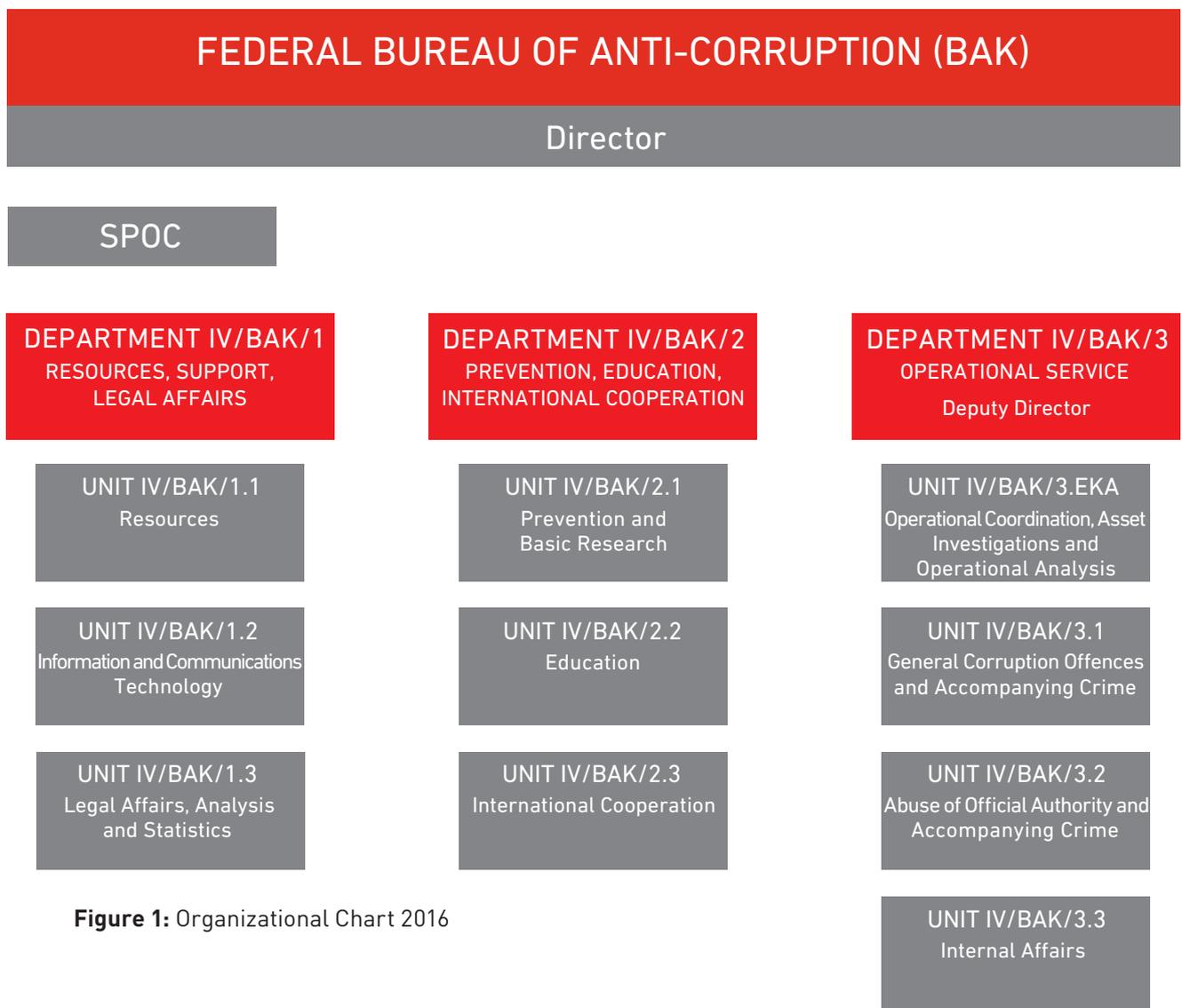


Figure 1: Organizational Chart 2016

The BAK and its legal basis

The Federal Law on the Establishment and Organization of the Federal Bureau of Anti-Corruption (BAK-G) entered into force on 1 January 2010 and constitutes the BAK's legal basis.

JURISDICTION IN MATTERS OF SECURITY AND CRIMINAL POLICE INVESTIGATION

Section 4, paragraph 1, of the BAK-G defines the BAK's tasks. Pursuant to this section, the BAK has nationwide jurisdiction in matters of security and criminal police investigation concerning the following criminal offences:

1. abuse of official authority (§ 302 of the StGB [Austrian Penal Code]),
2. corruptibility (§ 304 StGB),
3. acceptance of an advantage (§ 305 StGB),
4. acceptance of an advantage for the purpose of exerting influence (§ 306 StGB),
5. bribery (§ 307 StGB),
6. offering an advantage (§ 307a StGB),
7. offering an advantage for the purpose of exerting influence (§ 307b StGB),
8. illicit intervention (§ 308 StGB),
- 8a. breach of official secrecy (§ 310 StGB),
- 8b. breach of § 18 of the Information Management Act, Federal Law Gazette (BGBl.) I No. 102/2014,
9. breach of trust due to abuse of an official function or due to involvement of an office holder (§§ 153 para. 2 case 2, 313 or in connection with § 74 para. 1 no. 4a StGB),
10. acceptance of gifts by persons holding a position of power (§ 153a StGB),
11. agreements restricting competition in procurement procedures (§ 168b StGB) as well as serious fraud (§ 147 StGB) and commercial fraud (§ 148 StGB) on the basis of such agreement,
12. acceptance of gifts and bribery of employees or agents (§ 309 StGB),
13. money laundering (§ 165 StGB), provided that the assets arise from the offences 1 to 8, 9, 11, (second and third case) or 12; criminal associations or organizations (§§ 278 and 278a StGB), provided that they intend to commit the offences 1 to 9 or 11 (second and third case),
14. acts punishable pursuant to the StGB and supplementary laws, provided that they are related to the offences 1 to 13 and have to be prosecuted by the BAK by written order of a court or a public prosecutor's office,
15. acts punishable pursuant to the

StGB and supplementary laws that are committed by public employees of the Federal Ministry of the Interior, provided that they have to be prosecuted by the BAK by written order of a court or a public prosecutor's office.

In accordance with section 28, paragraph 1, 2nd sentence, of the Austrian Penal Code (Determination of the Maximum Penalty), the BAK is only responsible for the cases 11 to 13 if the offences mentioned are relevant for the determination of the level of penalty.

THE BAK'S INTERNATIONAL COOPERATION

The BAK's responsibilities in the field of international cooperation are clearly laid down in section 4, paragraph 2, of the Federal Law on the Establishment and Organization of the Federal Bureau of Anti-Corruption (BAK-G): the BAK is responsible for investigations within the framework of international police cooperation and administrative assistance as well as for cooperation with the corresponding institutions of the European Union and the investigating authorities of EU Member States in the cases mentioned above. Regarding international police cooperation in the cases described above, the Bureau acts as point of contact for OLAF, Interpol, Europol and other comparable international institutions.

THE BAK'S PREVENTION ACTIVITIES

According to its legal mandate (section 4, paragraph 3, BAK-G), the BAK shall

analyse corruption phenomena, gather information on preventing and combating them and develop appropriate preventive measures.

DUTY TO REPORT AND RIGHT TO REPORT

Furthermore, section 5 of the BAK-G provides for a duty to report and a right to report. Without prejudice to their duties to report defined by the Austrian Code of Criminal Procedure (StPO), law enforcement authorities or departments receiving notice of a criminal offence defined in section 4, paragraph 1 (1-15), have to report this offence as soon as possible in writing to the Federal Bureau (duty to report). Members of the federal civil service must not be prevented from reporting allegations or suspicious circumstances concerning § 4, paragraph 1 (1-15), directly to the Federal Bureau without going through the official channels (right to report).

COOPERATION WITH AUTHORITIES AND DEPARTMENTS

The BAK-G (section 6) also regulates the cooperation with other authorities and departments. The Bureau may assign certain investigations to other law enforcement authorities and departments for reasons of expediency (section 6, paragraph 2, BAK-G). It may also transfer investigations to other competent law enforcement authorities and departments if there is no particular public interest regarding the importance of the criminal offence or of the person investigated (section 6, paragraph 3, BAK-G).

LEGAL PROTECTION

The Commission for Legal Protection was established as a special form of legal protection. It is an independent body not bound by instructions and subject to official secrecy. It consists of the Legal Protection Officer defined in § 91a of the Austrian Security Police Act (SPG) as well as of two additional members. The Commission has to investigate allegations concerning the

activities of the Federal Bureau that are not manifestly unfounded if the persons concerned do not have a legal remedy at their disposal. It presents an annual report on the performance of its functions to the Federal Minister of the Interior. Moreover, the Commission for Legal Protection may address recommendations to the Federal Minister of the Interior or the Director of the BAK (sections 8 and 9, BAK-G).

The BAK and its compliance management system

In 2015, the BAK decided to establish its own compliance management system (CMS). In order to realize this project, a team was set up to develop and implement such a system. In summer 2015, a comprehensive risk analysis was conducted. It was considered important to ensure the continuous development of the risk management and, therefore, it was agreed to evaluate the risk management system annually. So in summer 2016, it was evaluated for the first time, with the focus being on reviewing the effectiveness of the measures developed in 2015 as well as on identifying possible new and updating already existing risks.

IDENTIFYING NEW RISKS AND DEVELOPING NEW MEASURES

In the course of the evaluation, four new risks were identified. Six of the overall 59 risks, which were identified last year, were adjusted. Additionally, 39 new measures to further mitigate the risks were developed.

REVIEWING THE MEASURES

By the end of December 2016, 112 (91 %) of the 123 measures developed in 2015 were implemented, two measures (2 %) were in the implementation and one measure (1 %) was in the preparation phase. It was found that eight measures (6 %) can't be taken, because their implementation mostly depends on bodies other than the BAK. Due to the implementation of measures, it was possible to reduce the likelihood and/or the impact upon the occurrence of the risk and, thus, the respective overall risk score.

As regards the 39 measures developed in 2016, it can be reported that, by the end of December 2016, 14 measures (36 %) were already implemented. Nine measures (23 %) were in the implementation, two (5 %) in the preparation and two (5 %) in the planning phase. The implementation of twelve measures (31 %) mostly depends on bodies other than the BAK.

**THE BAK AND ITS ACTIVITIES
IN THE FIELD OF BASIC
RESEARCH**



Photo: Fotolia

The BAK and its activities in the field of basic research

Corrupt acts are often committed behind closed doors. Due to the high number of unreported or undetected cases, it is difficult to grasp this phenomenon. Therefore, basic research in this field is all the more important, because effective preventive measures can be developed only on the basis of sound empirical findings. In accordance with its legal mandate, the BAK is dedicated to basic research. With a study on individual attitudes to corruption, the BAK wants to gain data on the awareness of the problem of corruption and on attitudes to corrupt practices.

Research study “Attitudes to corruption in Austria”

In spring 2015, the BAK’s first research study was developed in cooperation with the Hanover University of Applied Sciences and Arts. The aim of the BAK was to gather preliminary and up-to-date data on attitudes to corruption in Austria. The sample included police trainees from all over Austria as well as psychology and law students of the universities of Vienna and Innsbruck. The data collection, for which a standardized questionnaire (Hanover Corruption Scale 38 [HCS 38]) was used, was successfully completed in December 2015. The sample included nearly 1,700 persons. The evaluation revealed some

surprising results, for example in terms of gender differences, which prompt further research studies. The findings of the study will be published in national as well as international journals and contribute to the development and implementation of more customized prevention concepts as well as training modules.

In order to have a data collection tool in accordance with Austrian standards for future studies, a standardized questionnaire HCS 38 Ö (Austrian version) was developed. The BAK commissioned the necessary validation study in late 2016.



Figure 2: Meeting in Hanover: representatives of the BAK and the Hanover University of Applied Sciences and Arts

**THE BAK AND ITS
CORRUPTION PREVENTION
ADVISORY SERVICE**



Photo: Fotolia

The BAK and its corruption prevention advisory service

For the successful prevention of corruption it is vital to have knowledge of potential risk factors for misconduct, to discover them in good time and, based on these findings, develop specific measures to tackle the risks. With this in mind, the BAK's prevention team uses a manual specifically created for the systematic implementation of the advisory services. Following an analysis of the initial situation, framework conditions and objectives of the requested advisory service, areas vulnerable to corruption are identified and emerging risks are evaluated according to recognized standards. The analysis focuses on regulations, organizational structures, working procedures, the organizational culture and human factors.

The BAK and its corruption prevention advisory programme for prisons

In September 2015, the Directorate-General for the Administration of Custodial Sentences and Measures involving Deprivation of Liberty of the Austrian Federal Ministry of Justice and the Austrian Federal Bureau of Anti-Corruption signed an agreement on corruption prevention advisory services for prisons. The subject of this agreement is the analysis of corruption risks in certain parts of the penal system as well as the formulation of recommendations and the development of preventive measures to reduce risk areas. In December 2016, the advisory programme was concluded

with the formulation of recommended measures aiming to promote integrity and a corruption-free organizational culture as well as to increase the ability of employees to act correctly. Beforehand, the working procedures and the organizational structure, human factors and the organizational culture were analysed. The visits to the prisons, the interviews conducted during these visits and the analysis of concluded cases of the BAK were essential parts of this advisory programme and contributed to getting a comprehensive overall picture.



The BAK and the corruption prevention advisory programme “Promoting police integrity with a particular focus on processes of group dynamics”

In response to media coverage of allegations of abuse against police officers, the BAK started the corruption prevention advisory programme “Promoting police integrity with a particular focus on processes of group dynamics” in 2015.

This advisory programme aimed to promote police integrity in three different areas, which were also the core themes of this corruption prevention advisory programme.

POLICE BASIC TRAINING

The prevention team of the BAK conducted a thorough review of all training modules of police basic training regarding the topics human rights, ethics and integrity. Special attention was paid to the field of operational training. Furthermore, it was dealt with the new curriculum for police trainees and the planned new subjects.

OPERATIONAL TRAINING

In addition to the operational training as part of police basic training, the operational trainers themselves should be made aware of group dynamics in police work and receive specific training. This should take place in the framework of the obligatory training week.



Figure 3: Operational training with employees of the BAK

SUPERVISORY OFFICERS

As there are more practical phases foreseen in the new curriculum of police basic training, it is essential that experienced police officers give good and competent advice to police trainees. The concept of training supervisors and supervisory officers is applied throughout Austria. A uniform new decree is being prepared by the Directorate-General for Public Security in coordination with the BAK.

In the course of the advisory programme, further relevant fields were revealed, which went beyond the originally defined main topics, such as advanced training,

activities in the framework of a round table of experts in the Directorate-General for Public Security and selection of staff. These topics, too, were analysed and covered in the final report at the end of 2016. Due to coordinated and active action, it was possible to connect the various organizational units in the course of this corruption prevention advisory programme. The results as well as the already implemented and future optimizations and changes made an important contribution to increasing the ability of Austrian police officers to act correctly.



Photo: Fotolia

THE BAK AND ITS PREVENTIVE ACTIVITIES

The BAK and its preventive activities

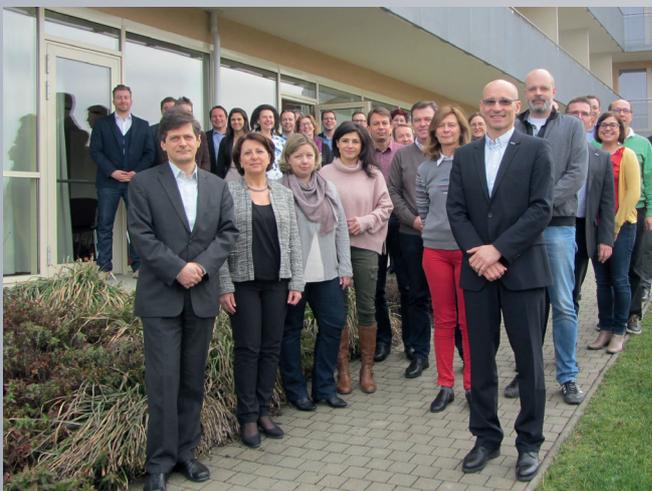
The Network of Integrity Officers in the civil service (NIO)

IMPROVING ALREADY HIGH STANDARDS

International comparisons and various national confidence indices confirm that Austria has a very good public administration with dedicated and competent civil servants. Every day, many people with different concerns turn to or use the services of public institutions, whether it is for necessary building permits, subsidies or police assistance. In addition, there are various government-related institutions, which, too, make an important contribution to providing services to the population.

Although Austria already has high standards in the prevention of and the fight

against corruption, it is intended to further promote the concept of integrity. Therefore, measures are taken to ingrain the idea of behaving with integrity even more in the consciousness of the members of the civil service as a key element of promoting integrity, reliability and efficiency. To this end, the BAK trains members of the civil service to become experts in the promotion of integrity and prevention of corruption in the framework of the Network of Integrity Officers. In order to establish an Austrian-wide network, all other citizens should be given the opportunity to contribute to more integrity in Austria as well.



24 ◀ **Figure 4:** Basic training for integrity officers



Figure 5: A participant receives the certificate

ACHIEVING THE OBJECTIVE: BASIC TRAINING FOR INTEGRITY OFFICERS

The curriculum of this one-week basic training is based on the BAK's many years of experience in the organization and implementation of measures to enhance integrity and prevent corruption in the Austrian public administration. The training course includes lessons on the phenomenon of corruption, corruption prevention, risk management, criminal law, civil service law, organizational law as well as compliance and integrity management in public administration. The lessons aim to increase the ability of civil servants to act correctly and take into account the particular demands and framework conditions of the public administration. The BAK covers the cost of accommodation and meals for the participants within the framework of an EU co-financed project.

In March and November 2016, the first two basic trainings for integrity officials organized by the BAK took place. The

BAK welcomed 46 participants from various fields of the federal and provincial administration as well as representatives of the government-related institutions to these events.

In addition to the transfer of knowledge and skills, the participants have ample time to get to know each other during the one-week basic training, which creates the basis for constructive cooperation and an open exchange of experiences. The aim of the BAK is to provide the various experts with an institutional framework for networking and discussing similar challenges.



Figure 6: Basic training for integrity officers



Figure 7: A participant receives the certificate

COMMUNICATION CHANNELS – ONLINE PLATFORM AND WEBSITE

The BAK established, operates and manages a specific internet platform for the network (NIO platform), which provides the integrity officers with in-depth information on compliance, corruption, ethics integrity or organizational culture.

In order to inform the interested Austrian civil society on the many efforts in the public administration to promote integrity, the BAK operates a website (www.integrität.info) specially set up for this purpose. On this website, information about the activities of the NIO is published in a timely manner and

targeted messages are brought into public discourse.

FOLLOW-UP AND NETWORK MEETINGS

In the framework of the network, the Bureau organizes follow-up meetings focusing on different topics for the integrity officers on a regular basis. The first follow-up meeting took place in October 2016 in the form of a workshop on the topic of risk management in public administration. These meetings should not only ensure the transfer of information and knowledge by means of lectures and keynote speeches, but also the networking of the integrity officers.



Figure 8: NIO – participants of a working group



Figure 9 NIO – lecture on civil service law



Figure 10: NIO – participants of the first follow-up meeting

Corruption prevention in the field of education

EXTERNAL INPUT

As the BAK constantly evaluates its already successfully implemented trainings in the field of education in order to further develop them, it was time to add new ideas and innovative methods to the existing concept for upper secondary school students aged 14 to 19.

The reason for this update was an anti-corruption workshop for third-gradestudents of the commercial college of the Vienna Business School Hamer-

lingplatz, which was held in English and took place at the premises of the BAK in April 2016. Representatives of anti-corruption authorities from Algeria, Brazil and Hungary and Algerian education experts participated in this workshop as well, because they wanted to acquire an understanding of the BAK's prevention work. The active involvement of the delegates in the event provided valuable input, which reinforced the decision of the BAK's prevention team to further develop the anti-corruption trainings in the field of education.



Figure 11: Anti-corruption workshop for students

ACTIVE METHODS MAKE LEARNING ATTRACTIVE

In the course of the year 2016, many new and active methods were incorporated into the anti-corruption workshops for upper secondary school students. The aim was to increase the involvement of the adolescents and young adults. It was important for the BAK to contribute to the adolescents' development in a holistic way, allowing for them to acquire and further develop cognitive, emotional and behavioural skills. The workshop is dedicated to increasing the awareness of corruption phenomena and corrupt acts along with all consequences, the prevention of possible misconduct and the promotion of integrity. Therefore, the contents were tailored to the everyday and future working life of the target group, with practical relevance being a priority. In order to increase the reach of the BAK's preventive measures in 2016, the trainings were held on-site in schools more often.

AN EVENT FOR THE WHOLE SCHOOL

In addition to the already established anti-corruption workshops, an anti-corruption event for upper secondary school students was developed. At these events, there is a deliberate departure from the traditional age-homogenous school setting, meaning that the classroom doors will be opened and the premises of the whole school will be used if possible. What is special about the anti-corruption event is that the students get to know different contents of the topics of corruption prevention and promotion of integrity while rotating through several stations in small groups. When dividing the students into groups, the BAK attaches importance to mixing classes and grades. In doing so, the students' social skills are promoted as they have to take lead responsibility and work in a team.



Figure 12: Workshop for teachers

WELL-STRUCTURED EDUCATIONAL PROJECTS: FIVE-PHASE MODEL

As the prevention team of the BAK attaches great importance to the sustainability of its projects in the field of education, the anti-corruption workshop and the anti-corruption event are implemented in five phases involving the teachers who supervise and support the project.



Figure 13: The BAK's five-phase model

After the preparation phase (phase 1), during which the scope of the project is defined, the teachers not only receive comprehensive information on the topic of corruption, but also teaching material and methods specifically designed for the planning of lessons (phase 2). The lessons should prepare the students for the upcoming workshop or event (phase 3).

In addition, the prevention team of the BAK offers separate workshops for teachers (phase 2) with the aim to raise awareness among teachers regarding their role as office holders. In 2016, such a workshop was carried out at the Business Academy and Business School in Vienna's tenth district in the framework of an advanced training course for teachers. It was very well-received.

In phase 4, the prevention team of the BAK holds the one-day anti-corruption

workshop or event. The final phase (phase 5) is dedicated to a follow-up and reflection session with the students in their respective classes, where the employees of the BAK recapitulate the contents once more.

In 2017, it is planned to continue with and evaluate these projects for upper secondary school students. Furthermore, the workshops and events will be offered to a new target group, namely lower secondary school students, with the focus of the projects being on ethics, integrity and value development.

"Children are hopes." (Novalis)

The BAK, too, considers children, adolescents and young adults beacons of hope for a more corruption-free future by them behaving with integrity in legally protected areas.

THE BAK AND ITS EVENTS

"Die Tatsache, dass heute andere Medien genutzt werden als in früheren Zeiten rechtfertigt es nicht, eine ganze Generation als andersartig zu mystifizieren."

Rolf Schulmeister
„Gibt es eine Net@generation?“
2008/2009

„Es ist wichtig, die Debatte über die Net Generation nicht länger auf dem Niveau von Einzelfall-Berichten, eigenem Erleben und ungeprüften Meinungen zu führen, sondern einer wissenschaftlichen Auseinandersetzung in Konfrontation mit empirischen Daten zur Mediennutzung von Kindern und Jugendlichen zu widmen.“

Photo: BAK

The BAK and its events

The prevention work of the Austrian Federal Bureau of Anti-Corruption also comprises measures of behavioural prevention such as activities to raise awareness and transfer knowledge of corruption phenomena. In line with this approach, the BAK organizes several events dealing with specific aspects of corruption.

10th Austrian Anti-Corruption Day

On 27 and 28 April 2016, the 10th Austrian Anti-Corruption Day organized by the Austrian Federal Bureau of Anti-Corruption (BAK) took place in Vienna. Its theme was "Social media and the public administration: opportunity or risk?"

After the opening by Hermann Feiner, Director-General of the Directorate-General IV in the Austrian Federal Ministry of the Interior (Mol), Andreas Wieseltaler, Director of the BAK, made the following introductory remark: "Social

media are ever-present communication channels, which the public administration can't ignore any longer."

The approximately 150 participants, consisting of members of the public administration and interested representatives of the private sector, listened to presentations given by various lecturers. Leo Hemetsberger, philosopher and business consultant, compared social media with the mythological hydra. In his lecture "Social media and data protection – what Facebook knows about us", Maximilian Schrems, data protection activist, revealed the data collections of the providers of social networks and pointed out the related dangers.

Furthermore, Robert Gottwald, Department "ICT Applications and Services" in the Mol, spoke about the various dangers posed by social media, ranging from "smombies" to the violation of personal rights. Max Mosing addressed the challenges in the use of social media from a lawyer's point of view, for example criminal offences and obligations of due diligence under the Media Act.

Michael Wirz gave a lecture on public relations at Zurich Municipal Police, Switzerland. Zurich Municipal Police takes a very offensive and transparent approach as regards social media. According to the motto "Transparency is the best way to increase trust in the police", social media are, inter alia, used to tweet about police operations. The

so-called ICops as well as HR marketing via Facebook received a lot of positive feedback in Switzerland.

The digital natives are one of the areas of research addressed by Martin Ebner from the University of Graz. He focused on the young generation's readiness to use digital media anytime and anywhere, even for study purposes. According to him, prohibitions are not a suitable way to meet the challenge of regulating and steering social media activities.

Isabella Spazierner-Vlaschitz from the BAK described the use of social media from a psychological point of view. She spoke about the pressure to be constantly online, the online disinhibition effect or the fear of missing out on social interaction.

The evening event, held in cooperation with LexisNexis, was entitled "Employees on the (social) net – an issue relevant to compliance?" The panellists were Charlotte Eberl, Rainer Knyrim, Leopold Löschl and Maximilian Schrems. One of the most striking statements was, "Think! It's not illegal yet." Furthermore, it was pointed out that it does not suffice to summarize rules; they must also be communicated in a user-oriented way.



Figure 14: 10th Anti-Corruption Day

Conference of the corruption prevention officers (CPOs)

This year's spring conference of the corruption prevention officers (CPOs), counting about 25 participants, took place from 13 to 16 June 2016 in Kramsach, Tyrol. The training was held by an expert in education and a specialist in aliens law. The CPOs broadened their knowledge of corruption prevention didactics as well as of methodical approaches regarding rhetorical techniques. Furthermore, they were instructed about the powers granted to officers in the fields of aliens law and border police with a particular focus on topics related to corruption.

The specialist knowledge acquired at this event is supposed to be passed on to police students during their basic

training. The conference not only provided information on the latest developments in the area of education/training and the most important educational measures, but it also led to discussions on the number and target groups of lectures/conferences as well as on changed circumstances.

The conference was co-financed by the EU's Internal Security Fund (ISF) within the project "Anti-corruption training for members of the civil service as well as establishment and operation of a national network of anti-corruption officers".



Figure 15: Conference of the CPOs, spring 2016

Conference of the compliance officers (COs) of the Ministry of the Interior and the corruption prevention officers (CPOs)

Since 2015, joint conferences of the CPOs, representatives of the Austrian Federal Bureau of Anti-Corruption (BAK), the COs of the provincial police directorates, and the Chief Compliance Officer (CCO) of the Austrian Federal Ministry of the Interior (Mol) have been held once a year in order to address current issues related to compliance and the prevention of corruption. In 2016, this conference took place from 21 to 24 November in Stegersbach, Burgenland.

The introductory remarks by the Director of the BAK, Andreas Wieselthaler, and the CCO of the Mol, Albert Koblizek, were followed by a presentation given by the representative of Europol, Gerald Hesztera (Head of Corporate Communications), who focused on the Europol guideline on the use of social media as well as on national examples from the Netherlands, England and Austria.

In the course of the subsequent workshop, participants worked out, inter alia, proposals regarding the formulation and necessity of a nationwide provision for the Mol relating to social media. Furthermore, the risks and dangers of the use of social media by police officers were discussed. Another item on the agenda was the presentation of the results of a survey by the BAK and

the CCO about the code of conduct. On the basis of proposals of the conference participants, the code of conduct is to be revised and further developed.

Moreover, a demonstration of the e-learning tool on the criminal law on corruption and its application in the context of police training as an element of blended learning was part of the programme. The tool had been created by the BAK in cooperation with the Austrian Federal Police Academy (SIAK).

At the end of the event, information was provided on next year's priorities, new developments and measures in the fields of education and training.

The conference was co-financed by the EU's Internal Security Fund (ISF) within the project "Anti-corruption training for members of the civil service as well as establishment and operation of a national network of anti-corruption officers".

THE BAK AND ITS TRAINING COURSES

The BAK and its training courses

In order to raise awareness and disseminate knowledge on corruption and abuse of official authority, the Federal Bureau offers numerous activities within the framework of (advanced) training events for employees of the Austrian Federal Ministry of the Interior (Mol) as well as for members of other institutions.

21st training course of the BAK

In April 2016, the BAK organized another advanced training course – it was already the 21st of its kind.

In two one-week modules, 20 participants representing various departments of the Mol were provided information on corruption-related issues. The first module included a presentation of the BAK and the tasks of the Austrian Federal Public Prosecutor's Office for Combating Economic Crime and Corruption (WKStA) as well as information on corruption in general and on aspects related to criminal law and the code of criminal procedure.

During the second week of the course, issues such as economic crime, civil service law, disciplinary law, data protection, ethics and compliance were addressed. The second module also dealt with the psychological background of corruption, prevention of corruption, and corruption in the international context.

The BAK's advanced training course was co-financed by the EU's Internal Security Fund (ISF) within the project "Anti-corruption training for members of the civil service as well as establishment and operation of a national network of anti-corruption officers".

Advanced training course for corruption prevention officers (CPOs) of the BAK

At the beginning of 2012, the BAK implemented a system of knowledge disseminators in the field of education and training. To this end, the Federal Bureau held its first three-week advanced training course for 23 education officers (current denomination: “corruption prevention officers”, CPOs) in autumn 2011. There are currently 17 CPOs participating in a “train-the-trainer” programme. Their main task is to support the BAK in carrying out (advanced) training measures for corruption prevention, particularly as part of police basic training. In 2016, the CPOs trained around 7,000 employees of the Ministry of the Interior (duration: approximately 500 teaching units). This means that more than 60 per cent of all educational measures of the BAK were implemented by the CPOs.

In view of changed circumstances – such as the new curriculum for police basic training, the recruitment of a significant number of police officers and, at the same time, the increase in staff in the Federal Office for Immigration and Asylum (BFA) – the BAK had to organize the second advanced training course for CPOs in order to expand the number of trainers specialized in this field. In the medium to long term, the training of additional CPOs is aimed at ensuring the implementation of professional anti-corruption training courses in the Federal Ministry of the Interior.

During the two-week course, which was held in October and November 2016 following a professional application and selection process, 19 participants worked on the psychological background and principal characteristics of corruption. They acquired in-depth knowledge of relevant areas of law, such as data protection and criminal law, and the functioning of the Austrian Federal Public Prosecutor’s Office for Combating Economic Crime and Corruption (WKStA). Moreover, they were given presentations by experts in didactics and discussed the impact of severe misconduct on the basis of case examples of the disciplinary committee.

At the end of the event, the newly trained corruption prevention officers received a certificate acknowledging their inclusion in the pool of CPOs and enabling them to deliver (advanced) training courses on corruption prevention, primarily within police basic training.

The BAK’s advanced training course for CPOs was co-financed by the EU’s Internal Security Fund (ISF) within the project “Anti-corruption training for members of the civil service as well as establishment and operation of a national network of anti-corruption officers”.



Figure 16: Advanced training course for CPOs

The BAK's lectures

In total, 115 lectures (almost 800 lessons) on preventing and combating corruption were offered to approximately 2,800 participants in 2016.

Thus, since the establishment of the BAK in 2010, the Bureau's employees have provided training for some 20,700 employees of the Austrian Federal Ministry of the Interior (Mol).

Source: BAK

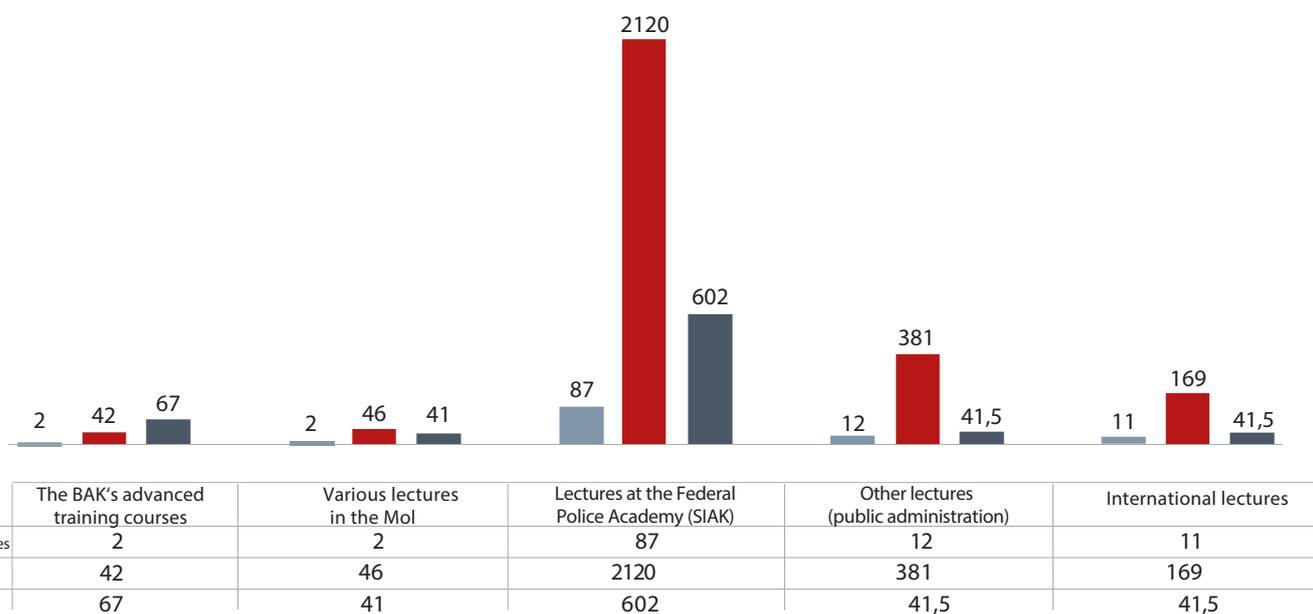


Figure 17: The BAK's lectures in 2016

The BAK gave a total of 87 lectures (equivalent to about 600 teaching units) in all basic and advanced training courses offered by the Austrian Federal Police Academy (SIAK). The lectures were attended by 2,120 persons.

The most important target group (1,456 participants in 62 lectures) were police trainees, e.g. from border police. Nine lectures attended by 330 officers were given as part of the training for future police sergeants. The BAK carried out one lecture each for the Master's degree programme "Strategic Security

Management” and the Bachelor’s degree programme “Police Leadership”. 54 senior officers took part in these two courses.

Ten lessons for 180 employees of the Mol were given within the framework of the basic training courses for administrative staff of all grades.

Eleven training and information events for different target groups of the Mol (employees of the Directorate-General III, FRONTEX training, supervision of informants, etc.) reached another 170 persons.

381 persons from various fields of the civil service (e.g. Austrian Federal Ministry of Finance, Austrian Federal Academy of Public Administration, etc.) participated in twelve training and information events dealing with the phenomenon of corruption as well as offences of corruption and abuse of official authority.

SPECIFIC FOCUS ON DEPARTMENT III/9 OF THE MOI AND THE AUSTRIAN FEDERAL OFFICE FOR IMMIGRATION AND ASYLUM (BFA)

Due to the increase in staff in the BFA and Department III/9 (“Basic Care”) of the Mol, the demand in the BAK’s information and awareness-raising events was growing.

In 2016, the BAK provided four teaching units on corruption prevention of four hours each for 100 members of Department III/9. In the BFA, the BAK trained

121 new administrative employees of grade “A2” (highest level of education completed: upper secondary diploma).

In order to deepen the knowledge acquired and address additional employees, the BFA requested the BAK to develop a special one-week training for BFA employees. Staff members having completed this training will, in addition to their regular duties, act as contact persons of their organizational units for matters relating to compliance and corruption. The BAK and the BFA signed a cooperation agreement; the planning of the training week has already started.

In parallel, another training course for all (approx. 1,000) BFA employees, which had also been requested, was developed. In 2017, it will be carried out all over Austria with the support of the local corruption prevention officers (CPOs).

The BAK's interactive learning objects as educational measure

E-LEARNING MODULE “CRIMINAL LAW ON CORRUPTION” FOR POLICE BASIC TRAINING

The starting point for the introduction of the e-learning module “Criminal Law on Corruption” was the reform of the curriculum for police basic training. According to this curriculum, the BAK is responsible for the teaching content of the subject “Offences of corruption and abuse of official authority”.

The e-learning module is not only intended to serve as an interactive learning object to prepare for the period of attendance of the basic training, but it is also a valuable reference tool for the theoretical part of the criminal law on corruption in the period after the training. With the help of the module, the future law enforcement officers are able to learn the key provisions of the criminal law on corruption and thus to achieve a uniform level of knowledge. The certificate of completion is a prerequisite for continuing police basic training.

The activation of the e-learning tool “Criminal Law on Corruption” on the virtual campus of the Federal Police Academy (SIAK) coincided with the coming into effect of the curriculum of police basic training on 1 December 2016. The management of the organizational measures and the evaluation of the efficiency are implemented with the support of the SIAK's training centres.



Figure 18: Virtual Campus of the Federal Police Academy (SIAK)

Art/Typ	Titel	Lernstatus
+	Einführung	abgeschlossen Gelernte Zeit: Maximales Ergebnis: 100%
+	Legaldefinitionen und Grundbegriffe	abgeschlossen Gelernte Zeit: Maximales Ergebnis: 100%
+	Misbrauch der Amtsgewalt	abgeschlossen Gelernte Zeit: Maximales Ergebnis: 100%
+	Bestechungsdelikte	abgeschlossen Gelernte Zeit: Maximales Ergebnis: 100%
+	Sonstige Amtsdelikte	abgeschlossen Gelernte Zeit:

Figure 19: Modules of the interactive learning object “Criminal Law on Corruption”

E-LEARNING MODULE “PREVENTION OF CORRUPTION” WITHIN THE FRAMEWORK OF THE PROJECT “SECURITY PARTNERSHIP – JOINING FORCES FOR SECURITY IN AUSTRIA”

The e-learning module “Prevention of Corruption” prepares the security officers and security coordinators participating in the pilot phase for their tasks within the project “Joining Forces for Security in Austria”. This learning tool was developed in close coordination with the Criminal Intelligence Service Austria.

The aim was to increase the security officers’ ability to act correctly in matters relating to compliance, which is necessary for cooperating with the security partners, and thus to ensure uniform quality standards across Austria.

The module starts with a film providing an insight into the phenomenon of corruption. The submodule “Criminal Law on Corruption” for the security officers was designed on the basis of the module “Criminal Law on Corruption” for police basic training and specially tailored to the needs of the security officers. For developing the submodule “Practice-related case examples of maintaining contact between security officers and security partners”, practical experiences of community policing were taken into account. The module is composed of case examples related to key issues of compliance such as general obliga-

tions of conduct, lawful performance of duties, and partiality.

The e-learning module “Prevention of Corruption” was completed at the end of 2016 and went online at the beginning of 2017. Due to the obligation, regulated by decree, to complete the interactive module, around 350 security officers have already passed the tailor-made learning tool.



Figure 20: Modules of the interactive learning object “Prevention of Corruption” for the project “Security Partnership – Joining Forces for Security in Austria”

THE BAK AND SELECTED OPERATIONAL DATA



Photo: Fotolia

The BAK and selected operational data

Investigating corruption offences is the key task of the BAK. The following chapter provides general information on the BAK's statistical data collection and comprises a selection of data on the Bureau's operational activities.

General explanations about the BAK's statistical data collection

The statistics of the BAK's operational activities cover all cases becoming known to the Bureau that may result in criminal proceedings (statistics on incoming cases). The statistical data is constantly being updated and adjusted on the basis of the results obtained through criminal investigation.

All incoming reports, allegations and suspicions are statistically recorded by the BAK, regardless of how the Bureau has been informed about them (telephone, mail, fax, email) or whether an investigation has been initiated ex officio. They are received from, e.g., other authorities or departments, a public prosecutor's office, private

persons or anonymous sources. A preliminary examination of all incoming items of information is carried out by the BAK's Single Point of Contact (SPOC).

In principal, each case is classified in accordance with the list of offences described in the Federal Law on the Establishment and Organization of the Federal Bureau of Anti-Corruption (BAK-G). Primarily, a distinction is made between cases covered by section 4, paragraph 1 (1-13), BAK-G (so-called exclusive jurisdiction) and cases falling under section 4, paragraph 1 (14-15), BAK-G ("extended jurisdiction"), which are only investigated by the BAK by written order of a court or a public prosecutor's office. Cases reported to the BAK which do not fall within the BAK's remit whatsoever (e.g. disciplinary matters or misdirected mail) are registered as "other cases". Requests of administrative or legal assistance (i.e. the BAK supports other authorities) are recorded separately.

It should be noted that the statistics of the BAK are not statistics dealing with final judgments. Therefore, the presumption of innocence applies to all suspects covered by the Bureau's statistics.

The present statistics are based on a complete survey, i.e. the corpus of data consists of all reports, allegations, etc. received by the BAK/SPOC during the reporting year. Cases from previous reporting years where the investigation has not been completed are not included

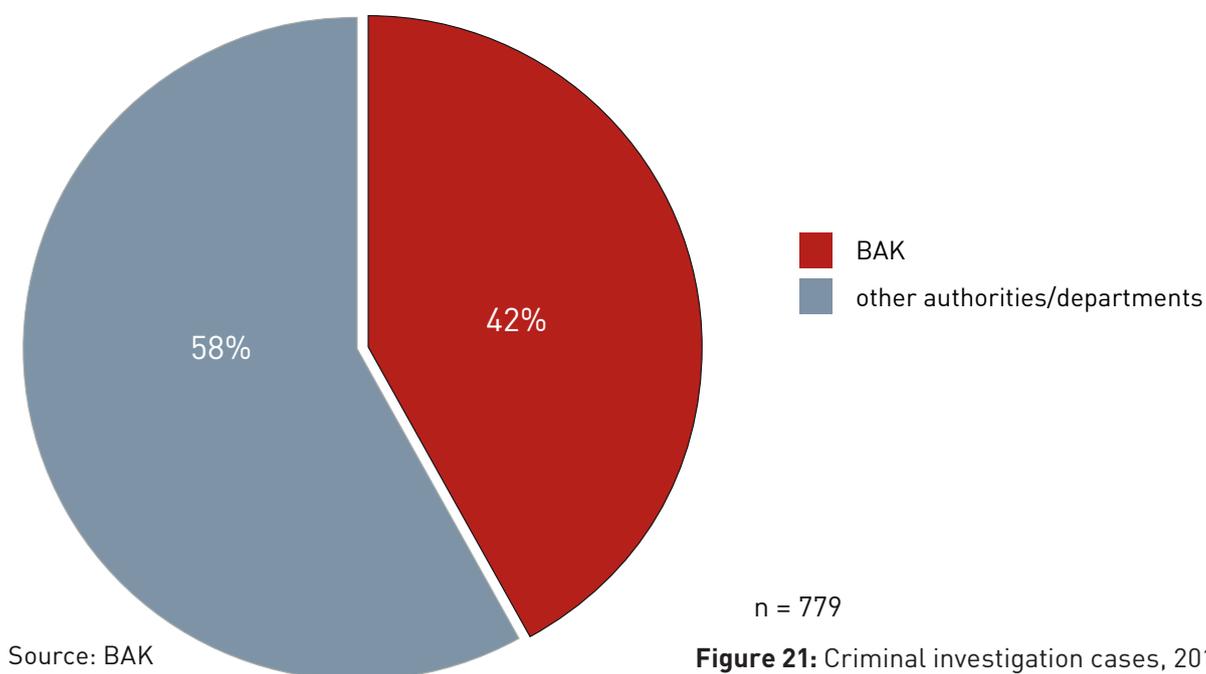
in the statistics of the new reporting year. The survey period ends on 31 January of the year following the reporting year. This phase-out period is necessary in order to integrate the criminal investigation results as completely as possible into these continuous statistics.

Due to the revision of the BAK's statistics in 2016, this annual report, unlike in previous years, does not include information about all cases registered by the BAK, but only provides statistical data related to the cases investigated by the BAK itself. In 2017, the statistics on the BAK's operational activities will be presented in a completely new way.

Criminal investigation cases in the BAK

In 2016, there were 779 criminal investigation cases, 328 (42 %) of which were handled by the BAK. Within the framework of its exclusive jurisdiction, the BAK (pursuant to section 6, BAK-G) assigned the investigation of certain cases to other authorities or departments for reasons of expediency or – if there was no particular public interest regarding the importance of the criminal offence or of the person investigated – transferred cases in their entirety to other authorities or departments (451 cases, 58 %).

Criminal investigation cases 2016



266 of the 328 investigation cases handled by the BAK came under the exclusive jurisdiction of the Bureau (section 4, paragraph 1 [1-13], BAK-G), 11 cases were investigated due to the BAK's extended jurisdiction (section 4,

paragraph 1 [14-15], BAK-G), 14 of them were requests for administrative or legal assistance. 37 cases had not yet been assigned at the time of the data enquiry.

Concluded cases and clear-up rate

In the reporting year, the BAK concluded 221 (67%) of its 328 cases. This means that, in addition to cases under investigation of previous years, 107 cases not completed in 2016 will be further investigated in the next year. Because of their complexity, numerous cases are being investigated over a period of several years.

163 of 221 cases concluded by the BAK were solved (clear-up rate: 74 %) in the reporting year. A case is classified as "solved" if at least one perpetrator could be identified by name.

Breakdown of the criminal offences investigated

The following figure shows the criminal offences which were the subject of the BAK's 328 criminal investigation cases. Not included in these numbers are 14 requests for administrative or legal

assistance. The basis for the following statistics is the "principal offence" of each case, i.e. the criminal act determining the level of penalty.

Criminal offences (under the Austrian Penal Code, StGB)	BAK
§ 153 Breach of trust	11
§ 153a Acceptance of gifts by persons holding a position of power	1
§ 165 Money laundering	4
"§ 168b Agreements restricting competition in procurement procedures	2
§ 302 Abuse of official authority	247
§ 304 Corruptibility	8
§ 305 Acceptance of an advantage	2
§ 306 Acceptance of an advantage with intent to be influenced	2
§ 307 Bribery	4
§ 307a Offering an advantage	0
§ 307b Offering an advantage with intent to influence	0
§ 308 Illicit intervention	0
"§ 309 Acceptance of gifts and bribery of employees or agents	2
§ 310 Breach of official secrecy	19
"§ 313 in connection with §§ 83, 84, 95, 105, 107, 125, 127, 128, 129, 133, 146, 153, 201, 218, 228, 295 and § 51 DSG (Data Protection Act)	4
Other criminal offences under the Austrian Penal Code (StGB)	8
Other acts relevant to criminal law	0
Total	314

Figure 22: List of punishable acts based on the principal offence of each case

In the majority of cases (79 %), abuse of official authority (§ 302 StGB) is the principal offence. This percentage, which has been high for many years, can

partly be explained by the fact that in cases with several punishable acts, the abuse of official authority is usually the principal offence.

Asset protection in the BAK

During the calendar year 2016, the staff responsible for asset protection conducted a targeted asset or financial investigation in a total of 21 cases and submitted corresponding reports to public prosecutor's offices. Furthermore, 14 cases of money laundering were investigated. The Financial Intelligence Unit (FIU) of the Criminal Intelligence Service Austria had received allegations in this context and had transferred the cases to the BAK which, following an assessment, took them on for further investigation. Due to measures of asset protection and the investigation into money laundering,

property and assets of more than 2.1 million euros were seized or confiscated on the basis of orders by public prosecutor's offices and court decisions.

The BAK handled eight requests for legal assistance in the calendar year and answered numerous requests on investigation cases received via the SIENA communication channel (Europol's Secure Information Exchange Network Application). The Bureau's crime analysts monitored and evaluated 19 complex investigation cases with diverse requirements and different amounts of data.

General corruption offences and accompanying crime

In the Unit "General Corruption Offences and Accompanying Crime" preparations were made for the establishment of a fourth investigation team due to the increase of the particularly intricate and resource-intensive investigation of cases relating to the private sector and territorial authorities in recent years. The following example illustrates the complexity of the investigative work:

FIRST SENTENCE IN THE SALZBURG FINANCIAL SCANDAL

In February 2016, the former Head of the Budget Unit of the Office of the Government of the Federal Province of Salzburg was sentenced to three years imprisonment, thereof one year unconditional imprisonment, for serious fraud and forgery of documents (res judicata).

Systematic analytical and investigative work, undertaken by the BAK's criminal investigators by order of the Austrian Federal Public Prosecutor's Office for Combating Economic Crime and Corruption (WKStA), had preceded this sentence.

ONE YEAR OF CRIMINAL INVESTIGATION

Due to a meticulous examination of the case, the BAK's criminal investigators succeeded in identifying inconsistencies with regard to payments of the federal disaster relief fund. By going through some 40,000 Excel rows, each including a payment, they were able to track all cash flows of the last five years and reveal the loss of about 10 million euros.

The investigators analysed the original damage reports of, e.g., schools, municipalities or museums of the Province of Salzburg and soon found out that the original amounts did not correspond to the requested funds which were finally reported to the disaster relief fund. In order to receive the requested appropriations from the federal disaster relief fund for the cases notified by the province, municipalities or other entities, the Head of the Budget Unit, on a large scale, reported higher amounts of damage, or changed or invented certain sums. All claimants were compensated for their financial losses. The remaining money, which had been

received unlawfully, was transferred illegally to a kind of reserve account administered by the Head of Unit. This account served to finance or disproportionately subsidize other projects of the Province of Salzburg (e.g. flood protection measures). It was also used to fund winter road maintenance as well as for damage not covered by the disaster relief fund.

LOSS OF ABOUT 10 MILLION EUROS

Furthermore, the Head of Unit forged transaction confirmations for interest rate swaps and currency swaps. She circumvented the four-eye principle by using the copied signature of an employee of the finance department as second signature for confirmations to be returned to banking institutions. Therefore, she committed the offence of forgery of documents.

NUMEROUS INTERROGATIONS – NO CONFESSION UNTIL THE TRIAL

Despite the BAK's systematic investigation into the allegations against the Head of Unit, the defendant did not confess during any of the numerous interrogations. Even in February 2016, she initially pleaded only partially guilty before the lay jury at the Salzburg Regional Court. However, later in this trial, the employee of the Office of the Government of the Federal Province of Salzburg finally made a complete confession.

SENTENCED TO THREE YEARS IMPRISONMENT, THEREOF ONE YEAR UNCONDITIONAL IMPRISONMENT (RES JUDICATA)

The Salzburg Regional Court sentenced the Head of Unit to three years imprisonment, thereof one year unconditional imprisonment, for serious fraud (§§ 146, 147 Austrian Penal Code, StGB) and forgery of documents (§ 223 StGB). The request for an ankle monitor was approved; the electronically monitored house arrest of the convicted member of the provincial civil service started in June 2016.

ABUSE OF OFFICIAL AUTHORITY AND ACCOMPANYING CRIME

In connection with the challenge to the Austrian election for Federal President in 2016, the BAK's Unit "Abuse of Official Authority and Accompanying Crime" – by order of the Austrian Federal Public Prosecutor's Office for Combating Economic Crime and Corruption (WKStA) – conducted a criminal investigation into more than 20 cases of allegations of §§ 302, 311 et al. StGB (Austrian Penal Code), particularly against members of electoral commissions at district level. Several hundred witnesses and defendants had to be interviewed all over Austria. In many cases, voting cards had been counted in contravention of the regulations of the Presidential Elections Act. The BAK's investigation has largely been completed; the decision of the judicial authorities is still pending.

THE BAK AND ITS INTERNATIONAL ACTIVITIES



Photo: Fotolia

The BAK and its international activities

Within the framework of its legal mandate, the BAK shall, in accordance with section 4, paragraph 2, of the Federal Law on the Establishment and Organization of the Federal Bureau of Anti-Corruption (BAK-G), cooperate with relevant foreign authorities/departments as well as with European and international institutions and act as national point of contact for them. The BAK-G explicitly mentions the European Anti-Fraud Office (OLAF) as well as Interpol and Europol. Therefore, the BAK exchanges experience with comparable anti-corruption authorities/departments and is represented, depending on the resources available, in most of the relevant European and international bodies.

The Bureau's (bilateral) cooperation with foreign authorities/departments mainly comprises the organization of visits to the BAK as well as the participation in official meetings and conferences abroad. In certain cases, the signing of a memorandum of understanding facilitates the pursuit of common goals and interests. An important role in the exchange of information and experience is also played by both Austrian and foreign liaison officers.

The BAK supported the work at EU level, inter alia, with opinions on corruption-related topics dealt with by the Council Working Groups.

Furthermore, experts of the Unit 2.3 "International Cooperation", represent the BAK in various committees, bodies and working groups focusing on the exchange of information and experience and, in particular, the (national) implementation of international anti-corruption conventions, which were also ratified by Austria. These include, inter alia, the United Nations Convention against Corruption (UNCAC), the Council of Europe's Civil Law Convention on Corruption and Criminal Law Convention on Corruption, and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

In addition, the BAK handled, in accordance with its legal mandate, inter-

national requests for administrative assistance regarding corruption offences. Since June 2013, Europol's Secure Information Exchange Network Application (SIENA) is used for this purpose. When using SIENA, the participating authorities/departments must comply with data protection regulations and various other legal provisions relating to international police cooperation. As this application speeds up the processing of requests for administrative assistance, it is an essential element of the BAK's international communication.

The BAK and SIENA for Anti-Corruption Authorities (S4ACA)



On the basis of the EU Programme "Prevention of and Fight against Crime 2007-2013 (ISEC)", the BAK initiated the project "SIENA for Anti-Corruption Authorities (S4ACA)" in February 2014 together with its project partners, the Polish Central Anti-Corruption Bureau

(CBA) and Europol. The aim of this two-year project was to improve the operational and strategic information exchange between European anti-corruption authorities/departments and between them and Europol by gradually connecting the participating institutions to Europol's Secure Information Exchange Network Application (SIENA) as well as to promote the increased use of Europol's online platform EPE (Europol Platform for Experts). To this end, numerous conferences, workshops and training courses in Krakow, Warsaw, The Hague and Vienna were organized

from 2015 to 2016. A high-ranking conference held in October 2016 on the premises of the International Anti-Corruption Academy (IACA) in Laxenburg near Vienna marked the end of the S4ACA project, which was co-funded by the EU. Around 60 representatives of anti-corruption, police and judicial authorities from 28 European countries took part in this event.

At this final conference (duration: two and a half days), representatives of the European Commission, Europol and the United Nations Office on Drugs and Crime (UNODC) emphasized the essential role of international cooperation and of using international and European legal instruments to combat corruption and to carry out asset investigations. The main focus of the event was on the criminal investigation of corruption cases, big data analysis and collaboration between anti-corruption authorities. Investigators and experts from anti-corruption

authorities/departments in Bavaria, Romania, Switzerland and Austria presented their national practices in these fields. Furthermore, an investigative journalist gave an insight into his working methods in the context of cases of grand corruption. Several presentations dealt with corruption prevention, in particular with different aspects of integrity and the implementation of integrity strategies (Slovenia), integrity tests (Hungary) and integrity initiatives (Austria).

A declaration on fostering cooperation and information exchange was adopted by the plenary at the end of the conference. On the one hand, it ensures the sustainability of the S4ACA project, and, on the other hand, it forms the basis for continuing the successful cooperation even after the completion of the project. Thanks to the project, ten European anti-corruption authorities/departments are now connected to SIENA. In addition, the overall number of users of the “EPE Anti-Corruption Portal” rose to more than 230.



Figure 23: S4ACA - Conference
Photo: Karl Schober

The BAK and the European Partners against Corruption (EPAC) and the European Anti-Corruption Network (EACN)



The networks “European Partners against Corruption” (EPAC) and “European contact-point network against corruption” (EACN) are independent platforms for anti-corruption and police oversight bodies designed to maintain contact and exchange information in the field of preventing and combating corruption. Both networks together (EPAC comprises authorities/departments from EU Member States and non-EU countries; EACN exclusively consists of authorities/departments from EU Member States) currently have around 80 members.

Every year, an annual conference and general assembly is organized. Moreover, specific issues (e.g. corruption in healthcare, criteria for the evaluation of efficiency of police oversight bodies, etc.) are covered by working groups. The networks have a website www.epac-eacn.org and an area restricted to their members on the secure EPE (Europol Platform for Experts).

At the 16th EPAC/EACN Annual Professional Conference and General Assembly, which took place in November 2016 in Riga (Latvia), the delegates unanimously elected the Director of the BAK, Andreas Wieselthaler, as the new President of EPAC/EACN for the next term of two years. He is the successor of Giovanni Kessler, Director-General of OLAF, who had held the office for four years. In addition, two new Vice Presidents were appointed: Monique Stirn, General Inspector of the Police of the Grand Duchy of Luxembourg, and Ruta Kaziliunaite, Head of the “Legal and International Cooperation Division” of the Department of Administration of the Special Investigation Service of the Republic of Lithuania (STT).

The General Assembly accepted the Georgian Ministry of Internal Affairs as a new EPAC member. The Regional Anti-Corruption Initiative (RAI), which had been founded in Sarajevo in 2000 and covers nine countries of South Eastern Europe, was granted observer status to EPAC. The Riga Declaration 2016, adopted by the plenary, calls for the development of a mechanism to evaluate police oversight bodies, for the implementation of strategies to fight corruption as well as for the promotion of transparency and effective control in the healthcare sector. Furthermore, it calls on Member States to increase

transparency regarding financial transactions by disclosing information on the beneficial ownership registers of companies and business-related trusts.

Due to the election of its director as President of EPAC/EACN, the BAK also took over the technical secretariat of the two networks in December 2016. In previous years, the International Anti-Corruption Academy (IACA) had hosted the secretariat.



Figure 24: Andreas Wieselthaler, Martina Koger

The BAK and the Organisation for Economic Co-operation and Development (OECD) – the „Integrity Forum” and the “Working Party of Senior Public Integrity Officials”



After the establishment of the national Network of Integrity Officers (NIO) in the BAK, it was almost obligatory for the Bureau to participate in the OECD initiatives “Integrity Forum” and „Working

Party of Senior Public Integrity Officials” (SPIO).

The OECD Integrity Forum took place in Paris on 19 and 20 April 2016 (title: “Global Trade without Corruption”) and dealt with risks, costs and consequences of corruption. A key aspect of the forum was that the integration of anti-corruption provisions into bilateral conventions, increased transparency and the implementation of horizontal

cross-border anti-corruption regulations would be tools that contribute to preventing diverse kinds of damage caused by corruption to development, economic growth, democracy, the rule of law, the healthcare system, infrastructure and trade. Various issues were addressed in the panel discussions; however, the focus was on initiating a change (“Change the game!”). It was pointed out, for example, that existing anti-corruption acts, bodies, mechanisms and instruments are not always satisfactory and that more measures to promote integrity would be necessary. Furthermore, it was stressed that reputation, both for private companies and public bodies, is becoming increasingly important as it has a positive effect on the success of the company/body. Therefore, a corporate culture based on the principles of ethics and integrity is an essential factor.

In conclusion, it was emphasized that integrity is so important because it offers a wide range of measures going beyond legal provisions (catchword: “lawful but awful”). Thus the development of a culture based on integrity rather than compliance should be promoted.

The meeting of the Working Party of Senior Public Integrity Officials, which took place in Paris from 3 to 4 November 2016, focused on the implementation and efficiency of integrity policies. The agenda included speeches on supporting an evidence-based policy with quantitative data, refining the understanding of integrity, developing policies to foster a whole-of-society approach to integrity and on strengthening integrity through proactive risk management. The emphasis of the discussions was on the application of different measures to promote integrity and on the question whether and how integrity as well as corruption prevention can be measured.

The presentation on the Network of Integrity Officers (NIO), given by a representative of the BAK, attracted wide interest and led to several questions and a positive feedback about the BAK’s activities in the fields of corruption prevention and the promotion of integrity. The regular meetings of the SPIO primarily allow participants to exchange experience, acquire new knowledge and network with representatives from similar prevention authorities.

THE BAK AND ITS PUBLICATIONS

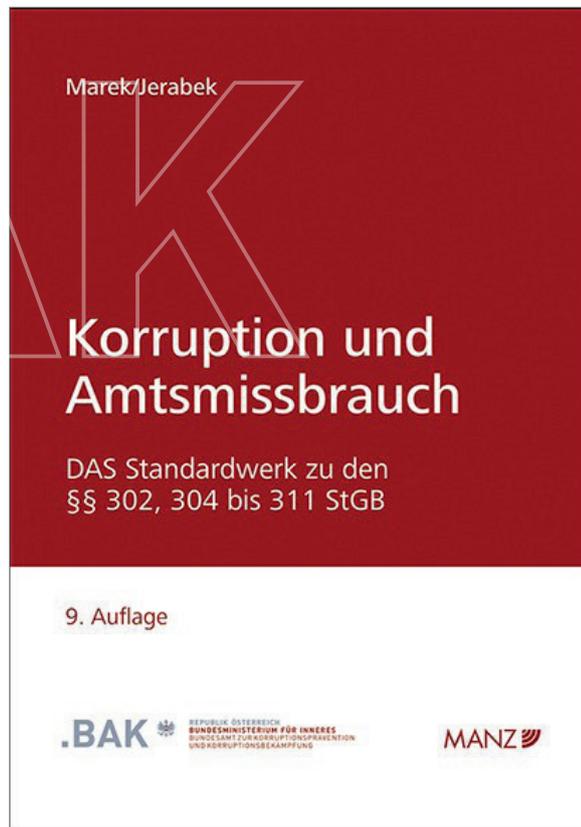


Figure 25: 9th edition of the annual series “Corruption and Abuse of Official Authority”

The BAK and its publications

The BAK and the annual series “Corruption and Abuse of Official Authority” (“Korrupktion und Amtsmissbrauch”)

In November 2016, the book’s ninth edition was released in cooperation with the publisher “MANZ”. It provides, as in the previous editions, a comprehensive overview of the content and interpretation of the most important provisions of Austrian criminal law relating to corruption and abuse of official authority. On the basis of current examples of case law and criminal investigation, the authors, Robert Jerabek (member of the Commission for Legal Protec-

tion for the BAK, legal protection officer in the Federal Ministry of Justice, and former Deputy Procurator-General at the Supreme Court of Justice) and Eva Marek (Head of the Vienna Senior Public Prosecutor’s Office), describe in a clear manner the complex Austrian legislation in this field. This latest edition describes recent court decisions and includes new, comprehensive case examples and, for the first time, a thorough subject index.

The BAK and its newsletter

Since its establishment in 2010, the Austrian Federal Bureau of Anti-Corruption has been gathering and generating knowledge about preventing and fighting corruption. This knowledge is too valuable not to share. Therefore, in summer 2016, the BAK's first newsletter was sent to interested readers. Since then, it has been released quarterly.

The newsletter highlights special activities of the Bureau and recent developments in the area of corruption prevention. In addition, it deals with recurring issues such as international cooperation, the development of corruption, Supreme Court decisions on corruption, or latest news from the field of workplace health promotion.



Figure 26: Newsletter 01/2016



Figure 27: Newsletter 02/2016

The BAK and its presence on Facebook

Prevention is a high priority in the BAK. So what would be more obvious than to disseminate knowledge via social media? For this reason, the BAK has operated a Facebook account since the end of 2016.

Of course, the BAK also provides regular updates on its current activities: work visits, events, international developments, etc.

On Facebook, the BAK shares interesting findings about corruption with others, e.g. by posting media articles or comments from knowledgeable experts.

The purpose of the BAK's Facebook presence is not to exclusively address other experts but to reach as many people as possible with information and useful tips on the important and sometimes sensitive issue of corruption.

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