

2024 Annual Report

Federal Bureau of Anti-Corruption (BAK)



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Vienna, 2025

Foreword

Dear readers,

The Federal Bureau of Anti-Corruption (BAK) established the Investigation and Complaints Office Allegations of Mistreatment (EBM) as Department 4 on 22 January 2024. The new department was confronted with a significantly higher workload than could be expected on the basis of the previous year's figures. Details on EBM's working methods and statistics can be found in this annual report.

The year 2024 was also marked by many corruption prevention events and training courses. The Austrian Anti-Corruption Day took place under the motto 'Machine versus Morality – Artificial Intelligence as a Gamechanger for Integrity and Compliance?'. In addition to two Integrity Officer courses, this year there was also an annual meeting of Integrity Officers, during which the IBN Award for innovative or creative integrity projects was awarded to the project 'Compliance Circle of Universities (CCU)' as best practice examples of the Austrian administration.

BAK's school events were put on a new footing and teacher training was established in cooperation with the Vienna University of Teacher Education. Many training courses for civil servants have been offered in different formats, with particular emphasis on the format of the 'Compliance Compass', a series of training courses for municipal employees held jointly with the Federal Competition Authority.

Extensive investigations into corruption were conducted in the usual professional manner. An overview of the relevant statistics can also be found in this annual report. My collegial thanks go to all employees of the BAK, who perform their tasks extremely professionally and committedly, even in challenging times.

With this in mind, we hope to provide you with an informative overview of the BAK's work in 2024 and thus contribute to the prevention of corruption and the promotion of integrity in Austria.

Otto Kerbl
Director



Dr. Otto Kerbl, MA

Disclaimer

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1 Federal Bureau of Anti-Corruption or BAK – a short overview

1.1 BAK's organisational structure

Compact structure of four departments

The Federal Bureau of Anti-Corruption or BAK (Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung) is an organisational unit of the Austrian Federal Ministry of the Interior or BMI (Bundesministerium für Inneres). It is organisationally set up outside the Directorate-General for Public Security in Section III and directly subordinated to the Head of Section III. During the reporting period, BAK was divided into four departments. As a result of the amendment to the BAK Act 2023, an additional department, the Investigation and Complaints Office Allegations of Mistreatment (EBM), was set up in January 2024 and started its work on 22 January 2024.

BAK Single Point of Contact

SPOC (Single Point of Contact) is the BAK's single point of contact. Among other things, it receives all criminal police reports that are checked for responsibility and the need for emergency measures and assigned for further processing. In addition, the SPOC is dedicated to the topic of safety on the BAK premises.

As of 25 August 2023, an internal and an external reporting centre were set up in BAK in accordance with the Whistleblower Protection Act (HinweisgeberInnenschutzgesetz or HSchG). The HSchG reporting offices in BAK are legally supervised from the receipt of any notification through the initial assessment to the completion of the notification.

Resources, support and law

Department 1 bundles all support for BAK. The tasks range from personnel, budget, controlling, fleet management, logistics, public relations as well as the organisation of events for occupational health promotion and IT infrastructure management to evidence preservation in the IT sector, data preparation and visualization, legal advice to BAK, statistical recording and preparation of activities in BAK as well as the ongoing support and further development of the internal compliance management system.

Prevention, education and basic research

Department 2 of BAK is responsible, among other things, for corruption prevention and root cause research. This includes prevention work throughout the civil service, the conduct of studies and the scientific exchange and supervision of external projects such as the National Anti-Corruption Strategy. Other areas of responsibility of Department 2 are education, which includes in particular the supervision of the Austria-wide Network of Integrity Officers (Integritätsbeauftragtennetzwerk or IBN) as well as the holding of training courses and awareness-raising events inside and outside the department, as well as international cooperation and the associated supervision of various anti-corruption bodies and the maintenance of bilateral exchanges.

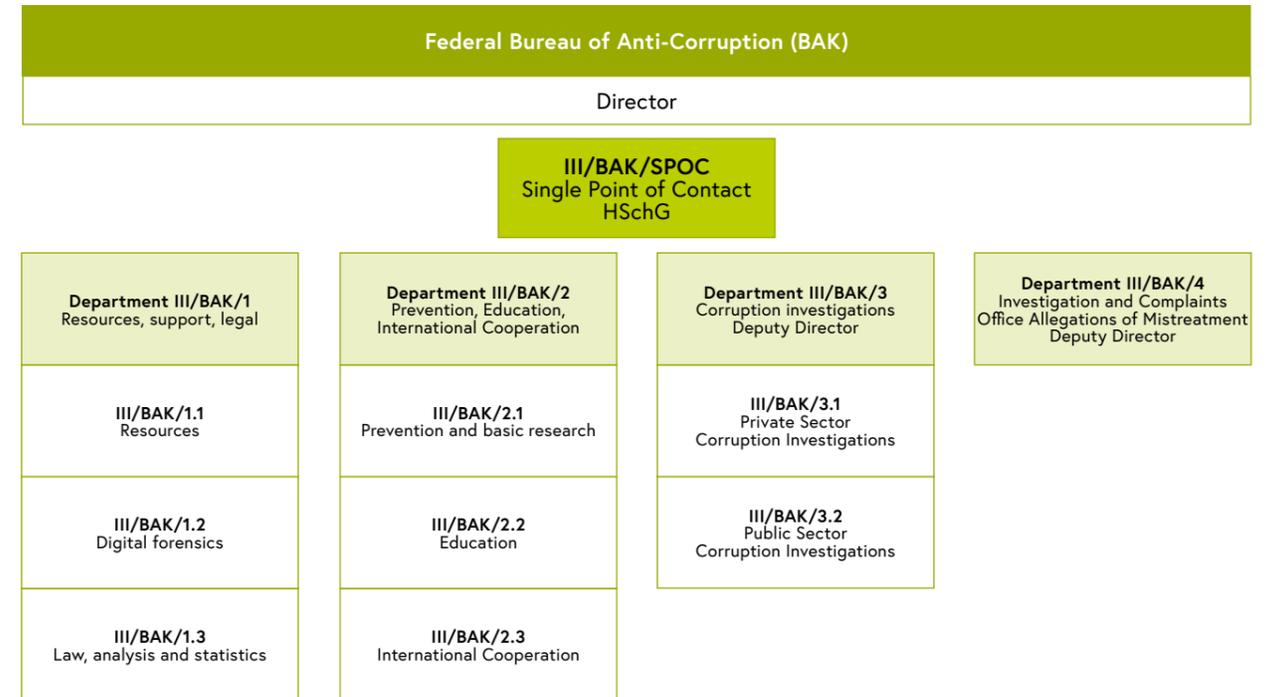
The so-called corruption prevention officers (KPB) provide support in the education work in the individual regional police directorates, who, in coordination with BAK, provide lectures and further training on corruption prevention in their respective geographical area of activity and thus contribute to the conservation of resources, also due to the saving of business trips.

Corruption investigations

Department 3 is responsible for operational casework in the area of corruption. Security and criminal investigations are carried out here in the areas of general corruption offences, official offences and internal affairs. In the two units 'Private Sector Corruption Investigations' and 'Public Sector Corruption Investigations', investigations are conducted by experienced 'case owners', who, depending on the scope of the act, are supported by investigators, some of whom are assigned from other law enforcement services to this service.

Investigation and Complaints Office Allegations of Mistreatment (EBM)

EBM (Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe) started its work on 22 January 2024 as Department 4 of BAK. It is responsible nationwide for inquiries and investigations into allegations of mistreatment against police officers and in the exercise of direct coercive force resulting in death and the use of life-threatening weapons. Any suspicion or allegation of ill-treatment by police officers is investigated by the investigators of EBM. In addition to criminal police officers, who have investigative competence under the Code of Criminal Procedure, EBM also employs staff with special expertise, for example on psychology and human rights. In this way, investigations are examined from different angles and analyses can be carried out with special expertise. The first employees successfully completed the specially designed EBM course conducted by Police Academy (Sicherheitsakademie or SIAK) in 2024. An independent and instructive advisory board has been set up with the Federal Minister of the Interior to ensure that tasks are carried out in accordance with the law.



1.2 BAK Mission Statement

The employees of BAK have committed themselves to the following values in their way of working:



1.3 BAK promotes staff health

Promoting the health of employees is an important project of the Federal Ministry of the Interior. The objective of implementing occupational health promotion measures is to prevent diseases and to increase the health and well-being of employees in the long term.

The Federal Bureau of Anti-Corruption plays a pioneering role in this regard. The first seal of quality was obtained in 2016. Since then, the health promotion measures of the BAK have repeatedly been awarded the seal of approval of the Insurance Institution of Public Servants, Railways and Mining (BVAEB), most recently for the period 2025 to 2027. In addition to regular exercise sessions, the BAK staff received lectures on healthy nutrition and mental health in 2024.



1.4 BAK's public relations work

The Federal Bureau of Anti-Corruption pursues two lines in public relations, which differ in terms of public communication:

Investigation work is subject to a non-public procedure and requires sensitive handling of personal data. Press enquiries in this regard must be submitted to the respective investigating public prosecutor's office. The situation is different in the area of corruption prevention. The focus here is on comprehensive reporting and coverage for a broad target group in the population – following the principle of 'the more prevention, the better'.

BAK therefore has its own website (www.bak.gv.at) and a newsletter, which is regularly sent to interested parties. In addition, BAK produces various publications.

BAK Website

On bak.gv.at, the Federal Bureau of Anti-Corruption provides information on its tasks, events, publications and current events in the field of corruption. Basic facts about the BAK as well as current reports – especially those with an international dimension – are also available in English.

BAK Newsletter

The BAK newsletter is published several times a year and is sent to a wide range of interested parties. It contains contributions on general corruption issues and various prevention measures. In addition to current developments in the field of corruption prevention and excerpts from the activities of the BAK, international cooperations and projects are also reported on.

BAK on social media

Mit dem Start des LinkedIn-Accounts „Bundesamt zur Korruptionsprävention und Korruptionsbekämpfung (BAK)“ im Mai 2023 ist das BAK wieder auf sozialen Medien vertreten. Die Followerinnen und Follower können die Plattform nicht nur als Informationsquelle nutzen, sondern auch mit dem Bundesamt kommunizieren, Beiträge liken und teilen sowie selbst als Multiplikatoren für Korruptionsprävention aktiv werden.

2 BAK takes preventive action against corruption

The prevention work and thus the prevention of corruption is an essential area in the range of tasks of BAK. Awareness-raising is aimed at preventing corruption, highlighting risks and impacts, and developing skills among target groups in order to combat corruption more effectively.

This objective was achieved in 2024 not only through the implementation of the National Anti-Corruption Strategy (NAKS), which was re-adopted in October 2023, but also through public and state-related lectures, seminars and trainings, as well as through the exchange of experience and knowledge through various events and networks. These include the Austrian Anti-Corruption Day and the Network of Integrity Officers (IBN).

In addition, research into the phenomenon of corruption is an essential pillar in prevention work. Here, close cooperation is established between the departments of BAK and a focus is also placed on root cause research in prevention work.

2.1 National Anti-Corruption Strategy and National Action Plan 2023 to 2025

In a holistic and cross-sectoral approach, the National Anti-Corruption Strategy (NAKS) provides the framework for systematic action in the implementation of anti-corruption measures by government, civil society and the economy.

The NAKS and the National Action Plan (NAP) of the Federal Chancellery and Ministries of the Interior (Federal NAP) and the NAPs of organisations and authorities with voluntary participation for the years 2019 to 2020 were originally drawn up under the auspices of the Ministry of the Interior, in particular the BAK, and the Federal Ministry of Justice (BMJ), with broad involvement of public administration, civil society and industry. The NAKS and the NAP of the Federal Government were adopted in the Council of Ministers on 31 January 2018.

On 11 October 2023, the Council of Ministers adopted an adapted NAKS and the Federal National Action Plan (NAP) based on it for the years 2023 to 2025. Prior to this, the NAKS as adopted in 2018 and the two NAPs were evaluated.

The BAK played a leading role in the coordination of NAKS and NAPs in 2023, as well as in the previous evaluation. This was carried out in close exchange in a core team of representatives of the Federal Chancellery (BKA), the Federal Ministry of Justice (BMJ) and the Federal Ministry of Art, Culture, Civil Service and Sport (BMKÖS) as well as in coordination with the Coordinating Body on Combating Corruption (KgK).

Dual approach

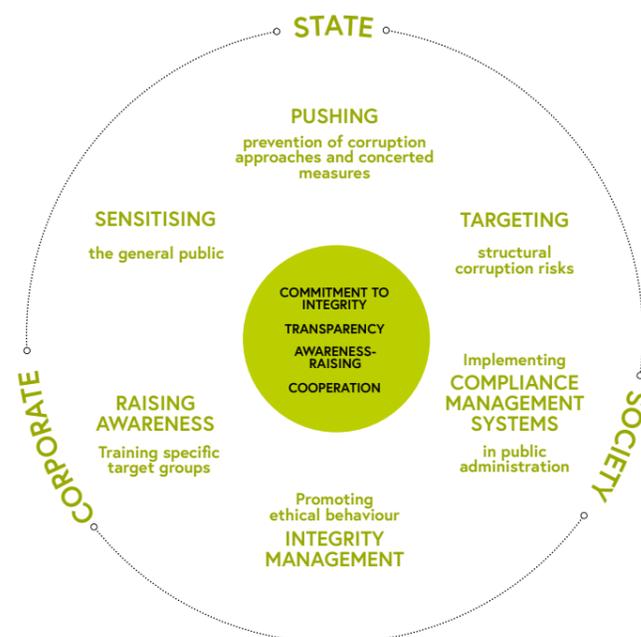
The NAKS is subdivided into the areas of prevention and prosecution. Accordingly, the BAK is responsible for the area of prevention and the Federal Ministry of Justice (BMJ) for the area of prosecution. The NAKS contains specifically developed strategic priorities or basic principles for which the NAPs define objectives and measures to achieve these objectives.

In prevention, these priorities are the promotion of corruption prevention measures, the establishment and development of compliance management systems, the reduction of structural corruption risks, integrity management, public awareness raising and training of specific target groups.

The strategic priorities of prosecution in the NAP of the Federal Government are based on the basic principles of the rule of law and effective criminal prosecution, an effective authority structure and sufficient resources, cooperation and coordination as well as the implementation of international and European legal requirements.

Objectives and measures

For the period 2023 to 2025, the Federal NAP provides for a total of 120 targets with almost 230 measures in the area of corruption prevention by the Federal Chancellery (BKA) and the Federal Ministries. It also sets out objectives and measures to implement recommendations of the fifth evaluation round of the Group of States against Corruption (GRECO). The BAK's prevention and education measures planned for 2024 were implemented as planned. The NAP of voluntary organisations and authorities contains 111 objectives with just over 220 measures to prevent corruption.



Circular graphical representation of the National Anti-Corruption Strategy and the National Action Plan

© Federal Bureau of Anti-Corruption (BAK)



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2.2 Machine versus Morality – Artificial Intelligence as a Gamechanger for Integrity and Compliance? – This was the Austrian Anti-Corruption Day 2024

On 15 May 2024, the 'Austrian Anti-Corruption Day 2024' on 'Machine versus Morality – Artificial Intelligence as a Gamechanger for Integrity and Compliance?' took place at Josephinum in Vienna. Around 150 participants from the public administration as well as representatives of NGOs and the media attended the event.

Following the opening remarks by Mathias Vogl, Head of Section at the Federal Ministry of the Interior, and the Director of BAK, who stressed in particular the important role of morality and ethics in the context of artificial intelligence (AI); the author, historian and journalist Philipp Blom discussed in his keynote speech 'The Spirits I Called. Artificial Intelligence and Society'. He pointed out the challenges AI could pose to society by changing our societies as the artificial intelligence revolution creates a new category of existence: intelligent things. This revolutionizes not only human work, but also social relationships, personal perceptions and worldviews.

Impact of AI on democracy and society

Experts then discussed the impact and challenges of AI on democracy and society at the first panel discussion of the day, moderated by media and communication expert Gerald Groß. The panel of experts consisted of Verena Dorner, Vienna University of Economics and Business, Peter Knees, Vienna University of Technology, Michael Funk, University of Vienna and Helmut Leopold from the Austrian Institute of Technology.

During a break, Thomas Kolb, PhD student at the Vienna University of Technology (TU), presented a practical example of artificial intelligence. He had the opinions submitted as part of a legislative process summarized and thus impressively showed the possibilities, limits and dangers of AI.

AI in public administration

Sabine Köszegi, Member of the AI Advisory Board of the Austrian Federal Government and Chair of the UNESCO Advisory Board on Ethics of Artificial Intelligence, chaired the afternoon with her keynote speech on „Witchcraft and Magic Formula? AI in public administration – a people-centred perspective“. The focus was on the perspective of the human factor in the development of AI.

Subsequently, under the moderation of Bettina Knötzl, then President of the Advisory Board and now Chairman of the Board of Transparency International Austria, Gabriele Bolek-Fügl, CEO Compliance 2b and Women in AI Austria, Michael Wiesmüller, Head of the Department of Digital and Key Technologies for Industrial Innovation at the Federal Ministry for Climate Protection, Environment, Energy, Mobility, Innovation and Technology, Günter Horniak, FH Campus Wien and Klaus Steinmaurer, RTR – Rundfunk und Telekom Regels-GmbH, discussed the possibilities and risks of using AI in public administration.

This project is co-financed by the Internal Security Fund.



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2.3 Research

BAK is researching the causes of corruption. It scientifically examines the motivations, triggers and backgrounds that can lead to corrupt actions. This is done, for example, through targeted monitoring of national and international research, by analysing solved corruption cases or by conducting own studies.

Important developments were achieved in 2024, in particular in the area of the state of knowledge survey in Europe and the USA, as well as with a view to a scientifically sound case analysis.

2.4 Network of Integrity Officers – an opportunity for experts to exchange views

In 2016, BAK initiated the Network of Integrity Officers (IBN), which is intended to further strengthen the idea of integrity as an essential basic principle of proper public administration in Austria. In doing so, the prospective integrity officers from administrative bodies and state-affiliated organisations are trained in advance by BAK as part of the IBN course for their activities in their respective organisations. At the end of 2024, there were already 221 members from 92 different organisations in IBN, which is constantly being expanded.

Annual kick-off event of the Network of Integrity Officers (IBN)

The annual kick-off event of the Network of Integrity Officers (IBN) took place on 25 January 2024. Around 60 experts from the Austrian-wide network took part in the event at BAK, with the aim of sharing knowledge and experience in the areas of compliance, integrity promotion and prevention of corruption. In a workshop on the „Future of IBN“, IBN members developed the priorities for 2024, whereby the network will in future be geared even more towards the needs of the members on the subject of integrity, in order to be able to make the greatest possible contribution to promoting integrity, as an important part of the National Anti-Corruption Strategy (NAKS).

Basic training for Integrity Officers

In 2024, in addition to the IBN annual kick-off event, the tenth and eleventh IBN basic training courses were held with 21 and 16 participants.

In addition to proven lectures on the topics of corruption prevention, compliance, corruption criminal law and civil service law, risk management with regard to corruption risks and value management, contributions to whistleblowing, responsibilities and tasks of the Federal Competition Authority (BWB) and the courts of auditors (federal/regional) were also on the curriculum. The speakers of the Burgenland Regional Audit Office, the

Association of Cities, the Federal Ministry of Justice (BMJ), BWB, the Federal Ministry of the Interior (BMI) and BAK attached particular importance to a balanced combination of theory and practice in the course content.

The course served in a proven way not only to impart knowledge but also to network and exchange best practices. The secondary school Handelsakademie Tamsweg, the Austrian Presidential Chancellery, the Vienna University of Education, the City of Graz and the University of Graz were welcomed as new members of IBN.

2024 IBN Annual Conference

The IBN Annual Conference and the IBN Award 2024 were held in St. Pölten on 11 and 12 November 2024. The two-day annual conference of the IBN network serves above all the mutual exchange of valuable experiences and increases the collective expertise within the network, which now consists of more than 80 different organisations. Prominent guest this year was criminal psychologist Hon. Prof. Dr. Thomas Müller, who gave a lecture on 'Job safety from a psychological point of view'.

As part of the annual conference, the IBN Award for corruption prevention and integrity-enhancing projects and initiatives was also presented.



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2024 IBN Award

The IBN Award not only presents innovative or creative integrity projects as best practice examples of the Austrian administration within the IBN network, but also makes them available to an interested public. In addition, the award offers the opportunity to further increase the importance of the integrity officers and to give recognition and appreciation to the acting persons and their projects.

The 2024 IBN Award was awarded to the "Compliance Circle of Universities (CCU)" project. This is the compliance network of the Medical University of Graz, the Technical University of Vienna and the University of Veterinary Medicine Vienna for the professional exchange on uni-specific compliance topics and mutual support in the implementation of compliance management systems at universities. In particular, the CCU also promotes the strengthening of the visibility of compliance in the university environment.

Further projects were submitted by the Office of the Carinthian Regional Government, the Federal Chancellery (BKA), the Federal Administrative Court (BVwG), the Federal Competition Authority (BWB), the Magistrate of the City of Linz and the Vienna Health Association of the City of Vienna (WIGEV), and were assessed by a jury consisting of Bettina Knötzl (Chairman of the Board of Transparency International Austria), Robert Gmeiner (Liaison Office of the Federal States at the Office of the Lower Austrian Regional Government), Rudolf Schwab (Senior Compliance Professional at A1 Telekom Austria, Member of the Board of Transparency International Austria and Deputy Chairman of the Austrian Compliance Officer Association) and Günther Kaufmann (Head of Unit for Education at BAK).

3

BAK imparts knowledge

BAK's education initiatives on corruption prevention are aimed at different target groups and include lectures and workshops in both the internal and external spheres. In particular, work with pupils and educational staff in schools was a key topic in 2024. But also new cooperations, such as the joint initiative with the Federal Competition Authority (BWB) on a series of lectures entitled 'Compliance Compass for municipalities – The guideline for legal certainty in procurement', or with the University of Education Vienna on 'Living Integrity – Shaping the Future. Anti-corruption training and integrity promotion.' The BAK's educational work also encompasses the lectures given by the Prevention of Corruption Officers (KPB), the BAK training courses for staff of the Federal Ministry of the Interior (BMI) and the BAK's Theme Days.

Through practical lectures, trainings and events, BAK reaches different target groups: from young people who are about to start their careers, to police trainees, middle management and top management of the Ministry of the Interior, to employees and managers of the public service of the federal government, the regions and, for the first time this year, also of municipalities.

All events aim to raise awareness of corruption and its implications and risks, increase the importance of corruption prevention and provide concrete knowledge and tools for detecting and preventing corruption. Through these awareness-raising measures, BAK aims to promote an administrative culture of integrity and to increase problem awareness and competences for action.

In 2024, around 4,850 participants were reached with 219 lecture events. Compared to the previous year, the number of lectures (198) and participants (4,450) increased.

Since the existence of the Federal Bureau of Anti-Corruption (in January 2010), more than 51,550 people have been reached with training measures.

In 2024, BAK staff and corruption prevention officials (KPBs) held 131 training events on corruption prevention and combating for around 3,000 participants in Police Academy (SIK) training centres alone.

The largest target group with 2,076 participants at 94 events was still basic police training (PGA E2b and PGA for border police use). In the field of E2a basic training, 18 BAK lectures were held throughout Austria at the locations of the training centres, with 430 law enforcement staff trained as future chiefs. In addition, the BAK has participated in other basic training courses organised by SIK and has organised lectures both internally and BMI-wide as part of training courses and seminars.

For Wiener Neustadt University of Applied Sciences, BAK taught with two lectures each in the 'Police Leadership' course (a total of 50 participants on 14 and 27 June 2024).

As part of the management training 'Successful Leadership', BAK organised two lectures in autumn for a total of 56 managers within the Federal Ministry of the Interior (BMI).

Four training sessions were organised for 69 staff of the Federal Chancellery in 2024. In addition, 31 BMI-external training courses for more than 1,000 participants took place throughout Austria.

In the international field, 27 lectures were held.

3.1 Awareness raising among students

In order to raise awareness of corruption among young people before they enter their profession, BAK offers anti-corruption events for secondary schools. Two such events took place in 2024.

These are students who are on the threshold of entering professional life. They have received training in their respective disciplines, but often have little knowledge of the ethical and criminal challenges that await them in the world of work. BAK specifically counteracts this problem by organising anti-corruption events in secondary schools.

The anti-corruption school events were evaluated at the end of 2023 and revamped for 2024 to offer more events across Austria. In an opening lecture, students are being introduced to the issue of corruption in a playful way. Within the framework of three stations, this knowledge is then deepened. At one of them, a BAK investigator tells us about his day-to-day work. The 'Corruption Scale' requires students to use images and news feeds to assess how to classify a particular situation or action in terms of morality and corruption. In the 'Corruption Theatre', students re-enact an application interview in which a potentially corrupt act occurs. The plenary session concludes with an online quiz in which the participants' knowledge is queried.



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School event by BAK in the Federal Institute for the Blind

The corruption prevention team accepted an invitation from the Bundes-Blindeninstitut Wien (BBI) and organised an anti-corruption event for students from the BBI's commercial school on 17 April 2024.

As part of the opening lecture, the students learned basics about the issue of corruption and then dived deeper into the topic at three stations. The young participants stood out by their special commitment during the event. They asked the speakers a lot of questions and were particularly enthusiastic about the interactive stations. At the final quiz, they demonstrated their knowledge once again.

School event by BAK at BHAK Vienna 22 secondary school

On 24 September 2024, the Federal Bureau of Anti-Corruption (BAK) organised an anti-corruption event for students of the BHAK Wien 22.

As in April, BAK organised another anti-corruption event for students. The students went through three different stages in a similar way and demonstrated their knowledge in a playful way during the final quiz, thus reviewing the contents of the day once again. The participants with the most points were able to win small prizes.

Great interest from other schools

Through a targeted information campaign using a new info folder, a webpage on www.bak.gv.at and a contribution in an info mail from the Federal Ministry of Education, Science and Research, more than 20 schools from all over Austria registered their interest in the implementation of an anti-corruption event in 2025.



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BAK presentation at Cyber-HAK secondary school in Tamsweg

For the first time, a school lecture on the fight against corruption was held on 28 November 2024 by the Federal Bureau of Anti-Corruption (BAK) in the context of the new training branch 'Handelsakademie für Sicherheitmanagement, Cyber-Security und öffentlichen Verwaltung' (Cyber-HAK), in HAK Tamsweg in Salzburg.

Students were informed about corruption mechanisms and their social damage. They also developed strategies to increase personal integrity.

The training branch opens up new professional fields for graduates, such as experts in risk analysis and crisis management in the field of cyber security, security, danger and crisis managers for ministries, institutions, organisations, companies and NGOs, as well as police officers in the field of cybercrime.

3.2 New training concept for pedagogical universities

As a new target group for corruption prevention, BAK developed a special training format for teachers and implemented it on two dates in the winter semester 2023 as part of a pilot project with Bundeshandelsakademie 'Wien 10' secondary school. In 2024, the pilot project became a new BAK training programme.

Cooperation agreement with Vienna University of Education

On 24 April 2024, the signing of a cooperation agreement between Vienna University of Education (PH Wien) and the Federal Bureau of Anti-Corruption (BAK) marked a significant step in the cooperation between BAK and education sector.

This will include a nationwide education and training programme on corruption prevention for teachers of vocational schools in the professionalisation programmes offered by the Vienna University of Education.

This possibility supports the project of PH Wien to integrate information and training offers in the field of corruption prevention on the topics of entrepreneurship, education 4.0 as well as business and law into its curricula. The group of persons addressed by PH Wien includes teachers from technical colleges, commercial academies, humane vocational schools and business-related vocational schools.

The training programme is a multi-level train-the-trainer approach. On the one hand, it enables graduates to train and sensitize pupils to the topic of corruption and, on the other hand, to strengthen their own security of action in corruption-related situations. The participating teachers deepen their professional and didactic skills for their own teaching, are at the same time particularly sensitized in areas of corruption prevention and can also act as multipliers for their colleagues.



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The theoretical content is supplemented by the teaching of methodological and didactic tools for teachers. One tool is, for example, the 'Corruption Theatre', in which the participants re-enact a dilemma situation during an interview and decide for themselves whether they behave correctly or corruptly. Such tools serve the teaching staff both for their own use for the independent expansion of their method case and in a professional and efficient way in their teaching activities on the subject of corruption.

The training is carried out in three modules, with the first and third modules each covering the theoretical and methodological-practical foundations. In terms of content, the topics of corruption phenomena, ethical and legal foundations of corruption criminal law as well as economic crime and risk analysis methods are discussed. The second module is to be completed online as an e-learning event.

BAK workshop for teachers at PH Vienna

In addition to the training programme, the Federal Bureau of Anti-Corruption (BAK) also headed the training programme on 18 October. A workshop on the prevention of corruption and the promotion of integrity for managers at the Vienna University of Teacher Education was held in the premises of the Vienna University of Teacher Education on 1 December 2024.

25 people took part in the workshop, including the Rector of PH Wien, Vice-Directors, Heads of Institutes, Heads of Staff and other persons with managerial or organisational responsibilities. The contents of the programme were the imparting of knowledge regarding the nature and background of corruption as well as corruption criminal law, the imparting of tools for personal options for action and organisational measures as well as of action guides for managers for corruption prevention.

© BAK



© BAK

3.3 Corruption prevention officers

In order to increase the outreach of the training courses and the associated knowledge of corruption, BAK has been using the concept of multipliers in the BMI (corruption prevention officers) for years. This is the training of teachers who subsequently serve as multipliers in the prevention of corruption and for educational measures. The Corruption Prevention Officers (KPB) are trained by BAK and meet under its leadership at conferences to ensure uniform focus and quality. Due to retirement transfers, a search for interested parties to acquire new KPB was carried out in 2024. This has enabled 19 new corruption prevention officers to be recruited for this important activity.

Spring conference on corruption prevention

The Conference of Corruption Prevention Officers (KPB) was held in Fügen, Tyrol, from 10 to 12 June 2024. The Chief Compliance Officer (CCO) of the Federal Ministry of Interior (BMI) and the Compliance Officers of the BMI and the subordinate organisational units also participated.

Under the organisational leadership of the Federal Bureau of Anti-Corruption (BAK) and with the participation of the CCO of the Federal Ministry of the Interior, current developments in the individual areas and possible problems were discussed.

Specialist lectures from the BAK compliance area gave an insight into the theoretical derivation and practical implementation of the risk management of the organisations. The international unit of BAK provided a comprehensive overview of the worldwide co-operation networks in the field of crime prevention. Personal experience abroad in the areas of abuse of office and corruption was not left unmentioned.

Autumn conference on corruption prevention

The Conference of Corruption Prevention Officers took place in Pörtlach from 18 to 20 November 2024. The Chief Compliance Officer (CCO) of the Federal Ministry of Interior (BMI) and the Compliance Officers of the Interior and subordinate organisational units attended the conference.

In specialist lectures, BAK explained the tasks and work processes of the new Investigation and Complaints Office Allegations of Mistreatment (EBM), which was set up in January 2024. In addition, an experienced investigator from the operational area of BAK gave a detailed insight into the topic of 'Corruption in business transactions'.

Finally, the prevention unit of BAK presented the school events that had already been successfully carried out in order to prepare the KPB for future support tasks. Together, these events are to be offered throughout Austria in order to reach even more students.

Training of corruption prevention officers and compliance officers

The training course for corruption prevention officers (KPB) and compliance officers (CO) of the Federal Ministry of the Interior (BMI) took place in Krems from 2 to 4 December 2024.

The three-day seminar was conducted by the Chief Compliance Officer (CCO) of BMI and employees of the 'Prevention, Education and International Cooperation' department of the Federal Bureau of Anti-Corruption (BAK). Around 35 employees of BMI, the subordinate organisational units and the regional police departments took part in the course.

The aim of the training is to define not only the professional and personal training of the participants but also the focus on corruption prevention work and to promote the exchange of knowledge and experience between the KPB and the COs. Discussions range from compliance and corruption in general to corruption criminal law and corruption offenses to presentation methods and techniques.

Training of corruption prevention officers as adult trainers

As a further educational measure, interested corruption prevention officials were able to attend a tailor-made university course with an accredited degree. The course counts 25 ECTS and lasts 260 hours in two semesters. This competence training as a trainer for adult education covers a wide range of topics, from role design and attitude as a trainer, the basics of how to lead discussions, training methods and their use in face-to-face and online training, communication and language to group dynamics and conflict management in training groups. Seven KPB completed this training in 2024.

This project is co-financed by the Internal Security Fund.



3.4 Continuing training

BAK experts have developed their own courses for specific target groups, which were again implemented in 2024.

BAK continuing training

BAK continuing training courses are usually held twice a year for BMI staff. These courses present the background and mechanisms of the phenomenon of 'corruption', including risks and dangers. They also present measures to prevent and combat corruption. Graduates are encouraged to then act as multipliers in their respective fields.



© BAK

The two-week 30th BAK continuing training course took place with 24 course participants in April 2024, the 31st BAK course with 23 participants in October 2024. The focus was on economic crime, ethics and value management, civil service and disciplinary law as well as corruption criminal law and the Code of Criminal Procedure.

In addition, presentations included the BAK's new tasks in connection with the hotlines under the Whistleblower Protection Act (HSchG) and the Investigation and Complaints Office Allegations of Mistreatment (EBM), which has been active since 22 January 2024, including the corresponding reporting obligations.

This project is co-funded by the Internal Security Fund.



3.5 Compliance Compass for municipalities

'Compliance Compass – The guideline for legal certainty in procurement and tender procedures' is a joint project of the Federal Competition Authority (BWB) and BAK, with the aim of supporting decision-makers of the Austrian local government in their challenging administrative tasks and providing them with the tools for integrity in procurement cases.

Cooperation agreement with Federal Competition Authority (BWB)

On 2 July 2024, a cooperation agreement was concluded between BWB Director-General Natalie Harsdorf and BAK Director Otto Kerbl at the beginning of the cooperation in this regard between BWB and BAK. The cooperation agreement focuses on a nationwide series of seminars that provide for awareness-raising activities in the areas of public procurement and antitrust law as well as anti-corruption.

BWB is responsible for the areas of public procurement and antitrust law as well as the associated current legal provisions, while BAK is responsible for the topics of corruption, compliance and integrity. In this way, the participating decision-makers of the Austrian local government will be provided with a basic understanding of the different and complex laws, regulations and practice-related knowledge. In addition, participants develop sensitivity and understanding of various forms of corruption and raise their awareness of corruption in the context of antitrust and public procurement law.

In addition to the transfer of knowledge, the two-day seminars are also intended to create networking structures and achieve synergy effects. The cooperation partners intend to cooperate in the longer term, so that the continuation of the series of seminars has been agreed for an indefinite duration.

First Mayors' Day: BWB and BAK present new seminar series

On 28 August 2024, the 1st edition of Mayor's Day took place in Bad Aussee in Styria. As part of the event, a delegation from the Federal Competition Authority (BWB) and the Federal Bureau of Anti-Corruption (BAK) presented their joint training seminar series.

Under the title 'Dream job mayor? Information, exchange and networking', organised by the Austrian Association of Municipalities in the run-up to the 2024 Municipal Summer Talks (29 and 30 August 2024), the very first Mayors' Day was held. For one day, this target group was invited to exchange ideas, discuss concerns, get help and network. In this context, numerous specialist lectures were held throughout the day. In this way, participants were able to gain insights into various topics, such as cybersecurity, taxation and finance, and crisis communication.

As part of these presentations, BWB and BAK also presented their tailor-made joint training series for decision-makers in the Austrian local government.

Kick-off to a seminar series in Salzburg

'Compliance Compass – The guideline for legal certainty in procurement and tender procedures' – under this title, the series of seminars organised by the Federal Competition Authority (BWB) and the Federal Bureau of Anti-Corruption (BAK) started in Salzburg on 5 and 6 November 2024.

25 city and municipal employees attended the two-day seminar and were informed about current issues of antitrust law and public procurement by experts from the Federal Competition Authority and the Federal Bureau of Anti-Corruption.



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3.6 Presentation and training activities for specific target groups

In addition to the training courses on corruption prevention in all regular career courses of the Police Academy (SIK) by corruption prevention officers, BAK held numerous other lectures throughout the year.

Under the title 'FÜHRUNG.MACHT.INTEGRITÄT', a lecture was held in Graz on 28 November 2024 for the heads of departments and heads of the political office of the Graz Magistrate's Office. The Chief Compliance Officer (CCO) of the Federal Ministry of the Interior (BMI) and BAK gave an insight into the prevention work of BAK, the effects and causes of corruption as well as an overview of the compliance measures of the BMI. The development of the National Anti-Corruption Strategy (NAKS) as well as the National Action Plans (NAPs) and their role for cross-sectoral anti-corruption work in Austria were also discussed, as was the emphasis on the importance of a commitment to integrity and compliance to prevent corruption.

3.7 BAK Theme Days

The Theme Days format, which was launched in 2023 and is dedicated to current phenomena from the BAK's area of responsibility and prepares the topics for employees of the BMI and law enforcement in particular, was continued last year.

Under the title 'Between Enlightenment and Corps Spirit', criminal investigations against law enforcement staff were the focus of an event that highlighted both legal and psychological aspects. Investigators from BAK gave insights into their practical experience from specific cases. The discussion was supplemented by the criminal psychologist Thomas Müller, who explained the motives and background of perpetrators from a psychological point of view. Due to the high level of interest, BAK organised two further dates in Vienna and one in Innsbruck in 2024.

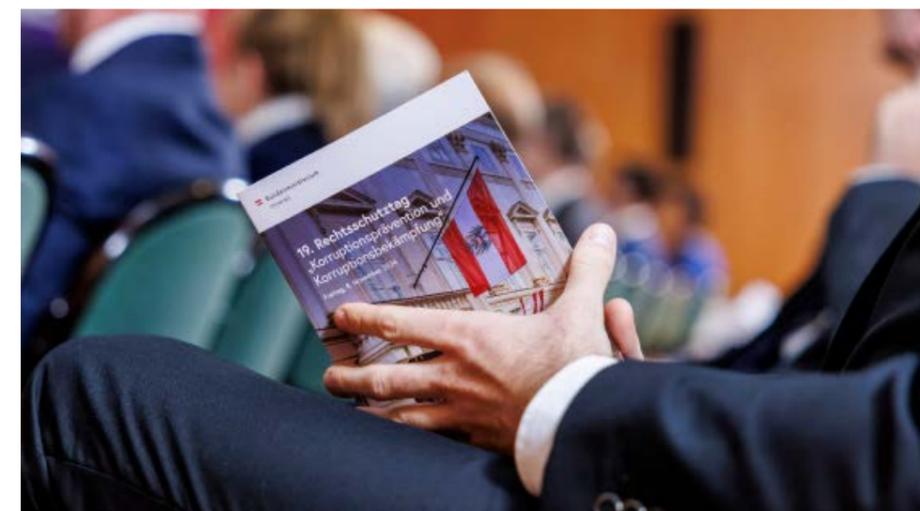
3.8 Legal Protection Day 2024 and 15th anniversary of BAK

On 8 November 2024, the 19th Legal Protection Day took place in the Grand Lecture Hall of the Federal Ministry of the Interior (BMI). On the occasion of the Federal Bureau of Anti-Corruption or BAK's 15th anniversary, it was entitled 'Prevention of and fight against corruption'.

Mathias Vogl, Head of Section III of the BMI, underlined in his opening remarks the importance of preventing corruption and its influence on democracy, human rights and legal protection. Federal President Alexander Van der Bellen also stressed in his greeting delivered by Barbara Reininger from the presidential office that it was important to make corrupt behaviour visible and to show the impact of such behaviour. A clear attitude and a cultural change towards more transparency are indispensable.

In his review of the past 15 years of the Federal Bureau of Anti-Corruption, Otto Kerbl, Director of BAK, addressed many highlights of the development of the authority: from corruption prevention officers, through the Network of Integrity Officers, to the establishment of whistleblower bodies and the Investigation and Complaints Office Allegations of Mistreatment. A major advantage of BAK is that corruption prevention and repression are united under one roof and the findings from completed investigation cases can be directly incorporated into the prevention work. Other experts at the 19th Legal Protection Day were Rudolf Thienel, President of the Administrative Court, Georg Krakow, Transparency International Austria, Tanja Rabl of the Rhineland-Palatinate Technical University Kaiserslautern-Landau, Martin Stricker of the Johannes Kepler University Linz and Ulrike Huemer, Head of the Municipal Council of the City of Linz.

The focus was on topics such as the psychology of corruption, holistic and culture-related approaches as well as the role model in corruption prevention, compliance in public administration, the legal complexity of corruption criminal law and the importance of legal certainty and continuous awareness-raising. As part of the opening of the day of legal protection, the deceased juridical greats Ludwig Adamovich, former President of the Constitutional Court, and Brigitte Bierlein, former Chancellor, were also commemorated this year.



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4

BAK conducts investigations

4.1 Corruption investigations

In BAK, investigations into criminally relevant facts are conducted by Department 3 (Corruption Investigations) within the scope of the legally regulated jurisdiction under Section 4(1) of the BAK Act. Investigative actions are carried out by experienced case owners and their assigned case officers. Investigative cases are assigned to the units 'Private Sector Corruption Investigations' and 'Public Sector Corruption Investigations' and dealt with there, as required, by criminal police investigators, criminal analysts and investigators specialising in asset recovery. Central documentation and a coordinated and targeted approach to the implementation of criminal police measures are of particular importance.

The 'Private Sector Corruption Investigations' Unit deals with criminal matters within the scope of jurisdiction in accordance with the list of offences of the BAK Act with a predominant connection to the private sector. In many investigative cases, final reports were submitted to the Central Public Prosecutor's Office for Combating Economic Crime and Corruption (Wirtschafts- und Korruptionsstaatsanwaltschaft or WKStA) or to other public prosecutor's offices in the course of 2024. Often, however, a large number of interim and occasional reports have to be drawn up before final reports, which can lead to prosecutorial orders for measures to be issued to BAK. In addition to witness, victim and accused interrogations, search and seizure measures are the main areas of activity of corruption investigators.

Long-standing large-scale criminal proceedings for agreements illicitly restricting competition and other offences require extensive and personnel-intensive investigations. In these cases, the number of accused natural persons and associations is in the range of several hundred. Some of the investigations are carried out in close cooperation with the Federal Competition Authority.

The 'Public Sector Corruption Investigations' Unit deals mainly with criminal law-relevant facts in the case of official and accompanying offences in the public sector. Extensive and complex investigative files are generated in this area. For example, after three years of investigative work and numerous interrogations and other investigative acts, a file with regard to a weapons authority could be finalised in 2024 and reported to the public prosecutor's office by means of a final report.

BAK Department 3 also cooperates with the European Public Prosecutor's Office (EPPO) and handles requests for administrative and mutual legal assistance. In cooperation with domestic and foreign authorities, criminal police measures were carried out within the framework of European investigation orders. At the same time, search and seizure orders were carried out in Austria and abroad.

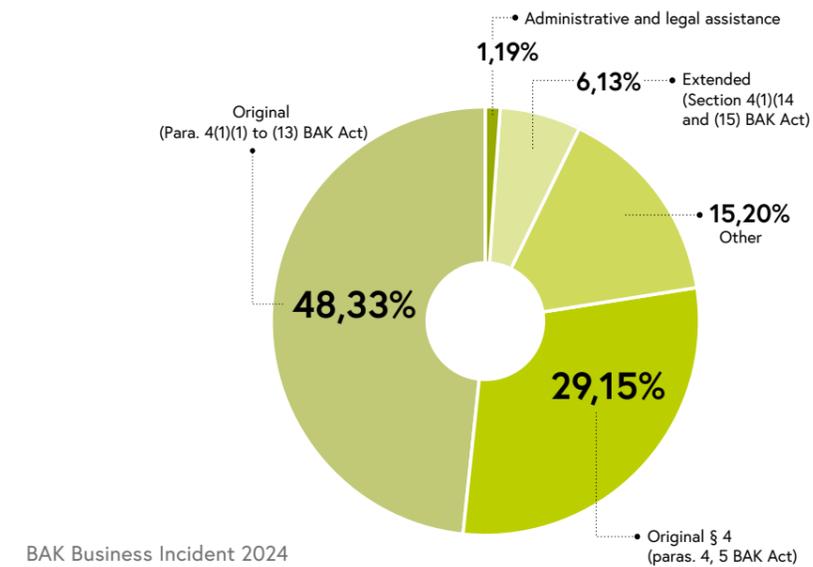
4.2 Basic explanations on statistical data collection

BAK statistics include all reports, notifications, suspicions and facts received by the BAK/ Single Point of Contact (SPOC), irrespective of the way in which they became known (ex-officio action, telephone, e-mail, post, fax, etc.). These are generally submitted by other services, the public prosecutor's office, private individuals or even anonymously. The receiver is always the SPOC in BAK, which first treats incoming information. BAK maintains an incoming statistics, i.e. the facts are statistically recorded after the initial treatment. During any investigation, new findings naturally occur, which is why reassessments and adjustments are constantly being made in the statistics documentation.

All the facts received, which fall under § 4(1)(1) to (13) BAK Act, are referred to as cases of so-called 'original jurisdiction'. Cases falling under Section 4(1)(14) and (15) of the BAK Act, the so-called 'extended jurisdiction', are statistically recorded on the basis of the statutory reporting obligation to BAK, meaning that BAK investigates only by written order of a court or a public prosecutor's office. In addition, for the first time in 2024, allegations of mistreatment to be dealt with by the Investigation and Complaints Office Allegations of Mistreatment (EBM) under § 4(4) and (5) BAK Act. Requests for administrative and legal assistance, which sometimes represent a significant workload for BAK, are shown separately. Similarly, cases which in no way fall within the competence of BAK, such as disciplinary notices or incorrectly served documents/mistakes, or which have been identified as 'criminally irrelevant or out of jurisdiction' cases, are included under 'other' cases. It should be noted that, by its very nature, the BAK statistics are not statistics of legally closed cases.

This statistic is a full survey, the data corpus consists of all reports and complaints received by BAK/SPOC in the current reporting year. Cases from previous reporting years, the investigations of which have not yet been completed, do not appear in the new reporting year. The closing date for a reporting year was set at the end of January of the year following the reporting year. The purpose of this expiry period is to include reports that only reach BAK in January, but relate to the previous year, in the corresponding reporting period and thus to be able to keep as comprehensive a statistics as possible.

4.3 Overall statistics



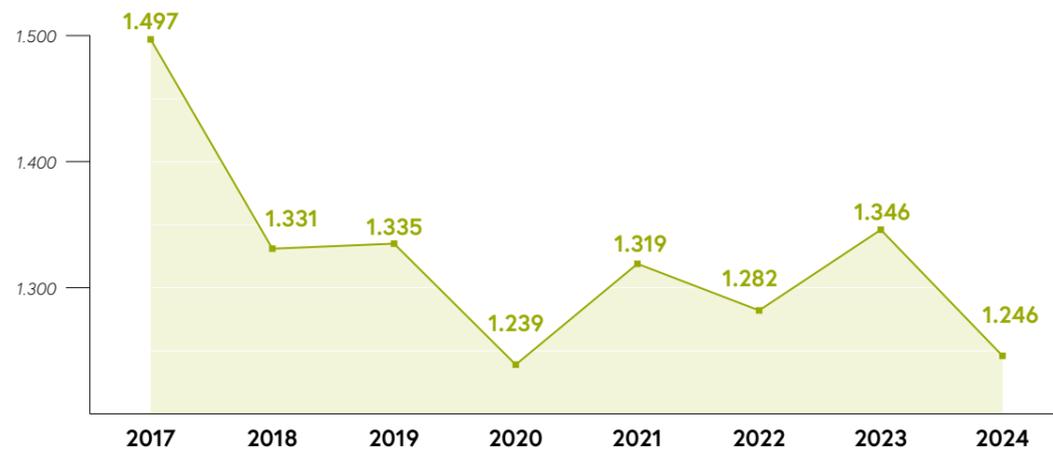
Business incident received in 2024	number	percentage
Original (Section 4(1)(1)-13 BAK Act)	852	48,33
Extended (Section 4(1)(14) and (15) BAK Act)	108	6,13
Other	268	15,20
Administrative and legal assistance	21	1,19
Original § 4 (paras. 4, 5 BAK Act)	514	29,15
total	1.763	100

The BAK's total business cases for 2024 was 1,763 cases. A comparison with the previous year shows that the business incident in BAK increased by 30.98 percent from 1,346. This is partly due to EBM, established in BAK since 22 January 2024. EBM cases are essentially listed in the table under 'Original § 4 (paragraphs 4, 5 BAK Act)'.

Of the 852 cases of the original competence of Department 3 – Corruption Investigations listed in the table, 226 (26.53 per cent) were taken over by BAK. Of the 108 cases of extended jurisdiction, nine (8.33 per cent) were dealt with by BAK; Out of the 21 requests for administrative and legal assistance received, 20 were processed by BAK. Thus, BAK took over the investigations or official acts in 255 cases.

In 2024, the business incident for corruption investigations (Department 3) was 1,246 cases (compared to 1,346 in 2023). In 2024, the number of corruption investigations fell slightly (around 7.43%). This is due to the fact that a large part of the cases so far counted under 'extended jurisdiction' constitute allegations of mistreatment, which are now being investigated by Department 4 of BAK, EBM. For example, the number of cases with extended jurisdiction decreased from 399 cases in 2023 to 108 cases. Corruption cases with original responsibility in BAK rose by almost 13 percent compared to the previous year, however, from 754 to 852.

On average, between 2017 and 2023, 729 cases per year fell under the original responsibility of BAK and in 32 per cent of these cases investigations were taken over by BAK. In 2024, almost 27 percent of cases were led by BAK, which, due to the growing number of reporting cases in absolute terms, meant an increase from 205 in 2023 to 226 in 2024..



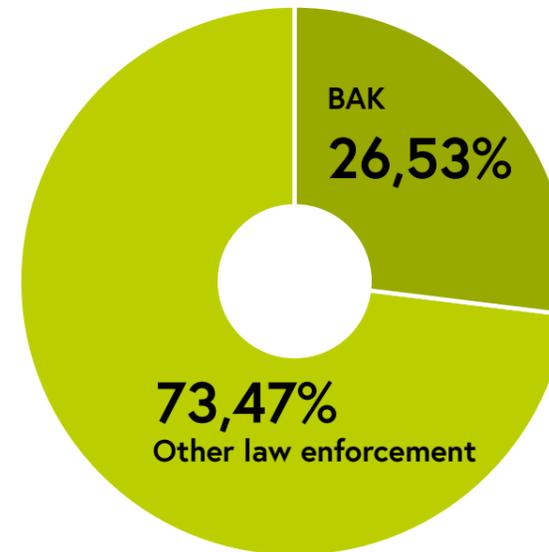
Number of cases within jurisdiction by year (excluding EBM)

Cases of original jurisdiction

The competence of BAK extends nationwide to security and criminal matters with regard to the criminal acts listed in § 4 (1) BAK Act. Since the main task of the investigative work lies in the area of original responsibility, only these cases are reported in the following..

Entities handling cases

In total, BAK received 852 cases within 'original jurisdiction'. Of these, 226 cases (26.53 per cent) were handled by BAK and 626 cases (73.47 per cent) by other law enforcement services.



BAK case handling

As regards cases of original jurisdiction, it should be noted that, for reasons of expediency, BAK may entrust other law enforcement services with the conduct of investigations where there is no particular public interest in a case or in the person under investigation..

Closed and solved cases

Of the 626 cases processed by other law enforcement services in the reporting year, 500 (79.87 per cent) were closed. This means that a report has been submitted by the law enforcement service to the competent public prosecutor's office and no further investigations have been carried out (for the time being) on the matter in question. Of the 226 cases dealt with by BAK, 172 (76.11 percent) were closed.

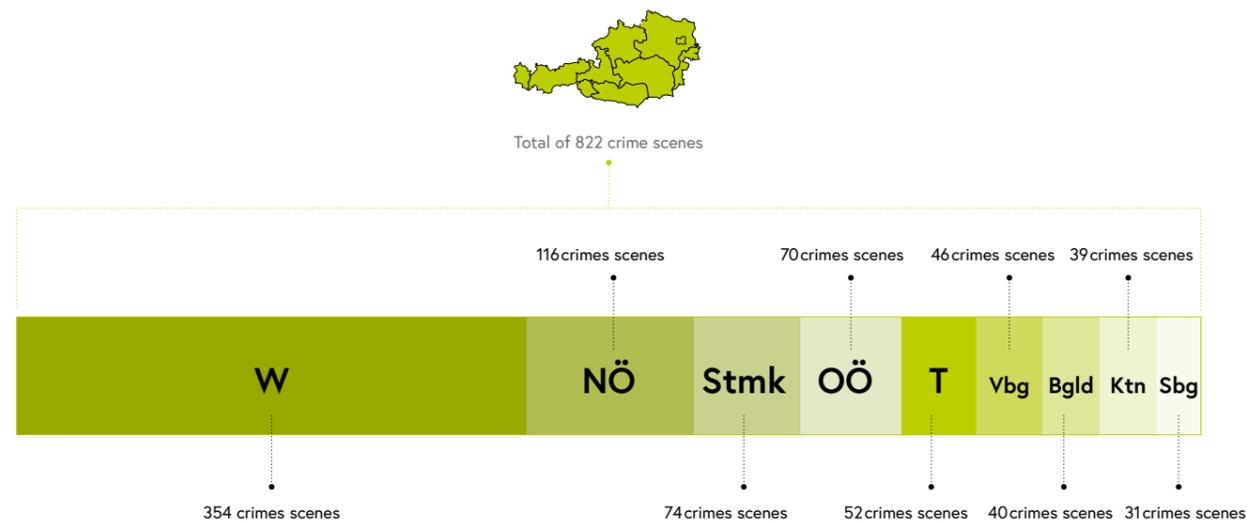
In the year under review, 140 cases (61.95 per cent) were solved by BAK and 459 cases (73.32 per cent) by other law enforcement services. A case is considered to be 'solved' if at least one offender has been identified by name.

The 2024 annual statistics only cover new cases incurred in the reporting year and do not reflect the actual workload of BAK. Due to the complexity of so-called large-scale proceedings, extensive and lengthy investigation and research work is often required, which cannot be completed in the same reporting year.

In addition, cases from previous years could therefore be closed or unfinished cases from 2024 and from previous years will continue in 2025. The oldest open cases date back to 2017 due to their complexity and various strands of action. These cases are not included in the 2024 statistics, but significantly increase the workload. Due to their complexity, BAK's investigative procedures are often conducted over years.

Crime scene-related regional distribution

Of the 852 cases of the BAK's original jurisdiction (Paragraph 4(1)(1) to (13) of the BAK Act), 822 crime scenes were registered in Austria and four crime scenes abroad. In 26 cases, no crime scene could be assigned.



W = Vienna, NÖ = Lower Austria, Stmk = Styria, T = Tyrol, Vbg = Vorarlberg, Bgld = Burgenland, Ktn = Carinthia, Sbg = Salzburg

Actual regional distribution

The above chart shows the distribution of the 822 crime scenes among the individual regions. Naturally, with 354 (43.07 per cent) the most crime scenes were recorded in the capital city of Austria, Vienna; 116 crime scenes (14.11 per cent) were recorded in Lower Austria, followed by Styria with 74 (9.00 per cent) and Upper Austria with 70 crime scenes (8.52 per cent). 52 crime scenes were located in Tyrol (6.33 per cent), 40 in Burgenland (4.87 per cent), 31 (3.77 per cent) in Salzburg, 39 in Carinthia (4.74 per cent) and 46 in Vorarlberg (5.60 per cent). The high number of crime scenes and investigations in Vienna can be explained by the fact that the population key is 21.82 per cent (source: Statistik Austria) at the expense of the capital city and the number of persons employed in the public service in Vienna is the largest in relation to all the other regions.

Offences

For the 852 cases of original jurisdiction registered in 2024, the table below shows the so-called 'leading offences', which are the offences that determine the level of the penalty. A total of 1,750 criminal offences were recorded in the 852 cases.

Offence (listed by leading offence)	BAK	other law enforcement	Total
§ 302 StGB Abuse of official authority	187	582	769
§ 304 StGB Corruptibility	4	6	10
§ 305 StGB Acceptance of an advantage	2	2	4
§ 306 StGB Acceptance of an advantage given for influencing purposes	1	1	2
§ 307 StGB Bribery	2	3	5
§ 307a StGB Offering an advantage	0	0	0
§ 307b StGB Offering an advantage with intent to influence	0	0	0
§ 308 StGB Illicit intervention	1	0	1
§ 309 StGB Gift acceptance and bribery of employees or agents	2	1	3
§ 310 StGB Breach of official secrecy	15	22	37
Other offences	12	9	21
Total	226	626	852

All (leading) offences – Table 2024

The majority of offences account for 90 percent of abuses of official authority (§ 302 StGB – Strafgesetzbuch – Austrian Penal Code). The number of other offences is lower by comparison. However, these sometimes represent a considerable workload due to their complexity and extensive investigative activities. Sections 168b of the Penal Code (restrictive agreements on competition in procurement procedures), 168g of the Penal Code (abuse of funds and assets to the detriment of the EU's financial interests), 165 of the Penal Code (money laundering) and Section 313 in conjunction with Section 153 of the Penal Code or StGB (infidelity by exploiting an official position) were grouped under the category 'other offences'.

A closer look at the most common offences in the year-on-year comparison 2023/2024 recorded increases in offences under §§ 302 StGB (+81 cases), 310 StGB (+15 cases), 304 StGB, 168b StGB, 307 StGB and 306 StGB (each +2 cases), while §§ 153 StGB (-4 cases) and 309 StGB (-2 cases) decreased.

Offence (listed by leading offence)	2023	2024		Change in absolute terms	Change in %
§ 302 StGB Abuse of official authority	688	769	↑	81	11,77 %
§ 310 StGB Breach of official secrecy	22	37	↑	15	68,18 %
§ 304 StGB Bribery	8	10	↑	2	25,007 %
153 StGB Breach of trust	13	9	↓	-4	-30,77 %
168b StGB Agreements restricting competition in procurement procedures	3	5	↑	2	66,67 %
§ 307 StGB bribery	2	4	↑	2	100,00 %
§ 305 StGB Acceptance of an advantage	2	3	↑	1	50,00 %
§ 306 StGB Acceptance of an advantage for influencing		2			
§ 309 StGB Gift acceptance and bribery of employees or agents	3	1	↓	-2	-66,67 %

Acts after leading offence 2024

Criminological facts

Since the offences say little about the underlying corruption phenomena, a total of 18 so-called criminological facts have been determined, to which the facts of the respective leading offense are assigned. The following table lists the criminological facts relating to all offences within the BAK's original area of responsibility.

Criminological facts	BAK	Other law enforcement	Total
Deficiencies in the procedure	101	260	361
Data transfer	39	77	116
Initiation of proceedings	8	119	127
Permits, expert opinions and certificates	10	58	68
Deficiencies in the procedure – Criminal orders	2	25	27
Financial management	11	20	31
Human resources	15	10	25
Procurement/tender	3	4	7
Offences committed by law enforcement staff (in their spare time)	2	5	7
Criminal offences taking advantage of an official position	6	6	12
Foreign Affairs and Asylum	5	13	18
Other criminological issues	24	29	53
Total	226	626	852

Criminological facts 2024

361 (42.37 per cent) cases were assigned to the criminological situation of 'procedural deficiencies', which means all deficiencies in a procedure such as infringement of the rights of the parties, partisan administrative action or incorrect assessment of evidence.

116 (13.62 per cent) cases fell into the category of 'unauthorised access to and disclosure of data' (including, for example, disclosure of information), 127 (14.91 per cent) cases were recorded under 'initiation of proceedings' (incorrect or non-inclusion of criminal complaints). 68 (7.98 per cent) cases fell into the category of 'authorisations, expert opinions and certificates', including situations such as deficiencies in the granting, obtaining or withdrawing of authorisations or approvals, as well as deficiencies in assessments pursuant to Sections 57a and 40a of the Motor Vehicles Act (Kraftfahrgesetz – KFG). 27 (3.17 per cent) cases were assigned to the category 'Procedural deficiencies – Criminal orders' (as a special case of procedural deficiencies), 31 (3.64 per cent) to the category 'Financial management'.

The category 'Human Resources' included 25 cases and seven cases were categorised under 'Procurement/tender, while 18 cases were categorised under 'Foreigners and asylum'. Seven cases were assigned to the categories 'criminal acts of law enforcement staff (in their spare time)' and 12 to 'criminal acts taking advantage of a position in office'.

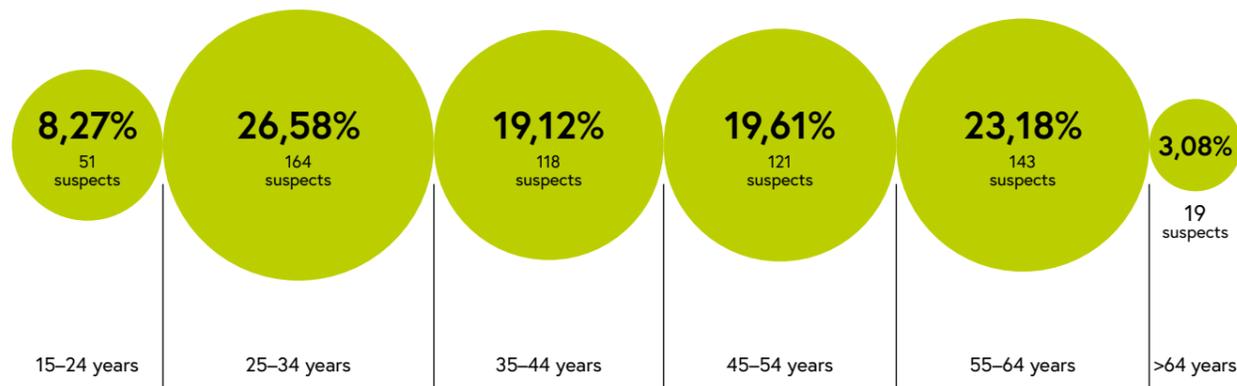
The other seven categories were summarised in the table under 'other criminological facts' and concern 53 (6.22 per cent) cases. These are the criminological situations of 'supervision/control', 'agreements', 'money laundering', 'sponsorship', 'elections', 'general complaints' and 'other situations'.

Suspects

In 2024, a total of at least 1,390 suspects could be attributed to the 852 cases of original jurisdiction, of which at least 405 were unknown.

The sex of 1,029 suspects was recorded, of which 803 (78.04 percent) were male and 226 (21.96 percent) female.

Information on the age could be given for 617 suspects. Special features in the age structure are not apparent. About 82 percent of the suspects were between 15 and 57 years old; This is similar to the group of professionals in the population.



Average age of suspects

4.4 Investigation and Complaints Office Allegations of Mistreatment (EBM)

The legislative amendment Federal Law Gazette (BGBl) I No 107/2023 laid the legal foundation for the establishment of the Investigation and Complaints Office Allegations of Mistreatment (Ermittlungs- und Beschwerdestelle Misshandlungsvorwürfe or EBM). The establishment as Dpt. 4 of BAK – i.e. outside the Directorate-General for Public Security – serves, on the one hand, to ensure the independence of investigations and, on the other hand, to ensure police powers. Since 22 January 2024, EBM has been responsible nationwide and exclusively for investigations into life-threatening weapons use, coercive use resulting in death and allegations of mistreatment.

Structure of EBM

Since its inception, EBM has employed specially trained investigators, who form the core of an unbiased and targeted investigative work. They carry out the investigations and investigations in accordance with the provisions of criminal procedure or administrative law. Four investigative teams are set up, each led by a team leader.

Due to the special sensitivity of the investigations, EBM also employs specialised staff from the fields of human rights and psychology. The inclusion of interdisciplinary expertise in investigations enshrined in the Act (Section 4a(1) of the BAK Act) is also ensured by employees with appropriate training and experience in the field of police deployment techniques and tactics.

Jurisdiction

The competence of EBM derives from Paragraph 4(4) and (5) of the BAK Act and extends to members of the Federal Ministry of the Interior.

From a substantive point of view, EBM has two areas of competence:

Criminal investigations into the use of direct coercive force resulting in death and the use of life-threatening weapons.

Forced coercive force applications include the use of any police coercive means, such as physical force applications or the use of weapons (guns, pepper spray, electro-pulse weapons, etc.), the competence of EBM derives from the causal link between such coercive means and the occurrence of death.

The use of weapons associated with the risk of life is to be understood as any use of weapons which is to be subsumed under Section 7 of the Weapons Use Act 1969, irrespective of any consequences of death. Deaths resulting from acts of public authority, such as traffic accidents involving patrol vehicles, do not fall within the competence of EBM.

Investigations into allegations of mistreatment

Allegations of mistreatment are divided into three categories in accordance with Section 4(5) of the BAK Act. It should be noted that this classification does not allow any conclusions to be drawn as to the severity or intensity of the abuse.

- Section 4(5)(1) BAK Act – intentional offences against life and limb in the course of an official activity unrelated to the exercise of direct coercive force

Examples would be, for example, the beating of an accused person by police officers during an interrogation.

- § 4(5)(2) BAK Act – criminal offences against life and limb, if a there is sufficient reason to believe that this is due to an disproportionate exercise of direct coercive force (Sections 4 to 6 of the Arms Act 1969)

This also includes negligent actions. In contrast to Paragraph 4(5)(1) of the BAK Act, the criminal offence must be related to the exercise of direct coercive force, in which there must be at least a sufficient reason for disproportionateness – this reason is usually based on the victim's assertion, but can also result from the injuries or from the evaluation of video recordings.

- § 4(5)(3) BAK Act – Inhuman or degrading treatment in the context of an official activity

Under Paragraph 4(5)(3) of the BAK Act, EBM is responsible for investigations into suspected or alleged inhuman or degrading treatment in the course of an official activity within the meaning of Article 3 of the European Convention on Human Rights. Under point 3 of Paragraph 4(5) of the BAK Act, EBM determines whether or not there is an initial criminal suspicion (according to the Code of Criminal Procedure – StPO § 1(3) StPO). Insofar as there is no such provision, EBM must apply *mutatis mutandis* the provisions of the General Administrative Procedures Act 1991, Section 53(2) and (4) of the Security Police Act (SPG), which are relevant for the conduct of an investigation, with the exception of the right of access to the file, and the Service Act.

According to the case law of the Constitutional Court (VfGH), inhuman or degrading treatment is defined as spitting, a slap without injury, gross insults and insults, bumps against a person on slippery ground, unjustified or degrading body searches, pulling on the hair, lack of food during a stop, refusal or delay of medical treatment during detention, but not merely degrading handling or degrading gestures or facial expressions. Criminal acts against the legal interests of honour, freedom or sexual integrity and self-determination are also covered by this offence.

Investigation procedure

EBM is exclusively responsible for the investigation of allegations of mistreatment and acts by official means, whereby the initiation of investigations usually takes place through the complaint of a (presumed) victim to EBM, the independent Advisory Board Investigation and Complaints Office, or other (political) authorities. The transfer of investigations to other security authorities or services is not permitted, but EBM may delegate individual investigative and evidence-protection measures to other security authorities and services in exceptional cases.

Criminal investigations

Insofar as there is a criminally relevant initial suspicion, EBM conducts investigations on the basis of the Criminal Code of Procedure 1975 (StPO). In such cases, the conduct of the investigation is the responsibility of the competent public prosecutor's office, which has to decide on the indictment, resignation from prosecution or termination of the proceedings.

Administrative investigations

Insofar as there is no criminally relevant initial suspicion, EBM must clarify the facts in accordance with the General Administrative Procedure Act (AVG), § 53(2) and (4) SPG, *mutatis mutandis*, and the Civil Service Act to the extent that the direct superior can decide on any disciplinary measures. The investigative procedure replaces the otherwise informal surveys of the superior. In addition, the role of investigative body is again emphasised here – the decision on disciplinary measures or penalties remains the responsibility of the competent superior or authority.

Requirements for the duty of investigation based on the five principles of the European Court of Human Rights (ECHR)

The five principles laid down by the ECHR for the investigation of allegations of mistreatment are important for the investigations conducted by EBM. EBM investigations must therefore be conducted independently, without delay and in an appropriate and serious manner. In addition, the involvement of victims or relatives must be ensured and a certain level of public scrutiny of investigations must be guaranteed.

Independence

In order to assess the requirement of the independence of the investigation, the independence of the investigation as a whole and in the specific case is assessed by the ECHR, taking into account the individual circumstances. Investigative authorities do not therefore have to enjoy absolute independence in order to meet the standards of the ECHR. However, they must identify sufficiently independently of the persons and structures whose responsibilities are affected. In order to ensure this independence, EBM is located outside the Directorate-General for Public Security – and thus outside the ‘classic police apparatus’ – in Section III (Law) of the Federal Ministry of the Interior. While all instructions to BAK on substantive treatment in certain proceedings had to be given in writing and reasoned, instructions to EBM must also be sent to the independent advisory board. Furthermore, in principle, only permanent officials are to be employed – exceptions to this can only be found in the absence of formal requirements such as: Training as an official in the service or completion of EBM course..

Adequacy and seriousness

In order to be considered appropriate and effective by the ECHR, investigations must lead to the determination of the facts and enable an informed decision to be made as to whether the alleged use of force was justified in the circumstances. In addition, investigations must be conducted thoroughly and lead to the identification and appropriate punishment of accused persons. In addition, no hasty or insufficiently reasoned conclusions may be drawn. As appropriate investigative steps, the ECHR cites, for example, the securing of eyewitness reports and forensic evidence. EBM meets these requirements with specially trained investigators and additional staff working in analysis and quality assurance.

Immediacy

In order for investigations to be considered as immediate by the ECHR, they must start immediately after a notice or complaint has arisen and be carried out within a reasonable time. The complexity of an investigation can play a role in the considerations of the ECHR. On the one hand, the EBM has set up a permanence service, which is available 24 hours a day and can start investigations without delay. Furthermore, the immediate reporting obligation pursuant to Section 4a(2) BAK Act also regulates the immediate intervention and commencement of investigations at the legal level.

Public monitoring of investigations

Investigations must provide a sufficient element of public scrutiny. This is intended to ensure the responsibility of the authorities, but does not necessarily mean that the investigative procedures must be completely public, but only that there must be a sufficient element of public verifiability of the investigations and their results. This requirement is met in particular by the establishment of the independent advisory board.

Involvement of victims

The victim or complainant must be able to participate effectively in any investigation. This means, for example, that complainants must be able to take personal action and provide evidence. In addition, if possible, the victim must be informed about the procedure and the current status of the investigation. In criminal proceedings, this requirement is fully met by the victims' rights; in proceedings conducted in accordance with the AVG, the obligations of EBM to communicate laid down in Section 4a(4) BAK Act ensure the involvement or communication with the victim.

Independent advisory board

Pursuant to Paragraph 9a of the BAK Act, in order to ensure that EBM fulfils its tasks in accordance with the law, the Federal Minister of the Interior has an independent advisory board, consisting of a chairman, his or her deputy or deputy, seven members and seven substitute members. From the point of view of the observance of fundamental and human rights, this is responsible for the accompanying structural control of the activities of EBM, in particular with regard to the identification of organisational optimisation needs and the advice in this regard. In addition, the Advisory Board also acts as a reporting body for complainants. The EBM Advisory Board shall be subject to official secrecy and other confidentiality obligations.

The advisory board cannot intervene in investigations. It does not fulfil tasks of the security or criminal police, nor is it a service or disciplinary authority, so there is no relationship of instruction between the Advisory Board and EBM. Its recommendations are drawn up annually in a report and forwarded to the Federal Minister of the Interior, who in turn has to forward this report to the Committee on Internal Affairs. The Advisory Board may also report at any time to the Federal Minister of the Interior and, where it deems it appropriate, to the public.

International networking of EBM

The first steps in the international networking of EBM were made, inter alia, through exchanges with international delegations and the participation of the interdisciplinary team in the international human rights conference on ‘The Police Investigative Interviewing and Human Rights’ at the Brandenburg Police College.

As part of the Austrian delegation, the EBM leadership also participated in Austria’s seventh State Review (CAT/C/AUT/CO/7) on the implementation of the UN Convention against Torture in Geneva on 17 April 2024.

Statistics

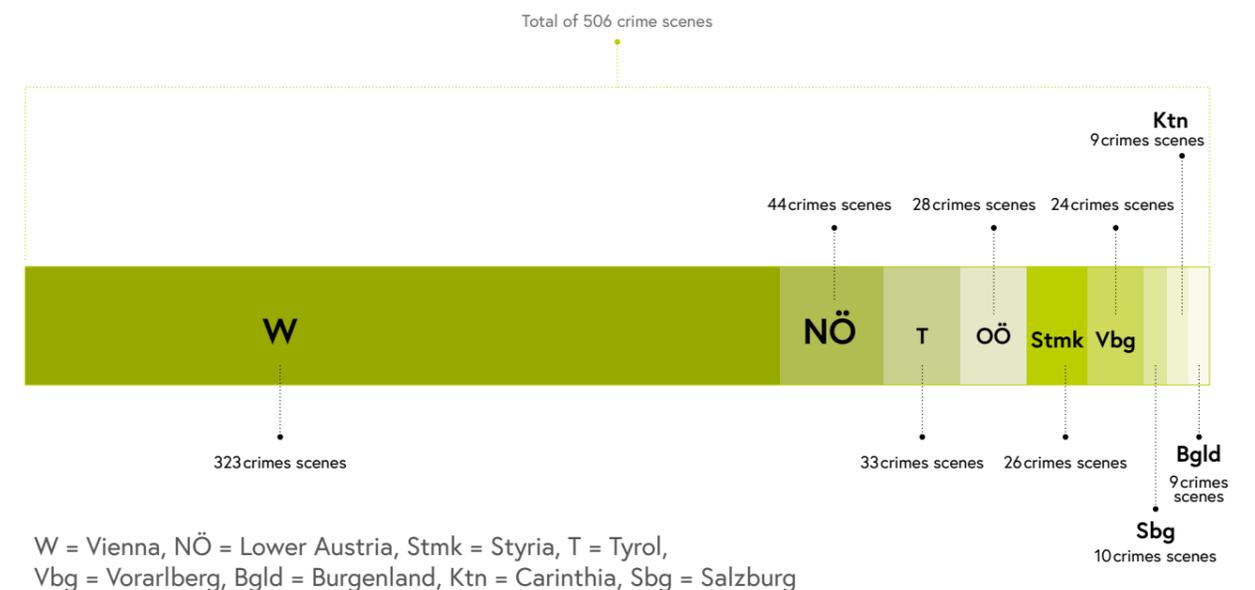
After the first year (22 January 2024 to 31 December 2024), the statistics show an increase in the number of allegations. While around 280 cases were recorded per year in previous years, 505 allegations of mistreatment (Section 4(5) BAK Act) and two applications of coercive measures resulting in death (Section 4(4)1st Case BAK Act) were made at EBM during the same period, and seven cases of life-threatening use of weapon (Section 4(4) 2nd Case BAK Act), three of which were fatal.

Of the 514 cases, 337 (65.6 percent) were closed. This means that a report has been submitted by EBM to the competent public prosecutor’s office and no further investigations have been carried out (for the time being) on the matter in question. In 187 cases, there was a discontinuation according to § 190 StPO and in two cases there was an indictment.

Crime scene-related regional distribution

Of the registered crime scenes of the 514 cases of the BAK’s original jurisdiction (Paragraphs 4(4) and 5 of the BAK Act), which were received in 2024, eight crime scenes were unknown or could not be determined from the act. The remaining 506 cases were domestic.

The chart shows the distribution of the 506 crime scenes by region. Naturally, 323 (63.83 per cent) were the most crime scenes recorded in the Federal Capital of Vienna. 44 crime scenes (nine percent) were registered in Lower Austria, followed by Tyrol with 33 crime scenes (six percent). 28 crime scenes (five percent) were located in Upper Austria, 26 (five percent) in Styria, 24 (five percent) in Vorarlberg, ten (two percent) in Salzburg, nine crime scenes (two percent) each were located in Carinthia and Burgenland.



Crime scene-related regional distribution EMB

4.5 Notifications under the Whistleblower Protection Act

As of 25 August 2023, an internal and an external reporting centre were set up in BAK in accordance with the Federal Act on Procedure and Protection for Indications of Legal Infringement in Certain Areas of Law (HinweisgeberInnenschutzgesetz - HSchG). Since 25 August 2023, BAK has been acting as an internal and external reporting body under the Whistleblower Protection Act (HSchG). The material scope of the HSchG includes:

- public procurement;
- product safety and compliance;
- road safety;
- environmental protection, radiation protection and nuclear safety;
- food and feed safety;
- animal welfare and health;
- public health
- consumer protection, privacy and personal data protection;
- security of network and information systems;
- preventing and punishing criminal offences under Sections 302 to 309 of the Penal Code (StGB) (e.g. abuse of office, bribery and bribery); and
- infringements affecting the financial interests of the European Union.

For the first time, the meeting of all external reporting offices in Austria provided for in Paragraph 18(2) of the HSchG took place. It was conducted online on 29 February 2024. At this meeting, first experiences were exchanged, explanations on the number and quality of reports, problems arising and transfer possibilities were discussed, as well as questions on statistics and the evaluability of clues were discussed.

Statistics

In the period from 1 January 2024 to 31 December 2024, the FIUs received 101 notifications, 84 of which were submitted anonymously. In 50 cases, the whistleblowers decided to remain in contact with the whistleblower reporting office and either set up a mailbox or provided other contact details. Overall, 37 of the 101 reports submitted fell within the scope of application of the HSchG. Two reports were submitted via the internal reporting channel for the Federal Ministry of the Interior.

BAK offers all conceivable contact options for both the internal reporting unit and the external reporting unit. From the letter on calls, personal meetings, e-mails (usually via the 'classic' corruption reporting unit 'SPOC – internal service') and, of course, via the BKMS system.

The vast majority of the messages received were received via the BKMS system. In addition to some telephone consultations, a report was also made in this way. In the course of a personal meeting, a report was also submitted. Eight other reports were made via other sources, such as letters

5 BAK engages in cooperation

Under its statutory mandate, BAK is responsible, in accordance with Paragraph 4(2) of the BAK Act, for cooperation in investigations within the framework of international police cooperation and mutual assistance in the cases referred to in Paragraph 4(1) of the BAK Act.

In addition, BAK is responsible for cooperation with foreign authorities and international institutions in the field of corruption prevention and the fight against corruption in general, but in particular for exchanging experience in this field. Therefore, BAK maintains intensive contact with comparable anti-corruption authorities and actively contributes to the work of European and international bodies.

The (bilateral) cooperation with foreign authorities is usually carried out in particular by organising visits to BAK as well as by accepting invitations to work meetings and conferences abroad.

5.1 International bodies and working groups

BAK experts represent the Federal Bureau in a variety of different committees and working groups, which focus on the (national) implementation of international anti-corruption agreements. These agreements or bodies include, for example, the UN Convention against Corruption (UNCAC), the Council of Europe Convention on Civil and Criminal Law against Corruption, the OECD Convention on Combating Bribery of Foreign Officials in International Business Transactions, the OECD Working Party on Public Integrity and Anti-Corruption (WP-PIAC) and the meetings of the Council of Europe Group of States against Corruption (GRECO). BAK also cooperates with the International Anti-Corruption Academy (IACA) located in Laxenburg.

The United Nations and its activities to prevent and combat corruption

Participation of BAK in the meetings of the working groups of the United Nations Convention against Corruption

In the course of 2024, the sub-organs of the United Nations Convention against Corruption (UNCAC), which are responsible for the area of prevention (Working Group on Prevention), asset recovery (Working Group on Asset Recovery), the implementation review group (Implementation Review Group) and international cooperation (Expert Meeting on International Co-operation), met several times.

The 15th session of the Implementation Review Group (IRG), together with the Corruption Prevention Working Group, took place from 25 August to 4 September 2024. A representative of BAK took part in a panel discussion on the 'Negative impact of corruption on women and youth' and informed about the BAK's youth projects in the context of the fight against corruption. The presentation focused on the Youth for Integrity initiative.

Further meetings of sub-organs took place from 10 to 14 June and from 4 to 8 November 2024.

UNCAC review of Austria in the second cycle

In the summer of 2019, Austria started the evaluation of UNCAC Chapters II (Prevention) and V (Asset Recovery) under the UNCAC Implementation Review Mechanism. Following the submission to the United Nations Office on Drugs and Crime (UNODC) in December 2019 of the Austrian reply to the standardised self-assessment questionnaire, in which BAK was also closely involved, in particular in the chapter on prevention, the representatives of the randomly chosen reviewing countries of Germany and Vietnam examined the answers and documents provided by Austria in a so-called 'desk review procedure'. Due to the ongoing COVID-19 pandemic, the on-site visit of the audit states Germany and Vietnam, originally planned for 2020, took place only in March 2022. The draft Executive Summary was finalised in September 2024. BAK commented on this in October and November.

GlobE Network

Based on a G20 initiative, UNCAC and a decision by the United Nations General Assembly Special Session (UNGASS), the GlobE Network Initiative was launched in 2021 under the auspices of the United Nations Office on Drugs and Crime (UNODC). The aim of the network is to develop a Secure Communication Platform (SCP) for the exchange of information between law enforcement authorities in the field of corruption for all countries of the world. In addition, with the approval of GlobE members, 11 stakeholders (such as Europol or the International Anti-Corruption Academy) received observation status under the project. Austria has been a member of the GlobE network since August 2021.

As a result of this commitment, experts from BAK are regularly invited to the thematic working groups to draw up recommendations to promote informal cooperation and to draw up guidelines and learning programmes for the best possible involvement of the Member States.

2024 GlobE plenary session in Beijing

Since the beginning of the initiative, UNODC has organised plenary meetings annually. In 2024, the fifth meeting took place in Beijing. BAK participated via online conference. Results included the approval of a Strategic Plan 2025 to 2027, the election of a new Board of Directors and the validation of new observers such as the World Bank. Reports on „Denying Safe Haven“ and „Joint Investigative Teams“ were discussed, complemented by case studies and bilateral meetings to promote international cooperation.

OECD – Organisation for Economic Co-operation and Development

Austria ratified the OECD Convention on 20 May 1999. Since then, there has been an obligation to punish the bribery of foreign officials and to ensure the effective implementation of these provisions. Under the peer review principle, Austria is obliged to participate in the review of other countries and also to undergo an appropriate review or evaluation.

OECD – Working Group on Bribery (WGB)

The OECD Anti-Bribery Working Group (WGB) is committed to the implementation of the Anti-Bribery Convention, which aims to prevent corruption in international trade and promote fair competition. In 2024, Austria was reviewed as part of the Phase 4 evaluation. The report praises progress in law enforcement, including initial convictions, the development of digital skills and the introduction of a whistleblower protection act.

Recommendations included improvements in legal frameworks, more intensive training, strengthening international cooperation and a reform of whistleblower protection. Austria will report on progress in two years. The WGB acknowledged the efforts made so far, but stressed the need for further reforms, in particular to strengthen transparency, independence and global cooperation.

OECD Public Integrity Principles

The OECD Working Party on Public Integrity and Anti-Corruption and Integrity in Government (WP-PIAC) has been evaluating the OECD Council Recommendations on Integrity in Public Life since December 2021. The questions are based on specific indicators developed in a working group of the OECD and mainly deal with the topics of internal controls and risk management. The Federal Bureau of Anti-Corruption was commissioned to coordinate the Federal Ministries and the Austrian Court of Auditors, the Financial Market Supervisory Authority, the Ombudsman's Office, the Federal Competition Authority, the Austrian National Bank and the Parliamentary Directorate.

The working group serves as a forum for the exchange of information and the monitoring of developments in the areas of public integrity and the fight against corruption. In 2024, for example, the Group contributed to the publication of the first edition of the OECD Anti-Corruption and Integrity Outlook and adopted the revised 'Recommendation on Transparency and Integrity in Lobbying and Influence'.

„OECD Working Party on Public Integrity and Anti-Corruption” in Paris

From 15 to 16 October 2024, the OECD Working Party on Public Integrity and Anti-Corruption (WP-PIAC) held a working meeting at the OECD Conference Centre in Paris, attended by a delegation from the Federal Bureau of Anti-Corruption (BAK).

In addition to topics such as data protection and integrity, as well as the global initiative to mobilise the private sector as a partner in the fight against corruption (GPS), the event focused in particular on OECD Public Integrity Indicators.

OECD Public Integrity Indicators are used, among other things, to evaluate feasible criteria to support anti-corruption initiatives or to identify best practices. The data collected will help decision-makers to understand the strengths and weaknesses of national anti-corruption systems and public integrity in order to specifically address challenges.

The meeting also focused on national systems for monitoring and assessing corruption strategies and the impact of the fight against corruption. A breakout session was moderated by employees of BAK, who presented the cornerstones of the Austrian National Anti-Corruption Strategy (NAKS). Subsequently, during the exchange of experience with international experts, further findings could be gained to improve the impact evaluation as well as to refine current strategies.

International Anti-Corruption Academy (IACA)

BAK delegation to IACA: Inaugural visit to the new Dean

On 7 October 2024, a delegation from the Federal Bureau of Anti-Corruption (BAK), headed by the Director, visited the new Dean of the International Anti-Corruption Academy (IACA), Slagjana Taseva, in Laxenburg.

The agenda covered a wide range of topics with regard to joint projects and cooperations. Particularly in the field of education, there was an extensive exchange. In addition to discussions on various IACA training programmes, such as the Summer Academy or the Master in Anti-Corruption Studies (MACS), the focus was also on possible future cooperations. Specifically, it was discussed to use experts from BAK as speakers at IACA, especially in the areas of criminal investigations in the fight against corruption, measurement and measurability of corruption, whistleblowing systems and the development of national anti-corruption strategies.

IACA delegation to BAK

On 3 April 2024, the Federal Bureau of Anti-Corruption (BAK) received students from the IACA Master's Programme to provide an insight into its organisation and functioning. As part of IACA's Master's Programme in Anti-Corruption Studies (MACS), nine students took part in a visit to BAK.

Following the welcome and presentation of BAK by the Head of Department 1, two experts from Department 2 gave an overview of the preventive initiatives and measures of BAK, based on the National Anti-Corruption Strategy (NAKS) as well as the international mechanisms in the field of anti-corruption.

A representative of Department 1 explained the topic of whistleblowing and introduced the Whistleblower Protection Act (HSchG). Finally, an investigator gave insight into the work of Department 3, Corruption Investigations.



© BAK

IACA Assembly of Parties

On 30 October 2024 at Vienna International Centre (VIC), the 13th edition took place of Assembly of Parties (AoP) of the International Anti-Corruption Academy (IACA). Together with representatives of the Ministry of Foreign Affairs (BMEIA) and the Ministry of the Interior (BMI), BAK was part of the Austrian delegation.

The 13th Assembly of Parties was chaired for the first time by the new IACA Dean, Professor Slagjana Taseva from North Macedonia, who had taken office on 1 July 2024. Both she and the Chair of the Board of Governors, Mathias Vogl, Head of Section III of BMI, stressed the importance of the stability of IACA in order to be able to launch joint anti-corruption projects in the future.

In addition to the adoption of the budget, a panel discussion on the topic of measuring corruption was also on the agenda. IACA, the United Nations Development Programme (UNDP) and the United Nations Office on Drugs and Crime (UNODC) are committed to developing a reference framework for measuring corruption. The aim is to support individual countries in their efforts to initiate targeted reforms. The aim is to develop new methods for measuring corruption.

In its statement, BAK referred to its commitment in the area of corruption measurement and stressed that effective measurement methods are essential for setting preventive measures. This also serves to identify sectors that are particularly vulnerable to corruption and to disclose trends for flexible adaptation of anti-corruption strategies. In addition, a Resolution on General Matters, tabled by Austria, was adopted.



© IACA

BAK delegation to the International Anti-Corruption Conference (IACC) in Vilnius

From 18 to 21 June 2024, the 21st International Anti-Corruption Conference (IACC) was held in Vilnius, Lithuania. The dialogue with international colleagues made it possible to identify innovative approaches that can also be applied in Austria. IACC is one of the world's largest anti-corruption conferences, bringing together experts, government re-

presentatives and civil society organisations from around the world to discuss innovative anti-corruption strategies. This year's key issues were transparency and accountability, whistleblower protection, digital innovation and international cooperation.

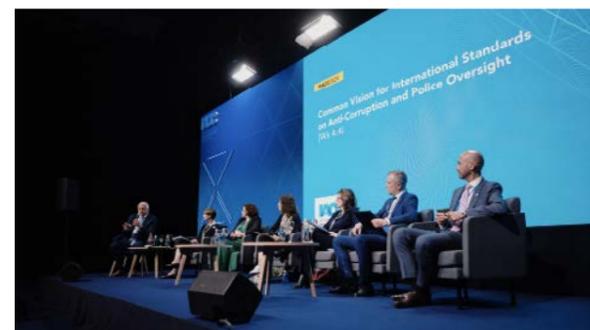
The event was organised by Transparency International and the Special Investigation Service of the Republic of Lithuania (STT). In total, more than 2,000 people attended the conference.



© SST

Panel discussion on international standards and guidelines for anti-corruption authorities

A highlight of IACC 2024 was the panel discussion on international standards and guidelines for anti-corruption authorities organised by EPAC/EACN (European Partners against Corruption and European contact-point network against corruption). Under the leadership of the anti-corruption expert Drago Kos (OECD), representatives of the European Commission (Department for Migration and Home Affairs), the Directorate for Financial and Enterprise Affairs of the Organisation for Economic Co-operation and Development (OECD) and the Lithuanian, Italian and French anti-corruption authorities exchanged views. Ernst Schmid, Head of Department 1 of BAK and Vice-President of EPAC/EACN, introduced the perspective of the two networks to the discussion and presented the guidelines that EPAC/EACN had developed in recent years.



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5.2 Anti-corruption measures at EU level

European Commission proposal for a directive on combating corruption

As part of its anti-corruption package, the European Commission presented a proposal for a directive on combating corruption in May 2023. The aim of the legislative proposal is to update and harmonise EU anti-corruption law, to extend the list of corruption offences in the EU, to strengthen preventive measures and to improve the enforcement of legislation. In particular, BAK closely followed the discussions on prevention and contributed with opinions to the EU negotiation process, which is still ongoing at the end of 2024.

EU network against corruption

The EU network against corruption, also launched in 2023, continued its work in 2024. The network acts as a forum for national authorities, civil society, international organisations, EU agencies, researchers to exchange best practices in preventing and combating corruption and to promote and strengthen cooperation across the EU. In 2024, the European Commission hosted a workshop on asset disclosure as part of the network, as well as the second plenary meeting in Brussels. Representatives of the BAK were present at both meetings and took advantage of the opportunity to intensify exchanges with experts from other Member States, international organisations and civil society.

EU Rule of Law Cycle and Rule of Law Report

In summer 2019, the European Commission (EC) presented the proposal for a comprehensive rule of law cycle. It aims at promoting, preventing violations and enforcing the rule of law in the EU.

The central element of the mechanism is the EU Rule of Law Report, which has been published annually since 2020. It assesses the situation of the rule of law in the EU and in each EU Member State (EU MS). In 2024, the four candidate countries Montenegro, Albania, North Macedonia and Serbia were also included for the first time. It examines the independence of the judiciary, the anti-corruption framework, media pluralism and the separation of powers.

As in previous years, at the end of 2023, EU MS were also asked to reply to a questionnaire on the four thematic areas. Particular attention should be paid to feedback, progress and developments on the issues previously raised in the respective country chapter, and in particular the recommendations of the 2023 Rule of Law Report, as well as other key rule of law developments.

For Austria, BAK again took over the lead for the interdepartmental elaboration of the contribution to the area of anti-corruption. In December 2023, the contribution was sent to the Federal Chancellery (BKA) responsible for Austria's overall contribution, after coordination with the other bodies concerned, including the Federal Chancellery's drafting service, the Federal Ministries of Justice (BMJ), Arts, Culture, Public Service and Sport (BMKÖS), Labour and Economy (BMAW), the Court of Auditors and the Parliamentary Directorate.

After a virtual country visit by EC representatives in mid-March in Vienna, followed by a fact-check at the beginning of July, the European Commission finalised the country chapter for Austria.

The fifth Rule of Law Report was presented on 24 July 2024. The European Commission concludes that, overall, the EU and the Member States are significantly better prepared to identify and address new challenges compared to the first report in 2020. As regards the fight against corruption in Austria, the report highlights the National Anti-Corruption Strategy (NAKS) re-adopted at the end of 2023 and the National Action Plan (NAP) for 2023 to 2025. The ongoing BAK training courses within the framework of the Network of Integrity Officers as well as those for the Compliance Officer of the Federal Ministry of the Interior (BMI) and the corruption prevention officers of the regional police directorates are mentioned positively. It also informs about the federal law that came into force in September 2023, which expands criminal liability in corruption cases, but also that further discussions are needed on legislative changes in the area of anti-corruption with regard to securing electronic devices. The implementation of internet-based reporting channels for whistleblowers is also welcomed. The BAK has had a fully functional system since August 2023 and provides step-by-step guidance on how to submit notifications via the website, which can also be sent by telephone, post or in person in addition to the web-based platform.

European Partners against Corruption (EPAC) and European contact-point network against corruption (EACN)

In 2024, BAK handed over the secretariat of the networks European Partners against Corruption (EPAC) and European contact-point network against corruption (EACN) to the Special Investigation Service of Lithuania (STT). EPAC/EACN act as independent platforms for anti-corruption and police supervisory authorities to exchange information and maintain contacts in the field of preventing and combating corruption. EPAC includes not only authorities from EU Member States but also those from Council of Europe countries; EACN consists exclusively of authorities from EU Member States. Both networks together currently have 120 members.



© EPAC/EACN

23rd EPAC/EACN Annual Professional Conference and General Assembly

On 26 and 27 November 2024 in Bucharest, Romania, the 23rd edition took place of EPAC/EACN Annual Conference and General Assembly. 170 participants from almost 100 institutions and from more than 30 different countries as well as EU agencies and international organisations participated in the event. At the conference, various breakout sessions allowed for a more in-depth thematic exchange with practice-relevant content in the prevention of and fight against corruption. The breakout sessions on 'Risk-based approaches to corruption prevention and fraud' and 'Corruption situation reports' were moderated by Ernst Schmid, Head of Department 1 of BAK and EPAC/EACN Vice-President. The panellists also included an employee of BAK, who put a special focus on the topic of 'situation reports'.

At the conference, BAK initiated the establishment of a working group, which will deal with the preparation of situation reports in the field of anti-corruption in the future. The main objective of the working group is to develop standards for the design of situation reports and to develop effective approaches for the strategic analysis of corruption. These tasks require a qualified exchange of knowledge as well as the development of best practices, which should serve as a benchmark for the creation of situation reports.

The conference, opened on 26 November 2024 by the Romanian Deputy Prime Minister and Minister of the Interior, focused on four main themes:

- investigating and prosecuting corruption and fraud;
- prevention of corruption;
- building integrity in law enforcement and
- building a resilient anti-corruption framework for public institutions and the private sector.

During the conference, the traditional EPAC/EACN Award was presented for Best or Most Innovative Anti-Corruption and Police Oversight Initiative of the Year.

The winners of the EPAC/EACN Award 2024 for the most innovative and successful anti-corruption project were the initiatives of the National Protection Agency of Hungary (Nemzeti Védelmi Szolgálat, NVSZ). They received the award for their 'innovative awareness-raising activities to support integrity development processes in society'.

Initiatives presented included an ethics and integrity education programme for teachers to inspire the 'Alpha' and 'Z' generations to engage in value-based behaviour and a flexible educational package for law enforcement students that strengthens responsibility and awareness of the fight against corruption. In addition, a national awareness-raising campaign that had been launched, targeting all generations and addressing the issue of „gratification payments“ in healthcare with positive, value-based communication.

The two-day conference was concluded by the EPAC/EACN General Assembly, at which five new members were added to the EPAC/EACN network. In addition, the Bucharest Declaration 2024 was adopted unanimously.

Europol

The European police authority Europol plays a central role in the fight against cross-border corruption within the European Union. As a cooperation platform, Europol supports national law enforcement authorities, inter alia, in detecting and prosecuting corruption cases, in particular those with an international dimension such as bribery, abuse of office and money laundering. The organisation provides specialised analytical tools, promotes the exchange of information between Member States and coordinates joint investigations. The aim is to combat systemic corruption that threatens trust in public institutions and economic stability..

Europol: Fifth meeting of “Analysis Project Corruption”

The fifth meeting of the analysis group on corruption (AP Corruption) was held in The Hague on 17 December 2024. The event provided a platform for experts from across Europe to present and discuss operational and strategic measures to combat corruption. The Federal Bureau of Anti-Corruption (BAK) was represented on site.

In addition to staff from the operational department and the international cooperation unit of the BAK, staff from the Criminal Investigation Service Austria and the head of the European Economic and Financial Crime Centre (EFECC) at Europol, which is strongly promoting the development of strategies to strengthen international cooperation in these areas, were also present.

In addition to other organisations, BAK also presented an outlook on the planned strategic objectives and measures of BAK for the coming years in a keynote speech to the Europol Panel. The focal points of BAK found broad interest among the international colleagues.

The event included further presentations and discussions, including reports from Spain, Belgium, France and Ukraine, as well as a panel discussion on current developments in the fight against corruption. BAK's participation underscores its commitment to strengthening international cooperation and developing innovative approaches to preventing corruption.

Council of Europe Group of States against Corruption

Continuation of the fifth round of evaluations of the Council of Europe Group of States against Corruption (GRECO)

Austria has been a member of GRECO since 1 December 2006. Following the Council of Europe's multidisciplinary approach to the fight against corruption, GRECO is to evaluate compliance with or implementation of the relevant legal instruments adopted by the Council of Europe. In late autumn 2021, the fifth GRECO evaluation round on 'Prevention of corruption and promotion of integrity in central governments (high-level law enforcement decision-makers) and penitentiary authorities' was launched for Austria. The evaluation report was adopted during the 92nd GRECO plenary at the end of 2022 and published in March 2023. 19 recommendations were addressed to Austria, the implementation of which had to be reported to GRECO by 30 June 2024. The pertinent first compliance report was discussed and adopted in Strasbourg at the end of November 2024. The second round of compliance starts with the publication of the first compliance report, which is expected to provide for an implementation period until 31 May 2026. Up-to-date information on the fifth evaluation round can be found on the GRECO website.

European Network for Public Ethics

The European Network for Public Ethics (ENPE) was launched at the initiative of the French High Authority for Transparency in Public Life in June 2022. BAK was one of the founding members. The aim of the network is to promote a culture of integrity in the public sector and to harmonise the relevant rules in the EU Member States. ENPE wants to establish itself as the preferred point of contact and interlocutor of the European institutions on issues of integrity, transparency and public ethics. Currently, the organisation brings together authorities dealing with ethics, integrity and the fight against corruption from 15 EU Member States. In October 2024, BAK was represented at the annual conference in Rome. At this meeting, the Italian National Anti-Corruption Authority (ANAC) took over the presidency. Finally, the Rome Declaration was adopted. Among other things, it underlines support for the EU Anti-Corruption Directive and calls for strengthening the independence of national anti-corruption authorities.

5.3 BAK's bilateral cooperation

Delegation from Uzbekistan

On 5 March 2024, a Uzbek delegation consisting of a representative of the Uzbek Anti-Corruption Agency and an employee of the Uzbek Embassy in Vienna visited BAK. Representatives of BAK presented the organisation and tasks of the Federal Bureau and informed about the National Anti-Corruption Strategy (NAKS). In particular, the NAKS and its implementation were of interest, as the Uzbek Anti-Corruption Agency is also planning a national anti-corruption strategy. The representative of the Uzbek Anti-Corruption Agency provided insights into their organisation, which is exclusively active in the field of corruption prevention. An interesting exchange of experience took place with regard to tried and tested approaches in the field of prevention work.



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Andalusian delegation

A delegation from the Andalusian Anti-Fraud Office (OAAF) visited BAK on 18 and 19 November 2024. The two-member delegation had come to Vienna as part of the Best Anticorruption Practice Exchange (BACPE) project initiated by EPAC/EACN and co-financed by OLAF to exchange views with representatives of BAK on new forms of awareness raising. On the first day, BAK prevention experts presented innovative concepts, such as the Corruption Scale and the Corruption Theatre, which are used in awareness-raising workshops in schools. They also exchanged views on basic research. Representatives from Spain informed among other things about a prevention advisory project for public institutions in Andalusia.

The second day started with a visit to the International Anti-Corruption Academy (IACA) in Laxenburg. In the afternoon, the Head of the Education Unit explained BAK's various educational activities and its 'train-the-trainer' approach.



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Delegations from Ukraine

On 20 June, 12 September and 17 October 2024, a number of Ukrainian delegations visited BAK. In the course of the BMEIA Study Visit, employees of BAK presented to the respective delegations, consisting of representatives of several authorities, the various departments and the tasks of the Federal Bureau. Subsequently, there was an exchange of experience regarding different procedures in investigations and the prosecution of corruption cases.



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Delegation of the Lithuanian Special Investigation Service (STT)

On 2 and 3 December 2024, BAK received a delegation from the Lithuanian Special Investigation Service (STT). The exchange under the Best Anti-Corruption Practice Exchange (BACPE) project focused on awareness raising and prevention in the fight against corruption. At the beginning, the guests were given an overview of the structure and working methods of BAK. In the afternoon, concepts such as the Corruption Scale and the Corruption Theatre were presented, which BAK uses in workshops to raise awareness in schools. In addition, basic research and prevention activities of the Lithuanian delega-

tion were exchanged. The second day also began with a visit to IACA in Laxenburg and continued with BAK's training activities and the 'train-the-trainer' approach. Lithuanian representatives also presented their own activities in this area.



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BAK Delegation in North Rhine-Westphalia (within the framework of BACPE)

From 29 to 31 October 2024, a delegation from the Federal Bureau of Anti-Corruption (BAK) visited the State Criminal Police Office of North Rhine-Westphalia (LKA NRW). The study visit took place as part of the EU-funded Best Anti-Corruption Practice Exchange (BACPE) project and served to exchange views on the creation of situation reports on corruption.

The representatives of the LKA NRW presented their authority's many years of experience in creating situation reports. Since 2011, the LKA NRW has regularly published reports on corruption phenomena. A particular focus of the inquiry was on the use of big data and specialised databases to collect and analyse corruption cases.

During the three-day visit, experts from both authorities exchanged extensively on methods and best practices. In addition to an introduction to the statistical methodology and the delimitation of situation reports to police crime statistics, topics such as financial investigations and whistleblower protection were also discussed in detail.



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BAK's legal foundations

The Federal Act on the Establishment and Organisation of the Federal Bureau of Anti-Corruption (BAK Act), which entered into force on 1 January 2010, forms the legal basis for BAK.

6.1 Security and criminal police responsibilities of BAK

Gemäß § 4 Abs 1 BAK-G ist das BAK bundesweit für sicherheits- und kriminalpolizeiliche Angelegenheiten wegen folgender strafbarer Handlungen zuständig:

1. abuse of official authority (§ 302 Penal Code),
2. corruptibility (§ 304 Penal Code),
3. acceptance of an advantage (§ 305 Penal Code),
4. acceptance of an advantage given for influencing purposes (§ 306 Penal Code),
5. bribery (§ 307 Penal Code),
6. offering an advantage (§ 307a Penal Code),
7. offering an advantage with intent to influence (§ 307b Penal Code),
8. illicit intervention (§ 308 Penal Code),
- 8a. breach of official secrecy (§ 310 Penal Code),
- 8b. breach of Section 18 of the Information Management Act,
9. breach of trust using an official position or involving an official (Sections 153(3), 313 or in conjunction with Section 74(1)(4a) Penal Code),
- 9a. misuse of funds and assets to the detriment of the financial interests of the European Union (§ 168g Penal Code),
10. acceptance of gifts by persons holding a position of power (§ 153a Penal Code),
11. agreements restricting competition in procurement procedures (§ 168b Penal Code) and serious fraud (§ 147 Penal Code) as well as commercial fraud (§ 148 Penal Code) on the basis of such an agreement,

12. gift acceptance and bribery of employees or agents (§ 309 Penal Code),
13. money laundering (Section 165 of the Penal Code), insofar as the assets derive from an offence or crime referred to in points 1 to 9a and point 11 of the second and third cases and point 12 of the Penal Code, criminal association or criminal organisation (Sections 278 and 278a of the Penal Code), insofar as the association or organisation is aimed at committing the offences or crimes referred to in points 1 to 9a and point 11 of the second and third cases,
14. criminal acts under the Penal Code as well as under the secondary criminal laws, insofar as these are related to points 1 to 13 and insofar as they are to be prosecuted by the Federal Bureau by written order of a court or a public prosecutor's office, and
15. criminal acts under the Criminal Code as well as under the secondary criminal law of public servants from the department of the Federal Ministry of the Interior, insofar as these are to be prosecuted by the Federal Bureau by written order of a court or a public prosecutor's office.

In the cases of Nos. 11 to 13 BAK Act, jurisdiction of the Federal Bureau is only possible if the aforementioned offences are committed in accordance with Section 28(1)(2). The sentence of the Penal Code (determination of the highest penalty) is decisive for determining the amount of the penalty.

6.2 Investigation and Complaints Office Allegations of Mistreatment (EBM)

The legal basis for the competence of EBM can be found in Section 4(4) and (5) of the BAK Act. Accordingly, EBM is responsible nationwide for:

'[...] criminal police investigations in the exercise of direct force with the result of death and life-threatening use of weapons (Section 7 of the Arms Use Act 1969, Federal Law Gazette No 149/1969) by

1. organs of the public security service, in so far as they are federal employees,
2. other staff of the Directorate for State Protection and Intelligence (Section 2b(2) of the State Protection and Intelligence Act [SNG], Federal Law Gazette I No 5/2016) and
3. other staff of the Federal Ministry of the Interior or its subordinate departments authorised to exercise command and coercive power.'

and

'[...] Investigations in connection with allegations of mistreatment against institutions or staff members pursuant to § 4(4)(1) to (3). An allegation of mistreatment is the suspicion or allegation of an

1. intentional offence against life and limb in the course of an official activity unrelated to the exercise of direct coercive force;
2. offence against life and limb if there is sufficient reason to believe that it is due to a disproportionate exercise of direct coercive force (Sections 4 to 6 of the Arms Use Act 1969), or
3. Inhuman or degrading treatment in the course of official activity.' A competence of the Federal Bureau does not exist if an allegation of mistreatment under § 4(5)(3) BAK Act relates to conduct towards employees of the Federal Ministry of the Interior and there is no initial suspicion within the meaning of the Code of Criminal Procedure. The work and procedure of EBM is regulated in § 4a BAK Act.

BAK's international cooperation

The international cooperation of BAK within the scope of its activities is expressly regulated in Section 4(2) of the BAK Act. The competence includes cooperation in investigations within the framework of international police cooperation and mutual assistance in the cases referred to in § 4(1) BAK Act, as well as cooperation with foreign authorities and international institutions in the field of corruption prevention and the fight against corruption in general, in particular the exchange of experience in this field.

BAK's corruption prevention work

In the field of corruption prevention, the Federal Bureau has the legal mandate (§ 4(3) BAK Act) to gain knowledge about the avoidance, prevention and combating of corruption phenomena in the context of research and analysis and to implement these into appropriate prevention measures.

Obligation to report and right to report

§ 5 BAK Act lays down both a reporting obligation and a reporting right. Without prejudice to their reporting obligations under the Code of Criminal Procedure, the law enforcement authorities or services which become aware of a criminal offence within the meaning of Section 4(1)(1) to (15) of the BAK Act must immediately report it in writing to BAK (reporting obligation).

Also, federal employees must not be prevented from reporting a suspicion or allegation within the meaning of Section 4(1)(1) to (15) BAK Act directly and off-the-job to the BAK (right to report).

Cooperation with other services

Legally regulated (§ 6 BAK Act) is also the cooperation with other authorities and services. For reasons of expediency, BAK may commission other law enforcement authorities and services to carry out individual investigations (Section 6(2) BAK Act) or transfer the conduct of investigations to other competent law enforcement authorities and services if there is no particular public interest due to the significance of the criminal offence or the person under investigation (Section 6(3) BAK Act).

Legal protection

As a special legal protection body, an independent legal protection commission, which is free of instructions and subject to official secrecy, consisting of the legal protection officer pursuant to § 91a SPG and two other members, is set up. It must investigate allegations against the activities of BAK, which are not manifestly unfounded, in so far as no legal remedy is available to the persons concerned. The Legal Protection Commission shall report annually to the Federal Minister of the Interior on the performance of its duties. In addition, the Legal Protection Commission has the possibility to make recommendations to the Federal Minister of the Interior and to the Director of BAK (§§ 8 and 9 BAK Act).