

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY GERMANY

ARTICLE 13 UNCAC

AWARENESS-RAISING MEASURES AND EDUCATION

GERMANY (EIGHTH MEETING)

For anti-corruption education programmes in schools and universities we would like to provide the following answers to the questions raised in section II of the guidance note:

1. Please describe (cite and summarize) the measures your country has taken, if any, (or is planning to take, together with the related envisaged time frame) to ensure full compliance with article 13(1)(c) of the Convention and, in particular, its provision on undertaking anti-corruption education programmes in schools and universities.

Schools and universities in Germany have introduced various education programmes and initiatives to raise awareness for the risks of corruption.

Schools:

In Germany, designing curricula and lessons is the responsibility of the federal states. In this area, the Federation has no power to legislate (Art. 70 (1) of the Basic Law).

At present, some eleven million pupils are enrolled at primary and secondary schools in Germany. Initially, all pupils go to a primary school. The secondary schools differ mainly from primary schools in that the school-leaving examination qualifies for various higher education institutions. The highest school-leaving examination is the *Abitur*, the German university entrance qualification, which usually can be attained after 12 years.

Generally, each federal state and each type of school has the possibility to address the issue of corruption in class in a plethora of different contexts. What children are taught in school depends on the curricula defined by each federal state and on the teachers who are responsible for conducting lessons and at the same time serve as an example. Owing to the (exclusive) legislative power of the federal states, there are differences with regard to content between the curricula of the 16 federal states in Germany. In an interdisciplinary approach, however, all curricula are aimed at preparing pupils in the best possible way to cope with social challenges and at enabling and encouraging them to actively shape their environment.

One prerequisite for this is a critical examination of the free democratic basic order of Germany, including the rule of law. A vital aspect of the German legal community is the development and raising of awareness for the issue of corruption. In particular, different phenomena of corruption and their repercussions are dealt with from the fifth to the tenth grade (secondary schools). Usually, these discussions on corruption are integrated into ethics classes covering questions of law, justice and morals, or into social sciences and economics classes analysing societal phenomena and problems, or into history lessons covering questions of threats to democracy and freedom. Of course, it is also conceivable to address this subject in other classes. In Berlin, for example, the curriculum applicable from the school term 2017/2018 stipulates that civic education classes should address the issue under the heading “Life in a country based on the rule of law” and teach a zero tolerance approach to corruption.

The issue of corruption is explicitly addressed also in vocational schools. These schools are an essential element of the German dual system of vocational training. It consists of practical training in a company and parallel theoretical training at a vocational school, based on a framework curriculum. This dual vocational training qualifies people for professional practice

without the need for further studies. Vocational schools in the federal state of Baden-Württemberg, for example, address the issue of corruption in “Economics and ethics” classes under the heading “Distortion of competition, gratification, corruption”.

All federal states regularly review and update their individual curricula. The overall objective is to concentrate on competences and convey ready-to-use knowledge taking into account current events. This ensures that issues such as preventing and fighting corruption can be integrated into the curricula.

In addition, various measures are taken to raise awareness among those teachers planning and actually conducting lessons on corruption, for example through guidelines, instructions or other internal administrative rules on accepting gifts and rewards. In addition, the individual school administrations at state level take various efforts to prevent corruption, such as drawing-up guidelines, organizing training courses, designing and distributing flyers and organizing Internet information campaigns. The teachers also serve as an example and by doing so they contribute to implementing Art. 13 (1) (c) of UNCAC.

In the federal state of Brandenburg, for example, regular meetings on corruption prevention take place between the competent task force and the anti-corruption commissioner at the Ministry for Education, Youth and Sport. In addition, the competent anti-corruption bodies of the federal administration provide support to the state administrations, if they so wish.

Higher education:

In Germany, the main higher education institutions are universities and *Fachhochschulen* (universities of applied sciences). While the *Abitur* (twelfth-grade exam) is the required entrance qualification for academic university studies, a school-leaving certificate obtained after ten years in school is sufficient to apply for a place to study at one of the more practice-oriented universities of applied sciences (*Fachhochschule*). In recent years, private universities and *Fachhochschulen* have become increasingly important, in addition to public universities. Accreditation procedures are in place to ensure the equality of private and public studies. A total of 2.8 million students were enrolled at both public and private universities for the winter semester 2016/2017.

All matters related to research, teaching and studies are the sole responsibility of the individual university’s administration (autonomy of institutions of higher education). This is why there are differences between universities in the way the issue of corruption is addressed. There is no specific corruption prevention course of study in Germany. Numerous courses of study at various universities throughout the country, however, thoroughly deal with this topic. Corruption prevention, for example, is an integral subject of business economics studies, economics studies and several other courses of study. Usually, it is dealt with in the context of business and economic ethics. The university *Europa-Universität Viadrina Frankfurt (Oder)* in the federal state of Brandenburg, for example, has set up a Compliance Center. This interdisciplinary Compliance Centre organizes lectures and projects on compliance for ALL students enrolled at this university and assists students working at a doctoral thesis or equivalent on this topic (<http://compliance-academia.de/>). The subject of corruption is also discussed in political and social science studies offered by universities throughout Germany under the heading “good governance” and “ethics”. The Hertie School of Governance in Berlin, for example, offers a course on “Good governance and anti-corruption” (<https://www.hertie-school.org/en/study/course-catalogue/course/course/good-governance-and-anti-corruption/>). In all federal states, corruption-related crime is a mandatory subject of law studies. In these lectures, law students primarily hear about and discuss the wrong resulting from corruption and how it is sanctioned under German law. Law students who wish to widen their knowledge on this topic can attend additional seminars, lectures and exercise classes. The University of Cologne in North Rhine-Westphalia, for example, organizes annual conferences on economic crime (*Kölner Kolloquium zur Wirtschaftskriminalität*) where

corruption in various social spheres is discussed. Students are invited to attend these conferences free of charge; for them it is a good opportunity to meet renowned representatives from industry and politics. The focus of the most recent conference was on “Corruption in sport” (http://www.jpstrafrecht.jura.uni-koeln.de/sites/iss_juniorprof/Projekte/Programmflyer_Korruption_und_Sport_Entwurf_Anisc ht MH NEU WEB.pdf).

Moreover, universities organize study and research projects on corruption involving a high publicity effect. Some of these projects receive financial support from international scholarship funds. The Mercator foundation, for example, is currently funding a research project dealing with the role of social media in the fight against corruption. (<http://www.mpc-international.org/fellows/kossow/>). Another example for the great attention universities in Germany pay to the subject of corruption is the recently completed corruption study conducted by the Institute for German and international law on and research in political parties under the aegis of the University of Düsseldorf in North Rhine-Westphalia. (<http://www.pruf.de/forschungsprojekte/abgeschlossene-forschungsprojekte/korruptionsstudie.html>).

The University of Administrative Sciences in Speyer in the state of Rhineland-Palatinate is the leading university for studies in administrative sciences in Germany and as such also attends to the subject of corruption prevention. For example, the most recent of the annual conferences on democracy held in Speyer (*Speyerer Demokratietagung*), which regularly look into the subject of corruption, was dedicated to shortcomings in the fight against and research in corruption (<http://www.uni-speyer.de/de/index.php>).

The *Hochschule des Bundes für öffentliche Verwaltung* (Federal University of Public Administration) and the *Verwaltungsfachhochschulen der Länder* (state universities of public administration) specifically deal with questions of preventing corruption. These education institutions offer study courses on “Police ethics and corruption prevention” and “Preventing and fighting corruption”. Students at the Brandenburg police academy (*Fachhochschule der Polizei*) and the Brandenburg university of finance (*Fachhochschule der Finanzen*) also have the possibility to go on study visits abroad. The *Hessische Hochschule für Polizei und Verwaltung* has developed a student project on corruption prevention at the institute for administration for the winter semester 2017/2018.

Many universities, such as in the federal states of Lower Saxony, Bremen and Thuringia, have appointed contact persons for corruption prevention. As part of their job, these contact persons raise awareness among the staff of public universities and serve as an example for students.

As a form of education and awareness-raising in practice, the universities in the state of Thuringia, for example, have introduced the principles of greater scrutiny and rotation in areas particularly vulnerable to corruption. Here, responsible action focused on corruption prevention is practised and demonstrated every day. Moreover, cultural, sport and social events at the universities offer students from different fields many opportunities to meet and exchange views, including on course contents related to corruption. Other events organized by the universities which are open to the public are an opportunity for students and the interested public to enter into a dialogue on the subject. The Hertie School of Governance in Berlin, for example, regularly organizes such events.

2. Please outline actions required to ensure or improve the implementation of article 13(1)(c) on undertaking anti-corruption education programmes in schools and universities and any specific challenges you might be facing in this respect.

Schools

In order to ensure and/or improve the implementation of Art. 13 (1) (c) particularly with regard to anti-corruption education and awareness-raising at schools also in the future, the

following support would be useful:

- Supplementary teaching materials on preventing and fighting corruption for use in schools;
- Assistance in defining learning objectives for pupils with regard to preventing and fighting corruption;
- Best-practice examples from other countries: In which subjects and in what grades do they deal with corruption?

Higher education

At universities and universities of applied sciences, the issue of corruption is usually addressed in courses of study preparing students for professions which are vulnerable to corruption in a wider sense. Other courses of study demand exclusive concentration on the specific academic contents, i.e. usually there is no room for dealing with the issue of corruption.

3. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?

No.

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GERMANY**

ARTICLE 13 UNCAC

AWARENESS-RAISING MEASURES AND EDUCATION

GERMANY (SEVENTH MEETING)

In relation to undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula (article 13 (1) (c)):

- Description of public information (education and awareness-raising) activities that contribute to non-tolerance of corruption, particularly those using ICT, including specific initiatives targeting groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations;
- Description of various means and/or technologies that have been used for the purposes of undertaking public information activities;
- Description of the use of ICT in educational courses or modules that have been introduced in primary and secondary schools that include components on corruption or related issues such as ethics, civil rights or governance;
- Description of the use of ICT in university courses or modules that include components on corruption or related issues such as public administration, public procurement, ethics, criminal law or corporate governance.

The public relations work of the Federal Government has long helped raise public awareness of corruption. Amongst internal training means (seminars, e-learning, circulars), public information activities on anti-corruption are part of the Government's information strategy. On its website (www.bmi.bund.de), the Federal Ministry of the Interior provides information on corruption prevention and the Freedom of Information Act. Relevant material can be downloaded free-of-charge on the BMI-Website. The Federal Ministry's brochure "Rules on Integrity" for example lists the relevant regulations and contains general information, sample texts and a fact sheet. At the annual open house days the BMI is informing up to 8.000 visitors on the anti-corruption strategy and presents interactive learning and quizzes. The BMI regularly receives German and international visitor groups that are particularly interested in anti-corruption measures. At www.bmwi.bund.de, the Federal Ministry for Economic Affairs and Energy provides the business community with specific information on corruption. Together with the Federal Ministry of Justice and Consumer Protection, the Federal Ministry for Economic Affairs and Energy also published a small brochure, "Preventing Corruption", on bribery of foreign officials that is addressed to businesses operating abroad.

Information concerning corruption is also published by the Federal Criminal Police Office in its annual Corruption Situation Report.

(http://www.bka.de/nn_193376/DE/Publikationen/JahresberichteUndLagebilder/Korruption/korruption_node.html?_nnn=true), the Police Crime Statistics

(http://www.bka.de/EN/Publications/PoliceCrimeStatistics/2014/pcs2014_node.html?_nnn=true) - also partly available on the Open Data Portal - and the annual report "Preventing corruption in the Federal Administration"

http://www.bmi.bund.de/SharedDocs/Downloads/EN/Broschueren/2015/corruption-prevention-report-2014.pdf?__blob=publicationFile).

At university, the curricula for law and business studies include workshops on the basic principles of public service. The Federal University of Applied Administrative Sciences also provides its students with such workshops, and public service trainees are offered such courses during their training.

Furthermore, new public employees are regularly informed about basic principles and the relevant rules of conduct in on-the-job orientation sessions. In many ministries and authorities, corruption prevention has become a key element of these orientation sessions. Pursuant to Article 7 of the Federal Government Directive concerning the Prevention of Corruption in the Federal Administration, employees are informed of the risk of corruption and the consequences of corrupt behavior when taking the oath of office or agreeing to abide by the requirements of their position. Staff members working in or transferred to areas especially vulnerable to corruption are supposed to be given additional, job-specific instruction at regular intervals. More and more public authorities also offer special in-house workshops for such staff members.

Since 2000, the fight against corruption has been an integral part of various advanced training courses offered by the Federal Academy of Public Administration (BAkV). This also helps alert public service staff to the risk of corruption. Furthermore, the ministries and their executive agencies offer in-house training sessions.

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AWARENESS-RAISING MEASURES AND EDUCATION

GERMANY (SECOND MEETING)

With reference to the Secretary-General's Note CU 2011/45 of 18 March 2011 requesting member states to submit information on initiatives and good practices in the area of the prevention of corruption, please be informed that the Government of the Federal Republic of Germany will shortly issue a high-quality e-learning programme to the Federal institutions for the use of public officials. The programme includes six modules which, by means of case studies and answers to pertinent questions, inform and sensitize a broad range of addressees (colleagues in positions with high corruption risk / team leaders / staff in general).

Another initiative within the Federal Ministry of the Interior has been the installation of an ombudsman on corruption-related matters as part of a pilot project.