

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY AUSTRIA

ARTICLE 13 UNCAC

AUSTRIA (SEVENTH MEETING)

PUBLICATION AND DISSEMINATION OF INFORMATION ON CORRUPTION

• *In relation to respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption (article 13 (1) (d)):*

§ 53a BDG 1979 regulates protection for officials against disadvantages that result from reporting occurrences to the responsible organizational units against corruption.

The acceptance of gifts (§ 59 BDG 1979), post public employment (§ 20 Abs. 3a BDG 1979) and secondary employment (§ 56 BDG 1979) are also regulated by law. § 5 VBG cites the respective paragraphs of the BDG 1979 and regulates that these paragraphs also apply to contractual staff.

NATIONAL ANTI-CORRUPTION STRATEGY

Development of a National Anti-Corruption Strategy for the field of prevention

From 2013 to 2014, the Austrian Federal Bureau of Anti-Corruption (BAK) organized a total of ten expert panels on “Current measures and recent developments in corruption prevention”. These round tables were attended by leading anti-corruption experts and senior officials of the Austrian Federal Chancellery, all federal ministries, the Austrian Court of Audit, the provincial courts of audit, the Austrian Association of Cities and Towns, the Austrian Association of Municipalities, the Main Association of Austrian Social Security Institutions, as well as by trade union representatives and experts from the fields of internal audit, human resource management, disciplinary matters, and complaint management.

Following introductory speeches, the participants engaged in discussions on the above mentioned topics, in particular on experiences made and approaches adopted in the relevant field. In addition, experts from the private sector were invited to give presentations on measures to promote compliance and integrity in their sector.

In each expert panel, the focus was placed on a specific, predetermined issue. The main findings of these plenary discussions were summarized and integrated into the prevention section of the Austrian Anti-Corruption Strategy.

ANNUAL REPORT AND BAK WEBSITE (www.bak.gv.at)

Each year, the BAK publishes an annual report including information on the BAK’s organizational structure and mandate as well as its activities in the field of international cooperation. The report also contains current statistical data and gives an overview of the ongoing work in the area of corruption prevention, such as training courses and concepts as well as publications.

The BAK website provides all important and current information on the Bureau, including the contact details of the SPOC (Single Point of Contact). Similar to the annual report, the website informs about the organization, responsibilities and activities of the Federal Bureau of Anti-Corruption.

PUBLICATIONS

The Publication “Corruption Prevention in Theory and Practice”

In parallel to the development of the National Anti-Corruption Strategy as mentioned above, the panel speakers provided their presentations for the anthology “Corruption Prevention in Theory and Practice” compiled by the BAK. The book gives an overview on current approaches to prevent corruption both in the public and the private sectors.

Furthermore, the BAK distributes leaflets providing information on corruption prevention for different target groups (e.g. senior officials, police officers, etc.) in the entire civil service.

The annual series “Corruption and Abuse of Official Authority” (“Korruption und Amtsmissbrauch”)

In September 2015, the book’s eighth edition was released in cooperation with the publisher “MANZ”. It provides, as has been usual in the previous editions, a comprehensive overview of the content and interpretation of the most important provisions of Austrian criminal law relating to corruption and abuse of authority.

The casebook “The Criminal Law on Corruption: Case Examples” (“Korruptionsstrafrecht in Fällen”)

Together with the Austrian Center for Law Enforcement Sciences (ALES), the BAK worked out a list of questions relevant to corruption from a criminal law perspective. These questions were illustrated with abstract and anonymized case examples and, in 2014, published as a casebook (“The Criminal Law on Corruption: Case Examples”) by the publishing house “Österreich”.

SPOC – PUBLIC CONTACT POINT TO REPORT SUSPECTED CASES OF CORRUPTION

The Single Point of Contact (SPOC) is the BAK’s main contact point and receives reports, allegations, complaints, etc. that may be relevant to criminal investigations. It is available 24/7 and can be reached by post, fax, email or telephone.

All reported allegations are treated confidentially. Of course, the allegations can also be reported anonymously. However, persons reporting suspicious circumstances are kindly asked to provide at least one contact detail, because in many cases more detailed information is necessary to carry out the investigation.

WKStA – WHISTLE-BLOWER WEBSITE

The Federal Public Prosecutor's Office for Economic Crime and Corruption (WKStA) offers a completely anonymous “whistle-blower website” to report cases of corruption and white-collar crime. The website is currently run as a pilot project. It has become operational on 1 January 2016 following the amendment to the Prosecution Service Act (Staatsanwaltschaftsgesetz). The website allows persons having knowledge of cases of corruption to provide information and set up an anonymous mailbox. This is one of the key advantages compared to an anonymous complaint: investigators can directly contact the whistle-blowers and ask them questions. The English version of the system is available at

<https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=1at21>.