

**Statement of the BAK regarding the Note Verbale with the reference number CU 2016/91/DTA/CEB/CSS**

In the present opinion, the Federal Bureau of Anti-Corruption (BAK) would like to express its point of view concerning good practices, experiences and relevant measures taken after the completion of the Austrian country review report in respect of the challenges arising in connection with Article 36 of the UNCAC.

The BAK and the WKStA (Federal Public Prosecutor's Office for Economic Crime and Corruption) strive to combine efforts and create synergies by jointly organizing regular training courses to improve specific skills of their employees and impart knowledge on particular investigative techniques. A joint retreat between the BAK and the WKStA takes place once a year. Several technical solutions are already in place to intensify the collaboration between the two institutions.

To further improve the quality of its investigative work, the BAK implements a quality control system made up of several indicators and, as one of the means of that system, monitors trials. Moreover, the BAK's investigators have regular operative exchanges with "their" respective prosecutors. However, a feedback mechanism between the BAK and the WKStA (or other Austrian Public Prosecution Offices) to evaluate the effectiveness of the BAK's work has not been developed yet. In particular, the BAK still has no systematic access to the indictments and judgments resulting from its investigations.

As to the Bureau's human and financial resources, we would like to state the following:

The BAK's headcount is continuously growing, in particular in the Operational Department. In order to improve the staffing and financial situation, a more balanced distribution of funds between the different public bodies (e.g. in the field of asset forfeiture, where the Federal Ministry of the Interior receives a 20 per cent share according to the current legislation) could be helpful.