

United Nations Office at Vienna
Division for Management
Conference Management Service

Ref.: UNODC: NV Requesting Comments from States Parties
for the WG on Prevention - CU 2019/84; e-mail of 18 March
2019

Vienna, 24 April 2019

Dear Madam/Sir,

With regards to your request and prior to the tenth meeting of the UNCAC Working Group on Prevention, we are pleased to submit herewith the contribution of the Austrian Federal Bureau of Anti-Corruption (BAK).

Article 5 of the UNCAC (United Nations Convention against Corruption) contains the explicit obligation for States Parties to develop and implement political concepts and practices aimed at the prevention of corruption.

In order to be able to take systematic and concerted prevention measures, a strategic framework has to be established. Such strategy aims to contribute considerably to define objectives in the field of corruption prevention, to determine priorities and implement measures.

Strategies can only be put into practice successfully if as many players as possible are already involved during the preparation phase. Therefore, for the development of a strategy, the Austrian Federal Bureau of Anti-Corruption (BAK) called in experts and representatives from administration, the business sector and civil society.

Development

The process of working out the **National Anti-Corruption Strategy (NACS)** lasted for a period of about 18 months – from 2013 to 2014 – and consisted of a total of 10 panel discussions (round tables), which were organized by the BAK. At these events, experts gave lectures and discussed on specific topics from the field of corruption prevention. The motto was “Current measures and recent developments in corruption prevention”.

These round tables were attended by leading anti-corruption experts, senior officials of the Austrian Federal Chancellery, all Federal Ministries, the Austrian Court of Audit, the regional 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.

In each expert panel, the focus was placed on a specific, predetermined issue:

1. Codes of conduct
2. Corruption prevention standards of the Austrian regional governments
3. Integration of civil society in the prevention of corruption
4. Whistle-blowing – the role and protection of and the support for whistle-blowers
5. The role of the Austrian Court of Audit in the fight against corruption
6. Compliance in the public sector – creation and implementation of compliance management systems
7. Public sponsoring
8. Media coverage of corruption
9. Anti-corruption officers in the public sector – establishment of a network of “knowledge disseminators”
10. Anti-corruption training for young people

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. The main findings of these plenary discussions were summarized and integrated into the prevention section of the Austrian Anti-Corruption Strategy.

In parallel to the development of the National Anti-Corruption Strategy, the panel speakers provided their presentations for the publication of the anthology entitled “**Corruption Prevention in Theory and Practice**”, which was edited by the BAK. The book gives an overview on current approaches to prevent corruption both in the public and the private sectors and was published in October 2015.

The **NACS** (https://www.bak.gv.at/bmi_documents/2178.pdf), **adopted on 31 January 2018 by the Austrian Federal Government**, provides the **strategic framework** and sets out the

basic principles and **objectives**. The strategy entails the **mandatory implementation** of corresponding measures contained in an action plan.

In accordance with the structure of the NACS, an action plan was **drawn up** in close cooperation between the BAK and other responsible ministries and departments. This **Action Plan for the NACS** was agreed by the national Coordinating Body on Combating Corruption, and is divided into the sections "Prevention" and "Law Enforcement". It includes individual measures and defines six areas of action in the range of prevention measures, analogous to the NACS:

1. Integrity management – promoting behaviour of integrity
2. Compliance management for public administration
3. Reduction of structural corruption risks
4. Promoting approaches to the prevention of corruption and taking concrete measures to this end
5. Raising public awareness
6. Awareness-raising – training of specific target groups

In respect of criminal prosecution, the action plan provides for the vigorous application of the Statute on Responsibility of Legal Entities (Verbandsverantwortlichkeitsgesetz) by prosecution authorities. A practical guide and a wider range of training opportunities are to be provided to support this objective.

The **Action Plan for the NACS** was **adopted on 16 January 2019** during a session of the Council of Ministers. With the action plan the Austrian Federal Government clearly pointed the way to a corruption-free administration based on integrity. The plan covers measures in the field of prevention and prosecution representing objectives for implementation the Federal Chancellery and the Federal Ministries set for themselves.

The aim is to **bindingly implement the measures** listed in the action plan or to initiate corresponding implementation steps in the period from 2019 to 2020. In order to periodically supplement and update the action plan, it was conceived as a **"living document"**.

Furthermore, some authorities and organizations decided to participate voluntarily in the process of implementing the NACS by developing an action plan of their own. The voluntary participants will stick to the structure and measures described in the Action Plan for the NACS. Their action plan is expected to be finalized and published at the beginning of May 2019.

Evaluation

Both action plans include implementation steps corresponding to the NACS for the years 2019 and 2020. The possible development of **individual (internal) systems to monitor** the

implementation progress and to evaluate the impact and effectiveness of measures taken lie within the responsibility of the respective authority or organization.

An **overall (external) evaluation** of the binding measures in the field of prevention and prosecution, carried out in a two-year cycle, will be coordinated by the Coordinating Body on Combating Corruption. The first evaluation is expected to start at the end of 2020.

Impact of the anti-corruption strategy

The aim of the NACS is to enhance and ensure integrity and transparency in administration, politics and the economy.

The strategy sets out the fundamental objectives and includes an indicative list of specific measures. The objectives are to be implemented on the basis of the action plans and will be evaluated.

The NACS and the derived measures are divided into six areas of action with different objectives and priorities:

- ⇒ **Promotion of corruption prevention measures** – systematic exchange of best practices and new approaches between the public and the private sector involving civil society; establishment of new communication platforms.
- ⇒ **Compliance Management Systems (CMS)** – increased implementation of CMS in public administration, systematization and further development of existing prevention measures, appointment of integrity officers.
- ⇒ **Reduction of risks of structural corruption** – systematic identification and reduction of corruption risks and areas prone to corruption through risk analyses and control mechanisms.
- ⇒ **Integrity management** – information, training and awareness-raising for/among members of the civil service.
- ⇒ **Raising public awareness** – promotion of transparency and integrity through the intensive involvement of civil society in corruption prevention activities as well as cooperation with the media and the business sector.
- ⇒ **Training for specific target groups** – integration of issues of corruption prevention and integrity into school and university curricula.

Referring to the impact and outcome of the implementation of measures in the field of integrity management, it is important to highlight the establishment of the national Network of Integrity Officers (NIO) as it is a key element of the NACS. The Austrian Federal Bureau of Anti-Corruption started to set up this network in 2016. So far, more than 120 integrity officers from over 60 entities have been trained in a one-week basic training in the framework of the NIO. Moreover, follow-up seminars and workshops for specific target groups have been provided. In 2018, a ministry received the integrity award for a very innovative concept for raising awareness among new employees. The main task of the integrity officers is to support their entities in compliance and integrity matters. The Network of Integrity Officers, consisting of representatives of public administration, state-owned enterprises and the

education sector, promotes the exchange of experiences and contributes to creating synergies in integrity issues.

Kind regards

Martina KOGER

Head of Department