



INTERNATIONAL
ANTI-CORRUPTION
ACADEMY



Memorandum of Understanding

between

the International Anti-Corruption Academy (IACA)

and

the Austrian MoI's Federal Bureau of Anti-Corruption (BAK)

together with the MoI's Security Academy (SIAK)

The International Anti-Corruption Academy (hereinafter referred to as "IACA") and the Austrian MoI's Federal Bureau of Anti-Corruption (BAK) together with the MoI's Security Academy (SIAK) (hereinafter referred to as "BAK" and "SIAK", respectively), collectively referred to as "the Parties", for the purpose of jointly fostering the prevention of and the fight against corruption as well as promoting high ethical standards and a regime of integrity, especially with a view to public officials,

Concerned about the seriousness of threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values, justice and public trust, and jeopardizing sustainable development, social and economic prosperity and the rule of law;

Concerned about the global outreach of corruption and the significant challenges it poses for developed, emerging and developing countries alike;

Recalling the numerous international conventions, instruments and mechanisms on corruption, especially the United Nations Convention against Corruption (UNCAC); the Council of Europe Civil and Criminal Law Conventions on Corruption; the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; the EU Hague Programme; the Comprehensive EU Policy against Corruption; and the EU Stockholm Programme;

Calling on all stakeholders to base the fight against corruption upon a four-pronged approach, i.e. prevention, education, law enforcement, and cooperation;

Promoting the respect for the rule of law and human rights in all anti-corruption activities;

Reiterating the need to ensure transparency, accessibility, accountability, legitimacy, impartiality and integrity in all systems created for the anti-corruption work;

Reiterating also the imperative requirement that Anti-Corruption Authorities are given the necessary independence in accordance with the fundamental principles of the respective national legal system so that these authorities can carry out their function free from undue influence;

Being aware that preventing and combating corruption, which is often transnational in nature, can be substantially enhanced by international co-operation through sharing knowledge and expertise;

Noting that a primary impediment to effectiveness in preventing and fighting corruption is often a lack of expertise and capacity;

Noting also that effective training and research programmes are a most critical linchpin to the efforts of countries and other entities to redress the worst effects of corruption;

Stressing the necessity to pursue the objective of a holistic and inter-disciplinary approach for education and research, networking and cooperation in the field of anti-corruption;

Welcoming the achievements of the 3rd Conference of the States Parties to the UNCAC in Doha, Qatar, in November 2009, in particular the adoption of a review mechanism and *expressing their hope* that this mechanism be applied and conducted in an effective and thorough manner including country visits and the participation, in appropriate ways, of civil society and other relevant stakeholders;

Welcoming also the G20 Anti-Corruption Action Plan of the Seoul Summit 2010;

Acknowledging the efforts by the United Nations Office on Drugs and Crime (UNODC), the Republic of Austria, the European Anti-Fraud Office (OLAF) and by a

growing family of other international stakeholders that led to the establishment of the first International Anti-Corruption Academy in Laxenburg, Austria, which shall function as an international, inter-cultural, inter-sectoral and inter-disciplinary technical assistance provider and centre of excellence in the fields of anti-corruption education, training, cooperation and academic research, and which is a milestone in the efforts of the international community to fight corruption and to advance the goals of the landmark United Nations Convention against Corruption; in this context, *inviting* all stakeholders to use the Academy to the fullest;

Determined to create a stable partnership that will generate synergies and enhance the sharing of anti-corruption and integrity knowledge and expertise between the Parties and other stakeholders;

ON THE BASIS OF mutual respect and mutual benefit the Parties intend, as appropriate and within the scope of their mandates, to cooperate closely and, therefore, agree on the following:

1. The Parties will, on a voluntary basis and subject to relevant legislation, policies, and resources, further their co-operation with a view towards achieving common purposes and synergies by developing anti-corruption, integrity and ethics programmes and projects, and by promoting integrity in line with the Parties' goals, policies and mandates. Without limiting the scope for any other form of future co-operation that will be based upon the mutual consent of the Parties and will be consistent with, and support the achievement of the primary purposes of the present Memorandum, the Parties will mainly focus their cooperation on:

- i. providing anti-corruption education and professional training;
- ii. promoting international co-operation, dialogue and networking in the prevention of and the fight against corruption;
- iii. undertaking and facilitating research in all aspects of corruption;
- iv. issuing publications and guidelines, and good practice examples on anti-corruption issues.

2. The Parties will inform one another of relevant activities such as conferences, workshops, and training activities which they organise and which may be of common interest.

3. The Parties will meet periodically to identify possible priority areas for cooperation.

4. The Parties will designate contact points to facilitate and further their communication.

5. The cooperation under this Memorandum is non-exclusive. The activities carried out on the basis of this Memorandum shall be without prejudice to any regime of privileges and immunities a Party may fall under, which is specifically reserved and which may be invoked at any time.

6. There is no intention under this Memorandum of Understanding to modify, or create any obligations contrary to, the institutional and policy framework of either Party and the scope of their respective mandates. In the event that there is an inconsistency between this Memorandum and the relevant framework, the latter shall govern.

7. Neither Party shall use the emblems, name or logo of the other Party/Parties and its affiliates, and/or authorised agents, or any abbreviation thereof, without the express prior written approval of the other Party/Parties concerned.

8. Upon request of either Party, consultations may be held in case the need for the amendment of this Memorandum of Understanding occurs. Any such amendments will come into effect upon the signature of representatives of the two Parties and have the same duration as the Memorandum under paragraph 9.

9. This Memorandum will come into effect upon its signature by both Parties. It will remain in effect for a three-year term after which it shall be tacitly renewed for another period of three years, under the same terms and conditions. Either Party may terminate this Memorandum of Understanding upon 90 days written notice. In this case, the Parties will agree upon measures required for the orderly conclusion of ongoing activities.

IN WITNESS WHEREOF, the undersigned, the authorised representatives of the respective Parties, have signed this Memorandum of Understanding.

DONE in triplicate in Vienna on this 30th day of March in the year two thousand and eleven in the English language.

FOR IACA

Martin Kreutner
Chair, Transition Team
IACA

FOR THE SIAK

Norbert Leitner
Director
SIAK

FOR THE BAK

Andreas Wieselthaler
Director
BAK