

EMPOWERING ANTI-CORRUPTION AGENCIES: DEFYING INSTITUTIONAL FAILURE AND STRENGTHENING PREVENTIVE AND REPRESSIVE CAPACITIES

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THE ROLE OF THE BUNDESKRIMINALAMT IN FIGHTING CORRUPTION

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Generally there is no ACA in Germany because of the federalism. Each federal state has its own specialized department for preventing and fighting corruption with different hierarchical structures. However all important reports about corruption are sent to the Bundeskriminalamt (BKA) and analyzed there. The state offices are informed directly by the BKA if information of relevance for them is received or if links are established. Also the BKA, Division SO (Serious and Organised Crime), is the central agency for the foreign contacts.

KI 14 is part of the Institute of Law Enforcement Studies and Training of the Bundeskriminalamt (Federal Criminal Police Office). This Institute is the leading research and advisory Institution for the German police. It provides support to the police forces of the Federation and the German states with regard to crime suppression by offering services in the areas

- Research on criminology and criminal investigation
- Technologies and
- Basic and advanced training

The Institute of Law Enforcement Studies and Training builds bridges from research to innovative applications in the field of police work and thus opens up new horizons for fighting crime successfully.

Working closely with police officers in the field, its task is to identify weak points throughout the spectrum of police crime-fighting activity, to develop suggestions for improvement and new crime-fighting concepts, and to assist with their implementation.

In this context our basic issues are researching and monitoring in the field of corruption.

The legal basis for carrying out research is the BKA Law:

- Pursuant to section 2, subsection 6 of the BKA Law of 07 July 1997 (most recently amended on 21 December 2007), the Bundeskriminalamt as *central agency*...
- ..., with a view to assisting the police forces of the Federation and the German federal states in preventing and prosecuting crime,...

number 2:

- ... shall compile criminal police analyses and statistics, including crime statistics and to this end observe *developments in crime*,
- ... shall research and develop police *methods and working methods* aimed at the suppression of crime.

At the moment we have no special research-project concerning corruption, but we are looking forward to starting one in 2009.

What we do at the moment is a systematic monitoring of criminology and criminal investigation research, the suppression of crime, in particular fields of crime (e.g. corruption), perpetrator structures, developments in crime, and the social environment, collecting information on the activities of research institutes and scientists in the field of organized crime, economic and financial crime and analysis of the research results with regard to their relevance to police work.

In the field of corruption the Bundeskriminalamt can conduct investigations, if it has been assigned the case by the Federal Prosecutor General or by any other public prosecutor because of the importance of the matter. These investigations will then be starting in the Division SO. Its work is concentrated on the following fields of criminal activity: violent and serious crime, drug crime, economic and financial crime, property crime, counterfeiting/forgery, and high-tech/computer crime.

Concerning corruption, this division also brings out an annual report on corruption for Germany and its federal states (<http://www.bkainternet.extrapol.de/lageberichte/ko/blkorrption2006.pdf>).