Building integrity in defence South East Europe

A SHORT SUMMARY OF NEEDS ANALYSES IN 9 COUNTRIES OF SOUTH EAST EUROPE

A BUILDING INTEGRITY PROJECT ORGANIZED AND RUN BY THE NORWEGIAN MINISTRY OF DEFENCE

CENTRE FOR INTEGRITY
IN THE DEFENCE SECTOR

The purpose of the needs analyses

- to identify factors that currently cause or create risks of corruption/unethical behaviour in the defence sector

- to inform the design of future policies and projects to address the identified risk factors

- Implementing partner for the needs analyses: the Norwegian Agency for Public Management and eGovernment (Difi)

Scope

NATO BI Programme for South East Europe

- Albania;
- Bosnia and Herzegovina;
- Bulgaria;
- Croatia;
- The former Yugoslav Republic of Macedonia (FYROM);
- Montenegro;
- Romania;
- Serbia

Bilateral Norwegian addition

- Kosovo

Two main domains of integrity building

Five checks and balances:
- Parliamentary oversight
- Oversight over intelligence/secret services
- Mechanisms for freedom of access to information
- Management of conflicts of interests
- External/internal audit
- Ombudsman institutions

Three high-risk areas:
- public procurement
- asset disposal
- Human resources management

Assessment basis

- Normative standards (int. conventions, agreements, recommendations etc.) developed by e.g. the EU, OECD, the Council of Europe, OSCE, the UN, the International Parliamentary Union.

- All countries included in the study (apart from Kosovo) have ratified and incorporated all main conventions/agreements in their legal orders.

- Assessment basis established in close cooperation with SIGMA expertise.

Assessment focus: the institutionalisation of normative standards

- The legal framework, i.e., to what extent are the normative standards regarding the chosen domains of integrity-building mechanisms reflected in domestic legal acts?

- Administrative arrangements, i.e., to what extent and how do the normative standards actually influence organisational arrangements, work practices and staffing patterns?

- The internalisation of the normative standard, i.e., the extent to which the normative standards are known, understood, and accepted.

The legal framework

	Compliance with standards		
	Full	**Partial**	**Limited**
• Parliamentary oversight	5	2	
• Oversight over intelligence/secret services	1	4	1
• Free access to information	3	4	
• Conflicts of interest — civilian officials	7		
• Conflicts of interest — military personnel	4		3
• External audit	3	4	
• Internal audit	2	5	
• Ombudsman	5	2	
• Public procurement	2	1	4
• Asset disposal	1	5	1
• Human resources management		7	

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Administrative arrangements

- Administrative arrangements are in place, but much remains to be done
- Established control and oversight bodies do not function properly
  - Underfunded/understaffed
  - Lack independence, in some cases: links to political parties
  - Reluctant to assert their authority
  - Recommendations/findings are ignored
- MoDs reflect some of the general weaknesses of the domestic systems of public administration
  - lack of professional autonomy, lack of capacity

Internalization

- Despite some bright spots, «guardians of the normative frameworks» state that:
  - frameworks are neither well understood nor fully accepted
  - members of the political elite seem to think that full application of the standards may threaten their political, even private interests
- The normative frameworks contrast starkly with local political and administrative traditions, e.g.:
  - Division of powers vs. unity of powers
  - Freedom of access to information vs. protection of state secrets
  - Conflicts of interest vs. the notion of a conflict free society

Summed up

- Shallow institutionalisation

- In several countries there is a risk that the new normative frameworks remain rules-on-the-book rather than rules-in-use

- The situation is a challenge to NATO – both as a credible defence alliance and as a community of values