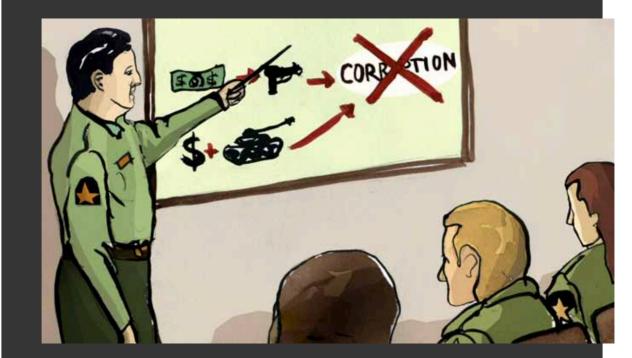
# Curbing corruption in Defence and the Military

Mark Pyman June 2021



## **Curbing**Corruption

Sector reform experience & strategies

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PURPOSE: The purpose of this review is to provide examples and experience of how others in this sector have reduced the damaging impact of corruption. The sector-specific information is relevant for politicians, leaders, managers, civic groups, company executives and others. We hope it will bring both knowledge and inspiration.

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CurbingCorruption.com, founded in 2018 by Mark Pyman and Paul Heywood, is designed to support better outcomes for front line leaders – whether politicians, leaders, managers, civic groups, company executives or others. Where corruption is a major constraint, we help them devise politically & technically feasible options.

Website: https://curbingcorruption.com/

## INTRODUCTION

'Yes, we do indeed have a corruption issue in our ministry/military/security force. But we don't really know how to get the corruption out of the system, or even where to start.'

Comments such as this are regularly voiced by military leadership and defence officials around the world. There is rarely any discussion of corruption or its impact on operations at leadership level. The perceived sensitivity of the subject usually ensures that it never makes it on to the leadership agenda. This is an experience common to all types of national defence organisations, from advanced countries to fragile states.

The defence sector will always be vulnerable to corruption, due to the risks from high levels of secrecy, complex technical procurements, and exploitation of the hierarchical nature of the military. In rich countries the corruption tends to be concentrated in defence procurement, whilst in poorer countries defence corruption tends to be everywhere else: in asset sales, in secret budgets and budget deception, in salary theft, in illicit use of military intelligence, etc. Many of the leaderships have no desire to address the corruption, whether because they are benefiting, complicit, fear the consequences or feel powerless to affect it.

Nonetheless, attention to anti-corruption reforms among military forces in many countries during the last five to ten years have been increasing. There are several factors driving this change of view: budget pressures, increasing recognition of the link between corruption and state insecurity, the incorporation of 'Building Integrity' as an approved policy at NATO, the failures in Iraq and Afghanistan, and, in some countries, the efforts of the defence & security programme at the NGO Transparency International.<sup>1</sup>

As a result, there is now a considerable amount of useful guidance on how a country can reduce defence/military corruption and corruption risk, including detailed guides to defence corruption vulnerability in over 100 countries and in more than 160 defence companies.

 $<sup>^{1}</sup>$  Disclosure: I was the director of this TI-DS programme from its inception in 2004 until 2015). For further discussion of this evolution, see Pyman (2017).

## 1. Focus

#### Focus - guidance summary

The corruption challenge needs first to be focused – disaggregated – into specific issues. Our experience is that there are 20-40 different issues in each sector, recognisable to those working in it. They can then be organised into an easily comprehensible format – a typology. The reforming group uses the one-page typology as the starting point for discussion and for analysing them: their scale, importance, context, avoidability and solubility. You can use this as the basis for building a shared understanding of the impact of the corruption.

Look at the typology of the different corruption issues in your sector. Use this as the basis of your identification of the corruption issues in your situation. If you find that the typology is not suitable, then make your own one, by analogy with the ones you see in the CurbingCorruption site.

- 1. Gather data on the impact of these issues on your activities/outputs/policies/operations.
- 2. Decide if it would help to do a formal analysis of the corruption situation. There are two analyses you can consider. 1) Analysing the issues and the levels of corruption risk. This takes time but gives you a thorough baseline for your reforms. 2) An analysis of the economic and political pressures, including the support and opposition you can expect.
- 3. Prepare for the later step in which you develop your Approach by thinking about which the best 'entry points' are likely to be certain corruption issues, regardless of scale, may merit being tackled first because they are the most likely to build constructive momentum and/or enable further reform.
- 4. Draw on the international experience of tackling corruption in your sector details can be found later in the review

Use this Focus knowledge to build up a shared understanding among your team/your colleagues/ your collaborators about what they corruption issues are and how they are impacting your operations. Everyone has a different view of what corruption is, so you use this analysis to bring everyone to the same understanding of them.

## **1.1 DEFENCE CORRUPTION ISSUES**

'Corruption' is a deceptive word, which needs to be broken into more detail. It is fundamental to be able to say in a discussion about defence corruption: "Here, these are the specifics of defence corruption" at a sufficient level of detail that you and they can recognise the issues and then discuss them together.

Work done by Transparency International's defence & security programme (TI-DS) has led to a welldeveloped list of 29 specific corruption types in defence. Multiple conversations with MODs, militaries and defence think-tanks led to a set of 29 issues being defined, and a categorisation of them under 5 headings: political corruption issues, finance-related issues, personnel-related issues, procurement-related issues, and corruption issues encountered on operations. The figure below shows the 29 issues and the five categories:

29 DEFENCE CORRUPTION RISKS				
POLITICAL	PERSONNEL	PROCUREMENT		
Defence and Security Policy 10	Leadership Behaviour 4	Technical Requirements / 7 Specifications		
Defence Budgets 7	Payroll, Promotions, Appointments, Rewards	Single Sourcing 2		
Nexus of Defence & 1 National Assets	Conscription 2	Agents / Brokers 1		
Organised Crime 2	Salary Chain 2	Collusive Bidders 1		
Control of Intelligence 2 Services	Values & Standards 4	Financing Packages 1		
Export Controls 1	Small Bribes 1	Offsets 3		
FINANCE	OPERATIONS	Contract Award, Delivery 3		
Asset Disposals 2	Disregard of Corruption 2 in Country	Subcontractors 1		
Secret Budgets 6	Corruption within Mission 1	Seller Influence 1		
Military-owned businesses 2	Contracts 1			
Illegal Private Enterprises 1	Private Security Companies 1			

Each issue is expressed in a highly abbreviated form (the full definition is available elsewhere) for a very practical reason: the table of the 29 issues found immediate popularity as the core discussion tool among groups of military officers or MOD officials. The issues are presented as they are so that they reflect a normal 'full range' of corruption issues to be found in a national defense establishment. Some of them, like (corruption in) defence policy is broad, some are very particular, like (corruption in) financing packages supporting defence procurement. The typology table evolved and improved over the course of discussions in the first four or five countries but then stabilised and has been used in numerous countries as the basis for analysis of the issues in that country.

## 1.2 BUILD SHARED UNDERSTANDING USING THE TYPOLOGY

For many people in defence, corruption is a subject they haven't thought about. If they have thought about corruption in defence, they usually equate it with corruption in military procurement. The list of issues is a powerful tool because it disaggregates generic 'corruption' into 29 specific issues, each of which is easily recognised and understood. For each corruption type you can discuss how it manifests itself in the country/force/ministry, how extensive it is, how you might tackle it or whether it is too risky.

Thus, the many other ways of extracting money from defence besides procurement get to be considered: keeping budgets secret to steal from them, infiltrating military intelligence to steal natural assets, nepotism in promotions, selling off surplus military land, and so on. Once you open these non-procurement areas the participants in the discussion often become more animated: these are 'real' corruption areas that larger numbers of people are concerned with, more than the specialist issues around defence procurement.

You can use the list as the basis for group discussion about corruption in defence. This works well at all levels, whether with the military leadership, with Colonels, Majors and Captains, or with NCOs. You can engage with the following questions:

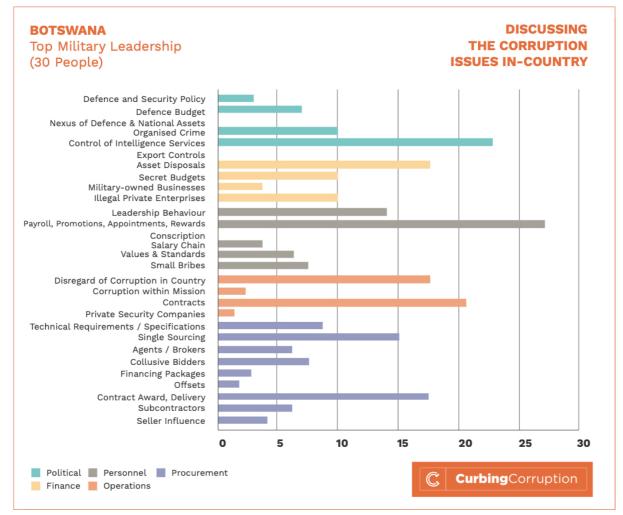
Curbing Corruption in Defence & Military: Sector reform experience and strategies. Pyman (2021)

- Which of these risks do you have?
- Which are the key ones?
- Which ones can you tackle?
- Which ones are politically too difficult?"

And you can ask them to 'vote' on which are the more common ones, or which are the more serious ones, or which are the priority ones to address.

#### **Example: Botswana**

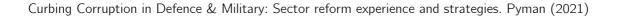
Here are how the corruption issues were ranked by military leadership in Botswana. Using open voting, a group of thirty of the most senior officers voted on which were the top three defence corruption issues. You can see from the bar chart below that the most common were corrupt control of military intelligence, favouritism in promotions and appointments, and contracts (Pyman and Heywood 2020).

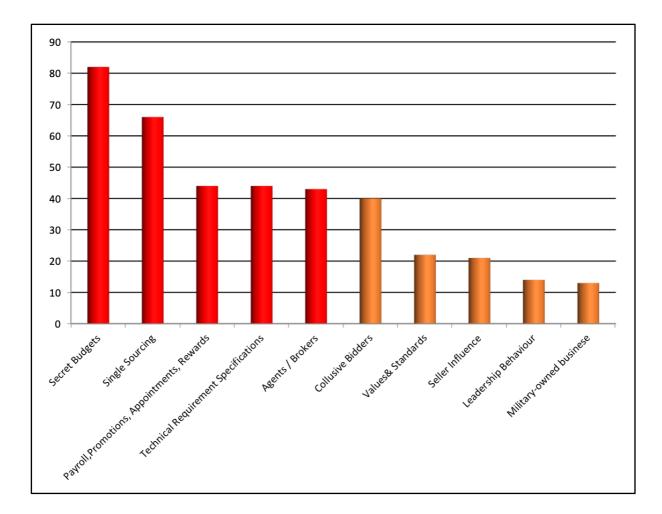


Holding this sort of discussion is both a revelation and a relief because it allows those involved – in the ministry and the military – to do something constructive and positive about what is otherwise a non-specific threat.

#### **Example:** Taiwan

Here a similar prioritisation is operating, from a consultation in 2014 among 100 senior Colonels in the Taiwanese military. A similar voting to the Botswana example was carried out, asking each participant to vote on their top three corruption risks: though this time among a much larger group. The results are shown in the figure below. The top three corruption risks were misuse of secret budgets, single sourcing in defence procurement, and favouritism in promotions and appointments.





#### **Example: Ukraine**

Similar exercises have been carried out with the militaries and defence ministries of other countries. Opposite, for example, are the priorities in addressing corruption among the Ukraine senior military in 2014, relating to its war in the east of the country with Russia.

Priority	Торіс	Votes
1	Proper Personnel Policy, Procedures, Integrity of HR personnel	14
2	War supplies	10
3	Budget, spending and proper use of funds	7
4=	Effective internal control	5
4=	Reform of Procurement processes	5
4=	Action against the corrupted	2
7	Integrity of contractors supplying MOD/AF	0

In countries where the primary defence corruption type is procurement, you can hold similar discussions to review which of the procurement risks are the most common/most serious/most pernicious.

#### **1.3 USE THE GOVERNMENT DEFENCE INTEGRITY INDEX**

The NGO Transparency International has done extensive analysis of the defence corruption vulnerabilities of most countries of the world, publishing them in its 'Government Defence Integrity Index', or GDI. These analyses were first done for 82 countries in 2012, repeated in 2015 and extended to 113 countries, have been updated again in 2020, published in 2021 (See the TI-DS website).

The analyses estimate the vulnerability of the nation's military and Defence ministry to each of the 29 corruption risks, based on an assessment consisting of 77 questions. The typology picture above forms the starting point for the "Government Defence Vulnerability Index" questionnaire: the number of questions is given by the numbers in the black boxes in the Figure.

Each question has a set of four possible model answers, representing different levels of vulnerability. Each country is researched by an expert assessor using a standard set of questions and model answers. The assessment is then independently reviewed by up to three peer reviewers. TI-DS also invites the government to conduct a review of the assessment and submit additional information. More than 66 governments responded to the 2015 assessment. For each question, the government is scored from 0-4. Countries are also scored in five risk areas: Political risk, Finance risk, Personnel risk, Operations risk, and Procurement Risk. The percentage of marks over all 77 questions determines which band the country is placed in, with each country being scored from A (the best) to F (the worst). A full description of the methodology, the questions and the model answers can be found on the TI-DS defence site, here.

Albania	Cameroon	France	Latvia	North Macedonia	South Korea
Algeria	Canada	Gabon	Lebanon	Norway	South Sudan
Angola	Cape Verde	The Gambia	Liberia	Oman	Spain
Argentina	Central African Republic	Georgia	Libya	Palestine	Sri Lanka
Armenia	Chad	Germany	Lithuania	Pakistan	Sudan
Australia	China	Ghana	Madagascar	Philippines	Swaziland
Austria	Colombia	Greece	Malawi	Poland	Sweden
Azerbaijan	Comoros	Guinea	Malaysia	Portugal	Switzerland
Bahrain	Congo, Republic	Guinea- Bissau	Mali	Taiwan	Syria
Bangladesh	Cote D'Ivoire	Hungary	Mauritania	Tanzania	Thailand
Belgium	Croatia	India	Mexico	Qatar	Тодо
Benin	Czech Republic	Indonesia	Morocco	Russia	Tunisia

#### GDI country results

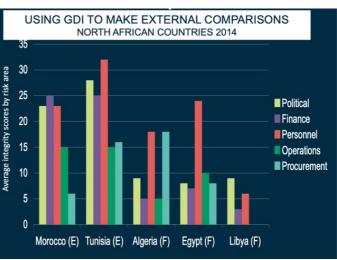
Bosnia & Herzegovina	DRC	Iraq	Montenegro	Rwanda	Turkey
Botswana	Denmark	Iran	Mozambique	Saudi Arabia	Uganda
Brazil	Egypt	ltaly	Myanmar	Senegal	Ukraine
Bulgaria	Equatorial Guinea	Japan	Namibia	Serbia	United Arab Emirates
Burkina Faso	Eritrea	Jordan	Netherlands	Sierra Leone	United Kingdom
Burundi	Estonia	Kenya	New Zealand	Singapore	United States
Cambodia	Ethiopia	Kuwait	Niger	Somalia	Uzbekistan
	Finland	Kosovo	Nigeria	South Africa	Yemen

#### Example: Using GDI for comparison with other countries

Useful as it is to have a quantitative assessment methodology, it is more powerful still when that methodology can be used to compare countries. Almost without exception, the second question for every country after "How did we measure up?" is "How did we do against our neighbours?" Below is a comparison from 2013 of the defence corruption vulnerabilities across five north African nations. For example, you can see that the personnel anti-corruption mechanisms of the Egyptian military score highly (the pink bars) – e.g. soldiers salaries are public, promotion is largely on merit, there are no ghost

soldiers – but there is little evidence of anti-  $\ensuremath{\mathsf{corruption}}$  measures against the other risks.

TI-DS has found that the motivation of external comparison also works at a more detailed level. Similarly, many countries are interested in an external assessment of their defence procurement integrity. For example, Serbia's Procurement Directorate spent three days with TI-DS in 2015, reviewing in detail where they did well or poorly in comparison to other countries, and what they could do to reduce vulnerability. You can read the current GDI methodology here.



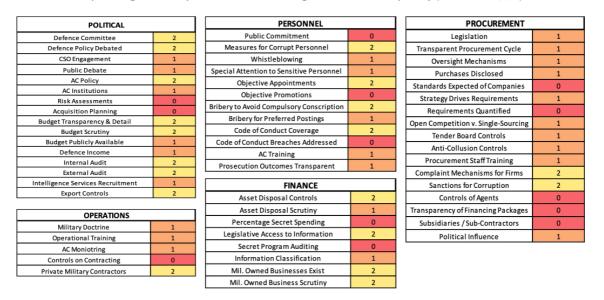
## 1.4 DO YOUR OWN ANALYSIS

We suggest that you gather data in the following way:

- 1. Access the Transparency International analysis for your country (see the list above or go to the TI-DS 'Government Defence Index' site here)
- 2. Hold discussions with different internal military and Defence Ministry groups on the corruption issues in your ministry/military
- 3. Hold external meetings with a range of external stakeholders, from media to other ministries, on corruption vulnerabilities in defence
- 4. Compare the three. Hold further discussions across the military/ministry on where your analysis is right/wrong/ insufficient
- 5. Where necessary, conduct or commission additional analysis.

One country that has done this intensively is Georgia. They discarded all those questions where they had scored highly (3 out of 4, or 4 out of 4), then focusing on the 41 questions where they had scored poorly (0, 1 or 2 out of 4). The figure below identifies those issues and their scores. The Georgians then set out an action plan for each one of those 41 risk areas to improve their capability against each one.

#### GEORGIA 2014: GDI results used as the basis for the Defence A-C plan Separating out the questions where Georgian MOD scored poorly (Scores of 0,1,2)



Other nations have been following similar programmes of action. More than half the nations analysed by TI-DS in 2015, were actively engaged in the assessment and follow up of their corruption risks.

## 1.5 WORLD BANK'S SECURITY SECTOR METHODOLOGY

The World Bank has developed a methodology for carrying out Public Expenditure Reviews of a country's security sector (military plus police). You can find the methodology report here. You can commission World Bank or a contract organisation to apply this review technique to your own military and defence spending.

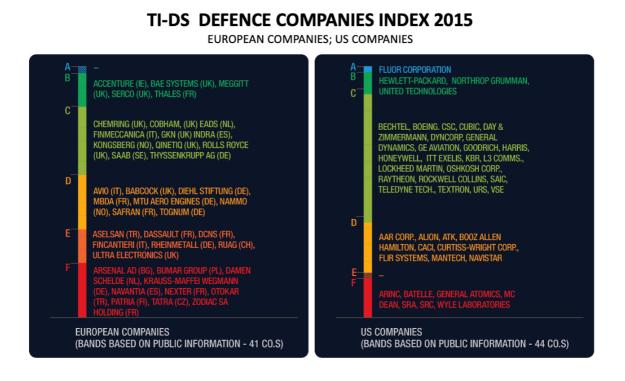
## 1.6 POLITICS, POWER AND POLITICAL ECONOMY ANALYSIS (PEA)

The above forms of analysis and data collection implicitly recognise the political dimensions of corruption reform in defence. How you choose which corruption issues to prioritise and how you choose which reform approaches to use are likely to be shaped by the political economy. If you wish to do a separate analysis of the political economy of the defence sector, there are numerous methodologies available and

organisations able to carry out such an analysis. Details of possible methodologies can be found on the CurbingCorruption website under 'Focus'.

### **1.7 ANALYSE THE DEFENCE CONTRACTORS**

Defence contractors have been subject to a similar methodology concerning corruption vulnerabilities. TI-DS have developed and applied the 'Companies Defence Integrity Index' (CDI) to over 100 major international defence contractors. You can see the results of the 2015 analysis below and can find the 2021 analysis in here.



You can use the detailed information in this analysis to question your own defence contractors. You might ask them to carry out such an analysis on themselves, to demonstrate to you how well organised they are in watching out for and controlling corruption risks. If you are in a country where few of the defence contractors have experienced such an approach before, then you could commission a third party to carry out such an analysis on your own defence contractors. The methodology is entirely public.

## 2. Reforms and reform approaches

#### Specific reform approaches - guidance summary

Reform measures will always be specific to the circumstances. Nonetheless, to get ideas and insights, it helps to learn about reforms employed elsewhere and to have a mental model of the type of what sorts of reforms are possible. We recommend you consider each of these eight categories of specific reform approaches:

- 1. Functional approaches: improving institutions, public financial management, systems, and controls
- 2. People-centred approaches: building networks and coalitions of supporters
- 3. Monitoring approaches: strengthen oversight groups and their independence
- 4. Justice & rule-of-law approaches: prosecuting, raising confidence, improving laws
- 5. Transparency approaches: making visible what others wish to keep hidden
- 6. Integrity approaches: motivating, instilling pride, and commitment
- 7. Civil society and media: creating space for external voices
- 8. Incentives and nudge approaches: aligning stakeholders, economics, and behavioural knowledge

Talking through with colleagues and stakeholders how each of them might work in your environment enables you to 'circle around' the problem, looking at different ways and combinations to tackle it. One feasible option might, for example, consist of some institutional improvement projects, plus strengthening integrity among staff, plus strengthened sanctions and discipline.

#### 2.1 FUNCTIONAL REFORMS

Most institutions, processes and systems have numerous weaknesses, relating usually to poor efficiency and effectiveness. Sometimes these processes may have been designed to enable corruption. But more commonly they are simply weak processes or overly complex processes that are corruptly exploited.

*Functional reform* refers to reform of the main functions of an organisation, including but not limited to the structure of the organisation, the main activities it performs (such as planning, execution, or procurement), the IT systems through which it functions and the multiple processes that it operates. Most institutions have numerous functional weaknesses, relating usually to poor efficiency and effectiveness. Sometimes the weaknesses may have been designed to enable corruption. But, more

commonly, they are simply weak processes or overly complex processes that are corruptly

exploited. The military services and the Defence ministry are highly vulnerable to this because they are strongly hierarchical organisations. A superior can command a subordinate to do something, and it is usually illegal and strictly punishable to refuse it. Well-designed organisational structures, functions and systems are part of the solution.

Better control Better defence Organisation over policy budgeting reform Integrating anti-Better defence Better rules on corruption on procurement secrecy operations Better control of military intelligence

This section looks at reform experiences covering the range of functional reforms listed on the 'chessboard'.

#### 2.1.1 Better control over policy

Defence policy refers to the laws, strategies, and approaches used by governments to decide on the scope and activities of the military and national security agencies. It includes policies on exporting and

buying defence equipment. The potential for corruption from the manipulation of defence policy is considerable.

- A corrupt elite can hide key elements of defence policy. This will impact public understanding of where resources are channelled, increasing the possibility that these resources are diverted to corrupt ends.
- Defence policy can be manipulated to exploit procurement demands. If policy- makers highlight a particular security risk as urgent when it is not, this may lead to unnecessary purchases that are susceptible to corruption.
- In its most extreme case defence policy and processes may be so deeply manipulated that the sector is subject to 'state capture', where an elite in power shapes all important decisions

The reform is easy to say but may be harder to implement; to change the internal MOD processes to strengthen the way that defence policy is developed and approved. Bulgaria (here) and South Africa

(here) are two countries that made major changes in response to issues of corruption and excessive influence. There is expertise available on ways to address these risks, such as from DCAF, as in the reports opposite and others available from their website, here.

There are also various high-corruption-risk areas of policy which may need addressing, for example:



- military foundations or military-led entities own substantial businesses and property: whether military-focused or entirely civilian
- Where military foundations or entities also own their suppliers
- Where the military owns substantial assets and there is a plan/intent to dispose of them
- Where a practice has developed that permits or turns a blind eye to officers using soldiers for private enterprise

#### Comparative country data from the GDI on control of defence policy

The GDI analysis of country MODs asks: Is there formal provision for effective scrutiny of defence policy? Is the country's national defence policy debated and publicly available? Does the government have a transparent and well-scrutinised process for arms control decisions that align with international protocols? For details, see Cover et al (2013).

#### 2.1.2 Better defence budgeting

Though governments have a duty to invest adequate funds to protect citizens and the national interest through maintaining professional, well-equipped, and properly resourced military and security services, budgeting can be open to abuse. There is plenty of available knowledge on what a sound defence budgeting process looks like. The reform is best made internally – improving the budget development process within the MOD. Scrutiny of the process by internal audit or by commissioning outside experts may also be helpful. However, if the circumstances are too difficult for this to be possible, then enabling greater scrutiny of the defence budget externally is also an option. This is done officially by a Parliamentary defence Committee, or similar body.

#### **Example: POLAND Improvements in defence budgeting**

Poland's defence budget must be approved by parliament. As per the rules applicable in 2013, The Polish Council of Ministers is legally required to adhere to a strict timetable for submitting budget documents to parliament. A draft budget (including the defence budget) must be submitted to parliament for its consideration and approval no later than three months before the start of the fiscal year. A report on the budget's implementation must be presented to parliament within five months following the end of the fiscal year.

Within parliament, the National Defence Committee is tasked with scrutinising and evaluating the government's budget proposal. It enjoys the capacity to legislate—it can definitively shape the defence budget by submitting amendments to the budget proposal during its passage through parliament. It may also appoint a subcommittee from its members to conduct more. However, whilst the formal provisions in place in Poland are robust, there is some concern that they are not always used to their full extent in practice. This suggests that there may be shortcomings either in terms of committee resources or the political will of parliamentarians.

See more discussion of the Polish reforms in Section 2.2.2 below.

#### **Example: TAIWAN Improvements in defence budgeting**

The National Defence Committee of Taiwan's Legislative Yuan (LY) scrutinises the annual defence budget proposal. The committee has the power to cut or freeze the budget. In doing so, it exerts control and influence over government decision-making on defence spending. In addition, it has the power to cross-examine experts working with the defence budget, including the heads of departments within the Ministry of National Defence and the Ministry of Finance. The committee may also make use of the unique desiderata system to hold the government to account over the defence budget. Desiderata are formal declarations by the committee to members of the executive regarding the implementation of law. Government officials whose actions are subject to desiderata are obliged to provide formal written responses to the committees within 30 days. Curbing Corruption in Defence & Military: Sector reform experience and strategies. Pyman (2021)

## Comparative country data from TI: Analysis of defence budget oversight

Most countries rate poorly on defence budget oversight. TI-DS analysis of country MODs asks: Does the country have a process for acquisition planning that involves clear oversight, and is it publicly available? Is there a legislative committee (or other appropriate body) responsible for defence budget scrutiny and analysis in an effective way, and is this body provided with detailed, extensive, and timely information on the defence budget? Is there an effective

LOW RISK COUNTRIES	% MARKS	CHARACTERISTICS OF HIGH RISK COUNTRIES	HIGH RISK COUNTRIES	% MARKS
AUSTRALIA	100		GHANA	44
GERMANY	100	<ul> <li>Countries in this group have no</li> </ul>	BELARUS	42
NORWAY	92	legislative committee with effective	CROATIA	42
SWEDEN	83	access to the defence budget.	GREECE	42
UNITED KINGDOM	83		ISRAEL	42
BRAZIL	75	<ul> <li>They lack parliamentary oversight</li> </ul>	KAZAKHSTAN	42
COLOMBIA	75	of future budget expenditure;	NIGERIA	42
JAPAN	75	parliamentarians have no input	PHILIPPINES	42
POLAND	75	into planned acquisitions.	BWANDA	42
TAIWAN	75		SPAIN	42
AUSTRIA	67	<ul> <li>Even if they have some</li> </ul>	UGANDA	42
CYPRUS	67	rudimentary processes of internal	BAHRAIN	33
FRANCE	67	audit, they fail to disclose the	CAMEROON	33
LATVIA	67	findings to parliament; or ignore	GEORGIA	33
	67	parliamentary scrutiny when these	LEBANON	33
SOUTH KOREA	67	details are released.	NEPAL	33
UNITED STATES			PAKISTAN	33
CHILE	58 58		PALESTINE	33
CZECH REPUBLIC			RUSSIA	33
HUNGARY	58		SINGAPORE	33
INDIA	58		SLOVAKIA	33
KUWAIT	58		TANZANIA	33
THAILAND	58		UKRAINE	33
ARGENTINA	58		VENEZUELA	33
BULGARIA	58		ZIMBABWE	33
BOSNIA	50		AFGHANISTAN	25
ITALY	50		BANGLADESH	25
KENYA	50		CHINA	25
MEXICO	50			25
SERBIA	50		COTE D'IVOIRE	
SOUTH AFRICA	50	SCORE	ETHIOPIA	25
		COLOUR-CODING KEY	INDONESIA	25 25
			IRAQ	
CHARACTERISTICS OF		Very low	MALAYSIA	25
LOW RISK COUNTRIES		Tory Ion	TURKEY	25
LOW HISK COONTHIES		80% - 100%	UZBEKISTAN	25 17
Countries in this group po			IRAN	
defence committee with s		76% - 88%	JORDAN	17
powers of scrutiny over th			OMAN	17
defence budget, and is	le	63% - 75%	SAUDIARABIA	17
independent and adequat	nhi		SRI LANKA	17
resourced.	ely	51% - 62%	ANGOLA	8
lesourceu.		JIN-ULN	DRC	8
They exhibit legislative		38% - 50%	EGYPT	8
		30 - 50 %	ERITREA	8
mechanisms of scrutiny relating to acq	uicition		MOROCCO	8
		26% - 37%	QATAR	8
planning, and budget proj	ecuons.		TUNISIA	8
a Thou hours the feetfill	a huat	13% – 25%	UNITED ARAB EMIRATES	8
They have the facility for			YEMEN	8
parliamentary scrutiny of		0%-12%	ALGERIA	0
defence budget's internal procedures and outcomes		Critical	LIBYA	0
procodurate and outcomo	S.	Ullucal	SYRIA	0

internal audit process for defence ministry expenditure (that is, for example, transparent, conducted by appropriately skilled individuals, and subject to parliamentary oversight)? (Cover et al 2013).

#### 2.1.3 Greater budget transparency

There has been a history of defence budgets being kept out of the public eye, and parts of the defence budget being hidden within other ministry budgets. This is poor practice. Apart from genuinely secret items, usually a very small percentage of the total defence budget, there is no good reason not to publish the defence budgets.

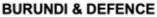
As with the defence budgeting process, there is plenty of knowledge on what good practice looks like. Questions to ask include:

- Does the government publish a defence white paper or other official defence and security document?
- In law, are off-budget military expenditures permitted? In practice, are there any off-budget military expenditures?

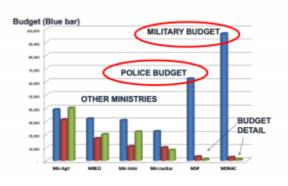
- In law, are there provisions regulating the mechanisms for classifying information on the grounds of protecting national security and military intelligence?
- Are regular reports (i.e. in- year, mid-year and year-end) regarding the execution of the defence budget published?
- Are defence and security sectors audited, and the information obtained made publicly available?
- Does the country submit defence budget information to regional or international organisations?
- Is there a freedom of Information act?
- Is the defence budget proposal made publicly available?
- Is the approved defence budget made publicly available?
- In practice, can citizens, civil society and the media obtain detailed information on defence budgets?
- Does the defence budget include comprehensive information, including military R&D, training, construction, personnel expenditures, acquisitions, disposal of assets, maintenance, etc.?
- Are reports pertaining to the execution of the defence budget made available to the public and to the legislature regularly (in- year, mid-year, year-end)?

#### **Example: BURUNDI**

The defence and security budgets in Burundi were much less detailed than in other ministries, as of 2015. The chart below shows the size of the budgets (blue bar), the number of budget categories (red bar) and the number of budget lines (green bar) for 6 ministries; Agriculture, Economy, Interior, Justice Police and Defence (the scale on the left is shown only for the budget). Though the budgets for defence and police greatly exceed the budgets for other ministries, the number of budget headings and the







number of budget lines are dramatically fewer. (Pyman et al 2014).

#### Comparative country data from TI: defence budget transparency

Approximately one third of countries assessed as part of the TI-DS defence countries database publish a defence budget that is detailed and transparent. These countries often have mechanisms in place allowing them to maintain a justifiable level of secrecy while ensuring that the defence budget is disclosed in a manner that means accountability can be enforced. If you want more detail, this earlier report 'The transparency of national defence budgets (2011)', which examines the evidence for how 90 countries manage defence transparency, in response to 20 questions (Gorbanova and Wawro 2011) and here.

#### 2.1.4 Secret budgets

There are good reasons for secrecy in the operations of military forces. However, these rules frequently become oppressive and well beyond functional need. The reason for this is usually just convenience: for example, the easiest way not to get criticism about something is not to publish it. Claiming that the document is 'restricted' in some way and therefore cannot be published is an easy way to accomplish this. Similarly, not to hold an open tender on grounds of secrecy starts off by being bureaucratically convenient but can quickly become a corrupt practice.

Secrecy issues are important in multiple areas of a defence system: in how/where decisions are made, in procurement, in budgets, in publications.

Secrecy rules are often rigid, but a review of them to introduce better clarity and openness is well worth doing.

Secret budgets are pools of money spent on defence and security items or services that are not openly disclosed to the public. They may cover new weaponry, covert campaigns, sensitive equipment, and troops for secretive operations. In cases where the intelligence service's budget comes from the defence budget, they may also relate to covert aspects of the service's operations. On the other hand, secrecy gives corrupt actors a useful way to cover up illicit movements of money divorced from any oversight. At the 'good practice' end of the range, a country like Norway has zero secret defence budget: none. The more open countries have secret defence budgets in the range 0-4% of the defence budget.

#### **Example: GERMANY and secret defence budgets**

In 2012, EUR 1 million of the German defence budget of EUR 31.87 billion was designated for secret spending. The largely transparent budget of the intelligence services in the country means that secret budgets are very unlikely to exceed one per cent of the total defence budget.

The process of legislative oversight of such items is technical but displays several clear areas of good practice that do not seem to be compromised or corrupted. For example, there is a 'committee of trusted members' in the Budget Committee of the German Bundestag entitled to agree or not agree with the secret expenditure and to authorise them or not. This is a cross-party committee, who will notify the fuller Budget Committee of the total amount of secret spending. This oversight is on a statutory footing, as per Article 10a of the Federal Budget Code. Their findings are given to the 'committee of trusted members' in the budget Committee of the Bundestag for inspection, and to other relevant individuals as specified by Article 10a of the Federal Budget Code.

#### **Example: BULGARIA and secret defence budgets**

The Bulgarian MOD in 2011 changed their internal rules on publication entirely, because everything was previously marked as confidential or secret, and nothing was being published on the MOD website.

Spending on the National Intelligence Services in Bulgaria for 2012 is reported to comprise about 1.6 per cent of the aggregate defence budget. The Parliamentary Sub-Committee exercises parliamentary control over the National Service, the National Security Service and the "Military Information" Service to the Ministry of Defence. The head of the Sub-Committee has even been interviewed on radio on the remit of the committee, the structure of military budgets, and areas for reform. This indicates parliamentarians appear to recognise the need to connect with the public on their work, despite its classified nature.

#### 2.1.5 Organisation reform

Organisations can always be better. But sometimes particular features of defence organisations encourage corruption and/or actively block corruption reforms. Here are three common examples.

#### i) Reducing autonomy of the three services

One of the major vulnerabilities in defence organisations is where the three services, army/navy/air are each almost entirely independent and autonomous. Having central groups, such as procurement and audit, that are staffed by professionals is one way to limit excessive autonomy and favouritism within one service. Reform to centralise procurement across all three services has taken place in many countries. One example, the Colombian military, is described below, where they developed a single professional procurement organisation for purchases above a threshold value. Such a change can be hard to implement as it constrains the personal power of the service chiefs and/or service heads of procurement.

#### ii) Reducing corruption in non-lethal activities

Because a defence organisation is primarily structured around being a fighting force, there is often much less attention paid to activities that are not directly related to fighting. Examples include sale/purchase of land and property, purchase of non-lethal material like fuel, clothing, electricity, sale of surplus assets,

maintenance of vehicles and property. Sometimes these problems can be addressed by giving them more prominence and seniority in the organisation structure.

#### Example: BULGARIA broad defence reform

Reforms in the Bulgarian MOD 2009-2013:

- The activities of the leadership of the Ministry of Defence were made much more public. This improved the relations of the political leadership of defence with the expectations of the public
- Put into law that any defence contract over  $\in$ 50 million should be approved by parliament
- Developed an Ethical Code of Conduct for the military and civilian personnel
- Introduced specialised training in anti-corruption practices
- Implemented rules on preventing and determining conflicts of interest
- Changed the internal rules on publication entirely: because everything was previously confidential or secret and nothing was published on the MOD website
- Changed the rules for the so-called "special procurement" for secret tenders. For the first time ever information about special tenders could be found on the website.
- Created a strategy for the management of surplus property and published on the webpage the complete list of real estate.

The Bulgarian government of 2009-2013, led by the GERB party, was strongly focused on anticorruption. Bulgaria had just had some of its EU funding cut off due to lack of progress on tackling corruption. The focus was especially strong in the Defence Ministry, whose senior leadership had already developed an anti-corruption strategy in 2008, ready to implement in 2009 were they to be elected. Theirs was a broad initiative, attacking corruption on almost all fronts, using the new NATO-TI-DS integrity-building tools, encouraging external media and NGO engagement, being highly transparent. TI-DS actively supported the anti-corruption initiative, mentoring the leadership, assisting with training, and facilitating leadership events.

**To what effect?** The GERB government resigned in 2013, and the successor administration reversed several the reforms. My own conclusion is that they tried to do too much with a Ministry and military that still had deep 'particularistic' roots, with insufficient time. They could have been faster in the first year – Minister Tzvetkova comments that perhaps she tried too hard to convince the 100 Division Chiefs of the merits of reform and was thus too slow to dismiss those resistant to change – but it seems to me that they were quick nonetheless, having already pre-prepared their plans. Minister Tzvetkova's own assessment is that she was halfway through their reform programme when the GERB government fell. There is a parallel to TI's defence work in Colombia in 2006/7/8 (see below), where the defence minister commented that one electoral cycle was insufficient time for a full, range of anti-corruption reforms in the Ministry. She thought that real cultural change would take 4-6 years, meaning that two cycles were required, on the basis that the first and last years in each electoral cycle would be taken up with campaigning or getting (re)established.

The successes and failures of the initiative are described in a detailed interview with the Bulgarian Deputy Defence Minister (Pyman 2015).

#### iii) Excess staff numbers in the Ministry

Excess staff numbers in the defence ministry, often the outcome of a nepotistic environment, in the ministry are not only an obvious limitation to efficiency, but they can also be one of the greatest barriers to corruption reform. Moving key obstructers to different jobs or splitting off some of the functions to other agencies, are classic remedies. Bulgaria in 2010-2012 is one country where the reformers made great efforts to make the ministry more effective by being more streamlined: the example is described more here.

#### 2.1.6 Integrating anti-corruption on operations

Corruption is a feature of all conflicts, playing a key role in the power-struggle between competing groups for resources and power. Mission leaders are placed in a challenging situation because it means engagement with corrupt entities is frequently inevitable. The choice is often whether to deal with one corrupt entity, or another even more corrupt entity. In places such as Afghanistan, the Democratic Republic of Congo, Haiti, Iraq, and Mali, we have seen how corruption can threaten mission success and long-term stability.

Yet mission leaders, national officials and their civilian and military staffs charged with leading, planning, and implementing international missions often lack the understanding and skills to tackle the corruption issues that can have such a devastating impact on operational goals.

There is detailed guidance for military leaders on how militaries can better prepare for corruption issues on operations. Written as a collaboration between TI-DS and two senior former military officers (Pyman et al 2014), the handbook follows the following structure:

**1.Why is corruption a threat to mission success?** What is corruption? Corruption, unrest, and conflict; Transparency, accountability, and counter-corruption (TACC)

**2. Understanding corruption risks in operations.** The ten main corruption pathways; Corrupt networks; Corruption risks within mission forces; Leadership and strategy

**3.** Specific preparatory actions. Threat assessment Intelligence; Force structure & personnel Contracting & logistics Training; Civil-military coordination Data & metrics; Legal

4. Capacity building of host nation security forces.

**5. Existing guidance on anti-corruption from other sources.** NATO JALLC recommendations 2013 (here); Joint and Coalition Operational Analysis Report; UK Land Warfare Centre: Corruption on operations guidance; Current doctrinal guidance; ISAF contracting guidance; Embassy of Denmark: Anti-corruption guidance note.

6. The ten main corruption pathways. Criminal patronage networks; Factionalism; Elections; Organised crime; Narcotics; Exploitation of natural assets; Land title and expropriation; Borders; Foreign aid; Military, police, and militias.

Several military forces have worked through this guidance to better prepare themselves. These include NATO forces such as Allied Rapid Reaction Force (ARRC).

#### 2.1.7 Better defence procurement

This is a huge subject. Large defence organisations employ tens of thousands of procurement professionals, and there are countless manuals and courses on professional defence procurement practice

in almost every country. There have been some major corruption-reducing successes in improving defence procurement, for example the EU forcing competition in defence procurement across all EU countries; and the introduction of e-procurement in many countries, which helps by reducing the extent of human interactions in

Specific procurement corruption risk	Votes (20 people)
1. Improper political influence	19
2. Improper bidder influence	13
3. Poor/inadequate technical specifications	10





the procurement process. Despite the progress, there continues to be a lot of corruption in defence procurement.

Here are the results of a detailed review of defence procurement risks in one European country. Their procurement department reviewed all the contracting risks and concluded that the top three were as follows:

Their practical risk reduction measures were summarised as:

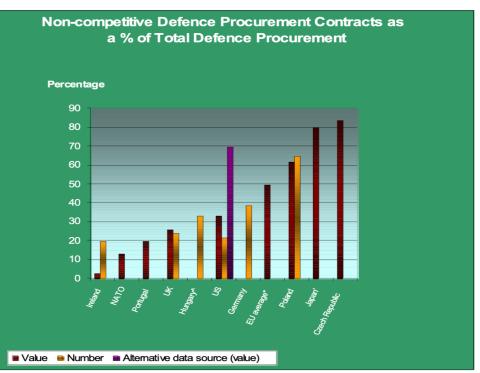
- Training, selection, and remuneration of procurement officials (8)
- Improving procurement planning (5)
- Better regulation and procedures (5)
- Experts who can better define the specifications (3)
- Other suggestions (20)

This 'top three' could probably be replicated in many countries, though in that country they did not have one of the other major procurement risks: single source procurement (contracts being awarded without

any competitive process), and its cousin, secret procurement (also usually single source, but this time without much visibility or scrutiny even within the ministry)

The slide opposite shows just how often single source procurement is used in the defence sector.

Tracking this indicator – the percentage of defence



procurement that is done without competition – is a crucial first step. It can usefully be broken down

further into the single source percentage for *military* equipment/services and the single source percentage for *non-military* equipment and services. You can read more on single source procurement and how to address it in these two reports: Pyman et al 2009, Mustafa et al 2014.

Many countries have worked hard on reducing corruption risk in their defence procurement. Bulgaria, for example, changed the rules in 2011 for their "special procurement procedures" for secret tenders. For the first time ever, information about special tenders could be found on the website.



An important feature of defence procurement that must be considered is national preference in the production of military equipment and services. Many nations want to keep a national capability to produce arms, and this must be considered as it changes the dynamics of competitive procurement, and sometimes leads to a necessity for single sourcing. The corruption issues related to national companies can be addressed by open-book budgeting and additional scrutiny committees. The more common

Curbing Corruption in Defence & Military: Sector reform experience and strategies. Pyman (2021)

problem is that the 'national preference' rules become applied too widely and without challenge, once again fuelling bad practice and corruption.

#### 2.1.8 Better control of military intelligence

Intelligence services worldwide conduct covert and secretive activity in the name of national security. Due to the nature of their work, such secrecy might be accepted as a necessary evil by citizens, but the implications of this view on corruption risk are substantial. This may include sensitive financial and political information that, in corrupt hands, may be used for personal gain, blackmail, or party-political advantage. Such profiteering may undermine not only the integrity of the services, but also national security, if use of this information for legitimate purposes—tackling genuine security threats—is of secondary interest to corrupt gain.

Corruption risk also arises from the significant budgets that may be devoted to the activities of

intelligence services. In some states these budgets may be very high indeed, yet disclosure of budgetary procedures and even vague indications of the destination of funds may be entirely lacking. Such opacity clouds certainty over whether significant sums of money are being used legitimately, or for illegitimate gain. Such lack of traceability may facilitate bribery of parties whose work may overlap with intelligence service



staff (e.g. witnesses and journalists). It may also be used by agents seeking access to confidential areas or data, to pay their way in.

The Centre for Democratic Control of the Armed Forces (DCAF) has considerable expertise on how to ensure proper control and oversight of intelligence, including reports such as those opposite, available here and here.

Several countries have resolved major problems with corrupt control of military intelligence, the most notable examples being Peru at the time of President Alberto Fujimori, and Colombia at the time of President Uribe.

#### **Example: BRAZIL and control of intelligence services**

In Brazil, there is explicit statutory reference to how the intelligence services are formally scrutinised. Federal Decree 7547, Articles 4 and 12, provide reference to oversight of the intelligence services. The rules and budgets of the intelligence services are legally regulated by the Brazilian Comptroller General in tandem with the National Congress.

#### Example: ITALY and control of intelligence services

The intelligence services in Italy were reformed in 2007 on the back of several scandals including illegitimate monitoring activities and information planting. The reform itself is a good indication of political will and attitudinal change reflecting an unwillingness to allow the intelligence services to act with impunity. As part of this reform, a new Parliamentary Committee for the Security of the republic (Comitato parlamentare per la sicurezza della repubblica) was established with the specific task of ensuring intelligence service activity is carried out in line with the law and the constitution. Several formal features of committee activity help reduce the risk of corruption in the intelligence services:

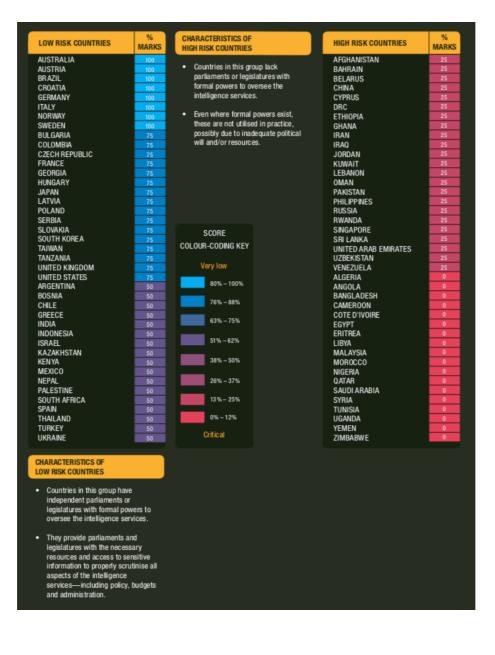
• The composition of the committee is multi-partisan. Ten members, five from the lower parliamentary house and five from the upper house, are appointed to reflect the majority and the opposition parties proportionally.

Annual reports of the Committee of Foreign Affairs and National Security report effective oversight, and academic sources and media articles do not contradict this. Formal mechanisms, according to available knowledge, are effectively implemented.

- Considerable powers of investigation. So long as legitimate reasons are given, the committee can call for a hearing of individual members of the intelligence services, and anyone external to the services who may have salient information relevant to a matter can be investigated.
- Considerable access to information and locations. The committee is entitled to access documents in judicial authority, to access materials in on-going investigations, and to consult classified materials according to specified procedures. They are also entitled to inspect intelligence services buildings.
- Advisory capacity. The committee has a proactive as well as a reactive role. It is entitled to express opinion on draft decrees or rules affecting the organisation or staffing of the security services.
- Urgent information or reports. The committee has the power to submit urgent information to the chambers of parliament when it feels this is necessary.

#### Comparative country data from TI: control of military intelligence

The TI-DS analysis asks: Are the policies, administration, and budgets of the intelligence services subject to effective, properly resourced, and independent oversight? There is a wide variation among countries as the data below shows (Cover et al 2013).



## 2.2 PEOPLE-CENTRED REFORMS

The most recent research investigating success against corruption identifies that all the successful cases were by committed groups of people, sometimes public officials, sometimes politicians, sometimes civil society actors, often a combination of all three. Furthermore, the successes were all achieved by the country's own human agency efforts rather than by the efforts of outsiders. In reducing corruption in the defence sector, we discuss experience of the following people-centred measures:

- Building shared leadership commitment
- A full-time integrity unit within MOD
- Anti-corruption training
- Engaging defence contractors
- Injecting outsiders into key MOD positions
- Visible commitment of soldiers
- Anti-Corruption leadership council

Why focus on people-centred reforms? The most recent research investigating success against corruption identifies that all the successful cases were carried out by committed groups of people, sometimes public officials, sometimes politicians, sometimes civil society actors, often a combination of all three. Furthermore, the successes were all achieved by the country's own human agency efforts rather than by the efforts of outsiders.

#### 2.2.1 Shared leadership commitment

Corruption is not a natural topic in defence. Officers are not trained to recognise or address corruption; officials are unlikely to bring it up. In more corrupt ministries and militaries there is a very rational reason for this. Their view of corruption tended to be that *"I know corruption is a crime; I know I am involved in it, as are my colleagues; I know it is a hard and difficult process to eradicate it; I know I am vulnerable to accusations of it. Therefore, I will not talk about it and will not raise it in any meeting."* 

Thus, one of the most effective ways to build a readiness to address the subject is to make the topic discussable. You can do this in several various ways, for example.

- By discussing the list of corruption issues with your leadership teams
- By arranging a leadership special discussion day on the topic. See below for how to do this. Or you can ask an outsider to facilitate it for you.
- By asking an outsider to come and speak on the topic to your leadership or to a relevant Defence Board meeting.

#### ORGANISING A 'LEADERSHIP DAY' ON CORRUPTION RISKS AND REFORM

In the TI-DS defence programme, once we understood the prevalence of this mental model about defence corruption, we experimented with different mechanisms for bringing it to the surface and developing a constructive solution to it. We evolved what we now call 'leadership days,' in which a large proportion of the defence ministry and military leadership take a whole day to discuss the nature of the corruption issues that they face and possible ways in which they can be tackled. For example, in the figure already shown in Section 2.2. above, thirty senior military and defence ministry officials from Botswana are 'voting' on which of the 29 defence corruption risks are most relevant for their country. Interestingly, the risk almost at the top was of corrupt control of the military and civilian intelligence functions; a risk that has been significant in Latin American countries and currently is common in many West African countries.

Such a day does carry political risk for the principal sponsor; this sometimes means that there will be two or three such leadership days involving deputies and delegates, before the real leadership feels confident

enough to participate. But by the same token, the very unusualness of the event offers the opportunity of a significant step forward in understanding.

The day would normally consist of five parts:

- 1. The first would be a general discussion about corruption and corruption prevention.
- 2. The second would be an explanation of the specific corruption risks in the country's defence sector: sometimes based around the typology, sometimes based around on-the-spot identification of the risks.
- 3. The third would be the prioritization of those risks and the practicalities political, logistical, and financial of implementing solutions.
- 4. The fourth would be a review of the experience of two or three other countries in their defence anti-corruption journey.
- 5. Finally, the fifth would be devoted to organisation, governance, and the creation of a task force to co-ordinate the implementation of the anti-corruption plan.

These one-day events have had an impact in the 15 or so countries where they have facilitated them. In every case, those participating have said that they have left with a different understanding of what corruption is and greater hope that their military may now be capable of doing something substantive against it.

#### 2.2.2 Establishing a full-time integrity unit within the MOD

Corruption reform is as much about changing mindsets and behaviour as it is about technical change or political willingness. Whatever you do by way of corruption reform in defence, making such behaviour change happen will require full time staff. One good approach is to establish a full-time integrity unit within the MOD. Establishing full time positions shows commitment, and it the unit can then coordinate or implement plans of action proposed by the leadership. The mandate of such a group can vary, depending on need and circumstance. It can include:

- Preparation of the leadership's anti-corruption action plan
- Coordination and monitoring of the action plan
- Advise staff on best courses of action
- Scrutiny of planned tenders for corruption risk
- Provide input on policy and draft bills, assessing their impact on transparency and corruption risks
- Scrutiny of possible conflicts of interest
- Provide anti-corruption training to officers and officials
- Annual corruption risk analysis
- Liaison internally and externally
- Encouraging transparency and openness in MOD operations and publications

#### **Example: Poland MOD Integrity unit**

Here is an example of one such unit, in the MOD of Poland. Established in 2007, it has been in place for over ten years now.

Poland had a government-wide anticorruption initiative in the period 2006-2010, and again thereafter (see, for example Pyman 2017). The early initiative was particularly strong in the Ministry of National Defence, where the defence minister (initially Radoslav Sikorski) provided strong political direction for reform. They did a broad analysis, identified eight weak areas (see diagram opposite), set up a fulltime task force that included civil society personnel, then focused on high-value procurement, conflicts of interest, and abuse by high-ranking officials.

ссіро» еспубліка Польща Гністерство занордонних справ	De	fining	priorities
	Leading corruption	risk ar	eas:
Defence and	d civilain procurements	Di	isposal of surplus property
Research an	d development projects		Conscript procedures
Developme	nt projects at missions		HR, appointments
Abuse of pov	ver (housing, per diem, cars	)	Investments
Tackling of	corruption from the top – in c	rder to	show reforms reliable
Risk assessment	high corruption risk + heavy losses + high rank involved		Central procurement of military equipment

They then whittled the eight priority areas down to just a few priorities: high value procurement, high rank officers, and abuse of power. On procurement, they proceeded to make a whole series of reforms,

including more transparency, less single source procurement, better operational testing, more electronic auctions, etc – see diagram. This sounds straightforward, but was not, and did not happen easily. Suspicious orders kept being re-submitted to the full time anti-corruption methods task force

The key to its success was the presence of the full-time task force. It comprised only 4 staff, but they were committed, and clearly had the support of the Minister. The staff were largely brought in from outside the Ministry, and the team was headed by a man who had previously been a civil society activist working for TI-DS Poland.

	Procurement reforms
Республіка Польща Міністерство закордонних справ	
I. More transparency	more information on the Web
2. More electronic auctions	MOD leader in Polish administration
3.Prevention of conflict of interest	stronger regulations
4. Promoting competition	limitation of single source procedures
5. Better quality assurance	tests ordered by buyer, not by seller
6. Supervision of key points	preliminary audit of key documents
7. EU directive on defence procurer	nents -
Better value for money	Buying more capabilities, not arms only
Still the process is a	a subject of various temptations

In 2011, the defence sector was again pinpointed as a major corruption risk due to the secrecy surrounding procurement decisions (which tend to be exempt from the requirements of the Law on Public Procurement). The most frequently encountered corruption risks had to do with tender specifications being written for a particular company and with single-sourcing: in 2011, 160 tenders were single-sources, 324 multi-sourced. The value of single-sourced tenders was PLN 200 million (approximately £36 million) higher than the value of multi-sourced contracts.

The 2014-2019 Polish Government Anti-Corruption Strategy also points to defence (particularly procurement) as a continuing corruption risk area. The Plan identifies greater secrecy as a corruption risk and mentions offsets and the potential for modification of contracts after signing as risk areas. It also states that there is an increasing tendency to limit access to information regarding tenders being conducted.

#### What was the effect of this unit?

At national level, Poland moved from being the most corrupt nation in the EU in 2005, to one in the middle ( $15^{th}$ out of 28) by 2013. For defence ministries, there are several policy lessons:

• Putting in place a full-time implementation team is critical. Poland's is only four people, and it was a good move to staff it largely with outsiders.

- Making the implementation team a permanent feature of the Ministry
- Staying below the political radar. The MOD initiative never had a high public profile. It started out with the very modest title of 'The Anti-Corruption Procedures Bureau' (Though it now has a rather grander title: Office of the Minister's Plenipotentiary for Anti-Corruption Procedures).

Integrity units have also become a regular feature of corruption prevention efforts in other sectors.

#### 2.2.3 Anti-corruption leadership council

Another way to build commitment in preventing corruption, and to overcome objections or resistance, is to establish a leadership group on the topic. This could be a new leadership group, specially formed to bring together those leaders across defence who need to work together to establish corruption prevention as a routine part of the national defence organisations. Or it could be added on to the scope of an existing organisation, such as the audit committee. Often this committee has a scope that has become limited over time, and such a role can invigorate it.

Another approach discussed in some MODs has been to make a council that is representative of all levels of the organisation, with a 'diagonal slice' of people from across all levels of the organisation.

The place where the Integrity Unit is positioned within the defence hierarchy is important. It could be overseen by the Minister (e.g. Poland), or the Audit Committee, or by a specifically constituted Defence anti-Corruption council (e.g. Bulgaria).

#### 2.2.4 Build centres of deep defence anti-corruption expertise

The author strongly advocates for full time defence counter-corruption groups in all Defence Ministries. This needs resources, and therefore expertise, and therefore specialist training. There are now four Centres for defence integrity besides TI: one in Norway MOD (CIDS), one at the UK Defence Academy (here), one at the national Defence University of Ukraine in Kiev (here), and one at NATO HQ in Brussels (here).

TI-DS helped to train over 1000 Colonels worldwide, trained numerous trainers, and intensively trained ten secondees to date. The military, like many other professions, is remarkably connected internationally – they are always going to each other's military academies for training and exercises – so the word about new approaches spreads fast. Thus, several such expertise centres start quickly to catalyse an international network – or community – of knowledge about corruption prevention in the sector.

#### 2.2.5 Corruption prevention training & education

Being in the Military is one long training exercise. Training is tough, designed to enable soldiers to respond immediately with the 'right' reflexes. Conversely, if there is no training, the subject might as well not exist.

Officers are trained in 'Integrity' at officer cadet school. Such officer schools follow a somewhat similar curriculum the world over, often modelled on the original ones such as Sandhurst Military Academy in the UK. The integrity training is aimed at being a trusted leader – so that your soldiers will follow you unquestioningly into battle, rather than aimed at corruption. Nonetheless, the values and standards that it instils – honesty, trust, your-word-is-your bond, are the same as any civilian integrity course seeks to impart.

The training has a broader integrity purpose too, which is to instil a strong sense of pride in the military in the officer. You will recognise this in almost all militaries around the world. Even in highly corrupt countries where the military themselves are involved, you will find that officers are aware of the clash between their values and their pride in being an officer, with the actions that they are required to take to survive within a corrupt environment. This tension is a powerful motivator of people to 'do the right thing', in as much as it is possible.

Training in corruption prevention in defence organisations has historically been minimal but has been increasing rapidly over the past 10 years. Besides the training activities of the Transparency International

Defence Programme, other organisations have established training capabilities. These include NATO, militaries/Defence ministries in the UK, Norway, Colombia, Afghanistan, Ukraine, Nigeria and elsewhere. More information:

- Transparency International Defence has a five-day course in corruption prevention.
- NATO has the 'Building Integrity' course, open to NATO allies and NATO partners.
- Ukraine has a training organisation called BTEC.
- The UK Defence Academy has a course.
- Norway has established a Centre for Integrity in Defence Studies which can provide corruption prevention training.

There is also training material for General officers, for NCOs, and for more specialist groups, such as Procurement Directorates. From time to time, Transparency International Defence has also provided 2-3 months secondments to people who are planned to work full-time on corruption prevention. Several of these have used the opportunity to carry out an original piece of research on the corruption issues in their own MOD and military. The report shown opposite, for example, analyses 400 Ukrainian MOD audit reports and categorises the corruption cases that the secondee identified. The secondees then go back to their base country, usually as a teacher of anti-corruption in their national MOD.

#### 2.2.6 Inspector General or equivalent

All military forces have a disciplinary structure. In the US and US-related countries it tends to be the system of Inspectors General. These exist in both civil functions and the military (see here) and have become very well established in the US military. They also exist in a wide range of other countries (see here).

Such structures in the military are often not well resourced and/or not well regarded. They thus represent an existing resource whose corruption prevention and education role can be strengthened.

#### 2.2.7 Engaging with defence contractors

Contractors to the military and the defence ministry should be an integral part of the corruption prevention system of defence. But all too often they are seen as a guilty party, whose objective is to extract the maximum amount from their contracts and connections. Contractors may indeed be guilty of this. On the other hand, they will mostly be ready to cooperate, often relieved to find a sympathetic client who is ready to work with them to reduce the risks and incidence of corruption. For more, see Clark and Pyman 2013.

#### Require compliance programmes

The starting point is that all suppliers to the MOD and military should be required to have anticorruption ethics and compliance programmes in their companies. This is common in some countries, notably the US, and is a practice that is rapidly spreading across civilian contracting, in reaction to antibribery laws such as the Bribery Act in the UK and the Sapin II law in France. If your country does not have such a law, you may be able to require such programmes as part of defence procurement requirements (as in the USA, see here), or as one component of official tender evaluation criteria.

#### Invite the contractors to be pro-active

Besides requiring actions from contractors, work with them on measures that they could help that would reduce corruption risks. For example, there may be ways to make the process of developing tender specifications more open and transparent, where contractors can assist, and can indicate if some of the requirements favour certain contractors over others. Transparency International defence has published examples of what constitutes good defence contractor practice on corruption prevention (Clark and Pyman 2013, cover opposite, and



Curbing Corruption in Defence & Military: Sector reform experience and strategies. Pyman (2021)

the current 2020 CDI from TI-DS, here). You could circulate their reports to your contractors.

#### Invite contractors to contribute to your plans

Invite the contractors in whom you work with. Or you can work with the defence industry associations – in your country and internationally – to outline what you expect from contractors and how they can help you.

#### 2.2.8 Injecting outsiders into key MOD positions

If you have a ministry where there are high levels of corruption and deep external mistrust of the ministry, one approach could be to inject a critical mass of outsiders into senior positions. A common feature for forcing change in large organisations is to bring in senior outsiders into key positions. This helps particularly if the senior person comes into the position as the new Minister. Several of the reforms discussed in this review have been catalysed by such top-level changes. The same is also true of top positions such as head of Audit, Head of Procurement, Head of operations, Head of logistics. This is less common in defence ministries, usually in deference to the deeper expertise expected to be required.

But we also know of one highly imaginative alternative, in Ukraine, where the MOD brought in 12 outsiders, mostly lawyers working with civil society, into senior positions such as the Head of defence procurement. We have not yet seen an evaluation of how this turned out. However, even if it was ultimately unsuccessful, it is an imaginative way to disrupt the corrupt relationships that exist inside a long-established highly bureaucratic ministry.

#### 2.3 MONITORING REFORMS

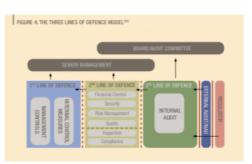
Monitoring and oversight mechanisms are important for controlling corruption in a lasting, sustainable

way, such as through auditors, regulatory agencies or through independent organisations within civil society. But these reforms have a disappointing history, often quickly becoming ineffective. The reasons are all well-known: lack of budget, staffed by people unchanged from predecessor organisations, institutional neglect, deliberate marginalisation, being subverted in the political environment, denied access to key people and records, bribed or threatened. Finding ways to get multiple forms of independent scrutiny into action is therefore a core part of anti-corruption strategies.

#### 2.3.1 Strengthening internal audit

Defence Ministries usually have internal audit bodies like other ministries (Sometimes also called Internal control or Internal control and revision bodies). However, they are often not strong organisations, frequently being under-resourced and/or kept away from sensitive areas; especially in Ministries that are largely staffed by military officers. This is a pity, as a capable audit function can have a strong effect in corruption prevention, as well as in fraud detection. Audit operates by being the 'third line of defence' in a well-





functioning system of management. The first line of defence is normal management supervision. The second line of defence comes from other line management control mechanisms such as risk management, inspection, and financial control. Audit is the 'third line' after that. See the schematic diagram opposite.

#### Ukraine MOD Audit function – good practice

There is a powerful example of the good use of internal audit in the MOD of Ukraine, where a strong audit director has built the department up to be the lead entity in the corruption prevention efforts of the Ukrainian Ministry of Defence. In 2012, she carried out an analysis of 200 MOD audit reports and 200 MOD special investigations, which by law are publicly available in Ukraine (Barynina and Pyman, 2012). She analysed them into four main categories of corruption:



Loss (waste) of revenues: The revenue side of the defence budget needs to

be the subject of a detailed audit. In Ukraine, the MOD receives sales proceeds from surplus weapons, property, and the income of budgetary institutions derived from services made. Audit findings, all quantified, include:

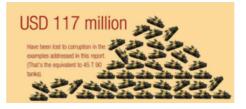
- unreasonable provision of free usage of resources to some individuals / entities (no rent, payment for land)
- unreasonable lowering of a price/value/volume of property sold, paid services, work performed, rent, unreasonable privileges/ discounts for some buyers
- economically disadvantageous contracts, provision of loans, financial sanctions to some providers/debtors in case of non-contract terms
- lack of payments by public enterprises due to budget/dividends

**Illegal expenditures**. Illegal expenditures usually mean (i) expenditures, conducted in violation of law, (ii) non-target costs, and (iii) losses from lack or damage of resources. Audit findings, all quantified, include expenditure in relation to:

- Military towns / cantonments, integral property complexes
- Movable property
- Construction, acquisitions of housing
- Illegal payment of salaries, money allowances, scholarships, and other types of incentives
- Losses (damage) from lack of, or shortages, of Weapons and military equipment

**Violations that did not result in financial losses.** Findings include violations in relation to Overstating the need for budget funds; the inclusion of incorrect figures to budget requests; Understating the value of assets, accounts receivable and payable; surplus assets; Violation of financial and budgetary discipline

**Discussion.** This analysis was astonishing to many of us working in defence corruption prevention. First, that the audit reports were all publicly available. Second, the analytical skill of the author, at that time the Deputy Director of Ukraine MOD audit. Third, her bravery: she was initially fired for that report, and only afterwards reinstated. Fourth, the way that she categorised all the different sorts of loss is an example to



other MOD audits department everywhere. Finally, that this department has been supported and strengthened within the Ukrainian MOD to have a pivotal role in tackling corruption in the Ukraine military and MOD.

For more detail, including references to the amounts lost and the implications for operating an audit function in a high-corruption country, see Barynina and Pyman (2012).

#### 2.3.2 Inspectors General

In relation to Afghanistan, building up a strong IG organisation within the Afghan military and Afghan Ministry of Defence has been a central part of tackling corruption in the MOD and Afghan National Defence Forces. More information on the experience and their performance can be found through the Special Inspector General for Afghanistan (SIGAR).

Curbing Corruption in Defence & Military: Sector reform experience and strategies. Pyman (2021)

#### 2.3.3 Strengthening external audit

The external audit of defence is an essential safeguard over the Defence Ministry. Why? Independent

audit offices increase the capacity of parliaments and legislatures to reduce defence corruption risk. Audit offices may perform either general audits, examining government defence spending overall, or focused audits that look at a specific area of defence expenditure. They can be strict financial audits, or analyses looking at value for money and efficient allocation of resources



Alongside the executive's budget documents, audit reports are crucial in enabling parliaments, legislatures and citizens to effectively scrutinise the government's management of public funds, whether the defence budget was executed as approved, and where there are gaps and uncertainties. Through analysis of budget proposals and by independently validating costs, audit offices can provide essential support.

The production of audit reports by an independent institution can serve to redress the imbalance of defence information and expertise between government and parliament. Audit offices provide the documents which help ensure that government defence expenditure can be overseen from the beginning of the budget process to its end.

#### Comparison of countries in the TI-DS analysis: effectiveness of external audit

How effective are external audits of defence? The TI-DS defence database contains analysis of the quality of external defence audits of 82 countries, in answer to the question: "Is there effective and transparent external audit of defence?" The results of the 2013 analysis show that almost two thirds the countries in the survey scored reasonably well. African and Middle Eastern countries have the poorest record, as of 2013. For more, see Cover and Meran 2013.

#### **Good example: JAPAN**

Japan's defence expenditure is audited by the strictly independent board of Audit. The Japanese constitution requires the Board to audit the final accounts of the expenditures and revenues of the state on an annual basis. The audit reports are then submitted to parliament (The National Diet) via the cabinet, during the fiscal year immediately following the period covered. These audit reports are deliberated by relevant parliamentary committees in the lower and upper chambers of the Diet, both of which have a committee dedicated to their scrutiny.

#### **Good example: LATVIA**

According to the GI 2013, Latvia's Auditor-General's Office has become increasingly more effective and respected in the Ministry of Defence (MOD) in recent years. It is an independent institution and carries out both regular and specialised audits. For example, the Auditor-General's Office has examined the "Use of Government Funds in Training Military Personnel". All audit reports are publicly available online and easily accessible to parliament. The Board's senior officials always attend the deliberations of the parliamentary committees. They use this opportunity to explain the contents of the audit reports or relevant audit activities and to present the Board's opinion. The board of Audit consults the Diet when preparing the audit plan and implementing its audits and takes its requests into consideration. This is to ensure the Board's work reflects the concerns and expectations of parliament and the public. The board's reports are made publicly available, enabling public criticism and scrutiny of defence expenditure.

Latvia's Parliamentary Public Expenditure and Audit Committee is tasked with overseeing the implementation of the Auditor- General's recommendations and holds regular meetings to this end. The progress on any audit recommendations made to the MOD is reported to the parliamentary defence committee.

Curbing Corruption in Defence & Military: Sector reform experience and strategies. Pyman (2021)

#### Good example: UK

Every year, the UK's National Audit Office carries out a detailed analysis of the top 20 major projects in the defence sector. These results are probing and are published. The report on the MOD equipment plan for 2017 can be found here.

#### 2.3.4 Improving Parliamentary oversight

Parliament is intended to be one of the major controls over the integrity and management of defence by the government. The reality is that this is only rarely the case. In TI-DS's detailed analysis of the quality and transparency of parliamentary oversight of defence, only 12 of the 83 countries scored either Very Low risk or Low risk (Very Iow: Australia, Germany, Norway, UK; Low: Austria, Brazil, Bulgaria, Colombia, France, Japan Poland, Slovakia, South Korea, Sweden, Taiwan, USA). Eighty-five per cent of the countries lack effective scrutiny of their defence policy.

#### 2.3.5 Monitoring by NGOs

NGOs play a vital role in monitoring government and government corruption. This is equally true in the defence sector. However, in many countries NGOs are less present in the defence sector than in other sectors. If you are a public official or Minister seeking to reduce corruption in the defence sector, do work with the NGOs that take an interest in defence. You can bring them in to advise, to train, to challenge. In some countries, NGO representatives are invited to assist in making policy. If there is no defence-related NGO, it is in your interest to try to encourage one to exist, and/or to encourage existing NGOs to branch out into defence.

Across the defence sector globally, the Defence and Security programme of Transparency International has been the predominant international NGO since 2004. The TI-DS defence and security team, founded in 2004, has experience of working with multiple countries and has carried out more research and analysis on defence corruption and corruption reforms than anyone else. The team of approx 20 staff is centred in London, but also has out-posted team members in Brussels, Lebanon, Ukraine, USA, (others). Their work is extensively referenced throughout this review.

TI-DS has extensive country analyses and guidance material that you can access freely and without charge. They also have some one hundred detailed country defence assessments and 160 defence company assessments. Look at their website, here, and their list of publications, here. A good action would be to contact the TI-DS Defence Group and ask for assistance. Their email is here. Alternatively, contact your national TI-DS organisation (you can find their contact details here). They may not be competent in tackling defence corruption, but they can connect you to the central TI-DS Defence group and act as local liaison.

#### 2.3.6 Hybrid independent oversight

The quality and depth of independent monitoring entities can easily suffer from two sorts of tension. On the one hand, having good local knowledge, but perhaps not deep functional knowledge, whilst at the same time being vulnerable to members of the organisation being subverted by those in power. Or the opposite problem, of having international experts with deep functional knowledge, a greater ability to withstand corrupt local influence, but vulnerable by not having enough local knowledge.

There have been three examples in the past few years of independent anti-corruption organisations that try to get over this problem by having a mix of locals and internationals on the Commission. One example is CICIG in Guatemala, one is MEC in Afghanistan (the joint independent anti-corruption monitoring and evaluation committee), and one in Ukraine. Called the Independent Defence Anti-Corruption Committee (NAKO is the Ukrainian acronym), it was established in 2015 and has three local members and three international members. Such hybrid entities have had a difficult time. But, in parallel with how important they are to re-establishing trust in policing (See the CurbingCorruption Police Review, here, Section 2.3) they are an important option.

## 2.4 JUSTICE AND RULE OF LAW (ROL) REFORMS

In discussion of corruption reforms in defence, Defence Ministers and Defence Procurement Chiefs repeatedly ask: "We have any number of control systems and processes in place in our defence

procurement, but they still don't stop the bribery and corruption. What else can we consider doing?" It is (sometimes) a heartfelt plea: the defence sector has always been particularly vulnerable to corruption, with its large, technically complex projects; limited supplier base; and secrecy- and security-related constraints. To be sure, there is no single solution, and oversight alone does not staunch the problem.



**Suspension and debarment** are another ROL tool for combatting corruption. They add significant advantages lacking in other forms of oversight: they have immediate effects; they happen quickly; they require a low burden of proof; and they are easy for defence procurement agencies to do, as they can do it themselves, without the need for a separate prosecuting agency, courts, or judges.

Suspension and debarment systems are typically administrative mechanisms that regulate contractor behaviour while operating within or by connection to a defence establishment, but still independent of it. These systems have the power to discipline corrupt contractors and even to debar them in the case of major wrongdoing. But, more to the point, these systems also have the power to require improved behaviour from companies without debarring them, thus initiating an upwards cycle of improvement without the actual imposition of debarment, except when necessary.

There are four national systems (Brazil, Kenya, India, and the United States) and one international system (the World Bank). Within the United States, it is the U.S. Department of Defence that has most productively and usefully employed these sanctions.

**How do they work?** A suspension and debarment system deters corruption, fraud, waste, and abuse problems that threaten all stages of the procurement process, from when an agency just begins to determine its procurement requirements, to when contracts are awarded, performed, and closed-out. They deter these problems in both "specific" and "general" ways. Specific deterrence occurs when a misbehaving contractor is individually stopped and removed from the procurement process, thus barring ongoing or future misconduct by that contractor. General deterrence occurs because of the broader salutary impact that suspension and debarment can have on contractor conduct throughout the defence industry—in effect, the promotion of a broader culture of business ethics.

A culture of business ethics is inculcated in several ways. For one thing, it is in a contractor's financial interest to remain eligible to receive and perform public contracts; to that end, a suspension and debarment system institutionalizes and ratifies a procurement process that rewards ethical behaviour, not unethical behaviour. A contractor is incentivized to act ethically when a suspension and debarment system ensures that there are significant consequences for specified deviations from certain ethical norms, to include ineligibility for public contracts, and benefits for complying with such norms. Indeed, to avoid sanction, a contractor must adopt internal compliance systems that are robust enough to prevent, identify, mitigate, and eliminate unethical or illegal behaviour. In turn, a broader, industry-wide culture and climate of ethical conduct and good corporate governance takes root.

To investigate whether it might make sense to initiate a suspension and debarment system in your defence sector, read the Shaw and Totman 2015 report on the subject: *Suspension and Debarment: strengthening integrity in international defence contracting*, available here. The report illuminates how and why suspension and debarment systems function. This analysis will allow those in other countries to better understand suspension and debarment, and to get a feel for how their procurement systems and industries could benefit from the use of a suspension and debarment system.

Or be in touch with the Suspension and Debarment offices of the US military: of the three services, the largest S&D office is in the US Air Force. You can see their website here. You can also see a talk by one of their former Chief Officers, Steven Shaw, about how to set up an effective S&D office, here.

## 2.5 TRANSPARENCY REFORMS

Along with independent review and monitoring, transparency is one of the important tools in reducing corruption. Corruption problems naturally thrive when the relevant data is not going to be made public. The chessboard notes several such defence reforms, some of which are related below.



#### 2.5.1 Openness in defence policy

Publication of defence policy and forward plans is an important element of an accountable defence sector. All defence organisations would be expected to develop, debate, and publish a white paper on the defence policy for the coming few years. If this is not the norm then it would be the natural first step in raising accountability and transparency.

One of the best examples was the efforts that the South African Defence Forces (SADF) went to after the end of apartheid, to move the defence sector from being an upholder of a hated regime to an accepted part of the new South Africa. What they did was mostly about inclusiveness. Unfortunately, this excellent public process in developing the new policy was subsequently spoilt by a huge scandal of corruption in the later procurement of large military hardware.

#### 2.5.2 Disclosure of defence revenues

Corruption reform efforts in defence tend to focus first on procurement, then on other areas of defence spending. Yet the defence sector – military and/or the ministry and/or defence associated agencies – often receives substantial revenue. If this is not carefully and publicly controlled, these sources can easily become pathways for corruption.

Typical revenue sources are:

- Income from sales of surplus equipment
- Income from sale of land and property
- Income from defence-owned businesses
- Income from military pension investments
- Income from peacekeeping operations

The starting point for control is simple – to ensure that you have full knowledge of all such revenue. Often it is scattered across many different legal entities; some of these may also not be transparent or even truthful about the full extent of the revenue.

Once you are sure that you have full internal visibility, the normal controls are 1) to ensure that all sources of revenue are captured within the defence budget; 2) to ensure that adequate accounting organisations are responsible for monitoring and accounting for the revenue; 3) to regularly review the controls to ensure they are adequate; and 4) to conduct periodic audits on defence revenue.

Public transparency is a major corruption reducing tool. Not just the sources of income in the defence budgets, but also full statements of each source. In the case of property and assets a full breakdown of the assets sold or leased should be made public regularly.

Bulgaria, already discussed, is one country that radically improved the transparency of property and asset sales by the MOD in the period 2009-2014. Another source of guidance is available from CIDS and can be found here.



#### 2.5.3 Budget and spending transparency

There has been a history of defence budgets being kept out of the public eye, and parts of the defence budget being hidden within other ministry budgets. This is poor practice. Apart from genuinely secret items, usually a very small percentage of the total defence budget, there is no good reason not to publish the defence budgets.

As with the defence budgeting process, there is plenty of knowledge on what good practice looks like. Questions to ask include:

- Does the government publish a defence white paper or other official defence and security document?
- In law, are off-budget military expenditures permitted? In practice, are there any off-budget military expenditures?
- In law, are there provisions regulating the mechanisms for classifying information on the grounds of protecting national security and military intelligence?
- Are regular reports (i.e. in- year, mid-year and year-end) regarding the execution of the defence budget published?
- Are defence and security sectors audited, and the information obtained made publicly available?
- Does the country submit defence budget information to regional or international organisations?
- Is there a freedom of Information act?
- Is the defence budget proposal made publicly available?
- Is the approved defence budget made publicly available?
- In practice, can citizens, civil society and the media obtain detailed information on defence budgets?
- Does the defence budget include comprehensive information, including military R&D, training, construction, personnel expenditures, acquisitions, disposal of assets, maintenance, etc.?
- Are reports pertaining to the execution of the defence budget made available to the public and to the legislature regularly (in- year, mid-year, year-end)?

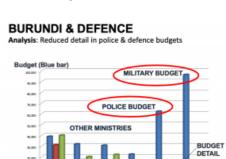
#### **Example: BURUNDI**

The defence and security budgets in Burundi were much less detailed than in other ministries, as at 2015. The chart below shows the size of the budgets (blue bar), the number of budget categories (red bar) and the number of budget lines (green bar) for six ministries; Agriculture, Economy, Interior, Justice Police

and Defence (the scale on the left is shown only for the budget). Though the budgets for defence and police greatly exceed the budgets for other ministries, the number of budget headings and the number of budget lines are dramatically fewer. See Pyman et al 2014 and Pyman 2017.

#### 2.5.4 Secret budgets

Secret budgets are pools of money spent on defence and security items or services that are not openly disclosed to the public. They may cover new weaponry, covert campaigns, sensitive equipment, and troops for secretive operations. In



cases where the intelligence service's budget comes from the defence budget, they may also relate to covert aspects of the service's operations. On the other hand, secrecy gives corrupt actors a useful way to cover up illicit movements of money divorced from any oversight.

At the 'good practice' end of the range, a country like Norway has zero secret defence budget: none. The more open countries have secret defence budgets in the range 0-4% of the defence budget.

#### **Example: GERMANY and secret defence budgets**

In 2012, EUR 1 million of the German defence budget of EUR 31.87 billion was designated for secret spending. The largely transparent budget of the intelligence services in the country means that secret budgets are very unlikely to exceed one per cent of the total defence budget.

The process of legislative oversight of such items is technical but displays several clear areas of good practice that do not seem to be compromised or corrupted. For example, there is a 'committee of trusted members' in the Budget Committee of the German Bundestag entitled to agree or not agree with the secret expenditure and to authorise them or not. This is a cross-party committee, who will notify the fuller Budget Committee of the total amount of secret spending. This oversight is on a statutory footing, as per Article 10a of the Federal Budget Code. Their findings are given to the 'committee of trusted members' in the budget Committee of the Bundestag for inspection, and to other relevant individuals as specified by Article 10a of the Federal Budget Code.

#### **Example: BULGARIA and secret defence budgets**

Spending on the National Intelligence Services in Bulgaria for 2012 is reported to comprise about 1.6 per cent of the aggregate defence budget. The Parliamentary Sub-Committee exercises parliamentary control over the National Service, the National Security Service and the "Military Information" Service to the Ministry of Defence. The head of the Sub-Committee has even been interviewed on radio on the remit of the committee, the structure of military budgets, and areas for reform. This indicates parliamentarians appear to recognise the need to connect with the public on their work, despite its classified nature.

### 2.5.5 Forward planning guidance

Good defence procurement requires that contractors have some advance notice of your requirements. It is very helpful to them if your forward acquisition plans are public. The issue is less one of corruption than one of effective preparation by contractors for major bids. This has become good practice in most defence organisations around the world.

If it is not current practice, then this is a good measure to implement. MODs in countries such as Croatia and Serbia have opened to such practices being normal, rather than secret.

# 2.6 INTEGRITY REFORMS

I have been constantly surprised at how much corrupt behaviour there continues to be among senior officers and officials, even in high CPI countries.

### **Example: USA**

There has been a spate of bad behaviour by US generals in the last two decade and this is now the subject of detailed studies by the US to understand what exactly is happening within the US Armed Forces to drive such behaviour (See Shipley et al 2011). The scandals have stunned the military establishment and shocked the public. It quotes one senior military officer as saying:



Source: Australia Department of Defence, Ethics Matters (2002), page 11

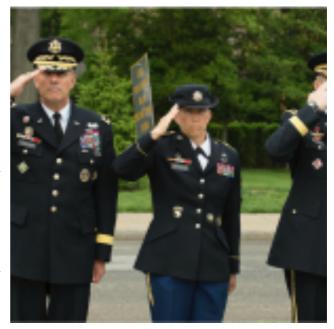
"I'm a general," the witness (Sinclair) testified. "I'll do whatever the [expletive] I want." In most countries, developed and developing, there is still little practical guidance as to what constituted proper behaviour of senior officers and officials.

### Ethical fading

A different but related failing is where an institution gets accustomed to lying to itself, and where self-deception means that the ethics aspects of a decision fade into the background. First used by Anne Tenbrusel (Tenbrusel and Messick 2004, here), the subject was given a jolt by a US Army analysis of how it was increasingly 'lying to itself'.

> "The US military as an institution has created an environment where it is literally impossible to execute to standard all that is required".

If you ally this with the fact that the US military has a self- image that is very self-proud, and



bristles at any suggestion of dishonesty, what you get is hypocrisy. A culture that uses all sorts of euphemisms for unethical behaviour like 'ticking the box', or 'giving them what they want'. This is the concept of 'Ethical fading' as applied in the military – where individuals convince themselves that their honour and integrity are intact, despite making ethical compromises.

#### Gerras and Wong

This insightful and courageous 2015 study by Wong and Gerras of the US Army War College '*Lying to ourselves: dishonesty in the army profession*' (here), was commissioned as part of an investigation into why there are currently so many senior US General officers misbehaving and acting in a corrupt manner. This was of such concern to the US Defense Secretary at the time, Chuck Hagel, that he has instituted a series of studies to understand what is behind it.

The same is true of many other militaries: think for example of Nigeria – a very proud military, now hugely humbled because the attacks of Boko Haram have shown up just how hollow its claims to competence really are. The lesson is equally relevant



in Europe – that if you develop too far down the route of 'requirements' then systemic personal misbehaviour – and ethical fading – inevitably becomes more pronounced.

#### Example: Study of military s standards of conduct in 34 countries

Shipley et al (2011) carried out a multi-country study of the expected standards of behaviour of senior officers: in the first round there were 32 countries, and, in a second, more detailed round, 12 countries gave detail on what written material and training material they had.

One of the results, on how many countries had the key elements of a conduct standard in their written material is shown below. The results were used to establish a template of good practice. and the report is available in English (here) and in Arabic (here).

CONDUCT OF SENIOR OFFICERS ANALYSIS ACROSS 34 COUNTRIES (SHIPLEY ET AL 2011)						
TABLE 2: COMPONENTS OF STANDARDS OF CONDUCT REGIMES	NO. OF COUNTRIESV					
Organisations should refer to a code of conduct which condenses all material relevant to business conduct into a single document.	4					
This guidance should be designed to help shape and contextualise decision-making for individual officials.	2					
A statement of values should provide a structure in which to contextualise subsequent codes of conduct.	5					
This should be an independent statement, distinct from more detailed ethical guidance.	3					
	_					
GOOD	2					
MODERATE	4					
POOR	6					

# 3. Developing the overall approach

# Political & Tactical approaches - Guidance summary

This is the political, judgemental, tactical part of the strategy formulation exercise. It starts with how to shape the overall approach. Would it be most effective to mainstream the anti-corruption improvements within a larger improvement initiative? Or to adopt an incremental approach, keeping the anti-corruption measures below the political radar? Or tackle just one vital aspect of the corruption problem so as to concentrate effort and have a visible result? Would the organisation's output be better if the overall anti-corruption approach was framed as integrity-building, as confidence-building, or directly as confronting corruption? The actionable reform approach will be more political, more contextual and more time-bound than individual measures; how to build support, how to spread the benefits, how to bring opponents on board or how to outflank them.

Because countries differ so markedly, each country's Defence Ministry must tailor its anti-corruption approach to its own situation. This is partly about the issues and the possible remedial measures, but it is more about the political context. There will normally be opposition to the reform plan, from the beneficiaries from the current system and from the usual organisational inertia. There will equally be opposition from the rest of the government administration, whose harmony will be upset by one element moving out of the previous dynamic. There will be unachievable expectations from the public, so the approach must balance short term, visible progress with medium term reforms. The electoral cycle, which will not be very relevant in a low-key reform, will likely drive the political consideration for major reform.

CurbingCorruption advocates a simultaneous two track approach to the overall approach – one track on the reform measures, discussed above in Chapter 2, and a second part, discussed in this Section, on the political and tactical options.

#### Narrow or broad strategy?

A narrow focus may be most appropriate when the identified corruption risks are concentrated to a limited number of areas. One example is where much of the



most significant abuse was in procurement of national defence equipment services, and the leadership would gain increased credibility to the plan by showing it could tackle and solve this problem before it embarked on others: see the example of Poland's Ministry of National Defence above. A quite different situation is where there are a wide range of known corruption problems, but the corruption issues are so sensitive that the only way for the plan to gain momentum is to focus on one of the more soluble and less difficult issues, for example the training of senior officers in good conduct, like in saudi Arabia.

A broad approach will be more appropriate when the defence leadership wants to show that this is one of their main priorities, and a central pillar of institutional strengthening. If corruption risks are widespread or compromise several levels and areas, and the leadership feels capable of pushing comprehensive reforms, this could be the right approach. One example of this approach, already discussed above, is the action plan developed by the Bulgarian Ministry of Defence in 2009 – whose goal was set out to make progress on a broad front; even though it proved to be too ambitious.

#### Internal or external facing strategy?

A major strategic choice is whether to focus on reforms that are visible to the public or reforms relating to the internal institutional strengthening of the ministry of defence and the military. Internal reforms, such as improving integrity in high value procurement, may be very significant financially but are highly unlikely to be visible externally. Usually, the externally visible reforms – e.g. stopping the practice of taking bribes at checkpoints – are much less significant financially but may have a bigger effect on public

opinion and public support for the military; Burundi was another case in point. In Ukraine, they simply have no choice but to make progress on both internal and external fronts.

#### Integrity-building or counter-corruption focused strategy?

Integrity building measures are less contentious politically and work naturally with the grain of the values of public and military service personnel. They thus tend to be popular with military personnel, and this can serve as one way of building support for the action plan. See the example of Saudi Arabia. A focus on training can also be the right approach where there is little or no top-level buy-in on anti-corruption, but where there is none the less enthusiasm for reform from the middle level and downwards. See the example of Ukraine prior to 2014.

#### Acting against corrupt defence officials

Most defence anti-corruption action plans do not prioritise actions against corrupt officials. This is because it is difficult to prosecute senior officers or senior staff in a legal environment that may be fragile and politicised, and/or the prosecuting environment is easily used as a political tool. Punitive action as part of an integrity action plan may also require handling suspected cases of corruption or other fraud over to the police or other external agency for further investigation and potential prosecution, with unpredictable results.

However, the cases of corruption are often so visible and/or egregious that an anti-corruption plan does not have credibility unless active measures are being taken against the offending individual, and punitive action should be a component of the action plan. It usually takes the form of firing officials and officers, as in Afghanistan, Bulgaria, Ukraine, and the USA. A quieter form of internal discipline is through the introduction of a strong asset declaration requirement. Poland took this route for officers at and above the rank of Colonel as an "intermediate" way of showing reduced tolerance for this behaviour without going the extra step to prosecution. It is seen as having been effective.

#### Strong or weak external oversight?

In most Ministries of Defence, the natural inclination is to go for an internal reform. This can be the correct choice. But there are significant advantages to a more externally engaged approach, notably that it may provide a stronger push for change and strengthen the credibility of the reforms. Furthermore, external monitoring allows for the use of external benchmarks to credibly demonstrate successful implementation of the plan.

# 3.1 NARROW

A narrow focus is self-explanatory: picking just one or just a few changes, on the grounds that such targeted efforts are more likely to succeed than a broader change effort. There are several very different contexts where this may be the best strategy:

- 1. *Major blocking barrier*. Sometimes there is a major problem which is blocking almost all reform efforts. One such example is where individual services (army, navy, air) have such extensive autonomy that they are run like autonomous fiefdoms. In such a situation, only marginal change may be possible until the power of the individual service chiefs is fought and curtailed. One such example was in Colombia in 2005-2010, which is discussed elsewhere; see here.
- 2. Extensive corruption. When corruption is so deeply embedded in the ministry/military that no significant anti-corruption initiative has a chance of getting underway. In this situation, reformers need to seek out smaller entry points through which improvements against corruption can be made without threatening the established order. They will be placing faith in a strategy of 'little by little'. This might gradually gain support, or support in certain areas or functions. Alternatively, it might help to prepare the ministry/military for when circumstances change, and larger reforms become possible. One such example was reform in the MOD/military in Ukraine around 2010, discussed elsewhere (see here).

- 3. One or two over-riding corruption risks. For example, in Poland, the most significant abuse was in procurement of national defence equipment services. The MOD leadership felt that they would gain increased credibility to the plan by showing that they could first tackle and solve this problem before embarking on others: see the example of Poland's Ministry of National Defence, here.
- 4. *Limited resources.* Reform efforts need resources, like all other change programmes. Sometimes it is not possible to allocate resources, at other times deliberately insufficient resources are allocated so that the initiative is very likely to fail. In such circumstances it makes sense to concentrate resources on a few reforms.
- 5. *Extreme sensitivity to 'Corruption'*. A quite different situation is where there are a wide range of known corruption problems, but the corruption issues are so sensitive that the only way for the plan to gain momentum is to focus on 'integrity', not corruption, and to focus on a positive aspect of that, by increasing the training of senior officers in good conduct. See the example of Saudi Arabia discussed in Pyman 2017.

# 3.2 BROAD

A broad corruption reform strategy is appropriate when the defence leadership wants to show that integrity and corruption minimisation are a central pillar of the national defence organisations. This can be true in high corruption countries, where the government has been elected on an anti-corruption platform and each ministry is required to set up and implement its own reform strategy. One such example is Bulgaria, see below.

It is also appropriate where there is high insecurity in the country, that may be at least partly due to a mistrusted and/or corrupt military/MOD; and major reform is called for. A good example of major reform in such circumstances is Colombia, where the military have been part of both the problem and solution in dealing with corruption throughout the major, long-running insurgency of the FARC. The example is discussed further below.

It can also be appropriate in countries where corruption may be limited in defence, but the problem has never been properly addressed before, at least not in a sustainable way. Even though the problems may not be fundamental, the defence leadership wants to set up a proper management system that will ensure that corruption risks are considered and acted upon in a regular way in the future. This has sometimes been referred to as 'ensuring that attention to corruption because a natural part of the DNA of the organisation'.

### **Example: Bulgarian MOD/military**

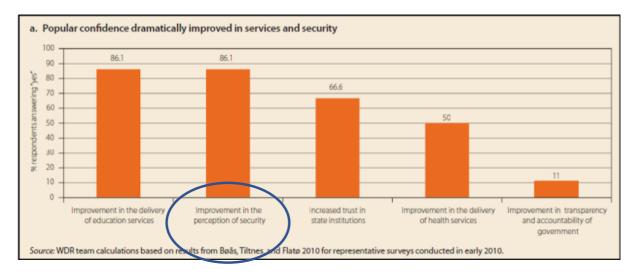
See the discussion of Bulgaria's defence reforms in the period 2009-2014 in Section 2.1.5 above.

### **Example: Colombian MOD/Military**



Reforms have been underway since 2005. The reforms were substantial and were among the government-wide improvements that led to the greatest

increases in public confidence – see the diagram below showing progress as measured by the World Bank in 2010.



# 3.3 TRAINING BASED

Once defence officials and officers recognise that there is a problem to be solved, they want to analyse it, develop reform plans, and implement those plans. They take the same approach of professionals in almost any sector. Where defence is different is in the immense emphasis on training in the military sphere. Training is at the heart of learning and adaptation: only this way can officers, officials and soldiers can then better recognise the problem in future and are equipped to deal with it.

DCAF/ISSAT is one of the leading institutions in the design and delivery of training programmes on Justice and Security Sector Reform. On average, ISSAT facilitates close to twenty training courses each year. ISSAT courses use the co-learning methodology that encourages a participative, problem-solving approach through use of case-studies, exercises, examples, and the collective sharing of experience.

# 3.4 INTEGRITY BASED

Integrity building measures are less contentious politically and work naturally with the grain of the values of public and military service personnel. They thus tend to be popular with military personnel, and this can serve as one way of building support for the action plan. See the example of Saudi Arabia. A focus on training can also be the right approach where there is little or no top-level buy-in on anti-corruption, but where there is none the less enthusiasm for reform from the middle level and downwards. See the example of Ukraine prior to 2014.

The Centre for Integrity in the Defence Sector (CIDS) is an entity within the Norwegian Ministry of Defence that assists nations in strengthening integrity in defence. They have worked with many nations and some of the resulting plans and strategies are publicly available on their website. It is well worth contacting them directly.

Among other resources, CIDS has a good handbook that guides a military and/or defence ministry through the necessary steps of developing an integrity reform strategy – from the planning stages to the actual drafting of the plan through to practical implementation. You can read their full handbook here. The CIDs handbook takes you through the following steps:

- Getting started- assessing risk & context, support & leadership
- Planning phase- ownership, approach, steering & working groups, resources & timescales
- Drafting the plan- the document, main body of the plan, examples

- *Implementing the plan* progress meetings, communication, managing risks
- Evaluation- indicators, measuring impact, long term monitoring

From a different perspective, DCAF/ISSAT have done considerable work with countries on developing action plans to improve security sector integrity, as per the report, see opposite and here.



# 3.5 GDI INDEX BASED

The country defence vulnerability reports researched and published by TI-DS form a strong starting point for developing the strategy. Having quantitative metrics with 'model answers' allow for improvements – or the lack of them – to be demonstrable. This is not only beneficial within the MOD and military, but can also be used externally, e.g. with citizens, the media. Quantitative metrics allow for some seriously useful benchmarking and critical discussion with other nations on what is good/bad about groups of countries. This excites professionals like almost nothing else and is also motivating.

The country defence results for most countries can be clicked on below:

## Detailed defence corruption vulnerability country reports

GDI Index results - Transparency International Defence & Security (here). Results are from 2020, or 2015 when not yet available in the 2020 results set.

Albania	Cameroon	France	Latvia	North Macedonia	South Korea
Algeria	Canada	Gabon	Lebanon	Norway	South Sudan
Angola	Cape Verde	Gambia, The	Liberia	Oman	Spain
Argentina	Central African Republic	Georgia	Libya	Palestine	Sri Lanka
Armenia	Chad	Germany	Lithuania	Pakistan	Sudan
Australia	China	Ghana	Madagascar	Philippines	Swaziland
Austria	Colombia	Greece	Malawi	Poland	Sweden
Azerbaijan	Comoros	Guinea	Malaysia	Portugal	Switzerland

Bahrain	Congo, Republic	Guinea- Bissau	Mali	Taiwan	Syria
Bangladesh	Cote D'Ivoire	Hungary	Mauritania	Tanzania	Thailand
Belgium	Croatia	India	Mexico	Qatar	Тодо
Benin	Czech Republic	Indonesia	Morocco	Russia	Tunisia
Bosnia & Herzegovina	DRC	Iraq	Montenegro	Rwanda	Turkey
Botswana	Denmark	Iran	Mozambique	Saudi Arabia	Uganda
Brazil	Egypt	Italy	Myanmar	Senegal	Ukraine
Bulgaria	Equatorial Guinea	Japan	Namibia	Serbia	United Arab Emirates
Burkino Faso	Eritrea	Jordan	Netherlands	Sierra Leone	United Kingdom
Burundi	Estonia	Kenya	New Zealand	Singapore	United States
Cambodia	Ethiopia	Kuwait	Niger	Somalia	Uzbekistan
	Finland	Kosovo	Nigeria	South Africa	Yemen

# 3.6 NATO TAILORED PROGRAMMES

NATO encourages its nations – both allies and partners – to strengthen integrity in their defence institutions. Called 'Building Integrity', or 'BI' for short, this initiative has been running since 2007 and is now well established across the NATO system.

The BI approach is to request a NATO team to carry out an assessment of the vulnerabilities to corruption in the nation's defence institutions, then to discuss and agree an action plan to remedy the deficiencies found.

NATO BI also runs a substantial number of training programmes and runs workshops for practitioners working in NATO defence institutions on integrity and counter-corruption. The BI initiative operates

Curbing Corruption in Defence & Military: Sector reform experience and strategies. Pyman (2021)

through nations completing a BI Self-Assessment Questionnaire (SAQ) and Peer Review Process, then developing a Tailored programme to build capacity.

# 3.7 EXTERNAL FOCUS

In general, military forces do not have a high public profile. Most corruption reform strategies are therefore largely internally focused: relating to the internal institutional strengthening of the ministry of defence and the military. However, an externally focused reform strategy may be more appropriate where there is high public mistrust of the military. Externally visible reforms – such as stopping the practice of soldiers taking bribes at checkpoints – are not significant financially but can have a bigger effect on public opinion and public support for the military.

Colombia was one example (see above) where the military needed to rebuild public trust after all the abuses and corruption related to the war against the FARCC. Burundi is another case. In such situations internal reforms like improving integrity in high value procurement may be very significant financially – and necessary – but are unlikely to lead to any positive reflection among the public.

# 3.8 DISCIPLINE FOCUS

Most defence anti-corruption strategies do not prioritise actions against corrupt officials. This is because it is difficult to prosecute senior officers or senior staff in a legal environment that may be fragile and politicised, and/or the prosecuting environment is easily used as a political tool. Punitive action may also require handling suspected cases of corruption or other fraud over to the police or other external agency for further investigation and potential prosecution, with unpredictable results.

However, the cases of corruption are often so visible and/or egregious that an anti-corruption plan does not have credibility unless active measures are being taken against the offending individual, and punitive action should be a component of the action plan. It usually takes the form of firing officials and officers, as in Afghanistan, Bulgaria, Ukraine, and the USA. A quieter form of internal discipline is through the introduction of a strong asset declaration requirement. Poland took this route for officers at and above the rank of Colonel as an "intermediate" way of showing reduced tolerance for this behaviour without going the extra step to prosecution. It is seen as having been effective.

# 3.9 CIVIL SOCIETY & MEDIA FOCUS

### INVITING ANTI-CORRUPTION NGOS INTO DEFENCE

Military and defence officials are rarely experts in anti-corruption. Entering this topic feels unfamiliar and risky. It can help a lot to invite an expert group in who can facilitate such discussions. These might be specialist defence corruption NGOs, like Transparency International Defence, or experts in corruption more generally like Global Witness or Global Integrity. Think-tanks can similarly be used, like the Centre for the Democratic Control of the Armed Forces (DCAF), the Centre for Integrity in the Defence Sector (CIDS) or the Carnegie Institute.

### INVITING GENERALIST NGOS INTO DEFENCE

It is still the case in many countries that civil society avoids the MOD and the military, and that the feeling is reciprocated. Defence ministries have been called by one aid agency 'the impenetrable', because of the difficulty that outsiders have of engaging with them.

This started to change appreciably from 2006, when NATO entered a joint collaboration with Transparency International Defence to build knowledge and competence about building integrity and tackling corruption within the NATO and national defence organisations.

If you are an MOD or military, engaging with civil society brings many advantages. First and foremost is that it brings an external perspective onto defence sector operations. In addition, civil society organisations are one way of engaging with local populations and contractors around bases, and they can

inform about known corruption avenues relating to the base activities. In countries coming out of conflict and insurgency, engaging civil society is a significant way of rebuilding trust in the military.

# 3.10 GENERAL OBSERVATIONS

Many in the defence sector – Ministers, civil servants, military officers – want to see less corruption and are prepared to work at it. Besides the specific technical, political, and tactical options above, some generalised observations may also be useful:

- Countries should be cautious about all-encompassing Ministry reform plans, however strong the will and commitment of the leadership
- Countries should have two plans running in parallel: Plan A to show progress through one electoral cycle, Plan B to build progress through two cycles
- Similarly, leading an anti-corruption initiative is a lonely endeavour. Creating a support community internationally is necessary and very helpful. Similarly, frequent return visits by the anti-corruption experts are highly valued
- Putting in place a full-time counter-corruption implementation team is critical. The implementation team should become a permanent feature of the Ministry it has been in place for almost ten years in Poland, for example
- Large-scale, substantive corruption-prevention training for the mid to senior levels is an essential pre-cursor, to develop a new mental model of corruption
- Quantitative monitoring of the anti-corruption plan is very powerful.

More broadly, the explanations of why some defence leaderships have had success show several broad themes (which also are like several of the broader Anticorpp research programme:

- Leadership groups who are driven by strong incentives; usually personal/moral ones like military and personal pride, and desire to see a better military for one's children. But there are also more utility minded groups in the same country, driven by personal ambition, or by desire for better operational performance to safeguard the nation against external foes, or by the urgent need for less huge levels of waste, etc.
- Taking a partial and tactical choice of anti-corruption approach to be taken
- Political timing: what to do tactically in the periods when there is strong political will, and in the periods when it is weak. Similarly, the persistence to maintain it over a significant period, not less than two electoral cycles
- Awareness that change does not happen through putting new institutions or new laws in place. Leading organisational behaviour change and instilling new behaviours needs rigorous attention as a process. On this point, the military are perhaps better placed than most other in government to appreciate. They spend most of their career training so that the 'right' behaviour becomes automatic.

# 4. Transnational Defence Sector Initiatives

## Transnational initiatives - Guidance summary

Review what international sector efforts are active in tackling corruption in your sector. They may be sources of knowledge, ideas, support, and assistance in the development of your initiative. Sector-specific organisations include:

- Professional sector associations (many have an 'anti-corruption working group' or similar forum)
- Programmes targeted on building integrity, raising transparency, and reducing corruption in the sector
- Multilateral organisations associated with the sector (e.g. World Health Organisation). They too may have anti-corruption knowledge and capability.

Non-sector-specific organisations also have sector knowledge. These include:

- Multilateral economic organisations such as World Economic Forum, IMF, and OECD; among these,
- OECD has a large group focused on public integrity and anti-corruption.
- Initiatives on single reform measures such as beneficial ownership transparency, or access to information.
- Multilateral development organisations, like the World Bank, UNDP and U4, hold valuable sector knowledge and expertise.

There are several international defence integrity and anti-corruption initiatives that have useful resources and may be able to give assistance.

# Transparency International Defence and Security (TI-DS).

The largest and most prolific group dedicated to reducing corruption in defence. They have detailed analyses of the corruption vulnerabilities of 113 national defence ministries/militaries and of 160 of the international defence contractors. They produce extensive guidance and research. Read more here.



# NATO Building Integrity (BI).

The BI Programme provides practical tools to help participating countries strengthen integrity, transparency and accountability and reduce the risk of corruption in the defence and security sector. It promotes good practice and provides countries with support. Read more here.

### Centre for Integrity in Defence Studies (CIDS).

Based in Norway within the Norwegian MOD, CIDS promotes integrity, anticorruption, and good governance. Read more here.





### Geneva Centre for Security Sector Governance (DCAF).

DCAF is an intergovernmental foundation-based think tank that provides research and project support to states and international actors in improving security sector governance and reform. Read more here.

### International Security Sector Advisory Team (DCAF-ISSAT).

ISSAT provides support to the international community to reinforce and strengthen their individual and collective efforts to improve security and justice, primarily in conflict-affected and fragile states. Read more here.





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