

A Diagnostic Tool for National Defence
Establishments

Integrity Self-Assessment Questionnaire

Trust Fund for Integrity Building



DCAF

a centre for security,
development and
the rule of law

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About DCAF

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) promotes good governance and reform of the security sector. The Centre conducts research on good practices, encourages the development of appropriate norms at the national and international levels, makes policy recommendations and provides in-country advice and assistance programmes. DCAF's partners include governments, parliaments, civil society, international organisations and security services such as police, judiciary, intelligence agencies, border security services and the military.

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About the Trust Fund for Integrity Building

The Trust Fund aims at building integrity and promoting best practices in defence establishments. It was established in July 2008 by the NATO Deputy Secretary General and representatives of the three lead nations – Poland, Switzerland and the United Kingdom.

The first trust fund project aims at providing practical support to defence institution building. It involves building integrity courses for civilian and military personnel and the development of integrity assessment tools.

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Introduction to the Questionnaire

This integrity self-assessment tool has been prepared within the framework of the Partnership Action Plan on Defence Institution Building (PAP-DIB). It focusses on practical support for nations, by assisting them in their defence reform efforts and by helping them meet their international obligations.

This self-assessment tool has been developed by a small ad hoc team led by Poland with the participation of Georgia, Bosnia Herzegovina, Croatia, Ukraine, Norway, the former Yugoslav Republic of Macedonia and the United Kingdom, as well as Transparency International (UK), the International Staff of the North Atlantic Treaty Organization (NATO) and the NATO School. The draft text has also been reviewed by the NATO Consultation Command and Control (NC3), the United Nations Office on Drugs and Crime (UNODC), the Organisation for Economic Co-operation and Development (OECD) and the Defense Resources Management Institute (DRMI) in Monterey (USA).

Who is this questionnaire for?

National defence establishments are the target audience for this tool. However, the tool can also serve as an input for self-assessment processes of other ministries and institutes, especially in the security sector. Additionally, people in charge of managing these institutions, as well as lawmakers, government officials, civil society and the media, may use it to gain a better understanding of principles of good governance in the security sector, be it for lawmaking, planning or research purposes.

Why assess national defence establishments?

Building integrity and reducing corruption risk are important steps for designing robust, defence and security structures. Corruption undermines defence and security capabilities. It causes wasteful spending, bad allocation of resources and the purchase of inadequate or low quality equipment. This may endanger the life of personnel and decrease operational effectiveness. Furthermore, corrupt personnel cannot be trusted, since they might accept bribes from organised crime, terrorist organisations or from the State's enemies.

Corruption in the defence sector affects public trust and acceptance of the military in general and may erode public support for peacekeeping missions. This type of corruption also affects the economy in general, and it can spread to other parts of government. Corruption hinders national development and growth.

Assessing the integrity of the defence sector is fundamental for defence institution building. This questionnaire is a diagnostic tool to assist institutions in their self-assessment process.

Good anti-corruption processes are also a legal requirement for all states that have signed the United Nations Convention Against Corruption (UNCAC). Defence establishments can use this document to ensure that Defence Ministries and the armed forces comply with the Convention.

How to use the tool?

The Process

People performing the assessment may wish to adopt the following process:

- 1. Agree on the assessment's mandate.** It is important that the leadership of the Ministry and the Armed Forces support this self-assessment.
- 2. Establish a working group with personnel from the Ministry** to carry out the self-assessment. The working group does not need to work full-time, but there should be an agreement on the timeframe and resources, including manpower, finance and equipment.
- 3. Top-level review.** The working group's report should be presented to and reviewed by top officials. Their conclusions should then go to the Leadership Board of the Ministry, the Senior Committee of the Armed Forces, and the Minister.
- 4. Follow through.** Establish a plan to follow-up on the report and effect changes as required.

Use of External Experts and Facilitators

The self-assessment can be improved if the state uses an independent external expert to facilitate the review. This will often lead to more objectivity and in-depth discussions in key areas.

Following up — initiating an improvement process

It is recommended that States make full use of existing best practice and tools in developing the follow-up to this effort. States are also encouraged to use the expertise of civil society organisations in their own countries. This approach will increase public trust and will also improve the outcome of the process.

Definitions

There are differing definitions of the terms 'integrity' and 'corruption' used in literature. In this assessment tool, we define the two terms in the following way:

Integrity

Integrity has both a technical and a moral meaning:

- In a technical sense, when we say "the hull of this ship has integrity", it means that the whole system works properly: the outer skin of the ship does not leak, and that all the systems that make up and support the hull are sound and function correctly.
- In a moral sense, it means that the work is done honestly and there is no corruption.

In this handbook, when we say "integrity", we mean the following:

- People have integrity if they do their work competently, honestly and completely
- A process has integrity if it works as intended, and fits seamlessly into its environment
- An organisation has integrity if it is accountable, carries out its mission competently, and its resources are not diverted to other purposes.

Corruption

Corruption is "the abuse of public office for private gain"¹. Whilst there are many other definitions, experience proves most people know what it is.

The following box outlines several definitions of corruption.

It must be underlined that there are many different types of corruption. Measures to address corruption risks will only be effective if one clearly understands which type of corruption is being handled.

Current Definitions of Corruption

- "Authority is a trust: and abuse of malicious exploitation thereof is absolutely prohibited, so that fundamental human rights may be guaranteed" (Islamic Conference of Ministers, Cairo, 1990 — quoted in TI Sourcebook, 2006:06)
- The United Nations Convention Against Corruption (UNCAC) does not provide a definition of corruption, but presents a comprehensive definition of public officials (UN Convention Against Corruption, http://www.unodc.org/pdf/crime/convention_corruption/signing/Convention-e.pdf)
- "The abuse of entrusted office for private gain" (Transparency International, http://www.transparency.org/news_room/faq/corruption_faq)
- "Corruption involves behaviour on the part of office holders in the public and private sectors, in which they improperly and unlawfully enrich themselves or those close to them, or induce others to do so, by misusing the position in which they are placed" (Government of Pakistan, 2002, http://www.transparency.org/news_room/faq/corruption_faq)
- "The privatisation of public policy" (World Bank Institute, http://siteresources.worldbank.org/INTWBIGOVANTCOR/Resources/Legal_Corruption.pdf)

¹ World Bank: 1997, *Helping Countries Control Corruption: The Role of the World Bank* (World Bank, Washington, DC, USA).

Questionnaire

1. Democratic control and engagement

1. Describe Parliament's role in oversight of the defence establishment, including the function of the Defence Committee, oversight and scrutiny of the intelligence services, and key Defence Ministry appointments.

Areas to explore:

- Parliamentary authority over defence policy and high level decisions.
- Defence Committee membership, competencies, and expert support.
- Issues of corruption and integrity in the defence establishment (for example, at the political level, military level, and by civil servants).

2. Describe the other providers of defence services in your country, such as the National Guard, Presidential forces, intelligence services, and Border Guards. Are they subject to Parliamentary control and scrutiny? How does this work? To whom are they accountable in the government? What is their relationship with the Defence Ministry?

Areas to explore:

- Issues of organised crime with these forces.
- Independence (or not) of these forces.
- Private military contractors – their relationship with Defence Ministry, control and scrutiny of activities, and audit.

3. Describe the national defence policy of your country including the role of Parliament and the Defence and Security Committee in its compilation. If there is a stated defence policy, national security strategy, or government paper covering defence policy, please refer to these. How is the defence policy published and how are the public made aware of it?

Areas to explore:

- Laws regarding access to defence information.

- Availability of and public access to the key documents on defence policy.

4. Describe the Defence Ministry's relationship with civil society including the media and non-governmental organisations (NGOs). How are they consulted or kept informed on specific defence issues, and how frequently?

Areas to explore:

- Civil society's opinion about the integrity of the defence establishment.
- Media's opinion about the integrity of the defence establishment.
- Other general opinions of the defence establishment (positive or negative).

2. National anti-corruption laws and policy

1. How are international anti-corruption instruments used to fight bribery and corruption in your country?

Areas to explore:

- International anti-corruption treaties and conventions (for example, UN Convention Against Corruption, OECD Convention on Combating Bribery of Foreign Public Officials).
- Monitoring mechanisms such as Council of Europe GRECO evaluations.
- Indices such as the World Bank Institute's Control of Corruption Index or Transparency International's Corruption Perceptions Index.

2. What are the main methods and institutions to build integrity and counter corruption in your country?

Areas to explore:

- National policy, anti-corruption strategy, laws, institutions, and procedures.
- Anti-corruption and ethics bureaus, audit units, compliance groups, etc.

3. Describe briefly any major cases brought for prosecution of bribery or corruption in your country in the last three years, and the sanctions applied.

3. Anti-corruption policy in defence and security

1. What are the areas of greatest risk in bribery and corruption for Defence Ministry and armed forces personnel in your country (for example, small bribes, expenses, travel, postings, etc)? Please list the top 6 areas.

Areas to explore:

- How do you determine the areas of greatest risk?
- How are these areas of potential bribery and corruption risk mitigated? Describe the measures currently in place.
- What are the sanctions which can be applied to personnel if they are found to have taken part in these top 6 areas of bribery and corruption?

2. Describe the level of commitment to anti-corruption and integrity measures within the Defence Ministry as declared by the Defence Minister and the Chief of Defence. How do they publish their policy and guidance internally?

Areas to explore:

- Do the Defence Minister and Chief of Defence talk publicly on integrity issues? If so, describe.
- What is the level of awareness within the Defence Ministry and across the armed forces of integrity and corruption risk matters?
- Give examples of steps taken to address integrity and corruption risk within the Defence Ministry and in the armed forces.

3. Describe the measures in place within the Defence Ministry and armed forces to address integrity and corruption issues, and any major reforms underway to ensure that these issues are tackled. Please list all measures being taken.

4. If there is an anti-corruption policy, describe who is responsible for its enforcement.

Areas to explore:

- Is a specific department or individual responsible for ensuring that this occurs?

- What is the effectiveness of this?

5. What institutions exist with the aim of building integrity, and combating and preventing corruption in defence? Describe recent successes.

Areas to explore:

- What are the roles of anti-corruption and ethics advisers, external and internal auditors, inspectorates-general, prosecutors, etc?
- What is the extent of cooperation and flow of knowledge between institutions?
- What evidence is there of the level of trust in the military compared with other government institutions? For example, what is the level of awareness of the "military" in national and international measures, such as Transparency International's Global Corruption Barometer?

6. Describe the methods and procedures in place to enable defence officials (military and civilian) and armed forces personnel to report evidence of corruption.

Areas to explore:

- Are Defence Ministry officials and armed forces personnel encouraged to report perceived corrupt practices? If so, describe how this happens.
- Do "hotlines" exist for whistleblowers for reporting bribery and anticorruption concerns?
- What protection mechanisms for whistleblowing are there, how well do they work, the extent of their application. How well known are the procedures?
- What is the role of the media in bringing cases of suspected corruption to light?

4. Personnel — behaviour, policy, training, discipline

Required standards of personal conduct and behaviour

1. Describe the Code of Conduct which applies to Defence Ministry personnel (military, civil servants, and civilian employees) including which areas of corruption risks are covered. Please attach the relevant documents.

Areas to explore:

- What are the regulations pertaining to bribery, gifts and hospitality, conflicts of interest, post-separation activities, etc.
- How is the Code of Conduct disseminated?
- Are regulations underpinned by a code of ethics or values, and if so how is this communicated and embedded?
- What guidance exists to support and contextualise the Code of Conduct?
- Are there differences for military and civilian personnel, or whether the same rules apply to each type of employee?
- What special attention, if any, is paid to those in sensitive positions, for example in defence procurement or in financial/commercial management?

2. Give details of how breaches of this Code of Conduct are dealt with, and by whom. Describe briefly three cases which have come to notice within the last two years in your country.

3. Briefly describe the process of personnel evaluation including frequency of reports, debriefing/feedback process, and how issues of personal integrity and political activity are addressed.

Areas to explore:

- Meritocracy of appointments/postings – how job vacancies are advertised, whether there is room for “favouritism”, etc.
- Does regular staff “anti-corruption” training take place?
- What is the frequency of rotation of staff in sensitive posts.

- How do staff declare offers of corporate hospitality (including travel, entertainment, expenses, etc)?

Payroll

4. Describe the mechanisms for the payment of salaries and other income to individuals, outlining what transparency and auditing methods are used on a regular basis together with procedures for publishing the audited data.

Areas to explore:

- Is the number of civilian and military personnel to be paid accurately known, and do they receive the correct pay and on time?
- Are pay rates for civilian and military ranks published in your country?
- Do civilian and military pensions get paid correctly and on time?
- Are chains of command separate from chains of payment?

Violations of Anti-Corruption Policy and Regulations

5. Describe the process for prosecuting corruption incidents, and for disciplining uniformed personnel, civilians, and bidding companies.

Areas to explore:

- How active is the process?
- What is the role of military courts in this process and are they open to the public?

6. Give details on the extent of prosecutions or internal actions taken against defence and armed forces personnel for bribery or corruption offences in your country in the past three years. Discuss whether the judgements have been made public, and if so how.

7. Give details on the extent of prosecutions of any defence companies in your country in the past three years.

8. Describe how National Audit or Anti-Corruption Offices exercise oversight of procedures within the defence establishment in your country.

9. If national security provisions allow active corruption investigations to be halted, describe the procedures which would need to be followed to justify the process.

5. Planning and budgeting

Acquisition planning

1. Describe briefly your country's acquisition planning process including cycle time and key personnel and departments involved.
2. Describe the key criteria for your country's defence acquisitions (for example, national operational requirements, NATO requirements, technology upgrades, etc).

Budgeting

3. Describe the process for presenting the defence budget to Parliament including the key items of expenditure and criteria on which they are based. Is this debated in Parliament? Is the defence budget published each year?
4. Aside from central government allocation, what are the major sources of defence income including sales of surplus equipment, property, other assets?
5. What is the process for public hearings on Defence Ministry budgets in your country, and do the media regularly report on this area?
6. Is the actual Ministry spending for the last year published in detail? If yes, how detailed is it? Is it common for actual spending to be above the budget? Is a report on spending done during the year, and if so, how frequently?
7. Describe the audit process for Defence Ministry expenditure, including the audit cycle, publication of results, oversight by Parliament or other bodies. Are major projects audited separately? If not, please explain why not.

Asset disposal, destruction and leasing

8. Describe the processes for asset disposal, asset destruction, and leasing of assets,

together with strengths and weaknesses of the systems.

Areas to explore:

- Procedures for assets including equipment, property, scrap, etc.
- The process for valuing and managing the sale of surplus property, and steps taken to ensure its integrity.
- Is the income from property sales disclosed each year in the Ministry's accounts? Which organisation receives the income and what can it be used for?

6. Operations

1. Is there military doctrine addressing corruption issues for peace and conflict?

Areas to explore:

- Have commanders at all levels been trained?
- Are there professionals (such as military auditors) capable of monitoring corruption risk in the field? Have they been trained and will they be deployed?

2. Are commanders at all levels clear on what corruption issues they may face during any deployment?

Areas to explore:

- Is there guidance on the subject at the strategic level?
- At field level, is there clear guidance for troops (national, coalition, and local) and local authorities (including police, judiciary and local government) on acceptable behaviour?
- Are there oversight mechanisms?
- Are there training modules available?

3. How is corruption risk mitigated in processes for accelerated and routine procurement (including local contracts and purchases) in a conflict environment?

4. Is the organisation clear on what corruption issues it may face in any deployment?

Areas to consider:

- Is there doctrine and guidance on the subject?

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- At field level, is there clear guidance for troops on acceptable behaviour?
- Are there oversight mechanisms?
- Are there training modules available?

5. Is there military doctrine on how to address corruption issues, both at the strategic level for the mission commanders and in the field?

Areas to explore:

- Have the senior commanders been trained? Are there professionals, such as military auditors, capable of monitoring corruption risk in the field? Have they been trained? Do operations plans envisage their presence?

6. Are there processes for accelerated procurement in a conflict environment? If so, have these been reviewed for corruption risk?

7. Procurement

Procurement – Legislation

1. Describe and list the laws in your country specifically relating to defence and security procurements.
2. Outline any exceptions (together with supporting rationale) for any items or services exempt from the general procurement law.

Procurement – Organisation and Reform

3. Briefly outline who is responsible for procurement in the Defence Ministry and armed forces. Is procurement handled through a central procurement office, or is it handled separately in each of the armed forces or Ministry?
4. Describe the complete defence procurement cycle from assessment of needs to implementation of the contract (including any differences applicable to specific Ministries or departments), together with strengths and weaknesses of the system.
5. Describe the procurement oversight mechanisms together with their strengths and weaknesses.

Areas to explore:

- What are the rules for the rotation of personnel in sensitive posts?
- What is the requirement for the declaration of assets or gifts acquired in addition to normal and published pay?
- What are the requirements for declaration of conflict of interests – is this applicable to all rank levels?
- Is the procurement function subject to periodic or random reviews for integrity and ethics?

Procurement – Tender Boards, Equipment/Service Specifications, Bidding Processes

6. Describe the composition, function, responsibilities, and working mechanisms of tender boards.

Areas to explore:

- Scope and requirement for record-keeping.
- Pre-employment qualifications and training requirements for members of tender boards.
- Regulations and Codes of Conduct for members of tender boards together with their strengths and weaknesses.

7. Describe the processes for the publication of all procurement/acquisition plans (both classified and unclassified) and outline the mechanisms for determining the equipment specifications, including the decision-making processes.

Areas to explore:

- What proportion of potential defence purchases is made public by number and by value?
- Are thorough and complete written records kept (in paper or electronic form) of each tender submission and of subsequent changes?

8. Describe the procurement process, outlining the overall strengths and weaknesses in the system.

Areas to explore:

- Bidding assessment and evaluation.
- Contract award.
- Post-contract mechanisms.
- Declaration of potential conflicts of interests of persons participating.

- Auditing procedures.
- When procurements are of a particularly high value, is there an enhanced integrity process/checklist? Please describe.
- What percentage of contracts use e-procurement, and what is the procedure for the use of e-procurement?

9. Describe the mechanisms for determining quality control of procured goods or services, and outline the procedures used when specifications are not met.

Procurement – Special Topics

10. Describe the use of “agents” and “intermediaries” used during the procurement cycle, how confidence in their integrity is assured, and outline the strengths and weaknesses of this approach.

Areas to explore:

- Any procedures for vetting of agents.
- Any policies regarding appropriate conduct in the use of agents.

11. Describe the use of offsets, if used, during the procurement process.

Areas to explore:

- How offsets requirements are determined in your country.
- Assessment and evaluation of offsets proposals during the bidding process.
- Evaluation and monitoring of offsets post contract award.
- Describe any particular measures to limit the corruption risks of offsets.

12. Describe the processes to determine what procurements should be “operationally essential” and “single source” and include the percentage of each (by number and value) when compared with the conventional procurement cycle.

Areas to explore:

- Decision-making mechanisms.
- What is the current percentage of defence procurement in your country that is single source (or not competed)?
- What safeguards are in place to prevent requirements from being shaped such that there can be only one supplier?

- Any limiting legislation.
- Any in-house bidding/comparator system if used.

8. Engaging with defence companies and other suppliers

1. Describe the mechanisms Ministries or official organisations (especially procurement agencies) use to engage with and subsequently pay commercial companies, outlining the strengths and weaknesses of the processes.

2. Describe any efforts the Defence Ministry has considered in using companies to help them raise the standards of integrity and anti-corruption across procurement, and any results of such processes.

3. Are bidding companies required to have an ethics programme in order to be able to bid for work? Describe the process and mechanisms which apply when companies do not meet or maintain the standards.

Areas to explore:

- Whether there are any differences in treatment of domestic and foreign firms in the areas of ethics and compliance.
- How companies are assessed to be reputable.
- The use of procedures such as blacklisting, debarment, or suspension, and who is responsible for their implementation and updating.

4. What process is used to advise companies of impending procurements in your country?

Areas to explore:

- Planning and purchasing cycles, and documents used.
- Any differences in procedures used to advise foreign as opposed to domestic companies.

5. Describe the mechanism or processes in your country which enable companies to complain about perceived malpractices in the procurement system, including examples of previous complaints and outcomes.

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