

Transparency and Accountability in Defence Management

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Since Georgia and other countries of this region at this summit aspire to become members of NATO, we must recognise that power point is a requirement. Without power point there is no alliance. I am sorry for troubling you with this, but that is how it goes.

Most of the aspects that I was going to mention were in one way or the other already covered by the two previous speakers. I apologize for being repetitive, but having been in the military executive on the civilian side since 1991, I belong to those who hate parliamentary control and I will preach this again today. I must say that my experiences of going to Parliament to represent the executive and to explain everything to the people, who often do not know what they are asking about, has been a rather contradictory task for me.

I came here as a DCAF speaker, but I come from Warsaw, Poland, and I am also doing the statistic defence review in my country, and I am also the Vice-Minister of Defence.

I would like to try to discuss the basics. I think we always need to remind ourselves what transparency and accountability mean.

Therefore, I came up with the following theory: I regard defence management as a public service like any other. Therefore, the legislative and executive authorities must have the obligation, as was already said before, to account for their actions by revealing, explaining and justifying their plans. They further need to explain how they intend to spend the public money. The term accountability can have different

meanings. It can be political, meaning that those who did badly/wrong, have to explain their actions to the public. Regarding financial accountability, it simply means to be correct with the bookkeeping and spending money. If the process is flawed, there are certain consequences to face. There is administrative accountability. Those who do not manage well, should be taken away from the administration, not being promoted and possibly being exposed. Concerning legal accountability, depending on the wrongful action, employees should be persecuted, put to trial, sentenced, punished, or released from this accountability, if they are not guilty. Next comes transparency, which is actually the precondition for accountability. One cannot exist without the other, since they both deal with the provision of information to the citizen, individual and social groups, to institutions and to relations among the institutions, which allows for the proper management and planning of all different actions. I would like to stress that transparency and accountability are just two elements of the core of the democratic control of armed forces. Others include the decision-making process, where the parliament plays its biggest role, and individual rights, where on the one hand the protection of citizens rights by the security sector is concerned, and on the other hand, the individual rights of the soldiers and members within the security sector structures. Others include the existence of a civil society and free media, as well as an independent judiciary. Transparency and accountability only provide for two of those elements.

What do we intend to make transparently available to the public, citizens and institutions? First, let's consider the defence budgeting and planning. Those issues are extremely complex because they concern the entire range of different actions. If they really are to be transparent, all the different stages, from the doctrines which set the framework, down to priorities and different other elements, have to be considered. This only allows the budgeting and planning to be transparent and understandable, and in no way contradictory.

The next aspect involves the management of the entire system. It is important to stick to the plans made. There have been past situations where plans were announced, which were then to be cancelled in the following year due to a lack of interest. In a real transparent democratic system, such mismanagement is no longer possible. Because the existing

terms, dates of implementation and procedures are all set up and are clearly visible.

The military structures and personnel policy should not be known to society. Simply because there is no need for the involvement of society in the structuring of the military. However, if society were to be involved, they would be better informed about the large size of the security sector, its purpose and its polices. Society would then be better connected with the whole system.

In my opinion, countries that announce their strategic doctrine, provide general information about the security sector to their citizens. It further provides guidance to all the institutions of the management system. But it also serves as an explanation to the neighbouring countries and enables them to tell whether their own actions are compatible with this doctrine. The level of credibility of the doctrine can possibly have consequences on the relations between the two countries concerned.

Procurement, another very important element, has already been mentioned by my predecessors. This is a very complex topic, but if one considers that each year billions of dollars are spent on defence systems, this area obviously attracts corruption and mismanagement. The proper procedures of announcing the contracts, running all the processes, spending money, auditing the spending and explaining where all the procurement goes are very important.

International interactions in the defence system. Those cooperation activities should be publicly announced, so that people are informed about the good relations to their neighbours, aliens or main partners. People should be aware of the treaties and agreements being signed. That way they are committing the people without them knowing. In case of possible problems, citizens will not be surprised.

Thirdly, arms transfer. In this case, the level of transparency depends to a certain extent on the trading partner. Some buyers only engage in purchases if the other party does not disclose the information. Unfortunately, such deals exist, but we should avoid them as much as possible. Therefore, the system should control the arms deals as well as the flow of money.

What are the venues of this transparency? Where do they take place?

First of all, the parliament is the venue for the politics of transparency. By being transparent, the parliament allows society to see the links between the executive, military, resources and plans, which as a whole form the defence and security policy, that allows for better understanding.

Secondly, there are several state executive agencies. However, I will not elaborate on them. Willem already recounted all of them. I will turn your attention only to the civilian and military parts of the executive and, only the countries in their period of transition towards a democratic system experience a lack of civilian colours. Here, I am not talking about civilian deputies, but members of the management system, which at the beginning of the process are military members of the security sector that dictate the interpretations, give directions and implement the decisions. While it should be under the influence of civilians that are prepared for the task.

Thirdly, the audit institution. Depending on the country, it tends to be arranged differently. This institution is responsible for ensuring that the money is spent correctly. The institution takes over a very important role, if it functions independently.

Fourthly, the media. There are no doubts that the media is the best instrument of transparency. Attention should be drawn on journalists that focus on the sensational part of the activity of their business. Unfortunately, this tendency is visible in most of our states. The spreading of false information presents a very difficult element regarding the freedom of the media. Every country has to find its own strategy on how to handle this specific issue of abuse. The possibility of advising others does not free them from having their own experiences. Eventually, if the information system, reporting, analysis, or debate in the media is well developed, it will work as the best way of providing transparency and accountability, as well as public and political accountability.

An important element of this transparency system is the academic and analytical world. I am not referring to pure scientific explanations, but to the importance of alternative explanations, which are different from the perspectives of official, leading or dominant

institutions. In the end there should be a balanced policy, which takes all interests and views into account.

Finally, there is the judiciary system. The importance and strengths of this system lies in its judgement, which is free from political pressure about guilt or innocence.

Why should we engage in such a complex system? What are the benefits of transparency and accountability?

First and very importantly is the effectiveness of the whole system: effective in terms of spending money, effective in achieving the goals of the nation/state, effective in terms of checking who can do better among the personnel, and as I mentioned before, effectiveness in terms of balanced state and social interests concerning resources. If those aspects are neglected, we might have a very good security sector and defence, but a very weak economy. In the years 1991/92, Poland was under so much pressure to progress economically, that the military budget nearly disappeared. The nation's budget was only 26 percent of the years 1989 and 1990. The military was left in place, the structures existed, but without money there is not much that one can do.

A second very important issue is public confidence. If the executive does not have the public confidence about the work it is doing, a legitimate government cannot exist. Legitimacy is very important when it comes to the domain of security, where police and military actions are concerned. Otherwise, the government and society split apart. The government pursues a policy, that the society does not believe in.

Thirdly, the system of transparency and accountability is a most effective barrier against corruption, nepotism, and neglect. There is no need for me to give further explanation of those individual terms. Simply, each one represents an extremely bad characteristic and is typical for our societies, especially the societies that developed from the post-soviet system.

Fourthly, there is the facilitation of corrective action. Often, it is not enough to only find something not working properly. Through increased transparency, it is easier and there are more possibilities to correct flawed mechanisms. Basically, active measures can be taken against flawed or illegal actions.

If the budget, doctrine, its structures and procedures are all kept secret, other countries might become suspicious and will be afraid that

negative actions could be planned against them. Therefore, the countries of a region need to cooperate and emphasis should be placed on the improvement of relations of the countries concerned. Of course, such actions require enough funding for the security sector of each country.

Though this concept sounds nice in theory, there is a tendency for problems to occur during the process of implementation. There is a natural resistance to transparency which often emerges at the political level. Authorities and influential dominant groups are reluctant to disclose such information, because if illegal procedures are revealed, they might face criminal charges. There is also a natural resistance to discuss defence or security matters with the opposition, because it automatically strengthens the position of the opposition. This is considered to be dangerous.

Some of the resistance to transparency is actually understandable. In the past, certain states conducted secret activities and clandestine operations to gain weapons because they were facing an embargo. For the purpose of state security, they have to act in secret. I admit that there are situations when transparency is not compatible with national interests. If a country faces a conflict, there is a natural resistance to disclose information. However, many countries of the former Warsaw Pact that switched to NATO noticed that for the first time being free of any collective arrangements. They could disclose 99 percent of the elements of their security system and still feel secure.

Another form of resistance results from the avoidance of punishment in case of mismanagement. People in charge have no intention to disclose secret material if they have inappropriately, if not illegally, processed information. When they want to cover, they are simply stupid. The lack of professionalism, they protect themselves by lack of transparency.

The next element, which is also my last, is the legacy of the past. In former communist societies, some citizens believed that they were not supposed to have access to accurate state information. What were they supposed to do with this newly available information? Another problem related to their inability to properly understanding the information provided to them. Those are some of the main reasons for why there is a lack of transparency. There is a great need to change that!

How should this issue be approached? I will only briefly comment on this issue because most of it is self-evident. First, there is a need for legal norms of transparency in the constitution, different laws and a procedural element on all the executive levels. One of the most important prerequisites is political will. Authorities must have the will to implement required changes. Usually, they do not. The availability of professional cadres, especially in the Parliament, is necessary to analyse what the executive does. If the processes on the executive level are not well understood by the parliamentarians, there is no basis to ask questions and consequently there is no alternate proposal. The public level of awareness needs to be raised through education and practices. Then we have the technological base, which is already at a more advanced stage, where you have the same language simply in the information documents, in the budgetary and other documents, something which is understood by the other side. But it is especially important for the proper planning procedures.

Instruments for the Parliament such as debates, hearing, interpellations, reports, special commissions, also need to be developed. Transparency also includes governmental documents, white books, analysis, audit reports and the public debate over them. Last but not least, there need to be uncensored media coverage.

I was tempted to provide you with an example of what transparency and accountability mean in real life. In my own practice, especially during my time as Secretary of State, I discovered several cases where the military and security system tried to cover the disclosure of information and processes in the interest of their own institution.

Some of the other cases that I wanted to describe include an oversophistication of documents. They are not presented to the public, and understandably so. For that reason, the information is only comprehensible to experts. Often, there is also misinformation provided to the public. This includes information which cannot be verified and possibly corrected.

The next element to be discussed is accountability, which plays an important role within the institution, especially among the differently ranked personnel. The tendency prevails to cover the happenings inside the corporate groups, to avoid the disclosure of any wrongful doings. This is a most difficult task, since good colleagues or even friends might

have been involved in illegal activities. Therefore, certain information is still withheld from the public.

Finally, we have to recognize the power of the monopoly of information. Often, only few people possess the crucial information. This automatically makes it more difficult to demand and obtain the wanted information.