



BUILDING INTEGRITY AND REDUCING CORRUPTION IN SECURITY SECTOR

Josip Kregar; Corruption: Understanding Risk and
Building Stability in Region

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Three phases

- 1. In the first phase, the phase of recognition from Croatia's independence until the end of the 1990s, corruption was looked upon as an important ethical rather than political issue. Apart from general condemnation and disapproval, not much was done and the dominant attitude was one of moral panic.**
- 2. The second phase started in 2000 and has lasted until today. It has been a phase of open recognition of the existence of the problem, however with only very weak and inappropriate attempts at prosecution and/or the imposition of preventative measures. Various plans have been made and programmes developed, prompting a belief that the laws, by their mere adoption, will have effect. It has been a phase of legislative optimism and institutional engineering. A number of programmes have been published, many appropriate laws adopted and quite a few international obligations signed. However, what still prevails is a climate of mere words rather than actions.**
- 3. The given promises are still to be fulfilled. The changes that have been introduced are good and positive but they still lag behind people's expectations. The warning is a very serious one: after a period of worrying, feeling anger and trying to raise public awareness, we are now faced with the need to make a final choice: to channel our energy towards reform, or risk letting it flood into passivity and, ultimately, cynicism.**



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Limits of legislative optimism

The second phase began when awareness increased of the dangers and systematic character of corruption, and when its structural causes and its systemic links to structural models of organisation typical of the State became obvious, together with the findings and reception of methodical research. Many ideas emerged on how to introduce preventative measures against corruption in a systematic way. At the end of this phase, a change occurred in the treatment of corruption, it being seen as a political rather than a technical or a criminal law problem. Various proposals and some concrete measures emerged for the prevention of corruption. Corruption was rarely minimised as a problem and the words to describe it were mostly those of strong moral condemnation. Its existence was only sporadically denied. Measuring corruption and issuing data on its extent became important components of the citizens' knowledge and awareness. Corruption was no longer a local and/or isolated problem but a regional one and global efforts were aimed at its prevention and abolishment. With a delay of two or three years, Croatia followed global trends in adopting anti-corruption strategies and occasionally it served as an example for the region (e.g Bosnia and Herzegovina, Macedonia, Montenegro), as well as an impetus for other transitional countries (e.g. the regulation of conflict of interest, the financing of political parties).



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Limits of legislative optimism

Three crucial questions arose here:

first, was this programme, or the future one, supposed to be an omnibus programme? It was a question of whether any special, added value existed if we “packed our actions against corruption into an omnibus programme” [without identifying the priority areas that were endangered by corruption, the type of corruption we wanted to fight against, and who the actors were in such a fight. The initial intention that the programme should include all sections of society and all institutions and government agencies disappeared in its final version. The emphasis was put on the most important activities, such as the identification and prosecution of corruption (USKOK, judiciary) and its prevention. Indeed, a much better idea would have been to recommend only a few concrete and achievable measures.



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Limits of legislative optimism

Another important issue was the monitoring of such a programme. The programme provides for the establishment of a National Council for the suppression of corruption, composed of members of Parliament and representatives of employers' associations, trade unions, non-governmental organisations, the media, as well as independent experts. The Council was intended to be a public forum, and a place where the issues of responsibility for the implementation of the programme were to be raised, where new ideas would emerge and where critical decisions would be made. It was supposed to be a place where the different positions of the Government, the opposition, the public and civil society were to be addressed. This, however, has not been the case.



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Limits of legislative optimism

The third important question is: how much had actually been done with regard to the implementation and critical evaluation of the Programme. The current situation is characterised by an attempt to create a coherent and integrated policy, but with insufficient mechanisms to focus on their enforcement. Expectations were obviously great, but capacities were unsatisfactory. What was missing was a strong and continuous series of examples to prove that the fight against corruption was both a political and a social priority.



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Improvements and optimism

The situation has gradually improved, but few people would ascribe this success to systematic measures and action plans. The main actors of the change are not the competent bodies – regardless of how positive, necessary and unavoidable their activities might be – but the open media and, to a lesser degree, the non-governmental organisations, employers’ associations, trade unions and the academic community.

What should we do now? The time of plans and strategies is behind us. There is not much use in passing laws; what we expect are results. The public has already manifested signs of irritation, and it is prone to various cycles of enthusiasm and moral panic. What people want is to catch a “big fish”, but such expectations give rise to the possibility of injustices, false accusations and actions, and the political instrumentalism of the bodies responsible for the prevention of, or the fight against, corruption. The international scene is not passive and neutral: documents and obligations have been adopted, and these are not laws without teeth or mere political declarations, but dramatically important documents for Croatian economic progress and political stabilisation.



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Three questions

- 1. Does corruption exist** and if so how is it perceived? If the answer to this question is positive, the second question follows:
- 2. How extensive is corruption** in Croatia and in which areas of society have its effects become most dangerous? Having found answers to the first two questions, the third and most important one arises:
- 3. What should be done?**

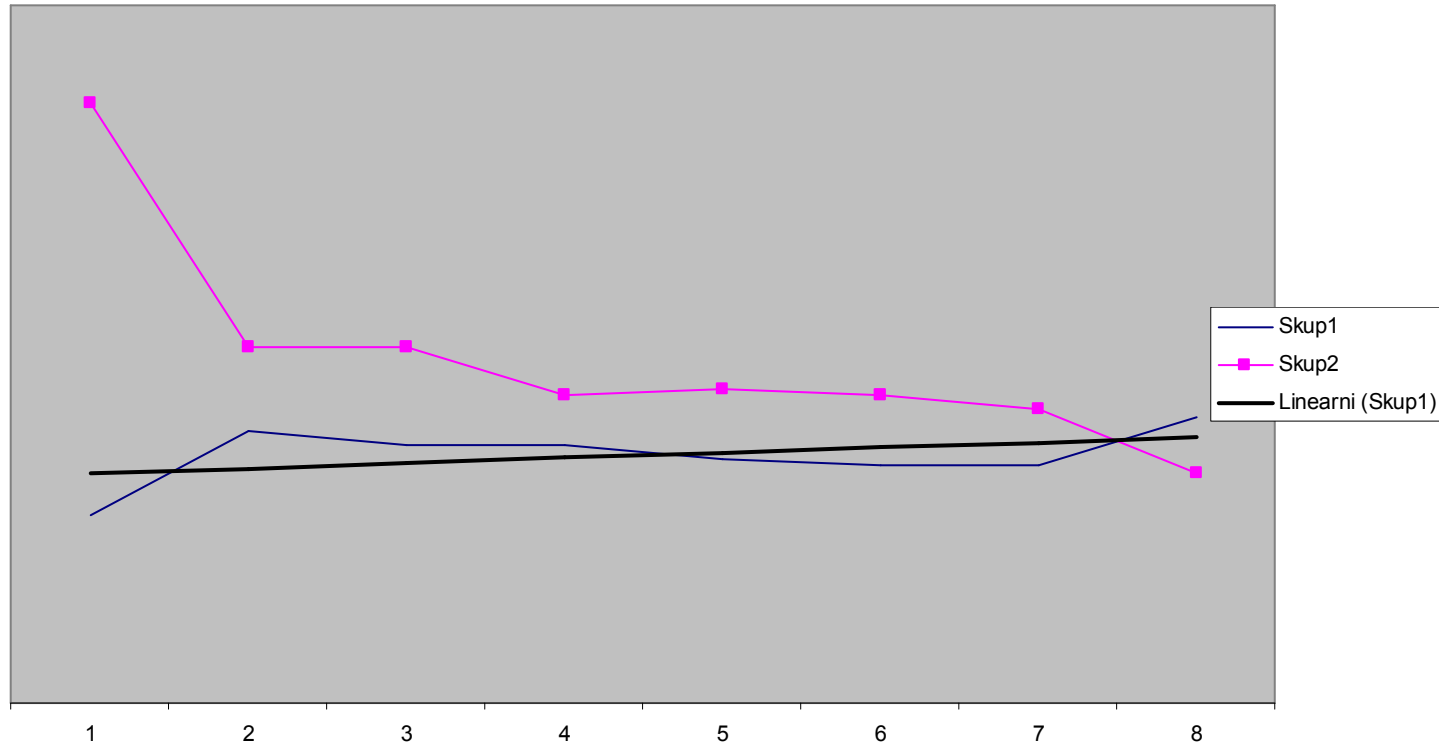


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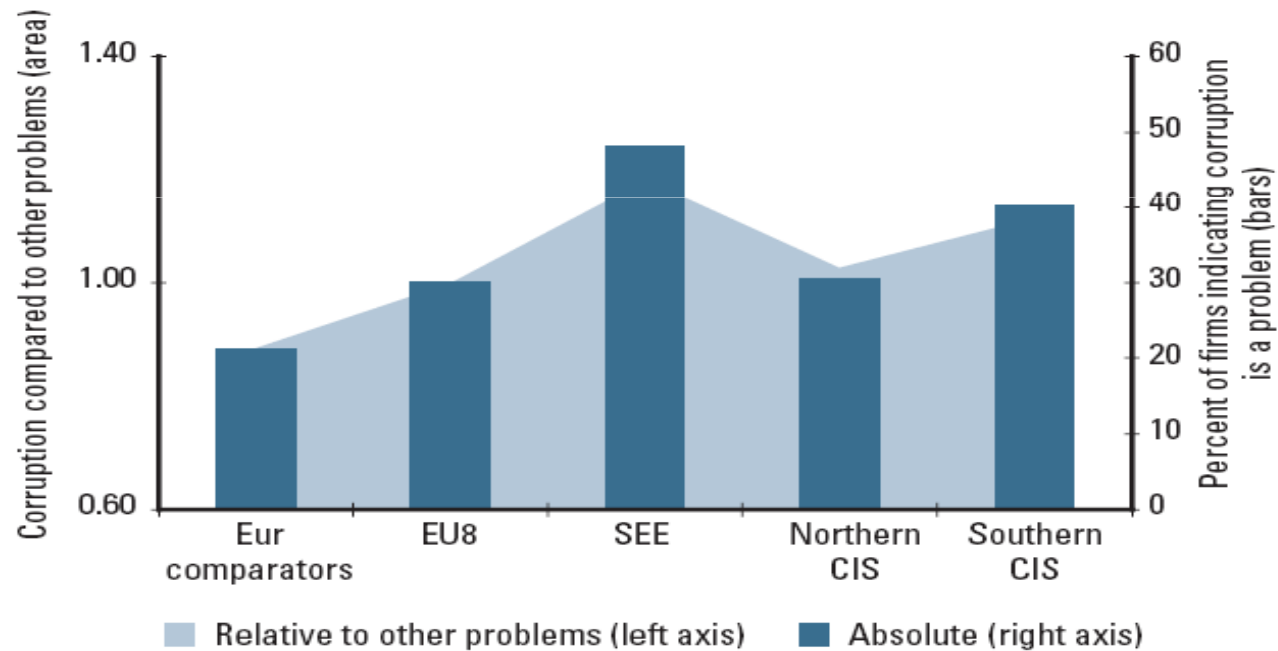
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If we compare Croatia with the neighbouring countries, we discover the real meaning of these data as well as the fact of Croatia falling relatively behind them. A comparison with the new members of the European Union shows that the countries we used to compare ourselves with, and which were close on the scale, are now doing much better: Slovenia (6.6), Estonia (6.5), Hungary (5.3) and the Czech Republic, and then Lithuania (4.8), Latvia (4.8) and Slovakia (4.9). Croatia's position is a little worse than that of Poland (4.2). It shares its position with Bulgaria (4.1) but is ranked significantly higher than Romania (3.7), Serbia (3.4), Bosnia and Herzegovina (3.3), the Republic of Macedonia (3.3) or Albania (2.9.). Croatia is in a slightly worse situation than Greece (4.6) or Italy (5.2.).

BEEPS World Bank

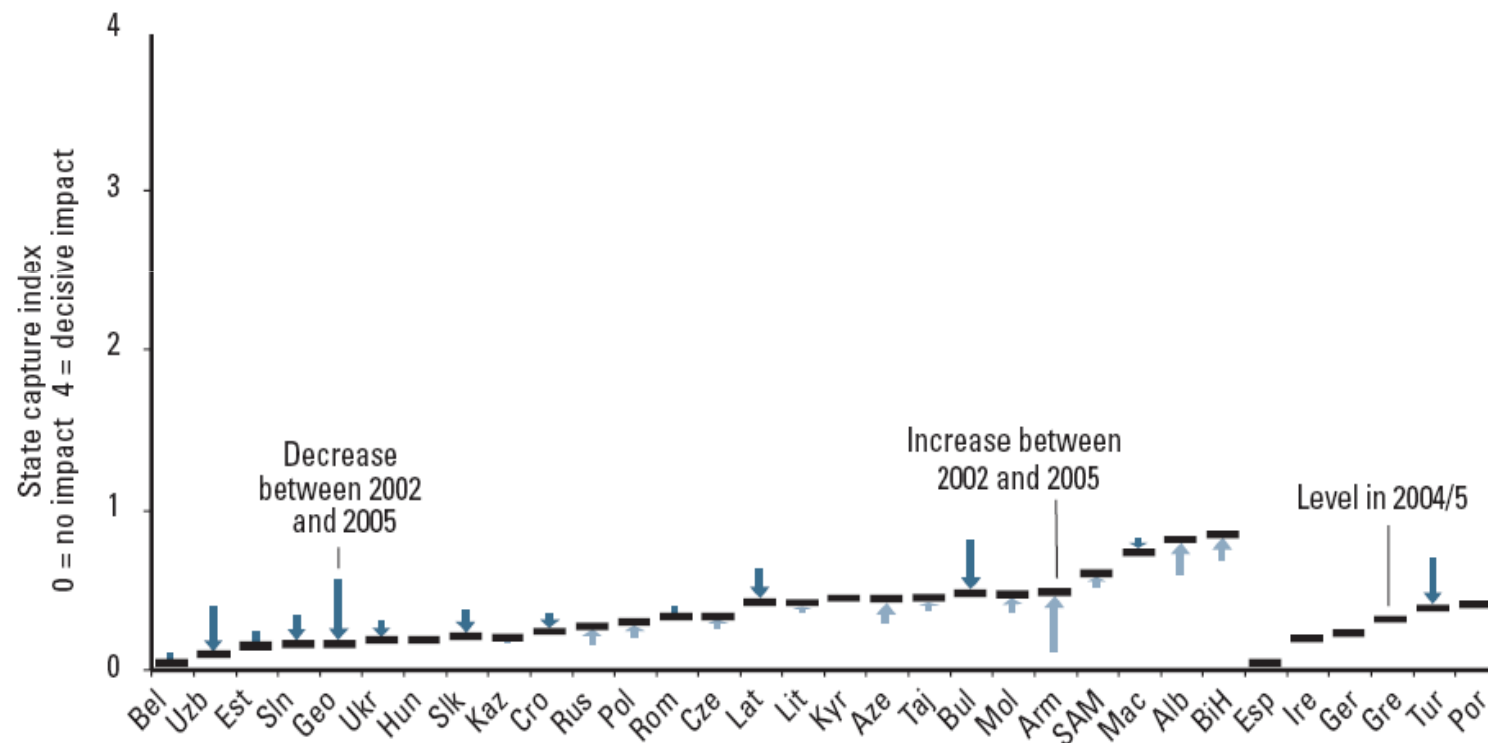
Figure 2.2 Corruption compared to other problems, by subregion, 2005



Source: BEEPS 2005.

ANTICORRUPTION IN TRANSITION 3: WHO IS SUCCEEDING... AND WHY?

Figure 2.10 Changes in the impact of state capture, 2002–2005



Source: BEEPS 2002, BEEPS 2005.

Note: Changes in the following countries are significant: Alb, Arm, Aze, Bel, Bul, Geo, Lat, Pol, Rus, Slk, Slv, Tur, Ukr, Uzb. See Annex for details.

Worldwide Governance Indicators

Country Snapshot: Croatia

http://info.worldbank.org/governance/kkz2005/country_report.asp?countryid=99

	2005	2004	2003	2002	2000	1998	1996	
Voice and Accountability	61.4	60.4	59.9	62.8	55.1	37.7	31.3	▲
Political Stability/ No Violence	58.0	60.4	55.7	55.2	51.4	52.4	44.8	▲
Government Effectiveness	67.5	65.6	62.7	63.6	62.7	66.5	48.1	▲
Regulatory Quality	65.3	65.0	63.1	60.1	55.2	55.7	43.6	▲
Rule of Law	53.6	55.8	55.3	55.3	55.8	51.9	32.1	▲
Control of Corruption	59.1	58.3	56.9	62.3	56.4	42.6	33.7	▲

NATIONS IN TRANSIT 2006

	2006	2005	2004	2003	2002	2001	1999	1998	1997
elections	3,25	3,00	3,25	3,25	3,25	3,25	4,25	4,25	4,00
Central government	3,50	3,50	3,75	3,75	3,50	3,50	4,00	4,00	4,00
Indep. media	3,75	3,75	3,75	3,75	3,50	3,50	5,00	4,75	4,75
Judiciary	4,25	4,50	4,50	4,25	3,75	3,75	4,75	4,75	4,75
Corruption	4,75	4,75	4,75	4,75	4,50	4,50	5,25		
Σ	3,64	3,75	3,83	3,79	3,54	3,54	4,46	4,25	4,20



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Questions

Corruption in Croatia is a real and a serious problem. There have been some positive changes in the last few years but they have not always been visible and fast enough. We have had some success in comparison to the previous situation, but we are still lagging behind other countries. The building of institutions is the real goal and this is why we are proposing certain changes within the main preventative measures.