

Belgium

2015 Country Summary

Recommendations

Belgium's GI ranking in Band B places it in the low risk category for corruption in the defence and security sector. The highest risk areas are Procurement and Operations, which fell in Band C (moderate risk of corruption). Belgium performs well overall, yet there are shortcomings – often acknowledged by the government – that seem to be very much in Belgium's interest to address. Belgium not only appointed a government reviewer for the GI 2015 but engaged in an honest, transparent and constructive manner that should be regarded as good practice by other governments.

Transparency and Public Debate

Belgium does well in terms of defence budget transparency, including the role of parliament and the detailed information available online. The Finance Inspector exerts a strong oversight role. Transparency is also strong as far as asset disposals are concerned, which feature planned disposals being announced in advance and being published publicly. Legally, the Ministry of Defence can only use resources that are registered and approved in the defence budget. The Chief of Defence has an independent audit service at his disposal, composed of 33 military officials, which is subject to parliamentary oversight. No more than 0.5% of the defence budget expenditure is dedicated to secret items. Yet this transparency is not matched with public debate on defence policy – although the latter is publicly available, we recommend that public consultations take place before it is next updated. Public consultations should also precede the overdue introduction of a dedicated anti-corruption policy – as of now it does not exist, but it could facilitate coordination between various anti-corruption activities and lead to an implementation plan.

Fixing Shortcomings: Whistleblowing, Appointments, Code of Conduct

There are a number of areas where targeted reform could produce very effective results. This includes whistleblowing mechanisms, which at the moment do not seem to ensure a timely process and that the information provided is actually used. More attention should be paid to the selection, time in post, and oversight of personnel in sensitive positions, including officials and personnel in defence procurement, contracting, financial management, and commercial management. Selection of military personnel at middle and top management level appears to be driven by political considerations at times. The same is true for promotions, notwithstanding Belgium's particular focus on ensuring that personnel from all regions and language backgrounds are represented at all levels. While it seems unlikely that the chain of command would influence chains of payment, the government itself points out that it could if it wanted to. The internal Defence Code of Conduct should be made publicly available.

Adopting a Strategic Approach to Corruption Risks on Operations

Belgium should ensure that regular anti-corruption training takes place, building on the training already available for commanders and the professionals trained to monitoring corruption in the field that are regularly deployed. This is particularly important as part of operational pre-deployment training. Belgium should also introduce explicit doctrine regarding corruption on operations. Although Belgium has deployed troops to various missions in recent years (e.g. the International Security Assistance Force in Afghanistan, Atalanta in the Mediterranean, and Operation Unified Protector in Libya), the overall numbers are limited. As a NATO Building Integrity (BI) 'Lead Nation' however Belgium will still want to improve in this area, particularly as NATO is about to confirm a BI policy in 2016 that will apply to all member states. Since 2013 the Belgium army can now use private military contractors, with what seems to be limited oversight.

Defence Procurement: Building on Solid Systems to Increase Transparency and Company Requirements

Public information on defence procurement seems to only be available in a very abbreviated or general way – this should change, particularly as oversight mechanisms are already in place, actual and potential defence purchases are made publicly available on the Ministry of Defence website, and defence purchases are usually based on clearly identified and quantified requirements. We recommend that higher standards be demanded from the companies bidding, and the same goes for subsidiaries and sub-contractors. As brokers and agents are used, a clear policy should be introduced.

Scorecard

Political	Defence & Security Policy	Legislative Scrutiny	3
		Defence Committee	3
		Defence Policy Debated	2
		CSO Engagement	2
		International AC Instruments	3
		Public Debate	3
		AC Policy	2
		AC Institutions	3
		Public Trust	2
		Risk Assessments	3
		Defence budgets	Acquisition Planning
	Budget Transparency & Detail		4
	Budget Scrutiny		3
	Budget Publicly Available		4
	Defence Income		3
	Internal Audit		3
	External Audit		3
	Other Political Areas	Natural Resources	
		Organised Crime Links	3
		Organised Crime Policing	3
		Intelligence Services Oversight	3
		Intelligence Services Recruitment	3
		Export Controls	2
Finance	Asset Disposals	Asset Disposal Controls	3
		Asset Disposal Scrutiny	3
	Secret Budgets	Percentage Secret Spending	4
		Legislative Access to Information	3
		Secret Program Auditing	2
		Off-budget Spending in Law	3
		Off-budget Spending in Practice	3
		Information Classification	3
	Links to Business	Mil. Owned Businesses Exist	4
		Mil. Owned Business Scrutiny	
		Unauthorised Private Enterprise	4
Personnel	Leadership	Public Commitment	2
		Measures for Corrupt Personnel	4
		Whistleblowing	2
		Special Attention to Sensitive Personnel	2
	Payroll and Recruitment	Numbers of Personnel Known	4
		Pay Rates Openly Published	4
		Well-established Payment System	3
		Objective Appointments	3
		Objective Promotions	3
	Conscription	Bribery to Avoid Compulsory Conscription	
		Bribery for Preferred Postings	
	Salary Chain	Ghost Soldiers	4

		Chains of Command and Payment	2
	Values, Standards, Other	Code of Conduct Coverage	3
		Code of Conduct Breaches Addressed	3
		AC Training	1
		Prosecution Outcomes Transparent	3
		Facilitation Payments	4
Operations	Controls in the Field	Military Doctrine	2
		Operational Training	3
		AC Monitoring	2
		Controls on Contracting	3
		Private Military Contractors	2
Procurement	Government Policy	Legislation	3
		Transparent Procurement Cycle	1
		Oversight Mechanisms	3
		Purchases Disclosed	3
		Standards Expected of Companies	1
	Capability Gap	Strategy Drives Requirements	2
		Requirements Quantified	3
	Tendering	Open Competition v. Single-Sourcing	3
		Tender Board Controls	3
		Anti-Collusion Controls	3
	Contract Delivery / Support	Procurement Staff Training	3
		Complaint Mechanisms for Firms	4
		Sanctions for Corruption	4
	Offsets	Due Diligence	2
		Transparency	1
		Competition Regulation	3
	Other	Controls of Agents	2
		Transparency of Financing Packages	3
		Subsidiaries / Sub-Contractors	0
Political Influence		3	