



CENTRE FOR SECURITY COOPERATION

International and Regional Cooperation with focus on Euro-Atlantic Integration Pillar

“Regional Workshop on Whistle blower Protection in the Security Sector”

07-08 May 2019

Podgorica, Montenegro

Introduction

On 07-08 May 2019 the “Regional Workshop on Whistle blower Protection in the Security Sector” was held in Podgorica, Montenegro. The event was jointly organized by the Regional Anti-Corruption Initiative Secretariat (RAI), RACVIAC – Centre for Security Cooperation, and hosted by the Ministry of Defence of Montenegro.

This Workshop was a continuation of a series of activities previously organized by RACVIAC - Centre for Security Cooperation in cooperation with RAI and was intended as a capacity building endeavour for a new generation of experts involved in the subject of building integrity and fighting corruption.

The purpose of this Workshop was to increase the capacity of the relevant public institutions regarding the protection of whistle blowers, as well as to increase awareness about the needed legal solutions in South East Europe. The event was attended by the

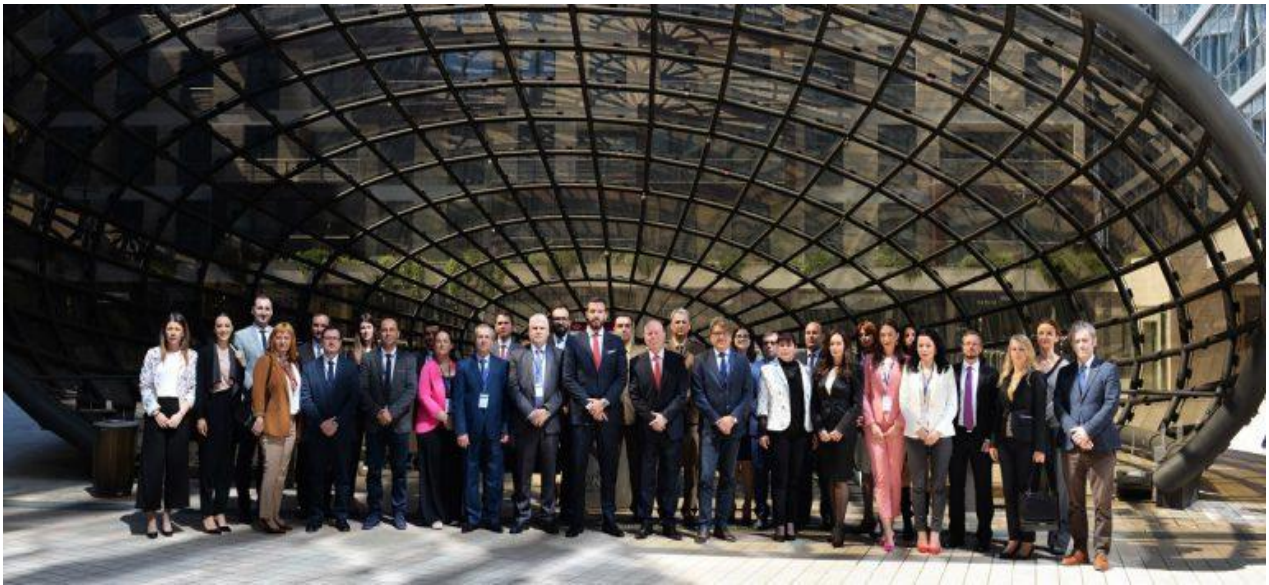
representatives of institutions from South-Eastern Europe in charge of the implementation of whistle blowing policies at respective national levels. The participants had an opportunity to discuss the most relevant aspects of whistle blowing and to gain a better understanding of the specific elements in corruption reporting and whistle blower protection such as reporting channels, identity protection, confidentiality, protection mechanisms as well as to share experiences and practices of cases and enabled a better understanding of existing mechanisms on the national level.

The target audience included mid-level representatives of the respective anti-corruption agencies and ministries of defence (departments in charge of building integrity and preventing misconducts). In total, there were 32 participants coming from the Republic of Albania, Bosnia and Herzegovina, Montenegro, Republic of North Macedonia, Moldova, Romania and Kosovo* as well as RAI, RACVIAC and

* This Designation is without prejudice to positions on status and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence. (In accordance with Arrangements regarding regional representation and cooperation).

MoD of Montenegro staff. During two days seven experts and guest speakers from different institutions were involved in the sessions, including the Ministry of Defence of Montenegro, Centre for Integrity in the Defence Sector, Montenegrin Agency for Prevention of

Corruption, Slovenian Commission for the Prevention of Corruption, National Anticorruption Centre of Moldova, Center for Development of Non-Governmental Organizations (CRNVO), and RAI Secretariat.



Group photo

Execution

South East European countries continue to face a number of challenges including corruption, lack of independence and impartiality of the judiciary and the prioritization of business interests over political integrity. The security sector is particularly vulnerable since it has to address corruption but ensure that security is not at risk. One of the measures that addresses the process of integrity building and related issues is the protection of whistle blowers. Although considered a controversial topic according to a recent publication of the Centre for Integrity in the Defence Sector (CIDS) the restriction of the 'right

to know' on the grounds of confidentiality of state secrets sets the democratic legitimacy of secrecy against the democratic legitimacy of transparency which is more inherent to the notion of representative democracy.

Furthermore, the latest publication produced by the Southeast Coalition on Protection of Whistleblowers confirms the survey findings and claims that evidence shows that new laws do not always protect citizens and employees from being fired, demoted, harassed, sued or even prosecuted. These findings are being leveraged to close dangerous legislative gaps that expose

whistle blowers to career, personal and financial ruin. Therefore, strengthened protection mechanisms are needed to bring about solutions to these and other challenges. Developing stronger rights of and protection for whistle blowers have been recognized and cited by Transparency International, EU, OECD and many others as essential elements of curbing corruption in the SEE region.



Opening the Workshop RACVIAC Director MG (ret.) Jeronim Bazo said: *“Due to its specifics the field of defense has been identified as an area with high risks for misconducts and corruption. Public procurement, conflict of interest, financial control and data protection have been acknowledged as particularly vulnerable processes. In this respect, further actions and support to the respective authorities in South East Europe in strengthening their institutional integrity and resilience are needed.”* He continued by saying: *“The protection of reporting persons - whistle blowers - has been identified as one of the biggest challenges for all governments in South East Europe. I expect that all experts that have gathered here today will use the opportunity this Workshop provides to exchange experiences and best practices, to address the common challenges in the region, but also to*

further develop mutual contacts and networks among the participants from South East Europe. In accordance with RACVIAC mission to foster dialogue and cooperation on security matters in SEE, including corruption fighting, we see this Workshop as an excellent opportunity to coordinate efforts in this field”, concluded MG (ret.) Bazo.

In his Opening remarks Mr Andrej Lakić, Head of the International Cooperation Department, Defense Policy and Planning Directorate at the Ministry of Defense of Montenegro, said: *“Montenegro has adopted a number of laws aimed at combating corruption and organized crime in compliance with obligations arising from the ratification of international conventions and membership organizations within the field of prevention and fight against corruption. However, much remains to be done to develop a climate of openness and integrity that enables effective whistle blower protection”*, he emphasized.



Speaking on behalf of the co-organizer Mr Vladan Joksimović, Head of Secretariat of the Regional Anti-Corruption Initiative, said: *“Significant steps have been made in the corruption*

prevention field: anti-corruption assessment of laws, corruption risk assessment in public institutions and protection of whistle blowers being at the forefront. Nevertheless, corruption remains a major threat to economic growth, stability and security in South East Europe. I am sure we can all agree that this is a reality as much as it is a perception. Corruption cannot be dealt with by individual governments only, and regional cooperation on anti-corruption has to be further strengthened. Although some progress is evident at the national level, Mr Joksimović underlined that there is still a lot of work ahead because the implementation does not match legislation.

Being aware of the fact that integrity building in defence and security areas presents one of the common challenges in the region RACVIAC - Centre for Security Cooperation, Regional Anti-Corruption Initiative and the Ministry of Defence of Montenegro have been implementing joint activities in the last couple of years. The first activity that looked into the emerging trends and experiences in the field of whistle blowing was conducted in 2016 and this year's event presents a continuation of dialogue and exchanging of experiences.



Conclusions

In their closing remarks the participants stressed that they have gained a better understanding of the specific elements related to integrity measures, identification and mitigation of corruption risks as well as a clearer picture of efforts in protecting whistle blowers. Participants discussed the common challenges and priority anti-corruption measures in the security sector with a focus on whistle blowing protection. Some of the main conclusions were:

- Recently in SEE significant steps have been made in the corruption prevention

field: anti-corruption assessment of laws, corruption risk assessment in the public institutions and protection of whistle blowers being at the forefront.

- Corruption remains a major threat to economic growth, stability and security in South East Europe, and this is a reality as much as it is a perception.

- Despite evident progress at the national level in most SEE countries there is still a lot of work ahead because the implementation does not match legislation.

- Corruption cannot be dealt with by individual governments only, and

regional cooperation on anti-corruption has to be further strengthened.

Participants also praised the joint efforts of RACVIAC, RAI Secretariat and Montenegrin Ministry of Defense in organizing this event.

*Compiled and adopted by IRC Pillar
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