

**SERBIA 2011 - ASSESSEMENT OF THE BUILDING INTEGRITY AND CORRUPTION RISK LEVEL WITHIN THE RESPONSIBILITY OF THE MINISTRY OF DEFENCE OF THE REPUBLIC OF SERBIA**

**WHICH IS MADE BY ORGANIZATION „TRANSPARENCY INTERNATIONAL”**

Based on the content analysis of the Assessment of the Building Integrity and Corruption Risk Level (hereafter Assessment) within the responsibility of the Ministry of Defence of the Republic of Serbia which has been made by organization „Transparency International“, and for the purpose of presenting the objective information to the public, we are giving following comments:

**GENERAL COMMENTS:**

The period which was covered by the research of the organization „Transparency International“ is not precisely defined, considering that the title refers to 2011, but the first contacts between this organization and the Ministry of defence were made in 2012. The Ministry of defence is not familiar with criteria of the evaluation. Also, some inconsistency in the evaluation is noticeable.

A large number of findings of the Assessment give reasons for opening discussions on expert level.

As sources for comments given in the material, data of some organizations which are not parts of the defence system (NGOs and daily press) are used; in other words, a large number of secondary sources of information, and these are the reasons why the validity of presented reviews can be questioned. We believe that, during the research, it is not good to rely on data from only one source, in other words, one NGO, which is, in this case, Belgrade Center for Security Policy.

Also, a lack of knowledge on basic functions of organizational parts of the MoD and the SAF and certain inconsistency of using terms are observed. Examples of this inconsistency are the following used terms: *Code of Honour* or *Code of Behaviour* instead of *Code of Honour of the SAF Members*.

In the Assessment, factories of defence industry are considered to be part of the SAF and nowhere is stressed that they are not part of the MoD.

Comments of the „Transparency International” which are given in the Category II Finance, are generalized and too strong, based on the present regulations and are mainly related to jurisdiction or competence of other state agencies (National Assembly, and others) and not only on the jurisdiction of the MoD.

Concerning parts of the text about the Defence Inspectorate, it is necessary to mention that this material is done superficially and with a basic lack of knowledge on this matter.

The documents developed in the MoD, and which are delivered to the Department of Public Relations for their publishing on MoD site, are published in „Information Booklet on the work of the MoD“.

Listed references are not completely connected with some comments which are mentioned in the research.

In further text, we give comments where, in our opinion, there have been made rough mistakes which may require taking unnecessary or even harmful measures concerning building integrity and reducing corruption risks.

## **MOD COMMENTS ON INDIVIDUAL QUESTIONS OF THE ASSESSMENT:**

### 1-2 Defence and Security Policy and Policy Transparency

**TIUK.DEF 1.02: Does the country have an identifiable and effective parliamentary defence and security committee (or similar such organisation) to exercise oversight?**

MOD COMMENT:

MoD delivers four reports of its work to the Committee on Defense and Internal Affairs of the National Assembly of the Republic of Serbia annually.

Statement that the Committee on Defense and Internal Affairs is inactive is wrong, because, this Committee, in accordance with its responsibilities, took part in preparations of strategic documents for their adopting in the National Assembly.

**TIUK.DEF1.03: Is the country's national defence policy debated and publicly available?**

MOD COMMENT:

The statement mentioned in the comments that "the previous Strategic Defence Review, adopted in 2006, was publicly accessible" is not correct. The Draft Strategic Defence Review was adopted on 7<sup>th</sup> June 2006 at the Collegium of the Minister of Defence, only, and its summary was published as a supplement to "Odrbrana" magazine issue of 15 June 2006.

The statement: "Public debates on Defence Strategy (DS) and National Security Strategy (NSS) were conducted during in New Year holidays of 2009" is not true, having in mind that the public discussion on the National Security Strategy of the Republic of Serbia and the Defence Strategy of the Republic of Serbia lasted a month and a half, and it was realized in the period from 15 December 2008 to 31 January 2009.

In the comment on the above question the following is stated: "One bilateral meeting was organized between representatives of the MoD and the Center for Civil-Military Relations (hereafter CCMR) in January 2009". The mentioned meeting, attended by the following representatives from CCMR Sonja Stojanovic, Djordje Popovic and Predrag Petrovic, was held on 21 January 2009. In regard of a number of other meetings, that were held during the public discussion on their contents and were not mentioned, one can get a wrong impression that it was the only one.

In this regard, is necessary to point out that, in addition to the Round table on the draft strategy documents (held on 24 December 2008), and a large number of suggestions that urged for further consultations, there were separate meetings and expert discussions held at the Ministry of Defence, in the period from 08 to 30 January 2009, which were attended by the following persons: Dusan Nikolis, PhD, from the Institute for European Studies; Rear Admiral Retired Dusan Stajic; Srdjan Gligorijevic from ISAC Fund; Prof. Vladan Jončić from the Law Faculty of the University of Belgrade; Sonja Stojanović, MSc, Djordje Popovic and Predrag Petrovic from the Center for Civil-Military Relations in Belgrade, Branko Krga, PhD, from the Academy of Diplomacy and Security; Jadranka Jelincic from the Fund for an Open Society, Prof. Milan Mijalkovski, PhD, from the

Faculty of Security of the University of Belgrade; Vladimir Bilandžić, PhD, and Amadeo Watkins from the OSCE Mission to Serbia and Sonja Liht from the Belgrade Fund for Political Excellence.

After the completion of the public discussion, the final coordination of both of these documents followed, based on the provided comments and suggestions, within which a number of meetings also were held, especially with representatives of the inter-departmental team of the Government for drafting the National Security Strategy of the Republic of Serbia.

The statement that: "The MoD usurped the right of an open and free public debate, and targeted only organizations whom they perceived as suitable" is incorrect. The Ministry of Defence has sent letters of invitation to the Round table organized within the public debate to the organizations of the civil society dealing with issues related to the contents of these documents within the scope of their activities, but, as the draft documents were available on the website of the Ministry of Defence all the time during the public discussion with the e-mail address to which comments and suggestions could be submitted, this possibility was granted also to all other organizations and citizens.

In relation to the statement contained in the following text of the Assessment: „Civil society organizations, upon receiving CCMR's call, agreed to take part in the round table organized in the National Assembly. Along them were present representatives of relevant security actors (ministries and agencies). However, representatives of the Serbian MoD canceled their attendance at the last minute.“ We point out the fact that the MoD representatives did not participate in the mentioned Round Table, but, at the same time, it is necessary to take into account that there were good reasons for such an act, and that there wasn't the intention to disregard this event. This is supported by the fact that, in January 2009 the representatives of the MoD Defence Policy Sector participated in discussions on the strategic documents, organized by the Academy for Diplomacy and Security, the Forum for Security and Democracy and the European Movement, in which a number of non-governmental organizations dealing with security issues, as well as some experts for these and other areas, also participated.

**TIUK.DEF1.04: Do defence and security institutions have a policy, or evidence, of openness towards civil society organizations (CSOs) when dealing with issues of corruption? If no, is there precedent for CSO involvement in general government anti-corruption initiatives?**

MOD COMMENT:

Within comments on this issue, the following is stated: „There have been instances of cooperation between the MoD and CSOs. Usually, this cooperation takes the form of consultations, round tables or trainings. However, a limiting factor for such cooperation is Article 14a of Law on Military, which forbids members of MoD or military to cooperate with any organization in activities aimed to foster Security sector reform, harmonization of legal documents with EU standards etc.“

The Ministry of Defence considers the cooperation with civil society organizations to be very important and, thereafter, it makes efforts, in accordance with its capabilities and legal competencies, to support and accept all constructive initiatives as well as to respond to requirements of the organizations addressing to the Ministry of Defence.

At that, the Ministry of Defence is opened to cooperate with CSOs also about the issues related to defence system reform which has been continually and according to plans carried out in the Ministry of Defence and the Serbian Armed Forces, and on which there are many examples of successful cooperation, like making and sending answers on a lot of questions from the Questionnaire of the Belgrade Centre for Security Policy in 2010, within which certain questions were related to the field of corruption.

**TIUK.DEF1.05: Has the country signed up to international anti-corruption instruments such as, but not exclusively or necessarily, UNCAC and the OECD Convention? (In your answer, please specify which.)**

MOD COMMENT:

In accordance with the National Anti-Corruption Strategy, the Republic of Serbia ratified, for the purpose of harmonization with international standards, the following documents related to international anti-corruption instruments:

- United Nations Convention against Corruption (The law on ratification of the UN Convention against Corruption („Official Gazette of SMN“ - International Treaties, No. 12/2005);
- United Nations Convention against Transnational Organized Crime and Additional Protocols (The law on ratification of the United Nations Convention against Transnational Organized Crime and Additional Protocols („Official Gazette of FRY“ - International Treaties, No. 6/01);
- Criminal Law Convention on Corruption (The law on ratification of the criminal Law Convention on Corruption („Official Gazette of FRY“ - International Treaties, No. 2/02 and „Official Gazette of SMN“ - International Treaties, No. 18/05);
- Additional Protocol to the Council of Europe Criminal Law Convention on Corruption (The law on ratification of the Additional Protocol to the Council of Europe Criminal Law Convention on Corruption („Official Gazette of RS“, No. 102/07).
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds From Crime (The law on ratification of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds From Crime („Official Gazette of RS“, No. 19/09);
- Council of Europe Civil Law Convention on Corruption (The law on ratification of the Council of Europe Civil Law Convention on Corruption („Official Gazette of RS“, No. 102/07);

In accordance with the Defence Minister's Directive from 15 May 2012, 13 institutions in the defence system have, on the basis of the Article 59. of the Law on the Anti-Corruption Agency, the obligation to develop their own Integrity Plans.

**TIUK.DEF1.06: Is there evidence of regular, active public debate on issues of defence? If yes, does the government participate in this debate?**

MOD COMMENT:

In relation to the statement given in the comment on this question that „There is no systematic dialogue between the MoD and CSOs.“, it is necessary to mention that in Jun 2010, the organizational unit of MoD was determined for the realization of tasks related to cooperation with CSOs. In the previous period, significant numbers of activities in cooperation with CSOs has been realized.

In a further text of the comment it is stated that „A few years ago, one of the biggest achievement was the organization of a consultation with CSO representatives on issues of National Security Strategy and Defense Strategy. However, the public debate was boycotted by the MoD. “

The comment related to that is contained in the answer on the question **TIUK.DEF 1.03** and explains in detail this question as well.

**TIUK.DEF1.07: Does the country have an openly stated and actively implemented anti-corruption policy for the defence sector?**

MOD COMMENT:

The content given within the Peer Review Comments, stating that „Overall, however, there is evidence that anti-corruption policies are beyond the stage of just being considered“, is not supported by concrete evidence.

In the comments, „the most recent“ statement of the Defence Inspectorate Director is mentioned, and in „Reference“ it is written that this is about the interview which was given to the magazine „Odbrana“ by the previous Director, LTC General Petar Radojčić, which was published on 15 July 2011. It is necessary to remind you that the domain and responsibilities of the Defence Inspectorate are defined by the Law on Defence and the Regulation on work of the Defence Inspectorate which are also mentioned in the interview. We specially point out the LTC General Petar Radojčić answers to the second question, published in magazine „Odbrana“ which is the official magazine of the Ministry of Defence.

**TIUK.DEF 1.08: Are there independent, well-resourced, and effective institutions within defence and security tasked with building integrity and countering corruption?**

MOD COMMENT:

There is only one Defence Inspectorate and it should not be mixed with organs for inspection of security services and military police. In further text, there are some additional incorrectly stated facts about the addressing of the members of the Military Security Agency (hereafter MSA) and the Military Intelligence Agency (hereafter MIA) to the Defence Inspectorate and also about „prohibiting“ to the Defence inspectorate form considering complaints filed by the members of SAF. As a support of such a position serves the previously stated comment that the work of the Defence Inspectorate is defined by the Law on Defence, and here it is quite obvious that it is about the Law on the MSA and the MIA.

Regarding the „lack of insight and information“ for drawing a decisive conclusion on the effectiveness and the statement that „the results of the Defence Inspectorate's work are not publicly available“, it should be pointed out that the author has mixed institutions in question. It should be mentioned that the Defence Inspectorate sends information about inspection results to management and command organs in the defence system for the purpose of making decisions and executing measures within their functional responsibility. The Defence inspectorate is not a public institution, rather it is a management organ in the structure of the MoD and therefore it is not responsible to inform the public on the results of inspections.

The function of the Inspector General has been established and his responsibilities have been defined by the Law on the MSA and the MIA, and a separate organizational unit of the MoD is the Defence Inspectorate, which is not the same as the narrower organizational unit the Inspector General. The jurisdiction of the Inspector General is to supervise the implementation of the principles of political, ideological and interest neutrality in the work of MSA and MIA, to supervise the legality of the use of special procedures and measures for secret data collection, to give opinions on draft laws, regulations and by-laws of the jurisdiction of MSA and the MIA, to establish the facts about the perceived illegalities or irregularities in their works.

In the fifth sentence of Comments it is vaguely stated that "if a member of the MSA and the MIA note that previously reported abuse (functions) has not been corrected, he or she must directly contact the Inspectorate of Defence, the Minister of Defense, or the Serbian Government Committee

of the National Assembly, in accordance with the provisions of Art. 51<sup>st</sup>, Paragraph 1 of the Law on the MSA and the MIA." Article 51<sup>st</sup> Paragraph 1 of the Law, however, states: "A member of the MSA and the MIA, who finds out that the work of MSA and the MIA has violation of constitutionality and legality, human rights and freedom, professionalism and proportionate use of powers and the political and ideological neutrality, can directly address the Inspector General, the Minister of Defence, Government or the appropriate committee of the National Assembly, without prejudice to their status". Point of the norm of the Article 51<sup>st</sup> Paragraph 1 of the Law on the MSA and the MIA is following: the mentioned member of the MSA and the MIA, who reported an illegality, irregularity or lack of professionalism in the work of MSA and the MIA, will not have any consequences of the labor and legal and professional status, and it means protection of the function of "whistleblowers".

In the next sentence of the comment, a half-truth is mentioned, that "Head of the Internal Control, who can approach either the Defence Inspectorate, or the Committee," as the source is cited article 57. Paragraph 3, but without stating which law is in question. However, in the Art. 57. Paragraph 3 of the Law on the MSA and the MIA, it is said that "the head of the internal control required (meaning "must", not just "can" in accordance with its interpretation of a subject of the situation) to notify the Inspector General, and where appropriate, also the Committee of the National Assembly, when it has knowledge that Director of the MSA and the MIA failed to remove the illegality or irregularity in the work which were identified by the internal control."

In the survey conducted by Transparency International, it is stated that as many as 70 members of the SAF, addressed the Ombudsman. According to information at our acknowledgement, only one member of MIA spoke to the Ombudsman, and he didn't do this in legally prescribed procedure. The procedure requires previous formal addressing the Inspector General, and then, in accordance with the Law on the MSA and the MIA, and the Rules of Procedure of work the Inspector General, execution of exceptional control of the MIA. Regarding the subject matter of the mentioned member of MIA, the Inspector General has made a direct cooperation with the Ombudsman, and it was reported to the Minister of Defence.

**TIUK.DEF1.10: Are there regular assessments by the defence ministry or another government agency of the areas of greatest corruption risk for ministry and armed forces personnel, and do they put in place measures for mitigating such risks?**

MOD COMMENT:

Comment: „According to given data, there are no evidence that any assessments have taken place“ does not match the true state of affairs, because MSA, within its jurisdiction, regularly assess the areas where is the greatest risk of corruption in the MoD and SAF and take preventive, proactive and repressive anti-corruption measures.

Making Integrity Plans in the defense system is in progress.

1-3 Defence Budgets

**TIUK.DEF 1.12: Is the defence budget transparent, showing key items of expenditure? This would include comprehensive information on military R&D, training, construction, personnel expenditures, acquisitions, disposal of assets, and maintenance.**

MOD COMMENT:

This question is not an exclusive responsibility of the MoD.

MoD Comment is in relation to the following statement from the Assessment: „The defence budget is broken down into, a) principal functions (for instance, salaries, travel costs, construction and maintenance of infrastructure, etc.); b) allocations for specific beneficiaries (with data for Defence Inspectorate, MSA and MIA shown separately).“

Financial Plan of the MoD and the Budget are transparent. In accordance with the Instruction for development and publishing of the Information Booklet on the work of a state organ, approved by the Commissioner for Information of Public Importance, the data about approved and spent resources could be seen in the Information Booklet on the work of the MoD. The data are shown by economic classification accounts, the same way the Budget Law of the Republic of Serbia is shown.

**TIUK.DEF1.12A: Is there a legislative committee (or other appropriate body) responsible for defence budget scrutiny and analysis in an effective way, and is this body provided with detailed, extensive, and timely information on the defence budget?**

MOD COMMENT:

This question is not an exclusive responsibility of the MoD.

Deadlines for composing and submitting, as well as the contents of the annual financial reports are determined by the Budget System Law and the Rulebook on method of preparing, composing and submitting financial reports for the users of budget resources and the users of the mandatory social insurance organizations resources.

**TIUK.DEF1.12B: Is the approved defence budget made publicly available? In practice, can citizens, civil society, and the media obtain detailed information on the defence budget?**

MOD COMMENT:

The Defence Budget is available to the public. The Ministry of Defence, through the Law on Budget of the Republic of Serbia obtains “linear budget”, and the Government of the Republic of Serbia planned to introduce the program budgeting by 2015 which will be applied in all the ministries.

**TIUK.DEF 1.14: Is there an effective internal audit process for defence ministry expenditure (that is, for example, transparent, conducted by appropriately skilled individuals, and subject to parliamentary oversight)?**

MOD COMMENT:

The Division for Internal Audit was established in the MoD on 25 April 2010. According to the Rulebook on the internal organization and systematization of working positions, there are five working positions: the Chief of the Division and four internal auditors.

Currently, the position of the Chief of the Division for Internal Audit is filled as well as one position of internal auditor. It is expected that unfilled working positions will be filled by the end of this year.

On 17 May 2012 in the Division for Internal Audit the functional inspection of the work of internal audit was carried out by the Ministry of Finance and Economy and the European Commission expert (engaged in IPA phase three). Comments concerning the functioning of the Division for Internal Audit were positive.

Based on that, it should be mentioned that internal auditors by now gave 79 recommendations for improving the MoD and SAF system.

#### 1-4 Nexus of Defence and National Assets

**TIUK.DEF 1.16: Is there evidence, for example through media investigations or prosecution reports, of a penetration of organized crime into the defence and security sector? If no, is there evidence that the government is alert and prepared for this risk?**

MOD COMMENT:

The Ministry of Defence interests are controlled by both civilian and military inspection bodies, considering that the institutions in their operations apply the regulations of the Republic of Serbia which regulate activities more precisely (Tourism Law, Law on Agricultural Land, Law on Hunting, Forestry Law, Law on prices, Law on Tax Procedure and Tax Administration etc.). The Ministry of Defence controls the exploitation of forests (logging and reforestation), where there is written evidence made by republic and state's (province) forestry inspectors. Certain measures are taken if found any irregularities. Comment on external evaluation is as follows: Logging (industrial or fuel/coal wood) is controlled by certified state forestry inspectors, then allowed cutting is based on the Annual Plan, which is an integral part of forest management plans (long-term plan for exploitation) approved by competent state (provincial) authority and according to the law there is a fee for marked cutting. When it comes to the use of agricultural land, it is done in accordance with the Law on Agricultural Land.

#### 1-5 Organized Crime

**TIUK.DEF1.17: Is there evidence, for example through media investigations or prosecution reports, of a penetration of organized crime into the defence and security sector? If no, is there evidence that the government is alert and prepared for this risk?**

MOD COMMENT:

Comment in this part of Assessment „Nevertheless, servicemen and women of lower rank, civilians and retired personnel are most likely to be blamed or held responsible for illegal activities.“ is a general statement, whose authenticity quoted references cannot corroborate.

#### 1-7 Export Controls

**TIUK.DEF1.21: Does the government have a transparent and well-scrutinised process for arms control decisions that align with international protocols? (Please specify which protocols apply.)**

MOD COMMENT:

This question is not an exclusive responsibility of the MoD.

For the Law on Foreign Trade in Arms, Military Equipment and Dual-Use Goods, which was adopted and entered into force in 2005 in The State Union of Serbia & Montenegro, it cannot be said to be outdated, because it completely prescribes the conditions and manner under which the foreign trade is conducting (export, import, scientific and technical cooperation, providing intellectual services, advocacy, mediation) transport and transit of controlled goods (weapons and military equipment and dual purpose goods). The law can and should be in a certain degree comply with European legislation, and work on that is in progress.

Competent ministry, current Ministry of Foreign and Internal Trade and Telecommunications make decisions on issuing licenses after obtaining the consent of the opinion of the MoD and Ministry of Foreign Affairs and Ministry of Interior.

If MoD and Ministry of Foreign Affairs denied approval of competent authority, competent ministry cannot issue the license.

Export control system in Serbia is good and respects international agreements and commitments.

MoD suggests that regularly adoptions of the Annual report on foreign trade of controlled goods (last report was adopted in 2009.) have to be done, and also suggests necessity that reporting methodology should fully comply with the reporting methodology in the EU.

## 2-2 Asset Disposals

**TIUK.DEF1.22: How effective are controls over the disposal of assets, and is information on these disposals, and the proceeds of their sale, transparent?**

### MOD COMMENT:

Defence Inspectorate has no non-financial assets and capital. The building in which the Defence Inspectorate is located, as well as used movable property, is governed by the relevant logistical support unit.

The budget audits have been regularly performed in the Ministry of Defence. The audit and inspection in the Ministry of Defence by the Ministry of Finance have been performed on several occasions by 2011.

## 2-4 Military-owned Businesses

**TIUK.DEF1.30: Do national defence and security institutions have beneficial ownership of commercial businesses? If so, how transparent are details of the operations and finances of such businesses?**

### MOD COMMENT:

The Ministry of Defence isn't co-owner of either of these companies, and the only way in which the Ministry of Defence represents its own interests is through membership in the administrative structure as the representative of the state capital, (Supervisory Board and Assembly of the companies) and in only six of those companies that fall within the composition of the Defense industry group of the Republic of Serbia: "Prvi partizan" (Uzice), "Krušik" (Valjevo), "Sloboda" (Cacak), "Milan Blagojevic" (Lučani), "Prva iskra - namenska" (Baric), "Utva" (Pancevo) and "Zastava oruzje" (Kragujevac).

Ministry of Defence is, in accordance with section 105 paragraph two of the Law on Defense, the beneficiary for a particular purpose, which include agricultural land and forests which, on the principle of profit institutions managed by the Military institution "Morović" Morović, hotel-type facilities, where the principle of profit institutions managed by the Military institution "Tara" Bajina Basta and parts of military installations in the barracks and the Military Clubs (building areas) transformed into restaurants, cafeterias, snack bars, stores of military equipment on the principle of profit institutions managed by the Military institution "Dedinje" Belgrade. The institutions are established by a Ministerial defense decision as interest companies, in which the function of the Board of Directors performs assumed authority – the Service Standard Directorate. Institutions are not supported by budgetary resources (except for the used property), and the interest of the Ministry of Defence articulated through the work assignment.

**TIUK.DEF1.31: Are military-owned businesses subject to transparent independent scrutiny at a recognised international standard?**

MOD COMMENT:

The Defense Inspectorate is not the audit institution, but inspection is done "in the profit generating entities, military-owned businesses (quotation from the text)" in accordance with owned statutory requirements.

Comment MoD on the question **TIUK.DEF 1.14.** is related with internal audit in MoD.

3-4 Conscription and Recruitment

**TIUK.DEF1.43: Where compulsory conscription occurs, is there a policy of not accepting bribes for avoiding conscription? Are there appropriate procedures in place to deal with such bribery, and are they applied?**

**TIUK.DEF1.44: With regard to compulsory or voluntary conscription, is there a policy of refusing bribes to gain preferred postings in the recruitment process? Are there appropriate procedures in place to deal with such bribery, and are they applied?**

MOD COMMENT:

In comments on questions **TIUK.DEF1.43** and **TIUK.DEF1.44** are mentioned: „While voluntary conscription exists, individuals who enter this program receive no pay or benefits or become employed after their 6 month service, constituting a part of the active reserve“.

The statement that soldiers do not receive a salary have to be corrected, because the item two, Paragraph 1 subparagraph (1) of the Decision on determining the allowances for soldiers, students and cadets military-schools institutions and other persons professional training for officers and NCOs ("Official Military Gazette", No. 5/2011), prescribes the amount of allowances to soldiers on voluntary military service, which currently is 17,500.00 RSD.

The statement that compulsory recruitment was abolished is not correct. Conscription is frozen.

3-6 Values and Standards

**TIUK.DEF1.47: Is there a Code of Conduct for all military and civilian personnel that includes, but is not limited to, guidance with respect to bribery, gifts and hospitality, conflicts of interest, and post-separation activities?**

MOD COMMENT:

The authors have a different definition of codex in relation to the meaning accepted in the defense system of Serbia. Responsibilities of members of the SAF are disciplinary and criminal and they are regulated by the laws enacted by the National Assembly.

**TIUK.DEF1.50: Is there a policy to make public outcomes of the prosecution of defence services personnel for corrupt activities, and is there evidence of effective prosecutions in recent years?**

MOD COMMENT:

Public displaying of outcomes of prosecution for officers charged for corrupt activities is carried out in accordance with the Law on the Protection of Personal Data.

**Questions from TIUK.DEF1.57 to TIUK.DEF1.67:**

MOD COMMENT:

Explanations of these questions can be found in the Serbia - Building Integrity Self Assessment Peer Review Report, which was published on the website of the Ministry of Defence.

5-10 Effect seller

**TIUK.DEF1.76: How common is it for defence acquisition decisions to be based on political influence by selling nations?**

MOD COMMENT:

Off-road motor vehicles for the transport of persons (6 +1) Land Rover are not included in the production program of FAP and their procurement was made for the SAF by the tender (confidential procurement). Procurement of Hummer vehicles was based on the program of cooperation with the United States and represents a U.S. donation. In the meantime, vehicles have taken over the SAF and intention is to use them in engagements of the SAF contingents in multinational operations.