

# **TRANSPARENCY INTERNATIONAL TRENDS ANALYSIS**

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**Trends in defence & security corruption  
arising from COVID-19**

### While the connection between weak defence sector governance, corruption and crisis, conflict, and insecurity is well recognized, the scale of the COVID-19 pandemic has laid bare the risks that come with a new or unexpected crisis.

Since December 2019, we have seen the negative impact of weak defence sector governance and corruption play out in real time around the world as military and security forces have been called upon to respond to the pandemic and its enforced lockdowns. The Nigerian Human Rights Commission reported that security forces enforcing the lockdown have killed more people in the country than the virus.<sup>1</sup> In Rwanda, widespread reports show that soldiers enforcing the lockdown have engaged in rape and sexual assault.<sup>2</sup> Other units also engaged in looting under the guise of lockdown enforcement.<sup>3</sup> In Colombia, the comptroller general has stated that watchdog entities found evidence that \$20 million USD (COP80,000 million) intended to combat the coronavirus pandemic has been embezzled, with over \$660,000 designated for personal protective equipment for the Army sent to ghost accounts.<sup>4</sup>

Meanwhile, the pandemic has had a significant destabilizing impact on already fragile states. The first coup d'état of the novel coronavirus era occurred in Mali this month as protests escalated into violence regarding state corruption.<sup>5</sup> Similarly, protests against government corruption have been underway in Lebanon for months, and have culminated in the resignation of the Prime Minister following widespread claims of corruption and mismanagement of the COVID-19 response and the blast in Beirut.<sup>6</sup> Protests in Belarus continue to rage as protesters attempt to oust President Lukashenko following disputed election results and over 25 years in power.<sup>7</sup> In Colombia, several corrupt armed groups have capitalized on the pandemic to expand their presence in the region and vie for greater control.<sup>8</sup> Similarly, the Islamic State and Al Qaeda have sought to capitalize on the decreased scrutiny of their operations due to the crisis with a significant ramp up in activity in Iraq and Syria.<sup>9</sup> The crisis

has the potential to provide an opportunity for militants to win increased support and bolster recruitment as corrupt, inefficient and poorly resourced governments fail to provide adequate care for populations. Further, countries including Canada and Finland have re-established arms deals with countries with high risks of human rights violations.<sup>10</sup> While corruption risks have always existed in crisis environments, the global destabilizing impact COVID-19 has had and the ways in which defence and security forces have been involved in the response, merits further analysis. The issues of corruption in these cases are not new nor directly related to the pandemic, however in environments where large-scale government corruption has persisted for years, the pandemic has certainly accelerated its impact on peace and stability.<sup>11</sup>

The COVID-19 crisis has significantly affected the role and expectations of defence and security forces, and shifted the trajectory of key global defence and security trends while simultaneously contributing to the emergence of new trends within the defence and security sector. Transparency International's Defence and Security programme has worked to identify these trends as they relate to corruption, crisis, and conflict, and to make recommendations to limit their impact on the effectiveness of response efforts and wider peace and stability.

<sup>1</sup> In April, the National Human Rights Commission said that Nigerian Security Forces had killed 18 people in two weeks enforcing lockdown versus 12 deaths from the virus. See "Nigeria security forces killed 18 people during lockdowns - rights panel", Reuters, 16 April 2020, <https://uk.reuters.com/article/uk-health-coronavirus-nigeria-security/nigerian-security-forces-killed-18-people-during-lockdowns-rights-panel-idUKKCN21Y266>

<sup>2</sup> Human Rights Watch, "Rwanda: Lockdown Arrests, Abuses Surge", April 2020: <https://www.hrw.org/news/2020/04/24/rwanda-lockdown-arrests-abuses-surge>

<sup>3</sup> Human Rights Watch, "Rwanda: Lockdown Arrests, Abuses Surge", April 2020: <https://www.hrw.org/news/2020/04/24/rwanda-lockdown-arrests-abuses-surge>

<sup>4</sup> Colombia's Great Coronavirus Heist: Part 1 Let the Robbing Begin, Colombia Reports, <https://colombiareports.com/colombias-great-coronavirus-heist-part-1-let-the-robbing-begin/>

<sup>5</sup> Adam Taylor, "The First Coup d'Etat of the Coronavirus Era." Washington Post, <https://www.washingtonpost.com/world/2020/08/20/mali-coup-coronavirus/>

<sup>6</sup> Adam Taylor, "The First Coup d'Etat of the Coronavirus Era." Washington Post, <https://www.washingtonpost.com/world/2020/08/20/mali-coup-coronavirus/>

<sup>7</sup> Ishaan Tharoor, "The Crisis in Belarus echoes in Trump's America", Washington Post, <https://www.washingtonpost.com/world/2020/08/18/belarus-protests-lukashenko-trump/>

<sup>8</sup> Gayle Tzemach Lemmon, "ISIS is using coronavirus to rebuild its terrorism network in Iraq and Syria," NBC News, <https://www.nbcnews.com/think/opinion/isis-using-coronavirus-rebuild-its-terrorism-network-iraq-syria-ncna1215941>

<sup>9</sup> As the UN Secretary-General called for a global ceasefire and the world went into lockdown, ISIS issued directives to members to exploit disorder both within Iraq and Syria and internationally, leading to increased activity. See International Crisis Group, "Contending with ISIS in the Time of Coronavirus", 31 March 2020: <https://www.crisisgroup.org/global/contending-isis-time-coronavirus>. See also ACLED, "A Sudden Surfacing of Strength: Evaluating the Possibility of an IS Resurgence in Iraq and Syria", 24 July 2020: <https://acleddata.com/2020/07/24/a-sudden-surfacing-of-strength-evaluating-the-possibility-of-an-is-resurgence-in-iraq-and-syria/>

<sup>10</sup> This includes renewed arms trade deals between Canada and Saudi Arabia and Finland and the United Arab Emirates in direct opposition to previous human rights policy commitments put in place in both Canada and Finland in November 2018.

<sup>11</sup> Adam Taylor, "The First Coup d'Etat of the Coronavirus Era." Washington Post, <https://www.washingtonpost.com/world/2020/08/20/mali-coup-coronavirus/>

# GLOBAL TRENDS

## Increased Military Involvement in Economy, Politics, and Society

**Increased Militarization of State Functions.** Worldwide, the most apparent impact of COVID-19 on the defence and security sector has been the rapid increase in the militarization of key state functions globally, especially of internal security sectors and within public health response and its associated procurement and logistical functions.<sup>12</sup>

**Lack of End Dates and Exit Strategies.** As defence and security forces have increasingly undertaken civilian-led state functions during the COVID-19 crisis, the need for clear democratically agreed timelines and exit strategies to ensure long-term stability is essential. Sweeping emergency powers with open-ended mandates, no clear end dates, and a lack of civilian oversight have resulted in very few state armed forces having clearly established exit strategies.<sup>13</sup>

## Resource Diversion & Misuse of Funds

**Significant risk of corruption in contracting.** As medical supplies, personal protective equipment, and sanitizing stocks quickly dwindled around the world, and entire supply chains shut down, armed forces were increasingly tasked with managing the sustainment and contracting of entire nations. With an influx of money and a need for rapid supply, procurement and disbursement, the risk for increased corruption has been high. From low-level skimming to contractors manipulating bids and the quality of delivered products, COVID-19 has represented one of the biggest shocks to the management of corruption risk in defence contracting in recent years.

**Corruption in the resource acquisition & dissemination process.** Corruption risk related to materiel is particularly exacerbated in crisis situations for all crisis actors, where the usual oversight and accountability controls may be neglected in favour of efficiency and operational necessity.<sup>14</sup> While significant data is not yet available, several cases of the diversion of funds designated for COVID-19 relief and shipments of personal protective equipment<sup>15</sup> indicate the presence of a much larger problem.

**Asset Disposal.** Transitions and drawdowns of crisis response and management mechanisms generally focus attention on a return to the status quo and the next mission, while taking it away from the necessary requirements of closing down a mission.<sup>16</sup> Extreme caution and consistent oversight and assessment of risk across all crisis actors must be involved in the disposal of assets from COVID-19 response.

## Increased Opportunities for State Repression

**State repression of opposition, freedom of assembly, freedom of movement and freedom of speech.** While in the early stages of the pandemic protests decreased substantially, recent trends have shown a spike in demonstrations largely tied to economic hardship and the global anti-racism protests following the killing of George Floyd in police custody in the United States.<sup>17</sup> In response, demonstrators have been the targets of violent and militarized crackdowns.<sup>18</sup>

**Increased abuse of the use of force by defence and security forces against civilians.** Globally, there has been a significant uptick in the abuse of the use of force against civilians by defence and security forces. This state-sanctioned use of force has largely been perpetrated under the guise of enforcing lockdown measures.<sup>19</sup>

<sup>12</sup> The Conversation, "Coronavirus: How to avoid military responses becoming double-edged swords", 3 April 2020, <https://theconversation.com/coronavirus-how-to-avoid-military-responses-becoming-double-edged-swords-135262>

<sup>13</sup> Judah Ari Gross, IDF general: We don't need an exit strategy, we need a coping strategy, <https://www.timesofisrael.com/idf-general-we-dont-need-an-exit-strategy-we-need-a-coping-strategy/>

<sup>14</sup> Sean Darby, Tom Wright, "How to Tackle Corruption in Health Procurement", Devex, 1 July 2020: <https://www.devex.com/news/opinion-how-to-tackle-corruption-in-health-procurement-97575>

<sup>15</sup> Colombia's Great Coronavirus Heist: Part 1 Let the Robbing Begin, Colombia Reports, <https://colombiareports.com/colombias-great-coronavirus-heist-part-1-let-the-robbing-begin/>

<sup>16</sup> "Asset Disposal" in Transparency International-Defence & Security, Interventions Anti-Corruption Guidance, <https://iacg.ti-defence.org/riskarea/4-4-asset-disposal/?parentid=1294>

<sup>17</sup> Anti-racism protests broke out following George Floyd's murder in countries across Europe including Belgium, France, the United Kingdom, and worldwide. George Floyd's death also brought into light systemic racism across cultures and countries, prompting renewed discussions on racism around the world today. Borzou Daraghi, "Why the George Floyd Protests went global", Atlantic Council, 10 June 2020: <https://www.atlanticcouncil.org/blogs/new-atlanticist/george-floyd-protests-world-racism/>

<sup>18</sup> In response to increasing allegations of state violence and the US authorities deploying federal officers to quell peaceful protests through arbitrary arrests and detention, unnecessary, disproportionate, or discriminatory use of force, or other violations of human rights, the Office of the High Commissioner for Human Rights has called for local and federal officers involved to be identified and for de-escalation of the violence, "Human rights office decries disproportionate use of force in US protests", UN News, 24 July 2020: <https://news.un.org/en/story/2020/07/1068971>

<sup>19</sup> For example, reports have documented Rwandan armed forces engaging in widespread sexual assault, rape, and looting. In Nigeria, the number of civilians killed by state forces during COVID-19 outnumbers those that died of the virus. In India, state forces have been caught on video multiple times beating civilians who are violating lockdown to access essential services.

#### Increasing use of state/military surveillance technologies.

The pandemic has seen an increase in the use of surveillance technologies intended to stop the virus spreading. This includes states accessing citizens' bank details, mobile phone data, physical movements and using facial recognition technology.<sup>20</sup> In normal circumstances, this extensive use of surveillance would be considered a gross violation of citizens' privacy rights, but they are increasingly accepted as necessary for the pandemic response. This increased access to data could be exploited and used to limit freedom of speech and target political opponents. In many cases, the procurement and use of surveillance technologies is the responsibility of military intelligence bodies.

## Increased Conflict & Insecurity

#### Economic, political, and social shocks associated with COVID-19 are contributing to increased instability.

As states begin emerging from lockdown, the impact of economic, political and social shocks on the stability of entire regions is becoming increasingly apparent. Worldwide, we are seeing marked increases in demonstrations (both due to the explosion of worldwide anti-racism protests and state responses to COVID-19), increased fear of government entities by the civilian population.<sup>21</sup>

**Increasing levels of disorder and conflict.** Global levels of conflict have increased during the pandemic.<sup>22</sup> Operating under the increased tension of the pandemic, peace talks have broken down in several high profile conflicts (Afghanistan and Colombia), while ceasefire violations increased in eastern Ukraine, and Libya's civil war, Mozambique's insurgency and northern Nigeria have experienced a significant and sustained escalation in violence.<sup>23</sup>

**Resurgent non-state armed groups.** Non-state armed groups worldwide are using the coronavirus pandemic as an opportunity to bolster their legitimacy, increase support, re-establish their base, and expand their global networks across regions. Meanwhile corrupt, inefficient and poorly resourced governments fail to provide adequate care for already distrustful populations.<sup>24</sup>

## Erosion of Oversight & Accountability Mechanisms

#### COVID-19 related emergency powers allowing militaries to bypass crucial oversight and accountability mechanisms.

Oversight mechanisms that are usually in place to uphold accountability are being weakened by the urgency of the pandemic response and have struggled to mobilise and conduct oversight because of widespread lockdown regulations. Yet, armed forces have been increasingly endowed with emergency powers that allow them to make serious policy decisions without being subject to appropriate civilian oversight.<sup>25</sup>

#### Militaries increasingly being exempt from accountability and the rule of law.

Armed forces impunity and exemptions for defence actors flouting the rule of law have increased dramatically during COVID-19. Defence and security forces have been granted legal exemption should they harm or kill civilians in their COVID-19 response activities, while military whistleblowers have received death threats and faced court martials for reporting misconduct.<sup>26</sup>

<sup>20</sup> Stephen L. Roberts, "Covid-19: the controversial role of big tech in digital surveillance", LSE Business Review, 25 April 2020: <https://blogs.lse.ac.uk/businessreview/2020/04/25/covid-19-the-controversial-role-of-big-tech-in-digital-surveillance/>

<sup>21</sup> ACLED notes this is largely due to harsh enforcement mechanisms, rising state repression, mob violence and violent protests, changing rates of armed conflict, prison unrest, and negative impacts on ceasefire agreements as the world reopens to increased grievances and a lack of resources, and decreased economic, political and social stability.

<sup>22</sup> The Institute for Security Studies (ISS) reported that "a trend of intensifying conflicts and increased insecurity has been observed, as the pandemic responses have created opportunities for armed actors and left civilians more exposed to violence", "From Bad to Worse? The Impact(s) of Covid-19 on Conflict Dynamics", 11 June 2020: <https://www.iss.europa.eu/content/bad-worse-impacts-covid-19-conflict-dynamics>

<sup>23</sup>

<sup>24</sup> Drug cartels in Mexico and Brazil have been gaining significant local legitimacy in key communities as they take on state functions in enforcing the lockdown and distributing resources. Meanwhile ISIS/L has used the opportunity to re-expand their influence in Iraq and Syria, and expand their networks into previously untouched territory.

<sup>25</sup> In Sri Lanka, for example, the pandemic emergency response task force consists almost entirely of senior military personnel and endows its members with sweeping powers to deal with the pandemic without being subject to oversight, an issue worsened by the fact that parliament has been dissolved and new elections postponed. International Crisis Group, "Sri Lanka's Other COVID-19 Crisis: Is Parliamentary Democracy at Risk?", 29 May 2020, <https://www.crisisgroup.org/asia/south-asia/sri-lanka/sri-lankas-other-covid-19-crisis-parliamentary-democracy-risk>

<sup>26</sup> Human Rights Watch, "Peru: Law Protects Abusive Policing", 12 May 2020, <https://www.hrw.org/news/2020/05/12/peru-law-protects-abusive-policing>. Also, Human Rights Watch, "Thai Army Whistleblower Faces Court Martial", 3 June 2020, <https://www.hrw.org/news/2020/06/04/thai-army-whistleblower-faces-court-martial>

# RECOMMENDATIONS

## Immediate-Term Recommendations

For states that have enacted emergency powers or will enact them:

- Emergency powers must be established according to national legislation, with a limited timeline and parliamentary oversight.
- The call for emergency powers must include a transition plan for the disengagement and transition of security forces assisting civil authorities back to regular duties.
- The transition plan should specifically lay out a plan for an end to penalties and enforcement mechanisms related to COVID-19, including any punishments related to monetary fines, detention, and corporal punishment.
- The transition plan should also lay out the steps and timelines associated with the end of security forces' involvement in the enforcement of lockdown and quarantine measures.

## Mid-Term Recommendations

- All COVID-19 crisis legislation, including that designating emergency powers or state of alarm<sup>27</sup>, must include specific designation of oversight powers to the appropriate government and civilian-led audit, oversight and accountability mechanisms.
- If this was not previously enacted, legislative bodies should pursue the inclusion of an amendment to the original legislation appointing the appropriate audit, oversight and accountability mechanisms to monitor wrongdoing.
- If this is not possible until transition legislation is passed, an Inspector General should be appointed during the transition period to review all aspects of the COVID-19 response and their independence protected under transition legislation.
- Where wrongdoing is suspected to have occurred, civilian and uniformed leaders of the armed forces must appoint, support, and protect the independence of internal and external investigations bodies and ensure robust accountability procedures are pursued in both the armed forces and civilian justice systems where required.

## Long-Term Recommendations

- In the long-term, armed forces should use the opportunity of reflection on the COVID-19 response to review and re-disseminate ethical standards, provide (further) training on anti-corruption, and re-familiarize all personnel at all levels with reporting and whistleblowing obligations and channels.
- A framework for independent oversight, such as an Inspector General system, should be developed and enacted at the outset of every conflict and crisis armed and security forces are tasked to respond in.

<sup>27</sup> It is worth noting that there are a variety of types of emergency legislation globally that provide for varying levels of centralized state emergency controls. As a result, local language and powers may differ.

