The Postwar Security Governance Dataset

Governing Security after War:

The Politics of Institutional Change in the Security Sector

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This supplement outlined the structure of the structure, variables and definitions, coding rules, and coding notes for the Postwar Security Governance Dataset. If using the dataset or supplementary material, please cite:

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The Postwar Security Governance Dataset

The Postwar Security Governance Dataset (PSGD) includes data on the governance of the security forces after civil war. Focusing on the governance of the military in each country, it includes indicators for the main dimensions of composition, oversight and accountability. This overview provides information on the structure of the dataset, its structure, variables and definitions, coding rules, and coding notes for each observation.

Background and Existing Data

Governing the armed forces poses one of the thorniest challenges in the transition from civil war to peace. Peace agreements commonly include provisions for military reform (Joshi, Quinn & Regan 2015), and United Nations peacekeepers and bilateral donors routinely send advisers and aid to promote "effective, efficient, affordable and accountable security institutions."[1] Postwar governments sometimes overhaul their security forces even in the absence of a peace agreement. Yet the success of these efforts has varied widely, and their effects remain uncertain (Jackson and Bakrania 2018; Jackson 2011; Ball 2010; Sedra 2010; Brzoska 2003). The Postwar Security Governance Dataset enables a quantitative, cross-national assessment of the determinants of security governance after civil war, and their effects on peace, security, and development.

The PSGD covers the governance of militaries after civil war, including their composition, civilian control and oversight, and legal limits. Prior quantitative research on civil war termination has coded disarmament and military integration programs (Walter 2002; Hoddie and Hartzell 2003; Glassmyer and Sambanis 2008; Jarstad and Nilsson 2008; Toft 2009; Ottmann and Vüllers 2015; Krebs and Licklider 2016). Less attention has been devoted to longer-term changes to laws, procedures, and institutional structures that affect civil-military relations, and that take much longer to put into place. Cross-national studies of civil-military relations have mostly employed broad measures of military dominance or incidence of coups d'état, which do not disaggregate dimensions of civil-military relations (Weeks 2012; Powell and Thyne 2011). Recently, scholars have produced more disaggregated measures of the presence of paramilitary forces (De Bruin 2017; Carey, Mitchell, and Lowe 2013; Pilster and Böhmelt 2011), ethnic composition of the military (Johnson and Thurber 2017; Harkness 2016), and civilian control (White 2017; Narang and Talmadge 2017). These datasets are relevant to measuring the composition, structure, and civilian oversight of militaries. Since these datasets focus either on inter-state war or specific regions, however, they do not include all post-civil war countries.

Scope and Structure

The dataset covers all countries that experienced post-civil war peace between 1960 and 2012. The case are drawn from the Uppsala University Conflict Data Program's Conflict Termination Dataset (Kreutz 2010) and Armed Conflict Dataset (Gleditsch et al 2002). It covers countries that experienced a major civil war and subsequent period of peace. A major civil war is defined as a conflict between a government and a non-governmental party within a country's territory, in

[1] http://www.un.org/en/peacekeeping/issues/security.shtml. Accessed May 9, 2016.

which the use of armed force between two parties results in at least 1,000 battle deaths in a single year.

The dataset covers each year during the period of peace after civil war ends. The end of the civil war is coded based on the UCDP Conflict Termination Dataset, which defines a conflict as ended when it does not meet the threshold of battle deaths, rebel organization or incompatibility for at least one year. A peace spell begins the year after a civil war ends, and continues until the same conflict restarts, another major civil war breaks out, or the dataset ends in 2012. A country that experienced multiple, simultaneous civil wars involving different armed groups is only included once all of these wars have ended.

Variables and Definitions

The dataset includes the following eight dichotomous variables, which correspond to three dimensions of security governance: composition, civilian oversight, and enforcement of legal limits. The variables and their definitions are summarized in Table A.1

Table 1: Postwar Security Governance Dataset, Main Variables and Definitions

Dimension of Security Governance	Variable	Question
Composition	Officer Appointment	Are officer appointments excluded along ethnic, racial, sectarian or party lines?
	Military Integration	Has the military integrated rebel forces into the rank and file?
Civilian Oversight	Civilian Control	Do civilians hold the top positions in the Ministry of Defense and the executive branch of government?
	Civilian Access	Do legislators and/or the public have access to sufficient information on military budgets, expenditures, and operations to conduct oversight?
Accountability	Legal Limits	Are limits on the use of force defined in written legislation and policy?
	Discipline	Does the military have an active and functional disciplinary or justice system?

Sources and Coding Rules

The variables were coded on the basis of multiple primary and secondary. The sources and coding rules for each variable are outlined below. Each variable was coded by a minimum of two coders, who gathered and reviewed the relevant sources, provided a yes or no answer to each question, and drafted brief prose to justify their responses. All country-years were coded by at

least two people to ensure reliability and consistency. For the variables coded on the basis of multiple sources (not including *Access* or *Civilian Control*), disagreements between coders were resolved with additional sources and discussion. Evidence in support of all of the decisions, along with the specific sources consulted, can be found in summaries for each country, below.

Officer Appointment

Officer Appointment indicates whether individuals are excluded from top positions in the military on the basis of ethnic, racial, sectarian, or party lines. Countries that exclude individuals from officer appointments are coded as 0, those with diverse appointments that do not discriminate are coded as 1. It includes both formal policy that explicitly requires identity characteristics for officers, and informal practices that result in systematic exclusion from the officer corps. It also reflects decisions after civil war that change the composition of the officer corps. When a postwar government appoints members of rebel or opposition factions to senior officer positions, this variable is coded as 1, non-exclusive, as long as appointments remain inclusive, and other groups are not excluded. *Officer Appointment* is coded on the basis of a review of multiple sources, including academic articles and policy reports, as well as written law and policy. Coders identified the specific identity that defined appointment, and cited specific evidence and sources in the coding notes.

Military Integration

Military Integration indicates whether the state military integrated rebel forces into the rank and file following the civil war. This variable focuses on formal processes of integration, often based on a peace agreement but sometimes carried out unilaterally by the government. Military integration processes typically integrate fighters into the army's rank and file, but they do not always include officer positions. Whether top officer positions are included in the integration process is reflected in the *Officer Appointment* variable. This variable is based primarily on a dataset compiled by Jarstad and Nilsson (2008) that includes agreements and implementation for post-Cold War cases, supplemented with data from Glassmeyer and Sambanis (2008) for earlier cases. The dataset includes two versions of this variable, *integration*, which codes countries that agreed to rebel integration as 1, and *integration_full,* which only codes countries that fully implemented the agreement as 1. The latter variable is based on Jarstad and Nilsson (2008) and additional sources if needed. The coding notes include a brief description of the military integration process.

Civilian Control

Civilian Control indicates whether civilian authorities exercise formal control over the military, based on whether civilians hold the top positions in the executive branch and Ministry of Defense. This variable denotes formal civilian control more than implementation, but the presence of a civilian as head of state and minister of defense also suggests the degree to which civilians exercise control in practice. This variable is based on the *Europa World Yearbook*, which lists the chief executive and cabinet ministers for all countries each year, along with their title and military rank if relevant. In cases of ambiguity, additional sources were consulted. Coding the definition and coding approach developed by White (2017), except that only active

duty military officers servings as Head of State or Minister of Defense positions were coded negatively for civilian control. Retired military officers, denoted with a "ret." are not coded as active duty military. The variable is coded is 1 if both the head of state and minister of defense are civilians, and 0 if either one of them is an active duty military officer.

Civilian Access

Access indicates whether civilian authorities have access to necessary information to conduct oversight of the military, focusing on military budgets and expenditures. It denotes a crucial condition that enables civilian oversight, by revealing whether the civilians have access to the information necessary to make key decisions, or whether this information is systematically hidden. Since access to information is an important requirement for effective civilian oversight, countries coded 0 on this variable are unlikely to exercise effective civilian oversight. Access does not necessarily mean that civilians exercise this oversight in practice, but it serves as a good indicator for an environment that facilitates or impedes oversight.

Access was coded on the basis of the *SIPRI Yearbook* annual table of military expenditure published by the Stockholm International Peace Research Institute. Data for the tables is based on annual questionnaires sent out to each country by SIPRI and by the United Nations, and on other public sources. The *Access* variable codes as 0 country-years for which a blank entry indicates that the country "did not release any official data," where round brackets denote "uncertainty" in the data, or where a footnote cites specific concerns about military expenditure data accuracy or availability. Country-years for which reliable data is included are coded as 1. The tables also include "estimates" presented in square brackets, but these denote inconsistencies in definitions over time or in the economic context data rather than uncertain military data. The variable was coded from each year's *SIPRI Yearbook* annual tables rather than the data tables available online, since the latter are updated with information received subsequently. The coding used the tables of expenditure in local currency which have the most complete coverage. To correct for minor fluctuations, which may be the result of delays in receiving the data, I used a 3-year rolling average, and convert it to a dichotomous variable coded as 0 if the 3-year average is less than 1. An alternative specification coded only cases with blank entries as 0, with consistent results, but this was seen as overly permissive for measuring access.

Discipline

Discipline is the main indicator of legal limits in practice, denoting whether the military has an active, and functional disciplinary system that holds military personnel accountable for violations of clearly defined rules. To be coded as 1, the country must have a written code or rules that define standards of conduct for the military, a clearly defined system for investigating violations and holding personnel accountable, and the system must be applied consistently in practice. Countries which have rules and a disciplinary system on paper, but where there is clear evidence that the system is routinely manipulated or ignored on a significant scale, are coded as 0. *Discipline* was coded on the basis of a review of multiple sources, including academic articles and policy reports, as well as written law and policy.

Formal Legal Limits

Legal limits indicates whether countries have adopted formal, legal limits on the use of force by the military. These limits are typically specified in the constitution, in organic law, and/or in national defense or security legislation. Legal limits include laws that prohibit the use of the military for internal security and that specify procedures for authorizing the use of force by the military. *Legal limits* was coded on the basis of a review of written constitutions, legislation where available, and secondary sources.

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Coding Notes

Angola 2002-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1)

UNITA signatories to the agreement with the government took up public posts—Armando da Cruz Neto became ambassador to Spain and General Geraldo Abreu Kamorteiro became the deputy chief of FAA staff for administration. Other former UNITA leaders have been appointed to top military posts. The ruling MPLA has attempted to politicize the leadership and called upon it to act in its interests, but politicization has affected the internal security and intelligence services more than the army **(**Vines and Oruitemeka 2008).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

Following the war, approximately 105,000 UNITA ex-combatants demobilised and 5000 UNITA soldiers including 18 UNITA generals were integrated into the Armed Forces of Angola (FAA) and a further 40 joined the national police force (Vines and Oruitemeka 2008).

Civilian Control: Do civilians control the military? Is the executive a civilian rather than a military officer? Do civilians rather than military officers serve as ministers of defense, security or interior?

No. (0)

Ministers of defence were military officers: Col-Gen Paihama until 2009 and Gen Van Dunem until 2012.

Legally, the head of state, the National Assembly, the government, the prime minister and the minister of defence share political responsibility for the FAA, while the commander-in-chief and the chiefs of staff hold the technical and military responsibility (Leao and Rupiya 2005, 34).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)

The Annual SIPRI Military Expenditure tables qualify Angola's military budget data during this time period as uncertain due to variability in budget implementation.

In practice, wide autonomy is accorded to the Armed Forces (Vines and Weimer 2011, 6). Much of the defense budget is buried in the "presidential palace expenditures" technically maintains

oversight. Armed forces generals pursue their economic interest through a variety of private enterprises. The ruling party has utilized high ranking appointments to underpin a pervasive system of political patronage within the security sector. According to Transparency International, the Angolan military "exhibits critical risk of corruption" due to its "lacks basic measure such as controls to enable accountability" and "a lack of transparency, considerable off-budget expenditure, and military interest in commerce" (Transparency International 2015).

Legal Limits: Are limits on the use of force defined in written legislation and policy?

No (0)

The Constitution does not mention formal limits on the use of the military. Article 203 states: "The Republic of Angola shall act using all appropriate legitimate means to preserve national security and shall reserve the right to resort to legitimate force to restore peace and public order, in compliance with the Constitution, the law and international law." Combatting internal threats remains a core mission under the Law of National Defense. (Leao and Rupiya 2005, 36).

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0).

Military discipline is regulated by 1994 laws, the Military Penal Code, and the Law on Military Crimes (Lei sobre a Justiça Penal Militar - Lei n.º 5/94, de 11 de Fevereiro and Lei dos Crimes Militares - Lei n.º 4/94, de 28 de Janeiro) and have not been updated since the civil war. In practice, the security forces are given wide discretion on disciplinary matters. Security forces frequently act in the interests of the party and act with impunity. (Vines and Weimer 2011, 14).

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Argentina 1977-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1).

No evidence of promotion or exclusion along ethnic, racial, or party lines.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

No integration of opposition forces.

Civilian Control: Do civilians govern the security forces? Is the executive a civilian rather than a military officer? Do civilians serve as ministers of defense, security or interior rather than military officers?

1977-1983: No (0).

1984-2012: Yes (1).

Military junta from 1977-1983, led by Lt-Gen Videla, and Gen Bignone. Return to civilian rule in 1984.

The 1988 National Defense formally law transferred oversight over expenditures, personnel and strategy to the military to civilian National Defense Council, Ministry of Defense, and National Congress.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0), 1979-1991

Yes (1), 1992-2012

The Annual SIPRI Military Expenditure tables include Argentina's military budget data with several missing or uncertain observations prior to 1992, and complete data after 1992.

From 1977-1987, a military junta leads the country and makes all decisions. No civilian ministry or legislature. In 1984, a year after he took office, President Raul Alfonsin expelled all generals serving the dictatorship from the armed forces, drastically cut military spending, and reorganized the central defence structures (Barany, 2012; Hunter,1998). In 1988 a new National Defense Law removed decision-making authority regarding national security affairs from generals to the ministry of defense whose previously all-uniformed staff became dominated by civilians without the requisite knowledge of or professional experience in defense issues (Barany, 2012; Worboys,

2007, 152). (National Defense Act of 1988) In 2006, an implementing decree (727/2006) strengthened elements of the 1988 law, by moving decision-making over defense spending and appointments to the civilian ministry of defense.

Legal Limits: Are limits on the use of force defined in written legislation and policy?

No (0), 1977-1987.

Yes (1), 1988-2012.

Under the military junta the army deployed within the country to protect the regime.

The 1988 National Defense Law specified the military's mission solely as repelling foreign aggression, prohibited them from participating in domestic security affairs or even preparing plans for countering internal contingencies and from using military intelligence for domestic purposes. The law also clarified the chain of command, and established joint commands (Barany, 2012).

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0), 1977-1984.

Yes (1), 1984-2012.

In 1984, an amendment to the Code of Military Justice, Law 23049 strengthened the military justice system and provided for an appeal from military courts to civilian Appeals Court. A new law in 2008 replaced the military justice code, limited its jurisdiction and increased transparency.

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Azerbaijan 1995-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1).

There is no evidence that officer appointments are excluded along racial, ethnic, or sectarian lines.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

Rebels were not integrated in to armed forces.

Civilian Control: Do civilians govern the security forces? Is the executive a civilian rather than a military officer? Do civilians serve as ministers of defense, security or interior rather than military officers?

1995-2012: No (0)

Minister of Defence: Colonel-General Abiyev.

Azerbaijan's defense minister and top ministry of defense officials are active-duty military officers. General Safar Abiyev served as defense minister from 1995-2013, making him the longest service defense minister in the CIS.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1994-1997, 2001: No (0)

1998-2012: Yes (1)

The Annual SIPRI Military Expenditure tables have no data for Azerbaijan's military budget until 1997, but has budget data thereafter (excluding 2001).

The defence budget is drafted and submitted to Parliament (Milli Majlis) by the executive branch. In practice, Milli Majlis approves any budget submitted to it by the executive authorities, let alone subsequent control over its execution. (Pataraia and Makhatadze 2008, 38).Although the budget itself has been rapidly increasing over the past three years, it is still quoted in total numbers and does not provide a detailed breakdown of expenditures (Pataraia and Makhatadze 2008, 31). "Formal provisions for parliamentary oversight notwithstanding, the legislature does not exercise independent legislative scrutiny in practice, especially over defence. Most decisions are adopted by the president's office through executive order or passed by parliament following perfunctory debate." (Transparency International 2015).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

Article 95 of the 1995 Constitution stipulates that based on the recommendations of the President, Milli Majlis gives its consent to the enlistment of the armed forces for operations other than their normal duties. In practice, the Milli Majlis gives consent to announce war and conclude peace based on the President's recommendations (Pataraia and Makhatadze 2008, 32).

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0).

Azerbaijan has a military court system, but disciplinary and criminal sanctions are applied selectively, especially at higher levels. Azerbaijan's Armed Forces have retained Soviet military standards in terms of military training, staff management, disciplinary regulations, with minimal civilian involvement. (Pataraia and Makhatadze 2008, 31). According to U.S. State Department Human Rights Reports, mistreatment and abuse are comment within the military, and senior officers are rarely held responsible. According to Transparency International, there is no formal military code of ethics, and corruption in the military is rampant. (Transparency International 2015).

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Bosnia and Herzegovina 1995-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1995-2001: Yes (0)
2005-2012: No (1)

Following the end of the war, the three ethnic groups maintained separate armed forces with distinct command structures. In 2005, the three main ethnic groups integrated their separate defence forces under unified command. Top command positions in the newly integrated army were held by a "troika" made up of one officer and two deputies from each of the three main ethnic groups. Promotion of military personnel in the Armed Forces of BiH is done in accordance with the Law on Service in the Armed Forces of BiH, the Regulations on the advancement of military personnel in the Armed Forces of BiH and the Annual Plan for Promotion. (Berg 2014)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1995-2004: No (0)
2005-2012: Yes (1)

The three ethnically-based armies were integrated into a unified army in 2005 (see above).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1995-2012: Yes (1)

From 1995-2004 the two entities, The Republika Srpska and the Bosnian-Croat Federation maintained their own separate ministries of defense. In 2005, entity-level ministries of defense were abolished and a central Ministry of Defense was established at the State Level, led by a Civilian Minister of Defense.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1996-2003: No (0)

2004-2012: Yes (1)

Deleted: Formal Oversight: Does the legislature and executive branch have a mechanism for approving or disapproving military budgets, expenditures and operations? ¶
¶
1995-2004: No (0)¶
2005-2012: Yes (1).¶
¶

The Annual SIPRI Military Expenditure tables list uncertain or no data prior to 2004. Starting in 2004, the SIPRI tables lists the military budget annually.

Prior to 2005, there was no state-level oversight over the separate entity armed forces. At the entity level, the militaries maintained substantial autonomy over their finances, operations, and administration and authority was exercised primarily through informal party networks. At the state level, the SCMM (Standing Committee of Military Matter) acted as an advisory body to the Presidency in matters related to security and defence activities, and operated to coordinate the activities of the separate armed forces. (Defense Reform Commission 2003). A 2001 Audit by the OECD, followed by the defense reform commission provided evidence of substantial spending outside of official channels. The 2002 defense reform, implemented in 2005, led to formal oversight over defense matters at the state level through the establishment of a state-level Ministry of Defense and a specialized oversight committee in the State legislature. The defense reform provided for full, transparent accounts of the spending and activities of the armed forces, in accordance with NATO guidelines for PfP membership that requires full transparency in defence plans and budgets. (Berg 2014)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1).

Article 5 of the Constitution, adopted as part of the Dayton Accords in 1995, outlines the role of the armed forces to maintain the territorial integrity of BiH; furthermore, it articulates the neutrality of the armed forces between the 3 Entities of the Presidency.

Discipline: Does the military have an active and functional disciplinary or justice system?

1995-2005: No (0)

2005-2012: Yes (1)

Prior to 2003, there was no common Law on Army/Service in the Federation of Bosnia and Herzegovina. The Bosniak and Croat components of the Army of the Federation of Bosnia and Herzegovina used two pieces of legislation that pre-date the end of the civil war. The Bosniak component used the Law on the Service in the Army of the Republic of Bosnia and Herzegovina (adopted in August 1992) and the Croat component used the Law on the Service in the Croatian Defence Council. The Law on Army of Republika Srpska regulated and provided for scales of pay and regulations of service, as well as punitive, disciplinary procedures. However disciplinary procedures were rarely enforced. (Defence Reform Commission).

The Law on Service in the Armed Forces of BiH, adopted in 2005, provides for military justice.

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Burundi 2006-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines? Yes=0

2006-2012: No (1)

Agreements signed by the warring parties in Arusha in 2000 and Pretoria in 2003 called for an integrated army top officer echelon with 60% FAB officers and 40% CNDD-FDD officers, and a 65–35 FAB to CNDD-FDD breakdown for the integrated police top officer echelon.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

2006-2012: Yes: (1)

The peace agreement called for the integration of the army and police. It also established a rule of "ethnic balance" such that posts would be allocated to Hutus and Tutsis in a 50–50 manner, and the overall composition of the security forces was reformed "to achieve ethnic balance and to prevent acts of genocide and coups d'état"; "ethnic equilibrium (50–50)" would be observed, with the margin between the 60–40 and 65–35 quotas made up by Hutu members of the FAB and new recruits.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

2006-2012: No (0)

President is Major Nkurunzina, Ministers of defence are active duty military (Major-General Niyoyankana until 2010, Major General Gaciyubwenge until 2012).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

2007-2012: Partial.

The Annual SIPRI Military Expenditure tables include Burundi's military budget data during this time period for 2007, 2008 and 2012, but data for other years is missing.

The Burundi-Netherlands Security Sector Development (SSD) program aimed for transformative change when it was launched in 2009 with its explicit support for the development of more democratic and accountable governance of the security sector (Ball 2014, p. 2). SSD aimed to strengthen the capacity of key security actors to engage in the process of reform—for example, by educating them on governance-related issues (such as the role of Parliament in overseeing the

budgeting process or improving the quality of the security sector's legal framework) and by providing critical infrastructure (vehicles, computers) and technical assistance (expertise in drafting legislation and developing defense policy and strategic documents) to enable security sector actors to full their legally mandated tasks (Ball, p. 4). The SSD program made progress in terms of strengthening security sector accountability to civil authorities and adherence to national and international law, as well as introducing the concept of financial accountability to the security services (Ball, p. 5).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (Yes = 1)

Yes (1)

Missions of the national defense and limitations on the use of force are laid out in the 2005 Constitution.

Article 249: "Within the limits determined by the Constitution and the laws, only the President of the Republic may authorize the use of the Armed Forces: a. In the defense of the State; b. In the restoration of order and of the public security; c. In the fulfillment of the international obligations and engagements;

Article 250: When the Force of National Defense is used in one of the cases cited in the paragraph above, the President consults officially in the competent instances so enabled and informs the Parliament promptly and in a detailed manner concerning: a. The reason or reasons for the use of the Force of National Defense; b. All places where this force is deployed; c. The period for which this force is deployed."

Discipline: Does the military have an active and functional disciplinary or justice system? (Yes = 1)

2006: No (0).
2007-2012: Yes (1)

A formal code of ethics was employed to discipline commanders in response to violations in 2007. (Samii 2013:19). The SSD further strengthened disciplinary systems, for example, developing a code of ethics and ethics courses for the police and the armed forces, promoting dialogue among security personnel about the application of the code, and inviting civil society actors to take part in evaluating troops' adherence to ethics norms when dealing with civilians (Ball, p. 4)

Sources:

Ball, Nicole, "Lessons from Burundi's Security Sector Reform Process." *Africa Security Brief* 29, (2014).

Arusha Peace and Reconciliation Agreement. Available from the Peace Accords Matrix. Kroc Institute for International Peace Studies, University of Notre Dame. \ https://peaceaccords.nd.edu/provision/military-reform-arusha-peace-and-reconciliation-agreement-burundi.

Samii, Cyrus. "Perils or Promise of Ethnic Integration? Evidence from a Hard Case in Burundi." *American Political Science Review* 107, No. 3 (2013):558-573.

The Constitution of Burundi, 2005.

Cambodia 1976-1979, 1998-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1976-79: Yes (0)

The Khmer Rouge created a new national army, the National Army of Democratic Kampuchea (NADK), made up of its fighters and solidly aligned with the ruling party, the Khmer Rouge-supported National United Front of Kampuchea. (Williams, p.185)

1998-2012: Yes (0)

Although multiple party factions make up the rank and file, officers are almost exclusively members of the CPP party. Promotion is awarded based on services rendered that benefit the CPP. (Richardson & Sainsbury, p 288-300; Williams, p.188)

After the 1991 peace agreement the ministry of National Defence (MOND) was run by co-ministers, one from the CPP and the other from Funcinpec, and the RCAF remained factionalized between supporters of the two parties. (Williams, 187) Following the 1997 coup, Prime Minister and CPP leader Hun Sen managed to solidify his control over the military. In 2008, Chief of Staff Gen. Ke Kim Yan was replaced by Hun Sen loyalist Gen. Pol Saroeun. (Williams 2015, 188; Richardson & Sainsbury 2005, p 288).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1976-1979: No (0)

1998-2012: Yes (1)

Following the peace agreement and 1993 elections, the RCAF was reconstituted, with 60 percent derived from the former KPRAF and 30 percent and 10 percent from two former insurgent groups. (Williams, 187).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1976-1978: No (0).

1993-2012: No (0)

The military under the personalized control of Pol Pot, but controlled informally through a high decentralized command structure. (Williams, 185).

General Tea Banh served as Minister of Defense or co-Minister of Defense from 1987 through 2012.

The 1993 Constitution states that the King "shall sign Royal Decrees appointing, transferring or removing from office, senior civil and military officials" (art. 21) and "serve as Chairman of the Supreme Council of National Defense," (art. 24) which includes ministers of defense, foreign affairs, finance and interior. However the Minister of Defense since 1993, Tea Banh, is an active-duty army general. Prime Minister Hun Sen officially retired from the military in 1998, but he had himself appointed as a five-star general. Active-duty security officials are officially banned from partisan activities, but informally are active in supporting the ruling CPP party.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1976-1979: No (0)

1998-2012: Partial

The Annual SIPRI Military Expenditure tables do not include data on Cambodia's military budget prior to 1980. After 1998 it includes Cambodia's military budget in some years with some years missing or uncertain.

Control of the National Army of Democratic Kampuchea (NADK) was highly decentralized, and Pol Pot exercised control through informal channels. (Williams, 185)

Since 1998, the MOND formally manages the RCAF, but individual military units are governed by their respective sub commanders, who in turn use rank and file for personal gain. Many officers and rank and file earn income through illicit market operations, private enterprise, or evicting farmers from land. Civilians do not monitor procurement of military hardware, and decisions are not shared with the legislature. (Williams)

Formally, defense expenditures are approved by Cambodia's legislature, but the legislature exercises limited oversight in practice. "The lower and upper house committees, tasked with overseeing defense, have no role in preparing security policy, defense "white papers," force structure and planning, military strategy, defense human resources management, deciding on the size of military, or appointment of high ranking military officials." (Williams 197) Oversight is exercised informally through the ruling CPP party's budget committee. There is no common,

unified structure for overseeing operations or allocation of finances across all armed forces, or program that answers directly to legislature (Williams 195; Richardson & Sainsbury, 288).

A demobilization program was promoted by the IMF as a means of reducing the armed forces budget. By 2003, growing corruption and transparency issues, as well as disagreements with Hun Sen, caused the World Bank to cancel its funding of demobilization and the program effectively died. (Williams 196; Richardson & Sainsbury, p 299-302)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1976-1979: No (0)

1998-2012: No (0)

According to the Constitution, only the king can declare war after approval by the National Assembly and Senate. (art. 26) However there is no constitutional article outlining or limiting the role of the military force within borders. Informally, the army has periodically clashed with Thai soldiers along the border without formal authorization. The government has frequently deployed the military for internal repression, and security officials work for private companies, without civilian control. (Williams, 191).

Discipline: Does the military have an active and functional disciplinary or justice system?

1976-1979: No (0)

Control of the National Army of Democratic Kampuchea (NADK) was highly decentralized, and discipline exercised through informal channels. (Williams, 185)

1998-2012: No (0)

Numerous NGO reports of human rights violations, human trafficking, and trafficking of illicit goods go unchecked by the state. Corruption is rampant throughout the various factions of the military, which runs itself apart from formal reprimand given it facilitates party agendas. Military commanders have actively threatened opposition political party activists during elections. (Richardson & Sainsbury, p 287-300, Williams 190).

Sources:

Chambers, P. Williams. "Neo-Sultanistic Tendencies: The Trajectory of Civil-Military Relations in Cambodia." *Asian Security*, *11*(3), (2015), pp.179-205.

Richardson, Sophie and Peter Sainsbury, "Security Sector Reform in Cambodia", in *Security Sector Reform and Post-Conflict Peacebuilding*, edited by Hans-Georg Ehrart and Albercht

Schnabel. (Tokyo, Japan: United Nations University Press, 2005): 283-296.

Constitution of Cambodia

Chad 1972-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

Yes: (0)

Appointment and promotions are reportedly based on personal relations to the president (they are also made on his direct orders), Idriss Deby Itno, and his Zaghawa clan (41:1)." (Transparency Intl)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war? Yes=1

No (0)

The Moundou accords, signed in April 1997, met most of the rebels' demands. Beyond a general amnesty for its members, FARF/Va would regenerate as the recognized *Front patriotique pour la démocratie*, elements from FARF/Va would integrate into the ANT and the government would instigate a national debate on a federal future for Chad. A claim for CFA2bn as back pay for 200 FARF/Va fighters received a terse response from Deby: "vous n'aurez pas un sou" (*Africa International* December-January 1998:29). The integration was not implemented, and the process bought the president time to organize a full-scale attack supporters of federalism.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

No (0)

Evidence from post 1979 cabinets indicates that military officers govern security forces (May & Massey, p 109). The 1996 Constitution gives control of military budgets and operations to the national assembly and the head of state must give up his military post to become President. However, President Idriss Debby maintains his military position.

The ministers of defense during this time period are as follows:

1972-1975: Yes(1) civilian.
1976-1981: No (0); General Bey-Ndi until 1978, Colonel Ngakinar until 1979; no minister of defense in 1981.
1982-1984: Yes (1) civilian.
1985-1986: No (0), min of defense Captain Ndilnodji

1987-2003: Yes (1) civilian
2004-2012: No (0), min of def General Koni President General Idriss Deby

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)

The Annual SIPRI Military Expenditure tables include few, irregular observations on Chad's military budget data.

According to Transparency International (2014), Chadian defence budgets are not publicly available and the Chadian law does not provide for public access to government information (11:1, p18). Legally, a substantial portion of the budget can be expended without civilian oversight, and there is considerable off-budget spending. There is no institution in charge of auditing defence ministry expenditures within the army.

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (

1972-1995: No (0).
1996-2012: Yes (1).
Articles 187-201 outline the roles of the branches of the military with respect to the use of force within the country (Constitution, 1996).

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

A 2005 Code of Conduct known as the 'Décret portant règlement militaire sur la discipline générale,' and a 2011 law allowed for the establishment of military courts to try military members, but they are not operational. According to Transparency International, officers are rarely punished for abuse, 'impunity for officials, particularly the military, is widespread' (Transparency International 2014, 5).

Sources:

Constitution of Chad, 1996

Hansen, K. Fred. "A democratic dictator's success: how Chad's President Deby defeated the military opposition in three years (2008–2011)." *Journal Of Contemporary African Studies* 31, no. 4. (2013): 583-599.

May, Roy and Massey, Simon. "Two Steps Forward, One Step Back: Chad's Protracted 'Transition to Democracy." *Journal Of Contemporary African Studies, 18, no. 2* (2000): 107-132.

"Overview of Corruption and anti-corruption in Chad." Transparency International. Published in 2014. Available at ttp://www.transparency.org/files/content/corruptionqas/Country_profile_Chad_2014.

Congo 1999-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

Yes (0).

Promotions within the armed forces are decided by the president, and based on individual's loyalty to him. Sassou-Nguesso tries to keep power at upper and middle levels in the hands of northerners, which recruiting junior officers from the local population. In 2011, opposition media published a list of generals by region. It showed that of 46 generals, 25 were from the Cuvette region, Sassou-Nguesso's home region. (Transparency International 2015)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1).

The 1999 Comprehensive Peace Agreement included the provision of soldiers who had left the armed forces to join the rebel groups. By 2002, an estimated 32-3500 ex-Cobras and 700-1600 ex-Cocoyes were integrated into the army. (Themner 2011, p.56; Harbom et al, 2006)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than active-duty military officers?

No (0)

1998-2012: President is General Denis Sassou-Nguesso
2003-2004: min of def General Ndolou
2006-2009: min of def General Ndolou

According to the 2001 Constitution, the armed forces are subservient to civilian authority, (Art. 171) and ministers may not concurrently serve in the military (Art. 75). Nonetheless, several minister of defense have been active duty military, and the president has been an active military officer.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)

The Annual SIPRI Military Expenditure tables include very few observations for Congo during the time period.

The National Assembly Defence and Security Commission along with the Finance Commission debate and formally approve the defence budget. However evidence indicates that the executive has tight control over the military, and it is highly unlikely that legislative bodies can challenge this. The defence budget additionally lacks transparency, and there are only vague guidelines in place over what information can be classified on the grounds of national security and therefore withheld from parliamentary oversight bodies. (Transparency International 2015).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

According to Articles 187 and 188 of the 2005 Constitution, "The Armed Forces….have the mission to defend the integrity of the national territory and the frontiers….The Armed Forces are republican. They are at the service of the entire Nation. No one may, under penalty of high treason, direct them for their own purposes. They are apolitical and subject to the civil authority."

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

The Law on the Judiciary provides for military courts, and the Department of Military Justice is mandated to manage military courts, however it has not implemented a Code of Military Justice. Military personnel are rarely prosecuted, including for substantial for abuses. (Transparency International 2015, Freedom House 2015).

Sources:

Harbom, Lotta, Stina Högbladh & Peter Wallensteen. "Armed Conflict and Peace Agreements." *Journal of Peace Research* 43, no. 5. (2006): 617-631.

Themner, Andres. *Violence in Post-Conflict Societies: Remarginalization, Remobilization and Relationships.* London: Routledge, 2011, 56.

Transparency International. 2015. Government Defense Anti-Corruption Index. http://government.defenceindex.org/countries/congo-rep/

Freedom House. 2015. Freedom in the World Report. http://freedomhouse.org.

Democratic Republic of Congo 2002-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1).

Following the peace agreement, the The Forces Armées de la République Démocratique du Congo (FARDC, Armed Forces of the DRC) was created in 2003. Allocation of senior positions in the national and regional command structures was based on a quota system across the main factions that reflected declared troop numbers and the nomination of individual candidates. (Baaz & Verweijen 2013, p. 566).

After 2008, since the government negotiated with the CNDP "from a position of weakness," the CNDP was awarded an impressive number of important command positions within newly created operational structures. (Baaz & Verweijen, p. 570).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1).

The Forces Armées de la République Démocratique du Congo (FARDC, Armed Forces of the DRC) was created in 2003, in the wake of a negotiated settlement that stipulated the merging of the fighting forces of all belligerents of the Second Congo War (1998–2002) into a new national army.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

No (0).

Joseph Kabila retained his military rank as Major General as Minister of Defense and then as President.

The 2005 Constitution and 2004 Organic Law on Defense and the Armed Forces concentrate authority over the armed forces in the president and his council of ministers, with limited authority by the ministry of defense or legislature. According to the Organic Law, the Ministry of defense serve to "implement" the president's military policy (Art. 24), for instance by "mobilizing resources" and "strengthening its capacity" (Art. 22). The powers of the National Assembly and Senate are limited to declaring war. The Defense and Security Committees in the National Assembly and Senate have limited authority to debate and approve military matters. (Transparency International 2015)

Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)

The Annual SIPRI Military Expenditure tables have missing or uncertain data for most years during this time period.

A European Union mission, established in 2005, aimed at security sector reform (SSR) in the Democratic Republic of Congo, including integrating armed groups into the national army, and supporting good governance in the field of security. This intervention was credited with cleaning up a part of the financial management system commonly associated with embezzlement and a preponderance of "ghost soldiers," but its effects were limited in strengthening civilian oversight and it did not manage to lead to structural reform in the sector. (Harborne, et al 2017). Government budgets are published but detailed military budgets are not available, and are frequently inaccurate. (Transparency International 2015)

According to Baaz and Verweijen (2013), the functionality of the military is chaotic, with perpetual integration and disintegration. The chain of command is disregarded regularly. Many counterinsurgency operations carried out in the east of the DRC are directed by the President, subverting any formal communication pattern. Missions for personal and private gain are undertaken without oversight. Factions leverage their role as power holders to leave the formal military and return under the open integration platform as it best suits them. Factions often return to the FARDC once demands for promotion or access to natural resources have been met.

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1).

The 2005 Constitution limits the Armed Forces mission "to defend the integrity of the national territory and the frontiers" (Art. 187), and formally brings them under civilian control (art. 188).

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0).

A revised Military Justice Code was adopted in 2002, however enforcement is highly inconsistent and selective, and rarely involves high-level officers. Patronage is used to subvert any military judiciary prosecution. (Baaz & Verweijen 2013, p. 6)

Sources:

Baaz, Maria Eriksson and Judith Verweijen. "The Volatility of a Half-Cooked Bouillabaisse: Rebel-Military Integration and Conflict Dynamics in the Eastern DRC." *African Affairs,* 112, No. 449 (2013): 563-582.

Baaz, Maria Eriksson, and Judith Verweijen. "Between Integration and Disintegration: The Erratic Trajectory of the Congolese Army." in *Social Science Research Council : DR Congo Affinity Group*. (New York: Social Science Research Council, 2013).

Democratic Republic of Congo Constitution 2005. Available at

Democratic Republic of Congo, Organic Law on the General Organization of the Defense and Armed Forces, no. 04/023, (2004).

Davis, Laura. *Justice-sensitive security system reform in the Democratic Republic of Congo*. (Brussels: Initiative for Peacebuilding, 2009).

Ebenga, Jacques, and Thierry N'Landu. "The Congolese National Army: In Search of an Identity." in *Evolutions & Revolutions: A Contemporary History of Militaries in Southern Africa,* Pretoria: Institute for Security Studies (2005): 63-83.

Harborne, Bernard, William Dorotinsky, and Paul M. Bisca, eds. *Securing Development: Public Finance and the Security Sector*. (Washington D.C.: World Bank Publications, 2017).

El Salvador 1991-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1).

The FMLN's military forces were dissolved, and officer positions in the Armed Forces were subject to formal review and vetting. No preference was shown based on ethnic, racial, sectarian, or party affiliation (Call, 2003).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

Fierce resistance by members of the High Command prompted Cristiani to announce (in late October) that he would postpone acting on the Commission's recommendations until after the FMLN had demobilized completely. The FMLN was demobilized, not integrated.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1991-2012: No (0)

Of the eleven ministers of defence during this period, all but one (in 2010-11) were active duty military officers. The Defense Minister remains an active duty general, and military Officers have resisted civilian oversight or input. (Call 2003, 836).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1992-2002: No (0)

2003-2012: Yes (1)

The Annual SIPRI Military Expenditure tables include consistent data for El Salvador's military budget data beginning in 2003.

The military is formally overseen by a ministry of defense and oversight committees in the legislature. (Call 2003, 833).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

According to Article 212 of the 1983 Constitution, the Armed Forces mission is to "to defend the State's sovereignty and territorial integrity. The President of the Republic may exceptionally order the Armed Force to maintain internal peace, in accordance with that provided by this Constitution."

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1).

A military justice system is established under the Constitution (Art. 30) and 1964 Military Justice Code was reformed in 1992 following the peace accords to limit its jurisdiction to cases involving military personnel. The system functions actively.

Sources:

El Salvador Constitution, 1983

Call, Charles T. "Democratisation, war and state-building: Constructing the rule of law in El Salvador." *Journal of Latin American Studies* 35, No. 4 (2003):827-862.

Walter K, and Philip J. Williams. "The Military and Democratization in El Salvador." *Journal of Interamerican Studies and World Affairs* 35, No. 1 (1993).

Ethiopia 1991-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

Yes (0)

The army was dominated by Tigrean members of the Tigrean Peoples' Liberation Front (TPLF). Starting in 1996, the government sought to diversify the composition of the army and shift to a professional army. Yet appointment and promotion of the top leadership, which is mostly made public, has shown that the leadership of the army remains dominated disproportionally by former liberation fighters from the TPLF and are from the Tigray region. The lower ranks are more balanced ethnically and appointments are understood to follow more meritocratic principles.

The top leadership are still dominated by a single ethnic group, whilst middle level management is based on loyalty to the party ideology. (Transparency International, 2015)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

The Ethiopian National Defense Force emerged as a product of multiple militia and guerilla units. As noted above, the TPLF dominates the officer membership; yet, the rank and file make-up incorporate multiple factions (Ayele 2014).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1991 – No (0) no min of def

1992-2001: Yes (1)

2002-2005: No (0), min of def is General Gemeda

2006-2012: Yes (1)

Article 87 of the Constitution states that the minister of defence shall be a civilian. Between 2002 and 2005 the minister of defense was a military officer.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1992-2001: No (0)
2002-2008: Yes (1)

The annual SIPRI Military Expenditure tables include consistent military expenditure data for Ethiopia after 2001.

According to Article 55 of the Ethiopian constitution, parliament must approve any legislation or ministerial budget before it becomes law. The Foreign, Defence and Security Affairs Committee of the legislature receives annual reports reviewing financial details and performance from the Defence Ministry and National Intelligence and Security Services. Given that the defence Minister and the entire Committee belong to the same party, and with the nature of party discipline, major decisions are made within the party rather than in the ministries, casting doubt on the independence and effectiveness of this legislative committee. (Transparency International, 2015).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (yes = 1)

Yes (1).

Article 87 of Constitution outlines that "The National Defence Force shall in addition to safeguarding the sovereignty of the country, perform such other duties as may be assigned to it in a state of emergency, in accordance with this constitution" and that "The defence force shall perform its duties in a manner free from partisanship to any political organization."

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1)

Sources:

Ayele, Fantahun. *The Ethiopian Army: From Victory to Collapse, 1977-1991.* Evanston: Northwestern University Press, 2014.
Berhe, Mulugeta Gebrehiwot. "The Ethiopian post-transition security sector reform experience: building a national army from a revolutionary democratic army." *African Security Review* 26, No. 2 (2017).
Constitution of Ethiopia, 1995. Available at https://www.africa.upenn.edu/Hornet/Ethiopian_Constitution.html
Transparency International. 2015. Government Defense Anti-Corruption Index. http://government.defenceindex.org/countries/ethiopia/

Georgia: 1993-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1)

Prior to 2013 reform efforts, promotion was not based on ethnic or partisan affiliation, but earned through a patronage system reliant on bribes. Since 2013, a transparent points system is used to promote military officials (Transparency International, 2015).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

Various illegal or quasi-legal forces operated openly until 1995, after which point their activities became more covert. Illegal or quasi-legal military units continued to operate in Ajaria and Javakheti, in conflict zones and adjacent territories, and in the Pankisi Gorge at the Georgian-Chechen border. These groups have not been formally integrated in to the national defense force (Darchiasvhili 2005).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1993-1994: Yes (1)

1995-2003: No (0),

2004-2012: Yes (1)

From 1995 to 2003, the ministers of defence were Lt-Gen Nadibaidze General Tavzadze. Since 2004, ministers of defense have been civilians.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1993-1995: No (0)
1996-2012: Yes (1)

The Annual SIPRI Military Expenditure tables include Georgia's military budget data from 1996-2012 with the exception of 2003.

The laws on the National Security Council and on Defence, adopted or revised in 1996–1997, facilitated oversight control over the armed forces and required that the Parliament define the

structure of the armed forces. The law on the parliamentary Group of Confidence, adopted in 1998, strengthened parliamentary control over defence spending: a special three-member parliamentary group, one member of which represented the parliamentary minority, acquired the right to full access to classified state programmes. (Darchiasvhili 2005, 167)

In 2006, as part of the accession process to NATO, the defense ministry adopted a new financial management system that enhanced access to financial data. The defence budget is broken down into some functions or areas, but some areas are provided in aggregate due to restrictions imposed by the State Secrets Law. The legislature has the authority and information to scrutinize the budget, but its capability for doing so has evolved. (Transparency International, 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

The 1995 Constitute limits the role of the Armed Forces to "protect the independence, sovereignty, and territorial integrity of the country," (art 98) requires Parliamentary approval for the mobilization of the armed forces (art. 100), and prohibits merging the armed forces with the police or internal security forces.

Discipline: Does the military have an active and functional disciplinary or justice system?

1993-2005: No (0).

Hard service conditions for conscripts and frequent abuse by the internal security forces contributed to lax discipline. (Darchiasvhili 2005)

2006-2012: Yes (1).

A 2006 Presidential decree sought to strengthen discipline by defining appropriate behavior and strengthening disciplinary sanctions and penalties. Military personnel receive special training in the laws which regulate discipline upon initial entry into service, as well as within their units during their entire period of service (Transparency International, 2015)

Sources:

Darchiasvhili, David, "Civil-military Relations and Security Sector Reform in a Newly Independent Transitional State: The Georgia Case," in Schnabel, Albrecht and Hans-Georg Ehrhart (eds), *Security Sector Reform and Post-Conflict Peacebuilding*. (United Nations University Press, 2005).

Constitution of Georgia. Available at https://matsne.gov.ge/en/document/view/30346

Transparency International, Government Defense Anti Corruption Index. Transparency International, 2015.

Guatemala 1995-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1995-1999: No (1)

Under Arzu, the military ran autonomously under the MoD; promotion and operations were indifferent to politics.

2000-2003: Yes (0)

Under Portillo, the top military officials were moved out of command for those who were politically aligned with the new ruling party.

2004- 2012 No (1)

Under Berger, the military was once again depoliticized.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0)

Insurgents were not formally integrated in to the rank and file of national defense.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1995-2012: No (0)

All 13 ministers of defence were military officers. The president appoints the commander in chief of the army, a general who is responsible to the defense minister, though he or she must have the approval of the defense minister who is by law a uniformed military officer. The military's strength as an institution has not waned in light of the peace agreement. (Barany 2012; Leon 2005)

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1996-2000: No (0)

2001-2012: Yes (1)

The Annual SIPRI Military Expenditure tables include consistent data for Guatemala's military budget data starting in 2001.

The ministry of defense was run autonomously, and little oversight existed in practice. A 1999 referendum to significantly increase civilian oversight over the armed forces was defeated. Around 2003, a set of reforms under Berger aimed to greatly reduce military spending and regain control of military oversight. A Defence Community was established, comprised of civilian and military members that worked together in assessing defense sector requirements. (Barany, 2012).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

The 1996 peace accord mandated constitutional reforms to subordinate the army to civilian control, restricted the military's mission to external defense. (Barany 2012). In addition, Article 156 of the Constitution states that "no functionary or public employee, civil or military, is obligated to perform manifestly illegal orders or those which involve the commission of a crime."

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

Military discipline is regulated under the Constitution (Article 219) Military Code (Law no. 2140 and Regulation for Disciplinary Sanctions. Following the 1996 Peace Accords, criminal matters involving military personnel were transferred to the jurisdiction of civilian criminal courts, but reforms to the military justice system were not put into place. The MoD has been reorganized and now includes departments for human rights and for strategic analysis, however, the vague reforms in the 1996 Accord failed to be implemented. (Barany 2012)

Sources:

Barany, Zoltan. *The Soldier and the Changing State: Building Democratic Armies in Africa, Asia, Europe, and the Americas*. (Princeton, New Jersey Princeton University Press, 2012).

Arévalo de León, Bernardo. "Civil-Military Relations in Post-Conflict Guatemala."" Revista Fuerzas Armadas y Sociedad 20, No. 1 (2005): 63–103

India 1972-1996

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

Civilian Control: Do civilians control the military? Is the executive a civilian rather than a military officer? Do civilians rather than military officers serve as ministers of defense, security or interior?

Yes (1)

All ministers of defense and heads of state were civilians during this period.

The combination of India's institutional legacy from British rule, the rise of external threats, and high levels of government legitimacy have maintained strong civilian control of the military… there hasn't been any change since independence" (Staniland, 2011, p.356). "Prime Minister Jawarhalal Nehru turned down several proposals from army officers, forced several army officers to resign during the war with Pakistan and emphasized that "civil authority is and must remain supreme." (Raghavan, 2012). "Two significant changes immediately after independence that reduced the influence of the military and strengthened civilian control were the abolition of the post of Commander-in-Chief that had hitherto been the main military advisor to the government, and the strengthening of the civilian-led Ministry of Defence" (Pant, 2014, 23).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

Yes (1)

The SIPRI military expenditure database includes India's military budget data during this time period with a few scattered missing or uncertain observations.

The MoD comprises four Departments, namely Defence (DoD), Defence Production & Supply (DDP&S), Defence Research & Development (DDR&D), and Ex-Servicemen Welfare (DESW), and the Finance Division. The three armed forces HQs have been placed subordinate to the DoD as "Attached Offices". (Pant 2014, 8). Senior officers are not given positions in the Ministry of Defense as joint secretary or above" (Raghavan, 2012, 123). Important communications go through the civilian officials and politicians at the Ministry of Defence. (Prakash 2014)

There are two Legislative Committees that hold responsibility for oversight. Defence expenditure is analysed by the Public Accounts Committee (PAC). The Standing Committee on Defence analyses requests for grants, Ministry of Defence (MoD) annual reports as well as defence-related bills and and policy documentation. The Parliamentary Standing Committee on Defence is

provided with budget information (Demand for Grants), which it is able to scrutinise and to accept or reject. The information provided to the Committee is highly aggregated and can be downloaded via the Union Budget website. (Transparency International 2015)

Formal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1972-1996: Yes (1)

Armed Forces Special Powers Act (AFSPA) of 1972 expands the power of the Army in insurgent areas and grants immunity from prosecution. It empowers army personnel, down to non-commissioned officers, to use force after giving due warning "even to the causing of death," if they are convinced that it is necessary to do so for the "maintenance of public order." Moreover, it allows them to enter premises, search and arrest without a warrant (Raghavan, 2012, 130).

Disciplinary System: Does the military have an active and functional disciplinary or justice system?

1972-1996: Yes (1)

There is an active Court Martial system for the military.

Sources:

Pant, Harsh V. "The Soldier, the State and the Society in India: A Precarious Balance." *Maritime Affairs: Journal of the National Maritime Foundation of India* 10, No.1(2014): 20-32,

Prakash, Arun Admiral (Retd) "Civil–military Dissonance: The Bane of India's National Security." *Maritime Affairs: Journal of the National Maritime Foundation of India* 10, No. 1 (2014): 1-19,

Raghavan, Srinath "Soldiers, Statesmen, and India's Security Policy." *India Review* 11, No.2 (2012): 116-133,

Staniland, Paul. "Explaining civil-military relations in complex political environments: India and Pakistan in comparative perspective." *Security Studies* 17.2 (2008): 322-362.

Indonesia: 1962-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1962-2012: No (1)

From 1962-1999, appointment to top military positions reflected personal loyalty and patronage networks, but did not reflect any specific ethnic, racial or sectarian lines. Following the transition to democracy, the military has shifted toward merit-based appointment. (Mietzner, 2009)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1962-2012: No (0)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1962-2003: No (0)
2004-2012: Yes (1)

During the New Order era until the transition to democracy, top officials including President Suharto and all ministers of defense remained active duty military officers. The "Dwi Fungsi" (Dual Function) doctrine led to deep penetration of the military into civilian institutions, as the military leadership filled most senior positions of the regime (Mietzner, 2009, 52) Following the transition to democracy, and especially after Susilo Bambang Yudhoyono won Indonesia's first direct presidential elections in 2004, the civilian government established stronger civilian control. Reserved military representation in parliament was abolished in 2004, and active military officers are no longer allowed to serve as cabinet ministers" (Mietzner 2011, 271).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1962-2012: Partial

The annual SIPRI Military Expenditure tables include inconsistent and uncertain data for Indonesia throughout this time period, with data provided in some years, but uncertainty and/or notes regarding substantial off-budget expenditure in several years.

Under the Suharto regime, the military exercised full control over its operations and budget, including through the predominance of military officers in the government and legislature. In addition, the military established substantial financial autonomy through "smuggling, rent-seeking, extortion, and business alliances with local entrepreneurs" which has undermined government oversight. This financial and operational autonomy were maintained through the transition to democracy. (Mietzner, 2009, 48)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1962-1999: No (0)

2000-2012: Yes (1)

The 1945 Constitution did not limit the use of force, and the armed forces had widespread autonomy and authority. Amendments to the Constitution adopted in 2000 laid out the functions of the Armed Forces to "to defend, protect, and maintain the integrity and sovereignty of the State," and distinguished them from the functions of the police. (Article 30)

Discipline: Does the military have an active and functional disciplinary or justice system?

1962-2012: No (0)

Indonesia has an active military court system, established by law in 1950 and updated through the 1997 Law on Military courts. However The military justice system is notorious for its leniency, for light sentences, and for protecting officers accused of crime. A 2004 military justice bill sought to put criminal actions under jurisdiction of civilian courts to end impunity for military officers, but the bill was rejected in Parliament. (Mietzner, 2011, p.275).

Sources:

Mietzner, Marcus. "Overcoming Path Dependence: The Quality of Civilian Control of the Military in Post-Authoritarian Indonesia." *Asian Journal of Political Science* 19, No. 3 (2011): 270-289,

Mietzner, Marcus. "Military politics, Islam, and the state in Indonesia: from turbulent transition to democratic consolidation." Institute of Southeast Asian Studies (2009).

The 1945 Constitution of Indonesia.

Iran (Persia): 1969-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1969-1979: Yes (0)

Shah Pahlavi hand-picked generals on the basis of personal loyalty, and was hostile toward ethnic minorities. (Roberts 1996, 5; Hashim 2001; Samii 2000).

1979-2012: Yes (0)

Under Khomeini, the revolutionary government purged monarchists from upper ranks and promoted officers on the basis of religious ideology and family ties to clerical families. Since the end of the Iraq-Iraq war the regime has moved to professionalize the armed forces, but non-Persian and non-Shiite minorities are restricted from attaining high-ranking positions, and both the military and revolutionary guard are dominated by ethnic Persians and Azeris. (Roberts 1996, 3; Hashim 2001, 38)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1969-1979: No (0)

1979-2012: Yes (1)

Shah Pahlavi's military was most well-trained and most well-equipped in the Gulf, but the Revolutionaries managed to defeat the regime in spite of it. Khomeini relied on anti-regime propaganda and the government even decided to keep the military in barracks to avoid them to join the opposition. After anti-regime demonstrations increased, the military ended up on the side of the protesters. Khomeini insisted on the inclusion of the Army into peace talks. The Army was then fully incorporated with the new regime. After the Revolution, Khomeini left the basic structure of the armed forces intact but purged all monarchists from the upper ranks (Roberts 1996)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1969-1979: No (0).

Ministers of War are active duty generals including General Saniei, General Azimi, and General Ryahi.

1980-1989. No (0).

Ministers of defense are active duty military including Colonel Fakuri, Col Salimi, and Col Jalili

1990-2001: Yes (1)

2002-2005: No (0), min of def Rear-Adminal Shamkani

2006-2009: Yes (1)

2010-2012: No (0), min of def Brig-Gen Vahidi

1979-2012: Yes (1)

The Shah directly supervised the Army, control over the Armed Forces was very tight, and Shah even had commanders of the army, navy and air forces to report separately (Roberts, 1996, p.4). The Army developed "utter psychological dependence" on the Shah to make any decision (Roberts, 1996, p.7). Every promotion above the rank of major needed Shah's personal approval.

Khomeini was granted absolute control over military by the constitutional clause in Sep. 1979, but the executive has authority to nominate ministers of defence and other appointments and the Parliament votes to approve/disapprove them. Article 176 of the Constitution provides that the Supreme National Security Council (SNSC) is responsible for determining defence and national security policies within the framework of the general policies of the Supreme Leader (SL) who is the Commander in Chief of the Armed Forces. Amongst its members, is Head of the Majles, Iran's Parliament. (Transparency International, 2015)

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1969-2012: Partial

The Annual SIPRI Military Expenditure tables include Iran's budget data for several years during this period, but several years are missing or uncertain, and SIPRI notes data is likely incomplete since they do not include the budget of the Revolutionary Guard.

Prior to 1979, administrative, policy, personnel, and operational matters were controlled directly by the Shah. (Hashim 2001, 37)

After 1979, the army came under the control of the president with mechanisms for approval by the legislature, but in practice the legislature and president wield limited power compared to the Supreme Leader especially early on. A large segment of the defense budget is out of the scrutiny or control of the president or parliament. (Transparency International, 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1969-197: No (0)

1979-2012: Yes (1)

The 1979 Constitution, article 172, provided for limits to the use of force, established military courts "to investigate crimes committed in connection with military or security duties by members

of the Army, the Gendarmerie, the police, and the Islamic Revolution Guards Corps," and extended the jurisdiction of public courts to try members of the armed forces or common crimes.

Discipline: Does the military have an active and functional disciplinary or justice system?

1969-1979: No (0).

Appointment, promotion, deployment and personnel were done on the basis of loyalty to the Shah. Discipline was enforced selectively. (Hashim 2001)

1979-2012: Yes (1)

Military courts are established in The 1979 Constitution. These courts have functioned actively. (Roberts 1996).

Sources:

Hashim, Ahmed S. "Civil-Military Relations in the Islamic Republic of Iran." In: Kechichian J.A. (eds) Iran, Iraq, and the Arab Gulf States. New York: Palgrave Macmillan, 2001.

Roberts, Mark J. *Khomeini's Incorporation of the Iranian Military*. Washington D.C: Institute For National Strategic Studies, National Defense University ,1996.

Samii, A. William. "The Nation and Its Minorities: Ethnicity, Unity, and State Policy in Iran." *Comparative Studies of South Asia, Africa and the Middle East* 20, No. 1 (2000): 128-137.

The Constitution of Iran. Available at https://www.constituteproject.org/constitution/Iran_1989.pdf?lang=en

Transparency International, Government Defence Anti-Corruption Index, 2015.

Iraq 1970-2012

Officer Appointment: Are officers excluded for promotion or appointment along ethnic, racial, sectarian or party lines?

Yes (0)

"The patronage of tribes, ethnicities and sectarian groups within the officer corps served as another means of targhib. Nepotism was rife and generals related to Hussein were promoted overnight. They were reliant upon the Iraqi leader for their survival, and if Hussein fell in a coup, so would they all. Junior and middle-grade officers were discontent as relatives and clansmen of Hussein were promoted more rapidly and in many cases without enduring the fighting on the front." (al-Marashi 2008, p. 144)

Promotion under Hussein was based on a system of coup prevention, wherein officers were moved from one post to another to avoid cliques developing that could threaten the regime's hold on power. Loyalty to the regime was primary grounds for promotion (Hashim 2003).

After the end of the Baathist regime in 2003, the Iraq Army was disbanded and re-established, subordinate to a civilian Minister of Defence and owing its loyalty to the Iraqi nation rather than a particular individual or political party. Soldiers were to be recruited nationally, reflecting a cross-section of the Sunni/Shia/Kurdish populations, and trained at a single centralized facility. In practice, however, former Ba'athists – most of whom were Sunni – were excluded from the ranks, as were any officers above the rank of Lieutenant Colonel, and appointments and promotion were based primarily on affiliation with ethnically-based political networks.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1980-2003: No (0)

2003-2012: Yes (1)

After the 2005 elections, deliberate attempts were made to integrate both Arab Shia and Sunni elements into the armed forces. (al-Marashi, p. 149)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1970-2004: No (0)

2005-2012: Yes (1)

All of the ministers of defense under the Baath regime were active duty military generals, as well as the president.

The Ba'thist regime, made up of active military, controlled all the essential military operational and logistical financing and resources. While this was done for the purposes of coup prevention, the ruling party and executive controlled all movements of the armed forces (Hashim, 2003)

Prior to the transfer of sovereignty at the end of June 2004, a civilian Minister of Defence was appointed along with three General Officers, one Sunni, one Shia and one Kurd, to head up the military staff.

Ministers of Defense in the post 2004 governments have not been active members of the military.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1970-2012: No (0)

Data for Iraq is missing or uncertain from the annual SIPRI Military Expenditure tables.

Prior to 2003, Ba'thists not only controlled the necessary resources for military activity, but had over 100,000 spies gathering information on the activity of the military. The regime did have access to accurate information on all military activities, but leadership was dominated by active military personnel.

After 2005, the government adopted several provisions for formal oversight. Formally, the full budget is presented to the Iraqi parliament for approval, including the defense budget. Budget items proposed by individual ministries (including Defense) are presented to the economic committee for the budget prior to proposal to the full parliament. Despite formal oversight, the Iraqi regime avoided legislative scrutiny, and set up parallel forces (the Iraqi Special Forces) and command structures to concentrate authority with the Prime Minister without involvement of the Ministries of Defense or the legislature. (Gaub 2016). The Ministry of Defence does not declare details of sources of defence income other than from central government allocation for public consumption, and the Iraqi government does not publicise more than limited, general budgetary information (Transparency International, 2015).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1970-2004: No (0).

2005-2012: Yes (1)

According to the 2005 Constitution (Article 9): “The Iraqi Armed Forces...shall be subject to the control of the civilian authority, shall defend Iraq, shall not be used as an instrument to oppress the Iraqi people, shall not interfere in the political affairs, and shall have no role in the transfer of authority.

Discipline: Does the military have an active and functional disciplinary or justice system?

1970-2004: No (0)

There was a detailed code of conduct for officers and enlisted under the Baath regime, but it served primarily as a mechanism for indoctrinating the army into the Party. Discipline was maintained through overlapping forces rather than effective rules. Respect for hierarchy and discipline disintegrated (Hashim 2003, p.28).

2005-2012: No (0)

The 2005 Constitution calls for a law to regulate the military judiciary and shall specify the jurisdiction of military courts, which are limited to crimes of a military nature committed by members of the armed forces and security forces, and within the limits established by law (2005 Constitution, Article 99) The 2013 joint report between UNODC and CoI (and others) provided statistics on the increase in prosecutions over recent years: from 257 in 2009 to 1016 in 2010 and 1661 in 2011 (UNODC/CoI, January 2013, p.51). However Transparency International reports widespread corruption and little accountability within the defense sector. (Transparency International 2015)

Sources:

Al-Marashi, Ibrahim, and Sammy Salama. *Iraq's armed forces: an analytical history*. Routledge, 2008.

Gaub, Florence, “An Unhappy Marriage: Civil-Military Relations in post-Saddam Iraq” (Washington, DC: Carnegie Middle East Center, 2016)

Hashim, Ahmed. "Saddam Husayn and Civil-Military Relations in Iraq: The Quest for Legitimacy and Power." *Middle East Journal* 57, No. 1 (2003): 9-41.

Transparency International, Government Defense Anti Corruption Index 2015.

UNDOC, “Corruption and Integrity Challenges in the Public Sector of Iraq: An Evidence-Based Study,” (United Nations Office on Drugs and Crime, 2013)

Laos 1962-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

Yes (0).

All Army officers are Party members. Ethnic Lao are preferentially recruited into the Army.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

No (0)

The Minister of Defense is always a senior serving general.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)

The Annual SIPRI Military Expenditure tables have no data for Laos during this period.

Article 67 of Constitution empowers the president, "to decide on promotions or demotions at the rank of general in the national defence and security forces based on the recommendation of the Prime Minister." Other than this clause, there is limited, if any, public information on oversight of military operations. The Army and Party are highly secretive organizations. Military budgets far underestimate military costs due to military-owned enterprises and contracts.

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

No (0)

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0).

There is a military court system as defined in the 2003 Law on the People's Court, but definitions of offense and procedures are not publicly available. Discipline and loyalty are maintained primarily through personal relationships between party members and military personnel.

Sources:

Stuart-Fox, Martin. *Politics and reform in the Lao People's Democratic Republic*. Perth, Australia: Asia Research Centre, Murdoch University, 2005.

Stuart-Fox, Martin. "Prospects for democracy in Laos." *Asian Studies Review* 17, No. 2 (1993): 121-128.

Lebanon 1977-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1977-1983: No (1)

Officer Corps were traditionally always Christian, since military composition reflected socio-economic conditions, political authority, and the fact that the Army clashed with the Palestinian militias. (Gaub 2010, 54). After 1977, a 50-50 quota for Muslims and Christians in the officer corps was enforced.

1984-1990: Yes (0)

When Michel Aoun became Commander-in-Chief, he passed promotions to his friends and associated, and reinforced Christian dominance in the officer corps (Gaub 2010, 51).

1991-2012: No (1)

The new military was shaped by Lebanese supporters of the Ta'if agreements under the eyes of the Syrian government. Most of the integrated personnel were Muslim, but most of the new recruits were Christian, providing an ethnic balance. A 50/50 quota for officers was enforced (Gaub 2010, 77).

"Interviews indicate that soldiers can steadily progress through the ranks, based upon length of service and merit." (Transparency International, 2015)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1977-1990: No (0)

1991-2012: Yes (1)

The two wings of the Lebanese Army, Christian and Muslim, that had split during the civil war were reunified, and the government granted amnesty to Aoun's brigades and re-integrated them into the national Armed Forces (Gaub, 2010, p.66). The military accepted the integration of a limited number of militiamen into its ranks. A religious quota was enforced, and internal army reform mixed and matched all brigades and put an end to a system of composing brigades according to religious adherence (Gaub 2010).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1977-2012: Yes (1)

The positions of minister of defense and interior have been mostly held by politicians and party members.

According to Article 65 of the 1926 Constitution, "The executive power is vested in the Council of Ministers, and is the power to which the Armed Forces are subjected. President is the Commander in Chief of the armed forces which are subject to the authority of the Council of Ministers.

In 1979, a new National Defense Law strengthened oversight to the Council of Ministers and Supreme Defense Council, forcing the commander in which to negotiate with other civilian officials, and brought the army under control of the Minister of Defense. Permanent bodies such as the Military Council are also connected to the Defence Minister under the 1979 Law (Articles 29 and 30).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1977-1982: Yes (1)

1983-1990: No (0)

1991-2012: Yes (1)

The annual SIPRI Military Expenditure tables include budget information for Lebanon except for during the period between 1983 and 1990.

The 1979 National Defense Law strengthened oversight to the Council of Ministers and Supreme Defense Council, thereby forcing the commander in which to negotiate with other civilian officials and strengthening their authority. In 1983-1984, the army split, soldiers deserted, and the government exercised little oversight over individual commanders. Since 1991, the government has re-established effective oversight. (Transparency International 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (yes = 1)

1977-1990: No (0)

1991-2012: Yes(1)

The Taif Accord established the "fundamental task of the armed forces is to defend the homeland, and if necessary, protect public order when the danger exceeds the capability of the internal security forces to deal with such a danger on their own… under conditions determined by the cabinet."

Discipline: Does the military have an active and functional disciplinary or justice system?

1977-1982: Yes (1)
1983-1990: No (0)
1991-2012: Yes (1)

There is a Code of Conduct for military personnel as well as a military judicial system (Transparency International, 2015) However it did not function during the split in the armed forces during the 1980s. In 1983-4 40% of the army deserted.

Sources:

Florence Gaub. "Merging Militaries: The Lebanese Case." in Licklider, R. E. *New Armies From Old : Merging Competing Military Forces After Civil Wars*. (Washington: Georgetown University Press, 2014).

Gaub, Florence. *Military integration after civil wars: Multiethnic armies, identity and post-conflict reconstruction*. (New York: Routledge, 2010).

Kechichian, Joseph A., "The Lebanese Army: Capabilities and Challenges in the 1980s." *Conflict Quarterly*, (1985): 15-39.

The Constitution of Lebanon.

The Taif Accords. Available at Peace Accords Matrix, Kroc Institute for International Peace Studies, University of Notre Dame/ Available at: https://peaceaccords.nd.edu/provision/military-reform-taif-accord, retrieved 10/2/2017),

Transparency International. 2015. Government Defense Anti Corruption Index.

Liberia 2004-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

2004-2012: No (1)

From the founding of the AFL, officers were drawn from the elite class of Americo-Liberians, while lower ranks were drawn from indigenous tribes. After the 1980 coup d'etat by Master Sergeant Doe, ethnic discrimination in the security sector intensified. "A Krahn tribesman from Grand Gedeh, [Doe] favored members of Krahn and Mandingo tribes to consolidate his support base. (Podder 2013, p.360).

In 2005, the AFL was disbanded and a new recruitment process undertaken. New recruits were drawn from every ethnic group and all 15 Liberian counties, based on the same selection standards. 75 percent of the candidates who applied to the new army were rejected, a comparatively high number compared results produced by previously used vetting protocols. (Malan 2008, 31-32)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

2005-2012: No (0)

Ex-combatants and rebels were not integrated into the army. Exclusion from the Army and Police "has given rise to a significant pocket of disgruntled youth that includes a scattered cohort of ex-combatants, war-disabled and unemployed civilians" (Podder 2013, 371).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

2004-2012: Yes (1)

A civilian transitional government from 2003 to 2005 and then fully civilian government, including civilian ministers of defense.

The 2008 National Defense Act, granted the Ministry of Defense direction over policy, procurement and finance, set up a new Inspector General, and subjected the budgets and top appointments to legislative approval. A restructured Ministry of Defense adopted new administrative procedures to facilitate civilian oversight.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

2004-2012: Partial

The annual SIPRI Military Expenditure tables are missing budget data prior to 2007, and has inconsistent coverage between 2007 and 2012.

Access appears to have gradually improved after 2007 as defense reforms were implemented. "The 2008 National Defense Act increased formal oversight by the Ministry of Defense and legislature. The Ministry of Defense was reorganized to strengthen administrative and operational control over the AFL. Multiple legislative committees contest for supremacy in conducting security sector oversight, including the Committee on National Security, the Committee on National Defense, and the Committee on the Judiciary, although their capacity to exercise effective oversight remains weak." (Malan, 2008, 16) The ministry of defense was restructured after 2006, and capacity in the areas of financial management and transparency improved gradually.

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1986-2012: Yes (1)

The 1986 Constitution does not include specific limits on the use of the Armed Forces. The 2008 National Defense Act specified the mission of the AFL "to defend the national sovereignty and territorial integrity of Liberia" (sect 2.3) and prohibited it from engaging in internal security and law enforcement activities. It also established a new code of military justice that with specific limits on the use of force and behavior of military personnel.

Discipline: Does the military have an active and functional disciplinary or justice system?

2004-2007: No (0)

2008-2012: Yes (1)

The 2008 Defense Act included a new code of military justice and limits on the use of force, and specified mechanisms for discipline and accountability. Initially, the Armed Forces lacked military lawyers necessary to fully enact the military justice system, but it instead created disciplinary boards to handle noncriminal cases, while more serious cases were referred to civilian courts.

Sources:

Malan, Mark, Security sector reform in Liberia: Mixed results from humble beginnings. Carlisle Barracks, PA: Army War College Strategic Studies Institute, 2008.

Podder, S. (2013). Bridging the 'Conceptual–Contextual'Divide: Security Sector Reform in Liberia and UNMIL Transition. *Journal of Intervention and Statebuilding*, 7, No. 3 (2013): 353-380.

The 1986 Constitution of Liberia with amendments.

Morocco 1989-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1)

While Berbers were heavily recruited during the protectorate period and after independence, following reforms put in place under Hassan II in the mid-1970s, they became less prominent in the FAR and candidates were selected from different regions and ethnic groups as well as from low and middle classes, creating a degree of diversity in the officer corps despite the economic and social divisions of Moroccan society. (Saidy 2018, p. 9)

Low level officers are selected based on "entrance exams," a process that is transparent and meritocratic. Upper level positions are facilitated under the guise of meritocracy, but are often used to reward or punish. According to Transparency Intl, the coup attempts from the early 70's are fresh in the mind of the executive, thus promotion to high ranking positions requires displays of personal loyalty.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war? Yes=1

No (0)

Neither the "Settlement Plan of Western Sahara" or the Baker Plan 1 or Baker Plan II incorporated an integration of armed forces.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1989-2012: No (0)

There is no formal minister of defense. The position of Delegate-Minister for the Admin of National Defense was installed in 1997. Since that time, it has been held by civilians. The role of this department is rather ambiguous. According to several official sources, the National Defense administration did not exercise any effective control over the Royal Armed Forces and simply managed administrative, budgetary or organizational matters (Boudarham, 2013).

The Moroccan parliament gives approval to the defence budget as part of the annual Finance Act, in accordance with article 75 of the Constitution. The budgetary committee does oversee line items for the military and security. However, there is little to no actual power held in legislature.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1990-1994: Yes (1)

1994-2001: No (0)

2002-2012: Yes (1)

Coverage in the annual SIPRI Military Expenditure tables varies over time.

The transformation, management, financing and functioning of the security sector and its supervision are carried out according to the king's instructions and not according to the independent initiatives of selected institutions (Mattes, 2009).

The Defense Budget is published and approved by the Parliament and subject to audits by the Controller and Auditor General. However defense policy in Morocco has been surrounded by opacity: there is never any dissemination of information to the general public, and no publication of official documents such as white papers on national security strategy. (Saidy 2018, 104) The defence budget, generally incomplete, is always presented with little data on military spending and it is difficult for parliamentarians to obtain further information. (Saidy 2018, p. 103)

"Neither the Parliament nor the Controller and Auditor General are responsible for defence budget scrutiny and analysis in any effective way. Moreover Article 171 of the March 20th 2013 Code of Public Procurement Contracts exempts the defense procurement contracts from audits and controls…. The budget law draft and the final law refer to the defence budget in very vague terms, without breakdowns into functions or areas (except "staff" and "equipment')" " (Transparency International, 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (Yes = 1)

No (0)

The constitution does not limit the powers of the military within borders. It does identify a Superior Council of Security that is appointed to serve as the decision-making body on matters of security and use of force within the country (as well as internationally), but allows the use of the military forces for internal security.

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1)

The Regulations on General Discipline of the Royal Armed Forces (1974) and Military Justice Code (1956) provide a detailed rules on of the behavior military personnel should observe

before, during and after operations.

Reports suggest that disciplinary measures are enforced, but that security forces are sometimes protected. For instance, a 2010 U.S. Human Rights Report noted 332 arrests, prosecutions or investigations of security personnel, including 16 members of the Royal Armed Forces, but noted that "many more incidents of alleged corruption were never investigated. Cases often languished in the investigatory or trial phases without resolution (including armed forces and police)."

"King Mohammed is still striving to repair the FAR's poor reputation, which has been damaged by numerous negative headlines (for example, concerning the involvement of officers and soldiers in illegal drugs deals); thus, more transparency and more information about FAR are planned. At the moment, concrete measures have still not materialized" (Mattes, 2009).

Sources:

Mattes, Hanspeter. "Morocco: Reforms in the Security Sector But No 'SSR'." in *Security Sector Reform in Challenging Environments*. Edited by Born, Hans and Albrecht Schnabel. Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2009.

Boudarham, Mohammed. *Death. Morocco without "Minister of Defense"* L'Actu Maroc. 2013 http://www.telquel-online.com/archives/445/actu_maroc4_445.shtml

"Morocco" in Submission to the United Nations Human Rights Committee 118th Session, 17 October-14 November 2016. London. *Amnesty International*.

Saidy, Brahim. "Army and Monarchy in Morocco: Rebellion, Allegiance and Reforms." *The International Spectator* 53, Vol. 2 (2018): 94-110.

Mozambique 1992-2012.

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

No (1)

The General Peace Agreement for Mozambique stated that “The forces should be exclusively constituted of Mozambican citizens, be professionally trained and competent, non-partisan, professional and respectful of the democratic order and the rule of law. Its composition should preclude all forms of racial or ethnic discrimination based on language or religious affiliation.” (Protocol IV.i.2)

"There is an established system in place for the appointment and promotion of military personnel that is considered professional; however, it appears that this may form part of internal policies that are not available to the public. Appointment and promotions are often based on merit due to the importance of the military during the civil war, which has resulted in a number of well-qualified and well-experienced officers within the armed forces," (Transparency International, 2015)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

Protocol IV of the General Peace Agreement required dismantling the former governmental forces (FAM) and the Renamo guerrilla forces, and then merging of volunteers from both forces on a fifty/fifty basis.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1992-1994: No (0), min of def General Chipande

1995-2012: Yes (1)

The Law states that the President is the Commander in Chief of the armed and security forces, and invests him with the powers to declare the state of war and its termination, curfew or a state of emergency. The National Assembly must, however, sanction the latest two dispositions. There is also a consultation body of the President for defence and security-related matters.

Following the end of the civil war, a separate Ministry of Defense was created, detached from the military, as a civil administration and management structure separate from the armed forces. The FADM is subordinate in administrative and legal matters to the Ministry of Defence. The

Minister of Defence as a member of the executive answers before Parliament to the Joint Standing Defence and Public Order Committee that has oversight and investigation powers over actions in this area.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1993-1999: No (0)/Partial

2000-2009: Yes (1)

2010-2012: No (0)

The annual SIPRI Military Expenditure tables have budget data for Mozambique for only some years between 1993 and 1999, but consistent data coverage for 2000 to 2009.

From the first democratic elections in 1999 onwards the perspective of downsizing the Defence forces expenditure continued and the International Community exerted an extreme pressure to cut security expenditure as a whole after the demobilization process. The argument was that the allocation of these resources to the social sector, namely the areas of health and education would better serve the interests of the Mozambican people. The Government complied with this policy and restructured the defense sector.

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (Yes = 1)

Yes (1)

The 1990 Constitution states that the objectives of the national defense forces are to “defend national independence, to preserve the sovereignty and the integrity of the country, and to guarantee the normal functioning of institutions and the security of citizens against any armed aggression." (Article 265) It requires the forces to be strictly nonpartisan, and to be subsuervient to civilian authority. (Article 266)

Discipline: Does the military have an active and functional disciplinary or justice system?

1992-1995: No (0)

1996-2012: Yes (1)

A military code of conduct was passed by the Assembly as part of the military restructuring laws between 1995 and 1996. (Transparency International, 2015)."

Sources:

Lala, Anicia. "Security Sector Reform as a Governance issue: The Case of Mozambique." Journal of Security Sector Management 1, No. 2 (2003).

The Constitution of Mozambique.

Government Defense Anti Corruption Index 2015. Transparency International.

General Peace Agreement for Mozambique, 1992. Available at: https://peaceaccords.nd.edu/accord/general-peace-agreement-mozambique

Namibia 1991-2012

Officer Appointment: Are officers excluded for appointment or promotion along ethnic, racial, sectarian or party lines?

No (1)

"The Namibian Defence Forces were established in 1990 with an intent "to serve as the vehicle and mechanism for national reconciliation." Officers and soldiers were recruited on the basis of merit drawn both from the former South West Africa Territorial Force (SWATF) and the People's Liberation Army of Namibia (PLAN). (Dzinesa and Rupiya 2005)

"Because of the departure of most white SADF and SWATF officers back to south Africa, ex–PLAN officers tended to take the higher-level positions in the NDF…However, only two high-level position were given to ex-PLAN officers. (Burgess 2008)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

Yes (1)

"The President appoints the chief of the defence force who is the professional head of the NDF. The chief of defence is answerable to the president. The president may remove the chief of the defence force from office for good cause and in the public interest, and in accordance with the provisions of any act of Parliament which may prescribe procedures considered to be expedient for this purpose..... The civilian-led and -dominated MoD supervises the NDF." The Parliament approves defense budget and reviews the President's decision to deploy defense forces in critical situations. (Dzinesa & Rupiya, 2005)

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1989-1995: No (0).

1996-2012: Yes (1)

The Annual SIPRI Military Expenditure tables include Namibia's military budget data consistently starting in 1996.

"Two main bodies have been established in Namibia's Parliament to exercise oversight and budgetary accountability over the MoD/NDF, the Parliamentary Standing Committees on

Foreign Affairs, Defence and Security and the Cabinet Committee on Defence, Security and International Relations. In addition, the National Assembly also scrutinizes the defence budget. the Public Accounts Committee also examines the prudence of the defence budget…..The Minister of Defence has on numerous occasions been forced to explain his budget to the Parliament. In order for his budget to be approved the minister at times has been forced to provide a more detailed budget."" (Transparency International, 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (Yes = 1)

Yes (1)

Chapter 4 of the Constitution (Article 26) lays out the situations under which the President may declare the state of emergency and mobilize the army to restore the Constitutional order/defend the country. The National Assembly has power to revoke the President's order.

"The Parliament reviews the President's decision to deploy defense forces in critical situations. The Parliamentary Standing Committee on Security provided for by the Namibian Constitution is supposed to regulate civil-military relations." (Transparency International, 2015).

Discipline: Does the military have an active and functional disciplinary or justice system?

2002-2012: Yes (1)

There is a general court martial and ordinary court martial. An ordinary court martial may try any member, other than an officer, for any offence. This was implemented in 2002. (Lambert, 2010)

Sources:

Burgess, Stephen. F. "Fashioning Integrated Security Forces after Conflict," *African Security* 1, no. 2 (2008): 69–91.

Dzinesa, Gwinyayi and Rupiya, Martin. "Promoting national reconciliation and regional integration: The Namibian Defence Force from 1990–2005." in *Evolutions & Revolutions: A Contemporary History of Militaries in Southern Africa*. (Pretoria, South Africa: Institute for Security Studies, 2005): 199–234.

Transparency International, Government Defence Anti-Corruption Index, 2015.

Preston, Rosemary. "Integrating fighters after war: reflections on the Namibian experience, 1989–1993." *Journal of Southern African Studies*, 23, No. 3 (1997): 453–472.

The 1990 Constitution of the Republic of Namibia.

Lambert, Thomas. "Criminal Justice in the Namibian Defence Force: A Comparative Study." Unpublished Master's Thesis, the University Of Namibia, 2007. Available at http://wwwisis.unam.na/theses/lambert2010.pdf

Nepal 2006-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

Yes (0)

On 13 March 2013, political parties reached an agreement on the highest rank to be attained by the ex-rebel combatants. (Peace Accords Matrix). Previously, The CPN(m) ex-combatants had not integrated in to the NA, and were excluded from holding high ranking officer positions.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

2006-2011: No (0)

The discussions after the Comprehensive Peace Agreement were highly focused on rightsizing and integrating the ex-combatants from the CPN (M) in to the Nepalese Army. The failure to accomplish these tasks led to the dissolving of the CPN (M) led government in 2009.

2012: Yes (1)

"The main political parties finally agreed in December 2011 to integrate 6,500 combatants into the Nepalese Army. Ex-combatants went through the re-verification process and they were given options either to opt for a voluntary retirement, join the Nepalese Army or rehabilitate" (Peace Accords Matrix).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

2006-2012: Yes (1)

The minister of defense reacquired oversight power in the post-2006 government. No acting military person has held the post since then. The Comprehensive Peace Agreement gave the interim legislature oversight over the council of ministers responsible for overseeing the rightsizing, integration, housing, and allocation of resources to the Nepalese Army (Peace Accords Matrix).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

2006-2011: Yes (1)

2012: No (0)

The Annual SIPRI Military Expenditure tables have information about Nepal during the stated period, except for 2012.

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (yes = 1)

2006-2012: Yes (1)

The roles of the NA are specified in the 2006 Army Act as "safeguarding territorial integrity; constructing roads; protecting parks and reserves; responding to disaster-related crises (rescue and recovery); UN peacekeeping operations; the security of V/VIPs; and the protection of crucial areas such as airports, banks and telephone towers. (Uppretti & Vanhoutte 2009; Comprehensive Peace Agreement)

Discipline: Does the military have an active and functional disciplinary or justice system? (Yes = 1)

2006-2012: No (0)

The 2006 Army Act defines offenses and military courts martial system. However, Section 22 provides immunity for offences if committed on duty: "in the course of discharging duties in good faith." The 'good faith' requirement appears to be construed to confer a very wide-reaching immunity to army personnel. Granting statutory immunity for carrying out certain acts in 'good faith' is not unknown in other legal frameworks, and is linked closely to the law of torts under the common law system. However, there has been no clarification of the good faith standard by the Nepali judiciary (ICJ 2013).

Sources:

Dhungana, Shiva K. "Security Sector Reform and Peacebuilding in Nepal: a critical reflection." *Journal of Peacebuilding & Development* 3, No. 2 (2007): 70-78.

International Commission of Jurists (Ed.). (2013). *Authority without accountability: The struggle for justice in Nepal* (Publication). Geneva, Switzerland: International Commission of Jurists.

Upreti, Bishnu Raj, and Peter Vanhoutte. "Security sector reform in Nepal: Challenges and opportunities." in *Security Sector Reform in Challenging Environments.* Geneva: LIT Verlag, 2009: 165-187.

Watson, A and Rebecca Crozier. *Security for Whom? Security Sector Reform and Public Security in Nepal*. Initiative For Peacebuilding Security Cluster, 2009.

Nicaragua 1979-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1979-1993: Yes (0)

The Sandanista Popular Army (*Ejercito Popular Sandanista*, *EPS*) was established by the Sandanista government in 1979 out of its guerrilla forces to serve as the military arm of the revolutionary government. Its officer corps was highly politicized and loyal to the Sandinista party's socialist ideals.

1994-2012: No (1)

The incoming government accepted the EPS and the existing military hierarchy as Nicaragua's only legal armed force in return for the military's agreement to downsize and transform itself into a nonpartisan, professional army legally subordinate to civil authority. Political indoctrination within the EPS ceased, and members of the armed forces including General Ortega immediately resigned all of the positions they held in the Sandinista Front (Ruhl, 2003).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1979-1990: No (0).

The EPS was made up of former rebel fighters and did not integrate government or other opposition forces.

1991-2012: Yes (1)

The EPS was accepted as the government force, and opposition forces were integrated.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1979-1990: No (0)
General Ortega served as the minister of defense.

1991-2012: Yes (1)

The Code of Military Organization, Jurisdiction, and Social Provision adopted in 1994 established a formal system for the transfer of military authority, and civilian control provisions of were substantially strengthened by the National Assembly prior to passage. According to the

code, Military personnel are prohibited from holding any elected or appointed civil governmental posts" (Ruhl 2003).

The Code of Military Organization, Jurisdiction, and Social Provision (Law 290, 1994), Article 20, and the subsequent regulatory Decree 71-98 agreed to by the armed forces, the duties of the minister of defense include defense policy planning, approval of military actions, oversight of the military budget; supervision of military education, and guidance of intelligence gathering.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1979-1998: No (0) / Partial
1998-2012: Yes (1)

The Annual SIPRI Military Expenditure tables have inconsistent coverage of Nicaragua's military spending until 1998, after which it has consistent data coverage.

In the post-Sandinista government, the defense ministry contained only about sixty employees, all of whom were patronage appointees, with limited skills to analyze defense issues, and who were replaced each time a new defense minister arrived. Despite the authorities provided by Law 290, de facto control of military planning, operations, budgeting, intelligence, and education remained with the uniformed commander-in-chief. The ruling-party - controlled National Assembly also played almost no role in monitoring the army. (Ruhl, 124).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1979-1994: No (0).

The 1979 ‘Foundational Law’ and the 1987 Constitution adopted by the Sandinista government gave the army total authority to address security threats within and outside the territory.

1995-2012: Yes (1)

Reforms to the 1987 Constitution adopted in 1995 defined the army as “an armed institution for the defense of sovereignty, independence, and territorial integrity" (Article 92); a “national institution, of a professional, nonpartisan, apolitical, obedient, nondeliberative nature" (Article 93); and an institution that will “govern itself in strict accordance with the Political Constitution, to which it will show respect and obedience" (Article 95).

Discipline: Does the military have an active and functional disciplinary or justice system?

1979-1994: No
1995-2012: Yes (1)

The 1995 Constitutional reforms narrowed the jurisdiction of military courts to offenses against military discipline, blocked armed forces personnel from occupying civil governmental posts, prohibited political espionage by military intelligence, and established the Military Pension Institute (IPSM) to provide retirement benefits to officers. (Art. 93.)

The 1994 Military Code (Law 290) limited the jurisdiction of military courts to offenses against military discipline as defined in the military penal code (e.g., unauthorized absence, insubordination).

A new military justice and penal code was adopted in 2005 and 2006. (República de Nicaragua. Ley Número 523 "Ley Orgánica de Tribunales Militares", (Asamblea Nacional de la República de Nicaragua: Managua, 17 de febrero, 2005) Ley No. 566 "Código Penal Militar" (Asamblea Nacional de la República de Nicaragua: Managua, 22 de noviembre, 2005). Ley Número 617, "Código Procesamiento Penal Militar", (Asamblea Nacional de la República de Nicaragua: Managua, 18 de abril, 2007)

Sources:

Ruhl, J. M."Civil-Military Relations in Post-Sandinista Nicaragua." *Armed Forces & Society* 30, No. 1 (2003): 117-139.

Republic of Nicaragua 1987 Constitution with 1995, 2000 and 2005 reforms

Nigeria 1971-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1971-2012: No (1)

During the colonial period, the British promoted only ethnic groups they believed were better fighters – notably Hausas -leaving Yorubas and Ibos under-represented especially at the officer level. In the post-colonial period, Ibos and other groups started to entry Armed Forces and since they tended to be better educated, they soon started to be over-represented in the upper ranks (Gaub, 2010, p.25). Due to recruitment policies starting in the mid-1960s, however, the Ibos lost their dominance in the upper ranks. All ethnic groups have since been represented and cooperated in the military. (Gaub, 2010)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

1971-2012: Yes (1)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1966-1979: No (0)
1979-1983: Yes (1)
1984-1998: No (0)
1999-2012: Yes (1)

A 1966 coup brought to power a Supreme Military Council, followed by the presidency of General Olusegun Obsanjo. In 1979, the civilian Shagari government established control of the military, but it was overthrown in 1983, bringing in another period of rule by a series of military officers, until the return to civilian government in 1998. Since then, Ministers of Defense have been civilians or retired military officers.

According to the 1979 Constitution, the legislature regulates Presidential powers over appointments and promotions in the military. These powers were revoked by the military governments of 1984-1998, until the return to civilian rule (Welch 1995, 607).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments, budgets, expenditures and operations?

1971-1996: No (0)/Partial.

1997-2012: Yes (1)

The Annual SIPRI Military Expenditure tables have inconsistent data availability for Nigeria until 1997.

The Federal Government of Nigeria Appropriations Act including defence appropriations can be obtained from the Budget Office, Federal Ministry of Finance. The defence budget is scrutinized by the Defence Committees of the Senate and House of Representatives before being considered by a joint sitting of the National Assembly, resulting to an Appropriation Act that is then sent to the President for his assent. Appropriations are broken down into personnel, overhead, recurrent, and capital allocation, although many of the sub-headings are provided in general terms rather than in specific details. Under military rule, budgetary allocation to various military formations was misappropriated by unit commanders, but such misappropriation have been less likely under the current civilian democratic administrations. (Transparency International 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1971-1978: No(0)

1979-2012: Yes (1)

The 1979 and 1999 Constitutions include formal establishment of the roles of the military and limits on the use of force, although these limits were inconsistently applied during the periods of military rule. (Welch, 1995, 607)

Discipline: Does the military have an active and functional disciplinary or justice system?

Deleted: ary System

1971-2003: No (0)
2004-2012: Yes (1)

The 2004 Armed Forces Act specified misconducts and procedures for courts martial and military justice. Military Courts Martial within the various arms of the military try and penalize offenders found guilty of various aberrations.

Sources:

Gaub, Florence. *Military integration after civil wars: Multiethnic armies, identity and post-conflict reconstruction*. New York: Routledge, 2010.

The 1979 Constitution of Nigeria.

Welch Jr., Claude E., "Civil-Military Agonies in Nigeria: Pains of an Unaccomplished Transition." *Armed Forces & Society* 21, No. 4: 593-614.

Pakistan 1978-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

1978-2012: Yes (0)

The officer corps has long been dominated by ethnic Punjabis, while minority Muslims (such as Ahmadis) and non-Muslims have been excluded from high level positions in the military (Staniland, 2008).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1977-1988: No (0)

1989-1996: Yes (1)

1996-2008: No (0)

2008-2012: Yes (1)

In the 1977 Coup, General Zia ul-Haq overthrew civilian government and presided over the longest period of martial law in Pakistan's history (July 1977–December 1985). While he created the semblance of a participatory system by setting up a parliament through non-party, regulated elections and installing a Prime Minister, he exercised ultimate authority. After Zia's death, the military decided not to assume power, leading to multi-party elections and subsequent transfer to a civilian government in 1988. (Rizvi, 1998, p.97). In 1996, the military once again took control of the government after corruption cases, ethnic and religious violence in Sindh, and poor economic performance. General Pervez Musharraf ruled as head of state from 1999 until 2008. (Shah 2013, p.1008) In 2008, the country returned to civilian rule.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1978-2005: Partial

The Annual SIPRI Military Expenditure tables include Pakistan's military budget data, but several years during this time period have missing or uncertain data.

In practice, the military has resisted oversight by civilian governments and the legislature from the beginning of the Pakistani state. Control over the three armed services (army, air force and navy)

rests with their respective service chiefs and senior commanders. “Even though the MoD, headed by a civilian minister, is formally responsible for the administration of the armed forces, oversight over the military is primarily restricted to formal audits of its expenditures. Military officers dominate senior positions (additional secretary and secretary level) in the MoD, which mostly acts as a clearinghouse for military proposals and demands” (Shah 2010). In addition, the military has frequently intervened in politics, including to unseat three elected governments when they challenged military prerogatives. (Shah, 2013, p.1012). The military has also resisted civilian appointments, as well as personnel recommendations for promotions, transfers and postings. (Rizvi 1998, 99).

Legislative oversight is also limited in practice. Parliamentary Standing Committees on Defense in the National Assembly and the Senate are technically empowered to examine defence budgets, administration and policies Given the history of military dominance and a strictly enforced tradition of secrecy, the legislative committees have mainly focused on politically non-sensitive issues, such as irregularities in the civil aviation authority (CAA) and military housing. Senior military officers typically avoid appearing before these committees, instead sending either junior officers or civilian Ministry of Defence (MoD) officials to answer queries. (Shah 2014, p.1021).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

No (0)

The 1973 Constitution (Articles 243-245) grants wide latitude to the armed forces to respond to external and internal threats, and shields the military from oversight by civilian courts in exercising internal security functions.

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1)

Military discipline is regulated by the The Pakistan Army Act, 1952, (Act No. XXXIX of 1952), The Manual of Pakistan Military Law and the Pakistan Penal Code.

Sources:

Rizvi, Hasan A. "Civil-military relations in contemporary Pakistan." *Survival* 40, No. 2 (1998): 96-113.

Shah, Aqail. "Constraining consolidation: military politics and democracy in Pakistan (2007–2013)." *Democratization* 21, No. 6 (2014): 1007-1033.

Staniland, Paul. "Explaining civil-military relations in complex political environments: India and Pakistan in comparative perspective." Security Studies 17.2 (2008): 322-362.

The Constitution of the Islamic Republic of Pakistan.

Peru 1999-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

No (1)

No evidence of exclusion along ethnic, party, racial, or sectarian lines.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1999-2000: No (0)

2001-2012: Yes (1)

From 1999 to 2000 the minister of defense was led by an active duty military officer, General Cruz**.** Starting in 2001, civilians (and retired officers)were appointed as defense ministers and vice ministers.

A 2002 defense ministry law (Law 27860) gave the minister more authority over the armed forces and increased organizational differentiation by establishing two vice ministries—one for administrative and economic matters and a second to oversee logistics and personnel issues. In December 2005, the legislature established Direccion Nacional de Inteligencia (DINI), which reduced military power in the intelligence arena. The 2002 Defence Law was rewritten again in 2007 (Law 29075), further increasing specialization within the ministry and executive control of the armed forces, for the first time defining the defense minister as ‘‘Supreme Head of the Armed Forces.’ (Jaskoski 2012, 76).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1999-2005: No (0)/Partial

2006-2012: Yes (1)

The Annual SIPRI Military Expenditure tables list Peru’s military budget data during this time period, but with missing observations in 1999-2005 and notes that large portions of the budget were not included in the official budget due to an off-budget fund fueled by natural gas revenue.

After Fujimori's departure in 2000, the government asserted control and reduced military prerogatives considerably, but the military has at timed defined government orders and forced the government to reinstate certain military prerogatives. (Jaskoski 2012, 73). For instance, the defence budget is published, and civilians exercise oversight over operations and finances, but a "defense fund" established in 2004 (by Law 28455), channels profits from Peru's private natural gas conglomerate (Camisea) toward the military and police for equipment acquisition and maintenance, and auditing is conducted internally by military (Jaskoski, 2012).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

The 1993 Constitution defines the armed forces' "prime purpose is to guarantee the nation's independence, sovereignty, and territorial integrity." (Art. 164) They intervene in internal politics in the case of "disturbances of the peace or the domestic order, disasters, or serious circumstances affecting the life of the nation. Under a state of emergency, the Armed Forces assume control of domestic law and order when the President of the Republic so orders." (Art. 137)

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1)

There is separate and functioning military court, governed by a Code of Military Justice and Article 173 of Peru's Constitution (Jaskoski, 2012).

Sources:

Avilés, William. "Despite Insurgency: Reducing Military Prerogatives in Colombia and Peru." *Latin American Politics & Society*, *51,* No. 1 (2009): 57–85.

Jaskoski, Maiah. "Civilian control of the Armed Forces in democratic Latin America: military prerogatives, contestation, and mission performance in Peru." *Armed Forces & Society 38,* No. 1 (2012): 70-91.

The 1993 Constitution of Peru.

Russia 1996-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

No (1)

An established system for the appointment of military personnel is in place (Article 27, President's Decree 1237). It is based on regular attestations by attestation commissions in military units at every level. Appointments at the colonel level are made by the head of the agency (Article 10, 4б). In terms of mid-level positions, candidates are appointed by the head of a federal state body where the candidate is going to serve. Among the main criteria that play a role in the appointment are professional training, character traits, level of health and some others (Article 11, item 5). (Transparency International, 2015).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0)

The Chechen Rebels were soundly defeated by the Russian/Pro Russian Chechen Army after the 2nd War. There was no formal integration process.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1996-2000: No (0)

2001-2012: Yes (1)

In 1996, President Yeltsin attempted to reform the military and make it more democratic. He appointed Igor Rodionov, a civilian, as a Minister of Defense, but Rodionov's successor and the vast majority of people at the Ministry of Defense were active duty military officers. (Barany 2007, 107).

President Vladimir Putin appointed civilians to lead the Ministry of Defense, including Sergey Ivanov in 2001 and Ivan Serduykov in 2007. Moreover, in 2004, the General Staff became subordinated to the Defense Ministry (Bryce-Rogers 2013). At the same time, former military members are vastly overrepresented in state administration, especially among the president's advisers. Approximately 75% of Putin's appointees in state administration have background in internal security apparatus, intelligence, law enforcement and the military (Barany 2007, 109).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1997-1998: No (0)

1999-2012: Yes (1)

The Annual SIPRI Military Expenditure tables include consistent data for Russia's military budget data after 1999.

The military budget is submitted to the Duma and to the Accounts Chamber, and examined by the relevant Duma committees before passage. (Transparency International, 2015). In 2004, in response to the protracted conflict between the two institutions, the Duma (the legislature's lower house) modified the Defense Law and formally established the defense minister and the ministry's superiority over the general staff and its chief. In addition, the Security Council, which is comprised of ministers and high ranking security officials appointed by the president, acquired a key role in defense, foreign and security policy. (Barany 2008, 43) At the same time, the Constitution prohibits parliamentary inquires, restricting legislature's access to the military budget expenditures (Barany 2007). As of 2006, 44 percent of the military's expenditures were completely classified, limiting parliamentary or civilian oversight. Secrecy also leads to allegations that defense funds are stolen and misused. (Herspring 2010)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (yes = 1)

Yes (1)

There are clear limits to the deployment of armed forces, which requires approval by the state legislature. These rules have been repeatedly broken, however, for instance in 1994 when Yeltsin ordered troops to invade Chechnya. (Barany 2007)

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1)

A separate military court for handles military cases. In 2005, 16,000 military personnel, including 100 senior commanders, were charged with a variety of crimes. It is widely noted that the actual number of crimes is much higher (Barany 2007).

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Rwanda 1994-2008

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

Yes (0)

The Rwandan government implemented the Arusha Peace Agreement and made the army 2/3 Hutu and 1/3 Tutsis, but Tutsis received most high positions. A few ex-FAR officers were given high positions in the RPA, but between 1996 and 2009, only two senior officers were not Tutsi (Wilen, 2012). Most high-ranking officers began their careers in the rebel forces that came to power under Kagame's command in 1994. "Evidence indicates that loyalty to the regime and influence networks are the basis for recruitment, but also for being dismissed." (Transparency International 2015)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

The RPF began a process of military integration in 1994, based on the 1993 Arusha Peace Agreement. Between 1995 and 1997, 10,500 ex-FAR were integrated into the RPA (Burgess 2014, 94) According to the Arusha Peace Agreement, the army was to be comprised of 60% former government (ex-FAR) forces, and 40% RPF. Government forces shall contribute 60% of the forces and the RPF 40%. The Rwandan government implemented this provision, although the Tutsis received most officer positions. (Wilen 2012). In general, however, the program was successful and today the country has an effective and professional army (Jowell 2014)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1994-2012: No (0)

Ministers of defense were military officers, including Major-General Kagame until 1999, Colonel Habyarimana 2000-02, General Gatsinzi 2003-09, General Kabarebe 2010-12.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)

The Annual SIPRI Military Expenditure tables do not include military expenditure for Rwanda for most years during this time period.

While the Ministry of Defense and legislative committees have formal authority to scrutinize and review defense policy, both the government and these committees are disproportionately staffed

with former combatants and members of the ruling RPF party, including 90% of the members of the legislative committees on Security. (Wilen 2012; Transparency International 2015) The legislative the Committee on Foreign Affairs, Cooperation and Security and the Committee on National Budget and Patrimony scrutinizes the defense budget before its adoption by the Parliament, and the Auditor General is responsible for reviewing the military budget, but these bodies are not provided with detailed, extensive, and timely information on the defence budget. The budget is not publicly available, the budget execution report is not detailed, and there is no other document giving details on military expenditure. (Transparency International 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

The Arusha Accord, Protocol III (Article 1) outlines the specific use of the armed forced to defend territorial integrity and sovereignty within the framework of laws and subordinated to the government.

Discipline: Does the military have an active and functional disciplinary or justice system?

1994-1998: No (0)

1999-2008: Yes (1)

The military justice system is regulated under the Organic Law on the Penal Code (1999); Organic Law on the National Public Prosecution Authority and the Military Prosecution Department; and the Rwanda Defence Force Disciplinary Code. The military justice system is composed of two military courts i.e. the Military High Court, the Military Tribunal; and the Military Prosecution Department. Military courts constitute one category of specialized courts established by the Constitution of the Republic of Rwanda. Judges must be military personnel. The Military Justice System deals with Criminal offenses suspected to have been committed by military personnel in application of the Penal Code. The primary purpose is to maintain order and discipline by holding military offenders accountable for their crimes.

Sources:

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Serbia/Yugoslavia 1991-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

1991-2002: Yes (0)

2003-2012: No (1)

Milosevic purged all senior officers who had residual loyalties to old regime and were not supportive of his aggressive Serb nationalism. Even before Milosevic, the office corps were dominated by Serbs (Sell, 1999). Between 2002 and 2003, 17 high ranking officers from the Milosevic era were dismissed.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1991-1992: No (0)

1993-2012: Yes (1)

In 1991-1992 the Ministers of Defense were General Kadijevic in 1991 and General Negovanovic. Subsequent ministers of defense were civilians.

The Yugoslav People's Army had a strong tradition of professionalism and institutional autonomy which made it resistant to manipulation by the Milosevic regime. (Edmunds, 2005). Under Milosevic, the military hierarchy was tightly linked to the regime and accustomed to intervening in political affairs, and the principle of civilian control was weakened, although civilians headed the Ministry of Defense. "The military had become a state within the state under no effective civilian control." (Seroka, 2009). After the fall of the Milosevic, however, the principles of civilian control over the armed forces and their non-interference in domestic politics was firmly re-established. (Edmunds, 2005).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1992-2000: No (0)/Partial

2001-2012: Yes (1)

The Annual SIPRI Military Expenditure tables include inconsistent coverage for Serbia until 2000, and consistent entries for Serbia's military budget data starting in 2001.

According to the 1992 Constitution, “The President of the Republic shall appoint, promote and dismiss from service officers of the Army of Yugoslavia stipulated by federal law; shall appoint and dismiss the president, judges and judge assessors of military tribunals and military prosecutors” (Article 136). In addition, the Federal Assembly (legislative branch) has authority to approve federal budget, including the defense budget.

Under the Milosevic regime, the military acted with substantial autonomy from civilian rule (Seroka 2009; Edmunds (2005).

Following the end of the Milosevic regime, the Yugoslav Army initially resisted reforms promoted by the civilian government, resulting in a lack of transparency in the defence sector and a reluctance to release information on its activities – building on a tradition of institutional autonomy and secrecy that dates back to the JNA (Edmunds 2005). In addition, civilians have been unable to assert oversight and politicians lack understanding of military matters, (Marley 2014) resulting in weak legislative oversight over budget and defence policies. (Seroka, 2009; Marley, 2014, 42).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

1991-2012: No (0)

2006-2012: Yes (1)

According to the 2006 Constitution (articles 139-140) the army defends the country from external armed threats and is mobilized on the decision of the National Assembly. No limits on the use of the armed forces are included in the 1990 Constitution.

Discipline: Does the military have an active and functional disciplinary or justice system?

1991-2002: No (0)

2003-2012: Yes (1)

Military discipline was regulated by the Law on Military Courts (1995) and the Law on Military Prosecutor’s Office (1995), but in 2004, the Law on the Transfer of Jurisdiction of Military Courts, Military Prosecution and Attorneys transferred criminal cases to civilian courts. The 2007 Law on the Serbian Armed Forces redefined disciplinary infractions and procedures.

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Sierra Leone 2001-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

No (1)

Following the end of the civil war, the RSLAF integrated former rebel combatants, and adopted new procedures for recruitment and appointment to de-politicize the security forces and ensure diversity at all ranks. (Horn, Olonisakin, & Peake 2006)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

Sierra Leone's SSR programme involved DDR and integration of ex-combatants into the armed forces. Osman Gbla, "Security Sector Reform under International Tutelage in Sierra Leone," *International Peacekeeping* 13, no. 1 (March 1, 2006): 78–93, https://doi.org/10.1080/13533310500424843..

Civilian Control: Does the military govern the security forces? Is the executive a military officer? Do military officers serve as ministers of defense, security or interior?

Yes (1)

As part of the SSR program following the war, a new, expanded Ministry of Defense was established and staffed. Civilians were appointed to as Minister of Defense and Director General of the Ministry of Defense. The President served as the Minister of Defense 2002-2007; retired Major Conteh was minister of defense in 2008-11

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

2002-2003: No (0)
2004-2008: Yes (1)
2009-2010: No (1)
2011-2012: Yes (1)

The Annual SIPRI military expenditure tables include Sierra Leone's budget data after 2004, with a gap in 2009-10.

The SSR process in Sierra Leone strengthened civilian oversight through the restructuring of the Ministry of Defense, Office of National Security and Security Council. As part of the SSR program, the Ministry of Defence was expanded and restructured under civilian leadership joint civilian and military management, and new offices of National Security (ONS) and a Central Intelligence and Security Unit (CISU) were established to strengthen civilian oversight. (Horn, Olonisakin, & Peake 2006). Legal authority for parliamentary oversight of security forces is enshrined within the Constitution, and the

Parliamentary Oversight Committee on Defence and Internal Presidential Affairs exercises oversight of the defence and security sector. (Gbla 2006; Transparency International 2015).

The legislature is empowered to scrutinise, authorise and monitor the defence budgets and implementation through the Defence and Internal Presidential Affairs Committee, but it faces several challenges including poor availability of information and delays in receiving information. (Transparency International 2015

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

Chapter XI of the Sierra Leone Constitution of 1991 identifies the main function of the armed forces to preserve territorial integrity, and sets out rules and procedure for the establishment and mobilization of the armed forces under the control of the Defense Council and approval of the Legislature.

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0) 2001- 2002
Yes (1) 2003-2012

The Armed Forces of Sierra Leone Court Martial proceeding were formally restructured in April 2003 with the Board of Inquiries Rules.

Sources:

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Somalia 1997-2012

Officer Appointment: Are officers excluded for promotion along ethnic, racial, sectarian or party lines?

Yes (0)

Under the Siyad Barre regime (1969-1991), clan networks of influence prevailed in political, commercial and social relations, and Isaaq, Marehan and Darod clans were preferentially recruited to important posts in government and in the army. Facing instability in the 1980s, Barre filled the senior ranks of the armed forces with officers whose clans he felt he could trust, primarily his own Marehan clansmen and other related Darod elements (Adam 1992; Ssereo 2003). After the collapse of the Barre regime, the army disintegrated. Separate region, largely clan-based forces emerged to maintain their own security. In 2004, a new Somali National Army was officially established under the Transitional Federal Government (TFG), and in 2008 it began to receive international assistance to begin integrating and training combatants. The Federal Government of Somalia, which replaced the TFG in 2012, included only a few clans that control territory around Mogadishu. The army has incorporated only a few of the many factions in Somalia, mostly those with a presence around Mogadishu, and these recruits have retained primary loyalty to their clan or sub-clan rather than the state or the army. As a result, the state and the army are perceived as "just one of numerous armed groups and factions that maintain de facto control over particular fiefdoms across Somalia." (Williams 2014, 918)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0).
Although some factions agreed to merge into a newly established Armed Forces, several armed groups remained autonomous.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

No (0).
Although the new Somalia National Army has existed in practice since 2008, there has not been a functional ministry of defense to maintain civilian control.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)

The Annual SIPRI Military Expenditure tables have no data for Somalia.

The Somali National Army is funded by external donor funds, which manage training and provide salary payments. However it has been found that some of these funds are channeled into clan networks. The government does not have a structure to oversee the SNA administration or operations. (Robinson 2016, 246)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

No (0)

According to the 1979 Constitution, the President has "extraordinary powers" and the military could be deployed at will. The Provisional Constitution adopted in 2012 officially limits the military to "guarantee the sovereignty and independence of the country and to defend its territorial integrity."

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

Sources:

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Sri-Lanka 2001-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

Yes (0)

Appointments to senior officials are largely based on subjective, often political, criteria; interference and nepotism in appointments and promotion has been a consistent issue in militaru appointments. (Transparency International, 2015) At the end of the war in 2009, the leader of Liberation Tigers of Tamil Eelam (LTTE) rebel group was killed, and the Sri Lankan government refused to negotiate with the rebel group. (Lewis 2010)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0)

A 2002 cease fire was repeatedly violated by both sides and integration did not take place. After the end of the war in 2009, the Liberation Tigers of Tamil Eelam rebel group was sent to rehabilitation centers and the state attempted to re-integrate the rebels into civilian life (Silva, 2012).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

2001-2012: Yes (1)

The President has consistently appointed civilians to serve as Head of the Defense Ministry.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

Yes (1)

The Annual SIPRI Military Expenditure tables include Sri Lanka's military budget data during this time period.

A Ministry of Defense oversees the military and a Parliamentary Accounts Committee scrutinizes the defense budget. An auditor General reviews defence expenditure and releases reports. In practice, under the President Mahinda Rajapaksa government (2005-2010), there was little independent oversight, since the entire Defence sector (including civil security, intelligence, customs) was headed by the President himself, with his brother Gotabaya Rajapaksa acting as the Defence Secretary. (Transparency International, 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

No (0)

The 1978 Constitution and the Army Act provide wide latitude for the army to be mobilized for internal and external security issues, with little restriction.

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1)

Disciplinary matters are regulated under the Army Act of 1949, the Army Discipline Regulations, 1950 and Court Martial (General and District) Regulations, 1950

Sources:

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Constitution of Sri Lanka, 1978.

Sudan 1972-1983

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

1972-1983: No (1)

Following ratification of the Addis Ababa Agreement, Nimeiry appointed Abel Alier to head the Southern Provisional High Executive Council. He reinstated Joseph Lagu in the national army with the rank of major-general and appointed him Inspector General of the army, a position that kept him in Khartoum and without command over any troops. Two and a half years later, after gaining confidence in Lagu, Nimeiry gave him command of the Southern Division (Shinn 2004).

After a 1976 coup attempt, Nimeiri pursued a 'national reconciliation' with the Muslim coup leaders in 1977. In 1983 he ordered Southern soldiers to come to North, in violation of the peace agreement. Southerners refused and broke away from the military. (Atlas & Licklider 1999).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

Following the 1972 Peace Agreement, 6,000 Anya Nya combatants were integrated into the Sundanese army.

The establishment of merged Anya Nya and GOS security forces did not go smoothly. One of the major factors that led to a resumption of fighting in 1983 was the failure to demobilize and reintegrate effectively the Anya Nya forces. Almost from the beginning, Khartoum seemed to have forgotten the agreed upon quantitative ratio of military deployments in the South by violating the one-to-one ratio of Southerners to Northerners. Southern military officers resented the government's policy of retiring most Anya Nya personnel and its failure to recruit new Southerners into cadet training programs. This tension eventually led to the rebellion of the Southern battalion in Bor to transfer to the North, which later led to the 2nd Sudanese Civil War. Shinn, "Addis Ababa Agreement.".

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

No (0)

All presidents and ministers of defense during this period were military officers.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1973-1983: No (0)/Partial

The annual SIPRI military expenditure tables do not include consistent budget data for Sudan for most years during this period.

According to the 1973 Constitution, the President is Supreme Commander of the Armed Forces with the authority to appoint and remove officers (Articles 99 & 100) but no other mechanisms for oversight are defined

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (Yes = 1)

Yes (1)

The 1973 Constitution, Articles 199 and 200 define the functions of the Armed Forces and subservience to the law.

Discipline: Does the military have an active and functional disciplinary or justice system?

Yes (1)

Military discipline is provided through a system of Courts Martial.

Sources:

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The 1973 Constitution of Sudan.

Syria 1982-2011

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

Yes (0)

Military, security, and intelligence officers and personnel are often appointed and promoted based on many factors, but mainly on their Allawite sectarian affiliation (Being Alawite) and/or their proven loyalty to the regime. Since 1970s to the time of Asad's death, over 90 percent of general-rank officers were Alawites (McLauchlin, 2010). Although the Alawites make up only around 12 per cent of the Syrian population, they account for 70 per cent of career soldiers in the Syrian armed forces, and 80–90 per cent of the officer corps (Lutterbeck, 46).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0)

A Sunni Muslim rebellion in 1982 was brutally repressed, and no reconciliation or integration took place (Ma'oz 1993).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1982-2012: No (0),

Minister of defense are active duty military officers, including General Tlass until 2003; Lt-Gen Turkmani until 2009, General Mahmoud until 2012.

The Syrian state has long been dominated by the armed forces and their personnel. Since 1949, all leaders of Syria have been professional soldiers turned politicians (Ma'oz 1993). The military retains substantial autonomy and authority in political life. While the Ba'ath Party maintains control, the military remains an important actor. It absorbed a major part of the state budget. It was the biggest employer, and some governmental functions, even decentralized, were assigned to men in uniform. Military, bureaucracy and business elites "converged in finding ways to sustain each other's' interests mutually, to the point of fusing together the organizations/institutions they governed" (Battera 2014).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0)/Partial.

The Annual SIPRI Military Expenditure tables include some budget data for Syria during this period, but several years are missing or uncertain.

The legislature has no oversight or scrutiny over the defense or security sector. Article 75 of the Syrian Constitution provides the Parliament with the rights of approving the State annual budget and the adoption of new development plans, but the security departments and the intelligence services are excluded from parliamentary or independent oversight. “Financial affairs of the Ministry of Defence remain a matter of speculation since they are confidential due to their importance to national security.” (Transparency International 2015).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (yes = 1)

No (0)

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

A courts-martial maintained by the military, but rules are enforced selectively. Intelligence and security officers and personnel are immune from prosecution. Officers and rank and file were routinely promoted and given generous financial rewards on the basis of loyalty despite massive corruption, abuses and desertion. (Lutterbeck 2011, 47)

Sources:

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"An Overview of the Syrian Court System." *Syrian Law Journal*. (n.d.). Retrieved October 11, 2017, from http://www.syrianlawjournal.com/index.php/overview-syrian-court-system/

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Tajikistan 1998-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

No (1)

Historically, Russians were over-represented in the officer corps (Smith, 1998). Following the dissolution of the Soviet Union the Tajikistan army was formed primarily on the basis of combatants from the Kolub region, the home of President Rakhmonov and much of the political elite. Following the civil war, however, rebels and other factions were integrated into the army at all levels, including formal UTO commanders into high-level positions (Nourzhanov 2005). At the same time, soldiers maintain personal ties to different warlords, and Tajiks from Kulob region may be over-represented in the special armed forces and paramilitary (Burnashev and Chernykh 2002).

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

The UTO was assigned 30% of all positions in the state administration. By 1999, 5377 UTO fighters were incorporated into Tajikistan's army, police force and border guard units, and their commanders received high-level government positions. (Nourzhanov 2005, 124).

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

No (0)

Minister of defense have been military officers. From 1995 to 2013 the Minister of Defense was Major-General Sherali Khayrulloyev.

There have been questions regarding government control of particular units within the army, due to loyalty to warlords and individual factions and prior incidences of military revolts. (Burnashev & Chernykh, 2002)

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0).

The Annual SIPRI military expenditure tables do not have data for Tajikistan during this time period.

Under Art 69 of the Tajikistan's 1994 Constitution, the president is the supreme commander of Tajikistan's armed forces with the authority to appoint and remove commanders, a state of emergency, and introduce martial law in the event of a threat to state security, subject to parliamentary approval.

The military is also subject to oversight by the Security Council, chaired by the president. In practice, the President holds tight control over military matters and impedes broader civilian oversight. (Boonstra, Marat, & Axyonova 2013) The Law on State Secrets limits oversight by prohibiting the publication of information on defense, subject to criminal punishments. (Mateeva Hartog 2010, 41) The legislature was not granted power to oversee military expenditures or policy until 2010. (Boonstra, Marat, & Axyonova, 2013)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

No (0)

The 1994 Constitution does not include explicit limits on the use of force. In practice, President Rakhmonov has deployed troops internally including without the legislature's approval. (Boonstra et al. 2013)

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

According to the Constitutional Law on the Courts, military courts at the garrison level function as courts of first instance and the Military Chamber of the Supreme Court forms a part of the ordinary court system. In practice, however, Hazing and collective punishment of soldiers are common, but cases are rarely prosecuted.

Sources:

Axyonova, Vera, Boonstra, Jos. and Marat, Erica. "Security Sector Reform in Kazakhstan, Kyrgyzstan and Tajikistan: What Role for Europe?" EUCAM Working Paper. Center for European Security Studies, 2013.

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Timor Leste (East Timor) 2001-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

2002-2006: Yes (0)

2007-2012: No (1)

"While the Government has expressed its commitment to ensuring balanced geographical representation within the pool of new F-FDTL recruits, applicants from the eastern regions appear to have been more successful, especially at officer levels." (Reports of the Secretary-General on UNMIT - United Nations Integrated Mission in Timor-Leste, n.d.)

“Political allegiances played a role in the selection or rejection of recruits as local politicians influenced the selection process… the recruitment process was biased toward men from the eastern provinces of Timor-Leste, who were loyal to Ruak and the former rebel leader, Xanana Gusmão” Deniz Kocak, “Security Sector Reconstruction in Post-Conflict: The Lessons from Timor-Leste,” in *Impunity: Countering Illicit Power in War and Transition* (Peacekeeping & Stability Operations Institute, 2016), 348–66..

Following the 2006 crisis, the government sought to balance officer appointments to overcome the perception of biased appointment, although perception remained that Easterners were favored for top officer positions.

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

East Timor’s Army, F-FDTL, was built from former guerilla FALINTIL combatants, clandestine resistance networks, and veterans’ associations.

After 2006 clashes, officers who participated in violent clashes were not prosecuted by the local government.” Kocak..

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

2002-2012: Yes (1)

The 2002 Constitution grants the President and National Parliament authority to declare and approve wars and state of emergencies. (Chap. 2 Art. 85) The Superior Council for Defence and Security is the consultative organ of the President of the Republic on matters relating to defence and sovereignty. The Superior Council for Defence and Security is headed by the President of

the Republic and includes both civilian and military entities, the number of civilian entities being higher than the number of military entities.

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

2002-2005: No (0)

2006-2012: Yes (1)

The Annual SIPRI Military Expenditure tables list military budget data for East Timor from 2006 onwards.

Provisions for formal oversight of military operations, budgets were formally adopted with the 2008 Law on the Organizational Structure of the Ministry of Defense and Security, and the 2010 Laws on National Security and National Defense.

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

The 2002 Constitution limits the Armed Forces of East Timor (FALANTIL-ETDF) to defense of "national independence, territorial integrity and the freedom and security of the populations against any aggression or external threat, in respect for the constitutional order." It also states that the "FALINTIL-ETDF shall be non-partisan and shall owe obedience to the competent organs of sovereignty in accordance with the Constitution and the laws, and shall not intervene in any political matter." (Article 146)

Discipline: Does the military have an active and functional disciplinary or justice system?

2002-2012. No (0).

Formal disciplinary procedures for the F-FDTL were adopted in 2006, in the *Regulamento Disciplina Militar, Decree Law 2006/17,* 30 October 2006, but as of 2012, UN reports indicate that it is not regularly enforced. According to a 2008 UN Human Rights Report, the military disciplinary regulation "is not implemented in a systematic and formal manner. In practice, the investigation and imposition of any sanction in regard to misconduct is left to the discretion of the officer's immediate superior. Most F-FDTL members have very limited, if any, knowledge of the Regulation." (UNMIT 2008, 8).

Sources:

Constitution of Timor-Leste of 2002.

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UNMIT, “Report on human rights developments in Timor-Leste: The security sector and access to justice 1 September 2007 – 30 June 2008.”

Uganda 1992-2011

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

Yes (0)

Since the Bush War, there have been continued allegations of an ethnic dominance in the NRA/UPDF of people from Museveni's home region in south-western Uganda, particularly of the Bahima sub-group of the Banyankole. Most of Museveni's closest military associates have been Banyankole. One example is the so-called Historical High Command, the influential advisory body made up of the NRA high command from the latter stages of the Bush War and chaired by President Museveni, which is exclusively made up of Banyankole; several of them are, like Museveni, also Bahima. (Espeland and Petersen 2010, 200) "Since 1986, the Western region's inhabitants have experienced favouritism in government and military positions" (Transparency International 2015)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

"The Ugandan army has a long and successful history of incorporating former rebel fighters. In 2002, 105 Battalion was set up to cater specifically for former LRA rebels. In August 2005, the unit, based at Cet Kana, about 30 km from Gulu town, consisted of 912 soldiers, and the number has since increased. Soldiers from 105 are attached to UPDF units in south Sudan and northern Uganda, and they use their knowledge of LRA tactics to track down the rebels and hunt out arms caches. (Borzello 2007)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1992-2003: No (0)

2004-2012: Yes (1)

President Museveni maintained his military rank until officially retiring from the military in 2004. The 2005 Constitution (Article 210) granted Parliament authority to appoint officers and to deploy troops. (Transparency International 2015) The civilian government has kept tight control over the military, although the division between the government and the military is sometimes blurred. Retired military generals have been elected as legislators, and the military has official representation of serving in the legislature. (Rwengabo 2013)

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1993: No (0) /Partial

The annual SIPRI military expenditure tables have data Uganda's budget for only some years during this time period.

As stipulated by section 11 of the Budget Act of 2001, the Committee on Defence and Internal Affairs is tasked with the scrutiny of the defence budget and other defence matters. In practice, however the military bypasses these bodies and report directly to the President. Formal oversight practices are sometimes blocked or manipulated. For example while the Auditor General is mandated to audit all public accounts, in 2004, the Auditor General was allegedly blocked from accessing the accounts of the UPDF 3rd and 4th divisions after the office sought to query a transfer of 280m Ugandan shillings from Nakasongola to Gulu, two towns in rural Uganda. The defence budget in particular is frequently shielded from audits. Similarly, the Committee on Defence and Internal Affairs is unlikely to be provided with timely or detailed information on expenditures, and budgets information is frequently obscured, not disclosed, or misrepresented (Transparency International 2015).

Limited oversight enables high-ranking officers to benefit from lucrative private business in Uganda, and corruption through procurement activities, and the payment of ghost soldiers is rampant. These practices among top officers has cemented loyalty to the regime. (Espeland and Petersen, 202)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

Yes (1)

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

Uganda's s military justice system is governed by the Uganda Peoples' Defence Forces Act 2005 (replacing the Uganda People's Defence Forces Act 1992), which provides for unit disciplinary committees and a courts martial system. However, enforcement is highly selective. "The top military officers are usually just charged and never convicted since 'legal means are not being used to clean up corruption but as a process for intimidation, as a strategy to ensure political control'... high-ranking military officers often enjoy de facto impunity and...spend more time on income-generating activities than on military matters." (Espeland and Petersen, 203)

Sources:

Borzello, Anna. "The challenge of DDR in Northern Uganda: The Lord's Resistance Army." *Conflict, Security & Development* 7, No.3 (2007): 387–415.

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The 1995 Constitution of Uganda.

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Yemen (North Yemen) 1970-2009

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

1970-1994: Yes (0)

Senior positions are filled on the basis of political favoritism and family ties. After seizing power via 1987 coup, Ali Abdullah Saleh "established an extreme form of personalized rule by placing his sons, brothers, nephews, in-laws and tribesmen into sensitive military positions" (Barany 2012, 328). All major security organizations were controlled by Saleh's kin and tribal associates (the Sanhan tribe of the Hashid confederation).

"There is no established, independent, transparent, and objective appointment system for the selection of military personnel at middle and top management. The process relies heavily on patronage, family ties, or personal relations with the president. Nepotism and favoritism is widespread in the military, and qualifications and jobs descriptions do not seem to be of concern in this process. Open data sources confirm these observations. " (Transparency International 2015)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

No (0)

After 1990 unification, formal merging of North and South defence ministries took place. The integration process was slow. South's political and military structures were not taken by the North. Because integration did not take place, South's Yemeni Socialist Party was able to mobilize its army against the North, which led to brief civil war 1993 Barany.. After the end of civil war in 1994, there were no efforts to integrate the two armies.

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

1970-2012: No (0)

Ali Abdullah Saleh was elected President in 1978, while still in active duty as chief of staff, and he was further promoted to major general in 1980. More generally, military always interfered into politics, as evidenced by long history of coups. "Whereas the progressive Yemeni officers in the 1950s through early 1970s sought to be a modernizing influence and build up the Yemeni state, the post-1977 military became a vehicle through which tribes sought to bolster their parochial security and economic position. Thus, powerful tribes sought out positions within the Ministry of Defense or as local area commanders for the patronage opportunities they could generate" (Knights, 2013).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

No (0) /Partial

The annual SIPRI military expenditure tables include partial and inconsistent coverage Yemen's military spending during this period.

The legislature exercises little influence over defense-security matters, which are treated off limits by legislators. Under Saleh, military expenditure was not accessible to the public or the legislature. The Central Organization for Control and Audit is mandated by law to practice oversight on all key items of expenditure in all the budgets of all the public institutions but the COCA does not practice oversight over security services. (Transparency International 2015)

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country? (Yes = 1)

1970-1991: No (0)

Since 1991: Yes (1)

The 1991 Constitution (Articles 36-40) defines the function of the armed forces to "protect the republic and safeguard its territories and security," and requires mobilization by the president and approval by the legislature. Despite these limits, the military has acted primarily in the domestic sphere to support the regime and control the population.

Discipline: Does the military have an active and functional disciplinary or justice system?

No (0)

Law on Armed and Security Forces (Law No. 67 of 1991) provides guidelines for military personnel behavior, but they are not implemented in practice and there is a lack of oversight enforcing these guidelines. (Transparency International 2015)

Sources:

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Yemen Constitution, 1991.

Zimbabwe 1979-2012

Officer Appointment: Are officers appointed or excluded along ethnic, racial, sectarian or party lines?

Yes (0)

The Zimbabwe National Army was created with the consolidation of the three major warring factions into a unified army. In 1980s, the new army officer selection process began. The selection processes were run along Rhodesian (and therefore British) army lines, based on a series of written tests, combined with theoretical and practical exercises, and command tasks. "There were however political considerations and after a time it was noted that the minority ZIPRA were being under-represented, even before ZANLA launched a purge of the security services and effectively took over control" (Jackson 2011, 381-382) "Most officers of the former Rhodesian army left, and the ZANU subsequently purged much of the rival ZIPRA leadership from the new ZNA – many officers were forced out of the ZNA, while others fled. (Young 1997, 136.) Subsequently, President Mugabe has proceeded to remove political rivals in the security services and politicize top military figures. (Jackson 2011, 372)

Military Integration: Has the military integrated rebel or opposition forces since the end of the civil war?

Yes (1)

The Zimbabwe National Army was created through the integration of three major warring factions into a unified army. On March 4, 1979 ZANU won post-war elections and the very next day its military wing began training with the regular army. By 1982, the ZNA stood at 41,000 integrated into four brigades with at least a common basic training. (Young 1997, 135)

Civilian Control: Do civilians manage appointments and oversee operations for the security forces? Are the executive and minister of defense both civilians rather than an active-duty military officers?

Yes (1)

The Minister of Defense is a civilian, and the military is loyal to the civilian government. At the same time, the military is inextricably linked to the ZANU-PF party, based on ideology and personal trust networks, and military officers hold top jobs across the state and industry (Martin 2016). "The nature of state fragility in Zimbabwe is not one of lack of control, rather it is one of a kleptocratic autocracy run by a military–political elite to the detriment of most of the population" (Jackson 2011, 389).

Civilian Access: Do the legislature and executive branch have access to accurate information regarding officer appointments budgets, expenditures and operations?

1980-2004: Yes (1)

2005-2009: No (0)

2010-2012: Yes (1)

The annual SIPRI military expenditure tables include data for Zimbabwe for most years in the observation period, but uncertainty in 2005-2009.

The Parliament has the authority to provide for the organization, administration and discipline of the armed forces, as well as the appointment and removal of officers" (Williamson 2010, 400). The Budget, Public Accounts and Security committees censor the defence budget, scrutinise defence expenditure and monitor the activities of the defence, respectively. (Chitiyo and Rupiya 350) "The parliament is empowered by the constitution to play an oversight role on many policies that also include the reviewing of the defence policy" (Transparency International 2015) However there are questions regarding whether defense budget information is accurate. In addition, the Official Secrets Act, Chapter 11:08, Amended 31 December 2004, makes it impossible for information regarding national security (military) to be shared with the public and there are questions of whether accurate information is shared beyond party loyalists. (Transparency International 2015).

Legal Limits: Are limits on the use of force clearly defined in written legislation or policy, particularly with respect to the use of force within the country?

No (0)

The Constitutions adopted between 1980-2012 do not outline specific limits on the use of force by the armed forces.

Discipline: Does the military have an active and functional disciplinary or justice system?

No(0)

The Defence Act (1972), establishes a military court martial to investigate and try cases of improper conduct. In practice, however, officers implicated in crimes are rarely prosecuted, and the civilian judiciary does not have sufficient independence to prosecute them. (Transparency International 2015). Although the ZNA was perceived as a professional, bureaucratic military institution, "authority is based on patron-client relationships as well as on formal organizational structures." (Young 1997, 137) Corruption through procurement rackets, sale of military equipment, overpayment, are rampant at all levels and individuals are not held accountable. "A three-tiered system of military justice was introduced...know for its harsh penalities," but "it is increasingly pocketbook punishment." (Young 1997, 142)

Sources:

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Martin, Philip. "Why Zimbabwe's Military Sticks With Mugabe." *Foreign Affairs*. Published September 12, 2016.

Noyes, Alexander. "Securing reform? Power sharing and civil-security relations in Kenya and Zimbabwe." *African Studies Quarterly*, 13, No. 4 (2013): 27-52.

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