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# paper 21

Voice and accountability  
in the security sector

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## Voice and accountability in the security sector

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## Contents

<b>I.</b>	<b>Holding the Security Sector Accountable – A Challenging Necessity</b>	<b>2</b>
I.1.	Physical Security as a People’s Priority	2
I.2.	Security and Sustainable Human Development	4
I.3.	Stakeholders in Shaping Security	6
I.4.	Out of the Twilight	8
I.5.	Effects of the Lack of Accountability	9
I.6.	Post-war situations	23
<b>II.</b>	<b>How can the Security Sector be held accountable?</b>	<b>28</b>
II.1.	Forms of accountability	28
II.2.	Priorities of accountability	29
II.3.	Strengthening Norms and Institutions	30
II.4.	Strengthening of norms	31
II.5.	Strengthening Institutions	44
II.6.	Leadership	59
II.7.	International Stakeholders	61
<b>III.</b>	<b>Conclusion: Lessons of security sector accountability as a tool for human development</b>	<b>67</b>
	<b>References</b>	<b>72</b>

## **I. Holding the Security Sector Accountable – A Challenging Necessity**

### **I.1. Physical Security as a People’s Priority**

Security is a public good. Society as a whole, as well as its individual members, benefits from an increase in security, and the provision of security to one individual does not reduce the provision of security for the rest of society. In principle, as a public good, security should be available to all in all societies. In practice, it is not.

In addition, security is a global public good. No country can provide complete physical security for its citizens by itself as long as security is not guaranteed everywhere. During the Cold War, the main international danger for even the most-heavily armed countries came from nuclear weapons. In the new century, it is coming from conventional war, terrorism and international crime.

People worldwide are concerned about armed conflict, terrorism, violent crime, and war. In many countries, there are also justified complaints and significant concerns about violence emanating from forces under government control.

In surveys of poor people’s concerns, worries about physical violence generally rank high. For instance, participatory poverty assessments conducted by the World Bank and others have found that crime and violence are among the primary concerns of the poor (Narayan et al, 2000, see also Box I.1). Although data are not very reliable, the victims of violence appear to include a larger share of the poor and disadvantaged than of those who are better off. This is true both with respect to violence in “peace time”, for instance from common criminality, as well as during war. It is also relevant for rich countries as well as for poor countries.

**Box I. The Police: Feared Yet Needed**

“Overall, participants report extraordinarily widespread evidence of corrupt, criminal, and sometimes brutal activities by the police, especially in Latin America and the Caribbean, Asia and Eastern Europe. The range of reported bad behavior by the police includes being:

- **Unresponsive:** Absent where needed, not coming when called or coming very late; only coming when someone has been killed.
- **Corrupt:** False arrest, accusation, and imprisonment, with release only on heavy payment; theft, including stealing money from children; bribes for documents or to register cases; lying; threats, blackmail, and extortion; demanding protection money; using drugs; and conniving with criminals and releasing them when arrested.
- **Brutal:** Harassing street vendors and other poor people; confiscating identity documents; raping women who go to police stations; beating up innocent people; torture; and murder, including killing street boys....

“Despite these low ratings, people say they desperately need police to provide a modicum of safety in neighborhoods. In response to mounting violence in one community, Bode, Brazil, people organized, collected money, built a police station on their own and invited the police to come and work from it. In November 1992 after great pressure, the police agreed to come, but they left in February 1993 because some marginais destroyed the police station.”

Source: Narayan, Chambers, Shah, and Petesch, 2000, pp. 163-164.

The data in Table I.1 come from a comprehensive survey of violent crimes in the United States and demonstrate that those with incomes under US\$15,000 per year are much more likely to become victims of personal crime than those with higher incomes. Table I.2 compares income levels and war victims and displays a significant disparity between the personal safety of the rich and the poor. Although men are more frequently the victims of wars and violent crime, modern war is increasingly deadly for woman and children and some forms of crime, such as rape, are gender-specific (for example, see UNIFEM, [http://www.unifem.undp.org/gov\\_pax.htm](http://www.unifem.undp.org/gov_pax.htm)).

*Table I.1: Violent crime and income levels in the United States*

Family income of victims	Victimization rates, 1999*
Less than \$7,500	59.5
\$7,500 - \$14,999	45.6
\$15,000 - \$24,999	36.1
\$25,000 - \$34,999	39.1
\$35,000 - \$49,999	30.8
\$50,000 - \$74,999	33.7
\$75,000 or more	24.1

\***Victimization rates** = Victims of personal crimes for persons aged 12 and over per 1,000 persons

Source: United States Bureau of Justice Statistics, National Criminal Victimization Survey, 1999, Table 14: Victimization rates for persons age 12 and over, by type of crime and annual family income of victims. Available at: <http://www.ojp.usdoj.gov/bjs/abstract/cvusst.htm>.

## **I.2. Security and Sustainable Human Development**

Sustainable human development rests on four pillars: democracy, equity, social justice and sustainable, poverty-reducing economic development. A low level of physical security infringes on, and can even destroy, the ability of societies to achieve sustainable human development. This holds true regardless of whether the low level of security results from oppressive security forces, crime, terrorist threats wars, or deficiencies in the provision of security.

The lack of democratic governance is simultaneously a major cause and a result of physical insecurity and violence. Democratic governance requires a legitimate, transparent, trusted, and inclusive state that is accountable to all of its citizens. In the absence of such a state, the institutions in both the public sector and civil society that are necessary to mediate disputes over access to political and economic power will also be absent or very weak. This problem is compounded by weak rule of law and inadequate accountability. An environment is thereby created where the security forces can act with impunity in the political sphere, often leading to human rights violations and further undermining opportunities for strengthening political and civil freedoms. Furthermore, a state that lacks popular support will tend to rule by force, through its security forces, particularly where the military has taken over the government.

When democratic space is closed or severely limited, the fruits of economic development are rarely shared equitably. As part of research carried out under the auspices of the United Nations University World Institute for Development Economics Research, Frances Stewart has observed that existence of political, social and economic inequalities that lead to resentments among groups are critical to the ability of leaders to mobilize one group against another. Conflicts that appear to be ethnically or religiously based are often the result of group mobilization under conditions of such „horizontal inequalities.“ At the same time, Stewart acknowledges that:

.... It is not necessarily the relatively deprived who institute violence. The privileged may do so, fearing loss of position. For example, the prospect of possible loss of political power can act as a powerful motive for state-sponsored violence which occurs with the aim of suppressing opposition and maintaining power. Since the government has access to organised force (police/army) and to finance, state terrorism is sometimes an important source of humanitarian emergencies. This was the case, for example, in most of the major episodes of violence in Uganda, in Haiti, and in Iraq's suppression of the Kurds (Stewart, 2000, p. 8.)

Although security is so crucial for the well being of all people and societies, it is all too often a prerogative of narrow elite groups. It is not provided equally in many societies, but predominantly to those already better off. At the same time, repression by security forces is more likely to affect those already disadvantaged and

marginalized. Security forces are often a central pillar of regimes which uphold social and economic inequality. Moreover, security in general is the policy arena where people have the least say. The organizations that are charged with providing physical security and control decisions about the size and conduct of these organizations are often highly élitist. Secrecy, lack of transparency and accountability are hallmarks the security sector, and generally go beyond that exercised in other sectors of society. The UN secretary general clearly signaled this problem to the development community in a 1999 lecture at the World Bank: “Good governance, of course, means much more than democratization in a formal political sense. Another very important aspect is the reform of public services – including the security sector, which should be subject to the same standards of efficiency, equity and accountability as any other public service.” (Annan, 1999, p. 5)

Armed conflict, crime and state repression carry high economic and social costs for societies and for the international community (Stewart and Fitzgerald, 2001; Brown and Rosecrance, 1998, p. 225). The total number of war-dead in the 1990s is estimated at about 5 million persons. (See Table I-2.) The GNP of countries at war often drops markedly. For instance, in Rwanda the GDP per person is estimated to have dropped from US \$283 in 1992 before the genocide to US \$155 in 1994. In Iraq, the GDP per person dropped from US \$3,500 in 1989 to US \$913 in 1991 (US Department of State, 2000). In Bosnia, production fell by 80 percent between 1990 and 1995 (CIA World Factbook 2000, <http://www.cia.gov/cia/publications/factbook/geos/bk.html#Econ>). It should come as no surprise that the UN secretary general has declared: “Development has no worse enemy than war” (Annan, 1999).

Criminal activities can also be also highly detrimental to human development. A study for the Inter-American Development Bank estimated that the social cost of crime, including intangible costs such as loss of investment, production and consumption as well as the value of stolen goods, amounted to US \$168 billion or 14.2 percent of the region’s GDP per year (Londono and Guerrero, 1999).

Reforming the security sector in a way that serves the needs of the people, and not only of narrow elite groups, is often a daunting challenge. Security relations have been, and in many cases still are, seen as the core of power relations within and among societies. However, the damage that unaccountable security forces wreck on the promotion of democracy, social justice, equity and sustainable, poverty-reducing economic development makes them a prime source of insecurity for people, in particular poor people, and seriously undermines progress towards human development. At the same time, accountable and effective security sectors are one of the elements needed to for human development. For these reasons, the challenge of reforming the security sector must be confronted.

Table I.2: War victims and income levels

GDP per Person in US \$, year prior to outbreak of war	Estimated number of war victims, in 1,000s, 1990-99
0-200	280
201-400	2,700
401-800	1,400
801-1,600	130
>1,601	480

Sources: For war victims: Leitenberg, 2001; For classification of wars: Wallenstein and Sollenberg, 2000; For GDP per person: World Bank, 2001; missing data filled with US Department of State, 2000.

### I.3. Stakeholders in Shaping Security

#### I.3.1. The security sector and the security community

What is the security sector about? A highly contentious debate on the meaning of security developed as the Cold War came to an end. Questions were asked with increasing frequency about what and who is to be protected from which threats (Buzan, 1991; UNDP, 1994; King and Murray, 2000).

The role played by state security forces in confronting, and often even creating, political instability and physical insecurity has been one of the motivating forces behind the development of a more holistic concept of security. Protecting the state from external challenges to its sovereignty has dominated security policy since the rise of the nation-state. However, since protecting elite groups or the government-of-the-day has in reality had a much higher priority in many parts of the world than protecting the state, both countries and their citizens have been left vulnerable and insecure. The focus on military security has allowed governments either to militarize police forces or to seriously underfund them, severely compromising the capacity of the police to guarantee the safety and security of all citizens equally. What is more, societies are increasingly facing threats that are transnational and collective in nature, including arms and drug trafficking, international crime, international terrorism, transborder pollution and the allocation of scarce natural resources such as water among countries. Effective and accountable security forces, while in no way sufficient in themselves to deal with these challenges, are an integral element of strategies to deal with them.

All of this has led to the sense that security needs to be approached from the perspective of protecting individuals and communities as well as the states they live in. The concept “human security” – connoting “human-centered security” – was given wide recognition through the UNDP’s Human Development Report of 1994. In recent years, the concept of human security has developed in two directions. The first essentially equates human development and human security. It takes the view that achieving human security involves alleviating all types of human insecurity. The second is more narrowly focused on protecting individuals and communities against violence. It views human security and human development as distinct yet comple-



mentary concepts, and argues that to achieve freedom from the fear of violence, conflict, crime and repression need to be given equal attention in the human security agenda.

There are several multilateral efforts to identify ways of defining and operationalizing the concept of human security. The Human Security Network, which counts twelve governments as members, reaffirmed its focus on protecting individuals and communities against violence at its Third Ministerial meeting in May 2001 ([www.humansecuritynetwork.org](http://www.humansecuritynetwork.org)). The independent Human Security Commission, chaired by Sadako Ogata and Amartya Sen, was created at the beginning of 2001 to, inter alia, promote and develop the concept of human security as an operational tool for policy formulation and implementation ([http://www.mofa.go.jp/policy/human\\_secu/commission/index.html](http://www.mofa.go.jp/policy/human_secu/commission/index.html)). Additionally, the proposed Human Security Report will make an important contribution to defining the term “human security.”

### *1.3.2. The components of the security sector*

While the concept of human security is still under development, there is more agreement about what constitutes the security sector. According to the OECD Development Assistance Committee, the security sector includes:

...the security forces and the relevant civilian bodies and processes needed to manage them and encompasses: state institutions which have a formal mandate to ensure the safety of the state and its citizens against acts of violence and coercion (e.g. the armed forces, the police and paramilitary forces, the intelligence services and similar bodies; judicial and penal institutions) and the elected and duly appointed civil authorities responsible for control and oversight (e.g. Parliament, the Executive, the Defence Ministry, etc.).” (OECD/DAC, 2001, pp. 22-24).

Under this definition, the security sector is concerned both with internal and external threats to physical security. This is a reflection of reality as these threats are increasingly hard to distinguish, particularly in countries where rebellion, internal wars and external wars are interwoven. Even more so, it is a reflection of the actual behavior of the dominant security sector institution -- the military. In many countries the armed forces are engaged not only in fighting external enemies but also have an internal role, performing functions that are the prerogative of police forces elsewhere. In other countries, the police is organizationally subordinated to the military. Thus in many contemporary societies, military and police functions have become so blurred that it is no longer possible to erect a strong wall between them.

In order to understand the challenges to voice and accountability in the security sector, it is also necessary to take into account the often numerous non-statutory security force actors that influence the security of poor people and poor countries.

These include, for example, armed opposition groups, traditional militias and private security firms. Together with the security sector, they comprise the security community in a given country (Box I.2).

The precise composition of the security community varies, based on each country's historical experience and security environment.

**Box I.2: The Security Community**

- **Core security institutions:** armed forces; police; paramilitary forces; coast guards; militias; and intelligence services
- **Security-sector oversight bodies:** legislatures and legislative committees; ministries of defense, internal affairs, justice, foreign affairs; office of the president; and financial management bodies (ministries of finance, budget offices, auditor's general's offices)
- **Non-core security institutions:** judiciary, customs, correctional services, and other uniformed bodies
- **Non-statutory security force institutions:** liberation armies, guerrilla armies, traditional militias, political party militias, private security companies.

Source: Ball, Fayemi, Olonisakin, Rupiya, and Williams, forthcoming.

#### **I.4. Out of the Twilight**

It is critically important that the security sector be subject to democratic, civil control. In the absence of civil – or state – control, the security forces are able to act with impunity in both the economic and political spheres, with negative consequences for both human development and human security. Civil control by itself, however, is not adequate. History tells us that in the absence of accountability to all citizens, the state can direct its security forces to act in ways that are inimical to human development and human security, for example by preventing the development of participatory systems of government, by systematically abusing human rights, and by preventing all but the most privileged from sharing in the fruits of economic growth.

Important as the participation of a broad range of actors is in developing and overseeing security policy, certain groups are often excluded, or decide not to participate, in decision-making on security issues. Poor people are often excluded because they are considered to be objects, rather than subjects, of security policy. This is of course especially relevant for groups that are marginalized because of race, religion, social status, or political convictions. Rich people often opt out of security systems that cannot provide them with physical security.

Physical security is a central concern to all people, but ordinary citizens are likely to have little influence on how much and what kind of security is provided to

them unless proper institutions for participation exist. In many countries, voice and accountability in security matters is inadequate. This is particularly so in countries with dictatorial or autocratic regimes that use security forces to oppress people. It is also true during wartime. In contrast, there may be good opportunities to redress the shortcomings of security sector governance in post-conflict environments and in countries undergoing other political transitions. Some of the most striking improvements in voice and accountability of security sectors have been made after the end of wars. It is therefore not surprising that external actors have thus far focused their security sector reform efforts on post-conflict countries. In addition, situations where security needs to be built from scratch provide legitimacy to external contributions to decision-making on security matters.

Participatory democratic decision-making processes are a fundamental precondition for the proper functioning of security sectors. This means that decisions about the content and implementation of security policy must be the result of government-wide consultative processes, not just the responsibility of a handful of individuals in the security forces and the executive branch. It also means that civil society must be allowed to fulfill three critical roles: demand change, if required, act as watchdogs, and provide technical input. Where governments do not tolerate democratic participation, security sectors cannot reflect the will of the people.

## **I.5. Effects of the Lack of Accountability**

Three negative effects of the lack of accountability stand out. First, when democratic space is closed, the opportunities for improving social and economic well-being throughout society are significantly reduced. Second, without accountability, the security forces are unable to provide human security. Instead, they are liable to become agents of repression themselves, protecting élites from the population at large while failing to adequately protect the state from external threats. Third, the lack of accountability leads to a pattern of resource allocation that is inefficient in producing sustainable human development because it represents the interests of narrow élite groups, rather than the broader interests of society as a whole.

### *I.5.1 Lack of democratic space*

#### **I.5.1a. Secrecy and exclusion**

Secrecy and exclusion in security matters have a long tradition. Many military campaigns have been spoiled when strategies became known to the enemy or when commanders decided not to follow supreme orders. Secrecy and hierarchy remain trademarks of military forces even today. Intelligence services almost by definition have to acquire, process and deliver information primarily in secret. However, not

all of the reasons for secrecy in the security sector are functional, and if information is to be kept secret, the military and intelligence services must nonetheless be accountable for their decisions and their actions. Otherwise, secrecy becomes a means to protect the power and prerogatives of the rulers, rather than to provide genuine security for the state and its citizens.

Historically, kings and other powerful leaders have monopolized decision-making over military matters as the core element of their rule. Secrecy and exclusion extended not only to military affairs, but to all decision-making on military matters, including when to go to war, when to make peace and how much to spend in the security sector. Challenges to the power of the sovereign to raise taxes for military forces gave rise to parliamentarism in modern times. In 1215, British freeman demanded to be given a guarantee of their rights, including participation in decision-making over military matters, in exchange for support of the king. Their fight has been replayed time and again up to the present.

#### I.5.1b. Security and power

There is a second reason why security matters are marked by a lower degree of popular participation than other sectors, namely the structural ambivalence of the provision of security by the security sector. Security is produced through the threat to employ violence. Thus security for some individuals and groups means insecurity for others. The solution of this dilemma is easy: the rule of law which clearly distinguishes who is in the right, and thus to be protected, and who is in the wrong, and thus to be the object of deterrence, and if need be, violence permitted under the law. However, the law can be weak and situations can be subject to different interpretations. Security and insecurity then become a matter of perspective and power.

In order to minimize such different interpretations and enhance the rule of law, efforts must be made to develop and strengthen democratic governance. Although participatory government offers no guarantee that states will be equitable, transparent, socially responsible and just, the absence of broad-based participation is a recipe for inequitable, non-transparent, socially irresponsible and unjust governments.

Many countries lack the ability to provide public goods for their people, including the safe and secure environment that is crucial for sustainable human development. Most African countries are particularly weak in this respect, but these problems are experienced to one degree or another by all countries, especially those emerging from conflict or making other fundamental political transitions. Obviously, even an effective and accountable security sector cannot provide security and safety to all at all times. It would be futile, and highly counterproductive, to try to deal with problems of security through improvements in the security sector alone. Crime and war have causes that even democratic force alone cannot eradicate. However, one reason why the provision of the public good of security is

grossly inadequate in many countries is poor leadership – within political society, the public sector, and civil society – both on a technical level and in terms of adherence to the rule of law and democratic principles. Furthermore, the effects of bad government tend to spill over borders in the security arena and develop into threats to citizens of other countries, through international crime and war.

Substantive and process problems are, however, only part of the problem. Constitutional and other legal reforms that promise democratic, civil control of the security sector will fail to produce the desired outcome if a country's political and administrative leadership is not committed to taking the steps necessary to create effective institutions and ensuring that these institutions function adequately. Simply providing training to the police, for example, will not improve law and order if the political leadership thwarts the efforts of the police force to bring criminals to justice, prevents the police force from being adequately resourced, or fails to ensure that the other components of accessible justice – the judiciary, the correction system, the legal system – function in accordance with democratic norms and practices. When processes are seriously inadequate, even the most effective human resources will not be able to overcome the deficiencies.

#### I.5.1c. Power and knowledge in security matters

Civilians are frequently ill-equipped to address substantive issues related to the security sector. Responsibility for formulating and executing security policy in developing and transition countries (as well as many more established democracies) has generally been allocated primarily to the security forces themselves, particularly the armed forces. In many countries, only a few civilians in the executive branch have been part of the policy process. Most members of the government, the legislature, the civil service and civil society have been discouraged from engaging in discussions of security policy or participating in its implementation and oversight. A self-perpetuating circle has thus been created. Because civilians are not allowed to participate in the policy making and implementation process, they generally lack detailed knowledge of security issues. Their relative lack of knowledge has enabled the security forces to argue that the power of decision making should remain in the hands of those with relevant knowledge, that is, the security forces.

Civil society organizations generally shy away from security questions, even where the lack of physical security is a major problem and especially where the security forces themselves are a source of insecurity. Although there are many examples of courageous and well-informed civil sector organizations dealing with issues such as the behavior of armed forces, the size and composition of armed forces, and war and peace, compared to other policy areas, their number and political influence is generally small, except in times of crisis or major political change. The issues often seem to be both technically difficult to understand, and personally dangerous to pursue. Understandable self-protection mechanisms are at work. However, these have the unfortunate consequence that the level of

knowledge about security matters, and thus the capability to confront misleading arguments, remains low. Nonetheless, some transition countries such as Hungary, Poland, Russia, and South Africa have been able to draw on civil society to obtain a significant amount of expertise to supplement that available in the public sector.

Within the public sector, there is often the perception that the security sector needs to operate differently than other parts of the public sector in order to preserve confidentiality for reasons of „national security.“ In fact, rather minor adjustments can be made to accommodate legitimate needs for confidentiality without violating the fundamental principles of sound public sector and public expenditure management. What is more, when assessing oversight capacity in the security sector, it is necessary to distinguish between expertise that is specific to the security sector and expertise that is found throughout the public sector. Many of the basic skills involved in policy development and the management of the security sector are often not substantially different from those required in other sectors.

For example, an auditor examining the accounts of the defense sector needs essentially the same skills as an auditor examining the accounts of the education sector. To do the best possible job, particularly to assess value-for-money, he or she will require some additional knowledge of defense policy and equipment. Defense auditors also need to work under higher degrees of confidentiality. A competent auditor can, however, make substantial headway without a large amount of specialized security-related knowledge. In contrast, legislators and ministry of defense officials do need defense-specific, technical knowledge to make appropriate decisions on defense policy, resourcing or procurement just as legislators and ministry of health officials need health-specific, technical knowledge to make decisions on health policy, resourcing and investment. However, the fundamentals of accountability remain the same and therefore legislators and ministry officials should understand how, in principle, to achieve accountability.

At the same time, the problem of insufficient knowledge of security issues is compounded by insufficient knowledge of oversight processes. For example, African legislatures generally have minimal capacity to exercise genuine oversight of the security sector, even when appropriate oversight committees exist. In part this is because they have an incomplete understanding of the appropriate role of legislatures in ensuring oversight of the security sector. They lack the expertise and

experience to make use of the committee system or how to draft legislation on security matters (Box I.3).

**Box I.3. West African Legislatures and Civil-Military Relations**

„Legislatures in the region face many challenges as they seek to exercise their oversight functions. These include: a dearth of technical expertise in military issues; lack of communication with their military counterparts; inefficient use of the committee system; and inexperience with drafting legislation on defense issues....Legislatures in the region generally lack support staff and cannot afford outside consultants for technical advice. Former members of the military, a possible source of in-house expertise in many countries, are rarely represented in these legislatures for a variety of political and legal reasons.“

Source: National Democratic Institute, 1999, p. 3.

*I.5.2. Lack of protection from threats*

*I.5.2.a. Wrong priorities, little security*

Today's security sectors are often costly, but simply allocating resources to the security sector offers no guarantee that physical security will be provided either effectively or efficiently. Many observers are critical of the more than US \$800 billion spent world wide each year on the equipment and maintenance of military forces alone. (See Table I-3). However, these large sums of money have not eliminated the threat of external war. At the same time, although data comparable to those for the armed forces are not available, it is generally believed that the non-defense portions of the security sector are routinely underfunded in many countries. It is therefore perhaps not surprising that physical insecurity outside of war situations, for which governments maintain police forces and criminal justice systems, remains high in many areas. It is particularly worrying that personal violence remains a major problem in post-conflict environments. In El Salvador, for example, the number of violent deaths increased after the end of the civil war in 1992, producing one of the highest homicide rates in the world by 1996 (Ugalde, 2000).

Table I.3: Military expenditures by geographic and political regions

	Military expenditures		Share in global total
	in billion 1999 US \$	as share of GDP	
Worldwide	737,8	2,0	<b>100,0</b>
Africa, Central	0,8	3,3	<b>0,1</b>
Africa, East	2,4	5,5	<b>0,3</b>
Africa, North	8,2	4,2	<b>1,1</b>
Africa, South	4,2	2,0	<b>0,6</b>
Africa, West	2,0	2,5	<b>0,3</b>
America, Central	2,9	0,6	<b>0,4</b>
America, North	289,3	2,9	<b>39,2</b>
America, South	20,8	1,4	<b>2,8</b>
Asia, East	115,1	1,4	<b>15,6</b>
Asia, Central	0,8	1,5	<b>0,1</b>
Asia, South	16,1	2,6	<b>2,2</b>
Asia, West	44,2	11,2	<b>6,0</b>
Europe, East	35,4	4,4	<b>4,8</b>
Europe, North	13,1	1,5	<b>1,8</b>
Europe, South	50,1	2,0	<b>6,8</b>
Europe, West	124,4	1,7	<b>16,9</b>
Oceania	8,1	1,4	<b>1,1</b>
European Union	170,6	1,7	<b>23,1</b>
OECD-member countries	544,8	1,9	<b>73,8</b>
OSCE-member countries	513,0	2,4	<b>69,5</b>
NATO-member countries	469,0	2,4	<b>63,6</b>
OPEC-member countries	36,0	5,7	<b>4,9</b>
ASEAN-member countries	13,5	1,8	<b>1,8</b>
CIS-member countries	25,8	5,3	<b>3,5</b>

Source: BICC, 2001

### I.5.2.b. Agents of repression

Not only are resources devoted disproportionately to the military, leaving the police ill-prepared to address problems of rampant criminality. People in many countries have been victims of the arbitrary use of violence by individuals and forces that according to the letter of the law should have protected them. Estimates of the number of 'death by governments', or 'democide,' either through direct violent action or gross negligence in the face of major disasters, in the 20<sup>th</sup> century run up to 170 million people, much higher than the number of war deaths (Rummell, 1997, Leitenberg, 2001). This includes mega-million deaths in single countries, such as in the Soviet Union, China and Germany, and many more cases on a smaller scale.



There is a strong correlation between the type of government and the democide numbers (see table I.4). Security forces – police, intelligence services, official and unofficial paramilitary forces, and the military – have frequently been instrumental in enforcing democide. It is no wonder then that participatory poverty assessments find a high incidence of fear of security forces (Narayan et al, 2000; see also Box I.1). People, particularly the poor and marginalized, perceive security forces as janus-faced, as possible protectors and possible oppressors. Because of the inherent ambivalence in the provision of security, people are often afraid of raising their voice on issues related to security forces, whether it be on the size and composition of such forces, or on systematic violations of human rights. People in many countries around the world are not heard in decision-making on security matters both because they think it is none of their business and because the security forces make it clear to those who would protest that such activities will bring severe sanctions. Violations of the rule of law by the security forces, including human rights violations, are accepted with resignation by the vast majority of poor and marginalized people.

*Table I.4: Democide and Type of government*

Type of government	Estimate of number of unarmed persons intentionally killed by government actions
Democratic	2
Authoritarian	29
Totalitarian	137

Source: Rummel, 1997, Table 4

Thus the security sector is marked by a tragic contradiction: Those most in need of a well-functioning security sector – poor and vulnerable people – are generally, and unfortunately not without reason, most suspicious of it. In consequence, those who should be particularly listened to are least likely to be in a position to make their voices heard.

#### I.5.2.c. Rich people opting out

In an increasing number of societies, it is not only poor and marginalized people who are not taking part in decisions on public security but also the well-off. There is a trend for rich people to seek out and pay for physical security outside of the public sector, which is one of the factors that have led to the growth of a private security sector. (See Box I.4.) While security is a public good that should be available throughout society on an equal basis, it can also be a private good. Members of a society can try to buy more personal security, for instance by living in fenced and guarded quarters, separated from poor peoples quarters. The individual calculus for the decision to pay for private security is easy to follow in countries where personal

security is low. As a result, in many countries, safety has become a luxury good that is affordable only to rich people.

However, for the societies concerned, the decision by the rich to attempt to provide for their own person security often produces a downward spiral in the provision of public security. Those who pay for their security privately do not see much sense to providing the necessary funds for public security. Public security deteriorates further and the incentive to buy private security spreads to other groups in society. Those who have no means to pay for private security are left out. In addition, new geographic borders are erected within countries, between high-average income zones of privately secured peace and security and low-average income zones of crime and violence.

**Box I.4: Private security**

Security is often thought of as a public good. In fact, neither internal nor external security is a pure public good. Individuals can, and do “buy ‘security’” for themselves, their communities or states, with the assumption that they will benefit privately. Three aspects of the privatization of security have been observed recently: a strong growth in the provision of protection from crime by private companies; the expansion of private military companies in the late 1990s; and the activities of privately paid armies and militias.

The private security industry gathered speed in the early 1980s, in parallel to the drive for privatization of government services, which in some countries included some appropriate activities, such as patrolling public buildings or prison services. More importantly, however, there was a strong growth in demand by citizens who could afford various types of security and intelligence services from the private sector. These were often linked to the building of new “walled-in” housing complexes and business buildings equipped with new high-tech surveillance devices and guarded by private security services. Over the years, the private security sector has grown from small scale into a major industry with major international companies such as Securitas from Sweden, with more than 210,000 employees in more than 30 countries, Securicor from the UK, with more than 120,000 employees worldwide and US-American Wackenhut, with 65,000 employees in more than 50 countries. According to an industry estimate, total turnover of the global security industry was \$100 billion in 2000, with \$30 billion paid for all kind of equipment, ranging from alarms to sophisticated computer equipment, and \$70 billion for services (Security Industry Association, 2000). However, such estimates are rather vague, as in many parts of the world information is scant.

Marketization of security services does not need to affect the security of those not willing or able to afford private services. However, some effects are generally felt. One, it reinforces locational separation of people by income. Gated communities and privately guarded business centers create barriers to entry higher than at public space, which they often supplant (Blakely and Snyder, 1997). Some observers have contended that localized private security zones also displace crime, directing it away from them to unguarded areas. Finally, individuals paying for private security are assumed not to be willing to “pay twice” and try to limit their funding of public security through taxes.

Critics of the trend toward private security therefore contend that it has a cumulative effect. The more individuals spend on private security, the less willing will they be to support public security expenditures which in turn will lower the level of public security and the demand for private security (Lock, 1999).

In the second half of the 1990s, a different kind of private security agents received much international attention, companies operating in military style (Isenberg, 1998). Well-known names in this line of business include the US-American MPRI, which is training troops in various regions of the world, and British Sandline. The most notorious of these “private military companies” was South African Executive Outcomes which operated, among other places in Angola and Sierra Leone. Executive Outcomes was disbanded in 1999 after the South African government passed a law tightly restricting operations of private military companies. Private military companies were strongly criticized, for instance by the UN Special Rapporteur on the use of mercenaries, with the argument that privatization of security and armed conflict freed states from their obligations to defend their citizens and seek peace, which was very dangerous for human rights (United Nations, 1999a). They were also seen as detrimental for international security by needing conflict as a business rationale.

Another aspect of privatization of security is the recruitment, maintenance and payment of armies and militias by private individuals. “Warlords,” funding forces through exploitation of natural resources, theft of people’s assets, “taxes” on humanitarian aid organizations have all become a hallmark of many recent conflicts in Africa (Reno, 1998).

The rise of private security has predominantly been seen as a threat to human rights. But it is also an issue for voice and accountability. Private companies have less of an obligation to listen to people than do governments. An increase in the provision of private security may lead to a decrease in the provision in public security. Finally, it restricts the say poor people can have over a vital area of their well-being – security.

The privatization of security need not to have such negative effects. However, to keep providers of private security under control and within the law, there needs to be some body controlling them – a public security force. Only a strong public security force, as guarantor of the law, can assure that private security companies are not misusing their powers to exert violence.

Higher levels of physical protection for the rich may also stimulate a kind of “arms race” with criminals. Police forces throughout the world have seen criminals become better armed over the years. One indicator is the wide availability and use of small arms in crime (Small Arms Survey, 2001). Those who privately pay for security may therefore not be better off at the end of the day while their actions have detrimental effects on those that are not able to protect themselves.

### *1.5.3. Fiscal impunity*

Since security from violence against the state and its citizens is a public good, it is both appropriate and necessary for the state to allocate resources for the maintenance of security. However, it is also critically important that the security sector be subject to democratic, civil control, including fiscal oversight, to ensure that those resources are allocated appropriately and used effectively and efficiently. While it certainly can be argued that countries with a relatively high level of accountability, transparency and participation in the security sector may make poor decisions about the relative weight of the security sector, it is clear that there is a substantial danger that the lack of societal control over security decisions will lead to gross misallocations of public money and inadequate security for the state and its citizens.

#### I.5.3.a. The security sector's privileged position

Financial resources allocated to the security sector cannot be spent on other public functions, such as health, education, investments in critical physical infrastructure, or the maintenance of that infrastructure. Societies need to put in place a process for reaching consensus on resource allocation. Such systems will involve political bargaining among a wide range of actors. For this bargaining to achieve outcomes that are broadly accepted by society as a whole, each sector must be able to compete on a more or less equal footing with other sectors. In many countries, the military has a highly privileged position in the resource allocation process, and the security sector as a whole does not compete on an equal footing with spending to meet the basic needs of all people, particularly the most vulnerable groups.

This typically produces a pattern of expenditure that focuses on the military and on military weapon systems and that absorbs too many resources compared with the country's security needs. In contrast, spending on police-type forces and personnel, including proper training and equipment, is often inadequate. In those cases, the military is often then ordered to perform police functions – for which it is overarmed and ill-trained. The outcome is invariably a waste of resources, on one hand, and a lack of physical security, particularly for poor people, on the other. However, no blueprint for the proper amount or composition of security sector spending exists, and the specific needs of each country are different.

This makes democratic civilian accountability all the more important, since optimizing the ability of scarce resources to provide both sustainable human development and human security requires input from a broad range of stakeholders. The appropriate level of security expenditure and the way in which resources are allocated within the security sector cannot be decided in the abstract. This needs to be decided by the representatives of the people in a society as part of a process that includes an evaluation of a country's security environment, the broad policy guidelines on which the key stakeholders have reached consensus, and a detailed elaboration of the mission, doctrine, foreign design and human resource needs of the security forces.

In many parts of the world, however, governments have been uninterested in or incapable of tackling the difficult problem of restraining the political power of the security forces. Strengthening security sector governance has also not been high on the agenda of those who provide either security assistance or development assistance.

#### I.5.3.b. Evading accountability in the budgetary process

Government data on security-sector spending is often not reliable. One problem is that outlays are not appropriately classified in the budget, making it difficult to identify that they fund security-related activities. There are a multitude of ways to hide of military expenditures under other budget categories (Ball, 1988; Brzoska, 1995). Several of the most frequently encountered mechanisms are described below.

Another major problem is that income and expenditure for security activities are kept outside of the budget.

*1.5.3.b.1. Examples of critical categories*

While problems can and do arise with any portion of the security budget, the defense sector seems most prone to abuse. The only limitation to hiding military expenditure is the total size of the defense budget. However, there are some budgetary categories that are particularly critical, partly because it is not crystal clear that they should be classified as military expenditures, partly because they are easily lumped together with other categories of government spending.

Social and health costs of soldiers and civilian military personnel are often not recorded as part of defense expenditures, but rather as part of expenditures on health and pensions. Pensions are arguably not part of military expenditures, as this type of spending does not pertain to the current operation of armed forces. However, they are an unavoidable costs of maintaining armed forces and are therefore closely linked to armed forces. Similarly, health costs of military personnel are an unavoidable consequence of having a military force.

Procurement of weapons and other military materiel is fairly often muddled. Governments often subsidize industries that they deem important for military reasons, taking money from economic budgets. Imports of weapons on credit seem to present a special challenge. The correct method of recording such outlays is to note the obligation to the total cost, including debt service, in the defense budget and annually allocate actual debt servicing to outlays. However, debt servicing is often lumped together with all debt servicing under a special budget category and not noted as an obligation in the defense budget. Purchases on credit thus become 'invisible' in the budget. For instance, Argentina's armed forces purchased weapons valued at more than \$8 billion between 1976 and 1982. However, annual military expenditures did not increase by a commensurable measure and dropped significantly after 1983. Weapons were funded by credit not recorded in the defense budget. Credit financing of arms imports is wide-spread. According to one estimate, debt service for earlier imports of weapons has been higher than the nominal import of new weapons since the late 1980s (Brzoska, 1995).

Defense budgets can not only provide too low a number for actual spending but can also include spending that is actually not defense spending. Typical examples include subsidizing defense purchases from domestic industries in order to favor certain regions or industrial sectors, or the building and maintenance of infrastructure which is also used, at no or subsidized cost, by civilians. Few countries are willing and able to properly account for "dual-use" services, infrastructure and technologies, with some tending to lump it all under defense expenditures and others tending to put it under civilian categories.

*1.5.3.b.2. Extra-budgetary activities*

In a number of countries, armed forces have sizeable extra-budgetary income. In Chile, for instance, the armed forces are entitled to 10 percent of the annual profits

of CODELCO, the state-owned copper company, for the purchase of weaponry (Patillo, forthcoming; Rojas Aravena, 2000, pp. 25 and 26). The Chilean Copper Law is actually something of an anomaly. In most cases, governments simply divert the income from raw materials to a variety of purposes, including the defense sector. In Nigeria under General Abacha, for example, a large portion of the Petroleum Fund was diverted to the armed forces. Similarly, resources from the Ghanaian Cocoa Board are believed to have been used for the armed forces during Jerry Rawling's rule.

Military business activities also have become a major source of extra-budgetary financing of armed forces. Well-known examples include the intensive business empire of the Chinese Peoples' Liberation Army, which began to be dismantled by government orders in 1998 (Mulvenon, 2001, see also Box I.5). In consequence, the official Chinese defense budget has risen significantly in recent years. Another well known example is that of Indonesia (see Box I.6). It has been estimated that only one third of all the spending on the Indonesian armed forces comes from the government's coffers while the rest is raised by officers and soldiers through business activities in a wide range of markets, both legal and illegal.

**Box I.5. The Chinese People's Liberation Army in Business**

In the 1980s and up to the end of the 1990s, the Chinese People's Liberation Army (PLA) built a large business empire. By the early 1990s, there were more than 20,000 enterprises employing more than 1.3 million regular employees and a similar number of soldiers on a non-permanent basis (Cheung, 2001). The original objective was to earn money to make up for severe reductions in the country's official military spending in the early 1980s. Soldiers and officers were quite successful in many areas of business, ranging from transport to restaurants, earning hundreds of million of dollars per year. However, some went further and into illegitimate activities such as smuggling, prostitution and gambling. Corruption became rampant. In the summer of 1998, the party leadership ordered the PLA to get out of business activities. Jiang Zemin declared that "to properly develop the army in an all-round manner, the central authorities decided that the army and the armed police should earnestly screen and rectify various commercial companies operated by their subordinate units and shall not carry out commercial activities in the future." (Liu Zhenying, "National Conference on Crackdown on Smuggling Opened in Beijing: Jiang Zemin Met with Delegates to the Conference and Gave an Important Speech", *Xinhua Domestic Service*, 13 July 1998). However, according to outside observers, the military authorities have continued to retain control of companies regarded as vital for national security or social reasons.

The main sources of income were about 250 major companies, including some large industrial plants and conglomerates. In addition, there were numerous small industrial enterprises and service companies, including about 1,500 hotels and agricultural farms, set up and run by regional military entities.

Neither the PLA itself, nor any other government organization had much control over many of these activities. Underreporting of turnover and profits was widespread, in order to avoid taxes but also as a source of private gain. One expert has observed that: „Extensive audits of PLA units and commercial entities were conducted regularly and this led to the recovery of hundreds of millions of Rmb from hidden bank accounts. But military units and enterprises became increasingly sophisticated in keeping undeclared profits out of the reach of military authorities, including transferring money overseas.“ (Cheung, 2001).

The shadowy business activities of the PLA further reduced the low level of transparency on military spending in China. Furthermore, private individuals had, in many instances, to compete with companies that were under the protection of the powerful PLA. The privileges that these companies enjoyed were not only economic – such as „free“ labor of soldiers and officers – but often also political. Many of the companies seemed not to be accountable to anyone, certainly not to the civilian institutions set up to regulate business activities in China.

Extra-budgetary activities of armed forces raise a host of economic and political issues. The main reason why the PLA's business empire was ordered to shut down was that it was a seed-bed of corruption. In Indonesia, domestic stakeholders and international financial institutions are pressing for an end to the armed forces' involvement in business because it distorts the economy. In addition, extra-budgetary activities are nearly impossible to oversee and control. They provide armed forces with considerable leeway to make important decisions on their size and structure independently, outside of democratic processes. Transparency of military business activities is generally low, allowing individuals to take their "cut."

The opportunity for personal gain is probably one of the reasons for the recent increase in military business activities (Brömmelhörster and Paes, forthcoming).

#### I.5.3.c. Role of external actors

Some members of the international community have long been concerned with the disparity between the level and composition of military spending, on the one hand, and economic and social development budgets, on the other hand, in countries receiving ODA. For instance, the Brandt Report of 1980 deplores the wastage from “overarming” in the Third World (Brandt, 1980). However, these issues were not accorded high priority during the Cold War because the major powers of East and West did not perceive lowering the military spending of their client states to be in their interests. Indeed, through their sales of arms and other polices, the major powers influenced the defense spending of many countries in an upward direction.

During the Cold War, when politics dominated the provision of international assistance, the development assistance donors generally sought to distance themselves from the security sector, despite concerns that large military budgets were starving the social sectors of resources. As the Cold War drew to a close, donors began to voice this concern and a number sought to link their assistance with levels of military spending (Ball, 2000; Stevenson, 2000). The German government, for example, adopted guidelines in 1991 on “good development enabling frameworks” that had overspending on the military as a key target. Its efforts, however, ran into opposition from the German Foreign Ministry (Büttner and Krause, 1996). Other donors, including the World Bank and the IMF, began to investigate means to link their assistance with the level of military expenditures in developing countries. The donors’ first response was thus to focus what was to them on the most visible element of the security sector, military expenditure, rather than the clearly unaccountable manner in which the finances of the security sector have been managed.

By the end of the 1990s, donors had begun to realize that an approach that focused exclusively on levels of defense spending was counterproductive in a number of respects. For one thing, it did not necessarily result in lower defense spending, as countries sought to evade the spending caps by disguising their defense spending in various ways. For another, poor countries and poor people were not necessarily more secure. Indeed, many were demonstrably less secure. Nor did these policies have a visible impact on the level or quality of development. Donors came to understand that when security forces operate autonomously with scant regard for the rule of law, democratic principles, or sound public-sector management practices, critical human development objectives are extremely difficult, if not impossible, to achieve. They also came to understand that far from always being unproductive as sometimes had been argued, expenditures on security – if used effectively and efficiently – are necessary for sustainable development.



A number of donors are now developing policies aimed at delineating how development assistance can support the strengthening of governance in the security sector. There are also a number of initiatives on the part of defense or foreign ministries in several NATO and Partnership for Peace countries and in Switzerland that are aimed at strengthening security sector governance. Just how successful any of these will be remains to be seen. However, these efforts are aimed at addressing many of the problems associated with politically and economically unaccountable security forces, and as such are an advance over the policies of the preceding 50 years.

### **I.6. Post-war situations**

Democratic space is particularly small during most armed conflicts. Rulers of countries in conflict usually perceive it to be especially important to restrict military information – even information pertaining to relatively simple operational matters. Monitoring is difficult. Criticism from members of civil society is more likely to be suppressed than in more peaceful situations. It may be categorized as “supporting the enemy.” In most current civil wars the composition and role of the armed forces is a central point in efforts to achieve peace settlements. In Burundi, for example, it is argued that the army needs to be more ethnically balanced. In Colombia, a genuine solution is needed to end the violence by paramilitary groups that are associated with the regular armed forces.

The period running up to a cease-fire agreement (or sometimes before a military victory) and the immediate post-war period are often critical for the establishment of socio-political processes and an institutional framework for human development and human security. During such periods, negotiations and debates frequently take place on reform of political institutions, decentralization, a new constitution, and so on. However, the experience of the 1990s shows that in most countries in immediate post-war situations, the (scope for) democratization of decision making is often still limited. Immediate post-war situations are found to have some special characteristics with regard to democratic control of the security sector: normally special constraints exist, but also considerable opportunities.

The constraints are similar in many ways to the general constraints mentioned in the previous sections. In addition, however, there are usually even fewer people who would feel inclined and secure enough to provide independent views in public debates on the (new) security sector. Especially in countries that have gone through long and/or devastating wars, such as Eritrea, Cambodia and Rwanda, few independent thinkers and activists with knowledge of security sector issues are still in the country. Those who are find it difficult to organize themselves and establish or contribute to a broader debate. Although the awareness of security issues is high among populations that have suffered through war, the way to organize and monitor the relevant institutions is not a top priority. For virtually everyone in the country there are pressing issues of survival and reestablishing basic livelihoods.

If the termination of the war is based on a peace agreement, the extent to which there is a broad voice in the shaping of the post-war security sector depends largely on the negotiating parties and the composition of their teams. In most cases, this has been disappointing, from a human development perspective. Through their dominance in peace agreements, the formerly warring parties largely decide on the general shape and principles of the post-war security sector. Thus, the people that carried and used the guns are subsequently the ones shaping the future of the country. Civilians, and particularly women, are immensely underrepresented in official peace talks (see Box I.7). The absence of genuine civilians – especially women – from peace negotiations affects the scope for democratic development in societies.

**Box I.7. Initiatives to involve more women**

Major difficulties exist in most post-war circumstances to broaden participation in the formal peace process. Right from the peace negotiations, through to the design and implementation of peace-building and reconstruction efforts – including a security sector reform – there is usually only a small group of people involved. In many cases, those people are predominantly men, especially those who had taken up weapons. They are rewarded with a place at the negotiation table, and thereby obtain a strong say in the decisions on the post-war policies and institutions, including the security sector.

Women are in most cases almost completely excluded from these post-war decision-making processes. Only recently has the role of women in the various aspects and phases of peacemaking and peace-building been recognized at the international level. Women can bring into the peace talks a practical understanding of real life security concerns. Women's commitment to peace is often critical to ensure the sustainability of peace agreements. And their active involvement has already shown real benefits for all people in several peace processes (Anderlini, 2000).

Initiatives are being taken in an effort to correct these biases. Among others, the UN Security Council has adopted a resolution in October 2000 (S/RES/1325/2000) to urge the UN Member States to increase representation of women at all decision-making levels in national regional and international institutions and mechanisms for the prevention, management and resolution of conflict. It calls on all actors involved when negotiating and implementing peace agreements to adopt a gender perspective, among others through including women in all the implementing mechanisms of the peace agreement.

Implementation of the UN resolution is likely to improve voice and accountability in the security sector in post-war situations. The resolution emphasizes, among other things, the responsibility of all States to end impunity and prosecute those responsible for genocide, crimes against humanity and war crimes, including those related to sexual and other violence against women and girls. It stresses the need to exclude these crimes from amnesty provisions. In the resolution the Security Council also expresses its willingness to incorporate a gender perspective into peacekeeping operations.

Despite these constraints and disappointments to date, the termination of war also provides opportunities for the democratization of the security sector. In numerous countries the security sector has been overhauled or redesigned after the termination of an armed conflict, for example in various countries in West and Southern Africa and in Central America. Drastic reforms were also undertaken in Central and

Eastern Europe, but these were following a “cold war” rather than an active armed conflict.

During wars, the armed forces often deal with most security functions of the state – external as well as internal. A major challenge in the post-war period is thus to completely reorganize the government’s role in protecting its citizens’ security and human rights. The armed forces need to be downsized (see Box I.8) and professionalized. Often, a national police force needs to be created (or reformed) so that it is professional, civilian, and well-trained, and deserves the respect of the entire population. Although it might be tempting to simply convert soldiers into policemen, this should be handled with utmost care, since they might have a record of human rights violations and have inadequate training for police tasks. The (new) police force needs to build an open and democratic policing culture (Neild, 2001). The fact that these processes are going on in a dynamic context allows for influence from outside the security establishment. In many countries, such as in South Africa, public debate and open democratic processes have had a positive impact on the shaping of a more democratic security sector. It is important to use the immediate post-war period to broaden civilian involvement in shaping the security sector. Military thinking and narrow security perceptions often still dominate the environment at that point in time. But the momentum of change should not be lost. The current inter-Congolese dialogue in the DRC and the increased involvement of women in peacemaking and post-war decision making, as supported by the recent UN resolution, indicate a positive trend. Also international peacekeeping operations have the potential to demilitarize the process of shaping the future security sector and provide a serious gender perspective.

**Box I.8. Voice and accountability regarding demobilization exercises and reintegration support**

Since 1990, major post-war demobilizations have taken place in a wide range of countries, including Bosnia-Herzegovina, El Salvador, Eritrea, Ethiopia, Guatemala, Haiti, Liberia, Mozambique, Nicaragua and Uganda. In addition, some form of demobilization took place in for example Chad, Lebanon, Mali, Panama, Rwanda and South Africa (e.g., Pauwels, 2000). Such demobilization exercises and subsequent resettlement and reintegration support to ex-combatants have an important connection with questions of voice and accountability in the security sector, and beyond.

Demobilization is normally part of some form of security sector reform. It has special significance for human development, since demobilization and possible associated declines in military expenditure are generally perceived to allow for more productive use of financial resources and to free-up manpower and skills for more productive activities. However, demobilization has shown to be a complex process, and its impact depends largely on how the ex-combatants are able to reintegrate into civilian life. Moreover, savings as a result of demobilization are often not as high as expected, while the actual direct costs of the demobilization and reintegration support have usually been high (Kingma, 2000a).

The way the size of armed forces is reduced varies in different settings. Some demobilizations were a direct result of the termination of war, while others were conducted under more stable and peaceful circumstances. Within the first group, peacekeeping operations provide yet a special context. Demobilization and reintegration support normally involves a large number of relevant actors, such as demobilized combatants (male and female, ex-child soldiers, ex-government soldiers and ex-guerrillas), associations of demobilized combatants, families of ex-combatants, communities in which ex-combatants resettle, other groups trying to reintegrate (e.g. returned refugees and internally displaced people – IDPs), local security forces, government agencies, business community, local NGOs, the UN and its agencies, donor agencies, international NGOs, etc. Given the large number of actors and the fact that the design of demobilization and reintegration programs often happens under considerable time pressure, the voice of many of these actors has usually been limited. The ex-combatants and their communities made too little inputs; also local NGOs and other interest groups had often little information and voice in the process. In many cases, the process was led by external agencies, such as the World Bank, which made the voice of local actors even more petite.

Generally speaking, once the decision to demobilize is taken, practical plans need to be worked out and financing obtained. Successful post-war demobilization and resettlement require reliable data for planning purposes, effective logistics and management, and substantial resources for shelter, registration, transport, provision of basic needs, etc. (Ball, 1997; Kingma, 2000a). Policy makers also have to deal with other complex of issues, such as weapons collection and control, conflict resolution, psychosocial problems of ex-combatants, the special needs of ex-child soldiers and the co-ordination of external assistance. Different measures have been developed and used over the past decade to support resettlement and reintegration of ex-combatants, ranging from credit schemes, public works and provision of building materials and tools, to training, referral schemes and counseling. However, no blueprint for efficient and effective reintegration support exists. Much depends on the nature of the peace that has been established, the socioeconomic environment and the type of forces to be demobilized.

Policy makers face dilemmas and political pressures. In deciding on how to implement demobilization and reintegration efforts, they have to consider the advantages and disadvantages of targeted assistance to the ex-combatants (Kingma, 2000a, p. 226). There are several arguments for giving them special support. But in most countries emerging from war they are only one of several (and large) war-affected groups requiring assistance.

In most cases, ex-combatants are far outnumbered by for example returning refugees and IDPs. So, many other groups of people suffered and should be supported in restoring their livelihoods. One might also argue that it is unfair that ex-combatants receive special support, since they often created havoc and made development and life impossible during war. Too much emphasis on supporting the ex-combatants could even lead to rivalry or jealousy in communities.

On the other hand, however, the justification to support ex-combatants is usually based on one or more of the following arguments:

- Demobilized soldiers and fighters require support from a humanitarian point of view. Upon demobilization, they are out of a job and often far from their homes. Therefore, they require at least the initial provision of basic needs and physical resettlement.
- In some cases demobilized combatants have sacrificed several years of their life to improve the development perspectives for their compatriots (e.g. Eritrean Peoples' Liberation Front – EPLF, or the armed wing of the ANC – MK – in South Africa). In other cases, some of the demobilized have been recruited into the armed forces under pressure (e.g. *Derg* army in Ethiopia, and Renamo – the Mozambican National Resistance). In those cases, support could be seen as a compensation for foregone education or other investment.
- A third argument to support ex-combatants is because of their potential contribution to general development. Their skills and capabilities might bring new economic activities and employment opportunities (Nübler, 2000).
- Lastly, but in some cases most importantly, lack of reintegration support could jeopardize peace-building and human development. Without support, demobilized soldiers and guerrilla fighters might have great difficulties re-establishing themselves in civilian life, and frustrated ex-combatants may threaten the peace and development process by getting involved in criminal activities or violent political opposition.

In most efforts to support reintegration, policy makers thus face a dilemma on whether or not to treat the ex-soldiers and guerrillas as a special target group. Given scarce resources, support programs have to strike a balance. A consensus appears to have developed among analysts that special efforts for ex-combatants are generally necessary and justified during the demobilization and resettlement process, but that support in the reintegration phase should, as much as possible, be community- and area-based, and part of broader programs.

Studies have found that support by communities themselves was often critical for the success of the reintegration of the ex-combatants. These findings indicate that support to reintegration processes is more effective if it falls in line with the broad reconciliation and peace-building processes and the creation of an enabling environment in which people are encouraged to take initiatives.

Actual reintegration of ex-combatants usually takes place throughout the country, in different circumstances and environments. The appropriateness of possible support measures depends case by case. A support program organized in a decentralized way is most likely to provide the appropriate support in a flexible and cost-effective manner. Also the need for joint learning implies that the actual implementation of the programs should be as decentralized as possible. Good communication with the 'center' should ensure that general lessons – positive or negative – are being learned in the future and in other areas.

Experiences with demobilization show that in order to respond to the real needs, reintegration assistance programs could best be designed and adjusted in continuing dialogue with ex-combatants, their families and communities. Ex-combatants themselves are usually going through a learning process, after leaving the military. For example, they have to find out what is possible – whether the sometimes over-ambitious plans they had while still in the army, make sense after they arrive (back) in the village, town or city. The reintegration process is also best facilitated if the support is as demilitarized as possible, stressing the new environment and people's own responsibility. And care should of course be taken that ex-combatants develop non-violent ways to express possible dissatisfaction.

## **II. How can the Security Sector be held accountable?**

### **II.1. Forms of accountability**

Public sector institutions can be held accountable to the poor and disadvantaged in two ways. They can either be asked to answer directly to the poor and disadvantaged or politicians and bureaucrats can be held accountable to a set of criteria intended to improve the performance of a particular institution vis-à-vis the poor and disadvantaged. In some areas, for example primary and secondary education, direct accountability may be both feasible and cost-effective. In others, such as the security sector, it is more difficult and more costly for the poor to attempt to gain direct accountability.

The costs of direct accountability can be calculated in several ways. One is that when the poor and disadvantaged take the time to demand direct accountability they forego opportunities to earn income. A second is that they can be subject to harassment or repression on the part of the security forces. They can be physically injured, even killed, and lose valuable economic assets. While such behavior can and does occur when the poor attempt to alter their situation in the economic and social spheres, it is even more likely to occur when the security sector is the focus of attention. This suggests that even if the problem of loss of income can be resolved, direct accountability in the security sector is likely to be difficult to achieve in the absence of an enabling environment characterized by adherence of the security forces to democratic principles such as the rule of law and civil oversight. However, as examples from several countries show, efforts at holding security forces directly accountable can have restraining effects even where regimes are repressive and can contribute to the overthrow of these regimes.

South Africa offers two examples of direct accountability in the area of police monitoring that illuminate these constraints and opportunities. During the transition to majority rule between 1991 and 1994, 27 South African organizations committed themselves to reducing politically motivated violence by signing a document known as the National Peace Accord. Among its mandates was the establishment of national, regional, and local peace committees. These were to be a major vehicle for reducing violence in communities that for generations had been deeply divided along both racial and political lines. It quickly became clear that the peace committees' mandate to reduce violence and settle disputes depended in no small way on their ability to engage the police constructively in their work and to hold the police accountable. To achieve these objectives, the committees monitored police activities, fostered better relations between police and communities (for example, by mediating disputes), and provided a forum for the police to express their views and concerns about the peace process (Ball with Spies, 1998.) While some of the work of the peace committees involved unpaid volunteers from all walks of life in South

Africa, much of the day-to-day work was undertaken by paid committee members who frequently were political activists, community leaders or religious leaders.

**Box II.1: Enhancing Police Accountability in South Africa**

“Initially it was difficult for us to monitor the activities of the police around the clock, but once a business enterprise donated three armored vehicles, we were able to monitor police activity during the nighttime as well as the day. The police understood then that they had to be accountable at all times, and the level of violence declined during the night hours.”

Source: Interview with former local peace committee staff member, Gauteng, May 1997, cited in Ball with Spies, 1998, p. 18.

One of the major problems encountered was the difficulty of monitoring police activities, particularly during the night hours. Additionally, the responsiveness of the police varied considerably from place to place, depending on the attitudes of senior police officials. While the peace committees sought to improve relations with the police, they did not always succeed. The commitment of the national government and the other main players to the peace process was central to the success that the peace committees did achieve. Police monitoring through the peace committees was, then, an example of direct accountability that benefited poor people, but one where poor people played a relatively small role.

Once the April 1994 election was held and majority rule became a reality, the need for monitoring remained high, particularly in the disadvantaged areas of South Africa. An innovative project, established by a successor organization to a local peace committee in a township outside Cape Town and supported by German funding trained youth from the township to monitor police activities as well as to monitor their neighborhoods and provide the police with information on ongoing crimes and other problems. This was an example of direct accountability that engaged poor people directly in monitoring activities. However, without financial assistance from outside South Africa, this effort would not have been sustainable. What is more, such a project would not have been feasible in apartheid-era South Africa since the central government, to which the national police force was accountable, had no interest during that period in enhancing the police force’s accountability to citizens, particularly the poor and disadvantaged majority.

## **II.2. Priorities of accountability**

The concepts of “answerability” and “enforceability” (introduced in Chapter X), are highly relevant in the security sector. The security forces in many countries do not feel they have to answer to any civilian – poor or privileged, in or out of government – for their actions, even when there is legislation requiring them to do

so. To a large extent, this is because they suffer no sanctions either for those actions or for the failure to explain those actions. Accountability of the security forces will be impossible until there is society-wide acceptance of the notion that the security forces are subordinate to the civil authorities, are obliged to explain their actions to the civil authorities and civil society, and are subject to sanctions for inappropriate actions or for inadequately explaining their actions. This is why it is so important to focus first on strengthening norms and building institutions, which in turn creates an environment in which civil society can hold the security forces to account, both directly, for instance through legal action, and indirectly, through capable civil oversight bodies.

### **II.3. Strengthening Norms and Institutions**

There are two main ways to improve accountability of the security forces. The first is to strengthen norms and the second is to strengthen institutions. In thinking about how to strengthen norms and institutions, it is important to distinguish among different levels of accountability.

First, there is the ideal-type accountability, which is enshrined in norms and principles. However, while these norms and principles define objectives that are desirable for all governments, no government anywhere in the world currently meets these objectives in their entirety. For instance, even long-established democracies can improve the amount of information that they provide to their citizens and need to be constantly vigilant on issues of accountability. They are, nonetheless, very important as goals that every government should strive to attain.

Second, there is legal accountability, where a country's laws seek to translate principles and norms into legally binding requirements for members of government, civil servants, and members of the security forces. Here it is important to recognize that there are different paths to achieving the objectives enshrined in norms and principles. The precise form that a country's policies, laws, and structures take must be rooted in that country's history, culture, legal framework and institutions if they are to be implemented. At the same time, there is, in some cases, explicit international law which national law needs to reflect.

Finally, there is accountability as it actually operates. This accountability, which is often quite imperfect, reflects a range of informal relationships and methods of achieving objectives. While informal relationships are and will remain important in all environments, they must operate in accordance with the country's legal framework and international law.



**Box II.2: Reform of control over intelligence services in the UK**

The British secret and intelligence services have come under increasing civil control since 1989. At that time, the Security Service Act was passed which regulated responsibilities of the various services and control of „The Service“ by the Home Ministry. In 1994, with the „Intelligence Services Act“, oversight was expanded and a 9 person parliamentary Intelligence and Security Committee was established. In 1999, an Investigator was named to support the Committee’s work. He has access to the agency’s files, subject to overriding security concerns. These reforms ended a period without effective legal control of the activities of the UK Secret Services. Prior to this point, they simply had not existed in any law. However, while internal control of „The Service“ has been strengthened, public control is still hampered by a high level of secrecy. The „Official Secrets Act“ gives wide-ranging powers to the government to suppress information. This is defended as a necessary measure for the operation of the secret and intelligence services.

Sources: Lander, 2001; INTELLIGENCE AND SECURITY COMMITTEE Annual Report 1999-2000 <http://www.official-documents.co.uk/document/cm48/4897/4897-00.htm>

The challenge is to align national laws with basic principles and norms and to progressively adjust “accountability on the ground” to the national legal framework and the guiding principles enshrined in the international norms. The norms and institutional reforms discussed below are all ambitious. No country in the world currently fully implements all of the norms that should, in principle, guide state actions in the security sector. These norms and institutional reform objectives should be seen as a set of goals that governments and societies work to implement incrementally. As with all broad policy objectives, it is necessary to identify reasonable steps along the way toward achieving these goals. While reaching these goals may seem daunting in view of actual practice in a country, it is still important to have them as an objective. One of the lessons of the past is that when problems in the security sector are approached in a piecemeal manner, without reference to broad goals and underlying structural problems, accountability in the security sector has generally not been improved significantly. A focus on short-term „fixes“ fails to get at the core problems and sometimes has contributed to aggravating them. German development cooperation, for instance, stopped support for the police in Guatemala in 1985 when it became clear that police was involved in severe human rights violations. Until then, training and equipment valued at over US \$5 million had been supplied with the goal to professionalize the Guatemalan police.

**II.4. Strengthening of norms**

A core element of accountability is the availability of principles and norms. The two main categories of principles and norms relevant here: a) legal norms which are based in international treaties, UN General Assembly resolutions, and customary law and b) cultural norms which are not legally binding but are widely, although not universally, accepted.

*II.4.1. Legal norms on the behavior of security forces*

The most important set of international law that shapes the behavior of security forces is international human rights law. Not only must security forces respect individual and civil human rights (UNDP, 2000), the state also has the obligation to provide for the physical security and protection of the liberty of all persons (Art. 3 of the Universal Declaration of Human Rights and Art. 9 of the International Covenant on Civil and Political Rights). The General Assembly of the United Nations has adopted a Code of Conduct for Law Enforcement Officials (UNGA Resolution 34/169 of 17 December 1979) that further details the obligations stemming from international human rights law.

Both the police and the military are obligated to observe human rights. While earlier exceptions were sometimes made for situations of war, beginning with the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949, behavior in war has gradually moved under the spotlight of human rights law. The distinction between combatants and civilian populations is of particular importance. The latter are to be spared as much as possible. During the 1968 International Conference on Human Rights a resolution was adopted that urges all states to protect inhabitants and belligerents in accordance with "the principles of the law of nations derived from the usage established among civilized peoples, from the laws of humanity and from the dictates of the public conscience." This resolution was "taken note of" in General Assembly Resolution 2444 (XXIII) of 19 December 1968.

Post-war investigations of human rights violations in civil wars, for instance in El Salvador, Argentina and South Africa, constitute important steps on the way towards greater recognition of human rights in war. These have been started by civil society organizations, as well as set up by governments. They are a tool for exposing human rights violations committed covertly by security forces or even openly with the compliance of the security forces. Bringing out the truth is generally only the starting point for constructing an official and irrefutable history of the dark past (Hayner, 2001). In a number of cases, legal proceedings complemented the work of truth commissions. In others investigations did not aim to punish violators, but rather, in the interest of reconciliation, to identify them and publicize their actions (see Box II.3).

### **Box II.3: Truth commissions**

Under military rule in several Latin American countries in the 1980s and 1990s, severe human rights violations by security forces were widespread. When civil rule was reestablished, proper prosecution of the perpetrators was often difficult, either because the security forces had only left power under condition of legal amnesty, as in Argentina in 1982 and Chile in 1991, or because a peace treaty precluded prosecution, as in El Salvador in 1992 and Guatemala in 1994, or because of the sheer number of violations and the difficulties to establish evidence.

Commissions to record accusations, establish the evidence and publish the facts sprang up, such as the National Commission of the Disappeared in Argentina. The commission, created by then-President Raul Alfonsín and chaired by writer Ernesto Sabato reported on 9,000 disappearances in its final report "Nunca Mas". It gave victims a voice for their grief and thirst for justice. The weight of the evidence evidentially helped prepare the ground to revoke blanket amnesties and prosecute torturers and killers.

More than 20 similar commissions were later established in other parts of the world, for instance in Chad in 1992, in Haiti in 1994, South Africa in 1994 and in East Timor in 1999. They were often set up by governments, sometimes by the churches or human right groups, but always because of popular pressure. In a few cases, such as Guatemala, human rights groups set up parallel commission to the official one to shadow its performance.

The Korean Presidential Truth Commission on Suspicious Deaths, established by the National Assembly on 28 December 1999 can serve as an example of the struggle for the truth. It was set up to investigate deaths in the fight for democracy from the hands of security forces. It came about after 12 years of demonstrations and petitions and finally, a „422 Day Tent Demonstration“ between November 4 and December 30, 1999, by members of the Bereaved Families Association and other NGOs. The commission's tasks include receiving and processing of information, compilation and publication of reports, as well as compensation of victims.

The best known truth commission internationally was the one working in South Africa. It was more powerful than other such commission to date. It had sizeable resources available with an annual budget of about \$18 million and up to 300 employees in four national offices. More important it had the power to grant amnesty, its main tool to encourage perpetrators to confess. The South African Truth and Reconciliation has been hailed as a very important element in the healing process in post-Apartheid South Africa.

Sources: Hayner, 2001; USIP data bank at [www.usip.org/library/tc/tc\\_coi.html](http://www.usip.org/library/tc/tc_coi.html); [www.truthfinder.go.kr/eng/e.4.htm](http://www.truthfinder.go.kr/eng/e.4.htm)

The international community has strengthened this trend through the establishment of international tribunals for war crimes. The International Criminal Tribunal for the former Yugoslavia (ICTY) has been in operation since May 1993 and the International Criminal Tribunal for Rwanda (ICTR) was established in November 1994. The statute of The International Criminal Court (ICC) was adopted on July 17, 1998 at the end of an international conference in Rome. The court will be able to investigate and prosecute in cases of crimes against humanity, genocide, and crimes of war. As of October 2001, 39 of the necessary 60 states had assured commitment to the ICC by ratification (<http://www.un.org/law/icc/index.html>). The jurisdiction of these courts will be limited to severe violations of human rights,

but their focus on high-level decision-makers and commanders is likely to reinforce restraint on lower levels of command and foot soldiers.

#### *II.4.2. Cultural norms on security sectors*

There are a number of norms pertaining to the relations between the civil authorities and the security forces, particularly civil-military relations, that do not have the status of international legal norms but are nonetheless widely accepted as “good practice”. These are of major significance for voice and accountability in the security sector.

##### II.4.2.a. Separation of police and military functions

One such norm defines the “appropriateness of means”. It establishes a division of functions among security sector forces, particularly the armed forces and the police. The police are the force of choice to deal with unarmed, or lightly armed civilians, who violate the laws. As stated in Article 3 of the Code of Conduct for Law Enforcement Officials: “Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.” The military, with its heavy weapons optimized to exert force, can only be employed legitimately against enemies who are similarly heavily armed, on the borders and internally. A mixture of functions and forces, in particular the use of armed forces to fight against criminals, entails the danger of “overkill”, or unnecessary violence, which is forbidden by international law (Geneva Conventions of 1949).

##### II.4.2.b. Civil control

As far as the security sector is concerned, constitutional principles based on key tenets of international law must provide the basis on which the security forces are composed and managed. Such principles should outline the chain of political command (including the role of the legislature), the chain of command within the security forces, the roles and tasks envisioned for the security forces, and the broad democratic principles to which the security forces will be expected to adhere in their conduct as professionals. Prior to their adoption, the application of these principles to the security forces should be discussed widely in order to achieve consensus on the general purposes, composition, and oversight of the security forces.

As argued below, there are no accepted norms governing the size and structure of forces within the security sector. While it is the right of everyone – inside and outside a particular state – to have views on whether or not spending on security forces, particularly the military, is in line with other priorities, such as spending on human development, no neutral measure of the “correct” level of spending exists. What does exist, however, is the norm that such decisions must be made by the people and their representatives in a free decision. This norm, which implies the existence, or creation, of institutions that truly reflect the will of the people, is a

facet of basic norms about human rights that are enshrined, for instance, in Article 21 of the Universal Declaration of Human Rights of 1948 and Article 26 of the International Covenant on Civil and Political Rights, which entered into force in 1976.

A large set of norms concerning the relationship between the civil sector, including civil society, and the security forces in democratic societies is gaining increasing acceptance. Initially based on the historical, often painful, experiences of Western countries, a growing number of countries now acknowledge their relevance (see Box II.4). Transition countries in Central and Eastern Europe have eagerly embraced them; they have been important in strengthening civilian control over armed forces in Latin America; and they form the core of a number of African reform processes. While these norms are very broad, they nonetheless provide a framework that describes how the civil authorities, the security forces, and civil society should interact in democratic societies.

The increasing acceptance of civil supremacy can also be seen on the level of international organizations. Governments in the Western Hemisphere were first with OAS resolution 1080 of 5 June 1991, the “Santiago Commitment to Democracy and Strengthening of the Inter-American System“. While security forces are not mentioned in the resolution (<http://www.oas.org/assembly/GAAssembly2000/resolucion1080.htm>), paragraph 1 stipulates consultations “in the event of any occurrences giving rise to the sudden or irregular interruption of the democratic political institutional process or of the legitimate exercise of power by the democratically elected government in any of the Organization’s member states.” Resolution 1080 played a role in restoring representative democracy in Haiti, Guatemala and Peru.

The norm received a further strong push when African heads of states decided to deny recognition to governments coming to power through military coups at the 1997 OAU’s 33rd summit in Harare. They were supported by UN Secretary General Kofi Annan who said: “The will of the people must be the basis of governmental authority in Africa, and governments, duly elected, should not be overthrown by force ...Verbal condemnation, though necessary and desirable, is not sufficient. We must also ostracize and isolate putchists.“ (ips, 2 June 1997, <http://www.oneworld.org/ips2/jun/africa.html>). The OAU stood firm by condemning a number of *coup d’états* occurring after the Harare summit, including the Comoros, Guinea-Bissau, Niger and the Ivory Coast. It set time limits to restore democracy or face sanctions.

**Box II.4. Principles of good government in the security sector**

- Decisions over security matters need to be taken by elected representatives of the people.
- Security-sector organizations, particularly the security forces, need to be accountable both to elected civilian authorities and to civil society in all their activities.
- Security-sector organizations should operate in accordance with international law and constitutional law.
- Information about security-sector planning and resourcing must be widely available, both within government and to the public. A comprehensive and disciplined approach to the management of the security sector must be adopted. This means that the security sector should be subject to the same principles of public-sector management as other government sectors, with relatively small adjustments for appropriate national security-related confidentiality.
- Civil-military relations must be based on a well-articulated hierarchy of authority between civil authorities and the defense forces, on the mutual rights and obligations of civil authorities and the defense forces, and on a relationship with civil society that is based on transparency and respect for human rights.
- The civil authorities need to have the capacity to exercise political control over the operations and resourcing of the security forces, and civil society must have the means and the capacity to monitor the security forces and provide constructive input into the political debate on security policy.
- The political environment must be such that civil society, including marginalized and poor people, can actively monitor the security sector and express their interests and concerns on a regular basis on security policy, resource allocation, and other relevant issues.
- Security force personnel must be trained to discharge their duties in a professional manner consistent with the requirements of democratic societies.
- Security forces need to be inclusive with respect to groups in the population and respectful of human rights and the law in their internal affairs
- Fostering an environment supportive of regional and sub-regional peace must have a high priority for policy makers.

Source: These are a slightly revised version of the principles published DFID, 2000b, Annex 3, see also Nathan,1994; Bland 1999, 2001; Legault, 2001.

#### II.4.2.c. Corruption

A new set of norms developing in a wider context, but with clear consequences for the security sector, deals with corruption. A non-transparent and unaccountable security sector is particularly vulnerable to corruption.

This is particularly visible in, but certainly not restricted to, the international arms trade (Box II.5). Corruption frequently runs down from the highest decision making level to the individual soldier or policeman who improves his meager salary by accepting bribes. Transparency and accountability are prime measures against corruption, accompanied by better pay and more income security in many countries.

A number of international agreements aimed at limiting corruption exist, particularly the OECD anti-bribery convention of 1997 (<http://www.oecd.org//daf/nocorruption/20nov1e.htm>). However, the practice continues, often under the guise of commissions or consultancy fees. It should be noted that military goods are exempted from the OECD's Guidelines for Officially Supported Export Credits (for the text see [www.oecd.int/ech/act/xcred/arrngmnt.htm](http://www.oecd.int/ech/act/xcred/arrngmnt.htm)) as well as from the authority of the World Trade Organization (on the basis of Art. 21 of the General Agreement on Trade and Tariffs of 1947, and Art. 14 of the General Agreement on Services, see [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/agrm1\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm1_e.htm)). Efforts to eliminate corruption often still shy away from the security sector, although judging from the, admittedly cursory, evidence, this sector should be a focus.

**Box II.5. Corruption in the international arms trade**

The procurement of weapons is particularly prone to corruption. The predominant reason is the veil of secrecy that often shrouds purchases both from domestic and foreign sources. In addition, procurement decisions are often not based on technical criteria only, but also the result of foreign policy considerations. Those in charge of decisions can therefore hide personal financial interest with claims to ill-defined 'national security' interests. Finally, strict hierarchies with security forces and a lack of parliamentary and auditing control in security matters in general often limit the scrutiny of arms contract.

Stories about bribes and illegal commission paid to government officials are told on all continents. In Europe, the former Belgian Minister of Foreign Affairs and NATO Secretary General Willy Claes was given a three-year suspended prison sentence for corruption by Belgium's supreme court in 1998 for acquiescing topayments from the French firm Dassault and the Italian firm Agusta to his party (Financial Times, 24 December 1998). In Korea, former President of South Korea Roh Tae Woo admitted to have accumulated a \$ 654 million slush fund, partly financed from arms deals (International Herald Tribune, 27 January 1996). In South Africa, former Minister of Defence Joe Modise is under investigation for corruption in the case the purchase of corvettes from Germany (Time Europe, 1 August 2001). In Argentina, former President Menem, is under house arrest under indictment for letting illegal arms sales to Ecuador and Croatia go ahead and having associates accept bribes in return (Buenos Aires Herald, 24 May 2001). The sums paid can be small, but often are large. The German Thyssen company, for instance, in 1991 paid more than 216 million DM in commission, predominantly for firms in Saudi Arabia, out of a total sale of 36 Fuchs tanks worth 450 million DM ([www.bundestag.de/aktuell/hib/2000/0025101.html](http://www.bundestag.de/aktuell/hib/2000/0025101.html)).

While the payment of bribe to officials is almost universally prohibited by law, only a limited number of countries have made it a legal offense to pay bribes to foreign officials. Still, even where the law is clear, it is often difficult to prosecute and convict violators. Arms dealers shroud their dealings in secrecy and often deliberately use intermediate countries that which are not cooperative in corruption cases to route arms and payments.

The effort to forbid corruption in export has gained momentum with the activities of international NGOs, in particular Transparency International, which helped bring about the OECD anti-bribery convention which has now become national law in 28 countries (check latest data at <http://www.oecd.org/daf/nocorruption/annex2.htm>).

But arms procurement remains a tough case. Although total arms sales account for less than 5 percent of all government spending and the international arms trade constitutes less than 1 percent of international trade, arms procurement is a major source of bribes. The US government claims in its International Crime Threat Assessment of 2000 that "About half of the known bribes in the last five years were for defense contracts, with the other offers directed at major purchases by governments and parastatal organizations for telecommunications, infrastructure, energy, and transportation projects. The actual extent of the practice is probably much larger than available evidence indicates. Procurement corruption is common in virtually all parts of the developing world in Asia, Africa, and Latin America, as well as parts of Europe." (US Government, 2000, chapter 2#15). Transparency International has concluded that "Business executives and business professionals in leading emerging market countries see international bribe-paying to be greatest in the public works and construction sectors, followed by the arms industry." (Transparency International, 2000).

The Swedish government, scarred by a major arms corruption scandal involving the sale of Bofors artillery to India in the 1980s, has taken the lead to raise attention to the special problems of corruption in the arms trade, supported by Transparency International. A number of arms companies with their own histories of bribery, such as Lockheed Martin of the United States and Thales of France, have joined the effort. (Vogl, 2001; Transparency International, 2001).



### *II.4.3. No norms on size and total cost of armed forces*

Few financial issues raise so many emotions as military expenditures, which are, in financial terms, the largest and most visible element of security sectors. Some people see all such spending as a waste of resources; others make comparisons among countries and find this or that country spending too much or too little.

Two issues which are linked to accountability for human development have attracted particular interest in the past. One is the level of spending in rich countries compared to development assistance. The other is military spending in countries that receive development assistance.

#### II.4.3.a. Military spending as source of development funding

As early as 1953, the UN General Assembly adopted resolution 724A, asking member countries to reallocate money through disarmament to development assistance. Similar requests were repeated at regular intervals in later years. In 1988, the first Special General Assembly on Disarmament and Development was held in New York.

The rationale behind these proposals is a simple one, as expressed for instance in the words of the „Brandt“ Commission, headed by former German Chancellor and Peace Nobel laureate Willy Brandt: “If only a small part of the current expenditures in money, labor, and research for military purposes would be given to poor countries, the future of the Third World would look much different.” (own translation, needs checking against english-language edition. Brandt, 1980, p. 149).

The ratio between military expenditures of rich countries and their development assistance has remained striking, despite major reductions in military expenditures in the late 1980s and early 1990s. In 2000, military expenditure per day by OECD member countries was more than US \$1.5 billion<sup>1</sup> while official development assistance amounted to US \$150 million per day. By reducing military expenditures by 10 percent, OECD member countries could double their official development assistance.

But who is to cut and how much? Despite the long discussions and the powerful rationale, no international standard or norm for the appropriate level of military expenditures or the ratio between military expenditures and official development assistance has ever been agreed. Such a norm could be useful to hold donor countries accountable to support human development, but a number of donor countries have strongly resisted such an equation. They argue that both the level of a country’s military expenditures and level of its official development aid need to be determined on their own merits, and should not be linked.

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<sup>1</sup> SIPRI, 2001. P. 268 has a figure of military expenditures of 541 billion in 1998 prices which come to about \$565 billion in 2000 prices. Official development assistance of US\$56 for 2000 from OECD DAC.

Empirically, there is no strong relation between military expenditures and official development assistance: The countries with the largest the military budgets do not also spend the most on development, nor do the countries with the largest development assistance budgets save on military expenditures. Military expenditures by OECD member countries vary greatly in relation to GDP. Turkey has a share of 5.4 percent, while that for Ireland is 0.8 percent. Should Turkey cut more than Ireland because it spends more, or Ireland more than Turkey because it has no immediate military threat to fear?

#### II.4.3.b. Uses of the “peace dividend”

The situation seems to be somewhat less complicated and contentious when countries are already committed to cutting military expenditure and the decision is not whether to reduce but rather what to do with the resultant savings. That is the comfortable problem of the “peace dividend” that plagued many countries in the late 1980s and early 1990s. Global military expenditures went down, in constant 2000 prices, from over US \$1,100 in 1987 (the historical peak) to less than US \$790 billion in 2000 (BICC, 2001; SIPRI, 2001, p. 266). Accumulated over the period from 1986 to 2000, the difference between actual spending and spending at the level of 1987 adds up to US \$3,383 billion (see table 4). It is true that the 1987 level of military expenditures was not sustainable. It contributed to a record level of public debt in the United States and to the economic ruin of the Soviet Union and other former socialist countries. Nonetheless, the reduction in the late 1980s and first half of the 1990s was impressive. Measured as a share of GDP, global military expenditures decreased by over 50 percent, that is from over 5 percent in the mid-1980s to 2 percent in 2000 (see table II.1).

*Table II.1. Hypothetical annual savings through a reduction of global military expenditures*

	<b>Global milex in 98 \$</b>	<b>Annual savings</b>
<b>1987</b>	1101	
<b>1988</b>	1089	13
<b>1989</b>	1070	31
<b>1990</b>	1041	60
<b>1991</b>	958	143
<b>1992</b>	838	263
<b>1993</b>	789	312
<b>1994</b>	752	349
<b>1995</b>	734	368
<b>1996</b>	720	382
<b>1997</b>	730	371
<b>1998</b>	724	377
<b>1999</b>	732	369
<b>2000</b>	756	345
<b>Total savings: -3383 bn US \$</b>		

Sources: BICC/SIPRI data on military expenditures

The reductions in military expenditures opened up opportunities for civilian spending. Most of the savings in spending were used to reduce budget deficits and public debt (Brömmelhörster, 2000). This use of the “peace dividend” provided a macroeconomic stimulus in many economies such as the United States, contributing to economic growth (Gleditsch et al, 1996). Some of the savings were used for special projects, such as German unification. Money was also spent on disarmament and demobilization of soldiers.

One type of spending, however, did not benefit: official development assistance. Official development assistance by OECD member countries has not increased since the early 1990s. Rather it shrank in tandem with military expenditures. The low priority of official development assistance as a use of the “peace dividend” shines through even more clearly when one looks at income. The share of both official development assistance and military expenditures by OECD member countries shrank in the first half of the 1990s (see Table II-2). In the second half of the 1990s, both military expenditures and official development assistance were stagnant. It was only in the late 1980s – that is, during the “end-

*Table II.2: Military expenditures in and net aid flows from OECD member countries*

	<b>Milex, bn 98 US \$</b>	<b>DAC net aid flows, bn 98 \$</b>		<b>Milex index</b>	<b>DAC aid flow index</b>
<b>Year</b>			<b>Year</b>		
1986	1087	54	1986	150,9	103,5
1987	1111	53	1987	154,4	101,3
1988	1099	57	1988	152,6	108,5
1989	1080	56	1989	150,0	106,9
1990	1051	58	1990	146,0	111,3
1991	967	60	1991	134,3	114,6
1992	846	60	1992	117,4	116,0
1993	814	57	1993	113,1	109,5
1994	794	57	1994	110,3	109,7
1995	742	52	1995	103,1	99,8
1996	723	51	1996	100,4	97,2
1997	734	48	1997	101,9	91,3
1998	720	52	1998	100,0	100,0
1999	733	55	1999	101,8	106,3
2000	756	53	2000	105,0	101,8

Sources: BICC/SIPRI data on military expenditures, OECD DAC webpage for aid flows

game” of the Cold War – that military expenditures fell while official development assistance increased.

Unfortunately the reduction in official development assistance in the 1990s was not an anomalous phenomenon. Rather it was to be expected. A good part of ODA during the Cold War was intended to build support for the policies of the major

powers of East and West. That motive for ODA disappeared in the late 1980s. Similar parallel reductions of military expenditures and ODA can also be noted during earlier period of lowered political tension, such as in the first half of the 1970s.

The decisions on how to use the “peace dividend” in donor countries were made by governments and parliaments when discussing budget priorities. In the political struggle over the use of the “peace dividend,” recipients of ODA lost. Development aid was seen as a lesser priority compared to other priorities, such as budget reductions. These decision-makers were all democratically elected and accountable to national electorate. Weak norms on official development assistance, such as the oft-proclaimed goal of allocating 0.7 percent of GDP for ODA, did not provide much counterweight to pressures for spending on national priorities. Decision-makers in donor countries, accountable to their electorates, obviously felt that there was no strong norm, not moral and certainly not legal, that obliged them to choose to increase ODA as a priority option to use the “peace dividend.”

#### II.4.3.c. Military spending in recipient countries

As reported above, there has been much discussion of whether there are norms or principles about the structure and size of security sectors, particularly the spending on armed forces. Poor countries have long been concerned that rich countries spend too much on the armed forces, while development donors have deplored the wastage from ‘overarming’ in the Third World.

However, despite various efforts, no norm for “overarming” has found acceptance. Studies commissioned by governments (Büttner and Krause, 1996; Krause, 1997), but also for instance the OECD (OECD, 1997), did not yield consistent or convincing indicators for ‘overarming’. Qualitative and political judgements, for instance on the ‘threat environment’ of a country had to be introduced. This however, opened the door for all kinds of exceptions and exemptions. In the end, the criteria for “overarmament” became arbitrary.

In the 1994 HDR, it was argued that the ratio between military expenditures and public spending on human development, calculated as the sum of spending on education health, provided a rough measure of the priorities of government. More spending on the military than on development was judged to be warning sign for wrong priorities. Similar to other qualitative measures, such as the share of military expenditures in GDP, this ratio can help to identify regional patterns and deviating singular countries. It is more focused towards human development concerns, than other indicators, such as the share of military expenditures in central government expenditures. However, the ratio can only be a first approximation, as it will reflect other issues, such as an ongoing military conflict in a country or the perception of military threats, in addition to choices over military expenditures versus human development expenditures. In addition, the data basis for both military and human development expenditures is often weak. Thus a high ratio of spending on the

military than on human development provides a warning sign for further investigation of why this is so, whether it is a result of data problems, an ongoing conflict or choice of priorities in peacetime. As regions are often marked by similar levels of perceptions of threat, it makes good sense to look for “outliers” from a regional average. Appendix 1 shows that the ratios are quite different from region to region. They are higher in Europe and America than in Africa and Asia. The countries that have ratios above the regional average are often countries at war or with low spending on education and health.

#### *II.4.4. Norms on peace and arms control in the military sector*

Since the early days of the United Nations peace and security policy, armaments, arms control and disarmament have always been important issues of debate and action. Numerous international legally binding treaties with differing membership are in force. They range from the prohibition of certain weapons (nuclear, biological, chemical, conventional) to cooperation in collective self-defense, from the ban of weapons in certain regions of the world to weapons in space or on the sea bed. These treaties and agreements have established certain norms on international behavior. Verification measures, review processes, and reporting mechanisms associated with these agreements have created transparency in some areas and have established rules for accountability. However, these mechanisms are often contentious and have even led to failures in the negotiation process – most recently in the negotiations for a Verification Protocol to the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC). This measure failed largely because the United States was unwilling to expose parts of its biodefense program to international scrutiny.

A number of norms also limit the trade in certain types of weapons. The Nuclear Non-Proliferation Treaty, for instance, regulates trade with items for nuclear weapons, while the Landmine Convention restricts trade in anti-personnel mines. There are no similar norms for most types of conventional weapons. Various international bodies, including the UN General Assembly, have called for restraint in the arms trade, at various points of time, however with little effect.

One related issue is that of reporting to the UN Register of Conventional Arms. This Register, established by the UN Secretary-General on 1 January 1992 in accordance with General Assembly resolution 46/36 L of 9 December 1991, calls upon member states to provide annually relevant data and information on imports and exports in seven defined categories of major conventional arms. While not a norm in the strict legal sense, it has become one of the more important measures of international transparency. However, approximately only half of the UN member states participate regularly in registering their arms transfers. As table II-3 illustrates, particularly countries from the Africa, but also from Asia and Latin America are missing. There is a need to revitalize these transparency measures. A more

conducive behavior would offer opportunities for more voice of poor and small countries in the international arena.

Table II.3: Participation in the UN Register of Conventional Arms (regional break-down)

	1992	1993	1994	1995	1996	1997	1998	1999 as of August 2000
<b>Africa</b>	12 of 51	3 of 52	10 of 53	9 of 53	8 of 53	10 of 53	3 of 53	4 of 53
<b>Asia</b>	23 of 47	25 of 47	26 of 48	27 of 48	22 of 48	22 of 48	16 of 48	16 of 48
<b>Eastern Europe</b>	14 of 19	13 of 20	15 of 21	16 of 21	17 of 21	16 of 21	13 of 21	14 of 21
<b>Latin America and the Caribbean</b>	17 of 33	15 of 33	18 of 33	14 of 33	15 of 33	14 of 33	12 of 33	15 of 33
<b>Western Europe and others</b>	24 of 24	24 of 27	25 of 27	26 of 27	26 of 27	28 of 28	28 of 28	24 of 28
<b>Not in any regional group</b>	3 of 5	2 of 5	2 of 3	2 of 3	2 of 3	2 of 3	2 of 3	2 of 3

Source: Report of the Group of Governmental Experts on the Register, 9 August 2000, p. 181. <http://www.un.org/Depts/dda/CAB/rep55281e.pdf>

## II.5. Strengthening Institutions

Norms and principles need to be enshrined in national laws and regulations. In turn, these need to be enforced on the ground. In the security sector, where direct accountability is difficult and costly, institutional frameworks are needed for answerability to and enforceability of norms and principles. The primary institution is transparency which is the foundation both for effective oversight and sanctions for misbehavior.

### II.5.1. Transparency

Access to information is a fundamental precondition for strengthening the institutions of accountability. Information needs to be available on a timely basis to relevant stakeholders within the executive, the legislature, and civil society for the institutions of accountability to function effectively. Information about the security sector is among the most tightly held information in all societies, but often much of what is secret can be revealed without negative consequence for state or personal security.

In many countries, including some OECD countries, power is concentrated in the executive. This means that legislatures frequently do not receive the information they need to participate fully in decision making on security issues. However, information does not necessarily flow freely throughout the executive. Decisions on security policy and resourcing are frequently taken by a very few individuals, and key

stakeholders in the ministry of finance, office of the auditor general and even the ministry of defense or interior may not participate in the decision making process, or may find that decisions they make are circumvented. Civil society is routinely kept in the dark about security matters. However, knowledgeable members of civil society can provide important input into the policy making process, and decisions that involve adequate consultation will produce a better understanding of security policies and greater clarity on the rationale for the level of resources devoted to them among the population as a whole.

#### II.5.1.a. Centrality of fiscal transparency

The budget is the central instrument for transparency and accountability. Budgets provide a detailed statement of plans to which the people can hold the parliament accountable and to whose proper execution parliaments can hold the security forces accountable. There are four crucial, inter-related components to managing security expenditure:

- Identifying the needs and key objectives of the security sector as a whole and the specific missions that the different security forces will be asked to undertake.
- Determining what is affordable.
- Allocating scarce resources according to priorities both within and between the different security sectors.
- Ensuring the efficient and effective use of resources.

All expenditures on the different security forces, their personnel, operations and equipment should be included in their budgets. These budgets should also show how these expenditures are financed, particularly how much public money is allocated to meet security-related expenditures. Both types of violations of the principle of a unitary budget – intra-budget and extra-budget – make it difficult for parliaments, other oversight bodies and the public to obtain accurate information about the size, structure and operations of security forces. In countries with extensive extra-budgetary activities, governments themselves often lack accurate information. A primary yardstick for accountability – the comparison between plans and execution – cannot be used if the budget data do not reflect all spending.

Secrecy and lack of transparency of security budgets, particularly the military and intelligence budgets, are often justified on the basis of national security. Governments may not want to reveal the exact size of their armed forces, which military technologies they are funding and what types of weapons they are buying.

Governments have the obligation to protect the security of the nation and the people. However, they cannot be free to determine to what degree this obligation allows them to obfuscate control over security spending. If those in charge of providing security want secrecy, they need to negotiate with control bodies, particularly parliaments and audit bodies, how security considerations can be reconciled with effective control. In today's world of international communication

flows, much is already known about the military forces of all nations, including their numbers and weaponry. Thus it is seldom more than plans for new weapons that are not already known to experts in the field of defense studies, and published in special trade journals. There is no legitimacy in keeping information secret that is publicly available internationally. It is not consistent with democratic norms and principles to withhold information from citizens that is published by international organizations or internationally recognized research centers. Secrecy can also be problematic from the standpoint of military security. It can fuel regional arms races without foundation, when rival governments assume, on the basis of 'worst-case-thinking,' that major military programs are hidden.

#### II.5.1.b The security budget planning cycle

As in all other areas of the public sector, security policies must be affordable. This requires setting an overall budget envelope for the public sector and, within that, prioritizing expenditures among different portions of the public sector and then within the security sector as a whole (defense versus intelligence versus public security) and within each portion of the security sector (armed forces, police forces, intelligence services, paramilitary forces and so on). This allocative process involves political bargaining among a wide range of actors. It is essential that this process be informed both by a set of sector strategies and information on past performance.

The central budget office should assess the appropriateness of the defense and interior ministries' budget requests. This means that finance ministries need to have the capacity to analyze security programs, just as they should have the capacity to analyze other sectoral programs. It is particularly important in those countries with weak public expenditure management systems where budgetary frameworks are often modified during the course of the year that the budget office have the capacity to engage in the policy debate, especially in the defense and intelligence fields. By being able to argue the merits of proposed changes in the security budgets, especially the defense budget, the budget office helps strengthen fiscal accountability.

Because resource allocation decisions involve difficult trade-offs between the security and non-security sectors, especially in many poor and transition countries, the executive should not wait until just before the beginning of the fiscal year to deliver the final appropriation request to the legislature. As discussed in more detail in the section on oversight below, legislatures require adequate time to evaluate and debate spending proposals before voting on the budget. When a country is placed on a war footing and is forced to transform the economy to respond more effectively to unforeseen security needs, budgetary allocations and the pattern of appropriations will need to reflect the changed circumstances. A key issue here is to avoid emergency regulations that undermine the ability to revert to good practice once the war is over.



Once resources are appropriated, they must be used efficiently and effectively in the implementation of agreed strategic sectoral priorities. For this to occur, both the security forces and the civil authorities need to carefully monitor and evaluate operational performance. Not only should irregularities in the implementation of the budget be identified; they must also be addressed. Failure to address irregularities is likely to create a climate within which non-compliance flourishes. Transparent procurement processes are a critical aspect of the effective and efficient use of resources. Procurement should be open to public scrutiny and expenditure should be fully accounted for. Purchases should reflect actual, rather than perceived, threats and equipment should be relevant to the agreed roles and missions of the various forces.

#### II.5.1.c. Principals of budget transparency

Over time, some simple principles of budget presentation have been developed and codified by the International Monetary Fund (IMF) and the World Bank. The IMF's „Code of Good Practices on Fiscal Transparency“ was adopted by IMF members in March 2001 (IMF, 2001a and 2001b; see also OECD, 2001; Petrei, 1998; Schiavo-Campo and Tommasi, 1999). The IMF espouses four general principles of fiscal transparency (IMF, 2001b, p. 1):

**Clarity of roles and responsibilities.** The first general principle is concerned with specifying the structure and functions of government, responsibilities within government, and relations between government and the rest of the economy

**Public availability of information.** The second general principle emphasizes the importance of publishing comprehensive fiscal information at clearly specified times

**Open Budget Preparation, Execution and Reporting.** The third general principle covers the type of information that is made available about the budget process

**Assurance of Integrity.** The fourth general principle deals with the quality of fiscal data and the need for independent scrutiny of fiscal information.

World Bank work on public expenditure management (PEM) discusses PEM in terms of its objectives, processes, functions, organizations, and people. In 1998, the Bank published the Public Expenditure Management Handbook (World Bank, 1998), which introduces the generally accepted objectives of a public expenditure management system:

- Maintaining sustainable fiscal discipline;
- Facilitating strategic prioritization of expenditures across policies, programs and projects for allocative efficiency and equity; and
- Encouraging better use of resources, i.e., to achieve outcomes and produce outputs at the lowest possible cost.

The Bank has identified ten fundamental principles of sound public expenditure management. A comparison of the Fund's four general principles and the Bank's ten

principles in Box II.6 underscores the considerable overlap that exists between the general principles enunciated by the two organizations, which are increasingly being adopted around the world (DFID, 2001). These principles apply equally to the security sector as to other portions of the public sector. The problem is not so much one of what should be done but how to achieve the desired outcomes.

#### II.5.1.d Longer term planning

Annual budgets tell a lot about the short-term, but much less about the longer term.

##### **Box II.7: White Papers and White Books on Defense**

More than 40 governments have published white books or white papers on defense, or similar documents outlining longer term objectives, strategies and planning for the armed forces, during the last five years. A number of countries have produced white papers addressing specific policy areas. Following its transition from apartheid in 1994, the South African government began to write a series of white papers, three of which relate to the security sector: White Paper on the South African Defence Related Industries (), White Paper on South African Participation in International Peace Missions (), and White Paper on National Defence ([www.gov.za/whitepaper/1996/defencwp.htm](http://www.gov.za/whitepaper/1996/defencwp.htm)).

In some cases, such as Bulgaria or Papua New Guinea White Papers were recently were published for the first time. In others, such as Greece and South Korea documents are published on a regular basis.

The information content of white books and white papers varies widely. Some, as the Chinese „China’s National Defense in 2000“ are fairly broad descriptions of threat perceptions and policy measures. Others, such as the United States annual „Defense Report“ are full of data and detailed information. Obviously, documents that describe a government’s perceptions, policies and prescription truthfully and in detail are more useful than general statements. However even the latter can be important for holding governments accountable.

The movement toward multi-year budgeting currently underway in many countries is particularly well-suited to the security sector, with its long-term perspective. Despite this, statements about the missions and functions of security forces and the long term plans for restructuring or procurement are generally absent from security budgets. However, this longer term perspective is a critical aspect of the budgeting process, especially the defense budgeting process. As in other parts of the public sector, security budgets should be prepared against a sectoral strategy. For the defense sector, key elements are:

- an evaluation of a country’s security environment,
- broad policy guidelines based on the principles underpinning the country’s approach to security on which the key stakeholders have reached consensus, and
- a detailed elaboration of the mission, doctrine, force design, and human resource needs of the different security forces.

The broad strategic environment and policy guidelines are frequently set out in “white books” or “white papers,” which are an important instrument for transparency in the longer-term plans of military forces, and occasionally the public security sector. An increasing number of countries are publishing such white books. They are generally prepared by defense ministries in cooperation with the armed forces, and are presented by governments to parliaments and the general public (see Box II.7). White books discuss the security situation, as seen by the government, outline and justify the current force and present plans for reorganization, procurement and so on. Sometimes white books do not address the full spectrum of military policy, but only one aspect, such as disarmament or defense industries.

White books and white papers are a useful instrument for parliamentary and public discussion of the longer-term course of security policy. In some countries, such as the UK and South Africa, draft white papers are available for comments to the general public. Stakeholders and interested parties can then present their points of views, which the governments consider before publication of the final version.

#### II.5.1.e. Comparability of military expenditures among countries

There is no single internationally accepted definition of military expenditures. Definitions used by the United Nations Department for Disarmament Affairs, the International Monetary Fund and NATO have important differences, for instance in the treatment of pensions. While the definition used by NATO countries includes pensions, the definition preferred by the United Nations excludes pensions (Brzoska, 1995). In addition, individual countries are free not to use any of the standard international definitions but device their own. None of the published international data sets fully corrects for the discrepancies in national reporting.

Military expenditure data for a large number of countries are available from a number of international organizations and international research institutions (see Box II.8). None of these is either very authoritative or reliable, as the primary data that these organizations use is quite weak.

The international community has been concerned about the weakness of military expenditure data, particularly of countries outside the OECD area, for some time.

**Box II.8: International data sources of military expenditures**

Not least because of differences in definitions and the practical difficulties of marking the borders of relevant activities, information on military expenditures is not very reliable. National data generally needs to be scrutinized diligently in order to ascertain what it does and does not cover (Ball, 1984a, 1984b). International data, while generally more in line with common definitions, remains frustratingly unreliable. Despite some efforts to improve reporting, large differences exist among major sources (Brzoska, 1981; Happe and Wakeman, 1994, Lebovic, 1998), as well as within sources where sources report changes in subsequent editions (Lebovic, 1999).

Standard sources that publicly report on global military expenditures over longer periods of time include:

- International Monetary Fund's *Government Finance Statistic Yearbook* (national data that corresponds to an IMF definition). The IMF maintains another confidential data set; however, the data is analyzed and presented in aggregate form annually in the *World Economic Outlook*.
- United Nations Military Expenditure Reporting Exercise (national data that corresponds to a United Nations definition).
- International Institute of Strategic Studies' *Military Balance* (reports national budget plan data).
- United States Department of State, Bureau of Verification (formerly Arms Control and Disarmament Agency) *World Military Expenditures and Arms Transfers* (reporting data collected by US government agencies based on a definition similar to that of the United Nations). US government also publishes military expenditure data in various reports mandated by law or the US Congress.
- Stockholm International Peace Research Institute's *Yearbook on World Armaments, Disarmament and Security* (reporting data drawn from multiple sources based on a NATO definition of military expenditures).

In addition to these standard public sources, specialized reports exist. Some organizations, such as NATO and the OSCE collect data of member countries. NATO publishes some of this data, including on its website, while OSCE data is confidential.

Standard sources differ for a number of reasons, including definitions, methods to account for the differences in fiscal and calendar years, currency conversion, and deflation (Brzoska, 1995). Coverage ranges from a few dozen countries in the UN military expenditure exercise to a nearly complete set published by U.S. Department of State.

Coverage ranges from a few dozen countries in the UN military expenditure exercise to a nearly complete set published by U.S. Department of State.

In international security policy, relative levels and trends in military expenditure data are often seen as an indicator for a government's intention, whether it is expecting weapons to remain silent or contemplating to go to war. Transparency in military expenditures was a major aspect of the security and confidence building measures discussed in Europe following the Helsinki Accord of 1975. Since the early 1990s, countries in Europe that are within the Organization for Security and Cooperation (OSCE) have been exchanging data on military expenditures. However, these data remain confidential and are not shared with citizens in the OSCE member countries. Another effort to increase transparency over military expenditures was

started at the UN in the early 1980s. It resulted in the Military Expenditure Reporting Instrument, which all member countries are asked to contribute to. However, the number of responses is low, with few countries outside of the OSCE reporting data to the UN (see table II.4).

Another reason why the international community has been concerned about military expenditure data is development policy. Many donors are interested to know the level of military expenditures as an indicator of government priorities. The comparison, for instance, of military expenditures and public spending on education and health strongly hints at the preferences of decision-makers. Development donors have studied questions related to military expenditures in the framework of the Organization for Economic Co-operation and Development (OECD, see e.g. OECD, 1997; Ball, 1998a and b, 2000). Some of them have also pushed international financial organizations to improve reporting on military expenditures. However, there was also much resistance from members in these organizations to improve transparency over military expenditures. In the end, the International Monetary Fund began to request better and more complete data on military expenditures from member countries, but does not publish this data, except in highly aggregated form annually in the World Economic Survey. It does publish another set of data, which is taken straight from reports on government expenditures set to the IMF by national authorities. Even this set, however, covers less than two thirds of all member countries of the IMF (see table II.4).

*Table II.4: Military expenditures reporting to different international sources of data*

Region	UN member states, mid-2000	Data received for UN military expenditure reporting instrument, 1999	Military expenditure data received by Sipri plus NATO-countries, 2000	Military expenditure data reported in IMF government Finance Statistics Yearbook, 2000
Africa	52	1	6	24
America, North	2	2	2	2
America, Central	13	1	2	7
America, South	12	3	5	10
Asia, Central	5	1	0	3
Asia, East	16	1	2	10
Asia, South	6	1	1	4
Oceania	6	1	1	4
Europe, West	21	11	19	20
Europe, Central/East	15	8	10	16
Europe, CIS	7	1	0	5
Middle East	15	1	2	12
Small states	20	-	-	9
<b>Total</b>	<b>189</b>	<b>32</b>	<b>50</b>	<b>126</b>

Sources: Sköns et. al., 2001, p. 301; UN 2000; IMF, 2000.

The inadequacy of international data on military expenditures is also an obstacle for civil society. Comparisons with other countries, which could help to judge the relative priorities of one's own government, are made more difficult. Thus, an important empirical foundation for deciding whether one's own government is making good choices is weak.

### *II.5.2. Oversight*

#### II.5.2.a. Parliamentary oversight

Parliaments are the central element of systems that impose civil control over security forces, make decisions about the size, structure, roles and missions, and budgets of these forces, and produce the laws that regulate security force behavior.

For legislative bodies to perform these functions effectively, they require first and foremost that a wide range of information on the conduct and behavior of security forces be at their disposal. Subsidiary bodies, such committees on defense, intelligence and police, need to receive information on a regular basis from the security forces and be able to authorize audits of all aspects of their behavior. In some cases it makes sense to form special committees with specific rights and obligations, for instance to investigate specific matters, such as a troubled procurement decisions, or for the oversight of particularly secretive parts of the security sector, such as intelligence services.

Special committees are generally established to carry out oversight of the security forces, especially the armed forces and the intelligence services, due to the technical nature of security-related activities and the need to maintain an appropriate level of confidentiality on certain aspects of security policy such as intelligence activities, war plans, or the technical specifications of defense equipment.

In common with the members of standing security-related committees, the members of special committees need to be knowledgeable about a wide range of issues related to security forces in order to be able to properly discharge their functions. Much of this can be learned "on the job" particularly if defense ministries and armed forces are willingly supplying the necessary information. However, it can be helpful for parliamentarians to receive additional information, for instance from fellow parliamentarians in other countries, or in courses on security matters conducted outside of their countries.

A number of centers have been created since the end of the Cold War to conduct such courses, for instance the Center for the Democratic Control of the Armed Forces in Geneva ([www.dcaf.ch](http://www.dcaf.ch)) sponsored by the Swiss government, the Marshall Center co-sponsored by the US and German governments ([www.marshallcenter.org](http://www.marshallcenter.org)), which focus their activities on transition countries. In Africa, the Centre for Defence and Security Management (CDSM) at the University of Witwatersrand in Johannesburg, South Africa () conducts courses aimed at enhancing effective democratic management of the military and security forces in

Southern Africa and to strengthen peace and common security in the region. CDSM, which has enjoyed substantial backing from the Danish government since its creation as the Programme on Defence Management in 1993, also coordinates a regional network of institutions that share its vision of peace and common security in the region. In West Africa, the Centre for Democracy and Development (Lagos)

**Box II.9: Supreme auditing institutions**

Auditing public expenditures has become widespread. A survey on auditing mandates and procedures by the Indian public auditors office covered 127 countries. In theory, auditors have powerful positions in almost all countries, including the right to investigate public spending in the security sector. In practice, however, they are often quite powerless.

One important issue is the institutional set-up. Auditing bodies that are elected by and responsible to parliaments are in a different position from those that are appointed by and report to a president or prime minister.

Another issue is the resource base of auditing bodies in relation to their tasks. Particularly in the defense sector, detailed knowledge of procurement procedures, military technology and military strategy is necessary for good auditing. While the Indian survey does not report cases where the defense or security sector is explicitly excluded from auditing, publicly available audit reports on the security sector are rare outside of western democracies. In some countries, such as Pakistan, the armed forces are only subject to internal audit by special military audit bodies.

Auditing can be primarily focused on the correctness of bookkeeping, but for oversight purposes a focus on the effectiveness of policies is very helpful. The legal base of auditing differs, as does the reporting practice, particularly in reports to parliaments and the public. Auditing needs to observe rules of confidentiality, but reports to parliaments should be detailed enough to support its oversight functions. Auditing can be on a routine basis or on request. Parliaments, including committees and groups of members, benefit from the right to ask auditing bodies for special investigations. Where auditing reports are available to the public, such as the United States, they are an important instrument for NGOs, the media and experts to learn about defense related topics.

Source: Office of the Comptroller and Auditor General of India, 1999

and the African Security Dialogue and Research (ASDR) have developed a training program for West African legislators to improve their knowledge of the security sector and of the role that legislatures can play in the oversight process.

Parliaments in turn have to be accountable to the general population. They need to be transparent in their dealings with security matters. Secrecy requirements imposed by the government and the armed forces need to be reviewed and scrutinized by parliaments so that they do not become a pretext for the lack of transparency.

#### II.5.2.b. Auditing bodies

Internal and external auditing comes at the end of the budget cycle. Such auditing is important not only to verify that money was spent for the purposes and in the

amounts agreed by the executive and the legislature. It is also important to provide information on outcomes and outputs, which will feed into future planning.

External auditing, which needs to be done by independent bodies is of crucial importance in the security sector, with its many claims to special treatment because of security considerations. External auditing should address financial issues, but also assess effectiveness of public spending. Although many countries have auditing bodies in name and nature, their actual powers to investigate defense- and police-related matters is limited (see Table II-9). Statutes for central audit bodies should give them the right to search for every unit of currency paid out of the public purse. Restrictions on the publication of auditing reports should be limited to very few cases of secret weapons programs. Even in such cases, however, auditing bodies should be allowed to publicly report aggregate results.

Improvements in auditing benefit from international support, for instance from INTOSAI (International Organization of Supreme Audit Institutions, <http://www.intosai.org>). The US Congress went several steps further when it stipulated in the FY 1997 Military Audit Legislation that the US Executive Director at the World Bank, the IMF, and the regional development Banks should vote against loans for countries where there is no mechanism for reporting audited military expenditure to the civil authorities as well as for countries that failed to provide the financial institutions with information about their reporting systems (Summers, 2000). In the case of Nigeria, the US tasked the private security firm, MPRI, to assist the Nigerian government to meet the standard specified in this legislation so that it would not be forced to vote against loans to Nigeria at a time of its transition to democratic rule. In general, the US Treasury sought, at least during the Clinton administration, to avoid having to vote against loans on the basis of this legislation.

#### II.5.2.c. Civil society and media

Civil society has three critical roles to play in increasing the accountability of the security sector: demand change, act as watchdog, and provide technical input. In its monitoring or watchdog function, civil society actors can engage the government on topics such as overall defense policy; expenditure and procurement proposals and decisions; the doctrine, size, structure and deployment of the different security forces; and, where relevant, the sale of weapons and weapon technology abroad and foreign deployments of national forces. Such independent analyses are meant not only to challenge government policies, but also to inform the debate and provide useful input into the decision-making process. It can fulfill these functions at the local, national, regional and international levels.

The security sector presents difficulties for civil society organizations. Important information is often kept out of the public domain. To challenge security forces can lead to retribution. Still, there have been remarkable successes of civil society organizations in recent years. One prominent example is South Africa. Civil



society organizations, including research institutions, NGOs and societal organizations, such as the churches and unions, played a major role in shaping the reform of the security sector following the 1994 elections. This was in good part due to the willingness of the new South African government and Parliament to take voices from society seriously. But even where governments were less responsive, for instance in Indonesia or Nigeria, civil society has been able to effectively project its views.

The media often play an important role in communicating ideas and encouraging debate. Security sector stakeholders, particularly military forces, have a strong inclination towards secrecy. Some part of military planning and activity is compromised if it becomes publicly available, which justifies a certain degree of confidentiality in some areas. However, secrecy requirements are often used as pretext to hide unlawful activities. The media are often in a better position to expose such practices than others.

In many developing and transition countries, the number of individuals and organizations capable of playing an informed, responsible watchdog role is limited. This can be a legacy of many years of authoritarian government and it can be a legacy of poverty. Journalists and reporters, for example, frequently need some training and expertise to be able to competently follow leads. Leaders of civil society organizations need to learn how to influence the policy process. Even when countries have a relatively vibrant civil society and a reasonably active media, expertise on security sector issues is almost always inadequate. Technical knowledge will help the media and other members of civil society avoid providing false, misleading, and scandalous information. However, it is often difficult for journalists and others to learn this trade, even in the OECD countries.

The growth of regional and international networks of NGOs during the 1990s has helped strengthen the capacity of NGOs in many of the poorer countries. To take just one example, the Landmine Monitor project, an outgrowth of the international campaign to ban anti-personnel landmines (see Box II.11), works with local researchers throughout the world to monitor compliance with the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. In 2000, 115 Landmine Monitor researchers from 95 countries collaborated in the production of the annual report, The Landmine Monitor Report (see Box II.10).

A lack of detailed knowledge of security issues is not necessarily an insurmountable impediment to the participation of civil society in monitoring the activities of the security sector. By closely watching the development of government policies and asking pertinent questions, civil society can influence the choices made by governments. In Sierra Leone in 1998, shortly after the restoration of the elected government, which had been overthrown in a coup on May 25, 1997, the executive began to develop plans for reconstituting the national armed forces. Such a step was necessary, given the continued threat from the Revolutionary United Front (RUF) and the soldiers who had mutinied and joined forces with the RUF. It was,

**Box II.10. International Civil Society Monitoring**

“Landmine Monitor is meant to complement the States Parties reporting required under Article 7 of the Mine Ban Treaty. It was created in the spirit of Article 7 and reflects the shared view that transparency and cooperation are essential elements to the successful elimination of antipersonnel mines. But it is also a recognition that there is a need for independent reporting and evaluation.

“Landmine Monitor and its annual report aim to promote and facilitate discussion on mine-related issues, and to seek clarifications, in order to help reach the goal of a mine-free world. Landmine Monitor works in good faith to provide factual information about issues it is monitoring, in order to benefit the international community as a whole. It seeks to be critical but constructive in its analysis.”

Source: International Campaign to Ban Landmines, 2000.

however, highly contentious, given the repression that characterized the RUF-Army rule during 1997 and 1998. Civil society organizations held several meetings to discuss the creation of a new armed forces. One, which was held in October 1998, brought together 300 individuals representing civil society groups from throughout the country, government and the remnants of the armed forces who had surrendered rather than joined the May 1997 revolt. As a result of this and other meetings, members of civil society came to realize that much as they disliked the old army, the country did require an effective means of combating threats to state security. Civil society made a range of proposals to the government on how to manage the process of reconstituting the armed forces, including widely circulating pictures of all recruits so that the civilian population could vet them for human rights abuses. The government responded positively to a number of these suggestions, although their ability to implement them was limited by the renewal of extensive armed conflict in early 1999.

The Sierra Leone example also demonstrates how civil society can responsibly demand change. The problems confronting the reconstruction of the security sector in Sierra Leone have been the subject of a series of meetings attended by both civil society and representatives of the government. Problems have been analyzed and viable options proposed. In some ways, Sierra Leone resembles South Africa in the strength of civil society and the recognition within the government that the support

of civil society is critical to its existence. This facilitates dialogue. In other poor and transition countries, however, civil society organizations are following a similar path, identifying problems, analyzing them, and putting them forward as objectively as possible. Monitoring activities, along with a commitment to transparency on the part of the civil authorities, are thus crucial to the ability of civil society to demand change in a constructive manner.

Civil society acts as a resource for the security sector in a number of ways. Most fundamentally, it can provide a pool of knowledgeable individuals to fill government positions in the relevant agencies. It can also provide specialized skills, such as human rights trainers, legal experts, financial experts and the like which are particularly important in enhancing the level of accountability in the security sector. The process of developing the anti-personnel landmine convention demonstrates that civil society can provide input at the international as well as the national levels. Members of the International Campaign to Ban Land Mines worked closely with representatives of the governments of Canada, Norway and others to draft treaty language (Box II.11).

Civilians should also have the capacity to sit on review boards and other oversight bodies, conduct investigations for the government in research and analysis units, and take part in special panels created by quasi-governmental institutions to examine specific policy options and decisions. As with the watchdog function, the capacity of civil society in many countries to act as a resource for government is weak; therefore human capacity strengthening efforts are critically important.

An interesting aspect of the increasingly close cooperation among civil society groups on a regional and international level is the degree to which civil society can help embed norms and principles. The end of the Cold War produced the space both for an expansion of the norms discussed in section II. D. The end of the Cold War, along with the revolution in information technology that occurred toward the end of the 20<sup>th</sup> century, also provided the space for civil society to expand its activities and make its voice heard in many parts of the globe.

**Box II.11. Civil Society Contribution to International Arms Control and Limitation Negotiations**

Arms control and disarmament agreements generally reflect the national interests of those that sign them. They have predominantly been negotiated in secret by diplomats and their military advisors. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction' (APM Convention), which entered into force on 1 March 1999, proved that public voice can make a difference. The Conference on Disarmament (CD), the traditional arms control forum, had failed for several years to agree on a treaty to ban these types of mines. Strong interest by the military in many countries had prevented progress in the negotiations. Outspoken and well-organized criticism by a group of hundreds of NGOs facilitated a negotiating process outside the CD. Leaving the trodden path also meant voice for NGOs and holding military powers accountable for military based policy in that particular area. On the initiative of the Canadian government, the so called Ottawa Process emerged as a fast-track diplomatic negotiation, culminating in the signing of the Convention. It is a new type of arms control initiative with the advantage of producing faster results. The drawback, of course, is that a number of great military powers (USA, Russia, China, India among other governments) have not signed the Convention since they consider these weapons as militarily necessary.

Public pressure has also helped to put the proliferation of small arms and light weapons on the international agenda. A July 2001 UN conference in New York discussed the issue, aiming at more transparency and tighter controls of the transfer and misuse of small arms and light weapons. Although many controversies and foot-dragging by numerous governments led to less than hoped for results, the conference was successful at least in three areas: 1) With the concluding document being accepted (without a formal vote), a first step toward establishing international norms on these weapons has been taken. 2) The call for action to control the flow of small arms and light weapons gives the UN, governments, donor organizations and NGOs a mandate to engage in hands-on operational projects. 3) The agreement for a follow-on process with biennial consultations and a review conference in 2006 guarantees that the problem remains on the international agenda and is not shelved somewhere as some governments had wished.

*II.5.3. Enforcement*

Norms and principles need to be respected. When they are not respected behavior needs to be sanctioned. Principle one of enforcement of norms and principles for the security sector is that sanctions should not be different from those in other sectors. That is, violators of laws protection human rights need to be punished whether they wear uniforms or not. Corruption in the security sector, for instance in connection with arms imports, should carry the same levels of punishment as anywhere else. Lines of commands need to be clearly established so that differentiation can be made and between main culprits and accomplices, just as in any crime. Bureaucrats who manage public money inefficiently should face the same consequences whether they are in the security sector or not.

*II.5.3.a. Functioning judiciary as condition*

Proper enforcement in the security sector is particularly difficult. A basic requirement is a functioning, independent and well-resourced judiciary. A specific

military judiciary, if there is need for it at all, should be limited to clearly internal matters, and verdicts be subject to appeal in civilian courts. Otherwise human rights and other violations of norms may be punished differently from those in other sectors, or not at all.

In recent times, ombudspersons have become a prominent means to fight deficiencies in those parts of the security sector charged with law enforcement. The esprit de corps of the police, for instance, can make it difficult to prosecute violations of norms by the police. Independent ombudspersons can bring pressure on the force to investigate and properly prosecute violations.

#### II.5.3.b. Enforcement by other means

Even where the preconditions for proper national punishment are not present, it has increasingly become possible to address violations of norms by other means. A number of countries, such as Spain and Belgium, have begun to prosecute foreign perpetrators of egregious human rights violations. One such example was the prosecution of General Augusto Pinochet by a Spanish judge. The International Criminal Court will institutionalize and centralize such prosecution of serious crimes.

As mentioned above, in both Latin America and Africa, military coup d'Etats are not taken lightly any more. However, a violent take-over of government by security forces still is automatically internally recognized. International law benefits the actual power-holder. But as the example of the OAS and OAU show, this does not necessitate political silence. It is quite conceivable, for instance, that the UN General Assembly would not, in principle, accept the credentials of representatives of governments which base their legitimacy only on the power of guns.

Violations of basic norms on peace and security, as well as many multilateral arms control treaties are the business of the UN Security Council. However, the rules of and power structures in the Security Council (see below) have limited its effectiveness to deliver enforcement on an equal basis.

### II.6. Leadership

The quality of leadership is one of the most the critical factors in determining the extent to which legal and cultural norms find acceptance. Leadership is important at several levels.

Heads of state and government unquestionably set the tone and ethical standards for those who work in government and public service. When they clearly flout principles of good governance in the security sector or sound public sector management, the top leadership sends the signal to less senior leaders that they are not bound by such principles either. Corruption is now widely recognized as a major block to sustainable human development, and there are numerous examples of countries where the head of state or government have been deeply involved in corrupt activities. Governments that come to power by military coup d'état or are

dependent on support of the security forces to remain in power have been among the most corrupt. The late General Sani Abacha is said to have diverted some US\$ 1 billion from the Nigerian treasury. Both former President Suharto of Indonesia and the late President Mobutu of the Congo amassed very large personal and family fortunes.

While the attitude of heads of state and government is critically important, leadership from less senior politicians and bureaucrats is also necessary for the creation of an environment conducive to supporting norms. Efforts to create a security sector that follows democratic principles and conforms to sound public expenditure management practice will not succeed if a country's political and administrative leadership is not committed to taking the steps necessary to create effective institutions and ensuring that they function adequately. In many countries, oversight bodies exist but do not have the staff, the knowledge, the financial resources, the authority or the political clout to operate effectively. In Chile, for example, the Office of the Comptroller General has oversight responsibility for all accounting aspects of the implementation of the national budget. It is allowed to audit arms procurement accounts, but does not have the authority to examine the choice of weapons procured or assess if value for money has been obtained. The Chilean Congress also lacks the authority to address these questions (Rojas Aravena, 2000, p. 35).

As explained in section II. E. 2.a, the legislature should play a central role in security sector oversight. The degree of oversight authority accorded to the legislature varies from political system to political system. However, many legislatures are ill-equipped to play even a limited role in security-sector oversight, in part because of the legacy of decades, if not centuries, of executive supremacy and the culture of secrecy that has surrounded the security sector. Additionally, in some newly democratizing states, there has been a tendency for the legislature to seek to establish its authority by routinely opposing the will of the executive.

Legislative leaders have a responsibility to educate themselves and their colleagues on security matters and to learn to the best of their ability how to exercise their oversight responsibilities. The South African Parliament offers an interesting example of how individuals with no previous parliamentary experience are able to acquire the necessary expertise in security matters, including input from civil society, and to develop a constructive working relationship with the executive, while putting the executive and the security forces on notice that they take their oversight responsibilities seriously. In recent years, legislators in countries such as Ghana and Nigeria have had the opportunity to participate in workshops with South African legislators and to begin to learn from the South African experience.

Senior officers in the security forces need to demonstrate their commitment to the legal and cultural norms governing the security sector. They need to accept and transmit to their colleagues the fact that the security forces are subordinate to the democratically elected government. They need to promise to uphold constitutional principles and accept the rule of law. They also need to support greater transparency

**Box II.12. African Security Dialogue and Research**

ASDR is an independent, non-governmental institute based in Accra, Ghana, specializing in issues of security and their relationship with democratic consolidation.

The core aims of the ASDR are to:

- Foster dialogue and consensus with regard to issues of conflict and security in Africa , focusing in particular on the role and governance of security forces (military, intelligence, and police) in the emerging democracies on the continent;
- Undertake research, analysis, monitoring, and advocacy on issues relating to civil-military relations and national and regional security in Africa ;
- Encourage greater transparency and accountability in the way that national security and defense policies are formulated and implemented;
- Enhance oversight capabilities of national legislatures and elected representatives by promoting collaboration with defense experts and researchers;
- Strengthen the capabilities and resources of civil society and NGOs in the analysis and discussion of defense and security sector issues;
- Improve overall availability of defense-and security-related information in the public domain, both by encouraging new research and by bringing together the scattered studies and data pertaining to African militaries and security organizations and policies.

in security sector planning and budgeting. As part of this process, they need to take a firm stand against the corruption that is often rife in resourcing the security sector. They also need to make clear that they will no longer tolerate the diversion of state resources by the security forces in other ways, for example by using military and police vehicles and manpower for private purposes.

Finally, civil society also needs strong leadership if its voice is to be heard by those in government. As indicated earlier, the effectiveness of civil society in many parts of the world has been hampered by limited knowledge of the security sector. Starting in the late 1980s and 1990s, the culture of secrecy and executive dominance began to be challenged by civil society who established non-governmental organizations designed to create a public policy debate on security issues (Box II.12).

**II.7. International Stakeholders**

International actors can influence accountability in the security sector of other countries in two ways. First, they can work with local stakeholders in both the public sector and civil society to strengthen the institutions of accountability in these countries. Second, they can conduct their own affairs in a manner that strengthens accountability in other countries, either by providing a model or by avoiding actions that undermine accountability elsewhere.

*II.7.1. External assistance for security sector reform*

As discussed throughout this paper, international actors in both the development and the security arenas have begun to undertake some activities in support of the norms and principles of accountability in the security sector. They have spoken out in favor of fiscal responsibility in the security sector and reminded governments of the need to assess trade-offs between expenditure in the security sector and other forms of public expenditure. They have funded a variety of training programs both in their own countries and abroad that strengthen the capacity of civilians to oversee the security sector and seek to inculcate both civilian and military leaders with norms such as accountability to elected civil authorities, transparency, respect for human rights, and separation of police and military functions. They have sought to strengthen civil society so that it can assist the elected civil authorities in holding the security forces accountable and the elected civil authorities accountable to the representatives of the people. They have supported professional training for armed forces and police personnel that has as one objective strengthening the security forces' ability to protect the human rights of all citizens equally. They have funded demobilization and reintegration programs.

Despite all this, the record of external support for strengthening norms of accountability in the security sector is mixed in both the development and the security arenas. Development donors have yet to come to terms with incorporating the security sector into their normal programming while the security actors are not sufficiently attuned to how the security forces interact with the civil authorities outside the defense ministry. Thus, the support these actors provide is frequently fragmented and consequently not as effective as it could be. In part this is because the external actors do not have a comprehensive view either of what constitutes good governance in the security sector, which underpins accountability in that sector, or of how they can assist countries improve the quality of security sector governance, and hence security-sector accountability. In part it is because the development donors persist in the view that they do not have either the mandate or the expertise to address the question of security sector governance. Restraint is also motivated by the concern that support for security sectors backfires: External actors may lose control over security forces which turn oppressive after they received training and support. While this justified danger is best countered through a focus on strengthening transparency, oversight and enforcement, at the end of the day donors depend on the reliability of governments and security sectors whose reform they support.

External attention and support has tended to focus either on the armed forces or on the police whereas the two need to be linked at the policy level. Insufficient attention has been given to the intelligence services, the capacities of the civil oversight authorities (including the legislature), and to the overall reform process. Those who provide development aid and security assistance need to help reforming governments understand the components of security sector reform and how these



fit together. They also need to help governments develop workable plans for strengthening security sector governance.

This means, however, that the external actors themselves need to have a broad understanding of the necessary components of sound security-sector governance. To do this, there has to be communication between the development actors and the security actors. Additionally, the organizations that provide assistance must be transparent about the activities that they are supporting and must be willing to make a good faith effort to coordinate policies and programs. While there has been some progress in these respects, much remains to be done.

Development donors need to resolve their continuing ambivalence about the role that the security sector plays in the development process. They recognize that the security sector absorbs resources that could be used to provide children with an education, develop the national electricity grid, or assist peasants in marketing their produce. They also recognize, at least intellectually, that without security, there will be no development. Nonetheless, they continue for the most part to resist becoming involved in improving the quality of governance in the security sector, without which there will be no security and there will be no sustainable reductions in security expenditures.

The security actors often recognize the importance of developing the commitment of a military country's leadership to the process of reforming the security sector, but they are unable to work effectively with key stakeholders such as the ministry of finance, audit and budget offices, legislatures and civil society. Donors – who can work with these stakeholders – have by and large not been able to bring the issue of the quality of security sector governance to the table in the same way as they have brought the issue of the level of defense spending to the table. This does not mean that the development donors need to provide management training for security force personnel, although they could. Rather, where there are problems of accountability in the security sector, donors should signal their concerns by, for example, making security sector governance a regular component of policy and discussing possible incentives for governments to engage in security sector reform.

Development donors can also integrate the security sector into ongoing assistance programs where relevant. The objective would be to underscore the point that if security is essential for development, then the security sector should be treated no differently than other parts of the public sector. Efforts to strengthen public-sector and public-expenditure management offer excellent targets of opportunity in this respect. Donors can expect to find allies in government, especially among finance ministries, budget offices, and audit bodies, once it is clear that they are willing to provide technical support to improve capacity and bring legitimacy to the very notion of fiscal oversight (Box II.13). Donors may find that they have allies in defense ministries as well once it becomes clear that the objective is to improve the process of resource allocation, not blindly reduce the level of security expenditure. To date, however, the donors have generally approached the

**Box II.13. Process versus levels**

„The symposium broadly supported the proposition in the background papers that a focus on getting the process right and determining security requirements and budgets is likely to be more fruitful than debating military budget levels or shares in the abstract, or against benchmarks that will inevitably be somewhat arbitrary. In particular, the Framework paper points to the importance of strengthening links between defence policy, planning and budgeting, underpinned by accountability, transparency, discipline, and comprehensive inclusion of all relevant expenditure....

„One area that a number of participants stressed in this regard was the importance of building capacity, within the security forces, within the civil authorities, and within civil society. A related need is to appreciate the very long time frame – and frequent setbacks and delays – that may be involved in building effective decision-making processes to durably improve the governance of the security sector“ (DFID, 2000b, p. 11.)

issue of incorporating the defense sector into public-sector and public-expenditure management issues with a great deal of caution.

To be fully effective, external development and security actors must accept that there are different ways to achieve the end states of transparency, civil management and oversight, enforcement and accountability. Additionally, while local capacity may be weak, it generally is not entirely non-existent. As with institutional reform in other sectors, local actors should be capacitated, not by-passed. In this way, efforts to build the commitment of national leadership will be maximized. Very often, however, external actors arrive with a clear vision of how a reform process should be shaped and how it should proceed. This creates enormous resentment among precisely the individuals whose support is necessary for a successful reform process.

*II.7.2. International action*

In the international arena, the creation of the International Criminal Court, the signing of the Anti-Personnel Landmine Convention, and the prosecution of war criminals from the former Yugoslavia and Rwanda have strengthened norms of accountability related directly or indirectly to the security sector. At the same time, the effectiveness of existing treaties and conventions may be in some doubt. The United States' decision to abrogate the Anti-Ballistic Missile Treaty in order to pursue its National Missile Defense policy is an extremely worrying development, as it clearly signals that treaties can be discarded unilaterally when they prove to be inconvenient. Similarly, the United States was responsible in 2001 for the end of efforts to develop a verification protocol to the Biological and Toxin Weapons Convention, essentially because it wants to shield its biodefense programs from external review. The relative weakness of the Russian military and the obvious loss of Russia's status as a military superpower has clearly diminished the US interest in strategic stability through negotiated bilateral or multilateral arms control agreements.

As the world's only superpower, the United States could be seen as having a special responsibility to demonstrate the importance of maintaining and strengthening security-related norms. US dominance in military technology is most graphically described by a single set of figures: its military research and development spending is 11 times higher than that of France, the second largest spender in military research and development (see table II.5).

*Table II.5: Military research and development spending in 1999, in billion US \$*

USA	37.7
France	3.3
UK	3.0
China	1,5
Russia	1.5
Germany	1.3
Japan	0.9
<b>World total</b>	<b>66</b>

Source: BICC, 2001

The trend that began in the mid-1990s toward greater unilateralism in the United States seriously challenges the US's ability to assume this responsibility. Following the September 11, 2001 terrorist attacks on New York and Washington, DC, there has been speculation that the Bush administration will begin to modulate its very strong unilateralist tendencies, but that remains to be seen. At this writing, it seems likely that multilateral collaboration will be accepted to the extent that it allows the United States to achieve its objectives relatively unhindered and will be discarded as a strategy if it does not.

The United States is not, however, the only threat to security-related norms as enshrined in international agreements. Iraq has violated both the Non-Proliferation Treaty and the Chemical Weapons Convention. Russia has violated the Biological and Toxin Weapons Convention. A number of countries have chosen to remain outside non-proliferation regimes and developed weapons of mass destruction unhindered: India, Israel and Pakistan in the nuclear area; Iraq in the biological weapons area (although Iraq was forced to ratify the BTWC after the 1991 Gulf War).

The special role, and obligation, of the major powers is emphasized in the Non-proliferation Treaty (NPT). The NPT remains an important international norm guarding against the spread of nuclear weapons. It has always been a treaty between countries with different rights: the five nuclear haves and the have-nots (with a few haves outside the Treaty). Despite the Treaty obligation to eventually give up all nuclear weapons, it is not foreseeable that this will be the case in the medium-term future. The nuclear powers are held accountable in the review conferences every five years, where they regularly reiterate their commitment, but without much impact on their actual nuclear policy. Other governments (India, Pakistan and Israel) have made their voices heard and opted for a variety of reasons for nuclear weapons. Consequently they refused to be party to the NPT.

Even if it is unlikely that a norm will ever be developed for the level of military spending, the fact that just seven countries – the five declared nuclear powers, Japan and Germany – account for two thirds of the world’s military expenditure is a powerful disincentive to any other government when it comes to reducing the level of defense expenditure.

The big powers are also the main exporters of weapons. The United States transferred almost 50 percent of all arms exports, and European Union countries an additional 28 percent (see table II.6).

*Table II.6: Shares in global arms exports, 1996-2000*

Exporters	Arms exports in US \$ billion (prices of 1990)	Share in global arms exports
USA	49	47
Russia	16	15
France	11	10
UK	7	7
Germany	6	5
<b>Global total</b>	<b>104</b>	<b>100</b>

Source: SIPRI 2001, p. 357-357

There are strong economic pressures from domestic arms industries to sell as much as possible. Often, exporting governments also have political motives for arms exports. While ultimately the decision to import arms has to be made in the importing countries, decision-makers are often not democratically elected or accountable to the population. Arms exporters have shown limited interest in principally restricting arms sales to oppressive governments. For instance, the suggestion by Oscar Arias and supported by a number of fellow Nobel Peace Prize winners of a code of conduct on arms sales that also asks for the democratic credentials of recipients has not met with much interest on the side of arms exporting countries ([http://www.basicint.org/code\\_itl.htm](http://www.basicint.org/code_itl.htm)).

### **III. Conclusion: Lessons of security sector accountability as a tool for human development**

Security sectors generally remain the least democratically controlled and fiscally responsible policy area in many countries. While the levels of accountability differ widely among countries, it has validity both for OECD and non-OECD countries.

Security sectors receive scarce public resources so that they protect people from external, as well as internal, threats to their life, liberty and property, whether they originate from war, crime, or terrorism. Physical security is a major concern for all people, but de facto poor people are particularly vulnerable to the lack of provision of personal security. The absence of physical security is a major impediment to human security by reducing peoples' quality of life, limiting economic activities, and imposing costs on people and societies. Security as a necessary, but not sufficient, criterion for human development.

Security forces have been, and in many cases still remain, oppressors of the people, and not the protectors they should be. The behavior of security forces needs to be accountable. Security forces need to observe human rights laws as well as other laws guiding their behavior and operations. There is a set of international norms on the proper behavior of security forces, to which much lip-service is paid which are however violated with impunity by security forces in many countries. Unaccountable security forces, particularly police force, are a major source of insecurity for poor and marginalized people in many countries. More effective traditional (legal system, courts) and additional new (ombudspersons, truth commissions) institutions to hold security forces, particularly police forces, responsible for their actions are central to providing more security. They need to give room to concerns of victims within legal institutional frameworks and allow all of civil society and security forces to interact in the provision of physical security.

Spending on the security forces takes away resources for other types of spending in support of human development. A lack of democratic and accountable decision-making in the security sector, particular its military part, will detract from human development through the mismanagement of scarce resources. Security spending must be balanced with other spending. In general, indications are that spending on armed forces, geared towards external defense is overly large, while police forces, which are to prevent and fight crime, are financially starved. However, no norms exist to regulate how much spending is too much or too little, nor how security sector forces should be composed. These are predominantly questions of power over decision-making, particularly over budgets. However, the outcome of decisions can be measured against human development concerns and security realities.

It is therefore of central importance, that security forces are held accountable to democratic governments and to civil society. They need to be transparent and there need to be strong oversight, by parliaments as well as the wider public. The process of determining the size and structure of the security sectors needs to rest on solid

legal foundations and be exercised with political responsibility. Civil authorities need to be in control, but they also need to give clear guidance to the security forces, work in partnership with them and respect their expertise.

Decision-making on security sectors is dominated by elites, particularly military elites, because of unequal power and knowledge relations. In strengthening the institutions of accountability it is important to give high priority to strengthening the capacity of civilians to manage and monitor the security sector. A higher level of transparency in and broader knowledge of security matters are key elements for the improving the procedures for making crucial decisions over the size and structure of security sectors.

Transparency, civil oversight and enforcement are important elements to improve accountability in security sectors. Secrecy needs to be a well justified exception, and transparency the policy rule. Civil oversight needs to be exercised on a variety of levels, including budgets, longer term planning, top personnel of the security forces, as well their concrete actions and behavior. Oversight needs to be instituted and practiced. Enforcement needs to be strong enough to uphold both norms and institutions of accountability.

Accountability in the security sector requires a commitment on the part of a country's leadership. Often, this is absent. The security sector is the core of government power, and therefore often well protected by elites. Unaccountable security sectors are also unbalanced in the provision of security: the protection of elites and regimes gets too many resources, which are not available for human development, including the protection of people from repression and crime. Changing the level of accountability in the security sector is difficult and often dangerous for those working for it. On the other hand, the willingness to accountability is the willingness to a democratic state. Leadership in the reform of the security sectors is the best test for the willingness to overall accountability.

External stakeholders can foster more accountability in the security sector. However, they need to be clear that they cannot substitute domestic willingness towards more accountability. Ownership of accountability processes is crucial. No country has yet achieved perfect accountability; there is no "one-size-fits-all" model for security sector accountability.

Unfortunately, outside actors provide conflicting signals: on the one hand, development donors and international financial institutions have begun to provide some limited countervailing power to decision-making dominated by elites. On the other hand, arms sellers extract scarce resources, often resorting to corruption. And globalization often contributes to an erosion of the fiscal base to provide physical security.

**Appendix 1: Ratios of ‘social’ to military spending burdens**

Country	Region	Public expenditure on education 1995-97 plus Public exp. on health 1998 as % of GDP 1998 (a)		Military exp. as % of GDP 1999 (b)	Ratio (a) to (b)
Ethiopia	AfE	5,7		9,0	0,6
Burundi	AfC	4,6		6,1	0,8
Nigeria	AfW	1,5		1,4	1,1
Mali	AfW	4,3		2,2	2,0
Algeria	AfN	7,7		3,8	2,0
Madagascar	AfE	3,0		1,4	2,1
Uganda	AfE	4,5		2,1	2,1
Mauritania	AfW	6,5	m	2,3	2,8
Guinea	AfW	4,1	k	1,4	2,9
Burkina Faso	AfW	4,8		1,6	3,0
Botswana	AfS	11,1		3,4	3,3
Namibia	AfS	13,2		3,6	3,7
Chad	AfC	4,5	k	1,2	3,8
Senegal	AfW	6,3		1,5	4,2
Kenya	AfE	8,9		1,9	4,7
Swaziland	AfS	8,4		1,7	4,9
Zambia	AfS	5,8		1,0	5,8
Tunisia	AfN	9,9		1,7	5,8
Côte d'Ivoire	AfW	6,2	m	0,9	6,9
Ghana	AfW	6,0		0,8	7,5
South Africa	AfS	10,9		1,3	8,4
Gambia	AfW	6,8		0,8	8,5
Malawi	AfS	8,2	m	0,8	10,3
Gabon	AfC	5,0	k	0,3	16,7
Mauritius	AfE	6,4		0,2	32,0
<b>Africa</b>		<b>6,6</b>		<b>2,1</b>	<b>3,1</b>
Chile	AmS	6,3		3,1	2,0
Colombia	AmS	9,3		2,5	3,7
United States	AmN	11,2		3,0	3,7
Uruguay	AmS	5,2	k	1,2	4,3
Belize	AmC	7,2	m	1,5	4,8
Bolivia	AmS	9,0		1,8	5,0
Paraguay	AmS	5,7		1,1	5,2
Venezuela	AmS	7,8		1,4	5,6
Argentina	AmS	8,4		1,5	5,6
El Salvador	AmC	5,1		0,9	5,7
Brazil	AmS	8,0		1,3	6,2
Guatemala	AmC	3,8		0,6	6,3
Panama	AmC	10,0	m	1,4	7,1
Canada	AmN	13,2		1,3	10,2
Nicaragua	AmC	12,2		1,1	11,1

Honduras	AmC	7,5		0,6	12,5
<b>America</b>		<b>8,1</b>		<b>1,5</b>	<b>5,3</b>
Myanmar	AsE	1,4	k	3,3	0,4
Oman	AsW	7,4		10,1	0,7
United Arab Emirates	AsW	2,5		3,2	0,8
Singapore	AsE	4,2		5,3	0,8
Pakistan	AsS	3,6		4,4	0,8
Syria	AsW	5,0		5,6	0,9
Lebanon	AsW	4,7		3,6	1,3
Jordan	AsW	13,2		10,0	1,3
Sri Lanka	AsS	4,8		3,6	1,3
Laos	AsE	3,3	m	2,4	1,4
Cambodia	AsE	3,5		2,5	1,4
Bahrain	AsW	7,0	k	5,0	1,4
Israel	AsW	13,6		8,1	1,7
Indonesia	AsE	2,1		1,1	1,9
Iran	AsW	5,7		2,7	2,1
Korea, Rep. Of	AsE	6,0		2,8	2,1
Bangladesh	AsS	3,9		1,6	2,4
Malaysia	AsE	6,3		2,3	2,7
Thailand	AsE	6,7		1,8	3,7
Philippines	AsE	5,1		1,2	4,3
Kyrgyzstan	AsC	8,2		1,7	4,8
Nepal	AsS	4,5		0,9	5,0
Tajikistan	AsC	7,4		1,4	5,3
Uzbekistan	AsC	11,1		1,7	6,5
Kazakhstan	AsC	7,9		0,9	8,8
Japan	AsE	9,5		1,0	9,5
<b>Asia</b>		<b>6,1</b>		<b>3,4</b>	<b>1,8</b>
Armenia	EuE	5,1		3,6	1,4
Greece	EuS	7,8		4,9	1,6
Bulgaria	EuE	7,0		2,8	2,5
Ukraine	EuE	9,2		3,1	3,0
Macedonia	EuE	10,6		2,5	4,2
United Kingdom	EuW	11,2		2,5	4,5
Georgia	EuE	5,7		1,2	4,8
France	EuW	13,3		2,7	4,9
Portugal	EuS	11,0		2,2	5,0
Italy	EuS	10,5		2,0	5,3
Czech Republic/ Czechoslovakia	EuE	11,8		2,0	5,9
Poland	EuE	12,2		2,0	6,1
Slovakia/ Czechoslovakia	EuE	10,4		1,7	6,1
Netherlands	EuW	11,1		1,8	6,2
Norway	EuN	15,1		2,2	6,9



*Voice and accountability in the security sector*

Hungary	EuE	9,8		1,4	7,0
Sweden	EuN	15,0		2,1	7,1
Belgium	EuW	11,0		1,4	7,9
Spain	EuS	10,4		1,3	8,0
Belarus	EuE	10,8		1,3	8,3
Germany	EuW	12,7		1,5	8,5
Slovenia	EuE	12,3		1,4	8,8
Denmark	EuN	14,8		1,6	9,3
Finland	EuN	12,7		1,2	10,6
Lithuania	EuN	10,7		1,0	10,7
Luxembourg	EuW	9,4		0,8	11,8
Switzerland	EuW	13,0		1,1	11,8
Latvia	EuN	10,7		0,9	11,9
Austria	EuW	11,2		0,9	12,4
Ireland	EuW	10,5		0,8	13,1
Moldova	EuE	17,0		0,5	34,0
<b>Europe</b>		<b>11,1</b>		<b>1,8</b>	<b>6,1</b>
<b>Australia</b>	<b>Oce</b>	<b>11,4</b>		<b>1,9</b>	<b>6,0</b>
<b>New Zealand</b>	<b>Oce</b>	<b>13,5</b>		<b>1,1</b>	<b>12,3</b>

(k) data refer to 1998

(m) data refer to 1997

Sources: Human development report data; Military expenditures: BICC, 2001, GDP: World Bank 2001

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