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Addressing Corruption Through Justice-Sensitive Security Sector Reform

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Transitional Justice in Context Project

This paper is part of a multiyear research project conducted by the International Center for Transitional Justice on the challenges and opportunities of responding to serious and massive human rights violations in different contexts. The project commissioned 21 studies on a wide range of contextual issues, 12 of which are included in an ICTJ edited volume, *Justice Mosaics: How Context Shapes Transitional Justice in Fractured Societies* (New York: ICTJ, 2017), available in print and online at www.ictj.org/justice-mosaics. The summary report is available at www.ictj.org/sites/default/files/ICTJ_Report_JusticeMosaics_2017.pdf

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TABLE OF CONTENTS

	Introduction	1
1.	Corruption as a Human Rights Issue in Transitional Justice	3
2.	Corruption in the Security Sector	6
3.	A Justice Approach to Corruption through SSR	8
4.	Justice-Sensitive SSR Measures and Corruption	11
	Truth Commissions	11
	Vetting	12
	Training	13
	Internal Controls	14
	External Oversight	14
	Legitimacy Building	15
5.	Conclusion	17

Introduction

Corruption is often uncritically assumed to be part of the way things work in transitional and post-conflict countries.¹ Corruption is even argued to be beneficial to development,² in that it “greases the wheels of bureaucracy” and gets things done.³ Under pressure to establish short-term stability in post-conflict settings, peacebuilders and negotiators will sometimes make deals with the power brokers who started the conflict, shopping out political positions and control over state assets while turning a blind eye to questionable control of public funds. Security sector reform (SSR) and transitional justice are two processes that can be used for peacebuilding efforts in these contexts.⁴ In theory, addressing corruption within SSR is one of the core elements of the reform process, namely, by establishing accountability. Addressing corruption in transitional justice is more contested because it is still debated whether the mandate of such measures should be expanded beyond their traditional focus on physical and political human rights violations to include economic violations. In practice, however, corruption is often an outlier to both processes. It can be seen by SRR and transitional justice practitioners as a matter that is too politically sensitive, just part of the context, a temporary glue to hold things together, or the domain of other specialists.

Nevertheless, corruption is a tool used to perpetuate authoritarian regimes, inter-group grievances, and recurrent conflict. Public demonstrations and the overthrow of governments in the past 17 years have brought the implications of corruption to the forefront of global attention. Corruption was one of the key rallying points in 2011 leading to mass demonstrations in the Middle East and North Africa (MENA) and the overthrow of governments across the region. For example, despite surface-level positive indicators, such as literacy and a sizeable middle class, Tunisia was controlled by close family members of former president Zine El Abidine Ben Ali, a political arrangement that excluded many Tunisians from the country’s economic gains.⁵ Further, economic opportunity was stifled in the country, a point made most dramatically when Mohamed Bouazizi, a fruit vendor frustrated at not being able to run his business without police harassment, set himself on fire in front of the governor’s office, sparking wider protests in Tunisia and beyond that became known as the “Arab Spring.” Today, part of Tunisia’s Truth and Dignity Commission’s (TDC) mandate is to examine cases of corruption, economic crimes, and marginalization.⁶ Likewise, corruption has factored into the “colour revolutions” of the 2000s, government ousters through investigations, and mass street protests of recent years in locations such as Brazil, Guatemala, Iceland, and Iraq. Notably, Mikhail Sakishvelli led Georgia’s “Rose Revolution” in 2003 to address gross institutionalized corruption, prioritizing major institutional reforms and asset recovery once he took office as president. Also in 2003, a majority of Kenyans consulted specifically told the Taskforce on Establishment of a Truth, Justice and Reconciliation Commission that corruption was a key concern.⁷ In Guatemala, connections between paramilitary groups and state security services led to the creation of the innovative International Commission Against Impunity in Guatemala in 2006 (known in Spanish as CICIG). By 2015, CICIG investigations in customs embezzlements led to country-wide street protests, forcing the resignation of President Otto Pérez Molina and his ultimate arrest and conviction.

While the head of state is usually the target of public accusations of state mismanagement in transitional settings, the security sector is often accused of carrying out physical and political abuses on behalf of the previous regime. Security actors can play a crucial role in a corrupt system that robs the state of resources and prevents economic growth that would provide sustainable livelihoods for its population. Security actors, operating independently or with explicit direction from state officials, can commit human rights violations, like attacking individuals and communities who hold access to resources or levers of the economy, to fund their own interests. They can seize land and private property, force competitors out of the market, and dole out severe consequences to those who advocate for transparency of security sector management or access to markets.

Dustin Sharp describes this process as “economic violence,” citing the Liberian civil war, in which “Charles Taylor and other rebel faction leaders encouraged their troops to ‘pay themselves’” through rampant looting.⁸ In another example of systematic profiteering from instability, as detailed in the Liberian Truth and Reconciliation Commission’s final report, Sharp highlights:

instances of Charles Taylor’s soldiers helping to guard the very logging companies who were paying Taylor for the privilege of operating in his territory, which in turn allowed Taylor to buy arms and take more territory, extorting even more companies and further diverting the proceeds of plunder and pillage into his war machine.⁹

Egypt provides another example of the connections between corruption, human rights violations, and the security sector. The country has appeared to come full circle since the 2011 overthrow of President Hosni Mubarak, who had previously been backed by the military. His ouster was followed by the election of Muslim Brotherhood leader Mohamed Morsi as Egypt’s first democratically elected president, and then his subsequent removal by the military. Some speculate economic concerns had a role to play in Morsi’s removal. Estimates of the military’s control of the Egyptian economy vary between 5 and 40 percent,¹⁰ with military interests stretching into consumer goods, construction, and agriculture, among other areas.¹¹ By presidential decree, the military controls an estimated 87 percent of Egypt’s land, which the state deems to be unused.¹² Most of these numbers are estimates, because there is no scrutiny of the military’s budget, with all activity labelled as a “national security” issue and the Egyptian public considering the topic too taboo for discussion.¹³ Given the military’s entrenched interests, the theory that Morsi was overthrown due to his attempt to develop the Suez Canal without military involvement—cutting officers out of a large source of revenue¹⁴—holds some merit. This led to the military’s re-establishment in power, without any changes to Egyptian society in areas such as economic opportunity, for which protestors rallied in the street and many gave up their lives.¹⁵

Corruption often plays an influential role in state violence and can act as a weapon in itself. Yet, addressing it by uncovering its past role in order to help build credible security institutions for the future is still rare. This paper contends that transitional justice and SSR can be mutually reinforcing and effective in addressing security sector corruption.

1. Corruption as a Human Rights Issue in Transitional Justice

The 2005 UN Convention against Corruption describes corruption as “the abuse of entrusted power for private gain,”¹⁶ with entrusted power referring to public officials who are responsible for state resources and the delivery of services. Corruption as a human rights issue is still contested. The recognition of corruption as a major problem requiring attention did not gain substantive momentum until the founding of Transparency International in the mid-1990s. One of its founders, Laurence Cockcroft, publicly made the link between corruption and human rights:

A corrupt government which rejects both transparency and accountability is not likely to be a respecter of human rights. Therefore, the campaign to contain corruption and the movement for the promotion and protection of human rights are not disparate processes. They are inextricably linked and interdependent.¹⁷

Chris Albin-Lackey documents the hesitant approach that large human rights organizations such as Human Rights Watch and Amnesty International took in expanding their scope to include economic and social crimes in their work in the early 2000s.¹⁸ The primary concern was the potential dilution of focus for the organizations. Recognition of the correlation between corruption and human rights has gained momentum in recent years, however, not only as a response to the cries of protestors in the MENA region in 2011, but also as an outcome of the 2008 financial crisis in the United States.

The ripple effect of these crises on European economies began to draw the attention of European governments and civil society to the tools of global corruption, such as tax havens and shell companies. The problems these instruments caused for western economies also cast new light on the issue of illicit financial flows from developing economies as a roadblock to sustainable development. The High Level Panel on Illicit Financial Flows from Africa, headed by former South African President Thabo Mbeki, has estimated that the African continent loses \$50 billion a year in illicit flows, which is more than it receives in foreign aid.¹⁹ From this point of view, corruption is undermining funds intended to save lives and lift populations out of poverty. It harms lives in a way that is comparable to mass physical violence without being as immediately shocking because it is indirect and often occurs out of view. The Chief Executive Officer of the Global Organisation of Parliamentarians Against Corruption, Akaash Maharaj, further articulated the impact of “high-level corruption” in an address to the UN Committee of Experts on Public Administration: “What the world loses to corruption every year is enough to achieve the Millennium Development Goals more than a dozen times over, to end the worst forms of human misery and to transform human civilisation itself, more than a dozen times over.”²⁰

Many commentators, particularly those from countries that are undergoing or have undergone transitional justice processes, are in favor of including economic crimes in a transitional justice framework.²¹ Paige Arthur

reviews arguments, including of Mahmood Mamdani, to focus on repairing the damages of economic crimes of colonialism in Africa rather than on individual human rights violations.²² The most notable call for the inclusion of economic crimes in transitional justice has come from former UN High Commissioner for Human Rights, Louise Arbour.²³ A key argument for inclusion is that corruption often perpetuates regimes that abuse and repress their populations. Maintaining a patriarchal network, whether for an ethnic group or entrenched elite or a system tied into local or transnational criminal networks, requires monopolizing state assets to the exclusion of other portions of the population and repressing those who challenge the status quo. Between the theft and control of state assets and the punishments in place for those who try to alter the status quo, a system of “structural violence,” as described by Johan Galtung, is often created to maintain inequalities.²⁴ Lisa Hecht and Sabine Michalowski note that even if this system was not the direct motivator for an outbreak of violence in a country, it was likely to be an aggravator.²⁵

However, while acknowledging the inter-linkages of corruption and human rights violations and the benefits of practitioners from the two sectors working together, Albing-Lackey cautions against claims to concretely link the two in all circumstances, despite their well-intentioned attempts to draw greater attention to corruption and inflict harsher punishments on its perpetrators. He points out that corruption is not, in fact, recognized as a human rights violation under international law.²⁶ Corruption manifests itself in different ways, and individuals can be both a perpetrator and victim based on circumstance, rather than premeditation. An act of corruption that is not forced on someone cannot be a human rights violation. An individual who acts as a corrupting agent (for example, by offering a bribe) does so because of the social norms of that context. The act is likely still detrimental to the individual and society, but in particular circumstances the individual is not a forced victim, but a perpetrator of a system—whether willfully or passively.

To further construct this scenario, one must examine different levels of corruption. Just as levels of violence and repression must be considered in carrying out transitional justice, so too must levels of corruption. The discourse on corruption generally recognizes two types: “high-level” or “grand” and “low-level.” High-level corruption is typically committed by senior officials and manifests through the manipulation of government contracts, siphoning of state resources, or nepotistic hiring practices in the civil service. While these are mostly economic examples, trading favors for the protection of elites could also be considered a form of high-level corruption. Low-level corruption commonly refers to one-off incidences of low- to mid-level government officials accepting a bribe to perform their duties.

The two levels of corruption are often part of the same system. Low-level bribes can feed up the chain to higher-level officials who control their own respective revenue sources within the government. Lower-level civil servants often accept bribes due to low wages, which can typically be delayed in payment. A poor system of remuneration can be intentional to ensure illicit revenue flows to a higher official. Thus, low-end civil servants can find themselves to be both victims and perpetrators of structural violence. Citizens can play a similar dual role. Corruption becomes normalized as “the rules of the game”—an acknowledged process to make anything work. Citizens may regard formal systems for the delivery of goods and services from the government as a “fool’s errand” and go out of their way to bribe officials, regardless of whether they operate by the official rules. Citizens faced with an unresponsive state perpetuate corruption themselves out of habit and need. This goes to say that while corruption can lead to damaging outcomes for individuals and society, the roles of victim and perpetrator are not always distinct.

Sometimes corruption is an undesirable, but unavoidable, consequence of structural problems. In some cases, the structure of corruption is mostly managed by a ruling elite. In other cases, there are no clear “rules of the game,” only a “winner-takes-all” dynamic. A Transparency International report on state fragility and corruption identifies an additional rational choice explanation for structural corruption: “If trust between different groups is low, as is common in conflict-affected environments and in those with weak institutions, protecting the interest of an ethnic group, tribe or family through bribery or nepotism is clearly a rational response to the constraints faced.”²⁷

The unclear nature of the connection between corruption and human rights is among the explanations for the exclusion of economic crimes from transitional justice. The original contexts of transitional justice in South America emphasized limited actions to address specific time-bound incidents of politically based physical violence.²⁸ Argentina, where importance was placed on holding to account the security officials responsible for enforced disappearances during the “Dirty War,”²⁹ was the first, and in some ways the model, case in a series of Latin American transitional justice processes in Chile, El Salvador, Guatemala, and Uruguay.³⁰ Despite expansions in scope of later transitional justice processes, however, there continues to be resistance to the inclusion of economic crimes within the scope of possible violations. One reason is the priorities of international actors involved with supporting such programs.³¹ Transitional justice is a time-bound endeavor that typically has a targeted goal: accountability and redress for massive human rights violations. Addressing corruption brings in a range of different actors and can lead transitional justice into the broader realm of development. Lars Waldorf notes that transitional justice measures already often create high expectations for victims and society on which they cannot always deliver.³² Delving into socioeconomic issues, which can be nebulous and their causes difficult to accurately determine, can be problematic because it can stretch resources and leave behind even more unfinished business.

All of that said, it is possible to address socioeconomic violations within transitional justice. Sharp provides an example from Africa with the Chadian Commission of Inquiry into Ex-President Hissein Habré:

In documenting the widespread torture and disappearances that characterized Habré’s brutal reign, the report documents in some detail the DDS [Directorate of Documentation and Security] practice of routinely seizing the family wealth of Habré’s thousands of political prisoners, including bank accounts, houses, cars and other physical goods. The commission estimated the theft of such goods to amount to approximately 6 million US per year in 2010 dollars. The proceeds were used not only to line the pockets of the members of the DDS and provide houses to Habré regime loyalists, but also to bridge DDS budgetary gaps. The money stolen on an annual basis is estimated to be more than double the DDS’s official annual budget from the state. In a very real sense then, political terror in Habré’s Chad was directly fueled by economic violence.³³

In addition to the Chadian case, Sharp highlights other truth-seeking bodies that have addressed economic violence: Ghana’s National Reconciliation Commission; Sierra Leone’s Truth and Reconciliation Commission; Liberia’s Truth and Reconciliation Commission; Kenya’s Truth, Justice and Reconciliation Commission; and Timor-Leste’s Commission for Reception, Truth and Reconciliation. For example, the Liberian TRC specifically reviewed the system of patronage and corruption that acted as an underlying cause of the war.³⁴ In Tunisia, TDC commissioners, as well as independent civil society members, are adamant that the TDC must address corruption, because this was among the motivating factors for the pre-revolution regime to commit human rights violations.³⁵

There are also instances where individuals can be directly held to account for the massive theft of state resources and control of state apparatuses through patronage. GOPAC cites the examples of former Ukrainian President Viktor Yanukovich and Egypt’s Mubarak, who are estimated to have stolen \$70 billion and \$1.2 billion respectively, as cases of grand corruption on the level of crimes against humanity.³⁶ Freedom House details possible specific acts of corruption that could count as crimes against humanity as including “appropriation of property, pillage including resource extraction and massive embezzlement of state funds, [and] starvation.”³⁷

Additionally, transitional justice approaches to institutional reform, which can address structural violence, may also draw corruption into the field’s mandate. While contentious within transitional justice discussions, the United Nations identifies addressing root causes of violence through transitional justice as an “imperative” component of supporting peace and stability efforts.³⁸ This gives more priority to economic crimes and corruption, which are often the root causes of violence, while acknowledging the need for a “coherent framework and responsible set of boundaries” of transitional justice capabilities.³⁹ Addressing the recurrence of violence in this manner is an advisable course of action and a shared objective of SSR.

2. Corruption in the Security Sector

As transitional justice typically addresses incidents of mass and systematic violence, members of the military, police, intelligence services, and other security actors, like presidential guards, will most likely be among those pulled into the process to account for past actions. While a transitional justice program that encompasses socioeconomic crimes, like corruption, will likely expand the number and nature of actors involved in the process, security actors are very likely to be implicated in the economic sphere as well.

The state security apparatus in an authoritarian state plays a large role in perpetuating corruption out of economic interests or as a means of establishing control over the state, as outlined in the above description of the Egyptian military. In an index of 116 countries, Transparency International's Defence & Security Program determined that 70 percent of countries surveyed have high-to-critical risks of corruption in national defense sectors.⁴⁰ Police forces, meanwhile, are generally cited as one of the most corrupt institutions in the world. Transparency International's annual Global Corruption Barometer found in 2013 that 31 percent of people across 95 countries paid a bribe to a police officer, ranking police as the highest recipient of bribes among a list of eight public institutions.⁴¹ In some countries, such as Democratic Republic of Congo (DRC), Ghana, Indonesia, Kenya, Liberia, Nigeria, and Sierra Leone, the rate of bribe payment increased to 75 percent or more.⁴²

When dealing with a sector as expansive as "security," the different units must be taken into account,⁴³ along with the different opportunities for high- and low-level corruption in each. For example, given its high level of secrecy and mandate to gather information, an authoritarian state's intelligence service is often abused by politicians for personal gain.⁴⁴ Regarding the police, risks for corruption are most likely to come from day-to-day operations, such as evidence tampering and theft, illegal fines, and disclosure of privileged information as well as political manipulation, such as allocation and distribution of funds and setting performance targets.⁴⁵ Corruption within the police undermines the government's legitimacy overall, as the police are one of the most public faces of the government and are meant to uphold adherence to the rule of law by citizens.⁴⁶ Corruption among police also allows organized crime to flourish, as officers can be coopted by criminal networks not to investigate crimes or to assist them in criminal acts, such as trafficking or murdering members of the opposition. This can be an individual officer's choice arising from temptation or necessity due to low remuneration or from full cooptation of the police by organized crime in a state with very weak governance.

For the military, Transparency International's Defence & Security Program highlights key concerns related to corruption:

Corruption in the defence sector infringes upon the integrity of the state and undermines the authority of its institutions. It also leads to the loss of public trust and creates insecurity among citizens. Corruption in defence is dangerous and costly. It negatively impacts society and governments, and poses a threat to global security.⁴⁷

In a highly insecure state, the military may be as publicly visible as the police. This can be due to either the level of insecurity or a lack of clear mandates for the two bodies, among others. Thus, the military can equally conduct systematic extortion of the population. In conflict settings, military officials can also conduct war profiteering actions, including selling military supplies on the black market, setting up prostitution rings, and exploiting natural resources.⁴⁸ While these activities can be set up spontaneously by soldiers in an environment of low oversight, the scale of operation can also be coordinated from a senior level, as exemplified by the case of the Ugandan military forces in the eastern DRC. A 2001 UN report accused the Ugandan People's Defence Force of taking advantage of its position in eastern DRC during the 1997–2002 civil war to exploit and smuggle out natural resources.⁴⁹ While top military officials managed to profit from illegal operations, they used force to monopolize trade,⁵⁰ fought Rwandan forces over control of mining in Kisangani,⁵¹ and are generally believed to have perpetuated a war costing millions of lives due to profit seeking.⁵²

The lack of oversight of these bodies allows security forces to commit systematic corruption. The security sector can legitimize harsh tactics or lack of accountability for financial management by deeming its work “too sensitive” for public oversight. A follow-up report to Transparency International's defense index focusing on legislative oversight found that “Defence budgets in 55 per cent of countries entirely lack transparency or include only limited, aggregated information.”⁵³ This lack of accountability is usually a result of security matters being off limits to public scrutiny due to “state secrecy”⁵⁴—even in mature democracies. The same Transparency International report found that “seventy five per cent of countries do not publicly reveal defence and security expenditure that is secret.”⁵⁵ Where security sector corruption can spur activities that violate human rights and undermine state legitimacy, it can also stifle transitional justice initiatives. Corrupt networks will work against investigations and vetting in order to protect the reputations of individuals, but also to keep stolen assets secret and the means to illicit revenue intact.

3. A Justice Approach to Corruption through SSR

As global protests in reaction to human rights violations and socioeconomic injustice attest, citizens demand justice, not just reform. There is a desire to address and account for past crimes in order for a society to move forward. This is especially the case for the direct victims of crimes. An approach to institutional reform of the security sector that takes into account the past can, therefore, constitute an important element of transitional justice.

Before exploring the challenges and benefits of a justice-sensitive approach to SSR, though, one must first define SSR.⁵⁶ As outlined in the Organisation for Economic Cooperation and Development's Development Cooperation Committee's Handbook on Security System Reform, SSR involves processes that seek to "increase abilities to meet the range of security needs within their societies in a manner consistent with democratic norms and sound principles of governance, transparency and the rule of law."⁵⁷ The Geneva Centre for the Democratic Control of Armed Force's International Security Sector Advisory Team outlines the main characteristics of SSR:

- One fundamental approach: local approach.
- Two core objectives: increased effectiveness balanced with increased accountability; and
- Three essential dimensions: political sensitivity, a holistic vision, and technical complexity.⁵⁸

As these definitions are based on processes and characteristics, a broad range of activities can be considered as SSR. Examples include capacity building on human rights and democratic oversight of state security providers; developing codes of conduct and other regulatory instruments for state security providers; restructuring state security providers through vetting, integrating security units, or census taking to eliminate "ghost soldiers;" technical training on security issues for oversight bodies; and empowering civil society organizations to carry out oversight of the security sector.

Based on these descriptions, there is a large degree of overlap in goals between SSR and transitional justice—in particular, both processes address the concerns of populations undergoing transition and the objectives of accountability, rule of law, and democratization. According to Laura Davis, incorporating a "justice-sensitive approach" in SSR elaborates on accountability for past injustices:

A justice-sensitive approach to SSR seeks to reform abusive public institutions in the security system by addressing the past record of the institution as such, but by also holding individual perpetrators to account, rather than ignoring past abuse. It aims to make the institutions accountable to the population and become protectors – rather than abusers – of all citizens' rights and defenders of – rather than a threat to – the safety of citizens (especially vulnerable populations) and the security of communities. Reforming

abusive institutions so that they are accountable to the population and trusted by it, transforms not only the institutions but also the people who become fully rights-bearing citizens, rather than objects of state oppression.⁵⁹

Alexander Mayer-Rieckh lists justice-sensitive SSR activity categories as accountability for past and present abuses; victim participation, representation, and empowerment; the promotion of legitimacy; and coherence with other transitional justice measures.⁶⁰ A number of specific SSR activities can be included in these broad categories, including restructuring security sector institutions, building up civilian oversight capacity of the security sector, “verbal” and “symbolic” legitimacy building, vetting, and aligning SSR activities with truth commissions, which are explored below.

A justice-sensitive approach poses two main challenges in dealing with corruption in the security sector: 1) balancing the pursuit of justice and stability in a post-conflict setting or even an unstable post-transition phase, and 2) identifying exact targets for justice when addressing corruption. In a post-conflict setting, often the parties to the conflict are the main negotiating parties with the power to bring hostilities to an end. While it is natural to want to settle a conflict, the process may be biased towards the demands of the spoilers of peace, with resources and government postings negotiated and appointments sometimes going to human rights violators.⁶¹ SSR will involve a general acknowledgement of the past, but with a focus on looking forward. To demand that actors face accountability for past actions and potentially face punishment can create concern among international actors, who often seek stability as a base from which to conduct peacebuilding. While outright violence will be condemned, some corruption will be tolerated, and potentially even encouraged, as a “glue” to hold the peace.

Davis challenges this outlook as a perpetuated myth, citing the cases of Afghanistan and the DRC as examples of corruption that failed to stabilize either country.⁶² A Transparency International report on corruption and stability elaborates on the initial Agreement on Provisional Arrangements in Afghanistan Pending the Re-Establishment of Permanent Government Institutions (Bonn Agreement) for Afghanistan in 2001:

In the case of Afghanistan, the 2001 Bonn agreement has been described as “an externally driven division of the spoils among a hand-picked group of stakeholders who were on the right side of the War on Terror,” and provided an unstable, competitive elite settlement without the wider elements of a peace agreement between belligerents. The settlement underlined the dilemma the actors involved were facing in trying to balance stability, security, and legitimacy.⁶³

By all observations, these failed grand bargains created a culture of impunity, whereby the status quo of rule by force was allowed to continue, resulting in the perpetuation of human rights abuses to sustain a corrupt state apparatus.

As noted in different sections of this paper, corruption will occur at different levels among actors both within and outside of a country undergoing transition. For those actors at lower ranks of police or military who have committed systematic corruption, the socioeconomic context and the specific form and scale of corruption need to be taken into consideration by those designing transitional justice measures. Those measures may simply not be able to hold to account every single security actor who demanded bribes, even if bribes were taken systematically. A specific threshold may need to be established in order to determine the actions that constitute a human rights violation as opposed to only a criminal violation, as well as the degree of free agency or influence on other security actors an individual may have had (chain of command). Bribery of a sexual nature may warrant special examination, however. Based on these considerations, while some individuals may find themselves accounting for their specific actions, addressing injustices of corrupt lower ranks may be more likely to come through institution-wide reforms.

At the same time, there are two main benefits to a justice-sensitive approach to corruption in SSR: 1) the centrality given to victims' views when undertaking programming activities; and 2) the potential to legitimize the new state system. Making the experiences of victims of human rights and corruption central to SSR programming, as opposed to predominantly addressing the technical function of the sector, helps to improve state-citizen relations, which can foster sustainable peace and security. Pervasive corruption breaks down any sense of social contract between citizens and the state, as noted earlier. Far from "liking" this system, many citizens are frustrated, especially those for whom paying an unexpected bribe equates to a major sacrifice in daily needs, such as food, public transportation, and home utilities, or even dignity when coerced by force for a bribe. The security sector, in particular, may come to be regarded not just as a nuisance to daily living, but as a threat. This can lead citizens to turn away from the state to resolve issues of insecurity and even undermine the state.⁶⁴ Given these experiences, SSR programming can correct past oppressive, predatory, and corrupt security sector behavior by transforming the state security apparatus from a state-centric body to a public-service body. Furthermore, by holding the experiences of corruption-affected victims in mind during SSR program planning, the objective of "effectiveness" expands from security actors providing physical security to include setting an example of following the rule of law. In a post-conflict setting, keeping victims at the forefront of planning can also help to avoid negotiated settlements that give perpetrators of corruption state positions and assets, which can sustain public grievances over elite corruption.

As corruption can be less visible than physical violence and is still seen by some as potentially beneficial to stability, a justice-sensitive approach to reform can break the cycle of impunity that allows a broken and self-interested security sector to perpetuate itself. It allows the public to see that the sector is not off-limits to scrutiny and that its actions should be questioned and not simply accepted as the state's way of conducting law and order enforcement. Scrutinizing the security sector for corruption can also help to counter claims that security actors were harsh, but at least ran an efficient state; Ruben Carranza describes this as dispelling the "myth of the clean dictatorship."⁶⁵ Sharp is concerned that Latin American transitional justice processes, which did not take economic violence into account, may have supported this myth; through its sheer absence, corruption is not regarded as a problem.⁶⁶ A focus on corruption can speak to foreign powers that may have regarded a dictatorship as antidemocratic but efficient as well as to citizens who may be nostalgic for the old regime while a transitional government struggles to deal with reforming systems and delivering services.⁶⁷

4. Justice-Sensitive SSR Measures and Corruption

Security sector reform procedures can address corruption, which can support transitional justice processes; however, due to the constraints SSR programs are likely to face in a post-conflict setting, coordinating resources to directly support a transitional justice process may be difficult. It is more likely that transitional justice processes will benefit from the residual effects of SSR. Corruption in the security sector may hinder transitional justice most seriously through compromised individuals and networks within different institutions. While vetting may be the most useful tool to address this problem, training on technical skills and values and establishing effective oversight can further help to protect institutions by developing an anti-corruption culture. At the same time, transitional justice mechanisms may benefit SSR programs by helping to guide programming, as described above, in reviewing justice-sensitive approaches to SSR; notably, truth commissions can provide evidence of past acts of corruption to inform or even start SSR programming. Vetting and legitimacy-building programs can be integrated directly into SSR programs.

Truth Commissions

Truth commissions are not considered an SSR activity, but they can provide important guidance for SSR programming. The objectives of such commissions demonstrate how this relationship can work, as Eirin Mobekk outlines:

The aims and objectives of truth commissions are broadly to determine and create a historical record of human rights abuses, whilst giving the victims an opportunity to be heard and instituting by its process an official acknowledgement that these acts took place and must not be forgotten, and ultimately leading to or assisting in reconciliation of the post-conflict society.⁶⁸

In particular, commissions can help to set standards and reinforce desirable behavior from institutions.⁶⁹ Two main benefits of using truth commissions to address corruption in the security sector, then, are: 1) the detailed analysis they can provide to generate evidence of linkages between acts of corruption and human rights violations, and 2) the institutional reform they can bring about through both their operations and their recommendations.

SSR guidance regularly cites broad assessment tools to address root causes of conflict and instability,⁷⁰ while other perspectives, such as economics, can serve a similar function.⁷¹ However, commissions are exceptionally useful for gathering evidence on public record, including through testimonials, the review of laws, and the examination of once secretive budgets. In the case of the security sector, this may be the first time that security expenditures and the economic links of security actors are revealed. While not all instances of corruption are human rights violations, the detailed work of commissions provides an opportunity to make specific evidence-based connections between corruption and human rights violations, not only revealing the truth about the ac-

tions of the security sector and setting up potential criminal accountability, but spurring the public into action. As Albin-Lackey describes:

Making the link between corruption and specific patterns of human rights abuse can help lend momentum to anti-graft efforts and heighten public outrage over corruption. Focusing on the human rights impacts of corruption means campaigners can describe the damage corruption does to real human beings—not just to government finances.⁷²

A justice approach to reviewing laws and institutional mandates can uncover legalized structural violence and work towards reform, and even the removal of exceptional perpetrators.⁷³ Recommendations for reform can also come from broader examinations and testimonies of the roles and actions of institutions in past regimes. As an example, Ghana’s National Reconciliation Commission had six subcommittees examining the specific roles of institutions in human rights violations and their potential to prevent such violations in the future.⁷⁴ Recognizing the military as a key institution involved in violations, the Commission recommended better working relations between political and military leaders, revised training that would respect human rights, and improved civil oversight.⁷⁵

In addressing corruption in the security sector, truth commissions have an incredible opportunity to act as a catalyst for promoting transparency and accountability in formerly secretive institutions. By involving legislators, government anti-corruption bodies, and civil society in the process of inquiry, a commission can set a precedence for a new norm of civilian oversight of the security sector. This is important as even in some post-authoritarian states that see the emergence of civil society and freedom of expression, there is often still reluctance to engage the security sector due to fears rooted in the past. The security sector then persists as an enemy to confront or avoid, rather than a state institution to interact with and reflect citizen concerns.

Vetting

One action that may result from a truth commission’s recommendations or may be a stand-alone process is vetting the security sector and removing individuals, and even institutions, who are guilty of corruption. This can send a clear signal to citizens that the culture of impunity of the old regime is being dismantled. Integrating transitional-justice-based vetting into SSR programming is not conceptually difficult, as it fits in with standard tools for personnel and institutional reform. Vetting can further support other transitional justice activities through the removal of spoilers, capacity building in institutions carrying out transitional justice processes, and partnership building.

According to the International Center for Transitional Justice, vetting refers to “processes for assessing an individual’s integrity as a means of determining his or her suitability for public employment,”⁷⁶ with integrity meaning “a person’s adherence to relevant standards of human rights and professional conduct, including her or his financial propriety.”⁷⁷ Vetting is different from purging, according to Pablo de Greiff, which uses less rigorous procedures.⁷⁸ Within a justice-sensitive approach to SSR, a truth commission can recommend vetting and, as a starting point to SSR programming, can either provide evidence of individuals to be removed or suggest guidelines that vetting processes can be based on, like investigating corruption-prone conduct or entities (for example, military-owned businesses). In order to address staffing of an institutionally corrupt organization, vetting based on past conduct can be used to “right-size” security bodies.⁷⁹ The act of right-sizing itself can be an instrumental tool in reducing one source of corruption—an overly bloated security sector.

Part of the reason a vetting process may not achieve its goals may be a lack of capacity to implement components like financial audits.⁸⁰ In this regard, SSR programs can act as an enabler of transitional justice processes by building capacity in vital institutions. The challenge comes in prioritizing capacity building to support vetting. Particularly in a post-conflict environment, emphasis will be placed on sustaining or building up per-

sonnel numbers who are capable of ensuring security. A justice-sensitive approach to SSR may work towards balancing this priority with that of integrity.

In a post-conflict country where the skills of staff in state institutions were already low to begin with, the international community may have to provide substantive assistance in the form of personnel to complete a vetting process, which may reduce the chance of the vetting process being compromised by spoiler influence. This was the case for the UN Mission in Bosnia and Herzegovina, which took over the police certification system following constant obstruction by domestic political parties of the national process. Its Human Rights Office led the vetting and certification effort using all international staff.⁸¹ While this may achieve the aim of removing particular personnel, however, it can create a problem with the legitimacy of the removals. A step in rebuilding civic trust in security institutions is to witness a self-cleansing, letting the public know that those who are responsible for the rule of law and security will not tolerate perpetrators in their own ranks.⁸² While SSR and transitional justice are inherently politically sensitive and need to be handled carefully, the removal of perpetrators can face a particularly high risk of violent repercussions. In each context, the pros and cons of the international community's level of influence in vetting needs to be weighed.

Deciding which international and domestic partners to include in a vetting process is also important. It is likely that the SSR unit of an international support program based in a post-conflict country will not have the specific expertise to undertake a complete vetting process; linking itself and relevant domestic institutions to national and global partners can, therefore, have long-term benefits. For example, auditing will require examining the finances and assets of security personnel, which can benefit from links with institutions such as the Stolen Asset Recovery Initiative (a joint World Bank and UN Office on Drugs and Crime initiative) or the Organisation for Economic Cooperation and Development.⁸³ Both can play a part in providing either data or tools for scrutinizing senior official's finances. Domestic financial institutions also need to be partners in the process but, once again, their capacity, especially in a post-conflict setting, may be limited.

It must be stressed that removing senior officials who orchestrated corruption will be highly sensitive, because they can become spoilers if they risk losing their influence, source of revenue, and potentially freedom. High-level examples include former leaders such as Liberia's Charles Taylor, The Philippines' Ferdinand Marcos, and Indonesia's Mohammed Suharto, who all used their ill-gotten gains to attempt to disrupt investigations, including through intimidation.⁸⁴ In Tunisia, police have physically blocked TDC commissioners from carrying out their legal mandate of entering and investigating the presidential archive. This is in addition to personal attacks on the head of the TDC, Sihem Bensedrine, as elites from the Ben Ali regime regained influence and power.⁸⁵ Although the removal of such officials will be challenging, vetting in the security and justice sector can be beneficial for criminal or military prosecutions by removing corrupt police, judges, and soldiers.⁸⁶ An institutional vetting process cannot be rigged to target particular individuals, however; it must be designed based on the needs of the institution and objective criteria. A vetting process will not guarantee the removal of individuals, however, as de Greiff cautions,⁸⁷ as it may fail to identify misconduct, or perpetrators may use their corrupt network to avoid sanction. Vetting may even catch the worst offenders in an institution, but leave behind members of their network.⁸⁸ This runs the risk of not only letting individuals slip through the system, but also potentially giving them a certain degree of official legitimacy.

Training

Training is useful in building up values and technical skills, both of which are required to tackle corruption. Training security personnel on addressing corruption will likely start with an understanding of what constitutes corruption. This requires discussion of how global norms of corruption apply to a local context where acts committed during a conflict or authoritarian regime may not have been regarded as corruption. Adopting these norms within the security sector can help to change the attitudes of personnel, particularly those in leadership positions.⁸⁹ Leaders may be more open to transitional justice addressing corruption if they are required to learn

and discuss how corruption affects them and their institutions' effectiveness. They may see that training can act as a form of support for institutional improvement to safeguard against corruption risks that will undermine institutions in the future. While not specifically addressing corruption, this was the case for the Ghanaian military following the country's truth-seeking process. An assessment of the impact of the commission's revelations found that the military became more aware of the need to remain politically neutral.⁹⁰ Changing values can also allow new recruits to resist elements of the old regime trying to maintain influence.

Identifying the procedures and personnel of security institutions that are prone to corruption risk helps to prioritize training for technical skills. This can be coordinated with transitional justice processes in order to bolster sections of the security sector involved in investigations for truth commissions, developing vetting procedures or creating procedures to safeguard staff from external influences. For example, criminal networks may try to influence police officers who monitor known illicit trafficking routes. Developing a rotation system can help to mitigate criminal influences by routinely changing the police officers they try to influence.

Internal Controls

A tool that training can either be based on or inspire is a code of conduct. A code of conduct is an internal control that positively enforces values that the organization wants its staff to follow. While many methods of addressing corruption are punitive, a code of conduct, much like training, can support the creation of a mind-set within security institutions where ethical behavior is a point of pride. Transparency International lays out the internal organizational benefits of a code of conduct, stating: "Promoting a strong ethical ethos within an organisation both reduces violations of corruption law and allows unacceptable behaviour to be detected more easily."⁹¹ The Geneva Centre for the Democratic Control of Armed Forces adds that such a code should balance cultural ethics and specific acts of conduct that an official is required to follow.⁹² On the external benefits of a code of conduct, Transparency International explains: "Statements of ethical requirements increase public confidence in defence and security officials and military officers, not least by setting out unambiguously the conduct expected of them."⁹³ Addressing corruption risk for senior officials in the military, it says a code of conduct should address bribery, protocols for gifts and hospitality, conflicts of interest, and post-separation requirements.⁹⁴

If a code of conduct is developed following transitional justice processes, accounts from victims of corruption can be used to identify behaviors that security officials must not take part in. For example, if many testimonies provide evidence that the former regime blocked citizen access to markets through military control of the economy, thus undermining livelihoods, then a new military code of conduct can advise that no serving security staff may engage in private business. Internal measures to change values such as training and codes of conduct on their own are, of course, not enough to protect security institutions from corrupt influences. A number of measures need to work together, including disciplinary measures and oversight.⁹⁵ However, internal measures can create a bedrock on which a new culture can take hold where corruption is regarded as unprofessional, rather than the status quo.

External Oversight

In addition to internal conduct and values, developing oversight bodies, both within and outside of security institutions, is critical to the reform process. Official government institutions include legislative committees, ombudsmen offices, official human rights and anti-corruption bodies, the judiciary, and government management bodies, such as ministries of interior, defense, finance, and justice. The proper mandate, financing, and staffing of these institutions is critical to their success. Government bodies also need to be desecuritized and depoliticized to provide impartial management of security services.⁹⁶ This is associated with vetting, but includes creating policies to shield these offices from influence. Building up these institutions and security sector adherence to oversight will take time, but coupled with internal procedures, they can help in establishing a security sector that is less resistant to transitional justice processes.

The challenge of sustainable anticorruption agencies is important to note in this context. If international pressure for democratic reforms decreases in a country, anticorruption agencies are one of the oversight bodies to come under the most attack by government officials looking to maintain or build a corrupt regime. Without international scrutiny, anticorruption bodies can have their budgets and mandates cut and even be publicly ostracized by politicians. A transitional justice process may be more beneficial to an anticorruption agency than the inverse. Revelations from the past about the damage to a country brought on by corruption, particularly if a connection between corruption and human rights violations is made, could help to protect the mandate of an anticorruption agency. This emphasizes an earlier point that investigating corruption as part of a transitional justice process can undermine the notion that dictatorships are harsh but efficient.

Building up civil society and the media's capacity to oversee the security sector is crucial, and early SSR interventions in building capacities will be critical to the transitional justice process. This includes developing their understanding of the technical components of defense, such as mandates and equipment in order to gather evidence and scrutinize past activities. Equally important is getting civil society actors to articulate the security system they think society should have and connect them to champions of reform. Much of this was the experience of the Belgrade Centre for Security Policy following the overthrow of former Serbian President Slobodan Milošević. Initially, the center built up its own technical knowledge on security reform by linking with international institutions to understand what democratically controlled security could look like.⁹⁷ Next, it ran opinion polls on defense reform and security policies that raised awareness of the issues in a way that caught state and media interest.⁹⁸ Finally, its constructive approach to working with the security sector, as opposed to only confronting it, gave "a chance to security professionals to see the reform agenda as their own," which "helped build alliances for change."⁹⁹

Legitimacy Building

Legitimacy-building exercises, such as symbolic gestures and education programs, can play an important role in moving institutions forward while acknowledging and trying to correct the injustices of the past. Mayer-Rieckh describes legitimacy building's place within SSR:

Unlike measures to increase a security sector's effectiveness or enhance accountability and representation in the sector, these measures do not "promote trust through action", but they do so by acknowledging past abuses, clearly "signaling" a turning away from an abusive past and reaffirming a commitment to the democratic rule of law.¹⁰⁰

For projects like this to work, however, they need to be backed up with substantive institutional and political reform.

Symbolically acknowledging that the society has had problems with corruption in the past can include the government and security institutions, for example, recognizing International Anti-Corruption Day (December 9). Symbolic gestures for victims are more difficult, given the structural and often all-encompassing nature of corruption. An example of specifically addressing the victims of "economic targeting" comes from the Ghanaian truth commission, which was mandated with investigating seven categories of human rights violations, including seizure of property.¹⁰¹ Under the military rule of former President John Rawlings (1979–1992), female market traders who were deemed to be rich and politically conservative were physically attacked and had property seized.¹⁰² The commission acknowledged that these abuses took place and, among its recommendations, called for a memorial for the traders to be built.¹⁰³

Journalists could receive special recognition, as they play a crucial role in informal public oversight of the security sector. As Cockcroft notes, journalists are among the most targeted groups in a corrupt system because of their role as potential spoilers.¹⁰⁴ Making a public gesture to journalists who were killed can serve as a reminder

of the importance of a free press to hold public institutions like the security sector to account. In a gesture recognizing the need for transparency in the security sector, the Ghanaian military, following the truth commission's recommendation, began open-house days when the public and journalists could access barracks.¹⁰⁵ Additionally, a strong measure that would show true change is access to information legislation. Restriction of information laws are a key tool for a state security apparatus to justify secrecy and target journalists who try to prevent abuse of authority.¹⁰⁶

A public gesture that reminds citizens of the need for public oversight can be worked into public campaigns educating citizens on forms and repercussions of corruption beyond what they experience themselves. While many citizens in a transitional state may be well aware of how police corruption works, defense or intelligence corruption may be more difficult to understand, especially on issues such as defense procurement, which can be highly technical. Holding seminars and public awareness campaigns can help to change attitudes toward the secrecy of the security sector, which may have begun during the operation of truth commissions. An example of this is the global civil society alliance Altus, which holds annual "Police Station Visitors Weeks." These allow local citizens to visit police stations and assess them with a toolkit designed by Altus that measures indicators such as community orientation, transparency and accountability, and equal treatment of the public.¹⁰⁷ Twenty-two counties were involved in 2013, with 12,157 visitors assessing 1,340 police stations.¹⁰⁸

5. Conclusion

Corruption, although acknowledged as a serious issue, is not always addressed as it should be by SSR and transitional justice. While the difficulty of pulling these two processes together around the concept of corruption—namely issues of scope and political sensitivity—should not be overlooked, this paper has laid out the rationality and necessity for coordination. Corruption is a key driver of conflict and human rights abuses by the security sector.

As was demonstrated in this paper, examples of balancing the scope of corruption in the security sector with potential strains on resources include harmonizing transitional justice and SSR tools such as truth commissions and vetting. How exactly to prioritize or integrate transitional justice and SSR activities is not described, however, as these steps must be considered in individual contexts based on thorough assessments.

Addressing corruption through justice sensitive SSR in a transitional justice setting can help to create credibility in a new security sector, address lingering spoilers, build the capacity of formal and informal oversight, and make clear to citizens the connections between corruption and conflict. For transitional justice actors to not take the opportunity to address political and institutional root causes of violence in a transitional setting is to deny justice sought by victims of corruption, and potentially lay the ground work for further conflict.

Notes

1. Mark Pyman, *Corruption: Lessons from the International Mission in Afghanistan* (London: Transparency International UK, 2015), 29–31.
2. Chris Blattman, “Corruption and Development: Not What You Think,” [chrisblattman.com](http://chrisblattman.com/2012/11/05/corruption-and-development-not-what-you-think/) (November 5, 2012), <http://chrisblattman.com/2012/11/05/corruption-and-development-not-what-you-think/>
3. Samuel Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), 386.
4. SSR can be a component of peacebuilding, but it can also be a stand-alone process in non-post conflict countries. For example, Ann Fitz-Gerald summarizes initial thinking about SSR based on military spending’s effect on economic development in democratization settings such as post-apartheid South Africa and post-military regime Sri Lanka. Ann Fitz-Gerald, “Stabilization Operations and Post-Conflict Security Sector Reform: Strange Bedfellows or Close Allies,” in *The Future of Security Sector Reform*, ed. Mark Sedra (Waterloo, Canada: Centre for International Governance Innovation, 2010), 154–168, at 155.
5. Lisa Anderson, “Demystifying the Arab Spring: Parsing the Differences between Tunisia, Egypt, and Libya,” *Foreign Affairs* 90, no. 2 (2011): 3.
6. Amine Ghali, “Transitional Justice in Tunisia Expanded to Include Economic Crimes,” *Voices and Views: Middle East and North Africa* (Washington, D.C.: The World Bank, 2014), <http://blogs.worldbank.org/arabvoices/transitional-justice-tunisia-expanded-include-economic-crimes>
7. Isabel Robinson, “Truth Commissions and Corruption: Towards a Complementary Framework,” Geneva Transitional Justice Working Paper No. 1/2014, Geneva, 2014, 8.
8. Dustin Sharp, “Economic Violence in the Practice of African Truth Commissions and Beyond,” in *Justice and Economic Violence in Transition*, ed. Dustin Sharp (New York: Springer, 2014), 98.
9. *Ibid.*, 99.
10. Nimrod Raphaeli, “Egyptian Army’s Pervasive Role in National Economy,” *MEMRI, Inquiry and Analysis Series Report No. 1* (2013), 2.
11. Joseph Hammond and James Wan, *Egypt’s Military Economy: Money is Power, Power is Money* (Thinkafricapress.com, 2014), <http://thinkafricapress.com/egypt/military-power-politics-economy-judicial-sisi>
12. *Ibid.*
13. *Ibid.*
14. *Ibid.*
15. The Egyptian Armed Forces were at their peak of economic power under President Gamal Abdel Nasser, when civilians were removed from factory management positions to make way for military staff. Under successive presidents Anwar el-Sadat and Hosni Mubarak, the military lost some ground in control over the military. It was still able to threaten labor movements during the 2011 protests that affected military manufacturing contracts with foreign investors. Shana Marshall, *The Egyptian Armed Forces and the Remaking of an Economic Empire* (Washington, D.C.: Carnegie Endowment for International Peace, 2015), 4–9.
16. Transparency International, *FAQs about Corruption* (transparency.org: 2014), http://www.transparency.org/whoweare/organisation/faqs_on_corruption/2/
17. Laurence Cockcroft, “Corruption and Human Rights: A Crucial Link,” *Transparency International Working Paper*, presented at UK Institute for Human Rights (1998), 1.
18. Chris Albin-Lackey, “Corruption, Human Rights, and Activism: Useful Connections and Their Limits,” in *Justice and Economic Violence in Transition*, ed. Dustin Sharp (Springer-Verlag: New York, 2014), 139–163, at 146–150.
19. “Africa: Stolen Funds Dwarf Development Aid – Mbeki,” *allafrica.com*, 2014, <http://allafrica.com/stories/201403201099.html>
20. Akaash Maharaj, “Akaash Maharaj, Global Organisation of Parliamentarians Against Corruption, Address to the Committee of Experts on Public Administration,” *14th Session of the Committee of Experts on Public Administration* (New York: United Nations, April 22, 2015). Maharaj combined estimates of bribery, illicit financial flows, and tax evasion from the World Bank, the United Nations Office on Drugs and Crime, and Tax Justice Network, which equals US \$6.2 trillion. In comparison, he cited the UN Millennium Project estimating the Millennium Development Goals would cost US \$481 billion to be achieved by 2015.
21. Here *economic crimes* encompasses corruption using Ruben Carranza’s definition as employed by Lisa Hecht and Sabine Michalowski’s definition: “Economic crimes are usually understood to include large scale corruption and spoliation of a country’s resources committed by people holding a public office.” Lisa Hecht

- and Sabine Michalowski, “The Economic and Social Dimensions of Transitional Justice,” ETJN Concept Paper, 2012, 2; Ruben Carranza, “Plunder and Pain: Should Transitional Justice Engage with Corruption and Economic Crimes,” *International Journal of Transitional Justice* 2 (2008): 310–330, at 315.
22. Paige Arthur, “How ‘Transitions’ Reshaped Human Rights: A Conceptual History of Transitional Justice,” *Human Rights Quarterly* 31 (2009): 321–367, at 341–342.
 23. “Transitional justice must have the ambition of assisting the transformation of oppressed societies into free ones by addressing the injustices of the past through measures that will procure an equitable future. It must reach to, but also beyond the crises and abuses committed during the conflict which led to the transition, into the human rights violations that pre-existed the conflict and caused, or contributed to it. When making that search, it is likely that one would expose a great number of violations of economic, social and cultural (ESC) rights and discriminatory practices.” Louise Arbour, “Economic and Social Justice for Societies in Transition,” *Second Annual Transitional Justice Lecture hosted by the Center for Human Rights and Global Justice at New York University School of Law and the International Center for Transitional Justice* (New York: New York University Law School, October 25, 2006), 3–4.
 24. Hecht and Michalowski cite Johan Galtung’s definition (from Kathleen Ho, “Structural Violence as a Human Rights Violation,” *Essex Human Rights Review* 4 (2007): 263–283) as “violence [that is] built into the structure and shows up as unequal power and consequently unequal life changes.” They elaborate, stating “with ethnicity, class, and gender as some of the possible determinants of discrimination.” Hecht and Michalowski, 5.
 25. *Ibid.*
 26. Albin-Lackey, 159.
 27. Tobias Bock, Saad Mustafa, Mark Pyman, Eleanore Vidal de la Blache, and Dominik Zaum, *Corruption as a Threat to Stability and Peace* (Berlin: Transparency International Deutschland, e.V., 2014), 17.
 28. Arthur, 333.
 29. *Ibid.*, 323.
 30. Sharp, 7.
 31. Hecht and Michalowski, 7.
 32. Lars Waldorf, “Anticipating the Past: Transitional justice and Socio-economic Wrongs,” *Social and Legal Studies* 21, no. 2 (2012): 171–186, at 179.
 33. Sharp, 93.
 34. *Ibid.*, 93–103.
 35. Scott Williamson, “Transitional Justice Falts in Tunisia,” *Sada: Middle East Analysis* (Washington D.C.: Carnegie Endowment for International Peace, 2015), <http://carnegieendowment.org/sada/?fa=61365>. The TDC has a number of detractors who are largely against transitional justice in Tunisia, as well as more narrowly against the TDC’s mandate to investigate corruption. At the time of writing, an economic amnesty law, proposed by Tunisian President Beji Caid Essebsi, had been recently passed. The rationality for the bill is to allow funds to flow back in Tunisia that had been stolen in order to spur economic development. Opponents of the law see it as counter to the 2013 revolution and a possible allowance for former Ben Ali allies to regain power. Fatim-Zohra El Malki, Tunisia’s Partisan Path to Transitional Justice (Washington, D.C.: Carnegie Endowment, March 7, 2017), <http://carnegieendowment.org/sada/68206>
 36. Global Organization of Parliamentarians Against Corruption, “Grand Corruption: Top Ten Illicit Flows 2002–2011,” #PreventProsecuteParalyze Grand Corruption (Ottawa: GOPAC, 2015), <http://gopacnetwork.org/prevent-prosecuteparalyze/>
 37. Sanja Pesek, *Combating Impunity: Transitional Justice and Anti-corruption: Conclusions from Practitioners’ Dialogue on Transitional Justice* (Washington: DC: Freedom House, 2014), 5.
 38. UN Security Council, *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies*, Report of the Secretary-General, S/2004/616, 2004, 1.
 39. Albin-Lackey, 163.
 40. Transparency International’s Defence & Security Program (TI-DSP) identifies 29 risk areas for the defense sector under the five categories of “political,” “finance,” “personnel,” “operations,” and “procurement” to determine what levels of corruption risk a country is prone to. Seventy-seven weighted questions are used across the 29 risk areas and answers are scored on a scale of 0 to 4, where 0 indicates “very weak or no activity to address corruption risk” and 4 indicates “strong, institutionalized activity to address corruption.” *Government Defence Anti-Corruption Index 2015* (London: Transparency International Defence and Security, 2015), <http://government.defenceindex.org/list/>

41. The 2013 Global Corruption Barometer surveyed approximately 1000 people each from 107 countries between September 2012 and March 2013. Deborah Hardon and Finn Heinrich, *Global Corruption Barometer* (Berlin: Transparency International, 2013), 27. For determining who paid a bribe, the data was only valid for 95 of the 107 countries surveyed. *Ibid.*, 42. The seven other institutions were the judiciary, registry, land, medical, education, tax, and utilities. *Ibid.*, 11.
42. *Ibid.*
43. The Geneva Centre for the Democratic Control of Armed Forces identifies the following state and non-state security providers: armed forces, police, presidential guards, national guards, civil defense, intelligence, secret service, border and custom services, militias, and private military and security companies. International Security Sector Advisory Team, *SSR in a Nutshell: Manual for Introductory Training on Security Sector Reform* (Geneva, Switzerland: Geneva Centre for the Democratic Control of Armed Forces, 2012), 4.
44. Mark Pyman, *Building Integrity and Countering Corruption in Defence and Security: 20 Practical Reforms* (London: Transparency International UK, 2011), 11.
45. Matt Boardman, James Cohen, Mark Pyman, Nick Seymour, and Ben Webster, “Arresting Corruption in the Police: The Global Experience of Police Corruption Reform Efforts,” *Background Papers* (London: Transparency International UK, 2012), 7.
46. *Ibid.*, 11.
47. Oliver Cover and Sazan Meran, *Watchdogs: The Quality of Legislative Oversight of Defence in 82 Countries* (London: Transparency International UK, 2013), 14.
48. James Cohen, Stewart Eldon, Hiruy Gossaye, Mark Pyman, Nick Seymour, and Ben Webster, *Corruption and Peacekeeping: Strengthening Peacekeeping and the United Nations* (London: Transparency International UK, 2013).
49. Goh and Muravska, 15.
50. United Nations, *Report of the Panel of Experts on the Illegal Exploitation of the Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, S/PRST/2000/20*, 2001, 8.
51. Andrew M. Mwenda and Roger Tangri, “Military Corruption and Ugandan Politics since the Late 1990s,” *Review of African Political Economy* 98 (2003): 539–552, at 544.
52. United Nations, 8–9.
53. Cover and Meran, 9.
54. Laura Davis, “Transitional Justice and Security System Reform,” New York: ICTJ, IFP Security Cluster, 2009, 8.
55. Cover and Meran, 9.
56. To note, there is debate over the use of the term “security sector reform.” The process can also be referred to as “security system reform,” “security sector transformation,” “security sector governance,” “security sector management,” and “security and justice reform.” International Security Sector Advisory Team, 6.
57. Organisation for Economic Cooperation and Development Assistance Committee, *OECD DAC Handbook on Security System Reform: Supporting Security and Justice* (Paris: OECD, 2007), 21.
58. International Security Sector Advisory Team, 6.
59. Laura Davis, “Justice-Sensitive Security Sector Reform in the Democratic Republic of the Congo,” IFP Security Cluster Country Case Study (New York: International Alert and International Center for Transitional Justice, 2009), 24–25.
60. Alexander Mayer-Rieckh and Roger Duthie, “Enhancing Justice and Development Through Justice-Sensitive Security Sector Reform,” in *Transitional Justice and Development: Making Connections*, ed. Pablo de Greiff and Roger Duthie (New York: Social Science Research Council, 2009), 214–248, at 234–235.
61. Davis, 10.
62. *Ibid.*
63. Bock et al, 18.
64. Sarah Chayes argues corruption is a key driver of state insecurity, including violent extremism. An illustrative example of this argument includes documenting the reaction of a former Afghan police officer whose brother was stricken by police for a bribe. Chayes quotes him as saying “My sacred oath...If I see someone planting an IED on the road, and then I see a police truck coming, I will turn away. I will not warn them.” Sarah Chayes, *Thieves of State: Why Corruption Threatens Global Security* (New York: W.W. Norton, 2015), 6.
65. Carranza, 319.
66. Sharp, 88.

67. Lisa Davis, "Transitional Justice Should Take on Corruption," Freedom House, 2013, <http://www.freedomhouse.org/blog/transitional-justice-should-take-corruption#.Uv9N5Xlgnos>
68. Moebeek, 267.
69. Paul van Zyl, "Promoting Transitional Justice in Post-Conflict Societies," in *Security Governance in Post-Conflict Peacebuilding*, ed. Alan Bryden and Heiner Hanggi (Geneva, Switzerland: Geneva Centre for the Democratic Control of Armed Forces, 2005), 209–231.
70. The OECD DAC *Handbook on Security Sector Governance* lists four main areas to investigate in an SSR assessment: "political economy and conflict analysis," "governance and capacity of security and justice institutions," "security and justice needs of citizens," and "other frameworks and programmes." OECD DAC, 50–52.
71. Bernard Harbone, *The Costs of Security Sector Reform: Questions of Affordability and Purpose* (sustainablesecurity.org, 2014), <http://sustainablesecurity.org/2014/04/09/costs-of-the-security-sector/>
72. Albin-Lackey, 152.
73. van Zyl, 216.
74. Nahla Valji, "Ghana's National Reconciliation Commission: A Comparative Assessment," *Occasional Paper Series* (New York: ICTJ, 2006), 36.
75. *Ibid.*, 37.
76. Roger Duthie, "Introduction," in *Justice as Prevention: Vetting Public Employees in Transitional Societies*, ed. Alexander Mayer-Rieckh and Pablo de Greiff (New York: Social Science Research Council, 2007), 17–38, at 17.
77. *Ibid.*
78. Pablo de Greiff, "Vetting and Transitional Justice," in *Justice as Prevention*, 522–544, at 524.
79. The size of the military and police that is required to address the security challenges a country faces while accounting for a reasonable portion of the budget.
80. Pesek, 4.
81. Alexander Mayer-Rieckh, "Vetting to Prevent Future Abuses: Reforming the Police, Courts, and Prosecutor's Offices in Bosnia and Herzegovina," in *Justice as Prevention*, 180–221, at 187–188.
82. Boardmen et al, 22.
83. In the wake of the Arab Spring, Tunisian, Egyptian, and Libyan post-revolution governments have sought stolen assets across Europe and the Middle East. This initiative, in particular, has worked to connect these governments with jurisdictions where assets may be stored. So far, this has led to the recovery of over \$100 million of assets in Belgium, France, Italy, Lebanon, Switzerland, and the United Kingdom. The Basel-based International Centre for Asset Recovery has been training officials from these countries and others to improve their capacity at home and pass on knowledge to their colleagues. "Recovering Stolen Assets: Making a Hash of Finding the Cash," *The Economist* (May 11, 2013), <http://www.economist.com/news/international/21577368-why-have-arab-countries-recovered-so-little-money-thought-have-been-nabbed>. Jean-Pierre Brun, "Tracking Tunisia's Stolen Assets: The Balance Sheet Three Years On" (Washington: Stolen Asset Recovery Initiative, January 13, 2014), <https://star.worldbank.org/star/content/tracking-tunisia-stolen-assets-balance-sheet-three-years>
84. Carranza, 314.
85. Chris Stephen, "Attacks by 'Deep State' Leave Tunisia Truth Commission in Crisis," *The Guardian* (September 11, 2015), www.theguardian.com/world/2015/sep/11/attacks-state-tunisia-truth-commission-crisis-democracy
86. While not a case of transitional justice, the Indonesian Corruption Eradication Commission (KPK) is an example of entrenched interests attempting to thwart investigations. The KPK was given a robust mandate, heavily vetted staff, and its own court system outside the standard corrupt courts. Based on how powerful it was and its potential success, the chair of the commission was charged with murder and police charged two additional commissioners with bribery. The KPK was able to record the police plotting the charges, leading them to be dropped and the senior police official who plotted the conspiracy to be charged and convicted. Sanja, 6.
87. de Greiff, 527.
88. *Ibid.*, 528.
89. Sonja Stojanovic, "Towards Mission Possible: Using Serbian Experience to Address Egyptian Civil Society's Expectations of Security Sector Reform," *Policy Paper* (Belgrade: Belgrade Centre for Security Policy, One World Foundation for Development and Civil Society Care, and PASOS, 2012), 24.

90. Valji, 38.
91. Pyman, 32.
92. Eric Cobut, “Values, Rules, and Behavior,” in *Toolkit on Police Integrity* (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2012), 61.
93. Pyman, 32.
94. Mark Pyman, Thomas Shipley, and Anne-Christine Wegener, *Codes of Conduct in Defence Ministries and Armed Forces: A Multi-country Study* (London: Transparency International UK, 2011), 6.
95. For an example of multiple tools coming together to re-enforce a citizen and evidence led approach to SSR, see the case of the National Foundation for Democracy and Human Rights in Uganda (NAFODU), leading police reform in south west Uganda. NAFODU gathered data from public surveys and from a call-in radio show to build evidence of police corruption, which top brass officers could not ignore. Through collaboration, NAFODU helped regional police departments develop their own code of conduct to improve integrity in local police. Regional volunteers helped spread knowledge of the new code of conduct to citizens who reported greater confidence in engaging with police and holding them to account. Shaakza Beyerle, *Curtailing Corruption: People Power for Accountability and Justice* (Boulder, Colorado: Lynne Rienner Publishers, 2014), 187–202.
96. Sonja Stojanovic, “Security Sector Reform Index: Measuring to Advance Democratisation,” in *Almanac on Security Sector Oversight in the Western Balkans*, ed. Douglas Cantwell et al. (Belgrade: Geneva Centre for the Democratic Control of Armed Forces and Belgrade Centre for Security Policy, 2012), 252.
97. Stojanovic, “Towards Mission Possible,” 22.
98. Ibid. The survey focused on issues of national security threats and the Serbian military’s role within Europe, as well as the system of mandatory conscription. Topics that could have addressed corruption were the sustainability of the size of the Serbian military, which a majority of Serbians felt it was unsustainable, and the influence of criminal networks as national security threat. While corruption was not directly addressed in this survey, in future surveys it can be incorporated, especially if transitional justice processes reveal a high level of corruption in the defense and security sectors. Milorand Timotic, *The Attitudes of the Serbian Public Towards Military and Defence* (Belgrade: Centre for Civil-Military Relations, 2002), <http://www.bezbednost.org/All-publications/4309/The-Attitudes-of-Serbian-Public-Toward-the-Army.shtml>
99. Stojanovic “Towards Mission Possible,” 23.
100. Alexander Mayer-Rieckh, “Dealing with the Past in Security Sector Reform,” *SSR Paper 10* (Geneva, Switzerland: Geneva Centre for the Democratic Control of Armed Forces, 2013), 34.
101. Sharp, 15.
102. Ibid.
103. Ibid, 16.
104. Cockcroft, 3.
105. Valji, 38.
106. Pesek, 3.
107. Rainuka Dagar, *Police Stations Visitors Week: 2013 Global Report* (Altus, 2014), xv.
108. Ibid.