

Armed Conflict and Post-Conflict Justice, 1946–2006:

A Dataset

Helga Malmin Binningsbø¹
Centre for the Study of Civil War, PRIO

Cyanne E. Loyle
West Virginia University

Scott Gates
Centre for the Study of Civil War, PRIO
& Norwegian University of Science and Technology

Jon Elster
Columbia University, Collège de France,
Centre for the Study of Civil War, PRIO

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Abstract

This article introduces a new dataset on post-conflict justice (PCJ) that provides an overview of if, where, and how post-conflict countries address the wrongdoings committed in association with previous armed conflict. Motivated by the literature on post-conflict peacebuilding, we study justice processes during post-conflict transitions. We examine: which countries choose to implement PCJ; where PCJ is implemented; and which measures are taken in post-conflict societies to address past abuse. Featuring justice and accountability processes, our dataset focuses solely on possible options to address wrongdoings that are implemented following and relating to a given armed conflict. These data allow scholars to address hypotheses regarding justice following war and the effect that these institutions have on transitions to peace. This new dataset includes all extrasystemic, internationalized internal, and internal armed conflicts from 1946 to 2006, with at least 25 annual battle-related deaths as coded by the UCDP/PRIO Armed Conflict Dataset. The post-conflict justice (PCJ) efforts included are: trials, truth commissions, reparations, amnesties, purges, and exiles. By building upon the UCDP/PRIO Armed Conflict Dataset, scholars interested in PCJ can include variables regarding the nature of the conflict itself to test how PCJ arrangements work in different environments in order to better address the relationships between justice, truth and peace in the post-conflict period.

¹ Corresponding author: helmal@prio.no.

Introduction

Justice, truth and peace in a post-conflict period are often presumed to be mutually reinforcing goals. Unfortunately, during times of insecurity, justice, truth and peace often come into conflict. Warlords might forego peace negotiations because they fear severe punishment. Failing to punish wrongdoers could seed resentment and potentially provoke retributive violence by victims. Offering amnesty might coax rebels to surrender and thus secure a lasting peace. These examples demonstrate inherent tensions among the options used to address the violence of the past and a broader quest for truth and justice (Elster, 2010). Despite vibrant debate, we have yet to adequately address many of these relationships. With a new dataset on post-conflict justice (PCJ),² we can examine empirically these interactions. PCJ includes the different ways in which governments and opposition come to terms with the wrongdoings of the past, including trials, truth commissions, reparations, amnesties, purges, and exiles. More generally, with these data we can assess the relationships between justice, truth and peace.

Recent peacebuilding literature focuses on the many institutional options available to strengthen a fragile peace (e.g. power sharing [Hartzell & Hoddie, 2007; Jarstad & Sisk, 2008], security sector reform [Toft, 2010], and peacekeeping forces [Doyle & Sambanis, 2006]), and emphasizes the types of institutions which can be put in place to increase the likelihood that conflict will not resume. We add to these institutions PCJ processes.

The focus on justice in the post-conflict period began with the trials at Nuremberg and Tokyo following World War II. In the 1970s and 1980s, many Latin American political transitions were followed by broad amnesty agreements and/or national truth commissions to address the violence of exiting military regimes (i.e. Chile and Argentina). Greater global attention was brought to transitional and post-conflict justice in 1994 when, following the end of Apartheid, South Africa implemented its Truth and

² Elsewhere in the literature these efforts are referred to as transitional justice (TJ) (see Bell (2009) for a review of the TJ field). TJ is defined as justice resulting from a variety of transitions e.g. transitions from authoritarianism to democracy, transitions to a greater respect for human rights, or in the case of post-conflict justice, transitions to peace. We consider post-conflict justice (PCJ) to be a specific subset of transitional justice.

Reconciliation Commission, a national effort to address historical legacies of Apartheid and the violence that occurred on both sides of the conflict (Gibson, 2004). Since 1994, a variety of judicial procedures have been initiated, including the Special Court for Sierra Leone, notable for its hybrid approach of national and international participation (Stensrud, 2009); Rwanda's nation-wide community Gacaca court system (Clark, 2010); and Liberia's Truth and Reconciliation Commission, which included a strong push to incorporate the voices of the Liberian diaspora community (Young & Park, 2009). From these experiences, scholars have struggled to understand the implementation, selection, and overall effects of PCJ on diverse post-conflict goals such as increasing democracy and reducing human rights abuses (Sikkink & Walling, 2007; Wiebelhaus-Brahm, 2009), seeding reconciliation (Gibson, 2004), generating catharsis and healing (Thoms, Ron & Paris, 2008), and contributing to the duration of peace (Lie, Binningsbø & Gates, 2007; Loyle & Appel, 2011; Snyder & Vinjamuri, 2004).

A major hurdle affecting analysis of these institutions and their impact on the post-conflict period is a lack of systematically collected data, both cross-national and cross-temporal. Post-conflict research has overlooked justice institutions in favor of other peacebuilding efforts; most of the work within transitional justice has focused on single institutions following political transitions, such as truth commissions (Hayner, 2011), reparations programs (De Greiff, 2006), amnesties (Mallinder, 2008), and trials (Bass, 2002; Sikkink & Walling, 2007). Olsen et al. (2010a, b) is a noteworthy exception. Their Transitional Justice Data Base covers trials, truth commissions, amnesties, reparations, and lustration policies in all countries in the world from 1970 to 2007. Olsen et al. (2010a, b) also look at transitional justice in countries with civil war. Unfortunately, their country-year data structure makes it difficult in countries with concurrent conflicts to ascertain which specific conflict the transitional justice measures target.³

Our dataset differs from existing efforts by focusing solely on judicial institutions that are implemented following and related to a given armed conflict, allowing scholars

³ It appears from the analyses in Olsen et al. (2010b: 126) that the authors compiled conflict-related transitional justice data; however, only the country-year data published accompanying Olsen et al. (2010a) is publically available.

to address hypotheses regarding post-war justice and the potential effect that these institutions have on transitions to peace. By building upon the UCDP/PRIO Armed Conflict Dataset (Gleditsch et al., 2002), our data, by design, relate directly to a prominent conflict dataset. Building on other post-conflict datasets focusing on power sharing (Hartzell & Hoddie, 2007; Walter, 2002), peacekeeping (Doyle & Sambanis, 2006; Fortna, 2004), third party security guarantees (Walter, 2002), economic recovery (Collier, Hoeffler & Söderbom, 2008), security sector reform (Toft, 2010), and peace agreement implementation (Jarstad & Nilsson, 2008) to explain sustainable peace, our dataset adds important knowledge on justice processes in the aftermath of armed conflict. In particular, the PCJ dataset includes information on trials, truth commissions, reparations, amnesties, purges, and exiles.

Below, we describe the PCJ dataset; defining post-conflict justice, the universe of cases included, and the six distinct PCJ processes. We thereafter explore patterns of PCJ responses across different conflict characteristics such as conflict incompatibility, intensity and type of termination. Indeed, our data can be used to address many of the main debates in the post-conflict literature, including the relationship between addressing previous wrongdoings and the likelihood of peace.

Defining and measuring post-conflict justice

In our dataset, post-conflict justice (PCJ) refers to any process initiated within five years following an armed conflict that attempts to address wrongdoings which took place as part of that conflict. The PCJ dataset is constructed to allow scholars to analyze the implementation, patterns and effectiveness of PCJ processes (or lack of processes) on post-conflict questions such as peace duration, type of conflict, conflict outcome, regime type, and strength of democracy.⁴

Our dataset covers all armed conflicts from 1946 to 2006, with at least 25 annual battle-related deaths, using the UCDP/PRIO Armed Conflict Dataset version 4-2007 (Gleditsch et al., 2002; Harbom, 2007). The UCDP/PRIO dataset was selected as the

⁴ See the codebook for details on the structure of the dataset and coding rules for the PCJ processes.

foundation for the PCJ data because of its low battle death threshold and inclusive coding criteria. The UCDP/PRIO dataset includes all armed conflicts with at least 25 battle-related deaths, which captures significantly lower levels of violence than other conflict data sources.

The observation unit in the UCDP/PRIO armed conflict dataset is the conflict-year. For our focus on the peace period following armed conflict, a cross-sectional data structure is more appropriate, so the PCJ dataset uses a conflict-episode structure.⁵ We use the Armed Conflict Dataset's episode start and end date variables to define when conflict occurs and when the post-conflict peace period begins. We include PCJ processes that were implemented in the first five years of this post-conflict peace period.⁶ A five-year window is the convention in the post-conflict literature (e.g. Flores & Nooruddin 2009, Walter 2002). This coding rule ensures that a given PCJ process truly occurs in the aftermath of war and therefore has the potential to influence the likelihood of conflict reoccurrence.⁷

The PCJ dataset includes 357 armed conflict episodes from 1946 to 2006.⁸ A total of 272 post-conflict justice processes relate to 173 different conflict episodes. Fifty-three percent of post-conflict societies implement at least one PCJ tool; 22% have two or more processes. These processes can be implemented either internationally or domestically, but they all represent efforts by the post-conflict government and/or the international community to address wrongdoings related specifically to the conflict episode in question.⁹

⁵ The PCJ dataset thus has the same structure as the UCDP Conflict Termination dataset (Kreutz, 2010).

⁶ If there are other ongoing conflicts in a country, a conflict episode is still considered to be followed by a PCJ, if that process occurred within the five-year frame.

⁷ On a few occasions, the PCJ dataset includes processes that took place in the conflict's termination period (between 1 and 12 months before the conflict's end date), when they were deemed to be relevant for the post-conflict period, such as when an amnesty is included in a peace agreement. These PCJ have a separate termination code to allow researchers to include or exclude them as per their research question.

⁸ Thirty-one conflicts in the UCDP/PRIO dataset version 4-2007 were still ongoing as of December 31, 2006 (the last day of observation in the dataset) and therefore are unable to experience *post*-conflict justice.

⁹ We only include PCJ when the sources specifically mention the name of the rebel group, rebel leader(s) or some other information that makes us certain about which conflict the process relates to. Because of this we are able to separate processes related to different conflicts or processes related to non-conflict events. For

Our primary sources of information for coding post-conflict justice processes were Keesing's World News Archive, the United States Library of Congress Country Studies, Minorities at Risk Assessments and Chronologies, and the online database of the Uppsala Conflict Data Program (UCDP). When needed, we accessed the full text of peace agreements and truth commission reports available at the United States Institute of Peace webpage and the online UCDP database. When none of these sources provided adequate information, we consulted others on a case-by-case basis.¹⁰

Types of post-conflict justice processes

The PCJ dataset includes information on six forms of addressing wrongdoing: trials, truth commissions, reparations, amnesties, purges, and exiles. These processes represent the historical universe of options for governments and opposition to address violence from a previous conflict (Elster, 2004).¹¹

Trials

The most commonly employed PCJ process in our dataset is putting wrongdoers on trial. A trial is *the examination of alleged wrongdoing through judicial proceedings within a legal structure*. Trials can include domestic prosecutions, international tribunals such as the International Criminal Tribunal for the former Yugoslavia, or hybrid courts such as the Special Court for Sierra Leone. The PCJ dataset records the presence or absence of trials in the post-conflict period as well as trial-specific data regarding whether: the process was domestic or international; the defendant was tried in absentia; anyone was executed as a consequence of the trial process; the trial involved breaches of justice. Figure 1 shows the percentages of the 78 trial processes with these characteristics.¹²

example, two trials took place in Azerbaijan in the late 1990s: the sentencing in 1995 of former defense-minister Gaziyeu for surrendering two cities to Armenian forces relates to the conflict over Nagorno-Karabakh, while the sentencing in 1997 of 9 members from the Azerbaijani security forces for their OPON membership relates to the governmental conflict between OPON forces and the government.

¹⁰ We treated these sources equally, thus, if a PCJ was recorded in one but not the other the process is included in our data. See the background narratives for information about sources and coding decisions.

¹¹ We exclude purely symbolic measures, such as apologies and the legal rehabilitation of victims.

¹² In Figures 1–6 the process-specific characteristics are not mutually exclusive.

Domestic trials are by far the most common way of dealing with past wrongdoings. Only 6 of the 78 trials in our dataset involve an international tribunal, the majority of these relate to the armed conflicts in former Yugoslavia. Twelve of the trial cases include defendants who were tried in absentia. For example, on 2 December 1986 former president Ali Nasir Muhammad of South Yemen was sentenced to death in absentia for his involvement in the civil war, but he had already fled to North Yemen. Close to half (45%) of all post-conflict trials involve executions. Twelve of the trial processes exhibit a breach of justice, in which weak legal standards are employed, including show trials. The Saudi Arabian religious courts' secret session trials immediately after the 1979 occupation of the Mosque in Mecca are an example of a trial process that we have coded as a breach of justice.

[Figure 1. here]

Truth commissions

To gather information about past wrongdoings, truth commissions are sometimes established to investigate and hold violators accountable. Truth commissions are *officially-sanctioned, temporary investigative bodies that focus on a pattern of abuse over a particular period of time* (Hayner, 2011: 11). A commission can be both a mechanism for a country to address past wrongdoings that occurred during a conflict and a way for individuals and communities to learn what happened to relatives and friends. The number of truth commissions is growing, but most are designed to deal with broad legacies of abuse and violence. The PCJ dataset includes only truth commissions that were implemented to address the specific violence of a given armed conflict and those which were implemented in the 5 years immediately following the conflict.¹³ We also recorded

¹³ Because of this coding rule, the PCJ dataset includes only nine truth commissions, unlike other compilations such as Hayner's list which includes 40 truth commissions (Hayner, 2011). For example, the South African Truth and Reconciliation Commission (TRC) is not included in our dataset. While the TRC addressed violations occurring during the conflict period of 1981-1988, the process was implemented in 1994 after the 5-year post-conflict window.

whether the truth commission was domestic or international and whether or not there was a suspected breach of justice (e.g. the absence of a final report).

Our dataset records nine truth commissions; two are international (see Figure 2 for an overview). All truth commissions are mandated to investigate wrongdoings committed by all parties to the conflict, but two commissions were never fully implemented and are thus coded as breach of justice cases. One, the Comprehensive Peace Agreement signed in 2002 to end the civil war in the Democratic Republic of Congo, provided a framework for a truth and reconciliation commission, but the commission never heard a single case.

[Figure 2. here]

Reparations

Reparations are *compensation given by the state to an individual or group who was harmed in some way during the conflict*. The majority of post-conflict reparations target all parties to a conflict. Examples include the granting of pensions to widows of those killed in the 3 August 1979 coup d'état in Equatorial Guinea and peace agreements emphasizing the right to return to land—or if that is impossible, fair compensation—to refugees and internally displaced persons. The PCJ dataset records which post-conflict societies called for reparations and provides information on the type of reparation: property, money, and general community compensation. The majority provided property (10 cases) or money (14 cases); only two programs provided public goods to the community. Figure 3 shows the share of the 20 reparation cases with these three types of reparations.

[[Figure 3. here]

Amnesties

Granting wrongdoers amnesty or immunity is common in post-conflict societies.

Amnesty is *a promise (or in some cases formal legislation) on the part of the ruling party to not prosecute or punish past violators*. When there have been grave violations of human rights, it seems reasonable to believe that some sort of accountability process is necessary; however, in negotiating peace settlements, leaders might choose to forgo traditional conceptions of justice to secure an end to the violence. Amnesty legislation can extend to former heads of state, government officials, members of the military or active participants in the armed violence.

The PCJ dataset contains 92 cases of amnesty. In addition to a dichotomous variable recording whether an armed conflict was followed with amnesty or not, the data includes variables reporting if amnesties were limited, conditional, or unconditional. Figure 4 shows share of the post-conflict amnesties in our data with these characteristics. Most amnesties are granted unconditionally, particularly general amnesties granted as parts of peace agreements. For example, in Papua New Guinea, the 1998 agreement formally ending the Bougainville conflict states that the government shall ‘grant amnesty to persons involved in crisis-related activities on all sides’ (Lincoln Agreement, 1998: Article 10). Other amnesties are limited to certain crimes or persons, such as the 2003 amnesty to Mujahideen e Khalq members in Iran that did not include the group’s leaders. Post-conflict amnesties are frequently granted conditional on rebels giving up the armed fight. Our data also reveals that in most cases amnesty is extended to the losing party, giving strength to the hypothesis that granting amnesty is a way to bargain for peace.

[Figure 4. here]

Purges

The victorious party in a conflict often will try to exclude sympathizers of the defeated party from positions of influence. This process is known as purging: *the act of removing politicians, armed forces members, judiciary or other members of society for their (alleged) collaboration with or participation in a conflict and limiting their influence*

accordingly.¹⁴ Only 15 post-conflict episodes in our dataset are followed by purges. Almost all of these purges are directed towards the loser of the conflict, although Russian President Yeltsin in 1996 purged hardliners, including strong promoters of the Chechnyan war, from within his own ranks.

Our data record the presence or absence of purges in the post-conflict period; whether the purges occurred in the military, the judiciary or the civil service. Figure 5 shows that most purges take place in the armed forces, often following military coups. After a coup, the victorious party requires the support of the army and therefore attempts to eliminate potential threats from the military. In a few cases, a purge has been undertaken in the judiciary. In China, after the communists won over the Chiang Kai-shek government in 1949, the new government launched a judicial reform in which judges sympathetic to the former regime were expelled from the courts. Of the 15 purges in our data, six include civil servants (for example, the purge of Allende supporters and communists from the universities in Chile when Pinochet came to power in 1973).

[Figure 5. here]

Exiles

Exiles provide an opportunity for a new government to reduce the influence of past wrongdoers by removing them from the country. Exile is *a period of forced or voluntary absence from one's home country*. Exile agreements can be de facto or de jure, often allowing a past wrongdoer the opportunity to live out the remainder of his or her life undisturbed, but outside of the home country. An exile can also be willing when an individual chooses to leave the country because of conflict-related events.¹⁵

Reasons for exile differ. Sometimes the victorious party expels its opponents (i.e. the exile is a punishment following a trial); at other times, wrongdoers or their supporters

¹⁴ We do not specify a target threshold for this PCJ. A purge can include the removal of either a single individual or the disbanding of an entire section of the civil service. Information on the inclusiveness of the purge can be found in the scope variable: "purge_scope".

¹⁵ Whereas most violent conflicts produce refugees and internally displaced persons, we only consider representatives of the conflicting parties when coding willing exiles.

are in exile because they fled the country when defeat was eminent. Former Nicaraguan President Somoza fled after the 1978–79 armed conflict; after the 1964 coup, the former president of Gabon, Jean-Hilaire Aubame, was sentenced to hard labor and ten years of exile. We record whether exile processes are willing or forced (see Figure 6).

[Figure 6. here]

PCJ descriptive variables

In addition to the presence or absence of the six types of PCJ and process specific variables, the PCJ dataset records descriptive characteristics for all PCJ processes: start date, target, sender, and scope of the process. The start date records the first evidence of a PCJ process in our sources (such as the start of a trial or the agreement to convene a truth commission). The target is the individual or group addressed by the process (e.g. the rebel leader who is exiled or the former president who is put on trial). The target variable separates between side A, side B, and both. The sender is the individual, group or government who initiates the process.¹⁶ A process is usually initiated by the group in power after the conflict, but following a peace agreement both groups may agree to a certain PCJ process. The sender variable also separates between side A, side B, and both, in addition to international sender and ‘other’ if the sender is unclear. Finally the scope refers to the level of inclusivity of the targeting of the process, such as whether an amnesty extends to only rebel leaders or to the whole organization.

Details and dynamics of post-conflict justice

PCJ processes are not equally distributed across all types of armed conflicts. In this section we provide some preliminary descriptions of variations in PCJ initiation across conflict incompatibility, conflict intensity, and type of conflict termination.

¹⁶ Target and sender of a process are coded by identifying the actors for a given conflict episode using the UCDP coding for side A and side B of the conflict. In an internal conflict, Side A generally refers to the government and side B, the rebel group or opposition. Even if side B wins the conflict and thus becomes the post-conflict government, we code the actors according to their side A and side B status during conflict. We coded targets and senders only if the name of an individual, rebel group, or specific conflict was mentioned in relation to the post-conflict justice process.

Post-conflict justice by conflict incompatibility

We assume that the conflict itself affects the decision to implement a PCJ and the type of process selected. But under what conditions does a country choose an accountability process such as trials or truth commissions over a political concession such as amnesties or exiles? And what influence does the type of conflict have on potential choices? These questions have yet to be empirically tested, but we use the PCJ dataset to preliminary explore variation in post-conflict justice across conflict-related characteristics such as conflict incompatibility and termination type.

Using the UCDP coding for incompatibility, we divide our dataset's conflict episodes into those fought over territorial disputes and those fought for government control. Figure 7 shows the number of PCJ processes implemented after these two types of conflict.

[Figure 7. here]

Although the numbers of territorial and government conflicts are approximately the same (158 and 168, respectively), the use of PCJ processes differs. Conflicts over government control are more likely to lead to PCJ than territorial conflicts and the relationship between trial and amnesty processes differs between the two types of conflict.

Post-conflict justice by conflict intensity

The UCDP/PRIO Armed Conflict Dataset encompasses conflicts with different levels of violence and intensity, including such diverse conflicts as the 1946–49 Chinese Civil War killing more than one million people and the Maoist Communist Party's fight with the Turkish government in 2005 causing 25 deaths. We know that severe civil wars are more likely to bring combatants to negotiations than less-intense conflicts (Walter, 2002), but we did not know if and how conflict intensity influences post-conflict decisions in terms

of justice outcomes. Figure 8 gives a first view of differences in PCJ processes for civil wars and low-intensity armed conflicts.¹⁷

[Figure 8. here]

Of the PCJ dataset's 326 peace periods, 195 follow low-intensity conflicts (fewer than 1,000 battle-related deaths) while 131 emerge after civil wars causing at least 1,000 battle deaths. Only 17% (22 of 131) of all civil wars result in trial processes, compared to almost one-third (56 of 195) of the low-intensity conflicts.¹⁸ Civil wars also lead to more amnesties than less severe conflicts. These patterns seem to indicate that those in power after civil wars often forgo accountability processes to secure conflict termination.

Post-conflict justice by type of termination

How a conflict ends also influences the type of PCJ process that is selected. Scholars have suggested that the political power structure following a conflict can be one of the largest determinants of justice implementation (Nalepa, 2010). For example, a decisive victory by one side of the conflict may ensure that PCJ is implemented, but targeted at the losing side. Alternatively, a conflict which ends in a political stalemate or negotiated settlement may forgo punishment by implementing an amnesty in the hope of preserving peace.

In Figure 9 we use variables from the UCDP Conflict Termination dataset version 2.0 (Kreutz, 2010) to explore which types of termination will most likely end in a PCJ process.¹⁹ Of the 326 terminated armed conflicts in the dataset 109 ended by military victories, 76 by bargained solutions and 141 ended by other means.

[Figure 9. here]

¹⁷ We use data from Lacina & Gleditsch (2005) to code civil war and low-intensity conflicts.

¹⁸ This difference is significant at a 0.05 level.

¹⁹ We recoded the six termination categories in Kreutz (2010) to victory, bargained solution, and other. 'Victory' includes victory by both the government and the opposition. 'Bargained solution' includes agreements and ceasefires. 'Other' includes no or low activity.

Trial processes more often take place after conflicts that end in decisive victories (47% of all victory cases contain a trial process). Victories also provide an opportunity to implement purging (10%) and are followed by high levels of exile (42 of 109). High levels of amnesty after victories could be the result of the new leadership wanting to maintain the economic and political support of the old opposition although amnesties are even more common after bargained solutions to armed conflict (45% of all bargained solutions include amnesty provisions). These statistics provide first-cut evidence that bargaining elites are willing to make concessions for settlement, as truth commissions, reparations, and amnesties occur more frequently than after other types of conflict termination. Exiles are rare when settlements are reached by bargaining, probably because those who would leave, willingly or forced, have agreed to the terms of the settlement. Conflicts that are not clearly resolved generally see few PCJ processes.

Conclusion

The PCJ dataset contributes to the growing literature on post-conflict institutions and transitional justice by providing a broader understanding of post-conflict justice and the variation in PCJ processes across different conflict characteristics and contexts. Since the PCJ dataset can be used in conjunction with the UCDP/PRIO Armed Conflict Dataset, conflict variables can be employed with ease to answer questions about the relationships between justice, truth and peace. Preliminary analyses suggest that conflict incompatibility, intensity, and termination type influence PCJ options. Conflict, peacebuilding and transitional justice scholars can use the PCJ dataset to better understand the effect that post-conflict justice has on transitions to peace. The dataset also offers important insights into the conditions and environments that make different PCJ responses more effective.

Replication data

The post-conflict justice dataset, codebook, and background narratives can be found at: <http://www.prio.no/jpr/datasets>. These files are also available at www.justice-data.com.

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References

Bass, Gary J (2002) *Stay the Hand of Vengeance. The Politics of War Crimes Tribunals*. Princeton, NJ: Princeton University Press.

Bell, Christine (2009) Transitional justice, interdisciplinarity and the state of the ‘field’ or ‘non-field’. *International Journal of Transitional Justice* 3(1): 5–27.

Clark, Phil (2010) *The Gacaca Courts, Post-Genocide Justice, and Reconciliation in Rwanda: Justice without Lawyers*. Cambridge, MA: Cambridge University Press.

De Greiff, Pablo (ed.) (2006) *The Handbook of Reparations*. Oxford: Oxford University Press.

Doyle, Michael & Nicholas Sambanis (2006) *Making War and Building Peace: United Nations Peace Operations*. Princeton, NJ: Princeton University Press.

Elster, Jon (2004) *Closing the Books: Transitional Justice in Historical Perspective*. Cambridge: Cambridge University Press.

Elster, Jon (2010) *Justice, Truth, Peace*. PRIO Annual Peace Address 18 August (http://www.prio.no/sptrans/1872949838/Final_PAPA_programme%202010.pdf).

Flores, Thomas & Irfan Nooruddin (2009) Democracy under the gun: Understanding post-conflict economic recovery. *Journal of Conflict Resolution* 53(1): 3–29.

Gibson, James L (2004) *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* New York: Russell Sage Foundation.

Gleditsch, Nils Petter; Peter Wallensteen, Mikael Eriksson, Margareta Sollenberg & Håvard Strand (2002) Armed conflict 1946–2001: A new dataset. *Journal of Peace Research* 39(5): 615–637.

Harbom, Lotta (2007) UCDP/PRIO Armed Conflict Dataset codebook, version 4-2007 (http://www.pcr.uu.se/digitalAssets/15/15856_UCDP_PRIO_Codebook_v4-2007.pdf).

Hartzell, Caroline A & Matthew Hoddie (2007) *Crafting Peace. Power-Sharing Institutions and the Negotiated Settlement of Civil Wars*. University Park, PA: Pennsylvania State University Press.

Hayner, Priscilla (2011) *Unspeakable Truths: Facing the Challenge of Truth Commissions*. New York: Routledge.

Jarstad, Anna K & Timothy D Sisk (eds) (2008) *From War to Democracy: Dilemmas of Peacebuilding*. Cambridge: Cambridge University Press.

Jarstad, Anna K & Desirée Nilsson (2008) From words to deeds: The implementation of power-sharing pacts in peace accords. *Conflict Management and Peace Science* 25(3): 206–223.

Keesing's World News Archive (1931–) www.keesings.com (last accessed 15 February 2012).

Kreutz, Joakim (2010) How and when armed conflicts end: Introducing the UCDP conflict termination dataset. *Journal of Peace Research* 47(2): 243–250.

Lacina, Bethany & Nils Petter Gleditsch (2005) Monitoring trends in global combat: A new dataset of battle deaths. *European Journal of Population* 21(2–3): 145–166.

Library of Congress Country Studies (1988–1998)
<http://lcweb2.loc.gov/frd/cs/cshome.html> (last accessed 15 February 2012).

Lie, Tove Grete; Helga Malmin Binningsbø & Scott Gates (2007) Postconflict Justice and Sustainable Peace. World Bank Policy Research Working Paper 4191.

Lincoln Agreement (1998) *Lincoln Agreement on Peace, Security and Development on Bougainville*. Washington, DC: United States Institute of Peace
(http://www.usip.org/files/file/resources/collections/peace_agreements/bougain_19980123.pdf).

Loyle, Cyanne E & Benjamin J Appel (2011) Peace and/or justice: Post-conflict justice and conflict reoccurrence. Paper presented at the American Political Science Association Annual Meeting, Seattle WA, 1-4 September.

Minorities at Risk Project (2009) Minorities at Risk Dataset. College Park, MD: Center for International Development and Conflict Management:
<http://www.cidcm.umd.edu/mar/> (last accessed 15 February 2012).

Mallinder, Louise (2008) *Amnesty, Human Rights and Political Transitions: Bridging the Peace and Justice Divide*. Oxford and Portland, Oregon: Hart Publishing.

Nalepa, Monika (2010) *Skeletons in the Closet. Transitional Justice in Post-Communist Europe*. Cambridge: Cambridge University Press.

Olsen, Tricia; Leigh A Payne & Andrew G Reiter (2010a) Transitional justice in the world, 1970-2007: Insights from a new dataset. *Journal of Peace Research* 47(6): 803–809.

Olsen, Tricia; Leigh A Payne & Andrew G Reiter (2010b) *Transitional Justice in Balance: Comparing Processes, Weighing Efficacy*. Washington, DC: United States Institute of Peace Press.

Sikkink, Kathryn & Carrie Booth Walling (2007) The Impact of human rights trials in Latin America. *Journal of Peace Research* 44(4): 427–445.

Snyder, Jack & Leslie Vinjamuri (2004) Trials and errors: Principle and pragmatism in strategies of international justice. *International Security* 28(3): 5–44.

Stensrud, Ellen Emilie (2009) New dilemmas in transitional justice: lessons from the mixed courts in Sierra Leone and Cambodia. *Journal of Peace Research* 46(1): 5–15.

Thoms, Oscar NT; James Ron & Roland Paris (2008) The effects of transitional justice mechanisms. Working Paper, Centre for International Policy Studies, University of Ottawa.

Toft, Monica Duffy 2010. *Securing the Peace. The Durable Settlement of Civil Wars*. Princeton, NJ: Princeton University Press.

United States Institute for Peace, The Margarita S. Studemeister Digital Collections in International Conflict Management (1989–) <http://www.usip.org/publications-tools/digital-collections> (last accessed 15 February 2012).

Uppsala Conflict Data Program Database: <http://www.ucdp.uu.se/gpdatabase/search.php> (last accessed 15 February 2012).

Wiebelhaus-Brahm, Eric (2009) *Truth Commissions and Transitional Societies: The Impact on Human Rights and Democracy*. New York: Routledge.

Young, Laura A. & Rosalyn Park (2009) Engaging diasporas in truth commissions: Lessons from the Liberian truth and reconciliation commission diaspora project. *International Journal of Transitional Justice* 3(3): 341–361.

Biographical Notes

HELGA MALMIN BINNINGSBØ, b. 1978, PhD in Political Science (Norwegian University of Science and Technology, 2011); Senior Researcher, Peace Research Institute Oslo (2011–). Current research interests: post-conflict justice, power sharing, and post-conflict natural resource management. Recent or forthcoming articles in *Africa Spectrum*, *Conflict Management and Peace Science*, and *International Area Studies Review*.

CYANNE E. LOYLE, b. 1980, PhD in Political Science (University of Maryland, 2011); Assistant Professor of Political Science and International Studies, West Virginia University (2011–); Assistant Director of the Northern Ireland Research Initiative. Current research interests: the strategic government use of post-conflict justice and government behavior during armed conflict.

SCOTT GATES, b. 1957, PhD in Political Science (University of Michigan, 1989); Director, Centre for the Study of Civil War, PRIO; Professor, Norwegian University of Science and Technology (NTNU). Current research interests: civil war dynamics, post-conflict governance, children and war.

JON ELSTER, b. 1940, Docteur ès lettres et sciences humaines (Université de Paris V, 1972); Robert K. Merton Professor of Social Science, Columbia University; Leader of the Working Group on “Microfoundations of Civil War”, Centre for the Study of Civil War, PRIO. Current research interests: collective decision-making, with special focus on constituent assemblies.

Figures in ‘Armed Conflict and Post-Conflict Justice, 1946-2006: A Dataset’

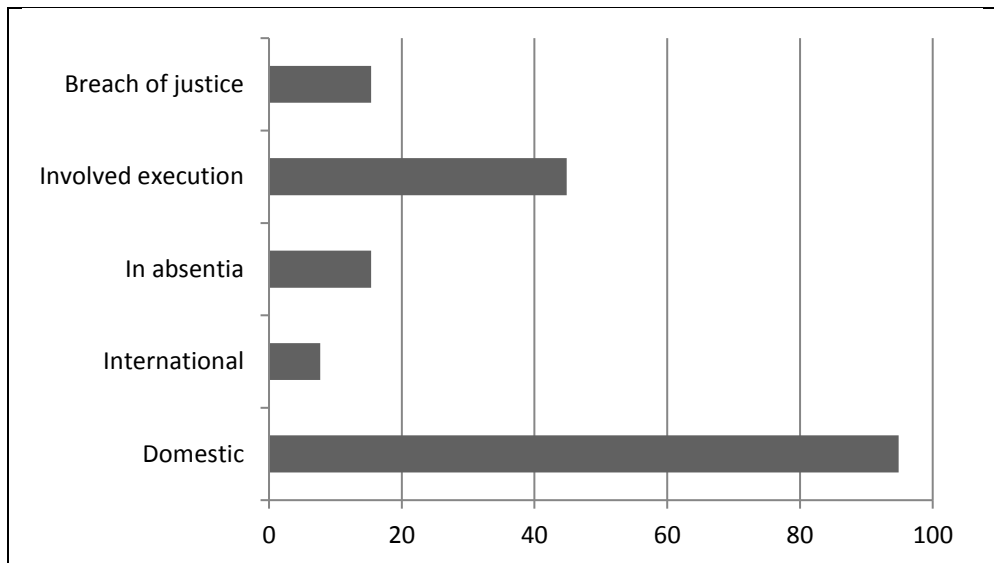


Figure 1 Percentage of trials with various characteristics

N = 78 post-conflict cases involving trials

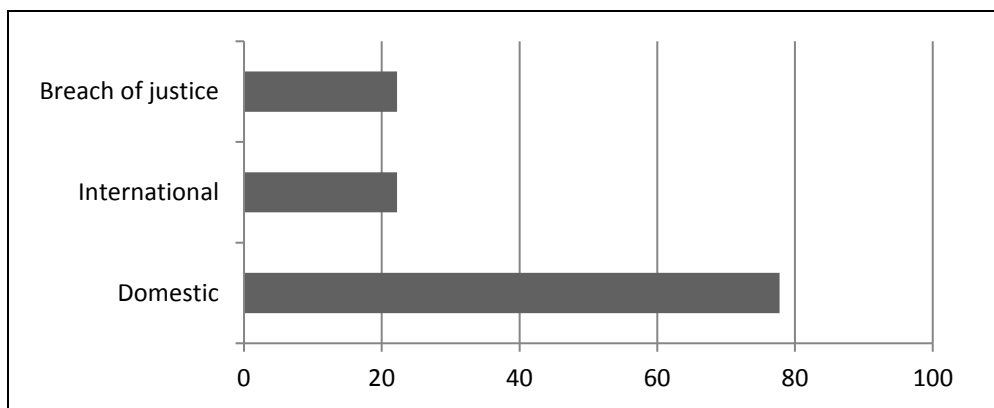


Figure 2 Percentages of truth commissions with various characteristics

N = 9 truth commissions

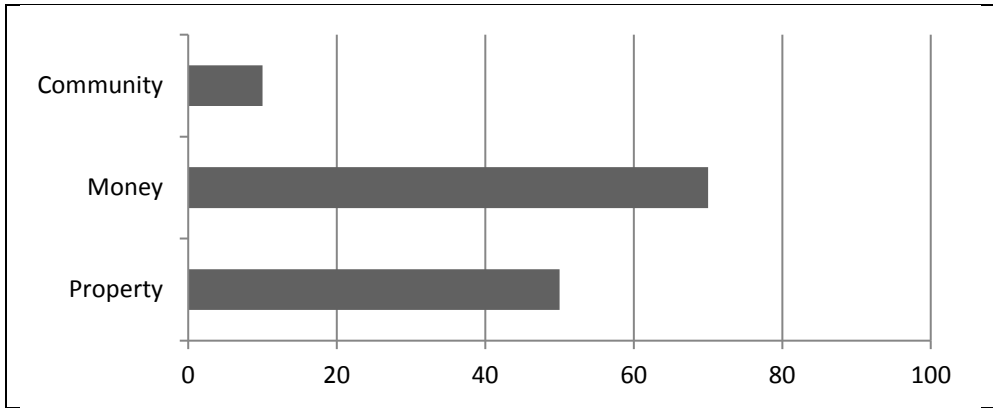


Figure 3 Percentages of reparations with various characteristics

N = 20 reparations

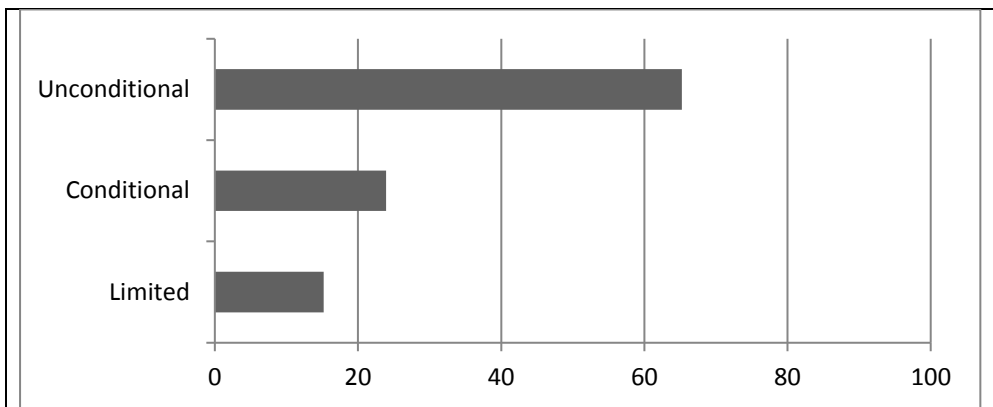


Figure 4 Percentages of amnesties with various characteristics

N = 94 amnesties

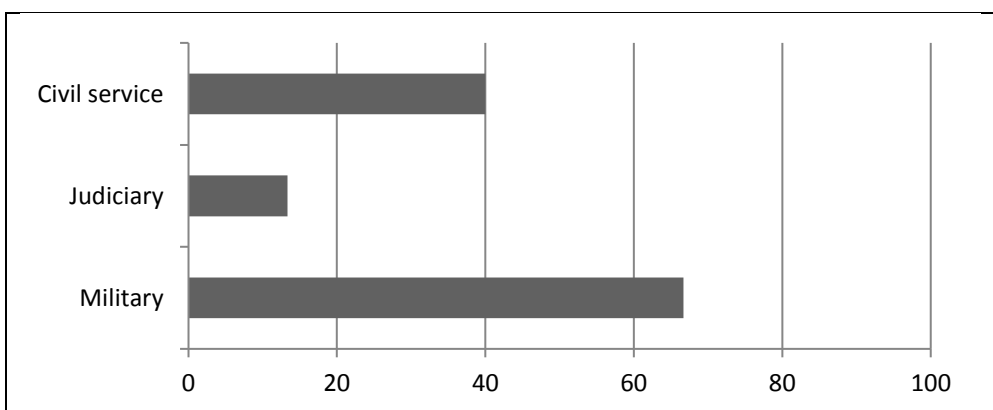


Figure 5 Percentages of purges with various characteristics

N = 15 purges

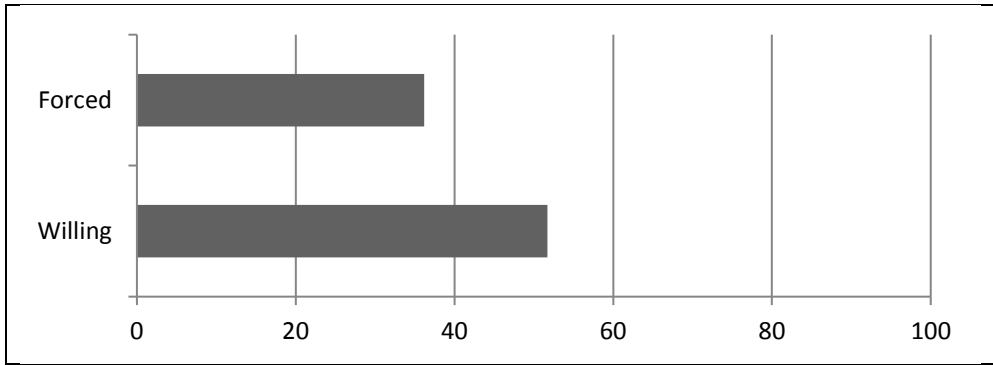


Figure 6 Percentages of exiles with various characteristics

N = 58 exiles

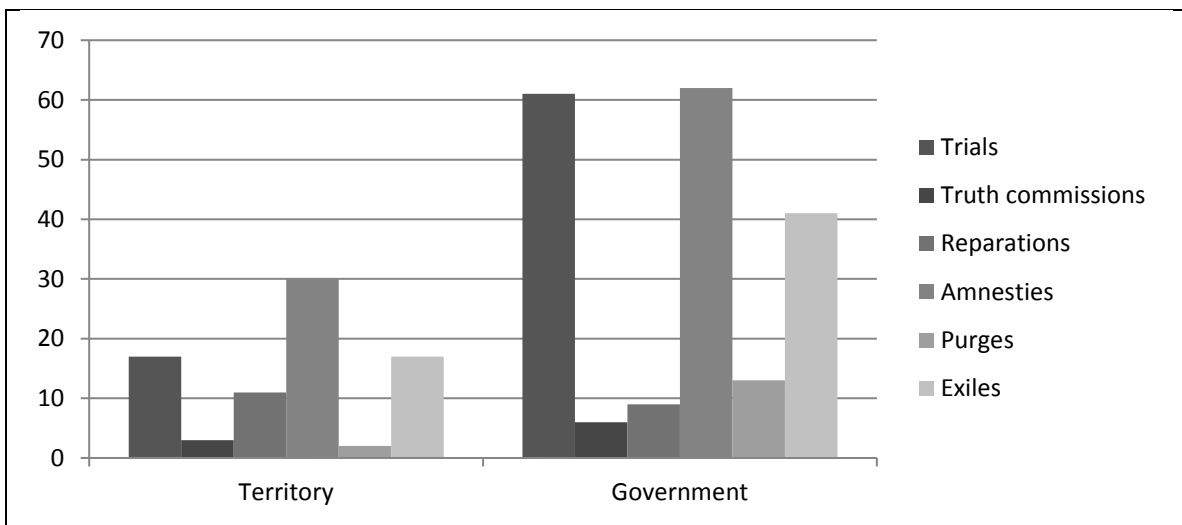


Figure 7. Number of post-conflict justice processes by conflict incompatibility

N = 272 PCJ processes

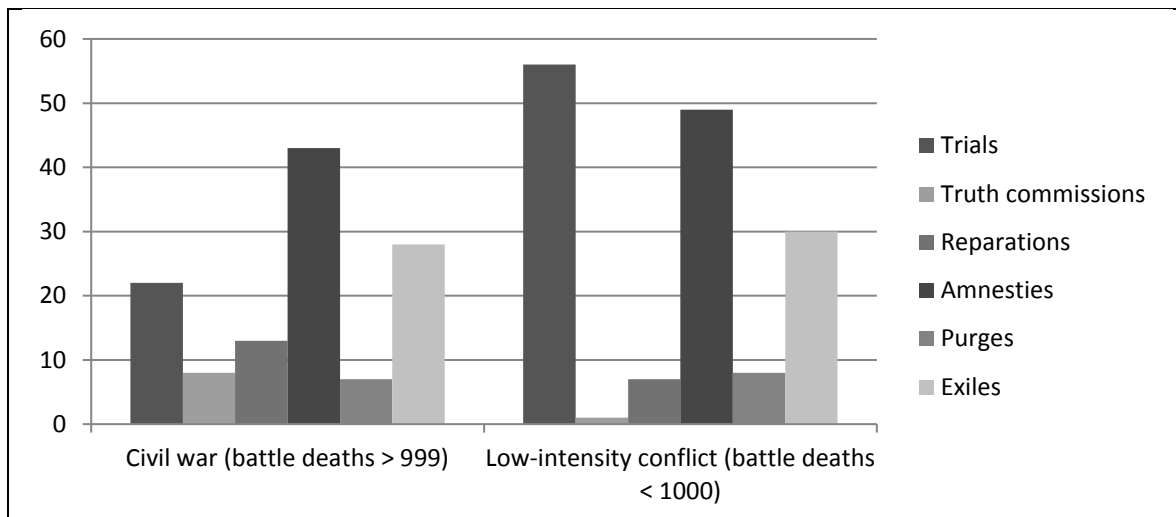


Figure 8. Number of post-conflict justice processes by conflict intensity

N = 272 PCJ processes

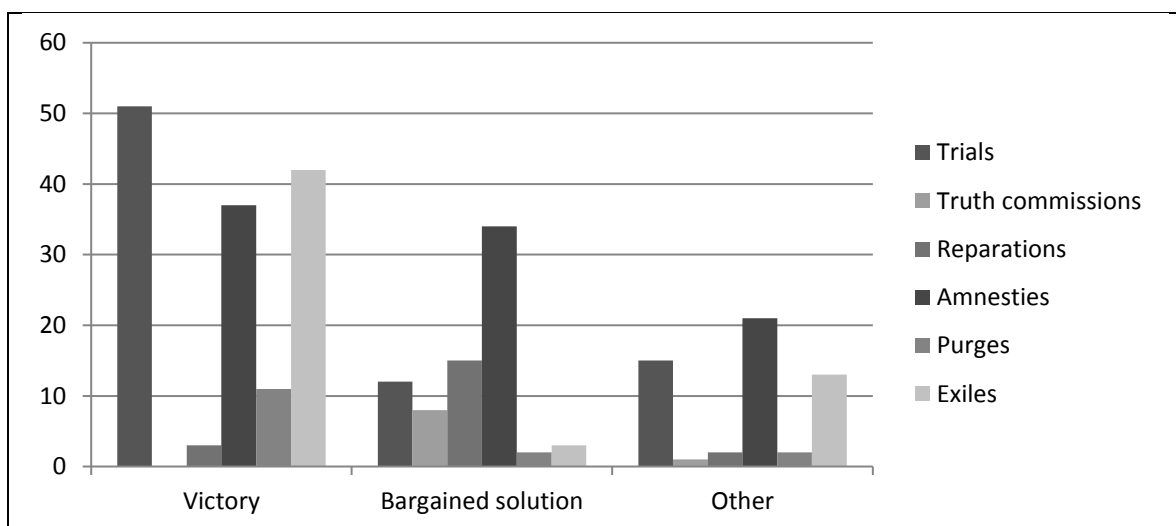


Figure 9. Number of post-conflict justice processes by conflict termination

N = 272 PCJ processes