

Conflict Prevention and Guarantees of Non-Recurrence

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Summary

Guarantees of non-recurrence of mass atrocity crimes are embedded within the United Nations resolutions and declarations on peacebuilding and sustainable development, particularly SDG 16 linking social integration, justice, and sustainable peace. The United Nations and the World Bank recognize the need to channel conflict towards socially regenerative pathways, and work to prevent conflict prior to its effect on the social, economic, and political systems that drive human development. Yet there is a scarcity of empirical investigations into the requisite societal incentives and capabilities for the fostering of local dynamics to reduce the risk of conflict, including the establishment and function of constitutions, human rights institutions, and transitional justice processes. As part of the joint World Bank-United Nations “Sustaining Peace: Making Development Work for the Prevention of Violent Conflicts” project, this study provides an initial exploration of the relationship between these factors and conflict reoccurrence.

In Part I of this report, we define the set of concepts used in the study and set out the hypotheses drawn from the existing literature on relationships of transitional justice mechanisms and institutional and civil society factors to conflict non-recurrence. The section identifies underlying assumptions, their logic, and the scope for their interrogation. It further summarizes existing empirical studies on the hypothesized relationship between post-conflict policy and conflict reoccurrence, and the existing gaps in understanding.

In Part II of the paper, with a technical appendix attached, we present a summary of our findings based on a statistical testing of the relationships described in part I. We find that new constitutions and trials of certain perpetrators of violent crimes are correlated with conflict non-recurrence. We do not find any statistically significant relationship between particular provisions of national constitutions, national human rights institutions and ombuds offices, and non-prosecutorial transitional justice mechanisms and conflict non-recurrence.

In the concluding section of the report (Part III) we set out the policy implications of our findings and outline areas for further investigation. Our findings suggest that international agencies could most directly target conflict non-recurrence by focusing, first, on the creation of new constitutions and the promotion of prosecutorial mechanisms to advance accountability for middle and low level perpetrators of abuses. Despite our statistical findings, we would not recommend abandoning support for national human rights institutions and ombuds offices, specific constitutional provisions, truth commissions, and amnesties. These mechanisms do not increase (or decrease) the likelihood of reoccurrence of conflict. However, they may advance other goals, and provide transitional governments the flexibility in determining the set of institutional mechanisms they prioritize following conflict.

Moreover, data limitations necessitate further research and analysis. We propose additional qualitative and quantitative analysis of national human rights institutions and ombuds offices, and pre-conflict constitutional provisions, less commonly used forms of transitional justice (e.g., reparations, vetting, and accountability for corporate complicity), qualitative analysis of successful peace processes, and qualitative analysis of conflicts that reoccurred after ten years of peace.

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Part I: Conceptual Framework and Hypotheses

This study is concerned with three set of factors assumed to be positively related to the non-recurrence of mass atrocity crimes: (1) constitutional provisions; (2) national human rights institutions (NHRIs) and ombuds offices; and (3) transitional justice mechanisms. Below we set out how these terms are conceptualized and the hypotheses relating them to conflict non-recurrence.

Non-Recurrence of Mass Atrocity Crimes¹

In examining the reoccurrence of mass atrocity crimes we focus on internal armed conflicts, without ignoring the role that external actors play in such conflicts. Internal armed conflicts represent the contexts in which the vast majority of incidents of mass atrocity crimes of interest to this study occur. The Uppsala Conflict Data Program maintains a dataset of “one-sided violence” that examines “the use of armed force by the government of a state or by a formally organized group against civilians which results in at least 25 deaths.”² Almost all cases, however, are of state-repression by authoritarian regimes (which is not of interest to the UN-WB study) or occur in the context of internal armed conflicts. Therefore, with the caveat that this measure may exclude rare cases of intercommunal violence in which there is not ongoing armed conflict, we are nonetheless confident that these data on internal armed conflicts effectively capture mass atrocity crimes (referred to hereafter as “conflict” or “civil war”).

How to measure the dependent variable in the study—conflict non-recurrence—is subject to significant debate within the field (see Methodological Appendix). For example, where a conflict crosses a border, the data may infer conflict cessation due to the country-specific nature of the data. This study uses the widely-accepted UCDP/PRIO Armed Conflict Dataset to examine all cases of “internal armed conflict” and “internationalized internal armed conflict,” defined as “a contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25

¹ We use the term “recurrence” because of the adoption of that term in the joint UN-World Bank study. We contend, however, that conflict *reoccurrence* would more accurately reflect the objective of the study than recurrence. In our view, the UN Special Rapporteur’s mandate erroneously uses the “recurrence” terminology. To recur infers a repeated recurrence of an event. However, reoccurrence is where an event happens again but not necessarily repeatedly or multiple times. The objective of the study is to consider *any* reoccurrence, not only repeated recurrences of conflict. It is our view that the term reoccurrence should replace recurrence in international organizations’ usage.

² Kristine Eck and Lisa Hultman, “One-Sided Violence Against Civilians in War: Insights from New Fatality Data,” *Journal of Peace Research* 44:2 (2007): 233-246.

battle-related deaths.”³ The UCDP/PRIO dataset tracks violence at this level annually, allowing us to examine if the same actors reengage in violence after conflict ends.

Using this selection method means that in addition to the frequently decades-long civil wars at the forefront of research on conflict reoccurrence the sample includes some coups and coup attempts, minor armed revolts, and small skirmishes. While they are shorter in duration than most civil wars, these episodes can nonetheless lead to high levels of violence (and we control for conflict severity in our models). Moreover, states frequently use transitional justice mechanisms and other institutional reforms in violent episodes’ aftermath with the aim of preventing such episodes in the future. The 1994 Zapatista uprising in Mexico, for example, was followed by an amnesty law. Niger has been plagued by intermittent low-level conflict (less than 2,000 deaths total) with various Tuareg ethnic rebel groups from the north since the early 1990s. Throughout this period, the government has enacted four new constitutions—1992, 1996, 1999, and 2009—with aims of devolving power and granting more rights.

We also acknowledge that the focus on the presence and absence of armed conflict examines only negative peace (or the absence of personal violence), but as yet no data set exists that allows us to quantitatively test for positive peace outcomes.⁴ The time period of the study is 1970 to 2010; we exclude conflicts ongoing after the end date to assess the impact of the independent variables.

A challenge for defining non-recurrence is determining an appropriate time period in which peace is sustained. This study examined three-, five-, and ten-year periods. The results for the three-year sample were less accurate than the five-year sample. Moreover, our findings for the five-year sample held up for the three-year period, with no new factors proving significant, thus verifying our confidence regarding the five-year choice. Although we also examined non-recurrence after ten years, we found only 18 cases to analyze—an insufficient number for meaningful statistical outcomes on the set of variables.⁵

The decision to restrict our analysis to the first five years after conflict termination also aligns with scholarship demonstrating that the greatest risk for civil war reoccurrence is within the first

³ UCDP/PRIO Armed Conflict Dataset Codebook, Version 4-2009. We exclude extra-systemic (also termed colonial) wars and interstate wars. As explained in the Methodological Appendix, we have opted for the lower measure of conflict over the higher (1,000 battle deaths per year) because it provided more meaningful results in terms of reoccurrence. There were too few conflicts that reached the 1,000 battle deaths measure. We also consider this measure to be imprecise because it includes a war with 50,000 battle deaths in a single year with a 20-year minor conflict with 50 battle deaths per year. Bethany Lacina has created a data set with yearly battle deaths, but because it begins in 1990 only its use would constrain our analysis considerably, see: Bethany Lacina and Nils Petter Gleditsch, “Monitoring Trends in Global Combat: A New Dataset of Battle Deaths,” *European Journal of Population* 21:2-3 (2005): 145-166.

⁴ Johan Galtung, “Violence, Peace, and Peace Research,” *Journal of Peace Research* 6:3 (1969), 167-91.

⁵ See Table 1 in the Appendix.

few years. Those wars that end in peace agreements, in particular, are prone to reoccurrence in the first several years, after which agreement is likely to strengthen over time.⁶ In two larger studies supported by the World Bank, Paul Collier et al. found that the risk of reversion for all civil wars was 39% in the first five years and 23% during the first four years respectively.⁷

Multiple hypotheses exist to explain the emergence and reoccurrence of armed conflict. These can be grouped into roughly two large, inter-related categories: grievances and opportunity.⁸

The first, grievances, focuses on the political and social causes of the initial turn to violence. Scholars have posited, for example, that ethnic differences make wars last longer,⁹ are less likely to end via negotiation,¹⁰ and are more likely to recur.¹¹ Relatedly, the underlying incompatibility of the war—control over the central government (revolutionary) compared to control over territory (secessionist)—alters the dynamics of the violence and attempts at peace.¹² Scholars have found that wars fought over territory, what James D. Fearon refers to as “sons of the soil” conflicts,¹³ last longer, and that actors involved in those conflicts are less likely to seek negotiation,¹⁴ making them more likely to recur. In addition, while more deadly and destructive wars may indicate an exhaustion of resources that could make a war more likely to end and

⁶ John Darby, *The Effects of Violence on Peace Processes* (Washington, DC: United States Institute of Peace Press 2001); Roy Licklider, “The Consequences of Negotiated Settlements in Civil Wars, 1945–1993,” *American Political Science Review* 89:2 (1995): 681-90; Caroline Hartzell, Matthew Hoddie, and Donald Rothchild, “Stabilizing the Peace after Civil War: An Investigation of Some Key Variables,” *International Organization* 55:1 (2001): 183-208.

⁷ Paul Collier, Lani Elliot, Havard Hegre, Anke Hoeffler, Marta Reynal-Querol, and Nicholas Sambanis, *Breaking the Conflict Trap: Civil War and Development Policy* (Washington D.C.: World Bank and Oxford University Press, 2003); Paul Collier, Anke Hoeffler, and Måns Söderbom, “Post-Conflict Risks,” *Journal of Peace Research* 45:4 (2008): 461-78.

⁸ Barbara F. Walter, “Why Bad Governance Leads to Repeat Civil Wars,” *Journal of Conflict Resolution* 59:7 (2015): 1242-1272; Paul Collier and Anke Hoeffler, “On Economic Causes of Civil War,” *Oxford Economic Papers* 50:4 (1998): 563-573.

⁹ James D. Fearon, “Why Do Some Civil Wars Last So Much Longer Than Others?” *Journal of Peace Research* 41:3 (2004): 275–301.

¹⁰ Chaim Kaufmann, “Possible and Impossible Solutions to Ethnic Civil Wars,” *International Security* 20:1 (1996): 136-175; T. David Mason and Patrick J. Fett, “How Civil Wars End: A Rational Choice Approach,” *Journal of Conflict Resolution* 40:4 (1996): 546-568.

¹¹ James D. Fearon and David Laitin, “Explaining Ethnic Cooperation,” *American Political Science Review* 90:4 (1996): 715-737; Mehmet Gurses, Nicolas Rost, and Patrick McLeod, “Mediating Civil War Settlements and the Duration of Peace,” *International Interactions* 34:2 (2008): 129-155.

¹² Halvard Buhaug, “Relative Capability and Rebel Objective in Civil War,” *Journal of Peace Research* 43:6 (2006): 691-708.

¹³ Fearon 2004.

¹⁴ Barbara F. Walter, “Explaining the Intractability of Territorial Conflict,” *International Studies Review* 5:4 (2003), 137-153.

remain at peace,¹⁵ they also engender greater levels of mistrust, increase the difficulty of managing peace, and render reoccurrence more likely.¹⁶ Governmental characteristics and the degree of political exclusion may be associated with the potential for conflict reoccurrence.¹⁷ For example, in Africa, between 1970 and 1990, rulers faced a 72% chance of being forced out of office under violent circumstances, including via armed insurgency. According to William Reno, after 1990 the probability fell to 41% owing, in part, to multiparty elections.¹⁸ Scholars also contend that peace agreements including power-sharing or power-dividing provisions are more effective at preventing the reoccurrence of conflict than agreements without such provisions.¹⁹

A second set of emergent hypotheses focuses on greed—political and economic opportunity structures—as key factors driving conflict reoccurrence. Where states are poor and weak, armed groups face fewer barriers to recruitment and can more easily sustain conflict.²⁰ Relatedly, favorable geography can contribute to the persistence of violence.²¹ Another subset of studies have focused on the economic drivers of armed conflict,²² including the presence of commodities

¹⁵ Fearon 2004; Patrick M. Regan, “Third Party Interventions and the Duration of Intrastate Conflicts,” *Journal of Conflict Resolution* 46:1 (2002): 55-73.

¹⁶ Håvard Hegre, Håvard Mokleiv Nygård, and Ranveig Flaten Ræder, “Evaluating the Scope and Intensity of the Conflict Trap: A Dynamic Simulation Approach,” *Journal of Peace Research* (2017); Michael W. Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations* (Princeton, NJ: Princeton University Press, 2006).

¹⁷ There are various arguments concerning the relationship between democracy and civil war; see, for example, James Vreeland, “The Effect of Political Regime on Civil War: Unpacking Anocracy,” *Journal of Conflict Resolution* 52:3 (2008): 401-425; Kristian Skrede Gleditsch and Andrea Ruggeri, “Political Opportunity Structures, Democracy, and Civil War,” *Journal of Peace Research* 47:3 (2010): 299-310.

¹⁸ William Reno, “The Politics of Insurgency in Collapsing States,” *Development and Change* 33:5 (2002): 837-858.

¹⁹ Caroline A. Hartzell, “Explaining the Stability of Negotiated Settlements to Intrastate Wars,” *Journal of Conflict Resolution* 43:1 (1999): 3-22; Caroline Hartzell and Matthew Hoddie, *Crafting Peace: Power-Sharing Institutions and the Negotiated Settlement of Civil War* (University Park, PA: Pennsylvania State University Press, 2007).

²⁰ Paul Collier and Anke Hoeffler, “Greed and Grievance in Civil War,” *Oxford Economic Papers* 56:4 (2004): 563-595.

²¹ James D. Fearon and David Laitin, “Ethnicity, Insurgency, and Civil War,” *American Political Science Review* 97:1 (2003): 75-90.

²² Paul Collier, “Doing Well Out of War: An Economic Perspective,” in Mats Berdal and David M. Malone (eds.), *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder, CO.: Lynne Rienner, 2000), 91-112.

that rebels loot (e.g. diamonds, drugs) to fund violent activities,²³ and external sources of funding (e.g. diaspora groups),²⁴ that prolong conflict and increase the likelihood of reoccurrence.²⁵

Against these conditions, scholars identified factors that are likely to reduce the likelihood of conflict reoccurrence. Third-party peacekeepers, for example, have been shown in many studies to reduce the likelihood of conflict recurrence by minimizing credible commitment and information problems.²⁶ Some studies, however, have not found evidence for this effect,²⁷ and it may be that success depends on the size of the deployment.²⁸ Further consideration of this variable might also weigh the proportionality of such deployments to the local (and international) armed actors.²⁹ It may be that such considerations explain persistence in some situations that experience deployments. At present evidence is scarce, particularly in relation to the internal bureaucratic triggers that inform violent autocratic state response to protest that might result in armed conflict.³⁰ In addition, if one side is militarily defeated during a civil war, the likelihood of conflict reoccurrence declines.³¹ Finally, timing, particularly the historic transformation in war-making and the advances in peace-making agreements following the Cold War, is assumed to be

²³ Michael L. Ross, "What Do We Know About Natural Resources and Civil War?" *Journal of Peace Research* 41:3 (2004): 337-356; Päivi Lujala, "Deadly Combat over Natural Resources: Gems, Petroleum, Drugs, and the Severity of Armed Civil Conflict," *Journal of Conflict Resolution* 53:1 (2009): 50-71; Jeremy M. Weinstein, *Inside Rebellion: The Politics of Insurgent Violence* (Cambridge, UK: Cambridge University Press, 2007).

²⁴ Ibrahim Elbadawi and Nicholas Sambanis, "How Much War Will We See? Explaining the Prevalence of Civil War," *Journal of Conflict Resolution* 46:3 (2002): 307-334.

²⁵ Fearon 2004.

²⁶ Patrick M. Regan, "Third-Party Interventions and the Duration of Intrastate Conflicts," *Journal of Conflict Resolution* 46:1 (2002): 55-73; J. Michael Quinn, T. David Mason, and Mehmet Gurses, "Sustaining the Peace: Determinants of Civil War Recurrence," *International Interactions* 33:2 (2007): 167-193; Virginia Page Fortna, *Does Peacekeeping Work? Shaping Belligerent's Choices after Civil War* (Princeton, NJ: Princeton University Press, 2008); David T. Mason, Mehmet Gurses, Patrick T. Brandt, and Jason Michael Quinn, "When Civil Wars Recur: Conditions for Durable Peace after Civil Wars," *International Studies Perspectives* 12:2 (2011): 171-89; Michael J. Gilligan and Ernest J. Sergenti, "Do UN Interventions Cause Peace? Using Matching to Improve Causal Inference," *Quarterly Journal of Political Science* 3:2 (2008): 89-122.

²⁷ Peter Rudloff and Michael G. Findley, "The Downstream Effects of Combatant Fragmentation on Civil War Recurrence," *Journal of Peace Research* 53:1 (2016): 19-32; Walter 2015.

²⁸ Lisa Hultman, Jacob D. Kathman, and Megan Shannon, "United Nations Peacekeeping Dynamics and the Duration of Post-Civil Conflict Peace," *Conflict Management and Peace Science* 33:3 (2016): 231-49

²⁹ Andrea Ruggeri, Han Dorussen, and Theodora-Ismene Gizelis, "Winning the Peace Locally: UN Peacekeeping and Local Conflict," *International Organization* 71:1 (2017): 163-185.

³⁰ Marianne Dahl, Scott Gates, and Håvard Møkleiv Nygård, *Securing the Peace*, Background paper for UN-World Bank Flagship Study on development and conflict prevention, Peace Research Institute of Oslo, 1 April 2017, Oslo.

³¹ Joakim Kreutz, "How and When Armed Conflicts End: Introducing the UCDP Conflict Termination Dataset," *Journal of Peace Research* 47:2 (2010): 243-250.

related to conflict non-recurrence. External intervention, as happened often during the Cold War, has been shown to increase the duration of civil wars.³² This has changed dramatically following the fall of the Soviet Union, with wars more likely to end via negotiation and less likely to recur. Such findings reinforce the idea of hegemonic stability theory where one power, or alliance of powers, external and/or local, enjoys distinct economic and military superiority and deters adversaries from conflict.³³

We include many of the factors hypothesized to explain conflict non-recurrence—conflict dynamics, conflict-termination, and post-conflict environments—as controls in our study.

Since transitional justice processes, constitutional frameworks, and human rights institutions seek to enable inclusive societies and address underlying causes of violence, analyzing these factors advances the project of reducing non-recurrence of conflict. The above explanations scarcely explore the elements of poor and weak states. Greed and grievance are inextricably linked, as are the various elements that shape these hypothesized motivations. Autocracy and democracy tell us only so much about the nature of power. One of the ways rulers obtain loyalty is by buying it, most efficiently in the short term, by distributing state resources and assets as patronage.³⁴ Moreover, dependency on the Gini coefficient to measure inequality renders shallow analyses that fail to consider the diversity of inequalities and the diversity of grievance.³⁵ Göran Therborn, for example, identifies underexplored violations of human capabilities, as sources of grievance that drive conflict. These include socially vital inequalities including health and lifespan, existential inequality, including personhood, rights, dignity, respect, degrees of freedom and self-development, and resource inequality, where humans are constrained from acting to their full capacity.³⁶ Further inequalities are often considered at the level of the individual and neglect the dimension of social groups. Frances Stewart, as well as Lars-Erik Cederman et al., observe that horizontal ethnic, religious or racial inequalities, as well as how they are experienced or perceived, also drive violent conflict.³⁷ Karim Bahgat et al., note that

³² Regan 2002; Paul Collier, Anke Hoeffler, and Måns Söderbom, “On the Duration of Civil War,” *Journal of Peace Research* 41:3 (2004): 253-273.

³³ Kalevi Holsti, *Major Texts on War, the State, Peace, and International Order* (Vancouver: Springer International Publishing, 2016): 43-64; Felicia Pratto, Jim Sidanius, Fouad Bou Zeineddine, Nour Kteily, and Shana Levin, “When Domestic Politics and International Relations Intermesh: Subordinated Publics’ Factional Support within Layered Power Structures,” *Foreign Policy Analysis* 10:2 (2014): 127-148; Duncan Snidal, “The Limits of Hegemonic Stability Theory,” *International Organization* 39:4 (1985): 579-614.

³⁴ Reno 2002.

³⁵ The Gini coefficient is focused upon wealth and income inequalities rather than other experienced inequalities.

³⁶ Göran Therborn, *The Killing Fields of Inequality* (Cambridge, UK: Polity Press, 2013).

³⁷ Frances Stewart, ed. *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies* (New York, NY: Palgrave Macmillan, 2008); Cederman et al. 2010, Stewart 2000, 2002 Cederman et al. 2013; Frances Stewart, “Crisis Prevention: Tackling horizontal inequalities”, *Oxford Development Studies*, 2000, 28(3): 245-262; Cederman, L.E., K.S. Gleditsch, and H. Buhaug, *Inequality, Grievances, and Civil War*, Cambridge: Cambridge University Press, 2013..

horizontal inequalities (using Gini coefficient variables of wealth and income inequality) do not cause conflict, while horizontal inequalities do.³⁸ However, the conditions and rationale (if common) that mobilize social group identities to violence remains unclear.³⁹ To understand government pressure to supply patronage, often along the lines of specific social groups, demands consideration of state power construction. Scholars, particularly of Africa, have traced such pressures to the construction of the colonial and post-colonial state, where office holders at various levels of the state are rendered accountable to the superiors that supply patronage, diminishing accountability to constituents.⁴⁰ Studies that incorporate power into explanations of the likelihood of armed conflict consider the extent to which groups outside lines of patronage perceive capturing the state, and its rent-seeking and distributive power, as a zero-sum game that justifies violence.⁴¹ Neo-patrimonial power structures also render the state vulnerable to external exogenous shocks, and dependent on external economic patronage.⁴²

The United Nations emphasizes the links between non-recurrence and social inclusion, national reconciliation and unity “through inclusive dialogue and mediation, access to justice and transitional justice, accountability, good governance, democracy, accountable institutions, gender equality and respect for, and protection of, human rights and fundamental freedoms.”⁴³ Considering institutional arrangements could test the hypotheses that social group exclusion or inclusion drives conflict non-recurrence. Specifically, certain institutions may provide insights into inclusionary and equitable arrangements, including: constitutions (i.e., construction, provisions, amendment, and application); national human rights institutions and ombuds offices (i.e., their construction, amendment, quality, and function); and transitional justice processes (i.e., trials, amnesties, truth commissions, reparations, and vetting). Given the emphasis of the United Nations on authentic and inclusive political settlement to promote sustainable peace, understanding the role of institutions that potentially influence power dynamics in society is critical to the development of actor capacity to foster appropriate local dynamics for the management and reduction of violence and conflict.⁴⁴ Understanding the relationship between

³⁸ Karim Bahgat, Gray Barrett, Kendra Dupuy, Scott Gates, Solveig Hillesund, Havard Mogleiv Nygard, Siri Aas Rustad, Havard Strand, Henrik Urdal, Gudrun Ostby, “Inequality and Armed Conflict: Evidence and Data”, Background report for the UN and World Bank Flagship study on development and conflict prevention, Peace Research Institute of Oslo, April 2017, Oslo.

³⁹ Ibid.

⁴⁰ Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton, NJ: Princeton University Press, 1996).

⁴¹ Frederick Cooper refers to the control of a ‘gatekeeper state’ – where capturing the gate (government) enables capacity to seek and distribute rents, creating cycles where social groups employ violence to capture (and retain) state control. See: Frederick Cooper, *Africa Since 1940: The Past of the Present* (Cambridge, UK: Cambridge University Press, 2002), vol. 1; Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton, NJ: Princeton University Press, 2014).

⁴² Mamdani 1996.

⁴³ United Nations Security Council Resolution 2282, S/RES/2282, 27 April 2016.

⁴⁴ Report of the Secretary General, *The future of the United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations*, A/70/357-S/2015/682, 2 September 2015, p. 3.

the phenomena considered in this study and conflict reoccurrence is undertaken with some caution. Suitable and accurate data on the factors comprising the web of societal dynamics that are hypothesized to effect conflict reoccurrence are themselves scarce; and empirical studies of the relationship between these factors and conflict are even more so.

The definitions of the transitional justice, constitutional provisions, and national human rights institution and ombuds office variables and the hypotheses regarding their effect on conflict reoccurrence are set out below.

Constitutional Provisions Regarding Human Rights

Drawing from its main data source—the Comparative Constitutions Project (CCP),⁴⁵ this study tests the hypotheses that the adoption of a new constitution or the inclusion of provisions in formal and written constitutions after the end of conflict is likely to reduce conflict reoccurrence. Empirical data considering the relationship between constitutions, constitutional protection of rights and conflict reoccurrence or occurrence, is scarce. Herschel Grossman theorizes that constitutional dispute resolution between groups avoids civil conflict only if a constitution is self-enforcing.⁴⁶ He suggests that such a constitution may be constructed where conflict power is relatively even, perceived conflict costs outweigh the importance of disputes, and where parties hold concern about future consequences of their actions.⁴⁷ Kristi Samuels' qualitative examination of the International Institute for Democracy and Electoral Assistance (IDEA) case studies of constitutional construction asserts that "how" constitutions are made informs conflict reoccurrence.⁴⁸ More representative, transparent, and inclusive processes that include societal democratic education were less likely to produce conflict reoccurrence.⁴⁹ Further, reoccurrence most commonly resulted from the preceding dialogue's failure to enable elite reconciliation on structural issues.⁵⁰ She contends that constitution-making must enable elite reconciliation or risk threats to constitutional design, enactment, and enforcement. This interpretation reflects findings that aspects of political and military power-sharing as well as territorial autonomy reduce risk of reoccurrence.⁵¹ At the same time, preventing elite capture of constitution-making is important to foster greater equality. Advancing both objectives requires the development of appropriate procedural design that ensures inclusive participation. Samuels' observations align with those

⁴⁵ Zachary Elkins, Tom Ginsburg, and James Melton, "Characteristics of National Constitutions, Version 2.0." Comparative Constitutions Project (2014). Last modified: April 18, 2014. Available at: <http://www.comparativeconstitutionsproject.org>.

⁴⁶ Herschel I. Grossman, "Constitution or Conflict?" *Conflict Management and Peace Science* 21:1 (2004): 29-42.

⁴⁷ Ibid.

⁴⁸ Kristi Samuels, "Post-conflict peace-building and constitution-making," *Chi. J. Int'l L.* 6 (2005): 663.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Bahgat et al., 2017.

relating to peace agreements referred to above, reinforcing the notion that elite reconciliation enables power-sharing or power-dividing provisions that prevent conflict reoccurrence.⁵²

The CCP dataset includes data relevant to testing these hypotheses. It tracks constitutions for all independent states from 1789 to 2015, including provisions relevant to the study of non-recurrence of conflict. While we did not conduct a qualitative study of constitutions, the CCP is based on a thorough content analysis of each constitution, containing 669 distinct variables; we thus feel confident drawing on it for the purposes of this statistical study. From the CCP, we include data on the adoption and amendment of constitutions in our study, along with data on specific provisions relevant to the hypotheses regarding conflict non-recurrence: equality and protection from discrimination; oversight of electoral processes; ombuds offices and other oversight bodies; human rights commissions; the inclusion of international law in domestic legal practice; and prohibitions on torture and other cruel, inhuman, or degrading treatment. We do not have data, however, relating to the power disparities between (and the representativeness of) negotiating actors, the extent to which constitutions divide power, constitutions' enforceability, or the extent to which public education programs (and their efficacy) were employed.

National Human Rights Institutions (NHRIs) and Ombuds Offices

The United Nations General Assembly defined national human rights institutions broadly as “national institutions for the promotion and protection of human rights.”⁵³ The Paris Principles go further to delineate the competence and specific responsibilities of such institutions.⁵⁴ There are important distinctions between national human rights institutions and ombuds offices, but the line between them is often blurred. Many ombuds office have taken on more complex roles in recent years, and “only by carefully reading the enabling law and the mandate can it be determined if an institution is an NHRI.”⁵⁵ We thus include both types of institutions in our analysis and test them independently (more below).

Empirical studies have begun to examine the relationship between national human rights institutions and the recurrence of violence. Wade Cole and Francisco Ramirez, for example, find that all human rights institutions improve long-term physical integrity rights outcomes and this effect strengthens over the long-term, suggesting that violence declines where NHRIs are present.⁵⁶ The forthcoming study by David L. Cingranelli and Mark Gibney as part of the joint

⁵² Caroline A. Hartzell, “Explaining the Stability of Negotiated Settlements to Intrastate Wars,” *Journal of Conflict Resolution* 43:1 (1999): 3-22; Caroline Hartzell and Matthew Hoddie, *Crafting Peace: Power-Sharing Institutions and the Negotiated Settlement of Civil War* (University Park, PA: Pennsylvania State University Press, 2007).

⁵³ United Nations General Assembly Resolution 48/134, 20 December 1993.

⁵⁴ See: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfNationalInstitutions.aspx>.

⁵⁵ “National Human Rights Institutions: History, Principles, Roles and Responsibilities,” Office of the United Nations High Commissioner for Human Rights, 2010, 22: http://www.ohchr.org/Documents/Publications/PTS-4Rev1-NHRI_en.pdf.

⁵⁶ Wade Cole and Francisco Ramirez, “Conditional Decoupling Assessing the Impact of National Human Rights Institutions, 1981 to 2004,” *American Sociological Review* 78:4 (2013): 702-725.

World Bank-UN study considering the relationship between physical integrity rights violations and reoccurrence will further illuminate our understanding of this issue.⁵⁷

To examine the relationship of NHRIs and ombuds offices to conflict non-recurrence, we drew on Jeong-Woo Koo and Ramirez⁵⁸ existing dataset on NHRIs from 1965-2004. Replicating their methodology by using the International Ombudsman Institute⁵⁹ and the National Human Rights Institutions Forum,⁶⁰ we updated the data to 2017. We code institutions as NHRIs or ombuds offices based on how they categorize themselves by registering with either the International Ombudsman Institute or the National Human Rights Institutions Forum (and several institutions register with both). They are included as separate variables and as a combined variable in the models (see Appendix 7).

We examined the website of each institution to determine its date of creation and verify its existence. Regarding quality of these institutions, the Paris Principles, adopted in 1993, include an accreditation process for National Human Rights Institutes. Those in full compliance meet an “A” standard, those not fully in compliant are “B” standard, and those not compliant are “C” standard under the Paris Principles. Although this is a well-respected measure of quality, the first accreditations did not occur until the late 1990s and most have occurred in more recent years. As a result, there are too few cases in our dataset with ratings to include them in any statistical models.⁶¹ Table 3 in the Appendix lists the only cases in our dataset that would be effected if we were to include this variable.

Transitional Justice (TJ)

In its Guidance Note of the Secretary General, the UN defines transitional justice (TJ) as “the full range of processes and mechanisms associated with a society’s attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation.”⁶² The kinds of abuses included in this study are violations of physical or personal integrity rights carried out by a state or agents of the state or rebel forces, including extrajudicial killing, torture or similar physical abuse, disappearances, and arbitrary and political imprisonment. As discussed further below, our study does not consider the crime of aggression, despite its status as a core international crime under international law.

Widespread debate exists over the value of TJ in reducing conflict reoccurrence. While some scholars suggest that only certain TJ mechanisms that appease potential spoilers—such as

⁵⁷ David Cingranelli, Mark Gibney, Peter Haschke, Reed Wood, Daniel Arnon, and Brendan Skip Mark, Human Rights Violations and violent Internal Conflict, Background paper for the United Nations-World Bank Study on Development and Conflict Prevention, April 2017.

⁵⁸ Jeong-Woo Koo and Francisco O. Ramirez, “National Incorporation of Global Human Rights: Worldwide Expansion of National Human Rights Institutions, 1966-2004,” *Social Forces* 87:3 (2009): 1321-53.

⁵⁹ <http://www.theioi.org/>.

⁶⁰ <http://www.nhri.net/>.

⁶¹ See: <http://www.ohchr.org/Documents/Countries/NHRI/ChartStatusNHRIs.pdf>.

⁶² Guidance Note of the Secretary General, “United Nations Approach to Transitional Justice (March 2010) https://www.un.org/ruleoflaw/files/TJ_Guidance_Note_March_2010FINAL.pdf

amnesties—would likely allow for a stable transition to peace,⁶³ others counter that without the deterrent effect of criminal trials, state and rebel armed groups will resort to violence.⁶⁴ Both positions assert a logical assumption based on the macro-level outcomes of their studies that specific TJ mechanisms and actors' behavior are causally linked. Although they substantiate the link between TJ mechanisms and macro-level outcomes, they do not provide empirical evidence to support their causal claims. Hyeran Jo and Beth A. Simmons provide added insight into the effect of criminal trials in their study of the International Criminal Court (ICC). They claim that the ICC's complementarity measure increases the quality of domestic criminal processes, and that better criminal trial processes are likely to have a more positive effect on conflict non-recurrence.⁶⁵

Criminal trials would appear to be part of the SDG 16 focus on the relationship of inclusivity and sustainable peace. But while social inclusion in the form of equal access to justice is assumed in the promotion of criminal trials to address past human rights violations, due process considerations for the accused are not always recognized.⁶⁶ Some scholars have accused TJ of ignoring the rights of the accused, thereby heightening discriminatory processes and jeopardizing

⁶³ Jack Snyder and Leslie Vinjamuri, "Trials and Errors: Principle and Pragmatism in Strategies of International Justice," *International Security* 28:3 (2003-04): 5-44.

⁶⁴ Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York, NY: Norton, 2011).

⁶⁵ Hyeran Jo and Beth A. Simmons, "Can the International Criminal Court Deter Atrocity?" (December 18, 2014), available at SSRN: <https://ssrn.com/abstract=2552820> or <http://dx.doi.org/10.2139/ssrn.2552820>. For a critique of this study, see Chris Mahony, "If You're Not at the Table, You're on the Menu: Complementarity and Self-Interest in Domestic Processes for Core International Crimes," in Morten Bergsmo and Song Tianying (eds.), *Military Self-Interest in Accountability for Core International Crimes* (Brussels: Torkel Opsahl Academic EPublisher, Brussels, 2015): 229-260. The small sample size questions the validity of the findings. Moreover, they presume that conflicts are confined to state territories and continued violations by actors of the UPDF in eastern Democratic Republic of Congo, for example. Finally, they assert causation without considering lurking variables that likely explain the independent and dependent variables in the study. For consideration of methodological fallibility when considering independent and dependent variables, see: George E.P. Box, "Use and Abuse of Regression," *Technometrics* 8:4 (1966): 625-629.

⁶⁶ Tim Kelsall, *Culture Under Cross-Examination: International Justice and the Special Court for Sierra Leone* (New York, NY: Cambridge University Press, 2009).

the foundations upon which rule of law⁶⁷ and social inclusion are built. Kathryn Sikkink's view that norms may be advanced while compromising "true justice,"⁶⁸ may represent the kind of discriminatory practices that could endanger rule of law systems and their relationship to non-recurrence. Rather than prioritizing the number of prosecutions, as some scholars have done, concerns raised over discriminatory practices may call for greater quality of justice for sustainable peace.⁶⁹

Moving away from criminal trials, some TJ scholars and practitioners have advocated truth commissions, or the blending of symbolic and victim-centered forms of accountability with appeasement in the form of amnesty, to transition from violent pasts.⁷⁰ Others use empirical evidence to claim that this balance is achieved by adopting criminal trials alongside targeted amnesties, with or without truth commissions, and with positive results for improvements in human rights and democracy.⁷¹ Database research has produced patchy and contradictory findings on the effects of TJ processes as a consequence of variance in elements of research design and purpose.⁷² The relationship between TJ processes in general, the specific mechanisms or combination of mechanisms, or variation in the quality of the mechanisms, and conflict non-recurrence remains unexplored. This study takes initial steps in that direction.

Transitional justice enjoys, as one of its four pillars, a specific mandate of guarantees of non-recurrence. To address non-recurrence of conflict requires consideration of all areas of public

⁶⁷ Drawing from the UN, rule of law is composed of the following six characteristics: (1) law and order is prevalent; (2) law is publicly debated and promulgated, equally enforced, and independently adjudicated; (3) judicial and governmental decisions are based on objective, mechanical and rigorous application of law or equitable process to fully explored facts; (4) persons, institutions and entities, public and private, including the State itself, are accountable to law; (5) all citizens may access effective and efficient dispute-resolution, regardless of their financial means; and (6) international human rights norms and standards are protected and enforced by law. See A. V. Dicey, *Introduction to the Study of the Law of the Constitution* (London, UK: Macmillan, 1885), 175-84; and John Locke, *Two Treatises of Government*, edited by Peter Laslett (New York, NY: Cambridge University Press, 1994), 131, 353.

⁶⁸ Sikkink 2011, 8.

⁶⁹ Chris Mahony, "International Criminal Justice Case Selection Independence: An ICJ Barometer," *FICHL Policy Brief Series No. 58* (Brussels: Torkel Opsahl Academic EPublisher, 2016).

⁷⁰ José Zalaquett, "Balancing Ethical Imperatives and Political Constraints: The Dilemmas of New Democracies Confronting Past Human Rights Violations," *Hastings Law Journal* 43:6 (1992):1425-1438

⁷¹ Tricia D. Olsen, Leigh A. Payne, and Andrew G. Reiter, *Transitional Justice in Balance: Compartment Processes, Weighing Efficacy* (Washington, DC: United States Institute of Peace Press, 2010).

⁷² Oskar NT Thoms, James Ron and Roland Paris, "State-Level Effects of Transitional Justice: What Do We Know?" *International Journal of Transitional Justice* 4:3 (2010) 329-354; Louise Mallinder and Catherine O'Rourke, "Databases of Transitional Justice Mechanisms and Contexts: Comparing Research Purposes and Design," *International Journal of Transitional Justice* 10:3 (2016): 492-515.

policy in post-conflict environments—a task beyond conventional transitional justice approaches. At the original United Nations conception of the idea of preventing recurrence of violations, in 1993, five policy areas were considered:

- i. Ensuring effective civilian control of military and security forces;
- ii. Restricting the jurisdiction of military tribunals;
- iii. Strengthening the independence of the judiciary;
- iv. Protecting the legal profession and human rights workers, and;
- v. Providing human rights training to all sectors of society, in particular to military and security forces and to law enforcement officials.⁷³

The security sector orientation of Theo Van Boven's 1993 UN report persisted. Diane Orentlicher's report to the UN Economic and Social Council asserted that full and effective exercise of the right to the truth constituted a key safeguard against repetition of violations.⁷⁴ Orentlicher identifies generic goals to “respect for the rule of law, foster and sustain a culture of respect for human rights, and restore or establish public trust in government institutions.”⁷⁵ To do this she cites consistent public institution adherence to the rule of law; repeal and reform of laws enabling violations and *other measures* necessary for respect of rights and democratic safeguards; civilian control of security and intelligence apparatus; and child combatant reintegration.⁷⁶ No justification is given as to the specific selection of these policy spheres for non-recurrence despite the diversity of conflict causes and potential political, economic, social, environmental, and security policy responses.

Special Rapporteur for the Promotion of Truth, Justice, Reparation, and Guarantees of Non-Recurrence, Pablo de Greiff, cites multiple public policy reforms relating to security and legal identity as encompassing part of Guarantees of Non-Recurrence. They include “ratification of relevant treaties; justice and security sector reforms; changes in security legislation; and constitutional reforms, incorporating the separation of powers principle, removing discriminatory provisions and incorporating a bill of rights.”⁷⁷ The Special Rapporteur also cites legal empowerment and the creation of an enabling environment for civil society to build civic culture and personal dispositions. He also identifies “the preventive potential of education reform, arts and culture, and trauma counselling.”⁷⁸

The Special Rapporteur also notes historical ambiguity as to what is to be prevented from recurrence. He notes (citing jurisprudence) that conduct specific to that experienced by victims in

⁷³ United Nations, Study concerning the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, Commission on Human Rights, E/CN.4/Sub.2/1993/8, 2 July 1993, p. 58.

⁷⁴ United Nations, Report of the independent expert to update the Set of principles to combat impunity, Diane Orentlicher, E/CN.4/2005/102/Add.1, 8 February 2005, New York, 7.

⁷⁵ Ibid, 17.

⁷⁶ Ibid.

⁷⁷ United Nations, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, A/HRC/30/42, 7 September 2015, Geneva, 1.

⁷⁸ Ibid.

question, is that which transitional justice seeks to prevent.⁷⁹ Our observations and consideration in this study are specific to non-recurrence of conflict. However, what is meant by ‘guarantee’, what it is that is not to recur (specific conduct, international crimes, autocracy, or conflict), who is to benefit (victims, all persons in a situation, or the broader international community), and who is responsible for steps taken to guarantee remain unclear.⁸⁰ Having neglected to properly deliberate objectives, de Greiff notes, a key prerequisite to proper consideration as to the means for their achievement remains absent.⁸¹ Furthermore, context, the nature of each potential process, and the interaction of these variables may inform the efficacy of different transitional justice processes in a given case.

The disposition of the field towards questions of objectives and means may have been shaped by a number of historical dynamics. For example, a significant area for consideration of the relationship between TJ and conflict non-recurrence is the specific set of core international crimes that may be prosecuted, amnestied, or dealt with in truth commissions. During the post-World War II era, smaller military and economic powers sought to prioritize prosecution of crimes against the peace, while stronger powers sought to prioritize prosecution of international humanitarian law violations.⁸² Because there are so few incidents of prosecution of the crime of aggression (crimes against the peace), we are unable to consider whether such prosecutions, which more directly criminalize the conduct of triggering conflict reoccurrence, have a relationship to conflict reoccurrence. Following the Holocaust, Allied and German courts prosecuted private economic actors for their role in sustaining the war and crimes against humanity. These types of crimes have also played less of a role in contemporary TJ mechanisms,⁸³ despite their importance for understanding the economic dynamics and persistence of armed conflict.

Our study also omits particular TJ mechanisms, such as reparations, vetting, memorialization projects, customary justice, and local healing processes. Although data exist on these mechanisms, there are too few observations to carry out meaningful statistical analysis. Indeed, practitioner understanding of TJ, and policy development around it is often built on “wishful thinking” based on scarce data rather than careful analysis of the data that exist. The full range of TJ mechanisms is significant for SDG 16 focus because of their potentially inclusionary dynamics. Without knowing how victims benefit from TJ mechanisms, the conflation of “justice” with criminal justice may ignore the relevance of attribution of responsibility that

⁷⁹ Ibid, 6.

⁸⁰ Ibid, 7.

⁸¹ Ibid, 8.

⁸² Chris Mahony, “A Case Selection Independence Framework for Tracing Historical Interests’ Manifestation in International Criminal Justice,” in Morten Bergsmo, Cheah Wui Ling, Song Tianying, and YI Ping (eds.), *Historical Origins of International Criminal Law: Volume 4* (Brussels: Torkel Opsahl Academic EPublisher, 2015): 865-903; Chris Mahony, “The Justice Pivot: US International Criminal Law Influence from Outside the ICC,” *Georgetown Journal of International Law* 46:4 (2015): 1071-1134.

⁸³ Leigh A Payne and Gabriel Pereira, “Corporate Complicity in International Human Rights Violations,” *Annual Review of Law and Social Science* 12 (2016): 63-84.

prioritizes sustainable peace.⁸⁴ Formal truth-telling processes may lead to individual or societal harm or good:⁸⁵ a recent quantitative study finds that certain truth-telling and reconciliation processes are associated with greater mental health decline but higher levels of social integration.⁸⁶ Some qualitative studies, moreover, suggest that deeply contested narratives associated with truth-telling may retrigger societal cleavages.⁸⁷ The relationship between transitional justice processes and grievances that drive conflict remain under-explored. Tim Kelsall cites traditional elder intervention in Sierra Leone's truth commission as enabling reconciliation and diffusion of tension relating to contested truths.⁸⁸ However, such processes require participants to subordinate to the very power structures (traditional elites) that may have constituted a cause of conflict.⁸⁹

The source of data used for our study does not provide sufficient numbers of these types of mechanisms to test hypotheses. The Transitional Justice Research Collaborative (TJRC)⁹⁰ database we use includes fine-grained data on five variables of interest to this project—trials, truth commissions, amnesties, reparations, and vetting—that were implemented following 119 transitions from authoritarian rule or civil war in 86 countries since 1970. The lack of systematic data and sufficient numbers of cases, limits the scope of mechanisms for our application of the TJRC data to the three mechanisms most commonly associated with non-recurrence of conflict, specifically trials, truth commissions, and amnesty laws. The definitions used for these mechanisms are drawn from the Transitional Justice Research Collaborative (TJRC) database coding manual.⁹¹

Specifically, by trials, we refer to criminal prosecutions in domestic courts of law—including preliminary trial processes, trial hearings, or verdicts and sentencing—against state agent or associated groups and rebel perpetrators of human rights violations following a transition from authoritarian rule or armed conflict. To meet this definition the violation must have occurred prior to the transition and the prosecution initiated after the transition. Although the TJRC dataset includes information on international, foreign, and hybrid trials of human rights

⁸⁴ Tim Allen, *Trial Justice: The ICC and the LRA* (London, UK: Zed, 2006); Rosemary Nagy, "Transitional Justice as Global Project: Critical Reflections," *Third World Quarterly* 29:2 (2008): 275-289.

⁸⁵ David Mendeloff, "Trauma and Vengeance: Assessing the Psychological and Emotional Effects of Post-Conflict Justice," *Human Rights Quarterly* 31:3 (2009): 592-623.

⁸⁶ Jacobus Cilliers, Oeindrila Dube, and Bilal Siddiqi, "Reconciling After Civil Conflict Increases Social Capital but Decreases Individual Well-Being," *Science* 352:6287 (2016): 787-794.

⁸⁷ Tim Kelsall, "Truth, Lies, Ritual: Preliminary Reflections on the Truth and Reconciliation Commission in Sierra Leone," *Human Rights Quarterly* 27:2 (2005): 361-391.

⁸⁸ Ibid.

⁸⁹ Chris Mahony and Yasmin Sooka, "The Truth about the Truth: Insider Reflections on the Sierra Leonean Truth and Reconciliation Commission," in Kirsten Ainley, Rebekka Friedman and Chris Mahony (eds), *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone*, (Palgrave Macmillan UK, 2015), 35-54.

⁹⁰ Available at: www.transitionaljusticedata.com.

⁹¹ Ibid.

violations during authoritarian periods and armed conflict, as well as civil trials, the numbers are too few to statistically determine any impact on reoccurrence. Rather than limit the study to a dichotomous variable of guilty or not guilty verdicts, that data includes the number of trials underway, the rank of those tried, guilty verdicts, and sentencing.

The definition of truth commissions is a formal, state-sanctioned, temporary body that investigates a pattern of past human rights abuses carried out by state agents or their associates and rebel forces and aims to include a final report of its findings. Truth commissions must additionally focus on past, rather than ongoing events, investigate a pattern of events that took place over a period of time, and engage directly and broadly with the effected population, gathering information on their experiences.⁹² The truth commissions in the database sometimes involved international or foreign commissioners, financial, and logistic support. Although the dataset used for this project involved a quality measure to determine the costliness of truth commissions, the scale resulted in two small a number for each level for statistical analysis.

The amnesties examined in this study are “official state declarations that individuals or groups accused or convicted of committing human rights violations will not be prosecuted or further prosecuted or will be pardoned for their crimes and released from prison.”⁹³ Three criteria determined the inclusion of amnesty laws in the dataset: the timing of the crime during the authoritarian or conflict period; whether the crime amnestied involved physical integrity violations as outlined above; and the membership of the perpetrator of the crime in an official state capacity, a group working on behalf of the state, such as paramilitary groups, or rebel forces. Although the dataset we used for this study distinguished between those amnesty laws that comply with international human rights obligations (e.g., excluding amnesty for genocide, crimes against humanity, and torture) from general or blanket amnesty laws that do not comply with constraints in international human rights treaties, the small numbers resulting from these distinctions did not allow for statistical analysis.

⁹² Priscilla B. Hayner, *Unspeakable Truths: Confronting State Terror and Atrocity* (New York, NY: Routledge, 2011).

⁹³ Olsen et al. 2010, 36.

Part II. Findings⁹⁴

The analysis carried out on the relationship between non-recurrence of conflict and the set of institutional and civil society factors produced varying results. Among the factors that contribute positively to non-recurrence, we find are the type of conflict (secessionist vs. civil war), the type of conflict cessation (military victory vs. negotiated), new constitutions, and human rights trials (of low and medium-level accused). These findings suggest that where resources are scarce, and the threat of reoccurrence high, constitutional construction and low-level prosecutions might be prioritized in immediate post-conflict environments for non-recurrence outcomes. However, we caution that multiple variables (and their inter-linkages) remain unexplored and that further evidence is needed before we confidently assert these policy recommendations. These findings are set out below.

To analyze the potential effect of constitutional reforms, national human rights institutions and ombuds offices, and transitional justice mechanisms on civil war recurrence, we estimate a series of Cox Proportional Hazard models on our sample of civil wars that have been terminated for at least five years.⁹⁵ The baseline models demonstrate the importance of two control variables. First, civil wars fought over control of the central government are much more likely to recur than secessionist wars. Second, a victory by one side or the other makes it less likely that civil wars will reoccur within 5 or 10 years. These findings are in line with those in existing scholarship, and they hold through nearly all of our model specifications.

Our analysis of constitutional reforms demonstrates that the creation of a new constitution after war has ended reduces the rate at which civil war may reoccur (the amendment of an existing constitution had no statistically significant impact).⁹⁶ Reoccurrence is less prevalent in these cases; holding all else constant, the rate of reoccurrence decreases by approximately 60 percent with the creation of a new constitution. This suggests that engaging in the constitution-writing process, or the existing post-conflict political, security, economic or other conditions that enable such a process, is important for safeguarding peace.

The international law content of a new constitution, however, seems less important. Incorporating international law has no statistically significant effect on the rate of reoccurrence

⁹⁴ The data analysis for this part of the project was carried out by Tricia D. Olsen, Professor of Law and Business Ethics, Daniels School of Business, University of Denver. Research assistance was provided by Mount Holyoke College students Lisa de Sousa Dias and Zainab Amjad.

⁹⁵ As a robustness check, we also tested all models on a sample of civil wars with a lower threshold of having been terminated for only three years or more. In most cases, there were too few observations of our independent variables to estimate the model. When our independent variables were statistically significant and precisely estimated, they supported our findings from the five-year models. The decision not to examine reoccurrence following civil wars with longer peace spells is discussed in more detail in the methodological appendix. Finally, we tested all models on major wars—those with at least 1,000 cumulative battle deaths—only, but again, there were too few cases to estimate the models.

⁹⁶ We estimated all variables of interest implemented within the first two and five years following the conflict. For the model results, see the methodological appendix.

of conflict. Inclusion of more protections of individual rights actually resulted in an *increase* in the likelihood of recurrence. These findings, however, are only significant at the .10 level and vary by model specification. Thus, conclusions should not be drawn that countries refrain from adopting particular types of constitutional provisions given their value to democratic rights. Instead, our findings suggest that prioritizing other factors will have a higher peace dividend than an emphasis on specific constitutional protection of rights.

The data are limited in that they only indicate when new constitutions were written and existing constitutions amended, and their content. They do not indicate who was involved in the constitution-writing process. Important differences, including the degree to which former contesting groups were involved, may constitute illuminating avenues for future research.

We also caution here that our analysis considered aspects of *new* constitutions and amendments. It may be the case that the presence of these provisions in existing constitutions has a different relationship to conflict reoccurrence. Yet this is akin to a condition *prior* to the conflict that might influence reoccurrence (much as the other factors in our baseline mode) and not a strategic choice by actors in the post-conflict environment. Thus we did not collect data on this variable or estimate its effect. An additional round of data collection could examine the relationship of pre-conflict constitutional provisions and the impact on non-recurrence.

Our findings lend some weight to the view that specific lurking variables drive a relationship between constitutional construction and conflict reoccurrence, potentially including: relatively even power between conflict parties, perceived conflict costs outweighed by disputes' importance, and significant party concern about future consequences of their actions.⁹⁷ Exploration of existing factors in constitutional design processes may inform lurking variables that shape introduction of international human rights provisions to a constitution and conflict reoccurrence. Such factors might include who participates, their representativeness of societal groups, and the length of negotiations. Samuels' observation that *how* constitutions are made informs conflict reoccurrence, particularly the integrity of localized participation in the process informs such an approach.⁹⁸ Our finding may also indicate the need to prioritize constitutional resolution of inter-group grievances and inequities as well as constitutional self-enforcement.⁹⁹ Further data collection is necessary relating to negotiating actors' power disparities and representativeness, the efficacy of constitutional power division, constitutions' enforceability, and the extent and efficacy of accompanying public education programs. Similarly, the effect of new governance arrangements, such as executive power sharing, greater autonomy for territorially-based minorities, or federal arrangements on conflict recurrence might be explored.

It may be useful to consider whether the relationship between conflict and new constitutions is different depending on what a country is transitioning from (armed conflict or authoritarianism). A number of military coups and armed revolts against the government, for example, were followed by new constitutions that reconfigured the political system and contributed to stability,

⁹⁷ Ibid.

⁹⁸ Kristi Samuels, "Post-Conflict Peace-Building and Constitution-Making," *Chicago Journal of International Law* 6:2 (2005): 663-82.

⁹⁹ Ibid.

including Paraguay, Comoros, and Romania. The armed struggle in South Africa that led to the end of Apartheid was followed shortly after by a new constitution. The recovery from the 1990s wars in the former Yugoslavia involved the process of writing a new constitution in each successor state. Likewise, a new constitution was drafted after the long civil war in Ethiopia.

Our analysis of the creation or presence of NHRIs and ombuds offices following conflict also demonstrated no statistically significant impact on the reoccurrence of civil wars.¹⁰⁰ This finding held when NHRIs and ombuds offices were tested separately and together. More evidence is needed to test the relationship of variant levels of NHRI quality with conflict recurrence. Testing quality quantitatively will not be possible for some years. At present, the Paris Principles accreditation process is too new, with results in too few cases, to be included in the statistical analysis. It is important to note that these institutions were not designed as peace-building instruments, and that they may play a significant role in human rights, democracy, and the rule of law more broadly that contribute to positive peace outcomes. Where such functions affect human rights

Our analysis of transitional justice mechanisms demonstrates that implementing domestic criminal prosecutions¹⁰¹ for past human rights violations has a significant relationship with civil war non-recurrence. Holding all else constant, the rate of reoccurrence decreases by approximately 70 percent when trials are pursued of middle and low level actors. Paradoxically, trying high-ranking individuals in such scenarios substantially increases the rate of conflict reoccurrence by approximately 65 percent. This finding potentially suggests, perhaps in line with the constitutions data above, that the process of coming together after a war to initiate a major legal process (much like writing a new constitution) has important effects. It may also suggest that when this process becomes politically destabilizing or appears to be retaliatory, discriminatory, or otherwise politically compromised, in contrast with arguably more independent processes, it can have the opposite effect.

We caution that there are limitations to the current data on criminal trials. We consider the existence of trials and the rank of the individual prosecuted, but do not have data on the quality of the processes. With additional qualitative analysis we could explore the independence of case selection for prosecution and other elements of a criminal justice process's independence. To do

¹⁰⁰ Because of the availability of the data, we also estimated whether the presence of existing human rights institutions, which would include those that existed prior to the end of the conflict and remained in operation afterward, had an effect on reoccurrence, but there was no statistically significant effect.

¹⁰¹ Note that the small number of international and foreign prosecutions could not render significant statistical results.

this, all forms of political manipulation, both of process jurisdiction and process function, must be considered.¹⁰²

Further, we also note that prioritization of prosecuting low and middle-level offenders in post-conflict environments do not necessarily inform that amnesty should be granted to high-level actors. In Guatemala, for example, high-level actors were not pursued in the initial post conflict years but rather decades after the conflict's conclusion. Later, when prosecutions were pursued, the rule of law had been strengthened and the clout of actors threatening the peace had diminished. Further research examining the implications of such an approach for conflict recurrence (and other societal dynamics) is required.

Despite the hypothesized relationship in the literature, we found that neither truth commissions nor amnesties had a statistically significant impact on the rate of civil war reoccurrence. There were too few observations of vetting and reparations programs to generate any findings.

The findings on the transitional justice mechanisms are noteworthy in terms of existing scholarship and practice. The analysis confirms that trials, truth commissions, and amnesties do not increase the likelihood of conflict reoccurrence. The finding that trials of lower level officials contribute to conflict non-recurrence defies existing studies of the dangers of implementing trials due to a fear of backlash. The findings further suggest that because amnesties and truth commissions do not appear to increase the likelihood of conflict reoccurrence, negotiating parties have some flexibility on whether or how they implement them without risking a resurgence of conflict. Other studies have found that amnesties may prove useful, for example, in encouraging armed groups to negotiate a peace agreement.¹⁰³ The flexibility to initiate such a process without jeopardizing peace increases the set of peacekeeping tools available to different country contexts. Similarly, truth commissions have been deemed important for more difficult to measure outcomes, such as reconciliation, the development of an official history and memory to repudiate violence, and victims' dignity. That these truth commissions might be adopted to satisfy those goals without jeopardizing peace also enhances transitional parties' flexibility.

¹⁰² In the following policy brief and book chapter, Chris Mahony lays out a framework for assessing the independence of a process from external interference. Mahony 2016; Chris Mahony, "A Case Selection Independence Framework for Tracing Historical Interests' Manifestation in International Criminal Justice," in Morten Bergsmo, Cheah Wui Ling, Song Tianying, and YI Ping (eds.), *Historical Origins of International Criminal Law: Volume 4* (Brussels: Torkel Opsahl Academic EPublisher, 2015): 865-903.

¹⁰³ Andrew G. Reiter, "Examining the Use of Amnesties and Pardons as a Response to Internal Armed Conflict," *Israel Law Review* 47:1 (2014): 133-147.

Part III. Policy Recommendations and Future Research

The orientation of this project toward guarantees of non-recurrence has focused on constitutional provisions and safeguards, national human rights institutions, and transitional justice mechanisms. Based on the findings from the initial study, we have set out a framework for policy. In addition, this preliminary study opened up new lines of inquiry and gaps in knowledge, and we conclude this section with suggested avenues for future research.

Our analysis of conflict non-recurrence involved a five-year time horizon. Controlling for certain factors assumed to drive conflict outcomes, we found that the most significant institutional factors for non-recurrence were new constitutions. Criminal prosecutions of lower ranking officials constituted the only transitional justice mechanism positively associated with conflict non-recurrence. While our findings suggest prioritization of these prosecutions, we caution that further evidence relating to the dynamics enabling their post-conflict adoption is required. Rapid capacity development including workshops and training in international human rights and international criminal law and its practice for legislators, judges, lawyers, investigators, security personnel and peace negotiators would contribute to these outcomes.¹⁰⁴

To advance the development of new constitutions to guarantee non-recurrence, workshops would focus on the enabling environments, the logic behind this role, constitution design, and comparative constitutional law. As discussed below, further study is necessary to understand the link between post-conflict constitutions and non-recurrence, and to determine if existing constitutions with specific constitutional provisions and emphasis play a similar role in generating the legal and social culture to guarantee non-recurrence of conflict. In other words, further study would determine if certain underlying political economy, legal, or institutional cultures drive these outcomes. It would also consider the effect on outcomes of certain forms of civic and elite participation, of the pre-existence of constitutions and their form, and of the level and nature of public education. Finally, further study could examine the existence and effect on conflict recurrence of the inclusivity of governance arrangements established in constitutions, such as executive power sharing, greater autonomy for territorially-based minorities, or federal arrangements.

The positive effect of trials of low ranking officials on conflict non-recurrence warrants efforts in strengthening requisite capacities within countries and situations, and in understanding and enabling the environments that foster such capacity-building. Increasing international human rights training within law faculties, specialized workshops for justice sector and legal professionals, and information campaigns regarding the benefits of trials for non-recurrence, countering misinformation regarding such trials' danger, may be warranted. More research is

¹⁰⁴ UNDP and other actors have developed very specific experience and capacity in this area. For example: United Nations Development Program, 'Supporting Transitional Justice', available: <http://www.undp.org/content/undp/en/home/ourwork/democratic-governance-and-peacebuilding/rule-of-law--justice-and-security/transitional-justice.html>; 'Capacity Engagement: International Law Beyond Knowledge Transfer, Capacity Development, Positive Complementarity', Centre for International Law Research and Policy, June 2016, available: https://www.cilrap.org/fileadmin/user_upload/160527_Capacity_Engagement_leaflet.pdf.

required to identify any pre-requisite factors enabling mid and lower-level prosecutions and to avoid providing equivocal, contradictory, or erroneous results on such an important matter. In particular, further analysis is needed to explain the finding on the relationship of prosecution of high-ranking officials to conflict reoccurrence. Further review of the data and testing of findings should consider whether high-level trials tend to be discriminatory or politically motivated, and if so, to what extent discontent amongst groups perceived to be discriminated against informs subsequent violence. Further data collection on the discriminatory elements of prosecutorial processes is required to evaluate this relationship with conflict reoccurrence. This could also be considered alongside (or controlled for) horizontal inequalities.

The study does not find statistically significant or positive relationships between the other variables analyzed. We interpret the null effect of these factors as providing more range for governments and domestic peace-building actors to determine how NHRIs and ombuds offices, truth commissions, and amnesties might advance other goals. In particular, amnesties have been found in other studies to promote peace negotiations even if they are no more likely than other factors in sustaining peace.¹⁰⁵ NHRIs and ombuds offices may provide recourse to victims in their daily lives and strengthen human rights institutions even if they are not directly or positively related to conflict non-recurrence. Truth commissions may fulfill the goals of addressing victims' right to truth and enhance their dignity through testimonial processes and official narratives about the past even if they do not promote conflict non-recurrence. More rigorous data collection is required to evaluate the effects of truth commissions on participants' well-being (e.g., dignity and mental health) across cases. More analysis of the variation on the quality of truth commission processes could also provide new insights into their impact on non-recurrence of conflict. NHRIs and ombuds offices and truth commissions may contribute positively to the long-term quality of peace, even if they are not found to be statistically significant to negative peace.

These findings are predicated on a preliminary and initial study carried out to determine a baseline as well as possible future directions for deeper analysis. We propose the following areas of follow-up research to confirm these findings and close gaps in knowledge.

In terms of the dependent variable of *conflict non-recurrence*, we consider that it should be referred to as conflict non-reoccurrence or non-repetition to emphasize *any* rearming, and not only repeated iterations of armed conflict. We would also examine a period of time for that reoccurrence between five and ten-years to determine whether there is some variation. Seven years might be an appropriate medium term determination. In addition, a qualitative study of those countries still conflict free after ten years is worth consideration to explore the patterns that might explain durable peace across these cases. Those patterns might include the factors hypothesized and tested in this study. An in-depth qualitative analysis might also reveal a distinct set of factors and further examine endogeneity, or if certain conditions (such as legal cultures, levels of social integration, or political economy elements) explain both the positive effect of constitutions and criminal trials on non-recurrence. Important opportunities remain to further explore the relationship of independent variables considered in this study to other variables

¹⁰⁵ Reiter 2014; Olsen et al. 2010, 36.

examined as part of the broader Joint United Nations-World Bank study.¹⁰⁶ To address the issue of positive peace, we would also propose the development of typologies of enduring peace that could reveal certain models for adaptation and replication.

Further research on *constitutional provisions* is also warranted. The preliminary study examined only new post-conflict constitutions and amendments. It did not consider existing constitutions that may have already established such provisions prior to the conflict. A future mixed-methods study would combine a quantitative analysis of preexisting constitutional provisions and their impact on conflict non-recurrence as well as a qualitative study of cases of durable peace. The latter would explore existing key constitutional provisions that protect against discrimination and other international human rights that might test significance for conflict recurrence. Quantitative and qualitative examination could also explore potentially related factors including negotiating actors' power disparities and representativeness, the efficacy of constitutional division of power, governance arrangements, constitutions' enforceability, and the extent and efficacy of accompanying public education programs. This would allow testing of whether findings that territorial autonomy and aspects of political and military power-sharing reduce risk of reoccurrence also exist within new constitutions.¹⁰⁷ Such research would further our understanding of the relationship between conflict reoccurrence and horizontal inequality, inclusion, and elite reconciliation on the one hand, and the effect of these dynamics in constitutional design, enactment, and enforcement.

Research on *NHRIs and ombuds offices* would benefit from a measure of quality that provides sufficient temporal coverage across the dataset. As noted above, the Paris Principles accreditation process is too new, resulting in too few cases to be included in the statistical analysis. A pilot study could determine whether information on the factors related to the quality of NHRIs that are laid out in the Paris Principles is accessible for NHRIs and ombuds offices from 1970 until accreditation begins.

The findings on *transitional justice* raise some questions. Why, for example, do trials of high-ranking officials tend toward the opposite—conflict reoccurrence—relationship than trials of low and mid-level officials? To address that question, we suggest follow-up qualitative and quantitative research that considers the nature of those trials. Specifically, the extent to which trials were, or were perceived as, independent, discriminatory, highly politicized, acts of revenge, or victors' justice, they would fail to enhance the legitimacy of the rule of law and ostracize social groups. Such a study would also further refine the notion of “high” vs. “low” rank, to determine if the information was properly coded. Further, documentation of alleged incidents that meet, *prima facie*, an evidential threshold of crimes against peace could also be examined to test any relationship between that conduct and conflict reoccurrence. Findings could then inform consideration of the absence of prosecution of this crime.

¹⁰⁶ For example, on inclusion, inequality, and civic mobilization. See: Bahgat et al 2017; Dahl et al., 2017; Timothy Sisk, Preventing Deadly Conflict in Ethnically Fractured Societies: An Overview and Analysis of International Development Assistance for “Bridging” Social Cohesion, Background paper for the United Nations-World Bank Joint Study on Development in Conflict Prevention, Denver, April 2017; Cingranelli et al.

¹⁰⁷ Bahgat et al., 2017.

In addition, the small number of cases of reparations, vetting, high quality truth commissions, and amnesties compliant with international human rights standards, suggests that qualitative analysis could be used to identify any patterns. These could not be statistically verified, but they might promote country-case models that illustrate successful outcomes. Such a research project might involve paired analysis of a set of similar countries with different outcomes: one set would involve countries that had durable peace for ten years and the other that experienced conflict reoccurrence. Through an assessment of these countries at different temporal stages and the institutional and civil society mechanisms used before those stages, factors for conflict non-recurrence might be identified.

A new area of TJ research—the role of economic and transnational actors in the commission of human rights violations in past authoritarian states and armed conflict situations—might provide an important avenue for future study. Increasingly around the world, truth commissions and courts have begun to investigate economic and trans-national state actors' involvement in past human rights violations in conflict and authoritarian situations. Accountability efforts for such actions could have an impact on conflict non-recurrence. Following on deterrence theory logic, if the perception of the cost of financing or profiting from conflict increases, we might expect economic and other external actors to avoid such behaviors. In certain economies, such as conflict minerals, the high financial rewards of illegal trade might counteract the threat of accountability. Using the Corporate Accountability and Transitional Justice (CATJ) database, the team could track these possible outcomes for conflict non-recurrence. Similarly, consideration of the existence and use of modes of liability in prosecutions, such as that of aiding and abetting, should be conducted.

Methodological Appendix

This appendix sets out in detail the following aspects of the project: case selection and the measurement of conflict reoccurrence; sources and definitions of variables; control variable descriptions; definitions and sources of constitutional provisions and NHRIs; definitions and sources of TJ mechanisms; the full code book for the project; modeling choices; output tables; and visualizations.

Case Selection and Measuring Reoccurrence

Our dataset includes all civil wars that terminated in any year from 1970 to 2010. We use 2010 as an end date to allow sufficient time to examine the impact of the most recent mechanisms. Conflicts that were ongoing after 2010 are excluded.

There is no consensus on how to define and measure civil war. An abundance of datasets exists and scholars respond to the perceived flaws in the existing ones by generating new ones.¹ The two most commonly used datasets on civil war are the Correlates of War (COW) project² and the Uppsala Conflict Data Program/Peace Research Institute Oslo (UCDP/PRIO) Armed Conflict Dataset.³ COW uses a threshold of 1,000 battle deaths per year to qualify an event as a civil war. To distinguish between war and massacres, at least two sides must have been mobilized for organized violence before the war started or the weaker side must have imposed casualties on its opposition equal to at least 5% of its own. The most significant problem with this dataset is its high threshold for conflict. Most armed conflict within states does not reach 1,000 battle deaths in a given year, and those that do rarely maintain such a threshold for many years continuously. This leads to fewer conflicts overall, and multiple wars in states which are, in reality, all part of the same larger conflict.

In defining civil war, we use the UCDP/PRIO Armed Conflict Dataset and include all cases of “internal armed conflict” and “internationalized internal armed conflict” found within it. That dataset defines armed conflict as “...a contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths.”⁴ This lower threshold provides a significant advantage over the COW data.

¹ Nicholas Sambanis, “What is Civil War? Conceptual and Empirical Complexities of an Operational Definition,” *Journal of Conflict Resolution* 48:6 (2004): 814-58.

² See: Meredith Reid Sarkees and Frank Wayman, *Resort to War: 1816–2007* (Washington, DC: CQ Press, 2008); David J. Singer and Melvin Small, *The Wages of War, 1816–1965: A Statistical Handbook* (New York, NY: John Wiley, 1972); Melvin J. Small and J. David Singer, *Resort to Arms: International and Civil War, 1816–1980* (Beverly Hills, CA: Sage, 1982).

³ Nils Petter Gleditsch, Peter Wallensteen, Mikael Eriksson, Margareta Sollenberg, and Håvard Strand, “Armed Conflict 1946–2001: A New Dataset,” *Journal of Peace Research* 39:5 (2002): 615-37.

⁴ UCDP/PRIO Armed Conflict Dataset Codebook, Version 4-2009. We exclude extra-systemic (also termed colonial) wars and interstate wars.

Using this selection method means the sample includes some coups and coup attempts, minor armed revolts, and small skirmishes. Thus, in addition to the frequently decades-long civil wars at the forefront of research on civil war reoccurrence, around 25 percent of the conflicts in the dataset last only a year or less. While they are shorter in duration than most civil wars, these episodes can nonetheless lead to high levels of violence. Moreover, states frequently use transitional justice mechanisms and other institutional reforms in their aftermath with the aim of preventing future episodes of violence. The government of Trinidad and Tobago, for example, granted an amnesty to Muslim insurgents who forcefully took over parliament in 1990. Responses to minor conflicts can have profound political implications: had Hugo Chavez failed to receive an amnesty following the coup attempt he led in February 1992, for example, he would probably not have ascended to power in Venezuela.

In many cases, there are lulls in the fighting with years of less than 25 battle deaths in between years of more than 25 battle deaths. In one test, we code those years as part of the same conflict unless there is at least a five-year gap between years of at least 25 battle deaths, at which point we code the first conflict as terminated and the start of a new conflict (a reoccurrence). We find that in 158 conflicts, 41 reoccur. In a second test, we code those years as part of the same conflict unless there is at least a three-year gap between years of at least 25 battle deaths, at which point we code the first conflict as terminated and the start of a new conflict (a reoccurrence). We find that in 195 conflicts, 79 reoccur. These case selection criteria correspond to the onset5 and onset3 coding delineated by Håvard Strand.⁵

The decision to restrict our analysis to the first five years after conflict termination also aligns with scholarship that demonstrates that the greatest risk for civil war reoccurrence is within the first few years. Those wars that end in peace agreements, in particular, are prone to reoccurrence in the first several years, after which the agreement is likely to strengthen over time.⁶ In two larger studies supported by the World Bank, Paul Collier et al. found that the risk of reversion for all civil wars was 39% in the first five years and 23% during the first four years respectively.⁷

Moreover, an examination of the data demonstrated little advantage to expanding this study temporally—the number of reoccurrence becomes too low to be able to gain any statistical leverage on our research questions. There are only 18 cases in the data where armed conflict recurs after ten years of peace. A qualitative examination of these cases also reveals that several

⁵ Håvard Strand, “Onset of Armed Conflict: A New List for the Period 1946–2004, with Applications,” unpublished manuscript (2006), available at: <https://www.prio.org/Data/Armed-Conflict/Onset-and-Duration-of-Intrastate-Conflict/Onset-Data/>.

⁶ John Darby, *The Effects of Violence on Peace Processes* (Washington, DC: United States Institute of Peace Press 2001); Roy Licklider, “The Consequences of Negotiated Settlements in Civil Wars, 1945–1993,” *American Political Science Review* 89:2 (1995): 681–90; Caroline Hartzell, Matthew Hoddie, and Donald Rothchild, “Stabilizing the Peace after Civil War: An Investigation of Some Key Variables,” *International Organization* 55:1 (2001): 183–208.

⁷ Paul Collier, Lani Elliot, Havard Hegre, Anke Hoeffler, Marta Reynal-Querol, and Nicholas Sambanis, *Breaking the Conflict Trap: Civil War and Development Policy* (Washington D.C.: World Bank and Oxford University Press, 2003); Paul Collier, Anke Hoeffler, and Måns Söderbom, “Post-Conflict Risks,” *Journal of Peace Research* 45:4 (2008): 461–78.

are distinct conflicts within the same country, not a resumption of fighting. Table 1 below provides a summary of all 18 of the post-ten-year reoccurrence cases.

Table 1: Armed Conflicts Reoccurring After 10 Years of Peace

Country	First Armed Conflict	Second Armed Conflict
Cameroon	1984: Military Coup	2015: Boko Haram
Democratic Republic of Congo	1977-78: FLNC	1996-2001: First Cong War
Egypt	1993-98: State-Muslim Violence	2014-Present: State-Muslim Violence
Ethiopia	1975-76: Afar Separatists	1996: Afar Separatists
Georgia	1992: Ossetia Separatists	2004-08: Ossetia Separatists
Haiti	1991: Military Coup	2004: Rebel-led Coup
India	1969-71: Hindu-Muslim Violence	1991-99: Hindu-Muslim Violence
Laos	1959-73: Laotian Civil War	1989-90: Remaining Resistance Movements from War
Mali	1990-94: Azawad Separatists	2007-Present: Azawad Separatists
Mozambique	1977-92: RENAMO	2013-Present: RENAMO
Myanmar	1948-78: Arkan Separatists	1991-94: Arkan Separatists
Myanmar	1961-92: Kachin Separatists	2011-Present: Kachin Separatists
Pakistan	1990-96: MQM	2007-Present: TTP
Pakistan	1974-77: Balochistan Separatists	1989-90: Balochistan Separatists
Sri Lanka	1971: JVP	1989-90: JVP
Syria	1979-82: Muslim Brotherhood	2011-Present: Syrian Civil War
Turkey	1991-92: Maoists	2005: Maoists
Yemen	1979-82: NDF	2009-Present: AQAP

Variable Sources

Control Variables

In conducting our analysis, we control for the most important factors identified by scholars and policymakers that may contribute to the likelihood that a civil war recurs. First, we include factors associated with the conflict itself. To control for the type of civil war, we note whether the war was fought primarily over territory (a war of session) or for control over the central government, as defined by the UCDP/PRIO Armed Conflict Dataset. From that dataset, we also code the length of the civil war, in years, to examine the impact of the duration of conflict on reoccurrence; and measure of the severity of the conflict we use the cumulative intensity variable to note whether the civil war reached 1,000 battle deaths prior to ending. Scholars have also argued that an ethnic dimension to a conflict may make it more difficult for conflicts to resolve and for peace to hold. We thus note whether the civil war was ethnic in nature, using the Ethnic Armed Conflict Dataset (Version 3.01).⁸ Finally, because international support for belligerents in general dropped dramatically following the end of the Cold War, we include a dummy variable that marks whether the civil war ended in 1991 or later.

The way in which a civil war ends may also dramatically influence the post-war conflict environment. To capture this, we draw on the UCDP Conflict Termination Dataset (Version 2-2015)⁹ and note the way in which the war ended: peace agreement, ceasefire, government victory, rebel victory, low activity (less than 25 battle-deaths), and if the actor ceases to exist (e.g. a region becomes a new independent state). In addition, we include dummy variables for whether the civil war ended in a peace agreement or a ceasefire, and for whether it ended in victory, for either side.

A third set of variables aims to capture elements of the post-conflict environment that are hypothesized to effect the likelihood of reoccurrence. Using the Third-Party Peacekeeping Missions Data Set, 1946-2014 (version 3.1),¹⁰ we note whether third-party peacekeepers were present at any time during the civil war and whether they were present in the immediate years following the end of the conflict—both within the first two years and within the first five years.¹¹ We also note how democratic the country was in the immediate post-conflict period, but using

⁸ See: Lars-Erik Cederman, Andreas Wimmer, and Brian Min, “Why Do Ethnic Groups Rebel? New Data and Analysis,” *World Politics* 62:1 (2010): 87-119.

⁹ Joakim Kreutz, “How and When Armed Conflicts End: Introducing the UCDP Conflict Termination Dataset,” *Journal of Peace Research* 47:2 (2010): 243-250.

¹⁰ Mark J. Mullenbach, “Third-Party Peacekeeping in Intrastate Disputes, 1946-2012: A New Data Set,” *Midsouth Political Science Review*, 14 (2013): 103-133.

¹¹ We also include a dummy variable noting if third-party peacekeepers were present during the civil war and/or in the first two/five years following the end of the civil war.

the Polity IV Project's POLITY2 score for the year immediately after the civil war ended.¹² Finally, to capture the level of economic development in the country in the post-conflict period, we include the log of the gross domestic product (GDP) per capita (in current US\$) in the first year after the civil war ended.¹³ For reference, Table 2 below contains a summary of the cases and key control variables used in the study.

Table 2: Cases and Key Control Variables (5-Year Sample)

Conflict	Conflict Years	Incompatibility	Termination Type	Year of Recurrence
Angola	1975-2002	Government	Peace Agreement	
Angola (Cabinda)	1991-2009	Territory	Low Activity	
Argentina	1974-1977	Government	Government Victory	
Azerbaijan	1993-1995	Government	Government Victory	
Azerbaijan (Nagorno-Karabakh)	1991-1998	Territory	Low Activity	2005
Bangladesh	2005-2006	Government	Low Activity	
Bangladesh (Chittagong Hill Tracts)	1975-1991	Territory	Ceasefire	
Bosnia-Herzegovina (Bihaca Krajina)	1993-1995	Territory	Government Victory	
Bosnia-Herzegovina (Croat)	1993-1994	Territory	Peace Agreement	
Bosnia-Herzegovina (Serb)	1992-1995	Territory	Peace Agreement	
Burkina Faso	1987-1987	Government	Rebel Victory	
Burundi	1991-2008	Government	Peace Agreement	2015
Cambodia	1967-1998	Government	Government Victory	
Cameroon	1984-1984	Government	Government Victory	2015
Chad	1966-2010	Government	Low Activity	
Chile	1973-1973	Government	Rebel Victory	
China (East Turkestan)	2008-2008	Territory	Low Activity	
Comoros	1989-1989	Government	Rebel Victory	

¹² Scores range from -10 (fully autocratic) to +10 (fully democratic). Source: Polity IV Project, Political Regime Characteristics and Transitions, 1800-2015. See: Monty G. Marshall and Keith Jaggers, *Polity IV Dataset* (College Park: University of Maryland, Center for International Development and Conflict Management, 2002). Note: we only use the score immediately after the conflict, because democracy scores in future years are likely too correlated with many of our variables of interest, which are themselves part of democratic institutions and measures.

¹³ World Bank's World Development Indicators. See: <http://databank.worldbank.org/data/home.aspx>.

Comoros (Anjouan)	1997-1997	Territory	Rebel Victory	
Croatia (Serb)	1992-1995	Territory	Peace Agreement	
Democratic Republic of Congo	1977-1978	Government	Government Victory	1996
Democratic Republic of Congo (Kongo Kingdom)	2007-2008	Territory	Government Victory	
Djibouti	1991-1999	Government	Peace Agreement	
Egypt	1993-1998	Government	Ceasefire	2014
El Salvador	1972-1972	Government	Government Victory	1979
El Salvador	1979-1991	Government	Peace Agreement	
Eritrea	1997-2003	Government	Low Activity	
Ethiopia	1976-1991	Government	Government Victory	
Ethiopia (Afar)	1975-1976	Territory	Low Activity	1996
Ethiopia (Afar)	1996-1996	Territory	Low Activity	
Ethiopia (Arisi, Bale & Sidamo)	1977-1980	Territory	Low Activity	
Ethiopia (Eritrea)	1964-1991	Territory	Rebel Victory	
Ethiopia (Haraghe)	1991-1991	Territory	Low Activity	
Ethiopia (Ogaden)	1976-1983	Territory	Government Victory	1993
Ethiopia (Sidamaland)	1983-1983	Territory	Government Victory	
Gambia	1981-1981	Government	Government Victory	
Georgia	1991-1993	Government	Government Victory	
Georgia (Abkhazia)	1992-1993	Territory	Peace Agreement	
Georgia (South Ossetia)	1992-1992	Territory	Ceasefire	2004
Georgia (South Ossetia)	2004-2008	Territory	Ceasefire	
Ghana	1981-1983	Government	Government Victory	
Guatemala	1963-1995	Government	Peace Agreement	
Guinea	2000-2001	Government	Low Activity	
Guinea-Bissau	1998-1999	Government	Rebel Victory	
Haiti	1989-1991	Government	Rebel Victory	2004
Haiti	2004-2004	Government	Low Activity	
India	1969-1971	Government	Government Victory	1991
India	1991-1999	Government	No Data	
India (Assam)	1990-2010	Territory	Ceasefire	
India (Islamic State)	2008-2008	Territory	Government Victory	

India (Kukiland)	1997-1997	Territory	Low Activity	
India (Manipur)	1982-2009	Territory	Low Activity	
India (Nagaland)	1992-2000	Territory	Ceasefire	
India (Punjab/Khalistan)	1983-1993	Territory	Low Activity	
India (Tripura)	1979-2004	Territory	Low Activity	
Indonesia (Aceh)	1990-1991	Territory	Government Victory	1999
Indonesia (Aceh)	1999-2005	Territory	Peace Agreement	
Indonesia (East Timor)	1975-1999	Territory	Peace Agreement	
Indonesia (West Papua)	1976-1984	Territory	Government Victory	
Iran (Arabistan)	1979-1980	Territory	Low Activity	
Iran (Kurdistan)	1979-1996	Government	Low Activity	
Iraq	1982-1996	Government	Low Activity	2004
Iraq (Kurdistan)	1961-1996	Territory	Low Activity	
Israel (Southern Lebanon)	1990-1999	Territory	Actor Ceases to Exist	2006
Israel (Southern Lebanon)	2006-2006	Territory	Ceasefire	
Ivory Coast	2002-2004	Government	Peace Agreement	2011
Kenya	1982-1982	Government	Government Victory	
Laos	1959-1973	Government	Peace Agreement	1989
Laos	1989-1990	Government	Government Victory	
Lebanon	1975-1976	Government	Ceasefire	1982
Lebanon	1982-1990	Government	Government Victory	
Lesotho	1998-1998	Government	Government Victory	
Liberia	1980-1980	Government	Rebel Victory	1989
Liberia	1989-1990	Government	Peace Agreement	2000
Liberia	2000-2003	Government	Peace Agreement	
Macedonia	2001-2001	Government	Peace Agreement	
Madagascar	1971-1971	Government	Government Victory	
Malaysia	1974-1975	Government	Low Activity	1981
Malaysia	1981-1981	Government	Low Activity	
Mali (Azawad)	1990-1994	Territory	Ceasefire	2007
Mauritania (Western Sahara)	1975-1978	Territory	Peace Agreement	
Mexico	1994-1996	Government	Low Activity	
Moldova (Dniestr)	1992-1992	Territory	Ceasefire	
Morocco	1971-1971	Government	Government Victory	

Morocco (Western Sahara)	1975-1989	Territory	Low Activity	
Mozambique	1977-1992	Government	Peace Agreement	2013
Myanmar	1948-1994	Government	Low Activity	
Myanmar (Arakan)	1948-1978	Territory	Low Activity	1991
Myanmar (Arakan)	1991-1994	Territory	Low Activity	
Myanmar (Kachin)	1961-1992	Territory	Ceasefire	2011
Myanmar (Karenni)	1987-1996	Territory	Low Activity	2005
Myanmar (Karenni)	2005-2005	Territory	Low Activity	
Myanmar (Lahu)	1973-1982	Territory	Actor Ceases to Exist	
Myanmar (Mon)	1990-1990	Territory	Low Activity	1996
Myanmar (Mon)	1996-1996	Territory	Government Victory	
Myanmar (Nagaland)	1991-2007	Territory	Low Activity	
Myanmar (Wa)	1997-1997	Territory	Rebel Victory	
Nepal	1996-2006	Government	Peace Agreement	
Nicaragua	1977-1990	Government	Ceasefire	
Niger	1991-1997	Government	Ceasefire	2007
Niger	2007-2008	Government	Ceasefire	
Niger (Air and Azawad)	1994-1994	Territory	Peace Agreement	
Niger (Eastern Niger)	1995-1995	Territory	Low Activity	
Nigeria (Biafra)	1967-1970	Territory	Government Victory	
Nigeria (Niger Delta)	2004-2004	Territory	Ceasefire	
Nigeria (Northern Nigeria)	2004-2004	Territory	Government Victory	
Oman	1969-1975	Government	Government Victory	
Pakistan	1990-1996	Government	Low Activity	2007
Pakistan (Balochistan)	1974-1977	Territory	Ceasefire	2004
Pakistan (East Pakistan)	1971-1971	Territory	Rebel Victory	
Panama	1989-1989	Government	Rebel Victory	
Papua New Guinea (Bougainville)	1990-1996	Territory	Ceasefire	
Paraguay	1989-1989	Government	Rebel Victory	
Peru	1982-1999	Government	Low Activity	2007
Peru	2007-2010	Government	Ceasefire	
Republic of Congo	1993-2002	Government	Ceasefire	
Romania	1989-1989	Government	Rebel Victory	
Russia	1993-1993	Government	Government Victory	
Russia (Azerbaijan)	1990-1990	Territory	Government Victory	
Russia (Chechnya)	1994-2007	Territory	No Data	

Russia (Dagestan)	1999-1999	Territory	Government Victory	
Russia (Nagorno-Karabakh)	1990-1991	Territory	Actor Ceases to Exist	
Rwanda	1990-2002	Government	Low Activity	2009
Saudi Arabia	1979-1979	Government	Government Victory	
Senegal (Casamance)	1990-2003	Territory	Peace Agreement	2011
Serbia (Croatia)	1991-1992	Territory	Actor Ceases to Exist	
Serbia (Kosovo)	1998-1999	Territory	Peace Agreement	
Serbia (Slovenia)	1991-1991	Territory	Peace Agreement	
Sierra Leone	1991-2001	Government	Peace Agreement	
South Africa	1981-1988	Government	Low Activity	
South Africa (Namibia)	1966-1988	Territory	Peace Agreement	
South Yemen	1986-1986	Government	Rebel Victory	
Spain (Basque)	1978-1991	Territory	Low Activity	
Sri Lanka	1971-1971	Government	Government Victory	1989
Sri Lanka	1989-1990	Government	Government Victory	
Sri Lanka (Eelam)	1984-2009	Territory	Government Victory	
Sudan	1971-1976	Government	Government Victory	1983
Sudan (Southern Sudan)	1963-1972	Territory	Peace Agreement	
Suriname	1987-1987	Government	Ceasefire	
Syria	1979-1982	Government	Government Victory	2011
Tajikistan	1992-2000	Government	Government Victory	2010
Thailand	1974-1982	Government	Low Activity	
Togo	1986-1986	Government	Government Victory	
Trinidad and Tobago	1990-1990	Government	Government Victory	
Tunisia	1980-1980	Government	Government Victory	
Turkey	1991-1992	Government	Low Activity	2005
Turkey	2005-2005	Government	Government Victory	
United Kingdom (Northern Ireland)	1971-1991	Territory	Low Activity	1998
United Kingdom (Northern Ireland)	1998-1998	Territory	Ceasefire	

Uruguay	1971-1972	Government	Government Victory	
Uzbekistan	1999-2004	Government	Government Victory	
Venezuela	1982-1982	Government	Government Victory	1992
Venezuela	1992-1992	Government	Government Victory	
Yemen [North Yemen]	1962-1970	Government	Peace Agreement	1979
Yemen [North Yemen]	1979-1982	Government	Low Activity	2009
Yemen [North Yemen] (South Yemen)	1994-1994	Territory	No Data	
Zimbabwe	1967-1979	Government	Peace Agreement	

Institutional Reforms and Civil Society

The most comprehensive data on legal and institutional reforms are available in the Characteristics of National Constitutions Dataset (Version 2.0), available from the Comparative Constitutions Project.¹⁴ The dataset contains data on nearly all constitutions for all independent states from 1789 to 2015. These include measures on whether constitutions outline rights and specify equality and protection from discrimination of over a dozen minority categories; the presence and composition of constitutional courts (as well as other aspects of the judicial system); ombudsmen and other oversight bodies; human rights commissions; the inclusion of international law in domestic legal practice; and prohibitions on torture and other cruel, inhuman, or degrading treatment.

Moreover, a variable on all constitutional events—which includes adoption, amendment, suspension, or reinstatement—is included in the dataset. By examining all relevant events in post-conflict years and any changes in the variables noted above, we can determine if new constitutions and amendments following conflicts include new provisions, and in turn their impact, if any, on the likelihood of civil war reoccurrence.

To examine the relationship of NHRIs and ombuds offices to conflict non-recurrence, we drew on an existing dataset created by Koo and Ramirez¹⁵ on NHRIs from 1965-2004. Replicating their methodology by using the International Ombudsman Institute¹⁶ and the National Human Rights Institutions Forum,¹⁷ we updated the data to 2017 and examine any institutions created or active in the post-conflict period. We code institutions as NHRIs or ombuds offices based on

¹⁴ Zachary Elkins, Tom Ginsburg, and James Melton, “Characteristics of National Constitutions, Version 2.0.” Comparative Constitutions Project (2014). Last modified: April 18, 2014. Available at: <http://www.comparativeconstitutionsproject.org>. We thank the authors for providing us with an updated version of this with data compiled through 2015.

¹⁵ Koo and Ramirez 2009.

¹⁶ <http://www.theioi.org/>.

¹⁷ <http://www.nhri.net/>.

how they categorize themselves by registering with either the International Ombudsman Institute or the National Human Rights Institutions Forum (and several institutions register with both). They are included as separate variables and as a combined variable in the models (see Appendix 7).

We examined the website of each institution to determine its date of creation and verify its existence; we do not have a viable measure for their quality. The Paris Principles, adopted in 1993, include an accreditation process for National Human Rights Institutes. Those that meet the “A” standard are in full compliance, “B” institutes are not fully in compliance, and “C” institutes are not compliant with the Paris Principles. This is a well-respected measure of quality that would greatly benefit the analysis. The first accreditations, however, did not occur until the late 1990s and most have occurred in more recent years. As a result, there are too few cases in our dataset with institutes that have ratings to be able to include them in any statistical models.¹⁸ Table 3 below lists the only cases in our dataset that would be effected if we were to include this variable. All cases with any rating—A, B, or C—during the post-conflict period are listed; ratings change from year to year for some cases.

Table 3: Cases with Accredited National Human Rights Institutes

Conflict	Years
Angola	1975-2002
Angola (Cabinda)	1991-2009
Argentina	1974-1977
Azerbaijan	1993-1995
Azerbaijan (Nagorno-Karabakh)	1991-1998
Bangladesh	2005-2006
Bangladesh (Chittagong Hill Tracts)	1975-1991
Bosnia-Herzegovina (Bihaca Krajina)	1993-1995
Bosnia-Herzegovina (Croat)	1993-1994
Bosnia-Herzegovina (Serb)	1992-1995
Burkina Faso	1987-1987
Burundi	1991-2008
Cambodia	1967-1998
Cameroon	1984-1984
Chad	1966-2010
Chile	1973-1973
China (East Turkestan)	2008-2008
Comoros	1989-1989
Comoros (Anjouan)	1997-1997
Croatia (Serb)	1992-1995
Democratic Republic of Congo	1977-1978
Democratic Republic of Congo (Kongo Kingdom)	2007-2008
Djibouti	1991-1999
Egypt	1993-1998

¹⁸ See: <http://www.ohchr.org/Documents/Countries/NHRI/ChartStatusNHRIs.pdf>.

El Salvador	1972-1972
El Salvador	1979-1991
Eritrea	1997-2003
Ethiopia	1976-1991
Ethiopia (Afar)	1975-1976
Ethiopia (Afar)	1996-1996
Ethiopia (Arisi, Bale & Sidamo)	1977-1980
Ethiopia (Eritrea)	1964-1991
Ethiopia (Haraghe)	1991-1991
Ethiopia (Ogaden)	1976-1983
Ethiopia (Sidamaland)	1983-1983
Gambia	1981-1981
Georgia	1991-1993
Georgia (Abkhazia)	1992-1993
Georgia (South Ossetia)	1992-1992
Georgia (South Ossetia)	2004-2008
Ghana	1981-1983
Guatemala	1963-1995
Guinea	2000-2001
Guinea-Bissau	1998-1999
Haiti	1989-1991
Haiti	2004-2004
India	1969-1971
India	1991-1999
India (Assam)	1990-2010
India (Islamic State)	2008-2008
India (Kukiland)	1997-1997
India (Manipur)	1982-2009
India (Nagaland)	1992-2000
India (Punjab/Khalistan)	1983-1993
India (Tripura)	1979-2004
Indonesia (Aceh)	1990-1991
Indonesia (Aceh)	1999-2005
Indonesia (East Timor)	1975-1999
Iran (Kurdistan)	1979-1996
Mexico	1994-1996
Nepal	1996-2006
Nigeria (Niger Delta)	2004-2004
Peru	1982-1999
Peru	2007-2010
Russia (Chechnya)	1994-2007
Senegal (Casamance)	1990-2003

Transitional Justice Mechanisms

To analyze the impact of transitional justice mechanisms, we use data from the Transitional Justice Research Collaborative.¹⁹ The data include information on five key transitional justice mechanisms: criminal trials, truth commissions, amnesties, vetting programs, and reparations policies. The data also detail important differences within mechanisms, including the rank of those prosecuted and whether the case resulted in a guilty verdict, the overall quality of a truth commission and the level of victim participation in its proceedings, and whether amnesty laws were compliant with international standards and whether an amnesty law was legally challenged.

Codebook

Identification Variables

CASEID:	A unique ID number for each case in the dataset.
COUNTRYID:	A unique ID number for each country in the dataset.
CONFLICTID:	A unique ID number for each civil war in the dataset.
LOCATION:	The country in which the civil war takes place. Wars of secession also contain the region trying to secede in parentheses.
STARTYEAR:	The year the civil war began, which is defined as the year in which the first battle deaths were recorded. Source: UCDP/PRIO Armed Conflict Dataset.
ENDYEAR:	The year the civil war ended, which is defined as the year in which the last battle deaths were recorded. Source: UCDP/PRIO Armed Conflict Dataset.

Sample Indicator Variables

(The variables below are drawn from the Source: UCDP/PRIO Armed Conflict Dataset and are coded dichotomously: 0=No, 1=Yes. Missing data is indicated with a “.”)

SAMMPLE5YR:	The case in the onset5 sample.
RECUR5:	The civil war recurs after being terminated for five years.
RECURYR5:	If 5Recur=1, the year the new civil war began.
SAMPLE3YR:	The case in the onset3 sample.

¹⁹ <https://transitionaljusticedata.com/>.

RECUR3:	The civil war recurs after being terminated for three years
RECURYR3:	If 3Recur=1, the year the new civil war began
TIME3:	The number of years between the end of the civil war and reoccurrence for all cases in our three-year sample. For those civil wars that did not recur we include the number of years from the last year of the civil war through 2015, the last year of our dataset.
TIME5:	The number of years between the end of the civil war and reoccurrence for all cases in our five-year sample. For those civil wars that did not recur we include the number of years from the last year of the civil war through 2015, the last year of our dataset.

Control Variables

(Unless otherwise noted, all of the following variables are coded dichotomously: 0=No, 1=Yes. Missing data is indicated with a “.”)

GOV:	The civil war was fought over control of the central government. Source: UCDP/PRIO Armed Conflict Dataset.
TERR:	The civil war fought over territory (i.e. a war of secession). Source: UCDP/PRIO Armed Conflict Dataset.
DUR:	The duration of the civil war, in years. Source: UCDP/PRIO Armed Conflict Dataset.
ETHNIC:	The civil war an ethnic conflict. Source: Ethnic Armed Conflict Dataset Version 3.01. See: Cederman, Lars-Erik, Andreas Wimmer, and Brian Min. 2010. Why Do Ethnic Groups Rebel? New Data and Analysis. <i>World Politics</i> 62(1): 87–119. Cases missing from the source were coded and added using secondary sources.
CUMINT:	The conflict reached 1,000 battle-related deaths. This corresponds to the CUMINT variable in the UCDP/PRIO Armed Conflict Dataset.
PCOLD:	The civil war ended in 1991 or later (i.e. after the Cold War).
CTERM:	The way in which the civil war ended. The coding is as follows: 1 = Peace Agreement 2 = Ceasefire 3 = Government Victory 4 = Rebel Victory 5 = Low activity (Less than 25 Battle-Deaths) 6 = Actor Ceases to Exist

Source: UCDP Conflict Termination Dataset version 2-2015. See: Kreutz, Joakim. 2010. "How and When Armed Conflicts End: Introducing the UCDP Conflict Termination Dataset," *Journal of Peace Research* 47(2): 243-250.

- CTERMPAC: The civil war ended with either a peace agreement or ceasefire. Variable was created from CTERM variable above.
- CTERMVIC: The civil war end with a victory by one side. Variable was created from CTERM variable above.
- PKSD: Third-party peacekeepers were present at some time during the civil war. Source: Third-Party Peacekeeping Missions Data Set, 1946-2014 (version 3.1). See: Mullenbach, Mark J. 2013. "Third-Party Peacekeeping in Intrastate Disputes, 1946-2012: A New Data Set." *Midsouth Political Science Review*, vol. 14, pp. 103-133. Year 2015 was coded and added using secondary sources.
- PKS2: Third-party peacekeepers were present during the first two years after the civil war ended. Source: Third-Party Peacekeeping Missions Data Set, 1946-2014 (version 3.1). See: Mullenbach, Mark J. 2013. "Third-Party Peacekeeping in Intrastate Disputes, 1946-2012: A New Data Set." *Midsouth Political Science Review*, vol. 14, pp. 103-133. Year 2015 was coded and added using secondary sources.
- PKS5: Third-party peacekeepers were present during the first five years after the civil war ended. Source: Third-Party Peacekeeping Missions Data Set, 1946-2014 (version 3.1). See: Mullenbach, Mark J. 2013. "Third-Party Peacekeeping in Intrastate Disputes, 1946-2012: A New Data Set." *Midsouth Political Science Review*, vol. 14, pp. 103-133. Year 2015 was coded and added using secondary sources.
- PKSANY2: Third-peacekeepers were present at some point during and/or in the first two years after the civil war ended. Variable was created from variables PKSD and 2PKS above.
- PKSANY5: Third-peacekeepers were present at some point during and/or in the first five years after the civil war ended. Variable was created from variables PKSD and 5PKS above.
- POLITY2: The POLITY2 score in the year immediately after the civil war ended. Scores range from -10 (fully autocratic) to +10 (fully democratic). Source: Polity IV Project, Political Regime Characteristics and Transitions, 1800-2015. See: Marshall, Monty G., and Keith Jaggers. 2002. *Polity IV*

Dataset. College Park: University of Maryland, Center for International Development and Conflict Management.

GDPCAP The gross domestic product (GDP) per capita (in current US\$) in the first year after the civil war ended. Source: World Bank's World Development Indicators. See: <http://databank.worldbank.org/data/home.aspx>. Note: we use the log of this number in the analysis.

Institutional and Constitutional Reform Variables

(Unless otherwise noted, all of the following variables come from the Characteristics of National Constitutions Dataset and are coded dichotomously: 0=No, 1=Yes. Missing data is indicated with a ".") Source: <http://www.comparativeconstitutionsproject.org>. See: Zachary Elkins, Tom Ginsburg, and James Melton, "Characteristics of National Constitutions, Version 2.0." Comparative Constitutions Project (2014). Last modified: April 18, 2014.

NEWCON2: There was a new constitution within the first two years after the civil war ended.

NEWCON5: There was a new constitution within the first five years after the civil war ended.

CONA2: There was a constitutional amendment within the first two years after the civil war ended.

CONA5: There was a constitutional amendment within the first five years after the civil war ended.

CORA2: There was either a new constitution or constitutional amendment within the first two years after the conflict ended.

CORA5: There was either a new constitution or constitutional amendment within the first five years after the conflict ended.

TRUTHCOM2: A constitution/amendment newly implemented in the first two years after the civil war ended provides for a commission for truth and and/or reconciliation.

TRUTHCOM5: A constitution/amendment newly implemented in the first five years after the civil war ended provides for a commission for truth and and/or reconciliation.

PREVLEAD2: A constitution/amendment newly implemented in the first two years after the civil war ended mentions prior commissions of core international crimes.

PREVLEAD5:	A constitution/amendment newly implemented in the first five years after the civil war ended mentions prior commissions of core international crimes.
JUDCRTS_22:	A constitution/amendment newly implemented in the first two years after the civil war ended contains provisions for a constitutional court.
JUDCRTS_25:	A constitution/amendment newly implemented in the first five years after the civil war ended contains provisions for a constitutional court.
JUDCRTS_32:	A constitution/amendment newly implemented in the first two years after the civil war ended contains provisions for courts of amparo.
JUDCRTS_35:	A constitution/amendment newly implemented in the first five years after the civil war ended contains provisions for courts of amparo.
OMBUDS2:	A constitution/amendment newly implemented in the first two years after the civil war ended provides for an Ombudsman.
OMBUDS5:	A constitution/amendment newly implemented in the first five years after the civil war ended provides for an Ombudsman.
HR2:	A constitution/amendment newly implemented in the first two years after the civil war ended provides for a human rights commission.
HR5:	A constitution/amendment newly implemented in the first five years after the civil war ended provides for a human rights commission.
OMHR2:	A constitution/amendment newly implemented in the first two years after the civil war ended provides for an Ombudsmen and/or a human rights commission.
OMHR5:	A constitution/amendment newly implemented in the first five years after the civil war ended provides for an Ombudsmen and/or a human rights commission.
VICRIGHT2:	A constitution/amendment newly implemented in the first two years after the civil war ended specifically refers to victims' rights.
VICRIGHT5:	A constitution/amendment newly implemented in the first five years after the civil war ended specifically refers to victims' rights.
EQUALGR_12:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on gender.

- EQUALGR_15: A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on gender.
- EQUALGR_22: A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on nationality.
- EQUALGR_25: A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on nationality.
- EQUALGR_32: A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on country of origin.
- EQUALGR_35: A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on country of origin.
- EQUALGR_42: A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on race.
- EQUALGR_45: A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on race.
- EQUALGR_52: A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on language.
- EQUALGR_55: A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on language.
- EQUALGR_62: A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on religion.
- EQUALGR_65: A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on religion.

EQUALGR_72:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees for individuals based on sexual orientation.
EQUALGR_75:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on sexual orientation.
EQUALGR_82:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on age.
EQUALGR_85:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on age.
EQUALGR_92:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on mental or physical disabilities.
EQUALGR_95:	A constitution/amendment newly implemented provides protections or guarantees provides protections or guarantee equality for individuals based on mental or physical disabilities.
EQUALGR_102:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on color.
EQUALGR_105:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on color.
EQUALGR_112:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on creed/beliefs.
EQUALGR_115:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on creed/beliefs.
EQUALGR_122:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on social status.

EQUALGR_125:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on social status.
EQUALGR_132:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on financial status or property ownership.
EQUALGR_135:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on financial status or property ownership.
EQUALGR_142:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on tribe/clan.
EQUALGR_145:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on tribe/clan.
EQUALGR_152:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on political party.
EQUALGR_155:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees for individuals based on political party.
EQUALGR_162:	A constitution/amendment newly implemented in the first two years after the civil war ended provides protections or guarantees equality for individuals based on parentage.
EQUALGR_165:	A constitution/amendment newly implemented in the first five years after the civil war ended provides protections or guarantees equality for individuals based on parentage.
EQUALTOT2:	The total number of categories of rights (the sum of 2EQUAL_1 to 2EQUAL_16) protected or guaranteed in a constitution/amendment newly implemented in the first two years after the civil war ended.
EQUALTOT5:	The total number of categories of rights (the sum of 5EQUAL_1 to 5EQUAL_16) protected or guaranteed in a constitution/amendment newly implemented in the first five years after the civil war ended.
TORTURE2:	A constitution/amendment newly implemented in the first two years after the civil war ended universally prohibits torture.

TORTURE5:	A constitution/amendment newly implemented in the first five years after the civil war ended universally prohibits torture.
CRUELTY2:	A constitution/amendment newly implemented in the first two years after the civil war ended universally prohibits cruel, inhuman, or degrading treatment.
CRUELTY5:	A constitution/amendment newly implemented in the first five years after the civil war ended universally prohibits cruel, inhuman, or degrading treatment.
PROHIBIT2:	A constitution/amendment newly implemented in the first two years after the civil war ended universally prohibits torture and/or cruel, inhuman, or degrading treatment.
PROHIBIT5:	A constitution/amendment newly implemented in the first five years after the civil war ended universally prohibits torture and/or cruel, inhuman, or degrading treatment.
INTRGHT_12:	A constitution/amendment newly implemented in the first two years after the civil war ended refers to the UN Universal Declaration of Human Rights (1948).
INTRGHT_15:	A constitution/amendment newly implemented in the first five years after the civil war ended refers to the UN Universal Declaration of Human Rights (1948).
INTRGHT_42:	A constitution/amendment newly implemented in the first two years after the civil war ended refers to the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950).
INTRGHT_45:	A constitution/amendment newly implemented in the first five years after the civil war ended refers to the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950).
INTRGHT_52:	A constitution/amendment newly implemented in the first two years after the civil war ended refers to the International Covenant on Civil and Political Rights (1966).
INTRGHT_55:	A constitution/amendment newly implemented in the first five years after the civil war ended refers to the International Covenant on Civil and Political Rights (1966).

INTRGHT_62:	A constitution/amendment newly implemented in the first two years after the civil war ended refers to the International Covenant on Economic and Social Rights (1966).
INTRGHT_65:	A constitution/amendment newly implemented in the first five years after the civil war ended refers to the International Covenant on Economic and Social Rights (1966).
INTRGHT_72:	A constitution/amendment newly implemented in the first two years after the civil war ended refers to the American Convention on Human Rights (1969).
INTRGHT_75:	A constitution/amendment newly implemented in the first five years after the civil war ended refers to the American Convention on Human Rights (1969).
INTRGHT_92:	A constitution/amendment newly implemented in the first two years after the civil war ended refers to the African Charter on Human People's Rights (1981).
INTRGHT_95:	A constitution/amendment newly implemented in the first five years after the civil war ended refers to the African Charter on Human People's Rights (1981).
INTTOTAL2:	The total number of international treaties or instruments (the sum of 2INTRGHT_1 to 2INTRGHT_9) referred to in a constitution/amendment newly implemented within the first two years after a civil war has ended.
INTTOTAL5:	The total number of international treaties or instruments (the sum of 5INTRGHT_1 to 5INTRGHT_9) referred to in a constitution/amendment newly implemented within the first two years after a civil war has ended.

Human Rights Institution Variables

(All of the following variables come from the International Ombudsman Institute and the National Human Rights Institutions Forum and are coded dichotomously: 0=No, 1=Yes. Missing data is indicated with a ".") See: <http://www.theioi.org/> and <http://www.nhri.net/>. This follows the coding found in: Jeong-Woo Koo and Francisco O. Ramirez, "National Incorporation of Global Human Rights: Worldwide Expansion of National Human Rights Institutions, 1966-2004," *Social Forces* 87:3 (2009): 1321-53.

HROFFICE5:	A national human rights institute or ombudsman office was newly created within the first two years after the civil war ended.
HROFFICE5:	A national human rights institute or ombudsman office was newly created within the first five years after the civil war ended.

P2HROFFICE: A national human rights institute or ombudsman office existed at any point within the first two years after the civil war ended.

P5HROFFICE: A national human rights institute or ombudsman office existed at any point within the first five years after the civil war ended.

Transitional Justice Variables

(Unless otherwise noted, all of the following variables come from the Transitional Justice Research Collaborative are coded dichotomously: 0=No, 1=Yes. Missing data is indicated with a “.”). Source: <https://transitionaljusticedata.com/>.

TRIALS2: Criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) were initiated within the first two years after the civil war ended.

TRIALS5: Criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) were initiated within the first two years after the civil war ended.

TRIED2: Criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) were initiated within the first two years after the civil war ended and prosecuted high ranking officials.

TRIED5: Criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) were initiated within the first five years after the civil war ended and prosecuted high ranking officials.

GUILTY2: Criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) were initiated within the first two years after the civil war ended and rendered a guilty verdict.

GUILTY5: Criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) were initiated within the first five years after the civil war ended and rendered a guilty verdict.

CUMTRIALS2: A cumulative count of the number of criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) initiated within the first two years after the civil war ended.

CUMTRIALS5:	A cumulative count of the number of criminal trials (international criminal trials, foreign criminal trials, domestic state criminal trials, or domestic non-state criminal trials) initiated within the first five years after the civil war ended.
AMNESTY2:	An amnesty law was newly implemented or still had legal effect within the first two years after the civil war ended.
AMNESTY5:	An amnesty law was newly implemented or still had legal effect within the first five years after the civil war ended.
AMNTYPE2:	An amnesty law that was newly implemented or still had legal effect within the first two years after the civil war ended is compliant with international standards (i.e. not a blanket amnesty).
AMNTYPE5:	An amnesty law that was newly implemented or still had legal effect within the first five years after the civil war ended is compliant with international standards (i.e. not a blanket amnesty).
AMNCHALL2:	There were legal challenged to an amnesty law that was newly implemented or still had legal effect within the first two years after the civil war ended.
AMNCHALL5:	There were legal challenged to an amnesty law that was newly implemented or still had legal effect within the first five years after the civil war ended.
TC2:	A truth commission was newly implemented within the first two years after the civil war ended.
TC5:	A truth commission was newly implemented within the first five years after the civil war ended.
TCTYPE2:	The highest costliness score that a newly implemented truth commission achieved during the first two years after the civil war ended. The score ranges from 0-5, measuring the costliness of the truth commission along five dimensions, each worth 1 point: clear mandate, inclusiveness, implementation, publicity, and institutional capacity.
TCTYPE5:	The highest costliness score that a newly implemented truth commission achieved during the first five years after the civil war ended. The score ranges from 0-5, measuring the costliness of the truth commission along five dimensions, each worth 1 point: clear mandate, inclusiveness, implementation, publicity, and institutional capacity.

- VICTIMCOUNT2: The highest raw number of victims participating in a newly implemented truth commission during the first two years after the civil war ended.
- VICTIMCOUNT5: The highest raw number of victims participating in a newly implemented truth commission during the first five years after the civil war ended.
- VETTING2: A vetting policy was newly implemented within the first two years after the civil war ended.
- VETTING5: A vetting policy was newly implemented within the first five years after the civil war ended.
- REPARATIONS2: A reparations policy was newly implemented within the first two years after the civil war ended.
- REPARATIONS5: A reparations policy was newly implemented within the first five years after the civil war ended.

Modeling Choices

The results presented in the main text are drawn from a survival or event model. Given we are interested in understanding how institutions shape the likelihood of reoccurrence within a given time frame, survival models are appropriate as they allow us to assess whether specific variables of interest are likely to increase or decrease the speed with which an event may occur. These models are often used in the medical field, for which the “event” is death. In our case, the “event” is the reoccurrence of war and the language used reflects whether an independent variable increases or decreases the rate at which war may recur. Survival models are routinely used to assess the rate of reoccurrence for civil wars.²⁰

More specifically, we employ a cox proportional hazard model. This particular method is apt for a number of key reasons. First, the hazard ratio is an easily interpretable measure of the influence each variable has on the event of interest. More specifically, as the hazard ratio deviates from one, its value indicates the increase or decrease in the likelihood the incident will occur. Second, the Cox model has greater versatility, relative to the Weibull model or other parametric hazard models.²¹ We assume the hazard is exponential and proportional:

²⁰ Caroline A. Hartzell, “Settling Civil Wars: Armed Opponents’ Fates and the Duration of the Peace,” *Conflict Management and Peace Science* 26:4 (2009): 347-65; Mehmet Gurses, Nicolas Rost, and Patrick McLeod, “Mediating Civil War Settlements and the Duration of Peace,” *International Interaction* 34:2 (2008): 129-55; James Fearon, “Why Do Some Civil Wars Last So Much Longer Than Others?” *Journal of Peace Research* 41:3 (2004): 275-301; and Nicholas Sambanis, “Short-Term and Long-Term Effects of United Nations Peace Operations,” *World Bank Economic Review* 22 (2008): 9-32.

²¹ See Sambanis 2008 above.

$$h(x_{\tau}, \beta; t) = \exp(x_{\tau}, \beta) h^B(t),$$

where t denotes the duration of a post-conflict peace period, x_{τ} is a vector of exogenous variables observed at time τ , β is a vector of unknown parameters and h^B is the baseline hazard. Thus, $\beta_j > 0$ signifies that an increase in explanatory variable x_{tj} leads to an increase in the hazard or rate of reoccurrence; if $\beta_j < 0$ an increase in j leads to a decrease in the hazard or rate of reoccurrence. Note that we test, and find support for, the proportionality assumption using the Kaplan-Meier predicted survival plot and the Schoenfeld residuals.

Output Tables

All tables included here are based on the five-year sample of all wars. Model 3 (Table 4) represents the reduced, baseline model used in all specifications below. In various iterations of the baseline model, GOV is positively associated with reoccurrence while CTERMVIC is negatively associated with reoccurrence. These controls maintain their significance throughout most of the specifications and sample choices (5 year; 5 year and major war; 3 year; 3 year and major war). Note, however, that tables from alternative samples are not included in the Appendix, but are available upon request. Standard errors are clustered by country.

Table 4: Baseline Model

	MODEL 1	MODEL 2	MODEL 3
GOV	0.869* (2.28)	0.898* (2.47)	0.895* (2.41)
DUR	0.000729 (0.06)	-0.000565 (-0.05)	0.000201 (0.02)
ETHNIC	0.401 (1.03)	0.448 (1.25)	0.445 (1.22)
PCOLD	0.0535 (0.14)	0.0598 (0.15)	0.0623 (0.17)
PKS5	0.0422 (0.09)		-0.0967 (-0.23)
POLITY2	-0.0296 (-1.17)	-0.0331 (-1.40)	-0.0322 (-1.34)
CTERMVIC		-0.785* (-2.20)	-0.794* (-2.20)
PKSD		0.00192 (0.01)	
N	150	150	150
Pseudo R-squared	0.028	0.025	0.025

t statistics in parentheses

+ p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Table 5: Constitutional Reform

	MODEL 1	MODEL 2	MODEL 3	MODEL 4	MODEL 5	MODEL 6
CORA2	-0.0381 (-0.11)					
CORA5		-0.137 (-0.40)				
NEWCON2			-0.921+ (-1.68)			
NEWCON5				-0.719+ (-1.75)		
CONA2					0.451 (1.20)	
CONA5						0.356 (0.99)
GOV	0.885* (2.25)	0.857* (2.26)	0.831* (2.18)	0.772* (2.01)	0.994* (2.50)	0.959* (2.50)
DUR	-0.0000889 (-0.01)	-0.000521 (-0.04)	-0.00369 (-0.30)	-0.00228 (-0.19)	0.00177 (0.15)	0.000811 (0.07)
ETHNIC	0.436 (1.15)	0.428 (1.18)	0.428 (1.18)	0.454 (1.28)	0.549 (1.46)	0.509 (1.32)
PCOLD	0.0600 (0.16)	0.0253 (0.07)	0.0691 (0.18)	0.0164 (0.04)	0.0902 (0.24)	0.160 (0.40)
CTERMVIC	-0.797* (-2.21)	-0.791* (-2.21)	-0.820* (-2.40)	-0.756* (-2.10)	-0.785* (-2.14)	-0.765* (-2.05)
PKS5	-0.102 (-0.24)	-0.107 (-0.26)	-0.157 (-0.37)	-0.161 (-0.38)	-0.0668 (-0.16)	-0.0836 (-0.20)
POLITY2	-0.0313 (-1.20)	-0.0273 (-0.97)	-0.0332 (-1.39)	-0.0281 (-1.22)	-0.0458 (-1.64)	-0.0449 (-1.61)
Observations	150	150	150	150	150	150
Pseudo R-squared	0.025	0.026	0.033	0.033	0.028	0.028

t statistics in parentheses

+ p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Table 6: Constitutional Protections

	MODEL 1	MODEL 2	MODEL 3	MODEL 4	MODEL 5	MODEL 6
EQUALTOT2	0.1 (-1.25)					
EQUALTOT5		0.102+ (-1.71)				
PROHIBIT2			-0.0853 (-0.08)			
PROHIBIT5				0.586 (-1.35)		
INTTOTAL2					0.197 (-0.54)	
INTOTAL5						0.0492 (-0.11)
GOV	0.847* (-2.34)	0.754 (-1.62)	0.814* (-2.26)	0.662 (-1.53)	0.840* (-2.23)	0.603 (-1.36)
DUR	-0.00177 (-0.14)	0.00775 (-0.62)	-0.00104 (-0.08)	0.00364 (-0.29)	-0.00274 (-0.19)	0.00241 (-0.18)
ETHNIC	0.429 (-1.18)	0.0152 (-0.04)	0.444 (-1.23)	0.0981 (-0.23)	0.443 (-1.23)	0.0607 (-0.15)
PCOLD	0.103 (-0.27)	-0.204 (-0.50)	0.126 (-0.33)	-0.0743 (-0.18)	0.121 (-0.32)	-0.0065 (-0.02)
CTERMVIC	-0.797* (-2.13)	-0.913* (-2.16)	-0.720+ (-1.89)	-0.850* (-2.02)	-0.770* (-2.01)	-0.772+ (-1.84)
PKS5	-0.0528 (-0.12)	0.0131 (-0.03)	-0.058 (-0.13)	0.0458 (-0.11)	-0.0422 (-0.10)	-0.00529 (-0.01)
POLITY2	-0.0352 (-1.41)	-0.0183 (-0.75)	-0.0304 (-1.23)	-0.0284 (-1.17)	-0.0326 (-1.33)	-0.022 (-0.87)
Observations	143	133	143	135	143	135
Pseudo R-squared	0.025	0.027	0.022	0.021	0.023	0.017

t statistics in parentheses

+ p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Table 7: Human Rights Institutions

	MODEL 1	MODEL 2	MODEL 3	MODEL 4	MODEL 5
OMBUDS5	-1.212 (-1.29)				
HROFFICE2		0.0888 (0.11)			
HROFFICE5			0.309 (0.73)		
P2HROFFICE				-0.206 (-0.46)	
P5HROFFICE					0.101 (0.25)
GOV	0.642 (1.45)	0.892* (2.37)	0.896* (2.39)	0.885* (2.38)	0.901* (2.44)
DUR	0.00419 (0.33)	0.000166 (0.01)	-0.000330 (-0.03)	-0.000560 (-0.05)	0.000511 (0.04)
ETHNIC	0.104 (0.26)	0.439 (1.18)	0.426 (1.16)	0.468 (1.27)	0.434 (1.17)
PCOLD	-0.119 (-0.30)	0.0633 (0.17)	0.0428 (0.12)	0.118 (0.32)	0.0277 (0.08)
CTERMVIC	-0.752+ (-1.83)	-0.796* (-2.22)	-0.800* (-2.24)	-0.784* (-2.17)	-0.798* (-2.21)
PKS5	-0.00914 (-0.02)	-0.114 (-0.24)	-0.126 (-0.29)	-0.0383 (-0.08)	-0.118 (-0.26)
POLITY2	-0.0152 (-0.62)	-0.0328 (-1.34)	-0.0361 (-1.42)	-0.0274 (-1.01)	-0.0348 (-1.26)
Observations	141	150	150	150	150
Pseudo R-squared	0.025	0.025	0.026	0.026	0.025

t statistics in parentheses

+ p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Table 8: Trials

	MODEL 1	MODEL 2	MODEL 3	MODEL 4	MODEL 5
TRIALS2	-0.384 (-1.20)				
TRIALS5		-1.202*** (-3.84)			
TRIED5			1.109* (2.29)		
GUILTY2				-0.377 (-1.07)	
GUILTY5					-0.189 (-0.60)
GOV	0.958** (2.64)	1.056** (2.94)	0.914* (2.36)	0.920* (2.52)	0.954* (2.52)
DUR	-0.00241 (-0.21)	0.00206 (0.18)	0.00101 (0.07)	-0.000951 (-0.08)	0.00113 (0.10)
ETHNIC	0.513 (1.39)	0.452 (1.43)	0.447 (1.26)	0.441 (1.24)	0.462 (1.29)
PCOLD	0.0950 (0.25)	0.306 (0.82)	0.0226 (0.06)	0.104 (0.28)	0.120 (0.32)
CTERMVIC	-0.759* (-2.09)	-0.915* (-2.51)	-0.886* (-2.47)	-0.778* (-2.15)	-0.724+ (-1.91)
PKS5	-0.0276 (-0.07)	-0.158 (-0.39)	-0.379 (-0.83)	-0.0806 (-0.20)	-0.0486 (-0.12)
POLITY2	-0.0269 (-1.04)	-0.0159 (-0.61)	-0.0366 (-1.45)	-0.0265 (-1.06)	-0.0248 (-0.94)
Observations	150	150	150	150	149
Pseudo R-squared	0.029	0.057	0.040	0.027	0.026

t statistics in parentheses

+ p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Table 9: Amnesties

	MODEL 1	MODEL 2
AMNESTY2	-0.337 (-0.90)	
AMNESTY5		-0.347 (-1.06)
GOV	0.952* (2.51)	0.950* (2.53)
DUR	0.0000152 (0.00)	-0.00256 (-0.21)
ETHNIC	0.548 (1.45)	0.551 (1.41)
PCOLD	-0.0216 (-0.05)	0.0164 (0.04)
CTERMVIC	-0.821* (-2.29)	-0.797* (-2.31)
PKS5	-0.0478 (-0.12)	-0.0618 (-0.15)
POLITY2	-0.0285 (-1.14)	-0.0302 (-1.24)
Observations	150	150
Pseudo R-squared	0.027	0.028

t statistics in parentheses

+ p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Table 10: Truth Commissions

	MODEL 1	MODEL 2	MODEL 3	MODEL 4
TC2	-0.582 (-0.52)			
TC5		-0.519 (-0.66)		
TCTYPE2			-0.128 (-0.51)	
TCTYPE5				-0.0370 (-0.19)
GOV	0.906* (2.43)	0.925* (2.48)	0.907* (2.43)	0.901* (2.42)
DUR	0.00168 (0.15)	0.00128 (0.11)	0.00168 (0.15)	0.000579 (0.05)
ETHNIC	0.440 (1.21)	0.455 (1.26)	0.440 (1.21)	0.443 (1.22)
PCOLD	0.0717 (0.19)	0.0527 (0.14)	0.0714 (0.19)	0.0654 (0.18)
CTERMVIC	-0.776* (-2.16)	-0.782* (-2.19)	-0.776* (-2.16)	-0.785* (-2.19)
PKS5	-0.0522 (-0.12)	-0.0598 (-0.15)	-0.0522 (-0.12)	-0.0783 (-0.19)
POLITY2	-0.0295 (-1.21)	-0.0287 (-1.14)	-0.0296 (-1.21)	-0.0314 (-1.25)
Observations	150	150	150	150
Pseudo R-squared	0.026	0.027	0.026	0.025

t statistics in parentheses

+ p<0.10, * p<0.05, ** p<0.01, *** p<0.001

Visualizations

Figure 1: Cumulative Hazard Function, by New Constitution

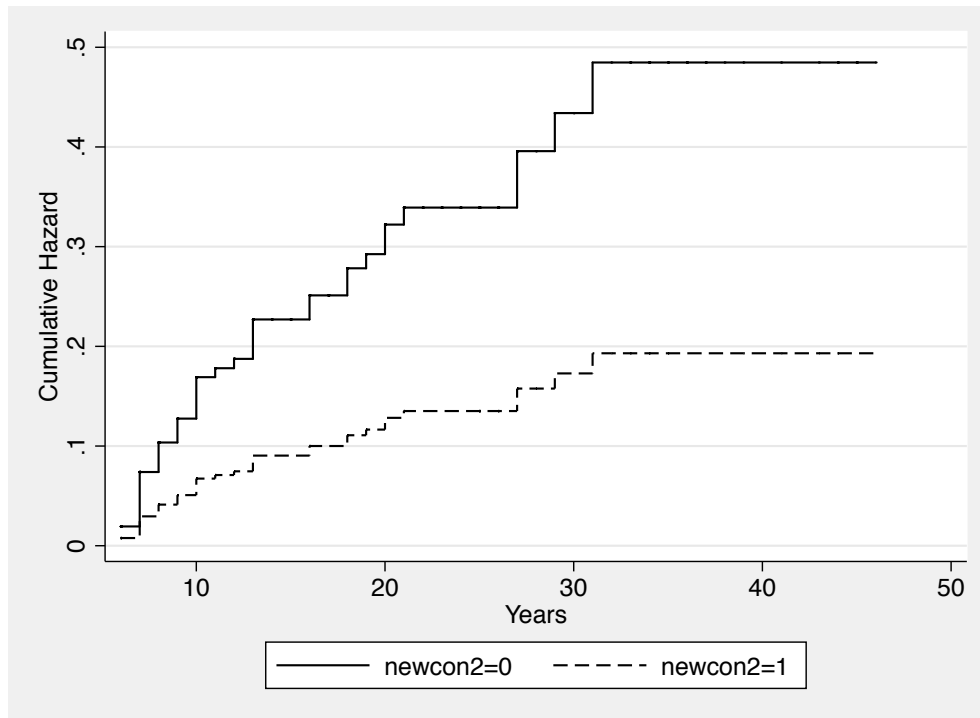


Figure 2: Cumulative Hazard Function, by Total Constitutional Protections

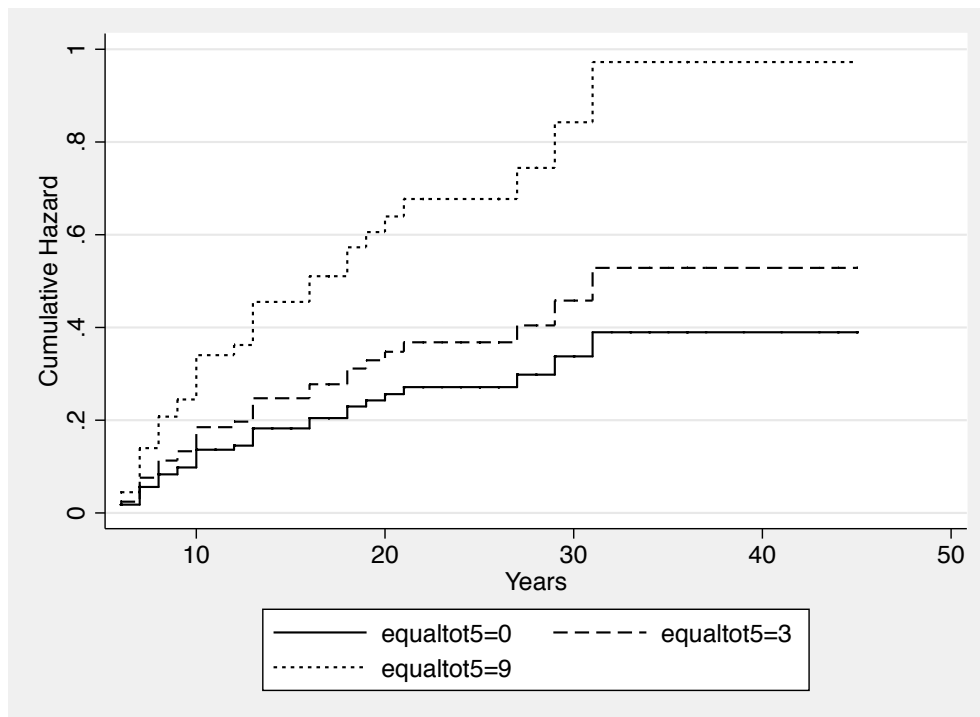


Figure 3: Cumulative Hazard Function, by Trials

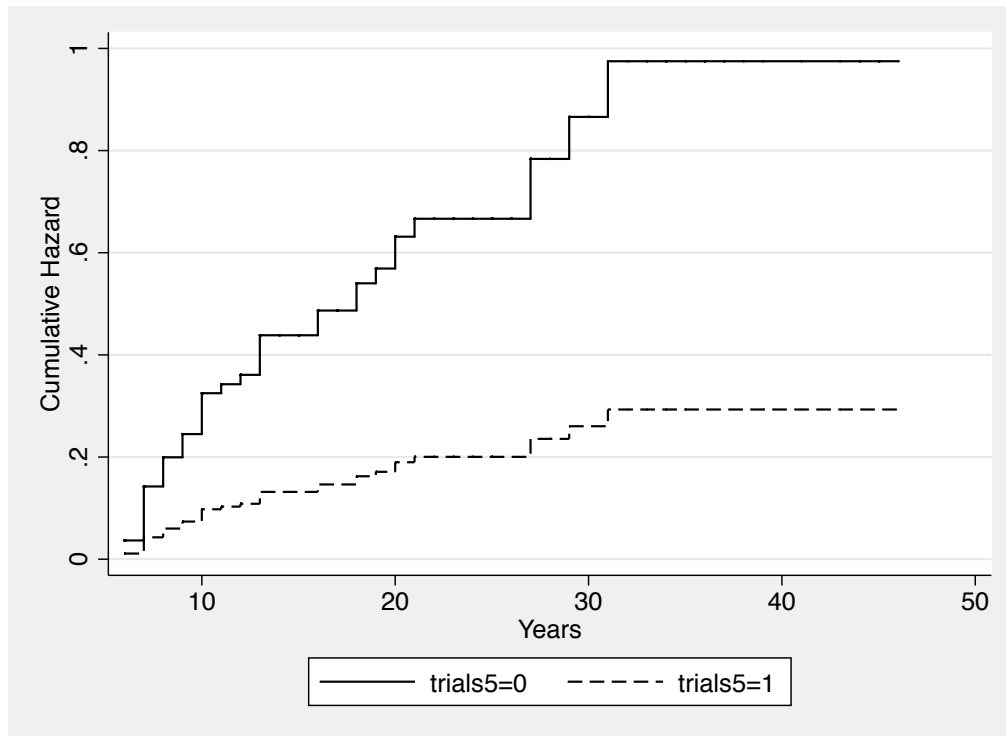


Figure 4: Cumulative Hazard Function, by High Ranking Officials Tried

