

# Veterans

## Pensions and other compensation in post-conflict countries

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The question of how best to compensate veterans in the aftermath of war is one that is relevant to many developing countries. Civil wars and independence struggles often affect the poorest regions of the world and leave an enormous financial burden including benefits to former fighters and their survivors. The most recent examples are Afghanistan and Iraq.

### Defining the problem

One of the many challenges post-conflict countries face is how to reduce the size of armies once the fighting stops, and how to sustainably assist former fighters, or veterans, once they are no longer part of the army. Fiscal, social, or political pressures may all play a role in this process, including in peace-time.

Large-scale demobilization is commonly the process through which countries achieve a reduction in force and may be accompanied by short-term reintegration assistance. By contrast, veterans policies provide for long-term assistance from the state to veterans and may include a variety of benefits designed to provide material assistance as well as social recognition. Veterans policy should credibly and transparently provide for equitable and sustainable assistance and may be developed as part of a demobilization program, or separately. The term “veteran” is used here to refer to anyone who has been a member of a military.

Over time, extensive experience has been gained regarding the design and implementation of disarmament, demobilization and reintegration (DDR) programs. Less attention has been paid to the development of veterans policies. This is due to several factors, not least because in post-conflict settings, the international community tends to focus on an immediate peace dividend through the implementation of a DDR program, which it usually finances. However, DDR requires that states formulate veterans policy to accommodate those who have been demobilized, and those who have not. Further experience has demonstrated the importance of developing sound veterans policies in post-conflict settings, and the pitfalls of inequitable, unsustainable, and non-transparent systems of benefits.

This note attempts to provide the reader with an overview of the different dimensions of veterans policy development, with particular reference to countries emerging from protracted conflict. Special attention is given to the common problems of definition, inclusion, financial sustainability and implementation, as well as the linkages between DDR and veterans policy. Given the vast differences in approach different countries have used, this note will not attempt a comprehensive discussion of veterans policies, but rather highlight common challenges and constraints faced by policy-makers in developing veterans policy in post-conflict settings.

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## Veterans policy and demobilization

In most countries in peace-time, veterans policies largely revolve around the benefits accruing to service men and women following retirement from the military. These benefits are generally described by law and laid out in the terms of service, as are the retirement benefits of public servants in general. In peace-time, such benefits are routinely administered as individuals retire from the military through natural attrition. In some countries, the provisions for military retirement are applicable also to members of other branches of the security sector, such as the police, border guards, and the gendarmerie. However, following a war, the development of veterans policy can assume great economic and political significance. A new government, or, in the case of liberation struggles, an entirely new state needs to develop a policy toward veterans. The economic implications of providing for a large number of veterans may also pose a significant fiscal problem for a new or post-conflict state.

Demobilization can be used to downsize an overly large professional force, but can also refer to efforts to take out of active duty mobilized but non-professional combatants, including reservists, militias, or other paramilitaries. One of the common post-war options is to integrate non-statutory forces into a country's armed forces with or without any immediate reduction in force. This might be the preferred option to help reconcile the erstwhile warring factions. With the stabilization of the socio-political situation, the demands of such an enlarged armed forces on a government's budget will usually lead to a reduction in force through a DDR program in the medium- to long-term. This has been the case in Cambodia, Rwanda, South Africa, and Uganda, for instance. Such peacetime DDR programs allow for more thorough preparation and frequently require less external oversight or involvement, but are otherwise similar in nature to post-conflict operations. A reduction in force can also be achieved through a combination of retirement and demobilization, as for instance in the case of Chad.

In other countries, such as El Salvador, Mozambique and Nicaragua, combatants of both statutory and non-statutory forces were

demobilized after the conflict at the same time. In Congo-Brazzaville, Guatemala and Sierra Leone, only combatants of non-statutory forces were demobilized immediately following the conflict. Whatever the context, a reduction in force should be accompanied by a reform of the security sector. For instance, in Timor-Leste, after the withdrawal of the statutory (Indonesian occupying) forces, all members of the non-statutory forces (Falintil) were discharged and a new national defense force was established into which some of the Falintil members were recruited.

## Identification and registration

The terms used to refer to those who are retrenched from military service depend largely on the political and historical context of the country and the conflict. In South Africa, any person who joined voluntarily or was called up under conscription in any of South Africa's official wars, members of the South African Defense Force, and members of anti-apartheid military movements are considered "military veterans". However, in some countries the term "veteran" has specific political connotations. In Zimbabwe, a "war veteran" is any person who underwent military training and participated, consistently and persistently, in the liberation struggle. In Mozambique, a "veteran of the national liberation struggle" includes any citizen who actively participated in the liberation struggle, be it as combatant in the non-statutory forces, in the clandestine movement, in the support work for Frelimo militants, or in the diplomatic, information and propaganda struggle.

In Chad, the term "*retraité*" refers to soldiers retired from service according to one of the criteria established by law (such as age limit or disability) as opposed to "*deflaté*" who is a soldier discharged as part of a DDR program. In Central America, there is a rather indiscriminate use of terms such as "demobilized", "reincorporated", and "ex-combatant", which are usually applied to members of non-statutory forces as compared to "retired" which applies to former members of statutory forces.

One of the most common problems associated with veterans policy development is that while regular, armed combatants from non-statutory

forces may be prescribed beneficiaries, often members of irregular forces are not. In many conflicts, there are numerous armed or non-armed groups mobilized, including militias, paramilitaries, reservists, or underground political operatives, who are not professional soldiers in the statutory forces or even regulars in non-statutory forces. For example, in Nicaragua, El Salvador, and Guatemala, the core military was demobilized but this was followed by substantial agitation by former paramilitaries for recognition and benefits. By contrast, South Africa has addressed underground members through the 1996 Special Pensions Act which stipulated that pensions were to be paid for “persons who made sacrifices or served the public interest in establishing a non-racial, democratic constitutional order...”.

In the development and implementation of veterans’ benefits, corruption, political manipulation, and exclusion, leading to future grievances, are prominent risks, particularly in post-conflict contexts where participatory political institutions and practice remain under-developed. The thorough, transparent, and timely identification and registration of military personnel are critically important for laying the groundwork for policies and programs which are inclusive and non-partisan. The importance of timely and accurate registration is evidenced in the cases of Guinea-Bissau and Zimbabwe, where the number of registered liberation fighters and veterans decades after independence was significantly higher than at independence.

Non-statutory forces commonly do not invest much effort into registering their members, a noteworthy exception being the Rwandan Patriotic Army in the early 1990s. Even statutory forces, however, often lack personnel management systems, especially after a unification of forces in the post-conflict period. In Cambodia and Uganda, the authorities carried out a full registration of the entire armed forces to determine the baseline from which planning for the reduction in force would commence. In Guinea-Bissau, a complex process was launched in 2001 to register all those who had fought during the war of independence. Contrary to Decree 5/75 of 1975, this registration purposefully included not just members of the

leading political movement but also members of other pro-independence movements, as well as Bissau-Guineans who had fought with the Portuguese army. In Timor-Leste, ex-combatants and veterans of the liberation struggle were registered through a carefully crafted process which included community verification and consultation. It should be noted that the success of any registration process is a function of the transparency of the system which carries out this exercise.

### Assistance to veterans

There is great variation in veterans’ benefits across countries and categories of veterans. These benefits by and large follow certain patterns that depend mainly on the type of reduction in force, the type of retirement, and the type of force of which an individual was a member. Benefits may include entitlements which are written into law, such as pensions, or other forms of monetary or in-kind assistance. Countries also usually attempt to provide benefits to the disabled, particularly those who cannot work, as a result of military service.

National pension schemes exist in most countries. These commonly include provisions for members of statutory forces. Thus, whether for individual retirement or as part of a demobilization, a soldier retiring from statutory forces is eligible to receive a pension. Although there is a variety of systems, there is generally a contribution from the state as employer and the future beneficiary, the soldier, to some form of pensions fund. A common problem is that pension schemes often do not function. For example in the cases of Burundi and Guinea-Bissau, the state is unable to meet its payment obligations.

There may be other benefits per terms and conditions of service, such as a disability pension, medical assistance for the disabled and benefits for survivors either of those killed in action or those subsequently dying while receiving veterans’ benefits. The Korean Veterans’ Pension Act, for example, specifies 17 different benefits for veterans or their family members. Similar

provisions exist, for example, in Angola, Bosnia and Herzegovina, Cambodia and Guinea-Bissau.

Members of non-statutory forces generally do not contribute to a pension fund and are, thus, normally not eligible by law to receive a pension or related benefits. However, a post-war government may decide on the eligibility for these military personnel, as in the case of South Africa. Furthermore, provisions for benefits for members of non-statutory forces can be written into peace agreements, such as in Angola, Burundi and Guatemala.

There is a general agreement that those demobilized may not be prepared to face the challenges of civilian life and that, therefore, targeted assistance is required. Such assistance commonly consists of two parts. First, reinsertion (severance) payments are designed to compensate for the loss of formal or informal income received while in military service. Such a transitional safety net is usually calculated to cover the basic needs of the demobilized and his/her family for a limited period of time, generally between 6-12 months. Second, for those returning to the labor force, reintegration assistance is provided to help the demobilized establish a new livelihood through, for instance, access to land, the provision of skills training, employment referral, or the implementation of micro-projects.

As with pensions, demobilization benefits may differ by rank, years of service, and/or disability. However, if demobilization takes place from a unified army, benefits are usually not differentiated by former affiliation with statutory or non-statutory forces. This has been the case in Cambodia, Chad and Uganda, for instance.

The provision of demobilization-related benefits to retrenched members of statutory forces does not preclude the administration of service-related payments as per their terms and conditions of service. This is being envisaged in Burundi, for instance. In Uganda, reinsertion payments under the DDR program were unitary but the demobilized later received an additional gratuity, the amount of which was dependent on rank. From a financial perspective, entitlements to

pensions and other service-related benefits should be taken into account when calculating demobilization-related assistance as the former reduce the vulnerability of the demobilized, which is the key rationale of the latter.

Veterans of national liberation struggles are generally seen as a special category of veterans and many countries have accorded them a particular socio-political status. In many cases the victorious post-war governments have felt obliged to provide special compensation for the services and sacrifices they rendered to the nation. These are often distinct from the normal pension systems or benefits put in place for military personnel following the establishment of a post-liberation national army. The type and amount of compensation provided to such veterans tend to bear little relation either to long-term financial sustainability or proportionality *vis-à-vis* other population groups. Assistance sometimes includes family members who are considered to have shared the sacrifice.

In Guinea-Bissau, liberation fighters (who were not limited to those actually bearing arms) who were members of the ruling party were eligible to receive the highest pension irrespective of years of service. Senior officers were entitled to a furnished house and a car. Upon death, certain benefits were transferable to the spouse, children under 18 years of age, and parents. In the case of Bosnia and Herzegovina, benefits included privatization vouchers, housing preferences, free and discounted transportation, and exemptions from customs and taxes for veterans and survivor families for car imports, equipment for self-employment, and other taxes (for instance, land tax). Survivor families were defined as spouses and children, parents and grandparents, and in some cases, siblings. In Angola, spouses of national heroes and their children under age 18 are eligible to receive a car every five years, an annual subsidy, a monthly pension, and free travel abroad for medical reasons.

South Africa constitutes a case where an attempt has been made to provide financially sustainable benefits. The Special Pensions Act of 1996 states that a person who made sacrifices or served the



public interest in establishing a non-racial, democratic constitutional order and who is a citizen, or entitled to be a citizen, of the Republic of South Africa, is entitled to receive a means-tested monthly pension, after age 55 for women and 60 for men. Years of service are taken into account. A person has the right to a survivor's lump sum benefit if that person is a surviving spouse, or if there is no surviving spouse, the surviving dependant. Veterans may also be eligible for a range of other benefits, including, for example, government grants, insurance benefits, burial benefits, and accommodation assistance. Further South Africa's most recent veterans' legislation, the Military Veterans' Affairs Act of 1999, lays as a fundamental principle that assistance to veterans of the struggle constitutes reparation, not welfare.

Whether veterans stem from wars of liberation or other wars, financial compensation, uncertain as it commonly is, does not necessarily of itself do justice to the sacrifices made. For example, the South African Defense Review suggests that the role played by military veterans in democratizing South Africa should be recognized through national commemorations. Military heritage matters should be viewed as a national issue and be dealt with inclusively, lest military heritage be used to bolster the political legitimacy and privileges of a particular party or group. As noted in the South Africa Defense Review, war graves, cemeteries, memorials, museums and rolls of honor should be dealt with in an integrated way to promote the country's military heritage.

### Administration of benefits

Benefits are usually administered by a dedicated government body. In some cases, benefits, in particular pensions, are paid through the social security system. In Angola, for instance, pensions and disability pensions are paid through the "*Caixa de Segurança das Forças Armadas Angolanas*" and the "*Instituto Nacional de Segurança Social*". In other countries, the Ministry of Defense or the armed forces themselves may be responsible for paying pensions, but a dedicated veterans' affairs office may coordinate other forms of benefits and act as advocate for veterans' interests generally. Uganda

has set up a Veterans Assistance Board and South Africa an Advisory Board for Military Veterans' Affairs. In some countries veterans' affairs offices administer pension payments directly. In the Federation of Bosnia-Herzegovina and the Republika Srpska, benefits for veterans and survivors are the responsibility of the Ministry of Veterans and Disabled Soldiers' Affairs and the Ministry of Veterans, War Casualties and Labor, respectively.

Countries implementing DDR programs have usually established special offices, such as the "*Instituto de Reintegração Sócio-Profissional dos ex-Militares*" (IRSEM) in Angola, the "*Oficina Nacional de Reincorporación*" in Colombia, the "*Comisión Nacional de Reincorporación*" in Guatemala, and the Rwanda Demobilization and Reintegration Commission. Set up for a specific, short-term task, i.e., the administration of DDR-related benefits, these offices are usually slated for closure upon completion of the task. Offices dealing with veterans' affairs do not have such a sunset clause. Highlighting this distinction between longer-term benefits and a short-term DDR program, a special Council for the Demobilization of Armed Forces with an Executive Secretariat was created in Cambodia for the administration of the demobilization and reintegration program. By contrast, the Ministry of Women and Veteran Affairs assumes the responsibility of paying retirement and disability benefits, though the first payment after retirement is made by the Ministry of National Defense.

### Veterans associations

In many countries, associations of veterans, liberation fighters or ex-combatants have been established at the national level. In Colombia, there is an association of retired military personnel and an association of reservists, each legally constituted, including articles of association, structure, purpose and participation mechanisms. In Guatemala, members of the former non-statutory forces established the "*Fundación Toriello*". In Mozambique, the "*Associação Moçambicana dos Desmobilizados de Guerra*" (AMODEG) and the "*Associação dos Deficientes Militares de Moçambique*" (ADEMINO) are open for members of both

statutory and non-statutory forces. The Zimbabwe National Liberation War Veterans Association developed as a platform and pressure group for disaffected demobilized combatants. Further, in many countries, such as Rwanda, Timor-Leste, and Uganda, former military personnel have formed self-help groups to address the immediate needs of their members.

Such organizations or associations are commonly recognized by the authorities as lawful representatives of the interests of their members. While generally pursuing their legitimate objectives, they are also susceptible to manipulation by political groupings to further interests unrelated to veterans' interests and can become a source of political instability. This has been the case in Zimbabwe, where veterans groups have been involved in political violence. Timor-Leste also witnessed attempts at manipulation of veterans organizations for political ends, albeit without violence. A related risk is that veterans groups may become private paramilitary or security groups. In some cases, veterans associations exercise considerable political influence, as in Bosnia and Herzegovina, where these organizations even receive funds directly from the national budgets for their activities.

### Legal basis for benefits

Without fail, governments have put in place a legal basis, sometimes elaborate, for veterans' benefits. It is worth highlighting, that veterans' policies are sometimes defined or amended only a long time after the end of conflict. By that time, it may be difficult to ascertain who was a combatant. In Guinea-Bissau, a decree identifying who is considered a liberation fighter was issued shortly after independence in 1975 but benefits were defined only 11 years later. The Mozambican decree on pensions and other benefits was also approved 11 years after independence. In Zimbabwe, the War Veterans' Act was enacted in 1992, twelve years after independence. By contrast, the government of Eritrea issued a special proclamation in 1993, two years after assuming power, establishing benefits for former liberation fighters as compensation for services rendered during the independence struggle.

DDR programs require a different legal basis. In the case of the Rwanda Demobilization and Reintegration Program, for instance, the government issued a decree establishing the institutional structure in charge of the program, a ministerial order for the demobilization criteria, and a ministerial order determining eligibility criteria for the demobilization of members of ex-armed groups. Equally, a ministerial order defined the amounts and payment modalities of reinsertion payments in Chad. Peace accords often provide a framework for legal regulations dealing with large-scale reductions in force, for instance in Burundi, El Salvador, Guatemala, and Sierra Leone.

### Challenges

Setting policies and creating laws dealing with veterans are the prerogative of the state. However, the history of such policies and regulations demonstrates that without proper planning, administration and financing, and political willingness to apply the laws transparently, they can create more problems than they resolve. At the heart of most problems is the gap between what is enacted in law and what can be financed. Considerations of security and stability may lead authorities to establish benefits which are both broad and generous, for instance, in the belief that such benefits to former combatants will "buy" peace. But if such benefits are unsustainable, pressure on public finances will eventually force reforms that may pose a new political challenge.

Pensions for soldiers retired from statutory forces may follow the parameters of the pension system for civil servants. However, the sustainability of military pensions depends on the viability of the national pension system. In many low-income countries, such systems are often not viable and while retired military are eligible for pensions, they may not receive any, or not the amount they are entitled to. The case of Zaïre is illustrative. Since the mid-1980s, even soldiers past age limits were not retired, because government could not pay their pensions. This led to riots by soldiers in the 1980s and 1990s.

The short-term benefits associated with military demobilization programs are usually more predictable, particularly when a comprehensive

DDR program has been developed by the government and is supported by the international community. Examples include the current programs in Angola, Ethiopia, and Rwanda. However it is important not to mix DDR benefits with pension benefits. A DDR program by design only addresses short-term needs of demobilized soldiers. Pensions are a long-term entitlement of the retired military. If in a given situation, pensions are not well-managed but a DDR program is being implemented with sufficient resources, the lack of pension payments may contribute to political and economic instability. In such cases, the pension system should be reformed independently of the legal and technical basis of the DDR program.

Generous legal benefits that lack any relation to financial sustainability may degenerate into slush funds for those in power rather than be provided to the intended beneficiaries. The case of Guinea-Bissau is illustrative because the authorities effectively neglected the plight of the rank and file of the liberation struggle. Unpaid pensions and resentment of liberation fighters *vis-à-vis* the officials who received generous support were among the driving forces of the *coup d'état* of June 1998. In Zimbabwe, the discontent on the part of thousands of veterans *vis-à-vis* the administration of the benefits system was turned into a political tool by the authorities to extract greater rents from other population groups, without leading to a more equitable distribution of the revenues thus generated. Rationalizing such systems once they are in place is politically most challenging. Bosnia and Herzegovina's two Entities have recently changed their previously unsustainably generous veterans' benefits system, however the reform has been very difficult, in part due to the large political influence of the veterans associations.

Unless a contributory pension system is fully functioning, payments of pensions and other benefits are funded through the budget, for instance, through a combination of increasing contributions of taxpayers, government revenue from natural resources, expenditure reductions in other sectors, domestic and international lending, and/or donor grants. In the short-term, the general population may accept these expenses as its sign of gratitude to those who fought in a war,

or on the basis of an understanding that unaided, veterans may start rent seeking at the barrel of a gun. However, the more generous the benefits and the longer they continue, the more individuals not eligible by law or not directly involved in armed struggle (for example, members of the extended family) benefit from these payments through corruption or over-generosity, and the less efficient the administration of these benefits, the more reluctant the population will be to support this benefits system in the long-term. Furthermore, other than in the case of special DDR programs in war-to-peace transition processes, donors are unlikely to finance unreformed pensions systems or benefits to veterans and liberation fighters

### Further reading

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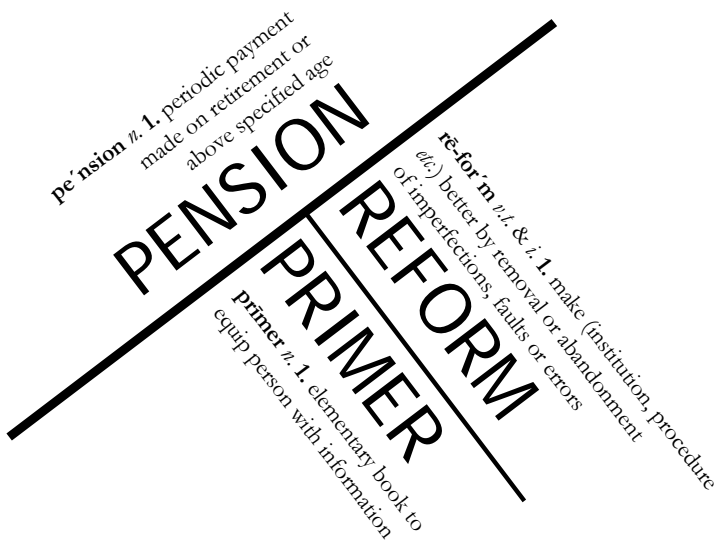
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## Conclusions and recommendations

- Unless it is established early on who is military personnel and who is not, there will be substantial targeting errors leading to higher costs for reform of the pension system, assistance to veterans, or a DDR program.
- Whilst those retrenched from military service merit targeted assistance, the amount, type, and duration of such benefits need to be carefully calibrated against the resources available in the long run and the opportunities available in the labor market.
- Wherever international assistance is sought to finance a DDR program or pension reform, the international community needs to be closely involved in the planning and implementation process.
- Large-scale military demobilization and individual retirement from military service should not employ the same types of benefits. In the former case, reinsertion and reintegration assistance may be warranted. In the latter case, pensions and similar benefits should apply. However, in countries under long-term fiscal duress, pension obligations could be paid out, as a lump sum or in tranches, to retiring soldiers with a discounted value – possibly linked to a DDR program.
- The administration of the benefits should be simple. Regarding pensions, the system for retired military personnel and retired civil servants should be the same to the extent possible. By contrast, structures set up to administer a short-term DDR program should be dismantled upon program completion.
- Veterans policy and legislation is only as good as the respect for the rule of law generally. The best legislation comes to naught when the authorities hinder or circumvent the transparent execution of the law.
- Recognition of the sacrifices of liberation fighters and veterans through a cultivation of a peace-oriented military heritage may be an important sign of gratitude and one that is more sustainable than financial benefits.
- Financial assistance beyond any applicable pensions is warranted to the most needy, including the disabled. The determination and application of criteria of vulnerability needs to be simple and transparent.





- Legal service-related benefits for statutory forces (in particular, pensions) should be taken into consideration when planning a DDR program both in terms of determining the level of benefits and identifying the most vulnerable.
- Recognizing the contribution of former combatants and clarifying their role and status in a new socio-political dispensation may be critical to stability and reconciliation in post-conflict societies. This issue merits attention from donors and multilateral agencies as part of larger conflict resolution and peace-building efforts.