

# The creation and functioning of the UN Peacebuilding Commission

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IN SEPTEMBER 2003, the UN Secretary-General tasked a High-Level Panel to propose major reforms to the institutions of the UN that seek to promote peace and security. In its December 2004 report<sup>1</sup>, the Panel recommended the creation of two new bodies: a Peacebuilding Commission and a Peacebuilding Support Office. The new organs would have two core objectives: (1) to help states avoid collapse and the slide to war; and, (2) to assist states in their transition from war to peace. The Secretary-General subsequently endorsed the proposal in his March 2005 report entitled *In Larger Freedom*, setting the stage for its consideration at the UN World Summit, held from 14-15 September 2005, in New York.<sup>2</sup>

This briefing provides an overview of the current political negotiations surrounding the creation and functioning of the Peacebuilding Commission (PBC). It discusses what steps need to be taken to ensure an effective Commission, including:

- empower the PBC to develop comprehensive strategies for peace-building;
- promote legitimacy in decisions on the structure and membership of the PBC and its Organisational Committee;
- establish a Support Office that maximises effectiveness;
- clarify how issues will be referred to the PBC;
- ensure clear and appropriate reporting lines;
- support a well-resourced and un-bureaucratic Peacebuilding Fund;
- build local ownership in war-torn societies;
- create mechanisms to engage with civil society;
- ensure effective monitoring and evaluation of performance.

## The Peacebuilding Commission's genesis in New York

The World Summit in New York in September 2005 brought together representatives from more than 170 nations to discuss global challenges, including security, poverty, and UN Reform. The Summit concluded with a declaration and recommendations (the 'Outcome Document') that have no legally binding character. Among the more significant reforms introduced at this unprecedented gathering of world leaders was the commitment to establish at the UN, no later than 31 December 2005, a Peacebuilding Commission (PBC).

The PBC is envisioned to be an **inter-governmental advisory body** to help countries transition from war to peace, backed by a support office and a standing fund.<sup>3</sup> In short, its suggested role is:

- to advise and focus on the reconstruction and institution-building efforts necessary to recover from violent conflict, and to lay the foundations for sustainable development through integrated strategies;
- to bring together and co-ordinate relevant UN agencies and bodies (eg the UN Development Programme and Departments of Political Affairs and Peacekeeping Operations), governments, non-government organisations, and other actors; and
- to develop best practices and extend the period of political attention and financial resources by the international community to post-conflict recovery.

Conspicuously absent from this mandate is any reference to the preventative function originally envisaged in the High Level Panel report.

<sup>1</sup> High-Level Panel on Threats, Challenges and Change, *A more secure world: Our shared responsibility*, New York: United Nations, 2004.

<sup>2</sup> UN Secretary-General, *In Larger Freedom: Towards Development, Security and Human Rights for All*, United Nations, New York, A/59/2005

<sup>3</sup> "Outcome Document", World Summit 2005, United Nations, 15 September 2005, para 97.

In support of the PBC, a multi-year standing **Peacebuilding Fund** will be established, funded by voluntary contributions and taking due account of existing instruments.<sup>4</sup> The Peacebuilding Fund aims to ensure the immediate release of resources needed to launch peace-building activities and the availability of appropriate financing for recovery. Currently, neither the decision-making nor the management mechanisms for the fund have been decided upon. Within the UN Secretariat and from within existing staff resources, a small **Peacebuilding Support Office** (PBSO) will backstop the PBC with expertise in the development, implementation and monitoring of strategies toward peace-building objectives.<sup>5</sup> Through rosters and networks from various UN bodies, the PBSO will further draw on the best expertise available on issues of security, institution-building, and reconstruction.

The PBC will meet in various configurations, depending on the nature of a conflict or a peace-building intervention. It will be aided by an **Organisational Committee**, responsible for developing the PBC's procedures and organisational matters. The Committee will be comprised of the Members of the Security Council; Members of the Economic and Social Council (elected from regional groups, giving due consideration to those countries that have experienced post-conflict recovery); top providers of assessed contributions to the UN budget and voluntary contributions to the UN funds, programmes, and agencies, including the standing Peacebuilding Fund; and top providers of military personnel and civilian police to United Nations missions.

Informal consultations about the PBC are now underway in the UN General Assembly, co-chaired by the Permanent Representatives of Denmark and Tanzania. Relevant departments within the UN Secretariat are preparing detailed documentation on the PBC and its Support Office for review and action, and the General Assembly President Jan Eliasson (Sweden) hopes that all remaining differences can be resolved among UN Members States in December. A donor meeting on the standing Peacebuilding Fund is also planned for November. The PBC, Support Office, and the Fund are expected to be set-up by the end of the year and operational shortly afterwards.

### Why create yet another UN body for peace and security?

Countries with a recent history of civil violence are nearly 50 percent more likely to slip back into violence within 5 years.<sup>6</sup> Due to its international legitimacy, impartiality, and highly skilled personnel from diverse backgrounds, the United Nations has the potential to assist vulnerable states to rebuild government institutions and mend away the culture of violence: that is, to do peace-building<sup>7</sup>. The UN Secretary-General's High-Level Panel proposed the PBC to strengthen further the UN's capacity for peace-building "in the widest sense". But what is the UN's track record since the end of the cold war, in terms of coping with internal violence and new threats to peace and security?

After a brief lull in the mid-to-late 1990s, UN action to contain and reduce internal conflicts is on the rise again. At present, the UN fields 17 peacekeeping operations budgeted to spend over USD 4 billion in 2005, with more than 80,000 personnel. In addition, there are 12 small political missions. Besides the sheer number of operations

<sup>4</sup> Ibid, para 103.

<sup>5</sup> Ibid, para 104.

<sup>6</sup> Paul Collier and Anke Hoefler, "The Challenge of Reducing the Global Incidence of Civil War", Copenhagen Consensus Challenge Paper, March 2004, [www.copenhagenconsensus.com/Files/Filer/CC/Papers/Conflicts\\_230404.pdf](http://www.copenhagenconsensus.com/Files/Filer/CC/Papers/Conflicts_230404.pdf) (accessed 27 July 2004).

<sup>7</sup> Initially coined in the 1970s by Johan Galtung, peacebuilding gained significant currency in the 1990s, when in his *An Agenda for Peace*, Boutros Boutros-Ghali defined post-conflict peacebuilding as "action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict" Galtung, J. (1975) *Peace, War and Defence - Essays in Peace Research*, Christian Ejlert, Copenhagen: 282-304.; Boutros-Ghali, B. (1992) *An Agenda for Peace*, United Nations, New York: 11.

today – only 13 peacekeeping missions were established between 1945 and 1987 – the size and mandates of peace operations have typically expanded since the early 1990s to include increasingly costly and complex tasks, such as convening elections, drafting constitutions, facilitating security sector reform, demobilising combatants, training civil servants, and fostering democratic institutions.

The UN has contributed to the reduction in civil conflict witnessed in recent years.<sup>8</sup> However, despite the best intentions, the UN has regularly failed to prevent the recurrence of war and establish functioning and inclusive political institutions in war-torn societies. According to Charles Call and Susan Cook, 13 out of 18 conflict-affected countries where the UN sought to facilitate political transformations, between 1998 and 2002, are still classified as authoritarian regimes.<sup>9</sup> In 14 peace-building operations launched between 1989 and 1999, Roland Paris concludes that some missions were successes (Namibia and Croatia), some were obvious failures (Angola and Rwanda), and the remaining operations fell in between these two extremes.<sup>10</sup>

With the recent start of complex peace missions in Afghanistan, Burundi, Côte d'Ivoire, Haiti, Liberia, and Sudan, the High-Level Panel recognised the need to fill a gaping hole in the United Nations institutional machinery. Through the provision of high-level political leadership, additional funds, and expert advice, the proposed PBC and its Support Office would help to augment the UN system's capabilities to overcome its mixed record in aiding war-shattered states. By building bridges and augmenting resources among major multilateral, bilateral, and civil society actors involved in the reconstruction of war-shattered states, the PBC is intended to facilitate synergies and co-ordinate planning across the UN system and with its partners both in New York and on the front-lines of a peace-building intervention.

### **The fundamental need to focus on preventive, as well as post-conflict, peace-building**

One of the original two aims of the PBC, as suggested by the High-Level Panel, was “to help states avoid collapse and the slide to war”.<sup>11</sup> However, this area of emphasis was removed during deliberations in the lead up to September's UN World Summit in New York. The decision to focus solely on the “post-conflict” dimensions of peace-building runs counter to the call from countless international conferences and UN-sponsored reports since the late 1990s to place conflict prevention at the heart of the UN's mandate. Reasons for not empowering the UN PBC with a parallel “prevention mandate” include: i) the reluctance of powerful donor countries to equip the UN Secretariat with early warning or intelligence gathering capabilities (that could, potentially, be used against them); ii) the belief that conflict prevention is already covered through the activities of the UN agencies and the Department of Political Affairs, and they do not require further co-ordination; and iii) conflict prevention entails too vast and complex an agenda for any one UN body, and it would be unrealistic to think that it could add any value to existing arrangements.

In response to the second and third reasons above, in particular, it is naïve and counterproductive to argue that the current international set-up for preventing conflicts is sufficient to the task at hand. For example, many of the recommendations for

<sup>8</sup> Human Security Centre at the University of British Columbia, *Human Security Report 2005: War and Peace in the 21<sup>st</sup> Century*, Oxford: Oxford University Press, 2005.

<sup>9</sup> Call, C. T. and Cook, S. E., “On Democratisation and Peacebuilding”, (2003) *Global Governance: A Review of Multilateralism and International Organisations*, 9: 233-34.

<sup>10</sup> Paris, R. (2004) *At War's End: Building Peace After Civil Conflict*, Cambridge University Press, Cambridge: 151.

<sup>11</sup> In their seminal study on peacebuilding, Michael Doyle and Nicholas Sambanis write, “In plural societies, conflicts are inevitable. The aim of peacebuilding is to foster social, economic, and political institutions and attitudes that will prevent these conflicts from turning violent. In effect, peacebuilding is the front line of preventive action.” Michael Doyle and Nicholas Sambanis, “International Peacebuilding: A Theoretical and Quantitative Analysis”, (2000) *American Political Science Review* 94:4, p. 779.

strengthening the analytical and early warning capacity of the Department for Political Affairs and improving UN co-ordination of conflict prevention and peace-building, made in the Brahimi Report in 2000, have not been implemented fully. Although a steady decline is recorded in both inter- and intra-state conflicts since the early 1990s<sup>12</sup>, the destructive nature of warfare technologies today – coupled with the rise in violence initiated by non-state groups such as terrorist organisations – reinforces the case for a strengthened UN prevention role. Besides providing co-ordination, funding, and technical advisory services along the lines outlined below, the PBC's main asset in the area of conflict prevention would be the high-level political attention afforded to countries and regions on the path towards crisis *before* they spiral into a full-fledged war with immense human and economic costs. Not only does prevention make sense from an economic point of view (as shown through the experience to prepare for and reduce the effects of natural disasters), but it is a moral imperative, especially as the international community commands the knowledge and tools to prevent and halt organised violence.

## **Unresolved political and technical issues**

The High Level Panel, perhaps wary of overstepping into details that UN Member States must decide, did not spell out clearly the objectives, structure and lines of authority of the PBC and its secretariat. In endorsing the PBC's creation at September's World Summit in New York, Member States similarly side-stepped discussions about crucial aspects of the new UN body, in terms of overall strategy, resources, partnerships, and priority issues. Many outstanding issues, both political and technical in nature, require urgent attention prior to the PBC's proposed creation before the end of the year. Unless UN Member States elaborate a clear strategy and structure, adequate funding, key partnerships, and specific functions – beyond simply serving as an “advisory body” – and reporting lines, the PBC and Support Office will be born ineffectual. The following steps need to be taken to ensure the PBC is effective.

### **Design an effective strategy with clear objectives**

Peace-building suffers from poor international strategy-setting at the highest levels. The World Summit Outcome Document articulates only vague guidance in this regard, limiting the PBC to essentially an advisory role (whose recommendations could be discarded easily by powerful interest groups). To add true value to existing UN machinery, the PBC's strategic priorities should include:

- to lead efforts to mainstream conflict prevention approaches in the work of the UN Secretariat and all UN funds, programmes, and agencies;
- to ensure that all international peace-building interventions receive adequate political support, clearly-defined mandates with realistic time-frames, and appropriate technical, human, and financial resources to achieve their objectives;
- to sequence the expansion of democratic authority in a conflict-affected society, by striking a proper balance between local governance capacity-building and near-term political-security imperatives (such as preventing recurrent violence and promoting regional stability);
- to establish the trust of the local population from the outset of a field operation and regularly re-assess steps to reduce dependency on external support;
- to foster conditions for long-term local dialogue, compromise, consensus-building, and

<sup>12</sup> For example, the decline in civil war numbers that began after 1992 was steeper than the considerable increase from 1946 to 1992 (from two to 25 recorded internal wars). In just 10 years, the number of civil wars fell by 80%. Kristian Gleditsch, 'A Revised List of Wars Between and Within Independent States, 1816-2002', *International Interactions* 30 (2004): 231-262.

conflict resolution as the only viable path towards a just and durable peace.

Through such a comprehensive and integrated strategy, the PBC will command the legitimacy required to co-ordinate and guide all relevant actors seeking to contribute to peace-building. From the initial planning phase to actual implementation, monitoring, and final evaluations, the PBC can only provide the leadership role expected of it, if empowered with an appropriate and clearly-stated mandate, backed-up by political support and sufficient resources.

### **Establish a structure/membership for the PBC and its Organisational Committee that maximise legitimacy**

Here the Outcome Document provides some details on the Organisational Committee, as noted on page 3. However, political negotiations are still required to determine the composition of the PBC itself. Two main options include:

- A suitable compromise may be reached among rich and poor nations by selecting an equal number of members from the Security Council and Economic and Social Council. (A country serving simultaneously on both bodies could only be selected once onto the PBC.)
- An alternative approach – that would garner legitimacy for the Commission from a large majority of states – would be to establish it as a subsidiary organ of the General Assembly, acting under Article 22 of the Charter.

In both instances, the PBC's membership should be reasonably small in number to ensure manageability. Moreover, the UN (represented through the Secretary-General), the international financial institutions, troop contributors, relevant regional and sub-regional organisations, and nationals from the states affected directly by an intervention should be consulted during PBC deliberations.

### **Establish a structure and staffing for the support office that maximises effectiveness**

As noted above, the Outcome Document proposes that the Peacebuilding Support Office (PBSO) will be established within the UN Secretariat and from within existing resources. If Member States heed the advice of the High-Level Panel<sup>13</sup>, then only a tiny PBSO is likely to be created with around 20 staff members seconded from different UN departments and agencies. With such a limited configuration, the PBSO will barely fulfil the PBC's basic secretarial and monitoring needs, let alone provide training to field staff, rigorous analysis of peace-building trends and lessons learned (a still under-developed area across the UN system – particularly in the area of dissemination of relevant knowledge and experience), and much-needed substantive and logistical support to field operations.

Much of the ability of the PBC to draw on existing best practice will depend on the skills and experience of its staff. The PBSO staff will be needed to: conduct needs assessments, analyse contexts and conflict dynamics, and construct comprehensive plans to address those needs and dynamics. It must be a multi-disciplinary office drawing in expertise on social and economic development, state and institution building, rule of law, security sector reform, transitional justice and reconciliation, traditional peacekeeping, and development financing. A staff whose experience is narrowly focused on the logistics of peacekeeping or crisis management will constrain the PBC's ability to understand a problem sufficiently and programme for the long-term.

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<sup>13</sup> High-Level Panel on Threats, Challenges and Change, *A more secure world: Our shared responsibility*, p.84.

### **Determine priority issues (ie agenda setting) and how they will be referred to the PBC**

The UN World Summit only reached broad agreement on the need for the PBC and its core functions. Without clearly stated priority issues for the new body, the PBC risks adding additional UN bureaucracy to peace-building interventions without adding real value. To complement current institutional arrangements, the PBC's chief functions should include:

- to design, approve, and amend mandates for UN peace-building operations (in harmony with UN Security Council mandates, where relevant);
- to initiate and co-ordinate early warning and, more generally, conflict prevention efforts across the UN system;
- to monitor the functioning of peace-building operations and recommend improvements;
- to oversee the disbursement and replenishment of a standing Peace-building Fund.

In close co-ordination with the Security Council, UN Member States and the Secretary-General should be authorised to refer any situation to the PBC for consideration that threatens international peace and security or crimes against humanity, such as genocide. Any country or region should remain an issue before the PBC until durable national institutions for sustainable peace are created (as determined by the PBC).

### **Ensure appropriate reporting lines / institutional location**

For the effective functioning of the PBC and PBSO, few issues are more important than establishing clear decision-making procedures and relations with other UN organs – for example, the Security Council, Economic and Social Council (ECOSOC), the General Assembly, and the Secretariat. Depending on the peace-building intervention under discussion, the PBC should prepare appropriate responses and actively advise either the Security Council or Economic and Social Council, making decisions by consensus. If established solely as an advisory body to the Security Council, the PBC would have the ability to bring matters to the attention of the most powerful decision-making body in the UN – but it would more likely then focus exclusively on post-conflict matters. Whether it reports to the Security Council or not, the PBC should have a strong relationship with ECOSOC, going beyond the latter's participation in the organisational committee to ensure full attention to the long-term developmental aspects of post-conflict peace-building. Reporting directly to the Secretary-General or Deputy Secretary-General, the head of the PBSO, at the Assistant Secretary-General level, should rotate between the UN Development Programme and the Departments of Political Affairs and Peacekeeping Operations.

### **Support a well-resourced and un-bureaucratic standing peace-building fund**

Although the Outcome Document refers only to the need to establish a voluntarily funded, multi-year standing Peacebuilding Fund, the High-Level Panel recommends a fund "at the level of at least \$250 million that can be used to finance the recurrent expenditures of a nascent Government, as well as critical agency programmes in the areas of rehabilitation and reintegration."<sup>14</sup> If one considers solely the \$27.5 billion in aid over seven years requested by the Afghanistan government at the March 2004 Berlin conference – not to mention the urgent needs of Sudan, Liberia, Iraq and other conflict-affected countries, the sum proposed by the High-Level Panel appears woefully inadequate.

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<sup>14</sup> High-Level Panel on Threats, Challenges and Change, *A more secure world: Our shared responsibility*, p.72.



In addition to annual assessed budgetary contributions for UN peace-building operations mandated by the PBC and authorised by the General Assembly, a **Peace-building Fund of at least \$2 billion** should be made readily available for a range of “quick impact” peace-building projects (including government budgetary support) intended to jump-start government activity and credibility at key junctures of a peace-building process (eg, following an election or new legislation to devolve more power to local authorities).<sup>15</sup> The PBC would be required to pre-approve all expenditures totalling more than \$25 million. In addition, the PBC should be charged with facilitating a long-term financial commitment to post-conflict countries by donors – beyond the initial two years of recovery – through, for example, the monitoring of debt relief commitments and introduction of predictable, multi-year aid agreements in accordance with the March 2005 ‘Paris Declaration on Aid Effectiveness’.

### **Build local ownership in war-torn societies through the PBC**

Peace-building efforts will fail if not embedded in the local context and dynamics, or if not driven by local authorities. Currently, it is expected that the PBC will work with national authorities through existing UN channels, rather than new ones. However, this must be more carefully thought through, given the frequent absence of formal authority in the wake of state collapse or the need to connect with powerful non-state actors who wield considerable, albeit informal authority in conflict-affected societies. Consultation and the promotion of local capacity-building through the PBC would be helpful, but not if it complicates the more important consultative and capacity-building mechanisms on the ground that manage day-to-day political life in the post-conflict territory. In creating the PBC, there needs to be careful consideration about (1) how precisely the PBC will ensure that its co-ordination efforts in New York are reflected on the ground in the work of UN, international financial institutions and other multilateral and bilateral actors; (2) how the PBC will support rather than undermine country level dialogue; and (3) how it will ensure that its decisions are based on the most accurate information about local needs and developments.

### **Facilitate constructive engagement with civil society**

The UN World Summit failed to consider the PBC’s relationship with international, regional, and local civil society. Civil society groups in conflict zones around the world have proven to be risk-taking peace-builders, helping societies to address directly the root causes of violence and to build durable structures for peace. Civil society involvement in conflict prevention and peace-building is vital to its success. To ensure effective and regular consultations with civil society, a PBC-Civil Society collaboration mechanism should provide for quarterly dialogues in New York on peace-building issues of mutual interest. Moreover, Local PBC-Civil Society Dialogues should be organised on at least a quarterly basis in regions or countries where the PBC is fully engaged.

### **Monitor and evaluate the PBC’s performance**

The decisions and activities overseen by the PBC should be held to the highest standards of performance and accountability. Besides regular field monitoring missions undertaken by PBSO Staff, all PBC supported initiatives should undergo comprehensive external evaluations and audits after two years and at the conclusion of an intervention. A rigorous monitoring and evaluation methodology should be employed that emphasises “measurement for results” towards carefully defined outcomes (rather than simply outputs). Through regular dialogues in New York and through the previously mentioned Local PBC-Civil Society Dialogues, civil society groups can also make an important contribution to scrutinising and responding constructively to the work of the PBC.

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<sup>15</sup> Present Japanese contributions to the notoriously slow and bureaucratic UN Human Security Trust Fund could be transferred to the proposed UN Peacebuilding Fund.

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