

WORKING PAPERS

Working Paper 38 - Regional and Global Axes of Conflict -

THE UN PEACEBUILDING COMMISSION AND THE DISSEMINATION OF INTERNATIONAL NORMS

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June 2008

Crisis States Working Papers Series No.2

ISSN 1749-1797 (print) ISSN 1749-1800 (online)

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Crisis States Research Centre

The UN Peacebuilding Commission and the Dissemination of International Norms

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Abstract

This paper reflects on the roles played by the United Nations Peacebuilding Commission in its first two years of existence. It discusses various features of the Commission's design and mandate before focusing on its ability to disseminate international norms to a broad array of key actors in global politics. Still carving out its institutional niche in the crowded field of international post-conflict state reconstruction, the Commission faces difficulties in fulfilling its core mandate of increasing coordination among the multilateral agencies, bilateral aid programmes, and non-governmental organizations involved. The paper argues that the Commission has been more successful as a mechanism for reaffirming international norms. Specifically, it has helped to shore up the norm of state sovereignty in the domain of development cooperation, making the Peacebuilding Commission a significant forum for establishing the limits of donor influence in post-conflict states.

I. Introduction

It is almost two years since the United Nations Peacebuilding Commission (PBC) held its inaugural meeting in June 2006 – too early to undertake a comprehensive performance audit of the fledgling body. The PBC's mandate is to prevent the recurrence of conflict in countries emerging from civil war; determining the extent to which this has been successfully accomplished requires a much longer time horizon.

But if a scorecard on how well the PBC has fulfilled its mandate would be premature, ¹ it is not too soon to begin analysing the process by which the PBC has negotiated what is a critical stage in the development of any new institution: the translation of its *de jure* institutional mandate into a *de facto* functional role. To date, the PBC has taken important steps to define a niche for itself in a crowded institutional field. It has devised structures, procedures, and relationships to carry out its substantive work, and has taken up an initial caseload of three post-conflict countries: its initial two cases, Burundi and Sierra Leone, were supplemented by a third, Guinea-Bissau, in December 2007. In its brief lifespan, the PBC has begun to set precedents that may well shape its operation for years to come.

Finding an organisational niche (or *niches*) is not a one-time affair. Defining (and redefining) its role will remain an ongoing endeavor for the PBC. But it is nevertheless worth asking

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¹ This has not stopped some civil-society groups from issuing interim report cards on the PBC's work during its first year in existence. See ActionAid, CAFOD, and Care International (2007).

how the PBC has gone about translating its *de jure* mandate into a *de facto* role during these formative early stages of its institutional development. It an attempt to provide a partial answer to this question, this paper focuses on one of the many functions that the PBC has already begun to perform: *the dissemination of international norms*, defined as the formal and informal rules that influence the behaviour of – and relations among – actors in global politics.

The paper argues that the case of the PBC demonstrates the diversity of mechanisms through which international norms can be diffused, such that they gain greater currency among a wider array of actors and across a broader range of contexts. The recent emphasis in aid policy on reversing the practice of donor-led agenda-setting and conditionality-based development assistance can be thought of as an emerging norm in the field of international development cooperation. As a result of its composition and the nature of its engagement with the country cases on its agenda, the PBC has in effect reinforced this emerging norm, which stresses 'national ownership' of development policy. Through its discursive practices, operating procedures, and substantive activities, the PBC has also extended the practical applicability of this norm beyond aid-recipient countries in general to a class of states where the norm has been less operative: states emerging from conflict.

The paper proceeds as follows: Section II describes the origins and mandate of the PBC; Section III examines what is novel about the PBC's organisational design; Section IV provides an overview of the practical implications of these design features; Section V assesses the ways in which, in the process of operationalising its mandate, the PBC has reinforces and extended an emerging international norm in the field of development cooperation; Section VI discusses the significance of this process for post-conflict development frameworks; Section VII concludes.

II. The Origins and Mandate of the PBC

The PBC's mission is to help states 'emerging from conflict' to avoid relapsing into violence – an all too familiar occurrence.² An intergovernmental body composed of 31 member states – selected according to a formula detailed below – the PBC was designed to fill an institutional gap between the work of the Security Council (which addresses threats to international peace and security) and the Economic and Social Council (which addresses issues of human development). Put differently, the aim is to bridge the difficult transition between peacekeeping and post-conflict recovery. The PBC's mandate, in essence, is to ensure a long-term and coherent commitment by the international community to the process of rebuilding collapsed states.

The parallel resolutions passed by the Security Council and the General Assembly in December 2005 identified three functions for the Commission³:

1. 'To bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery';

² One analysis found that more than half of all conflicts settled through a comprehensive peace agreement revert to civil war within five years (Human Security Centre 2005).

³ Security Council resolution 1645 (20 December 2005) and General Assembly resolution 60/180 (30 December 2005)

- 2. 'To focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to support the development of integrated strategies in order to lay the foundation for sustainable development'; and
- 3. 'To provide recommendations and information to improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing for early recovery activities and to extend the period of attention given by the international community to post-conflict recovery'.

While the PBC was conceived as an advisory body to the Security Council – with no operational authority over UN departments or agencies – it was hoped that its broad membership (discussed below), and the inclusion (as non-voting participants) of international agencies most directly involved in post-conflict peacebuilding (including the Bretton Woods Institutions) would furnish the Commission's deliberations with the clout necessary to have a lasting impact.

This influence was to be exerted in two ways. First, the PBC would engage with specific country cases referred to it by the UN Security Council or the Secretary General, with the consent of the government concerned. This engagement, it was hoped, would lead to increased coordination among the many international agencies operating in the post-conflict countries on the PBC's agenda. The PBC would make specific recommendations on these countries to the Security Council, the General Assembly, and the Economic and Social Council. Second, the PBC was expected to play an analytical role, drawing on the experience of operational actors throughout the UN system in order to identify examples of 'best practice' in post-conflict state-building. These practical lessons were to be disseminated throughout the community of peacebuilding agencies, both within and beyond the UN system.

While the PBC itself is, strictly speaking, an intergovernmental body, the term is commonly used to refer to all three elements of the UN's new 'peacebuilding architecture': (1) the 31-member PBC Organizational Committee, which reconfigures itself to include additional member states and other bodies when convening – in 'Country Specific' Mode (CSM) – to consider a particular post-conflict state on its agenda; (2) the Peacebuilding Support Office (PBSO), a bureaucratic entity located in the UN Secretariat which provides administrative and analytical support to the PBC and liaises with other parts of the UN system; and (3) the Peacebuilding Fund (PBF), which is designed as a quick-disbursing source of funds to support critical peacebuilding gaps, and draws its resources from voluntary contributions.

At this early stage in its institutional development, the PBC is still grappling with how its mandate can be translated into operational terms. Determining the precise relationship between these three elements of the peacebuilding architecture is a major part of this process. For instance, while the PBSO was charged with assembling data on available financial resources, contributing to the planning of UN missions, and analyzing best practice in the conduct of post-conflict recovery and conflict prevention (UN General Assembly 2006), the resolutions creating the PBC did not specify whether this mandate applies only to post-conflict peacebuilding missions, or whether the planning of peacekeeping missions should receive analytical inputs from the PBSO in anticipation of the eventual transition to a post-conflict scenario. In addition, it was initially unclear whether the PBF⁴ would be under the

⁴ The Fund's role is to secure 'the immediate release of resources needed to launch peacebuilding activities and the availability of appropriate financing for recovery,' para 24 of the identically worded Security Council resolution 1645 (2005) and General Assembly resolution 60/180 (2005).

control of the intergovernmental PBC (the Organizational Committee and its Country-Specific configurations), or the PBSO, or indeed some other constellation of UN actors. In practice, the Fund's operational details have been worked out via complex negotiations – involving leading UN member-states, the Secretary General's office, and a range of other bureaucratic interests – rather than through appeal to any controlling legal authority.

A number of milestones marked the road between December 2004, when the High Level Panel on Threats, Challenges, and Change recommended the creation of a Peacebuilding Commission (UN 2004), and June 2006, when the 31 member-states that comprise the Commission first convened. To narrate, let alone closely analyse, the many twists and turns between the PBC's conception and its birth is beyond the scope of this paper, but it is helpful to summarise briefly the key developments: in mid 2005, Secretary General Kofi Annan's Report, In Larger Freedom (UN 2005), sought to distil the High Level Panel's recommendations into a form that, he hoped, UN member-states would find acceptable; at the September 2005 UN Summit, world leaders approved an 'Outcome Document' that included, among other things, in-principle agreement for the creation of a Peacebuilding Commission; in December 2005 the Security Council and the General Assembly passed identical resolutions formally authorising the establishment of the PBC; by June 2006, the Commission's members had been selected, though only after months of discussion concerning the methods to be used in selecting PBC members.

More broadly speaking, the emergence of the PBC was the culmination of a much longer process, stretching back to at least the early 1990s. Over the past decade and a half, the notion of peacebuilding has taken hold among both scholars and practitioners in the field of security and development studies. The route by which this now widely used concept emerged has been marked by continuous interaction between academic inquiry and real-world events. The first high-profile use of the term was in 1992, when Secretary-General Boutros Boutros-Ghali released his landmark report, An Agenda for Peace. His version of 'post-conflict peacebuilding' was defined as 'action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict' (United Nations 1992). Over the intervening 15 years, this definition has been modified to suit changing circumstances as well as the bureaucratic imperatives and political interests of a variety of actors, including UN agencies, member-state aid programs, non-governmental organisations (NGOs), and former warring parties themselves. Whether or not efforts to build sustainable peace have been successful in general, the concept of peacebuilding itself has enjoyed a lengthy run as central feature of discussions about how international actors can assist the process by which states and societies recover from civil conflict.

Despite more than a decade of activity classified as 'peacebuilding', however, considerable confusion remains as to what exactly the term denotes. Competing definitions can be found both within the academic literature and in the terminologies employed by practitioners. For instance, while for some people peacebuilding is, by definition, a process that takes place *after* conflict; for others, it can also encompass preventive actions undertaken before conflict breaks out.⁵ Morever, peacebuilding can be defined narrowly or expansively, in terms of processes or outcomes, on the basis of medium- or long-term indicators, with respect to the dynamics of high politics or focused on grassroots community action. As Barnett *et al* put it,

⁵ This distinction – which is sometimes acknowledged with the addition of the prefix 'post-conflict' – is highlighted, for instance, in Kumar et al (eds) (2000) whereas the distinction tends to get elided, for instance, in MacLeod (2006).

'[t]he willingness of so many diverse constituencies with divergent and sometimes conflicting interests to rally around peacebuilding also suggests that one of the concept's talents is to camouflage divisions over how to handle the postconflict challenge.' (Barnett et. al 2007).

These divisions reflect the organisational concerns of the actors involved. Defense departments naturally focus on military structures and security considerations in their approaches to 'stabilising' post-conflict environments, whereas international human rights NGOs stress the need to ensure accountability, both for past abuses and for the actions of fledgling governmental authorities. Moreover, the (mainly) developing countries that in mid-2005 successfully resisted the inclusion of an 'early-warning' capability for the proposed Commission then under consideration (to prevent violence from erupting in states where full-scale civil war had not yet occurred) were motivated as much by fears that such a capability would augment the power of the world's leading states as they were by considerations about how peacebuilding should be conceptualised.⁶

Debates over how to create stable states are also rooted in diverse understandings of why conflicts erupt in the first place. Those who stress domestic economic causes (van de Walle 2004) are likely to approach peacebuilding differently from those who stress the transnational conditions that give rise to the availability of weaponry. The literature also includes analysis of not just the causes of conflict, but also of the reasons why some efforts at promoting lasting peace have been more successful than others (Doyle and Sambanis 2006; Paris 2004).

III. Institutional Novelty

This paper begins from the assumption that formal mandates are merely a starting point in the process by which new institutions assume *de facto* roles. There are many functions that a new institution such as the Peacebuilding Commission could, in theory, perform. This paper focuses on the PBC's capacity to play a particular type of institutional role – *as an instrument for the diffusion of international norms*. This does not imply that the PBC is not attempting to play (or will not in future attempt to play) other roles as well. Neither does it imply that any such efforts are destined to be either successful or unsuccessful.

To begin inquiring into the PBC's capacity to play a role as a disseminator of international norms it is helpful to begin with an analysis of the PBC's institutional design – that is, its operational procedures and organisational structure. This can be divided into two questions. First, to what extent does the design of the PBC represent something qualitatively new? And, second, do any such points of novelty matter in practice?

PBC member-states frequently raise the need for the Commission to operate more flexibly than other UN institutions. The chairs of PBC meetings routinely mention that one of the PBC's selling points should be its relative informality, compared with other UN bodies at least. Many members have expressed a desire for PBC sessions to be interactive – with a real give and take among participants – instead of reverting to the standard practice of reciting prefabricated speeches.

To a limited degree, this aspiration for flexibility has been realised. Speakers from outside the PBC's membership have been invited to address various meetings. Country-Specific

⁶ The success of this rearguard action was reflected in Addendum 2 (para 17) of UN (2005), inserted after consulting with member-states. Available at http://www.un.org/largerfreedom/add2.htm.

meetings of the PBC as well as its 'working groups' have included interventions by a range of non-state actors – both civil society representatives and officials from relevant agencies from within the UN and beyond.

Some observers of the PBC have hailed this aspect of the Commission's functioning as both innovative and consequential. Security Council Report, a non-governmental monitoring service, stated that, 'to its credit', the PBC had 'conducted many of the Burundi and Sierra Leone meetings with video-links to Bujumbura and Freetown. It invited high-level UN officials to address meetings. It had briefings by NGOs and specialists outside the UN, and it undertook field missions to Burundi and Sierra Leone.' (Security Council Report 2007: 5). The novelty of some of these features is open to question, however. Video-links and speakers from UN agencies are regularly used in other UN intergovernmental bodies. NGO speakers have been present elsewhere, even in the Security Council itself, where NGO representatives have been invited to discuss such matters as follow-up action on Resolution 1325 (on women, peace, and security). NGO testimony is still not widespread in the UN's deliberative chambers but the PBC is hardly breaking new ground in this regard. Moreover, the NGOs who speak at PBC meetings are usually hand-picked (or at least vetted in advance) by the governments whose cases are being considered. The PBC is in fact notable for the extremely stringent eligibility requirements and vetting procedure it developed for screening NGO participants. When first proposed in May 2007, these guidelines generated considerable opposition from peacebuilding NGOs as well as civil society groups more generally, something noted in the Security Council Report assessment as well.

Far more significant than the inclusion of outside actors in the PBC's proceedings is the membership structure of this intergovernmental body, and the conceptual framework underlying that structure. The PBC's structure is, in many respects, based on a 'stakeholder' model of representation.⁷ The key constituencies with a direct interest in the process of peacebuilding are included in the PBC's membership. Of course, the concept underlying the PBC's creation was that the international community in general has a strong stake in preventing post-conflict states from collapsing again. This is because failed states provide a haven for terrorists and money-launderers, generate waves of refugees, and spread conflict and insecurity – all of which impacts negatively on the global political environment.

But the PBC's design also recognises that some constituencies have a greater stake than others. The Commission's membership is composed of states from five main stakeholder categories.

The Security Council's quota of seven seats (five of these automatically assigned to the Council's five permanent members) represents the group of states that, for any case under consideration, will have to decide whether to wind down an existing peace operation, whether to change the terms of an operation's mandate, or whether to begin a new one.

The Troop Contributing Countries' quota of five seats (drawn from the top ten troop contributing countries) is based on the premise that, if peace is not consolidated, then it will be to this group of countries that the Security Council will turn for the personnel to implement its decisions. TCCs therefore ought to have a say in how the UN goes about seeking to

⁷ For a critical review of the stakeholder concept, see Friedman and Miles (2002). Applied to international organizations, the concept is analysed in Oestreich (2007), p. 202.

prevent further conflict. Such countries, it was also hoped, might be able to offer valuable lessons from their experiences in states making the transition from war to peace.

The Donor Country quota of five seats (drawn from the top ten voluntary financial contributors to UN peace operations) reflects an understanding that, in practice, it is from the ranks of the main aid-giving states that funds will have to be forthcoming if the PBC is to fulfill its function of marshalling resources and providing predictable financing for peacebuilding activities.

The quotas for members of ECOSOC and the General Assembly (GA) – seven members each – reflects a desire on the part of both of these bodies to prevent what is often characterised as the usurpation of authority by the Security Council. The UN custom of seeking balanced representation among the world's regions means, in the case of the PBC (where the Security Council and Donor quotas over-represent Northern countries), that the ECOSOC and GA representatives would be disproportionately from the South. Their inclusion is, in effect, an acknowledgement that a stakeholder model can only be taken so far if it privileges the voices of already-dominant constituencies.

The idea of stakeholder-based representation is not completely new in the UN context. The Security Council itself, by providing permanent, veto-wielding seats to just five states, on the basis of their political and military power at the close of World War II, was predicated on the notion that some states have a greater stake in international peace and security, and greater capacity to promote it, than do others. But in general, UN bodies are not founded on such principles. The PBC is thus relatively novel in this respect.

IV. Practical Implications

But are there any *practical implications* to the stakeholder-based model on which the PBC's membership structure rests? The answer is 'yes', but to see why (and how) we must first consider the functions in which the PBC is primarily engaged, and how such functions are carried out by other similarly situated international bodies.

The PBC is, despite emphatic statements to the contrary by member-states, indeed another aid-coordination body. The PBC is not, and should not become, '*just* another aid coordination body,' as one donor member-state put it. But the PBC *is* a body that attempts to coordinate aid – indeed, coordination is one of its mandates – and so do others.

Three aspects of the PBC make it different from other mechanisms for coordinating development assistance. First, it is an institution of the United Nations, which because of the inclusivity of the UN's membership confers on its work a 'legitimacy premium'. Second, the PBC focuses on security issues, and is linked to the one multilateral organ (the Security Council) with the international legal authority to organise military action. These two differences are apparent to most observers, and have been commented upon with some regularity in the PBC's deliberations. But the third difference between the PBC and other aid-coordination institutions is, thus far, the most consequential: the deliberative setting that the PBC's particular form of stakeholder engagement creates.

What does this mean? Most forms of engagement between donors and aid-recipient governments take place 'bilaterally.' Aid-giving governments or multilateral bodies negotiate directly with the government bodies that are the focus of whatever assistance programme is

under discussion – whether a specific public-sector institution (such as a national Human Rights Commission), a particular sector (in which case the concerned ministry is usually the key interlocutor), or a broader process such as public-expenditure management (which concerns the entire government, but is typically focused on the work of the Finance Ministry).

Donors do sometimes act collectively. Donor coordination typically takes one of three forms. The first involves generating policy consensus about what works and what does not. In this model, donor agencies work collaboratively to identify generally successful development approaches – that is, outside the context of deliberations on any particular recipient-country case – and to highlight best practice in the conduct of donor-recipient relations. The primary site for this kind of activity has been the Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD), which operates as something like a trade association for donor agencies. The DAC forms working groups on topics such as governance, macroeconomic policy, and 'aid effectiveness'. An assortment of aid-recipient countries are involved in some, though not all, DAC processes, especially those that focus on the modalities of the aid relationship.

The second form of donor coordination is represented by the donor Consultative Groups that exist in most aid-recipient countries. The Consultative Group (CG) in any given country is a site for dialogue among donor agencies, government officials, and (increasingly) civil society representatives. CG meetings review policy performance, share information, and discuss recent developments and upcoming events. What distinguishes this second variety of coordination mechanism from the first is that it is focused on an individual country case – not on best practice in the abstract – and is usually held in the recipient country, though bilateral and multilateral agencies are often represented by headquarters staff in addition to their local program offices.

Donor coordination can also take a third form, which resembles a CG in that it brings together donors operating within a given country and key decision-making officials of the recipient government concerned. But this third form is distinct from the other two in that it revolves around a specific planning framework – that is, a set of policy priorities and (in some cases) specific policy measures, to be executed by government bodies and jointly funded by donor agencies. This type of donor coordination can focus on a specific sector (a Sector-Wide Approach, or SWAP, in health or education, for instance) or on a specific set of concerns (such as governance or gender equality). Alternatively, it can take the form of a comprehensive agreement among donors (and between donors and the recipient government) on the full range of policy and programmatic actions to be undertaken over the course of a specified timeframe. The Poverty Reduction Strategy Papers (PRSPs) – in effect, national development planning documents – which aid-recipient governments must devise to qualify for debt relief and/or concessional finance from the International Financial Institutions (IFIs) is the preeminent example of this form of coordination.

What distinguishes the PBC's version of aid-coordination from the three existing varieties? Like the second and third models, the PBC (operating in country-specific mode) brings donors together to deliberate upon a specific recipient-country case and to engage with its government.⁸ But unlike these two models, the PBC includes in its deliberations on individual country cases a selection of *other* aid-recipient governments. These aid-recipient

⁸ Aid-recipient countries play a role, as we have seen, in the first model of aid-coordination, but only when formulating policy guidelines, not when deliberating on the cases of individual aid-recipient counties.

countries have not secured PBC membership *because* their status as aid-recipient states. They have gained PBC membership because they represent one of the other functional or institutional stakeholder categories. Most of the top Troop Contributing Countries, as it happens, are mainly developing countries; so are the majority of PBC members drawn from the GA and ECOSOC quotas. Most of these countries are also aid-recipient states.

The presence of so many aid-recipient governments in the PBC substantially alters the negotiating dynamic between the donor agencies and the recipient governments on the PBC's agenda. Aid-recipient countries tend to be more sympathetic to the plight of other aid-recipient governments – and in particular to individual recipient governments engaged in a process of official dialogue with a consortium of donor agencies.

The membership structure of the PBC, in other words, provides additional allies for a post-conflict government whose past actions, present situation, and future plans are receiving the Commission's scrutiny – which, in practical terms, means the collective scrutiny of donor agencies, bilateral and multilateral. In any aid-coordination forum differences among donors serve to limit their ability to close ranks against a recipient government that is reluctant to follow a particular course of action. But the active involvement of aid-recipient developing countries in the PBC's deliberations on cases such as Burundi and Sierra Leone further reduces the effective leverage of donors pushing for specific policy sequences, budget priorities, or institutional reforms in the countries where peace is to be consolidated.

As members of the PBC, aid-recipient countries have spoken out frequently – often with great force – on the need for the PBC to prioritise 'national ownership' in the advice it provides to Burundi and Sierra Leone. The Integrated Peacebuilding Strategies (IPBSs) that the PBC is mandated to devise for countries on its agenda must, they argue, be 'homegrown'. The mode of engagement with Burundi and Sierra Leone, it is repeatedly stressed, must be conducted in the spirit of the Paris Declaration on Aid Effectiveness, a landmark agreement on the relationship between aid donors and recipients adopted under the auspices of the OECD DAC in March 2005.⁹ This meant many things, but above all it implied that the peacebuilding priorities enunciated by the PBC would have to be consistent with the wishes of the governments of Burundi and Sierra Leone. The PBC could advise, but the government concerned would have to consent. Cooperation and consensus, rather than compulsion and conditionality, would have to be the basis of any and all interactions between the PBC and the countries on its agenda.

It is not as if the donor governments on the Peacebuilding Commission do not already support the Paris Declaration. These were the same donors that had been instrumental in forging the Declaration in the first place. The Paris Declaration codified rules of 'good donorship' that had emerged in response to the widely acknowledged failure of conditionality-based lending to achieve adequate results during the 1980s and 1990s. The so-called 'new aid modalities', a central feature of the Paris Declaration, were a reflection of donors collectively deciding to

⁹ The Paris Declaration was an outcome of the 'High Level Forum on Aid Effectiveness', held in Paris from 28 February through 2 March 2005, which included representatives of donor and recipient countries, multilateral institutions, and civil society organizations. The Forum was the culmination of a deliberative process undertaken by the Working Party on Aid Effectiveness and Donor Practices, established in 2003 by the OECD's DAC. The text is available at http://www1.worldbank.org/harmonization/Paris/finalparisdeclaration.pdf

¹⁰ The failure of conditionality-based development programs became an increasingly prominent theme during the 1990s, closely documented and analysed, successively, in Mosely et al (1991); van de Walle and Johnston (1996) and Burnside and Dollar (1997).

route funding through national government budgets rather than through specialised accounts earmarked for pet projects or operated by NGOs. 'Harmonising' their aid-disbursement mechanisms would bring donors into 'alignment' with each other and with the priorities of each recipient government concerned.

Yet while they may have backed the Paris Declaration in principle, donors have continued, in practice, to deviate from its tenets in several respects. Some donors – particularly the Nordic countries and the UK - have generally demonstrated more commitment to the Declaration's principles than others. But in many countries – particularly those most reliant on foreign aid – official development assistance continues to be tied to conditionalities, even if these are less guided by an extreme neoliberal mindset than they once were. Some donors have increased the proportion of assistance routed through national budgets, rather than through dedicated funding mechanisms, but aid is still largely linked to specific programs, and often overseen by foreign experts or by local officials funded by foreign agencies. Donors have, on the whole, been more open to the views and concerns of recipient governments, but only to the extent that these are consistent with the prevailing international consensus that recipient countries must move toward greater economic openness and an increased reliance on markets. While emphasising partnership and national ownership, donors have continued dictating terms to governments whose performance they find wanting.¹¹ Given this context, the PBC's tendency (because of the membership composition its institutional structure has bestowed) to reiterate at every turn the principles of the Paris Declaration is significant.

To be fair, donors have good reason to believe that without external pressure – in the form of threats to withdraw or curtail funding – politically difficult policy measures will not be implemented, or will be implemented in ways that maintain the power of ruling-party politicians or advance the interests of influential elites. The paradox of promoting change through governments whose leaders are in many instances the main source of resistance to change remains an enduring concern for donor agencies. Donors see the merits of government 'buy in' to reform agendas they seek to promote, and recognise the long-term nature of the fundamental transformations they are attempting to bring about. But they also realise that it is not always possible to convince governments of the benefits of restructuring their bureaucracies, creating truly independent oversight institutions, or shutting down grotesquely wasteful state-owned industries. The reluctance of even the best-intentioned recipient governments seriously to undertake these and other reforms often stems not from a lack of intellectual understanding on the part of their leaders, but from a different set of motivations, such as the need to placate powerful defenders of the status quo in order to retain power. In such circumstances – and not only when brazen corruption is in evidence – donors have been willing to get tough, denials to the contrary notwithstanding.

Donor agencies have tended to deviate from the principle of national ownership more in the case of post-conflict countries than in the case of traditional aid-recipient countries. Treating post-conflict countries as a unique species of aid recipient is not without justification, whether this is openly declared or not. States emerging from a period of civil war usually exhibit signs of incomplete sovereignty. While they may have regained their 'international legal sovereignty' – recognition by foreign governments, the ability to enter into international agreements and to incur sovereign debt – post-conflict states often have only the most tentative claim to *de facto* sovereignty (Krasner 2004). They often lack the ability to control

¹¹ See, for instance, ActionAid International (2006). For some of the reasons why it is difficult to determine the content of national ownership, see Hyden (2008).

flows of goods and people across their borders, or even to maintain an institutionalised presence throughout the bulk of their territory, let alone provide basic services.

Post-conflict states, moreover, often do not possess the capacity to adhere to the responsibilities that emerging human rights norms impose upon them, casting into doubt even their claim to 'external sovereignty' – the presumption of being juridically equal to other states – which is increasingly fashioned as conditional, rather than absolute. It is for these very reasons that such states have in extreme cases become wards of the international community, their sovereignty placed temporarily under the trusteeship of United Nations-backed (and donor-supported) 'transitional administrations' (Chesterman 2004). In less drastic cases, the international community has exercised the functions of governance even as nominal sovereignty has remained in the hands of national authorities. A gradual transition to a fuller form of sovereignty takes place as UN peace operations in such countries are wound down, and peacekeepers and other international officials cede control to local authorities.

It is thus not surprising that, *especially* with respect to countries 'emerging from conflict' – i.e., those whose circumstances the Peacebuilding Commission is explicitly designed to address – the donor community has considered the tenets of the Paris Declaration less applicable. There is fairly widespread acknowledgement that this is not an ideal situation – not only because it waters down the impact of the aid-effectiveness agenda, but also because of the risk that treating states as less-than-fully sovereign will itself impede the ability of states to attain the attributes and capacities of sovereignty. A necessary though not sufficient precondition for successfully rebuilding collapsed states, one could argue, is that the international community be willing to take the risk that these fledgling states might not succeed in various aspects of their reform agendas. The right to sovereignty may be the right to experience one's own failures.

V. The Diffusion of International Norms

It is against this backdrop that the manner of the PBC's engagement with the first two post-conflict cases on its agenda, Burundi and Sierra Leone, has proven significant. The logic underlying this claim to significance can be summarised as follows:

- The principles of the Paris Declaration particularly the emphasis on reversing the practice of donor-led agenda-setting and conditionality-based development assistance can be thought of as an emerging 'norm' in a relatively distinct domain of international relations: the field of international development cooperation, which is to say the relationship between aid donors and recipients.
- The PBC has as a result of its composition and the nature of its engagement with the cases on its agenda served to reinforce this emerging norm.
- The PBC has not only reinforced this norm (privileging national ownership, reduced conditionality, and the primacy of the aid-recipient state's central government); in addition, the discursive practices, operating procedures, and substantive activities through which the PBC has sought to fulfill its mandate have *extended the practical*

¹² External sovereignty is similar to what Krasner calls 'international legal sovereignty', and what Jackson calls 'juridical sovereignty'. See Krasner (1999) and Jackson (1993).

applicability of this norm beyond aid-recipient countries in general to a class of states where the norm has been less operative: states emerging from conflict.

• The reason *why* the PBC has been able to play this norm-diffusing role stems from its institutional design, which (unusually, if not uniquely, among multilateral aid-coordination mechanisms) places both donor states and the aid-recipient country under consideration in a forum where *other* aid-recipient countries have a direct role in establishing the framework within which policy priorities are formally agreed. ¹³

This set of nested logical propositions is significant not just in terms of the practical outcome involved, but also because of what it implies for our understanding of the role played by institutions in diffusing normative frameworks.

In the study of international relations, both specific norms (e.g., recognising, condemning, and seeking to prevent genocide) and their encompassing frameworks (e.g., customary international law, international humanitarian law, the human rights paradigm) are typically examined in terms of how, when, through what means, and to what extent they are diffused throughout the international system. This is not surprising. IR theory is preoccupied with the question of whether institutions can be created that modify the behaviour of states by restraining their unilateral tendencies in international affairs. Moreover, members of the international community and officials of multilateral institutions are increasingly concerned with extending this process such that changing international norms come to influence how states behave domestically as well.

One way that institutions shape behaviour – whether internationally or domestically – is by promoting common norms. But how do these norms become internalised by states? The 'transmission belts' for these ideas is a subsidiary preoccupation of IR scholars. Key mechanisms of diffusion include international legal instruments: covenants on civil/political and social/economic rights, for instance, and the supportive actions of national governments to ensure that the provisions of multilateral agreements are encoded into domestic law.

There are many other mechanisms for the diffusion of norms, however. Among these are international development actors, who through a combination of conversion and coercion shape the practices of aid-recipient states (where, it is worth noting, civil society is often substantially foreign-funded as well). These actors, it has been widely observed, spread not merely policy prescriptions, but comprehensive economic and political philosophies. ¹⁴

In the context of post-conflict countries, Roland Paris considers 'peacebuilding agencies' to be key norm-diffusing actors. They disseminate international norms of a particular kind – international norms of domestic governance – and operate in the domain of international development assistance (Paris 2000). These are the bilateral, multilateral, and non-governmental bodies involved in the various elements of post-conflict state reconstruction: transitional justice, economic governance, service delivery, election monitoring, security-sector reform, and so forth. As a subsector of the development business, Paris argues,

¹⁴ In practice, norm diffusion can encompass, or at least run parallel to, processes of 'policy transfer'. See Dolowitz and Marsh (1996).

¹³ The peer-review mechanisms of the New Partnership for Africa's Development (NEPAD) is the closest equivalent, and has inspired the approach to the PBC taken by some African member states. See http://www.nepad.org.

'peacebuilding agencies' have been 'transmission belts' seeking to create new states based on a particular image of what a state is or should be, what it can do or should do. The dominant paradigm is of a state that is politically liberal and free-enterprise-oriented, respectful of international human rights obligations, and generally open to the global economy (Paris 2004).

In light of Paris's characterisation of peacebuilding agencies as bearers of an ideologically motivated template for state-building that not only influences how the states concerned behave, but also largely determines the basic character of states themselves, what can we say about the PBC and the spread of normative frameworks? Because the PBC – if we include not just the donor governments that are its formal members, but also the other development actors who are invited participants – constitutes a kind of coalition of peacebuilding agencies, it is tempting to see the PBC as a mega 'transmission belt', an industrial-strength disseminator of norms to post-conflict states, informing its charges of the international community's minimum standards for membership in the club of states. And to some extent the PBC is doing just that. In its deliberations such cosmopolitan values as the need for gender equality and transparent governance are discursively reinforced.

Contrary to Paris's view, however, the consensus that is articulated in the PBC is a far cry from neoliberal orthodoxy. The developmental approach found in PBC documents displays an awareness that in the face of massive human need the state will have to play a much larger role than neoliberal true believers generally accept, and that in light of the familiar shortcomings of electoral democracy as an instrument for increasing the political leverage of poor and brutalised people, additional means for amplifying the voice of these groups are a necessity. In general, though, liberal democracy and the rule of law, plus macroeconomic stability, deregulated markets and security of property, are the standards to which the international community is at least nominally committed, and these are reflected in the PBC's work.

This is just one of the channels through which the PBC acts as a disseminator of norms. The PBC, arguably, can serve as a transmission belt not only for norms about 'ideal' forms of statehood, but also for norms concerning the degree of effective autonomy that post-conflict states should be permitted to enjoy with respect to providers of external assistance. In other words, the PBC has provided a very high-profile forum for restating the primacy of state sovereignty as a norm in global governance. This holds three implications of theoretical relevance.

First, accounts of how international norms are disseminated and consolidated typically focus on institutions whose avowed purpose is to do just that. Hence the literature's emphasis on international legal bodies (such as the Inter-American Court of Human Rights) or such legal instruments as the Convention on the Elimination of All Forms of Discrimination Against Women. In the case of the PBC, however, the institution concerned is one dedicated primarily to instrumental rather than ideational objectives. The PBC's official mandate is to ensure a more coherent approach to international assistance, a clearer division of labour

¹⁵ In fact, it is questionable whether, even in the pre-PBC cases of post-conflict state-building on which Paris builds his analysis, the international community has indeed insisted on as rigid a policy recipe as his analysis claims

¹⁶ See Clark (2007), Chapter 8 ('Norms, International Legitimacy, and Contemporary World Society', pp. 175-199). A good review of the complexities of this process is Berman (2005), p. 485.

among functional organisations, a more predictable source of financing for post-conflict statebuilding, and so forth. It is designed to be of practical relevance, but has supported the reinforcement of norms by default.

Second, in that segment of the literature that *does* acknowledge the norm-diffusing role of international development institutions, the emphasis is on the way in which such bodies transmit the values promoted by hegemonic states and interests to those that possess relatively less power.¹⁷ Hence, the World Bank and the IMF are seen as mechanisms for inculcating market ideologies in aid-recipient states – through the socialisation of national policymaking elites, through training programmes to increase the 'economic literacy' of developing country journalists, and through the dissemination of highly tendentious accounts of the reasons why successful developing countries produced the results that they did.¹⁸ International development cooperation in general is seen as a domain in which not only are financial resources transferred; ideas are as well. Smuggled into programs of technical assistance are assumptions about the proper role of the state, the contribution of international forces to developmental trajectories, and indeed the need for policy to be shaped by technical experts.

In the field of peacebuilding – an amalgam of post-conflict reconstruction and conflict-prevention – the tendency has been to regard the western liberal democracies that dominate international development assistance as more or less seeking to rebuild failed states in their own image. The question dominating much of this literature – what *kind* of states are being built through the international community's state-building efforts?¹⁹ – hints at the widespread assumption that such bodies are a one-way conduit of norm diffusion, with developmental ideologies being transmitted from North to South. And, yet, in the case of the Peacebuilding Commission, we find an institution that, because of the composition of its membership (and its location in the one-member-one-vote United Nations, whose governance arrangements differ significantly from the shareholding-determined regime of the IFIs), is in a very important respect reversing this direction of causality. The developing countries on the PBC have used this new forum to drive home the message to northern donors – not just through rhetoric, but through their direct role in shaping the concrete policy frameworks devised for the countries on the Commission's docket – that policy agendas must originate in, and therefore be 'owned' by, post-conflict countries themselves.

While the first two points of theoretical significance involved, respectively, the *nature* of the institution involved (that is, the PBC's practical rather than essentially norm-setting character) and the *direction* in which norms were being transmitted, the third element concerns the *substantive content* of the norms themselves. The key norm involved in this case is that of state sovereignty. The idea of state sovereignty is, needless to say, nothing new; indeed, it is the basis of the international system, and has been for the past three and a half centuries. However, a key trend in world politics for at least the past quarter-century – and in many respects for much longer – has been the progressive erosion of this principle. It is not merely that, *in practice*, sovereignty has suffered at the hands of disembodied processes such as cross-border flows of goods, services, and people, or the spread of technologies that reduce the effects of physical distance. The content of this norm itself has undergone continuous

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¹⁷ See, for instance, Ikenberry (1990). For a less state-centric view, see Park (2007), p. 535. Susan Park, 'The World Bank Group: Championing Sustainable Development Norms?', *Global Governance*, Vol. 13, No. 4 (2007), p. 535.

¹⁸ A classic case of the last of these is World Bank (1993), "Overview: The Making of a Miracle", pp 1-24.

¹⁹ See, for instance, Chandler (2006a; 2006b)

change. Indeed, the very idea of sovereignty – or what is sometimes called the 'traditional' doctrine of sovereignty, of under which states insist upon absolute freedom of action with respect to their internal affairs – has been under assault from various quarters. Challenges to state sovereignty have included changing conceptions of when (on what normative grounds, and under which operational conditions) the international community may legitimately constrain a state's autonomy. This has taken the form of such novel doctrines as the Responsibility to Protect, which through repeated affirmation and evolving jurisprudence has the potential over time to occupy a place in the canon of 'soft' international law.

VI. National Ownership and Post-Conflict Planning Frameworks

In light of this erosion of sovereignty, and the role of multilateral institutions in accelerating this process, to find a new international body such as the PBC helping to shore up sovereignty, however indirectly and imperfectly, is significant. That it is doing so by transplanting and amplifying norms (national ownership, non-conditionality, the primacy of central government authority) that have emerged in other institutional contexts is all the more intriguing.

It is important not to overstate the novelty of this process of reaffirming the sovereignty of aid-recipient states. If the post-conflict recovery framework agreements drawn up for Afghanistan and Iraq, for instance, are the model for the 'integrated peacebuilding strategies' that the PBC is charged with devising – the 'if' in this statement is significant because this term is not defined in the PBC's founding resolutions – then there is indeed an earlier precedent for embedding something like Paris Declaration principles into post-conflict reconstruction planning frameworks. The language of those earlier documents contains many of the key phrases associated with the new aid agenda: national ownership, donor harmonisation, and so forth. The most widely cited example, the Afghanistan 'compact', preceded the Paris Declaration, but the ideas behind the Paris Declaration had been in general currency in the field of international development assistance since the late 1990s in the form of the World Bank's Comprehensive Development Framework, under which bilateral and multilateral donors had begun to change their operating procedures.

There are, however, two reasons why it is valid to conclude that the PBC's approach to assisting post-conflict states represents a furthering of the sovereignty agenda, and that the inclusion of other developing-country/aid-recipient states within the PBC's membership was responsible. First, while the Afghanistan and other post-conflict reconstruction frameworks claimed to be built upon principles of 'national ownership,' the role played by domestic actors (whether officials, civil society groups, or others) in defining the strategic direction of these documents is seriously open to question. The Afghan authorities were not without leverage in their negotiations with the international community. But local capacity for policy formulation was extremely low; even the very existence of a national Afghan government to 'own' the

²⁰ This notion is deployed in academic debate, but also by such real-world practitioners as former UN Secretary General Kofi Annan. See Kofi Annan, 'Two Concepts of Sovereignty', *The Economist*, 18 September 1999.

²¹ The Responsibility to Protect (R2P) is a doctrine specifying the international community's obligation to take action to protect civilians when states prove unwilling or unable to do so. It was adopted as part of the September 2005 UN World Summit Declaration. The doctrine, its limitations, and some of its potential implications were spelled out in Evans and Sahnoun (2002). The UN Secretary General's Policy Committee was in April 2008 deliberating on recommendations to establish an R2P unit in the Executive Office of the Secretary General.

strategy was dubious. Moreover, whatever Afghan state *did* exist in 2002 relied for its security – to a far greater degree than either Burundi or Sierra Leone in 2006-07 – on external forces. Under these circumstances, the international community was able to shape the post-conflict peacebuilding agenda in ways that made its support for national-ownership – the sovereign autonomy to determine the policy environment – little more than rhetorical.²²

The second reason to consider the PBC a significant instrument for the consolidation of the loudly-declared-but-often-subverted norm of sovereignty in the post-conflict aid relationship has to do with the nature of the 'integrated peacebuilding strategies' (IPBSs) that have been developed for Burundi and Sierra Leone. During the first half of 2007, several donor members of the PBC worked assiduously to ensure that the IPBSs were substantive documents. They were supported in this by inputs from NGOs, from research institutes, and from the PBSO, which was assigned the task of outlining what would constitute an IPBS. Donor governments and UN agencies saw the IPBS preparation process as a means of steering the policy and institutional-reform agendas in Burundi and Sierra Leone toward issues that, they felt, had been underemphasised in previous national framework documents. In the case of Burundi, for instance, the establishment of a Truth and Reconciliation Commission was a key priority for many PBC member-states – and certainly for many national and international NGOs. In the Sierra Leone case, considerable discussion (mainly behind the scenes) centered on the need to place the issue of natural resource extraction -apotential source of misgovernance and renewed conflict – higher up the policy agenda. How much the IPBSs for each country should borrow from previously agreed planning documents - or how the commitments contained in those documents should be prioritised to ensure the consolidation of peace – was a constant source of disagreement.

As it turned out, the governments of Burundi and Sierra Leone were fairly successful in warding off attempts by donor governments (and other multilateral agencies) to introduce additional substantive items (such as combating corruption) on to their reform agendas, or to reframe or reprioritise those that had previously been agreed in other aid-coordination forums. The issue of natural-resource extraction, for instance, was conspicuous by its absence in the version of the Sierra Leone IPBS agreed by the PBC in June 2007, much to the consternation of international NGOs such as Global Witness, which lamented this omission in a report issued to coincide with the spate of PBC meetings held in the autumn of 2007 (and indeed the visit to Freetown by the Chairman of the PBC's country-specific configuration for Sierra Leone in October 2007) (Global Witness 2007). Also unsuccessful was the call by the International Crisis Group, another international NGO, to use the PBC's engagement in Burundi as a means of closely monitoring what it saw as a deteriorating human rights situation in the country.²³

Perhaps more significant than discussions about the content of the IPBSs were disagreements about how they would be monitored. The late spring of 2007 witnessed sustained efforts – mainly though not exclusively on the part of the PBC's donor member-states – to include within the IPBSs for Burundi and Sierra Leone procedures for monitoring progress in

²² See Goodhand and Sedra (2007) and Suhrke (2007). On the disappointing implementation of the Afghanistan Compact in terms of the aid-effectiveness agenda of national-ownership and strengthening state capacity (rather than relying on parallel mechanisms for distributing aid), see Robichaud (2006).

²³ Recommendation 17(b) of the November 2006 ICG report on Burundi proposed that the PBC assume responsibility for 'keeping under close review human rights and economic governance matters related to Burundi and developing benchmarks for improvement on which disbursement of further aid should be conditioned'. See International Crisis Group (2006).

implementing the measures contained within these documents. Almost every aspect of the 'follow up' process became a point of contention. First, whether the PBC itself (or some subset of PBC members) would engage in monitoring – and, in either case, how frequently this would occur, through what sort of reporting procedure, etc. Second, whether monitoring would proceed on the basis of previously agreed 'indicators' – and if so, whether they would be qualitative or quantitative, whether they would focus on processes or outcomes, whether they would be based on the self-reporting of the government concerned or on assessments by independent bodies, etc. Third, whether progress on individual indicators would be assessed against 'benchmarks', or performance targets – and if so, how these targets might be arrived at. Fourth, and perhaps most controversially, whether progress in meeting such performance benchmarks (on agreed indicators, monitored through whatever procedure had been agreed) would trigger consequences – and if so, what these consequences might be, whether they would be specified in advance, whether extenuating circumstances would be taken into account when assessing the adequacy of national efforts, and so forth.

The governments of Burundi and Sierra Leone successfully resisted the inclusion of 'hard' (i.e., enforceable) benchmarks and indicators in their respective IPBSs.²⁴ Both governments subscribed to the view that even to specify indicators was to place themselves on a slippery slope leading, logically and inexorably, toward the question of 'consequences'. Both governments insisted that they were committed to the reforms necessary to consolidate peace, and expressed dismay that their international 'partners' did not trust them to pursue with vigour what were, nominally at least, nationally owned strategies.

A number of factors help to explain the ability of Burundi and Sierra Leone to block the inclusion of policy commitments that would have further constrained their freedom of action, and to resist the specification of indicators and benchmarks for measuring progress on those reform measures that had been mutually agreed. But the pressure exerted by the large contingent of developing-country governments represented on the PBC was the most decisive. Many of these governments, after all, were engaged in negotiations with some or all of these same donors, and had an interest in strengthening the norm of national ownership of externally funded development strategies, whether in post-conflict states or in more conventional developing-country settings. PBC members speaking on behalf of the Non-Aligned Movement caucus within the UN frequently invoked the Paris Declaration, and questioned the commitment of the donor states that were its primary sponsors.

VII. Conclusion

Less than two years since coming into being, the UN Peacebuilding Commission is still carving out an institutional niche for itself. Among the factors shaping its future role will be the interests of leading states, the bureaucratic imperatives of various UN offices and agencies, and events on the ground in conflict-ridden and post-conflict countries. There are reasons to doubt the ability of the PBC to fulfill its core mandate of increasing coordination

²⁴ At the conclusion of the PBC's first year in operation in June 2007, the Sierra Leone framework document had in any case remained in draft form – not formally adopted by the PBC – on the grounds that it would be prudent to await the outcome of elections scheduled for September 2007. When a new government assumed power in Sierra Leone in late 2007, it was much less resistant than its predecessor to permitting anti-corruption initiatives to be included among the priorities listed in the PBC's Peacebuilding Framework for Sierra Leone. This was because it was mainly the new leadership's political rivals – the recently ousted ruling party – that would mainly be targeted for their alleged involvement in widespread and systematic corruption.

among the many agencies taking part in peacebuilding activities, or even to spur increased resource flows or sustained international attention to the countries on its agenda.

On the other hand, the PBC has begun performing a function of interest to scholars of international relations as well as to development practitioners. Largely due to the strong developing-country presence within the PBC, this new body has become a transmission belt for reaffirming and rearticulating an important international norm – that of state sovereignty in the domain of development cooperation. PBC meetings and publications have become important forums within which the limits of donor authority and influence have been restated. That donor commitments to the principles of the Paris Declaration on Aid Effectiveness must be fulfilled in practice, and not just rhetorically – even in post-conflict countries whose institutional capacities and therefore claim to full *de facto* sovereignty is tenuous – has been the consistent demand of NGOs and other actors that have participated in the PBC's high-profile deliberations.

It is perhaps appropriate to conclude with a caveat: it would be reckless to overstate the finality of this particular process of norm-diffusion. The PBC, as member states and PBSO officials are at pains to emphasise, is still at a very early stage in its institutional development. The scope and role of the PBSO, for instance, may evolve in ways that allow it to assume new kinds of agenda-shaping duties. The links between the PBC and the PBF – and how activities between these two entities are sequenced – is likely to undergo further refinement.

Perhaps most importantly, the PBC will, sooner or later, find new country cases on its agenda. The nature of these cases will likely influence the dynamics of the PBC's engagement with them. Burundi and Sierra Leone, for instance, are much further along the continuum from hot conflict to stable peace than other countries that might conceivably end up on the PBC's agenda. Were the PBC to begin engaging with a country where UN peacekeepers were still essential to continued security – which is not the case in either Burundi or Sierra Leone – the international community's leverage may well be greater. The most recent addition to the PBC's agenda – Guinea Bissau – is an ambiguous case. Its civil war was short-lived and its post-conflict peace has been maintained for almost a decade. On the other hand, having been overrun in recent years by international criminal syndicates, Guinea Bissau is an extremely fragile state, which may represent an important conflict-prevention test case – in effect extending the PBC's mandate. Either way, these early cases are likely to set precedents that will affect the PBC's institutional identity for years to come.

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The Crisis States Research Centre aims to examine and provide an understanding of processes of war, state collapse and reconstruction in fragile states and to assess the long-term impact of international interventions in these processes. Through rigorous comparative analysis of a carefully selected set of states and of cities, and sustained analysis of global and regional axes of conflict, we aim to understand why some fragile states collapse while others do not, and the ways in which war affects future possibilities of state building. The lessons learned from past experiences of state reconstruction will be distilled to inform current policy thinking and planning.

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