

Making the Most of the UN Peacebuilding Commission

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It is not unreasonable to greet with skepticism the birth of yet another United Nations body devoted to maintaining international peace and security yet possessing little power to shape events. Witness the general lack of public interest in the UN Peacebuilding Commission (PBC) in the nearly two years since its inaugural crop of 31 member-states first convened in June 2006. The PBC – whose members are drawn from the Security Council, the Economic and Social Council, the General Assembly, and from among the top aid-giving and troop-contributing countries to UN peace operations – was created to assist post-conflict states, those ‘emerging’ from a period of civil war, from descending back into violence and disorder.

Rebuilding failed states is a critical task for the international community. Minimally effective states can, among other things, combat international terrorism by denying its practitioners safe havens and sources of funding such as diamonds and oil. But as a ‘coordination’ mechanism for the world’s highly diverse and autonomous aid donors – bilateral programmes, like the UK’s DFID, and multilateral agencies within and beyond the UN, such as UNICEF and the World Bank – the PBC’s obvious institutional inadequacies make despair a more or less natural reaction.

The purpose of this briefing note, however, is not to bemoan the PBC’s shortcomings. It focuses instead on indications of potential found in the PBC’s highly varied work to date. The objective is to highlight ways in which the PBC, whatever its flaws, may be able to influence key agendas in the field of peace and security more generally, beyond the narrow confines of its formal mandate. Given Saferworld’s particular concerns, the PBC is examined largely in the wider context of conflict-prevention.

There is a certain perversity to examining the PBC as an instrument for generalized conflict prevention, such a role having been specifically rejected when the PBC’s institutional design was being debated among UN member states and UN bureaucrats during the first part of 2005. As originally conceived by the committee appointed by UN Secretary General Kofi Annan in 2004 – the High-Level Panel on Threats Challenges, and Change – the PBC *was* to have a more expansive prevention mandate, including an ‘early warning’ capability that would allow the UN to track ‘pre-conflicts’ and other threats to the peace far more systematically, including in ‘post-conflict’ countries whose wars had occurred far enough in the past to perhaps warrant dropping the post-conflict prefix.

However, in the course of extensive member-state consultations on the proposed design of the PBC, facilitated by Denmark and Tanzania, it became apparent that developing countries were strongly opposed to including any early-warning or potentially more intrusive monitoring mechanisms within the PBC’s remit. The PBC’s supporters had to sacrifice the early-warning capability in order to save the entire idea of a Commission from ending up on the UN reformer’s equivalent of the cutting-room floor. To allay continuing concerns, the Secretary General’s office ultimately issued an addendum to his March 2005 report on UN reform, *In Larger Freedom*, explicitly denying the PBC an early-warning function. This reflected the widespread view among G-77 members that the PBC represented another front

in the west's campaign for increased capacity to intervene in the affairs of states they deem misgoverned.

Such misgivings are not an isolated phenomenon in the UN. For instance, developing Countries have also been highly suspicious of the recently articulated doctrine of 'the Responsibility to Protect' (R2P). R2P was the product of another high-level panel, one sponsored by member-states rather than the UN. The R2P concept formalizes the notion that states are obliged to protect citizens from large-scale, man-made atrocities. It holds that if states are unwilling or unable to meet this obligation, then the international community has a responsibility to take action. Heads of government formally endorsed the R2P doctrine – some grudgingly – at the September 2005 UN World Summit. The R2P doctrine is therefore part of the same collection of measures that included the creation of the PBC. The R2P's defenders argue that the doctrine's critics either misunderstand, or intentionally misrepresent, its provisions. The R2P, say its supporters, is a highly circumscribed doctrine: it offers no blanket justifications for launching humanitarian interventions. The R2P approach obliges the international community to act through the Security Council, not outside it – and even then, only when states are clearly unwilling or unable to protect civilians from war crimes, crimes against humanity, and other such extreme circumstances. In addition, a series of tests (concerning proportionality, probable consequences, etc.) must be applied before the international community could take any action whatever. All the usual Council biases toward inaction – including the veto – would remain as well. Despite all these safeguards, the R2P doctrine has been regarded by skeptical developing countries as a Trojan horse through which a new phase of imperialist adventure will be delivered.

It was in the climate created by these debates – which took place in the shadow of the 2003 US invasion of Iraq – that the proposed PBC was stripped of its early-warning function. The PBC was left with a purely post-conflict prevention remit – confined, officially at least, to countries 'emerging from conflict'.

While, strictly speaking, the PBC itself is an intergovernmental body, the term Peacebuilding Commission is commonly (if incorrectly) used to refer to the triad of institutional pillars on which the UN's new 'peacebuilding architecture' rests. The three pillars are outlined in Resolution 1645, passed simultaneously and identically by the Security Council and the General Assembly in December 2005, just three months after the World Summit declaration had called for the PBC's creation. The three pillars are:

- (1) The 31-member-state Peacebuilding Commission itself, which convenes in two forms:
 - a. as the Organizational Committee (just the 31 members), which decides on the structures and procedures through which the commission is to undertake its work; and
 - b. in Country-Specific Mode (CSM) – through which the PBC engages with particular post-conflict countries on its agenda, and includes, in addition to the 31 core members: a selection of member-states selected on the basis of proximity to the post-conflict state in question or recent experience of recovering from conflict; relevant UN agencies and secretariat departments; regional and subregional bodies (the African and European Unions, for

instance); and the International Financial Institutions (IFIs), notably the World Bank and the International Monetary Fund (IMF).

- (2) The Peacebuilding Support Office (PBSO), a relatively small bureaucratic entity located within the Executive Office of the Secretary General – and therefore independent of the Department of Peacekeeping Operations and the Department of Political Affairs – that (a) provides administrative and analytical support to the PBC; and (b) is responsible for refining UN peacebuilding doctrine by developing best-practice notes and operational metrics, and disseminating these throughout the UN system and indeed the larger peacebuilding community of practice.
- (3) The Peacebuilding Fund (PBF), which relies on voluntary contributions from member-states, multilateral donors, and individuals – and seeks to maintain a US\$250 million replenishable fund available – was conceived as a quick-disbursing funding source for catalytic actions to address crises that may threaten a fragile peace, or projects that temporarily fill gaps in a post-conflict country's peacebuilding strategy.

The resolution that created the PBC and its component parts contains a fair helping of ambiguous language and stray turns of phrase. In general, however, the PBC's mandate centers on actions that might allow it to perform a coordinating function, herding together the hugely diverse array of aid agencies (official and non-governmental, national and international) working in a given post-conflict setting – to ensure that optimal levels of funding are attained; that donors do not undermine one another in their choice of programmatic interventions; and that internationally funded work is based on a thorough analysis of which state-rebuilding strategies have worked in the past, and why. The resolution identified, in effect, three broad functions for the Commission¹:

- (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) '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'.

At this early stage in its institutional development, the PBC is still grappling with how this fuzzy mandate can be translated into operational terms. Determining the precise relationship between the three pillars of the peacebuilding architecture is a major part of this process. For instance, the PBSO and the PBF both engage with the same country cases that the intergovernmental PBC does – that is, those referred to it by the UN Security Council or the Secretary General (with the consent of the government concerned). And, yet, both the PBSO and the PBF also deal with cases that are not on the PBC's agenda, furnishing them with distinct organizational missions and identities.

¹ Security Council resolution 1645 (20 December 2005) and General Assembly resolution 60/180 (30 December 2005)

Similarly, the links between each of the three pillars and *external* actors continues to be subjected to trial-and-error experimentation. It remains unclear, for instance, precisely how the Commission is to advise the Security Council or the General Assembly. Proposing ‘integrated peacebuilding strategies’ for the countries on its agenda is about as specific as it gets – not that it is apparent how detailed such strategies ought to be, how they should be carried out, or the mechanisms for monitoring their implementation and impacts. The only more or less unambiguous feature of the relationship between the PBC and external bodies has been that the PBC possesses no operational authority over any UN department, agency, fund, office, or programme.

To overcome this stark limitation, the hope has been that the PBC’s broad membership, particularly in its various country-specific configurations, and the inclusion (as non-voting participants) of international agencies most directly involved in post-conflict peacebuilding, would furnish the Commission’s deliberations with the clout necessary to play two crucial brokering roles. This first, as mentioned to above, would be a coordinating role, forging agreement among the many international agencies operating in post-conflict countries. The PBC (and the PBSO in particular) was expected to perform a second, analytical, function: to draw on the experience of actors throughout the UN system to identify examples of ‘best practice’ in post-conflict state-building – these lessons to be disseminated throughout the community of peacebuilding agencies, both within and beyond the UN system.

Determining how to assess the performance of a new – and, as we have just seen, highly differentiated – UN body like the PBC is problematic. On the one hand, there is little indication that the PBC has performed particularly well in terms of its overarching mandate of coordination. The PBC has made a significant effort to articulate a coherent approach to external assistance for Burundi and Sierra Leone (the only cases on the PBC’s agenda during its first 18 months in existence), and it has done so partly by succeeding in maintaining the international community’s attention to these cases – another of the tasks specified in the PBC’s mandate. There is, of course, a limit to how much global attention can be devoted to a particular set of post-conflict cases, especially when hot conflicts are breaking out elsewhere. Even ensuring predictable financing for these post-conflict states, another of the PBC’s responsibilities, is a tall order, given the relentless frequency with which donor roundtables and ‘flash appeals’ for quick-breaking humanitarian crises occur.

In addition to facing inauspicious external circumstances, the PBC has seen its ability to function effectively constrained by *internal* political dynamics among PBC member-states. Promoting coherence among the peacebuilding agencies working in Burundi and Sierra Leone requires a degree of political consensus among PBC members that is clearly missing. The governments of Burundi and Sierra Leone both relished the opportunity to have their cases heard before a more sympathetic audience – in this case a UN body with strong developing-country representation. The sizable developing-country caucus on the PBC repaid this faith by systematically supporting the rights of the two post-conflict countries on its agenda. Developing country members have generally considered PBC efforts to shape national peace consolidation strategies in Burundi or Sierra Leone an attempt to influence unduly the prerogatives of a sovereign state. Such vigilance may have produced salutary outcomes in some instances, but also undercut hard-won agreements, struck earlier in

Bujumbura and Freetown, between foreign donors and, respectively, the governments of Burundi and Sierra Leone.

To the PBC's credit, the 'integrated peacebuilding strategies' (IPBSs) for Burundi and Sierra Leone were agreed by late 2007. Somewhat less encouragingly, each country's IPBS consisted primarily of a selection of agenda items from preexisting national poverty-reduction and peace-consolidation plans, with which Burundi and Sierra Leone are well endowed. In addition, vague undertakings were entered into by all of the stakeholders involved in the process of formulating these 'framework' documents: each post-conflict government is expected to pursue various policy and institutional steps; donors must make financing predictable and route it primarily through government agencies rather than through NGOs (whose expansion, in the current aid consensus, is seen to come at the expense of enhanced 'national' capacity); the PBC is to maintain the focus and institutional linkages required to sustain the process of state-reconstruction.

Some observers, such as the International Crisis Group, had called for the PBC to act as a sanction-wielding referee whose decisions could influence aid flows if, for instance, human rights benchmarks were not achieved. But the PBC's developing country members strongly opposed any kind of enforcement role for the new body. Indeed, anything that smacked of conditionality – whether imposed by donor governments or overseen by the PBC in some way – was unacceptable to most G-77 members. As a result, the monitoring and tracking mechanisms eventually established to keep tabs on compliance with the provisions of the IPBSs for Burundi and Sierra Leone are notably toothless, even by the slack standards of development-assistance diplomacy.

But even if the PBC formally retained a purely post-conflict orientation, stabilizing and reconstructing post-conflict states implies, by definition, a prevention mandate, in the sense of preventing the *recurrence* of conflict. This is an entry point that international actors pursuing wider conflict-prevention agendas, beyond the rebuilding of collapsed states. Once an institutional actor with the official standing of the PBC obtains entry into a multi-stakeholder arena such as the conflict-prevention sector broadly conceived – even if its engagement is formally limited to the prevention-of-recurrence *subsector* – it becomes extremely difficult to deny such an institution entry into, and at least limited influence over, other UN conflict-prevention initiatives already underway or that may arise.

To grasp how the PBC has, during its first two years on the scene, positioned itself to play a potentially important role in the wider conflict-prevention policy arena, it is necessary to examine the three pillars of the UN's 'peacebuilding architecture'. It is notable that this term has been pushed, in particular, by the PBSO and the PBF to emphasize the autonomy of these entities from the intergovernmental PBC, which is often presumed to subsume them. In seeking to secure its individual survival in a competitive institutional environment, each of the three pillars (the PBC, the PBSO, and the PBF) has found ways to expand its mandate to prevention issues more broadly conceived – beyond, that is, prevention solely of recurrence.

How might this work for each of the three pillars?

First, the *intergovernmental PBC*. Working in its Country-Specific Modes (CSMs) for Burundi and Sierra Leone, the PBC was able to begin establishing itself as something like a

specialized court of appeals for disputes between donor states and post-conflict recipient countries – a sort of regulatory authority for the development-assistance industry. As we have seen, the PBC did this, in a general sense, when creating the ‘integrated peacebuilding strategies’ for the countries on its agenda. The PBC not only resisted the imposition of new donor conditionalities in Burundi and Sierra Leone; its deliberations in New York also, to a more limited degree, assisted the two post-conflict governments to evade earlier restrictions imposed by their donors in country-level negotiations.

But in at least one case, the PBC intervened more forcefully, involving itself in a disagreement between the IMF and the government of Burundi. In the Autumn of 2007, Burundi had been unable to pay civil servants and a good part of the army because of tardy disbursements from the highly concessional IMF borrowing programme in which it participated. The IMF was not technically withholding the funds, but was not undertaking the review necessary to clear further payments. The IMF let it be known that Burundi would not obtain a positive review because of the government’s alleged failure to make good on many of its reform undertakings. The PBC’s CSM for Burundi took what for the PBC amounted to strong action – sending a mission to Bujumbura, debating on a candid report issued following that mission, closely questioning IMF representatives dispatched to provide explanations concerning events in Burundi, and making recommendations for a speedy resolution of the matter. The IMF, in response, began delegating more senior officials to discuss the matter with the PBC. It also rapidly agreed to an ‘exceptional waiver’ for Burundi that allowed disbursements from the IMF – and bilateral donors whose funds are tied to IMF clearances – to resume.

This *ad hoc* ‘aid oversight’ role for the PBC can be helpful to the larger conflict-prevention agenda if used beyond countries just emerging from conflict, in states that have not yet experienced conflict – or not in a long time, anyway. This final qualification, which raises the question of when, if ever, a post-conflict country stops being a post-conflict country is relevant to the PBC’s second shift toward a wider prevention agenda, and that is to include Guinea Bissau as the third case on its docket. There are many explanations for why Guinea Bissau was selected for consideration by the PBC, especially when one might have expected a case from outside Africa – East Timor? – to be prioritized to provide the ‘regional balance’ so highly prized at the UN. Speculating on this question is beyond the scope of this briefing note.

But, whatever the reason for its selection, Guinea Bissau is an intriguing choice because it is a different kind of post-conflict country – one whose brief period of open conflict ended in 2000. Political instability has clearly afflicted Guinea Bissau in the interim; nevertheless, to classify Guinea Bissau as a state ‘emerging from conflict’ is fundamentally to redefine this category of cases. The continuing interest of the Security Council in Guinea Bissau might in some quarters be considered a sound enough basis for placing this case in the traditional post-conflict category, and not further up the conflict timeline toward prevention. But regardless of administrative taxonomies, the profile of the Guinea Bissau case – where the government exhibits the symptoms of a fragile, pre-collapse, state – ensures that the actions undertaken, and strategies recommended, by the PBC for Guinea Bissau will be perceived as relevant throughout, and therefore influential over, the wider conflict prevention sector. Guinea Bissau possesses the chief characteristic of the archetypal prevention case: a state that is increasingly incapable of controlling flows of goods and people across its borders.

The second pillar of the peacebuilding architecture is the PBSO. After a rocky start, during which even very small sums of funding for this modest bureaucratic entity were the source of argument in the UN's budgetary committees, the PBSO has faithfully carried out its mandate. Whether, all things considered, the PBSO has performed well is, again, beyond the scope of this note.

But to what extent has the PBSO exhibited signs of a willingness and/or ability to move in the direction of the conflict-prevention agenda more broadly conceived? Perhaps surprisingly, the bureaucratic PBSO has been more amenable to such a shift – which might, with some justice, be characterized as mission creep – than the intergovernmental PBC. The PBSO has expanded its *de facto* remit beyond the post-conflict setting by emphasizing its claim to be a doctrine-formulating body, which in turn stems from its mandate to draw on and consolidate knowledge from across the UN system. As part of this effort, the PBSO has been engaged in the UN Interdepartmental Framework for Coordination on Early Warning and Preventive Action. The 'Framework Team' is coordinated by the UNDP's Bureau of Conflict Prevention and Recovery (BCPR). Its mission is to refine methods for anticipating the outbreak of violence, to assess the likely severity of nascent conflicts, and to suggest appropriate programmatic interventions. The Framework Team maintains an informal 'watch list' – though it does not use this term – of countries to be monitored. It devotes attention to all countries where regime stability is threatened by systemic violence, not just states 'emerging from conflict'. The Framework Team thus provides the PBSO an entry point into broader conflict-prevention discussions. The PBSO has, for instance, entered into debates concerning the structure, mandate, and reporting procedures for the proposed 'R2P unit' in the secretariat. Through its membership in the Framework Team, particularly its work with the group of technicians that devises its predictive metrics (the Expert Reference Group), the PBSO would also have a voice, however fractional, in the proposed Secretariat-based Responsibility to Protect Assessment Unit (and associated Strategy Committee). This provides a direct link to the Secretary General's Policy Committee.

The third pillar of the peacebuilding architecture, the Peacebuilding Fund, has in some ways migrated further up the prevention timeline than the other two. Because of the PBF's reliance on voluntary contributions it is relieved of at least some of the bureaucratic shackles that constrain a body like the PBSO. It also operates at some remove from the member-state politics of which the PBC itself is essentially constituted. The mandate of the PBF has been defined in such a way as to provide scope for PBF work in countries other than those where the PBC is working. The Secretary-General's office is accorded wide latitude in using the fund to nip inchoate violence in the bud. This, in effect, permits action even in countries that do not technically qualify for the post-conflict category.

The PBF was meant to be fast-disbursing, and in some cases it has been, though where the PBC itself has been involved in funding decisions, PBF resources have invariably flowed much more slowly. Simply by virtue of the discretionary power accorded the Secretary General, acting with and through the ASG for Peacebuilding Support (the head of the PBSO), the PBF may well constitute the most promising of the three pillars from a conflict-prevention perspective. On the other hand, there is considerable discontent with the PBF. One indication of this is the proliferation of proposals for what are in effect competing multidonor trust funds to accomplish tasks very similar to what the PBF is supposed to be doing.

This note has briefly examined the three institutional elements that comprise the UN's peacebuilding architecture: the PBC, the PBSO, and the PBF. Assessed individually or as a group, the three do not inspire much hope for a more coordinated approach to post-conflict state-building. Nor do they appear likely to generate a quantum leap in either the attention span or funding commitments of the international community. The PBC and its associated entities have, however, begun to identify ways of reinterpreting and expanding their mandates to include a wider array of conflict-prevention issues, cases, and actions.

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