

## THE PEACEBUILDING COMMISSION

Enrique Yturriaga Saldaña

Deputy General Director, International Technical Organisms,  
Spanish Ministry of Foreign Affairs and Cooperation, Madrid

*This comment was prepared for the roundtable discussion on UN reform "[Building a New Role for the United Nations: the Responsibility to Protect](#)" held on 3 June 2005 in Madrid. The event was organised by the Fundación para las Relaciones Internacionales y el Diálogo Exterior ([www.fride.org](http://www.fride.org)).*

*This commentary reflects some of the most important issues concerning the creation of a Peacebuilding Commission from the standpoint of the Ministry of Foreign Affairs and Cooperation, including where it will be established (institutionally-speaking), its principal functions, funding sources and peacebuilding models and strategies.*

Before presenting some thoughts on the Peacebuilding Commission (PBC) proposed by the Secretary-General in his report, "In Larger Freedom", I would like to highlight a couple of preliminary ideas:

- Firstly, the creation of a commission of these characteristics is a novelty for the United Nations, given that it is a body that would be built from the bottom-up, that is, beginning with field experience and in turn moving towards its institutional establishment. The PBC would be the combination of a theoretical proposal, which has already been around for a few years, and the logical evolution of the concept of development within the United Nations after decades of development aid activities by the various specialized UN agencies.
- Secondly, it is worth pointing out that the PBC has been eclipsed by the Security Council in the general debate on UN reform. In my opinion, this is positive because it makes the creation of a well-defined and coherent PBC project possible, as all negotiation experiences at the UN show that the more a text is negotiated, the less it resembles the original plan. I think we will all agree that the PBC will only be effective if it receives a clear and precise mandate.

From the Ministry of Foreign Affairs and Cooperation's perspective, these are the points that are considered to be useful for structuring the debate:

### 1. Security Council or ECOSOC

The question remains open about the PBC's institutional placement. The United States is the country that has most clearly stated its desire to link the PBC with the Security Council, while a significant number of developing countries have publicly advocated a special relationship with the Economic and Social Council (ECOSOC).

The advantages of linking the PBC to the Security Council are obvious. It would increase the PBC's operating capacity and, in theory, it would benefit from the greater legal weight attached to Security Council decisions. Moreover, it would allow for better coordination with Peacekeeping Operation (PKO) commands, which is a fundamental element in terms of guaranteeing the consolidation of peace. Currently, there is consensus that the UN is not adequately coordinating the transition between peacekeeping and peacebuilding phases, which in a large percent of cases leads to the unfortunate relapse into conflict after five years. It should also be pointed out that the PBC appears in the Secretary-General's report in the chapter titled, "Freedom from Fear".

In fact, in its presidential statement on 26 May, the Security Council already assumes the fact that the PBC will be put under its authority.

The advantages of a PBC-ECOSOC link are not insignificant either. Advocates argue that a PBC-ECOSOC relationship would provide the Commission with greater democratic legitimacy (as compared to the Security Council's much criticized lack of legitimacy). A direct link with UN agencies will be essential for the PBC's activities, as it is aimed to improve coordination among the international community in post-conflict situations. In this regard, institutionally placing it with ECOSOC would be more logical than involving the Security Council as yet another actor in inter-agency coordination. This maneuver would lead to further dispersion, which is precisely what is sought to be avoided.

There is, indeed, a third option that involves a body that is halfway between the Security Council and ECOSOC. In my opinion, this would be the ideal; however, I'm afraid that it is not realistic. We must keep in mind the suspicion that currently exists in some Western governments and public opinion sectors with respect to UN bureaucracy. Adding yet another structure that operates like the others and generates further bureaucratic procedures would not be acceptable for delegations like the United States and Japan. I think that the proposal to initially link the PBC to the Security Council and then during its implementation to ECOSOC is the proper solution. However, the relationship between these bodies would have to be carefully defined so that the UN's delicate institutional balance is not altered, and to prevent ECOSOC from being turned into a subsidiary branch – with increased responsibilities in the economic and social fields – of the Security Council.

## 2. Principal Functions and Mandate

The main responsibility of the future PBC must be to coordinate specialized UN agencies and bodies, both among themselves and with the various international actors (including the international financial institutions) that take part in post-conflict situations.

A multidisciplinary and thematic approach is essential in order to avoid duplications. Such an approach would have several advantages: it guarantees the participation of UN agencies in the PBC's work (the "ground phase"), it gives UN work visibility as a single team in which each agency has a specific duty but where all work together towards a common goal, and finally, it enables shared, specific and agreed upon goals to be defined with local authorities.

Wondering about the palliative or preventive nature of the PBC mandate is, if I may say, rather doctrinal. We are addressing conflicts that, for the most part, are recurrent, linked together in vicious cycles (five years, it was mentioned earlier), where a conflict's poor resolution or lack thereof generates the causes of the next one. In this regard, the PBC would do two things, that is, prevent and help to resolve conflicts. The PBC's mandate would also need to have an important component of preventive diplomacy, which would have to be carefully prepared while taking into consideration the political implications of the given conflict. Recent experience shows us that despite theoretical reticence and legal nuances, there is a very strong trend in the international community towards a pragmatic and preventive approach. Situations exist that could foreseeably develop into conflict. Hence, it would be absurd to deprive the PBC of the chance to detect them and, if possible, promote international action before conflict breaks out.

Thanks to the accumulated experience, we can outline what would be the PBC's main responsibilities. Some of the duties, among others, that have been carried out by various UN mandates in conflicts over the last ten years, and which would form part of the PBC's mandate are: disarmament, demobilization and reintegration of armed groups, social and economic structural reform, civil protection, the reestablishment of justice and the fight against impunity, promotion of security and economic recovery at the short and medium terms as necessary pillars to stabilize the country in conflict, institutional reconstruction, rule of law, respect for human rights, etc.

In an Explanatory Note on his idea about the PBC, the Secretary-General has already highlighted some of the responsibilities that he considers important: ensure that the international community supports reconciliation processes, set general priorities based on field experience, mobilize resources – especially financial sustainability (which seems to be the main problem that the PBC must solve) - , and lastly, turn itself into a coordinating organism of the various actors.

The PBC's mandate, which in any case will be consultative, could be designed in two phases. Firstly, it should provide the Security Council with pertinent information on the conflict so that it can make well-informed decisions. Secondly, it should strive to improve the country's economic and social development, as well as the construction or reconstruction of national capacities, while ensuring the transition from peacekeeping to peacebuilding.

As it was already mentioned, the PBC must ensure primary funding, partly by drafting up and coordinating financial and logistical needs and in turn making appeals to various international actors, and partly through the analysis of existing mechanisms, as well as those that are necessary to guarantee the transition to peacebuilding.

Another possible task to be considered for the PBC could be the periodic review of rehabilitation and development programs and, subsequently, the modification of program goals as the peacebuilding process is in course and progressing, as well as adapting short-term objectives to the medium-term.

One of the most important aspects of the PBC would be to attract and maintain enough political will and media attention to guarantee sustainable efforts from the international community. The case of Sudan is symptomatic of this phenomenon. It was only possible to pursue the country's stabilization when the "spotlight" was on it; however, all of the efforts made were wiped away by the tragedy of the tsunami in Southeast Asia.

There are theoretical problems when it comes to accepting the preventive aspect of the future PBC. However, we need to be aware that our accumulated experience enables us to map patterns on the evolution of conflicts and study the problems that a society faces upon emerging from one.

The PBC could participate in an early warning system or it could, at least, give some coherence to existing systems. Of course, a lot of care would need to be taken in order to stay within the limits set by the principles and values of the UN Charter and, in particular, not interfere in a country's internal affairs. The experience to which I have referred may also help in terms of drawing up and developing best practice on peacebuilding issues.

### **3. PBC Tools**

The few countries that have made statements on this subject have devised different structures according to the mandate they advocate for the PBC. For example, the United States considers that if a PBC were created, it should be a minimal structure that is funded with voluntary contributions. On the other hand, Denmark has presented an interesting idea. Based on the premise that initial peacebuilding costs cannot suffer from funding gaps, it advocates that the funding of important aspects like disarmament, demobilization and reintegration of ex-combatants, should come from the PKO budget.

The Secretary-General, for his part, proposes the creation of a Peacebuilding Support Office – within the Secretariat – with a Rule of Law unit. Its duties would be to: prepare substantive documents for the PBC, including the information provided by Member States about their respective peacebuilding activities and financial commitments; provide high-quality inputs to the planning process for peacebuilding operations; and conduct best practices analysis and develop policy guidance.

Both the Secretary-General and numerous delegations have referred to the creation of a Standing Fund for Peacebuilding. This Standing Fund would be permanent, voluntary and replenishable. There are currently several possible models in (IFAD) and out of the United Nations system (Global Fund to Combat AIDS, Tuberculosis and Malaria), which could be useful. The problem with the Fund, however, is that its completely voluntary nature would make the PBC's actions very vulnerable, given that donor irregularity is more of a rule than an exception.

The existence of a multilateral peacebuilding fund would provide financial support in the early stages of a post-conflict situation, and would thereby contribute to the consolidation of rational capacities, especially in regard to the country's political, legal and administrative networks. It would be like fertilizer to a plant, given that international support is decisive in the early stages of institutional reconstruction when the entire state structure has been virtually destroyed.

Moreover, the Fund would anchor the sustainability of UN action beyond the normal cycle of PKO mandates, thereby strengthening the fragile national socio-political fabric and promoting reconciliation in order to break the vicious cycle of violence among the parties involved.

All in all, the Fund would provide credibility and coherence, as coordination is the best way to optimize resources. Nevertheless, on the other hand, the Fund must be adapted to standardized procedures and be held financially accountable to the external auditing procedures that govern the UN's international organisms.

#### 4. Models

A priori, the most successful peacebuilding model was that of East Timor. However, it would be a mistake to take a successful solution and apply it to other conflict situations in other contexts. East Timor and Cambodia are emerging from difficult fratricidal wars, but in both cases there was political will to overcome their internal collapse. I believe that the PBC should operate on a case-by-case basis without trying to apply miraculous solutions to situations that are always complex. Nonetheless, a few interesting lessons can be learned:

- UN action must be concerted. The Secretary-General's ideas about strengthening the role of the resident coordinator are on the right track.
- UN action must include the international financial institutions (IFIs). Generally speaking, the IFIs are the most influential organizations in the macroeconomic stabilization process, and, as such, usually have access to the highest echelons of state power.
- UN action must include close cooperation with the peacekeeping contingents. Security is an indispensable requirement in terms of guaranteeing the reconstruction and stabilization of a country.
- UN action must, without a doubt, include local actors and factors, with direct or sectorial participation of the various actors involved (civil society, political parties, private sector, etc.).
- From an institutional standpoint, the PBC model cannot differ too much in its make-up from that of ECOSOC. There has been talk about having 15-20 members, with some degree of rotation, who are chosen to ensure a balanced geographical representation. However, for operating purposes, a dynamic decision-making system would have to be designed. I firmly believe that the US proposal, which states that the PBC's decisions be adopted by consensus, is not advisable. This option would run the very high risk of paralyzing a body that must be quick due to the nature of its responsibilities (conflict management). Likewise, the participation modalities of civil society and IFIs must also be considered.

## 5. Considering National Interests

It is essential for a society emerging from conflict to implement a process of national reconciliation and for this society to have a sense of ownership of that process. We are talking about traumatic processes that must include all of the country's social and political forces. Experience shows that all solutions artificially imposed or imported from the outside ultimately fail if local idiosyncrasies are not taken into account. Clearly, the limit must lie in their compatibility with the principles and values of the UN Charter. The Peacebuilding Commission must maintain country-specific activities as its main objective.

Although preconceived and atypical models cannot be imposed, sector policies in support of reconciliation processes do indeed need to be designed. Once again, experience provides us with positive examples in cases such as transitional justice, where only a neutral intervention supported by the international community could manage to get opposing forces to accept the decision to establish the facts and assign responsibility.

## 6. Effectiveness

There is the possibility that the target government rejects the actions or makes the PBC's work difficult. Here we would find ourselves yet again faced with more of a theoretical rather than a real problem, as it would not be coherent to demand ground coordination and then refuse it at the heart of the system.

The Security Council, as most know, is already responsible for "eco-social" issues (e.g. AIDS, children in conflict, etc.), on the basis that these issues affect international peace and security. The concept of risk to international peace and security is, in this regard, sliding towards a sphere that is less and less "military". Therefore, the Security Council itself would – after having received the case for review from the PBC – have the authority to decide the course of action in cases in which the government of a country in a post-conflict situation disregards the PBC's activities and proposals.

In conclusion, the PBC project has taken off in a fairly satisfactory manner. Of all of the proposals in the Secretary-General's report, "In Larger Freedom", this is the one that has received the most consensus among Member States. Preliminary discussions have revolved more around how the PBC would be structured than on the need for its creation. All of this is encouraging, but we must be aware that the PBC forms part of multilateral negotiations that involve very complex package-deal reforms and its mandate could still undergo a great deal of modifications. One has to wonder, after all, if it is worth the effort to create a PBC that lacks a clear and precise mandate and the funds needed to carry it out.

*Las ideas expresadas por los autores en los documentos difundidos en la página web no reflejan necesariamente las opiniones de FRIDE. Si tiene algún comentario sobre el artículo o alguna sugerencia, puede ponerse en contacto con nosotros en [comments@fride.org](mailto:comments@fride.org). / The views expressed by the authors of the documents published on this website do not necessarily reflect the opinion of FRIDE. If you have any comments on the articles or any other suggestions, please email us at [comments@fride.org](mailto:comments@fride.org).*