

CHAIRMAN'S SUMMARY

Seminar in New York on January 17, 2005, on the Peacebuilding Commission.

Background

On January 17, 2005, Denmark and Tanzania convened a seminar to discuss the recommendation to establish a Peacebuilding Commission from the Secretary General's High Level Panel on Threats, Challenges and Change. 29 member States participated. A discussion paper was prepared and distributed prior to the seminar.

The seminar was a follow-up event to a larger conference on civilian crisis management, held in Copenhagen in June 2004, with the participation of members of the High Level Panel.

The **purpose of the seminar** was to provide an opportunity for member States to have an initial exchange views on the proposal for a Peacebuilding Commission, including key questions concerning the rationale for such a body, its mandate, institutional locus and membership.

At the seminar Bruce Jones, UN Secretariat and former researcher with the High Level Panel; Oscar Fernandez-Taranco, Deputy Assistant Administrator, UNDP; and Shepard Forman, Director for Center on International Cooperation, New York University, made introductory presentations on the subject. The presentations were followed by a general discussion.

Presentations.

Bruce Jones presented the Panel's reasoning behind the proposal. In the view of the Panel, states were the first line of defence for collective security. This realization had led the Panel to put primary emphasis on strengthening the state through development, prevention of state failure and the Peacebuilding Commission. The UN had in fact been reasonably successful at post-conflict interventions in recent years, but there was plenty of room for improvement. Generally there was a lack of internal coordination, transparency and clear division of labour between different parts of the UN system in peacebuilding activities. The Security Council was taking decisions on peacebuilding issues without the benefit of the knowledge that could be provided by UN agencies already operating on the ground, the attention span of the Council for a given conflict was too short to secure adequate follow up on this issue and there was often a lack of funding for the critical early phases of peacebuilding. A coordinating mechanism to fill this institutional void and provide the requisite oversight was sorely needed. The Panel deliberately had left the modalities to the Member States, but in the proposal were some guidelines in regard to membership, mandate and funding. To bring together the expertise and capacity on the various elements of peacebuilding, the Panel recommended a Peacebuilding Support Office as a separate entity in the UN Secretariat.

Oscar Fernandez-Taranco made clear that he was not speaking as a representative of the UNDP but as someone giving the perspective on the issue seen from the field. Currently, there

was no body in the UN system explicitly designed to avoid State collapse, stop countries from sliding back to war or assist them in their transition from war to peace. Building on the recommendations of the Brahimi report the UN had adopted some practises, including integrated mission task forces, inter-departmental fact-finding missions to areas of tension etc to address some of the shortcomings. The Peacebuilding Commission, however, held the promise of a truly integrated response to complex and multifaceted realities by the UN. By linking up to the UN Country Teams, the Commission and the Peacebuilding Support Office could ensure a shared, comprehensive analysis of the situation, a lighter foot print building on existing UNCT capacities on the ground instead of recreating such capabilities with every UN mission, and a clear exit strategy in UN missions from the outset. Furthermore, the UN planning processes when it comes to funding in the critical months around a peace accord could benefit significantly from an intergovernmental body like the Peacebuilding Commission. The Commission and the Support Office should, however, not get involved in operational matters, but remain an analytical, policy, conceptualisation and oversight body.

Shepard Forman presented his discussion paper highlighting the issues that needed to be addressed before the proposal could become a reality. Firstly, the institutional status as either a subsidiary body under the Security Council or ECOSOC or an independent new body. Secondly, the specific mandate of the body as a link at headquarters to the diplomatic, security and development dimensions of complex missions. Several different formations of the Commission could be envisaged in order to enable it to perform country specific tasks in regard to specific missions as well as general activities in regard to strategic thinking and policy guidelines. Finally, the paper contained ideas concerning the remaining modalities including composition, membership and financing following the Panel recommendations.

Main points from the discussion.

There was agreement among participants that the proposal for a Peacekeeping Commission responded to a **real need** for better coordination on peacekeeping activities and general support for the idea.

Several participants thus stressed that without a coherent post conflict strategy, peacekeeping efforts were often worthless and countries would risk sliding back into conflict. The institutional gap on prevention and post conflict efforts meant that the linkage between development and security was not adequately addressed. The UN was the relevant forum to forge the linkage since it had the legitimacy and the capacity and expertise to handle coordination of all aspects of peacebuilding. The Peacebuilding Commission should provide added value both strategically and practically on a long-term basis and thereby ensuring greater predictability to countries concerned. It should be set up in a way that mobilised resources and political attention and delivered legitimacy for action and results on the ground.

Concerning **institutional locus** of the Peacebuilding Commission participants acknowledged the close interrelationship between institutional locus and the mandate and function of the Commission. Among the factors that should be considered in deciding on the most suitable locus some participants in particular stressed the need to respect the mandates of existing UN

organs while others favoured an institutional set-up that would give the Commission the greatest impact and ability to deliver.

Most participants acknowledge the need for links to both the Security Council and ECOSOC. In this regard several delegations mentioned the need first of all to reform the Security Council and ECOSOC.

Participants who argued in favour of establishing the Peacebuilding Commission as a subsidiary body of the Security Council generally pointed to the authority, political weight and credibility that would flow from close affiliation with the Council. Since it was the prerogative of the Council to launch peace operations, the Commission had to be closely linked to this body in order to perform its mandate in peace-building. Furthermore, ECOSOC lacked efficiency and political weight.

Others who spoke in favour of a body under ECOSOC stressed that many of the functions of the proposed Peacebuilding Commission, including conflict prevention and post conflict reconstruction, already were entrusted to ECOSOC. Specific mention was made of the ESOCOC working groups on Guinea Bissau a.o. Several participants felt that these groups had been working quite well although a general weakness had been their lack of ability to raise funds for the countries concerned. Establishment under the Security Council, which already lacked representativity and transparency, would just reinforce the trend towards empowering the Security Council at the expense of the other bodies in contravention of the Charter.

A few participants argued in favour of a body jointly constituted by Security Council and ECOSOC that would be broadly representative of the views of the entire membership.

Participants underlined that the Commission should have a **clear mandate** and clear lines of control and authority. Among the possible tasks mentioned was planning, coordination, counselling and monitoring in post-conflict situations. It should bring in efficiency and ensure immediate reaction to urgent needs and oversee implementation of transitional strategies. Others felt that the Commission should primarily have generic, analytical and oversight functions and, most importantly, not get involved in operational activities that were best designed and coordinated in the field. Several participants stressed the need for exit strategies when going from peacebuilding to development, and considered the phase between peacekeeping and development as the core focus of the Commission.

A number of participants raised the question of a **decision-making versus an advisory body**. This question was closely related to the institutional status and the mandate. Several of those in favour of a decision-making body expressed clear preference for establishing the Commission under the Security Council with clear lines of control. Some participants found that **prevention and early warning** should be part of the mandate. Others warned that preventive actions would raise delicate questions of sovereignty. Most participants believed that the post-conflict agenda in the context of the Peacebuilding Commission on balance probably should be accorded the highest priority, not ruling out preventive measures and early warning.

In regard to **membership** participants agreed that a small body would be most desirable and effective. At the same time it was necessary to find a formula that involved the wider membership. Most delegations found that the core membership had to be member States represented in the Security Council and ECOSOC. Questions were raised as to how only a fraction of the membership of the two organs could become members, as no precedence existed in this regard.

Among other relevant members participating on a standing or ad hoc basis, delegations listed: Major donors, country concerned, regional stake holders, regional and subregional organizations, major troop contributing countries, IFI's and the UN system. Some delegations preferred all non-state actors to be present only as observers and keep the Commission as an intergovernmental body. Several delegations underscored the need for a close cooperation with the government of the country concerned no matter how weak that government might be.

Many delegations expressed support for setting-up of the **Peacebuilding Support Office** in order to provide the Commission with the best possible support and common assessment.

There was general agreement that successful peacebuilding efforts depended on sufficient **funding**. On the proposal from the High level Panel to establish a trust fund, those in favor expressed the need for urgent financing in a crisis. The Commission should have a financial capacity and thereby an operational capacity. Other delegations preferred to explore other options, one suggestion being a revolving fund.

The sponsors agreed to consider a **follow-up** to the meetings in order to take the discussion further.