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ISHR GUIDE TO THE PEACEBUILDING COMMISSION

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Establishment of the Peacebuilding Commission

The United Nations (UN) has been involved in many different parts of the process of building peace in post-conflict situations, but so far there has been no single or directly responsible entity overseeing this process and ensuring its coherence. Too often, the attention of the international community has been too short-lived in post-conflict countries and there has been no coherent and comprehensive approach to building sustainable peace. Perhaps as a result, peace agreements have failed, most notoriously in Rwanda and Angola, with approximately half the countries emerging from conflict lapsing back within five years. To address this gap, the General Assembly and the Security Council decided to create a Peacebuilding Commission (PBC).

Timeline

- High-Level Panel on Threats, Challenges and Change: A More Secure World: Our Shared Responsibility (2004) called for serious attention to be paid to the longer-term process of peacebuilding and recommended the creation of a Peacebuilding Commission to fill the key institutional gap in the UN in this area.¹

¹ Para. 224 and 263.

- Kofi Anan: In *Larger Freedom: Towards Security, Development and Human Rights for All* (March 2005) recommended the creation of a Peacebuilding Commission in recognition of an existing gap in the UN machinery in terms of peacebuilding.²
- The Secretary-General expanded on his idea of a Peacebuilding Commission in an explanatory note in May 2005.³
- At the World Summit Outcome (September 2005), Heads of States and Governments stressed 'the need for a coordinated, coherent and integrated approach to post-conflict peacebuilding and reconciliation with a view to achieving sustainable peace and to assist (countries) in laying the foundation for sustainable development' and decided to establish the PBC.⁴
- Security Council Resolution 1645 (20 December 2005)⁵ and General Assembly Resolution A/RES/60/180 (20 December 2005)⁶ established the new body, describing its mandate and membership.
- The inaugural meeting of the PBC was held on 23 June 2006. The first informal briefings on the first two country cases, Sierra Leone and Burundi, were held on 19 July 2006 and the first two official country specific meetings on 12 and 13 October 2006.

What is the Peacebuilding Commission?

Mandate

The PBC is an inter-governmental advisory body set up by the Security Council and the General Assembly that focuses on the transition of States from conflict to sustainable and lasting peace. According to Security Council Resolution 1645, the main purposes of the PBC are:

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

The PBC is not an operational body and does not have an enforcement mechanism. It will not undertake peacebuilding activities itself. Rather, its aim is to produce advice for the Security Council, the Economic and Social Council (ECOSOC) and for all the actors involved in the peacebuilding process. The PBC intends to bring together the UN's different experiences, as well as the actors involved in a particular peacebuilding process to devise comprehensive strategies aimed at achieving sustainable peace and development. Its main focus is therefore on 'improving coordination and reducing duplication' among actors involved in a post-conflict country, including the Government, civil society, external development actors, donor countries and international financial institutions.

² Para. 114.

³ <http://www.un.org/largerfreedom/add2.htm>.

⁴ Para. 97.

⁵ <http://daccessdds.un.org/doc/UNDOC/GEN/N05/654/17/PDF/N0565417.pdf?OpenElement>. On the same day, the Security Council also adopted *Resolution 1646*, clarifying the membership of the Peacebuilding Commission.

⁶ <http://daccessdds.un.org/doc/UNDOC/GEN/N05/498/40/PDF/N0549840.pdf?OpenElement>.

The PBC has strongly emphasised national ownership of the peacebuilding process, aiming to strengthen local process and enabling 'a country's own capacity to recover after conflict'⁷ rather than create a process at headquarters level. This explains why the countries examined are not only present during the country-specific sessions, but are expected to participate and contribute to the preparation of peacebuilding strategies. A country can even initiate its own examination by the PBC under a number of conditions. Similarly, the PBC has been created with an emphasis on working in close consultation with regional and sub-regional organisations.

The PBC has also sought wide participation within and outside the UN. Its recommendations are not aimed only at the Security Council or ECOSOC, but at all actors involved in the peacebuilding process. Similarly, country-specific meetings allow for the participation of a number of actors, unlike many other UN bodies.

Structure

Membership

The PBC will meet in different configurations: the Organisational Committee and country-specific meetings. The members of the Organisational Committee select a Chairperson and two Vice-Chairpersons for one year terms and either of these can preside over both types of meetings. The Organisational Committee is made up of 31 members with renewable terms of two years:

- The Permanent Members of the Security Council and two other Security Council members selected by their peers. (In 2006, these were Denmark and the United Republic of Tanzania);
- Seven members elected by the Economic and Social Council. (In 2006, these were Angola, Belgium, Brazil, Guinea-Bissau, Indonesia, Poland and Sri Lanka);
- Five top contributors to UN budgets and funds, programmes and agencies. (In 2006, these were Germany, Italy, Japan, the Netherlands and Norway);
- Five top providers of military personnel and civilian police to UN missions. (In 2006, these were Bangladesh, Ghana, India, Nigeria and Pakistan);
- Seven members elected by the General Assembly. (In 2006, these were Burundi, Chile, Croatia, Egypt, El Salvador, Fiji and Jamaica).

The composition of country-specific meetings varies according to the country considered. Beyond the members of the Organisational Committee, parties allowed to attend country-specific meetings include:

- The country under consideration;
- Countries, especially in the region, involved in the post-conflict process;
- Major financial, troop and police contributors involved in recovery effort;
- Relevant UN representatives, such as Special Representatives of the Secretary-General;
- Relevant financial institutions.

Institutional donors, such as the World Bank and the International Monetary Fund have been invited to attend all relevant meetings of the PBC.

Functioning and Rules of Procedure

The PBC designed its own rules of procedure, which are still provisional. It reports annually to the General Assembly and the Security Council and acts on all matters on the basis of consensus. It is estimated that the Commission will take up four to five cases a year. The PBC has also decided to undertake field visits and plans the first one for March 2006. The provisional rules of procedure will be developed and review in light

⁷ <http://www.un.org/Pubs/chronicle/2006/issue1/0106p12.htm>.

of the work of the PBC while the basic arrangements of the PBC established in the Security Council and General Assembly resolutions will be reviewed in 2010.

The PBC's agenda is determined by:

- Requests from Security Council;
- Requests from the Economic and Social Council and the General Assembly with the consent of the country concerned and on the condition that it is not already on the Security Council's agenda;
- Requests from countries in exceptional circumstances, on the condition that they are not on the Security Council's agenda;
- Request from the Secretary-General.

The PBC will discontinue the consideration of a country when foundations for sustainable peace and development have been established or when the country under consideration requests it to do so. This last provision could be problematic as it may allow States to terminate consideration before sustainable foundations for peace have been established if it does not agree with the PBC's recommendations or methods of work.

Supporting Structures

The Peacebuilding Support Office (PBSO) is placed in the Executive Office of the Secretary-General and supports the PBC by providing information and analysis and by ensuring that the recommendations emanating from the Commission's deliberations are translated into concrete action at the country level. The Secretary-General envisaged the PBSO as the link between the UN system and the PBC, strengthening coordination between UN bodies, between UN bodies and the PBC and between the UN and the countries examined.⁸ According to the Secretary-General, the PBSO's main functions are to:

- Propose strategies for peacebuilding by gathering and analysing information and preparing substantive input for the PBC on individual countries;
- Assess current funding of peacebuilding activities and advise on ways to sustain such funding;
- Compile best practices and develop guidelines on cross-cutting peacebuilding issues;
- Prepare any other substantive input requested by the PBC.

The Peacebuilding Fund (PBF) is a standing fund for peacebuilding activities, funded through voluntary contributions. The PBF was established separately from the PBC and while it will provide funding for peacebuilding activities in the countries considered by the PBC, it will not limit itself exclusively to those countries. The PBF focuses on the first stages of peacebuilding, acting as temporary funding between the conclusion of a peace agreement and the establishment of normal funding mechanisms.⁹

Peacebuilding and human rights

The Special Representative of the Secretary-General for Human Rights Defenders, Hina Jilani, in her 2005 report to the General Assembly¹⁰ points out that 'human rights violations are almost always the underlying cause, or the consequence, of a deterioration in peace and security'. As such, resolving conflicts and building sustainable peace requires addressing human rights issues. This view has also increasingly been adopted throughout the UN.

⁸ http://www.peacewomen.org/un/women_reform/PBC/PBSO_SG_note.pdf.

⁹ For further information see http://www.peacewomen.org/un/women_reform/PBC/PBF_conceptnote.pdf.

¹⁰ <http://daccessdds.un.org/doc/UNDOC/GEN/N05/482/85/PDF/N0548285.pdf?OpenElement>.

The UN recognises peace and security, development and human rights as its three main pillars and has in recent years stressed their inter-linkages and mutually reinforcing qualities. Secretary-General Kofi Anan stated in his report *In Larger Freedom* that there would be no security without development, no development without security and neither without human rights.¹¹ Reflecting this stance, all the currently active peacekeeping operations established after 1991 contain some reference to human rights in their mandates. While the substance of these references varies, some peacekeeping operations have very strong human rights mandates, implying a recognition that upholding human rights contributes to the creation of peace. Perhaps more importantly, when UN peacekeeping missions are replaced by more long-term UN political and peacebuilding missions focusing on sustaining and building lasting foundations for peace, the latter have very strong human rights mandates. The UN Integrated Office in Sierra Leone, established in 2006 to replace the UN Mission in Sierra Leone for instance, is mandated to assist the Government in developing a national action plan on human rights. Another example is the UN Peacebuilding Office in the Central African Republic, which has its own human rights section.

Secretary-General Kofi Anan and the Department of Peacekeeping Operations (DPKO) have both referred to the protection and promotion of human rights as an important element in peacebuilding.¹² The resolution creating the PBC itself declares that development, peace and security and human rights are interlinked and mutually reinforcing. Furthermore, the PBC claims that it aims to bring together the UN's experience in many areas, including human rights, therefore clearly establishing a role for human rights in peacebuilding. Accordingly, the PBC has focused on human rights issues during its country-specific sessions.

Engagement of Civil society and Non-Governmental Organisations

Provisions in official documents and resolutions

- Security Council Resolution 1645 and General Assembly Resolution A/RES/60/180 recognise the important contributions of civil society and non-governmental organisations (NGOs) to peacebuilding efforts. They further encourage the PBC to consult with civil society and NGOs engaged in peacebuilding activities;
- The PBC's provisional rules of procedure state that the Chairperson shall provide on a regular basis for consultations with representatives of civil society and NGOs engaged in peacebuilding. It also declares that the PBC will develop further modalities to ensure this.
- Both the founding resolutions and the PBC's provisional rules of procedure place a special emphasis on the participation of women's groups.
- One of the PBC's declared aims has been to improve coordination between Governments and civil society in post-conflict societies, therefore clearly highlighting a role for NGOs to play in the peacebuilding process.

NGO engagement to date

Participation in meetings

¹¹ Para. 17.

¹² Secretary-General Kofi Anan, *An Agenda for Peace* (1992), para. 55. On its website, the Department of Peacekeeping Operations includes improving respect for human rights in the range of possible peacebuilding activities, see <http://www.un.org/Depts/dpko/dpko/faq/preview.htm>.

NGOs were allowed to attend the first informal briefings on Burundi and Sierra Leone on 19 July 2006. They were also allowed to make presentations during the first two country-specific meetings on 12 and 13 October 2006.

In preparation for further country-specific meetings on Burundi and Sierra Leone in April/May 2007, the PBC decided to conduct open thematic discussions. NGOs were encouraged to attend these meetings as well as participate in the discussions. The first two thematic discussions took place on 27 and 28 February 2007.

Further NGO activities

- The Friedrich Ebert Stiftung (FES) and the Global Partnership for the Prevention of Armed Conflict (GPPAC) organised a conference on civil society involvement in the Peacebuilding Commission in September 2006.¹³ NGOs called for a formal mechanism to involve civil society in PBC discussions in New York, both at the organisational and country-specific levels. They also noted the importance of mechanisms to involve civil society at the country-level, pointing to the usefulness of national consultations in this regard. NGO engagement with the PBSO was highlighted as an important form of exchange between civil society and the PBC. Finally participants stressed the need for self-organisation by civil society, with many pointing to the role of regional NGOs in organising national civil society groups.
- GPPAC helped organise broad consultations of national civil society organisations and international NGOs in Burundi working on the issue of peace. During these consultations a number of recommendations were made which were presented during an informal briefing by the Chairperson of the PBC on 11 October 2006.
- The West Africa Network for Peacebuilding organised consultations with civil society, State actors and the UN Country Team and present their recommendations at the same informal briefing.
- The World Federalist Movement follows developments at the PBC very closely, providing background information and summaries of meetings.¹⁴

¹³ <http://www.globalpolicy.org/reform/topics/pbc/2006/09pbcngos.pdf>

¹⁴ <http://www.reformtheun.org/index.php/issues/1735?theme=alt4>.

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