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The establishment of the Peacebuilding Commission: reflecting power shifts in the United Nations

Vladimir Kmec

ABSTRACT

This paper explores the changing distribution of international power by taking the example of the establishment of the United Nations Peacebuilding Commission (PBC). The paper points to tensions between the UN Security Council and the UN General Assembly over the responsibility for the PBC and in the composition of the Commission's Organizational Committee. These tensions portray the reality of the current international system that is characterized by a shift in the geopolitical power distribution. It is a shift from a system in which the Security Council, strongly marked by the veto power of the permanent members, is responsible for the maintenance of international peace and security to a multilateral one that reflects an increased involvement of non-permanent members in the governance of international peace and security. The Commission marks a transformation of the UN from a system in which power of a state is understood in military terms to one that recognizes the growing importance of other aspects such as economic influence and geographical representation.

Introduction

At the 2005 World Summit, world leaders agreed to establish the Peacebuilding Commission (PBC) to support 'post-conflict peacebuilding' in 'countries emerging from conflict' by ensuring 'sustained international attention'.¹ As the PBC marks its tenth anniversary, accompanied by a review of the UN Peacebuilding Architecture (PBA),² questions of the relevance of this body are once again at the centre of scholarly debates. While the establishment of the PBC was widely welcomed as an important contribution to the maintenance of international peace, critical voices pointing out the ineffectiveness and dysfunctionality of the Commission emerged soon.³ Nevertheless, the

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¹UNGA, "Resolution 60/180," 1; UNSC, "Resolution 1645," 1.

²The PBA comprises three interrelated bodies: the PBC, the Peacebuilding Fund (PBF) and the Peacebuilding Support Office (PBSO). The review the result of which is the report 'Challenge of Sustaining Peace: Report of the Advisory Group of Experts on the Review of the Peacebuilding Architecture' assessed the policies that guide UN peacebuilding activities. UNGA and UNSC, "Letter dated 29 June 2015"; For an analysis of the PBC in the light of the 2015 review see De Coning and Stamnes, *UN Peacebuilding Architecture*.

³Berdal, "The UN Peacebuilding Commission"; Olonisakin and Ikpe, "The United Nations Peacebuilding Commission".

establishment of the Commission represents a fundamental milestone in the reform process of the UN. The introduction of this body has changed power dynamics with regard to matters of international peace and security in the UN. The PBC was established as a body in charge of peacebuilding, that is, a matter of international peace and security, under the authority of both the UN General Assembly (UNGA) and the UN Security Council (UNSC). This decision impacted on the discretionary power and role of the UNSC in the areas entrusted to it by the UN Charter. Since the creation of the PBC, a major source of contention among member states has been the question of which principal organ of the UN has the overall responsibility for the Commission. This has led to tensions between UN organs, especially the UNGA and the UNSC, in exercising authority over the Commission.

These tensions reflect the changing distribution of power within the UN. The process behind the creation of the PBC is characterized by an emerging system of global governance that reflects the geopolitical shifts of power. As a body in charge of peacebuilding under the responsibility of both the UNSC and the UNGA, the PBC is a crucial actor to be considered with regard to power shifts in world politics. The PBC evinces tensions between UN principal organs and among member states, which reflect the conflict between the neorealist and neoliberalist perspectives. A study of the power dynamics of the origins and structure of the PBC can provide new insights into the nature of these power shifts and tensions. To better understand them, this paper looks at the establishment of the PBC by analysing its genesis, advisory role and composition. Building on previous research on the PBC, the paper adopts a structural-institutional approach and extends the focus to the debate on geopolitical power shifts. The paper analyses relevant UN documents and speeches. It complements this analysis by expert interviews, and observations of meetings at the UN.

Power Shifts and the UN

Neorealism and neoliberalism are the two dominant theories that explain power in international institutions. The neorealist perspective conceives international institutions as instruments of states that use cooperation within institutions to maintain and maximize their power in the world. Institutions merely reflect the distribution of power in the world. Within the UN system, the UNSC, with the veto power of the permanent members (P5), represents this perspective.⁴ In contrast, the neoliberal perspective on the UN, with its emphasis on the principle of the equality of states, counterpoints the power politics represented by the UNSC.⁵ Neoliberal institutionalism

⁴ Mearsheimer, "The False Promise"; Jackson and Sørensen, *Introduction to International Relations*, 52.

⁵ Taylor and Curtis, "The United Nations."

explains international institutions as platforms of cooperation among states. Keohane assumes a decentralized system where states are indeed motivated to join international regimes because of power concerns and their national interests. Nevertheless, despite state interests, international institutions show a significant degree of cooperation.⁶

In the traditional post-Second World War system of global governance, the UNSC was mainly responsible for maintaining international peace and security. With their veto right, the P5 of the UNSC were given an exclusive monopoly in decision-making over issues related to the maintenance of international peace and security. Wight claimed that, in that way, the UNSC has acted as 'the Hobbesian sovereign of the United Nations' since it pursued the interests of great powers.⁷ This system is based on an understanding of power that reflects the victory of the P5 in the Second World War and their military strength. It was indeed held accountable for maintaining a stable international order. Nonetheless, the understanding of 'power' of states in international relations have changed since the Second World War. Today, the influence of member states within the UN is determined not only by their membership and veto right in the UNSC, but also by their political influence, financial contributions, geographical size, size of population, degree of diplomatic relations and contributions to peacekeeping personnel. The power of a state in international relations can include political, economic and military aspects – hard and soft power.⁸ Nye distinguished between power as the ability to possess, and power as the ability to influence and affect something.⁹ Since the end of the cold war, many states that have attempted to understand their power in economic or 'soft power' terms have increased their interests in having a greater share in the governance of international peace and security.

The discussion on shifts of economic and political power in international relations evolved mainly around and because of the growing influence of BRIC, the emerging economies of Brazil, Russia, India and China.¹⁰ Nye argues that power shifts occur not only as 'a power transition among states' but also as 'a power diffusion away from all states to non-state actors'. According to him, the contemporary power distribution is complex and three-dimensional. Military power remains unipolar, led by the USA, whereas economic power is multipolar with the USA, Europe, China and Japan as major players. Transnational non-state actors that cross borders outside of government control represent the third form of power.¹¹ Researchers observed how

⁶ Keohane, *International Institutions and State Power*.

⁷ Wight, *International Theory*, 34.

⁸ Nye, "Soft Power"; 'Part II' in Woods *Explaining International Relations*.

⁹ Nye, *The Future of Power*.

¹⁰ O'Neill, "Building Better Global Economic BRICs"; Zakaria, *The Post-American World*. With the inclusion of South Africa, BRIC was renamed to BRICS. Other countries are also considered as emerging powers. Murphy, *Rising Powers and the Future of Global Governance*.

¹¹ Nye, "Soft Power," xv.

the ‘weight’ of a state, such as financial contributions or political influence, determine voting, even voting through consensus, in international organizations. Due to a ‘weighted voting’, many states are excluded from effective decision-making, whereas powerful states dominate decisions and outcomes.¹² Both emerging state powers and non-state actors play an increasing role in international institutions.¹³

Within the UN, the process of power shifts is mainly noticeable in attempts to reform the UNSC. Especially the G4 countries (Germany, India, Japan and Brazil) agitate for a comprehensive reform of the UNSC.¹⁴ As emerging economies and as top financial contributors to the UN, the G4 states see their claims for permanent seats in the UNSC justified. Nevertheless, developing countries also seek an expansion in both the permanent and non-permanent membership of the UNSC. The L.69 Group of Developing Countries pursues this objective based on a greater representation of the developing countries, a representation of the developed states reflective of contemporary world realities, and an equitable geographical distribution.¹⁵ According to the L.69 Group, such a reform is needed as ‘to better reflect contemporary world realities, and achieve a more accountable, representative, transparent and more importantly a “relevant” Security Council’.¹⁶

The attempt to decrease the powers of the UNSC, especially the veto right of the P5, is nothing new in international relations. Already in 1950, the UNGA adopted resolution 377 (V) in a response to the veto of the USSR over decisions of the UNSC to protect the Republic of Korea against the aggression launched against it by North Korean military forces. In this resolution, the UNGA decided that,

if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security [...], the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary, to maintain or restore international peace and security.¹⁷

By adopting resolution 377, the UNGA showed that the P5 cannot prevent the UNGA from taking action necessary to restore international peace and security in cases where the UNSC has failed to exercise its primary responsibility. Resolution 377 provided a platform for the UNGA to overrule any vetoes of

¹² Johns and Pelc, “Who Gets to Be in the Room?”; Steinberg, “In the Shadow of Law or Power?”.

¹³ Weiss and Abdenur, *Emerging Powers and the UN*; Keck and Sikkink, *Activists Beyond Borders*.

¹⁴ Chaudhury, “India Changes Tack”.

¹⁵ UNGA, “Draft Resolution: Security Council Reform Process.” The L.69 Group is a group of 42 developing countries that seek a comprehensive reform of the UNSC.

¹⁶ Permanent Mission of Saint Lucia to the UN, “Statement by Ambassador Menissa Rambally.”

¹⁷ UNGA, “Uniting for Peace,” 10.

the UNSC. According to this interpretation, the 'primary responsibility' suggests that the UNSC is not *the only* body responsible for the maintenance of international peace and security. The UNGA could be seen as having the *shared responsibility* for matters of international peace and security. The intention of the UNGA to establish the PBC under its authority embodies this interpretation. As a body under the authority of the UNGA, in addition to the UNSC, the PBC exemplifies not only the attempts to reform the UNSC but also the efforts to limit the power of the P5.

The establishment of the PBC was part of a larger reform process of the UN, initiated by former UN Secretary-General Boutros-Ghali's *Agenda for Peace*.¹⁸ With this publication and with the summit of the UNSC, he also introduced the discussion on the UNSC reform. Kofi Annan continued in this discussion and presented his proposal in the report *In Larger Freedom*. In the report, he included the recommendations of the *High-level Panel on Threats, Challenges and Change* to establish the PBC.¹⁹ Berdal claimed that the creation of the PBC was part of Annan's reform process, which also included the UNSC reform.²⁰ Increasing self-confidence among emerging powers – based on financial and peacekeeping personnel contributions to the UN and the increase in the share of the world GDP of emerging economies – has encouraged many states to challenge the 'old system'. These shifts created conditions for attempts to enhance the role of other UN members in the area of international peace and security.²¹

Furthermore, this process included other institutional changes such as the creation of the Human Rights Council in 2006, which replaced the UN Commission on Human Rights, and the initiative to reform the selection procedure of the UN Secretary-General. In addition, the emergence of the Responsibility to Protect (R2P), which was endorsed by the UN at the 2005 World Summit, was central to the understanding of peacebuilding. R2P is based on the concept of human security which emphasizes the individual as the subject of security. The debates on human security and R2P called upon the UN to reconsider its approaches to peace and security.²²

¹⁸ Boutros-Ghali, "Agenda for Peace: Report of the Secretary-General," art. VI (55); II (21). Boutros-Ghali adopted the concept of peacebuilding from Galtung, "Three Approaches to Peace," 282–304. The UN understands peacebuilding as a practice of post-conflict reconstruction. Due to increasingly complex crises, peacebuilding is no longer an exercise that follows after peacekeeping, however. Many conflict situations require deployment of peace enforcement, peacekeeping, peacebuilding and other tools of crisis management simultaneously. Contemporary peacekeeping operations have become increasingly multidimensional, often including peacebuilding tasks. Bellamy, Williams, and Griffin, *Understanding Peacekeeping*; Gowan and Johnstone, "New Challenges for Peacekeeping."

¹⁹ UNGA, "In Larger Freedom."

²⁰ Berdal, "The UN Peacebuilding Commission."

²¹ De Carvalho and de Coning, "Rising Powers and the Future of Peacekeeping and Peacebuilding"; Wiharta, Melvin and Avezov, *The New Geopolitics of Peace Operations*.

²² Bellamy, *Responsibility to Protect*, 167–94; Baranyi, "Introduction: What Kind of Peace," 3–31.

Tensions in the Authority over the PBC

The Outcome Document of the 2005 World Summit, adopted as UNGA Resolution 60/1, established the PBC as an institutional, advisory and intergovernmental mechanism of the UN. The Outcome Document made the PBC a subsidiary body of the UNGA: it requested the PBC to 'submit an annual report to the General Assembly'.²³ This decision exemplifies a significant change in power distribution in the UN system. Whereas the UNSC has traditionally had the main responsibility over the maintenance of international peace and security, the PBC, which deals with peace and security issues, was established by this resolution as a body under the control of the UNGA. This would suggest the emergence of a new norm in international relations that reflects a more equal distribution of power among the UN member states. The Outcome Document envisioned the PBC as a UN body handling peacebuilding under the authority of the UNGA and not the UNSC.

Nonetheless, the decision of the World Summit was followed by UNGA resolution 60/180 and UNSC resolution 1645, both adopted on 20 December, a few months after the adoption of the Outcome Document.²⁴ These two identical resolutions changed the subsidiary function of the PBC by making it a subsidiary body of both the UNGA and the UNSC. The resolutions state that the Commission was established 'in accordance with Articles 7, 22 and 29 of the Charter of the United Nations'.²⁵ According to these articles, both the UNGA and the UNSC have the right to 'establish such subsidiary organs as [they] deem ... necessary for the performance of [their] functions'.²⁶

With these identical resolutions, the PBC became the first-ever subsidiary body of two different principal organs. Berdal correctly argued that putting the PBC under the authority of the two organs was not only an evidence of competing political interests among member states, but also led to bureaucratic tensions between the two principal organs. According to him, these tensions reflect a polarization between a group of developing countries represented through the G77 and a group of Western countries. Berdal also highlighted that the removal of conflict prevention tasks from the responsibilities of the PBC and the operational challenges were results of competing political interests among member states and UN organs.²⁷ On the one hand, the fact that the PBC is a subsidiary body of two different organs could be seen as an affirmative step towards a greater balance of power in the UN system. The

²³ UNGA, "2005 World Summit Outcome," 24.

²⁴ UNGA resolution 60/1 already established the PBC. However, resolutions 60/180 and 1645 are considered the establishing or constitutive resolutions since they operationalized the decision of resolution 60/1. UNGA, "Resolution 60/180"; UNSC, "Resolution 1645"; UNGA, "Draft Resolution Submitted by the President of the General Assembly."

²⁵ In addition to UNSC and UNGA, the PBC can also advise the Economic and Social Council (ECOSOC) and the Office of the UN Secretary-General. UNGA, "Resolution 60/180," 2; UNSC, "Resolution 1645," 2.

²⁶ UN, *Charter of the United Nations*, art. 22, 29.

²⁷ Berdal, "The UN Peacebuilding Commission".

two-fold subsidiary role of the PBC maintains a balance between the UNGA and the UNSC with regard to the responsibility in the maintenance of international peace and security. On the other hand, putting the Commission under the authority of these two principal organs could potentially decrease its effectiveness because of a conflict of interests between these organs. This was stressed by emerging economies such as India, Brazil, Argentina and Mexico, as well as other countries that wished the PBC to be established under the control of the UNGA. For instance, the representative of India's Permanent Mission to the UN argued that the establishment of the PBC as a body subsidiary to the two principal organs 'could give [it] a dual character in its organization and logical inconsistency in its working'.²⁸

Most importantly, both resolutions are very distinct from the initial Outcome Document. The establishment of a joint subsidiary body puts the UNSC on the same level with the UNGA, despite the fact that the Outcome Document, to which all countries agreed, does not mention this. At the same time, the resolutions tasked the UNGA with the governance of peace-building, which is a matter of international peace and security, despite the fact that the UNSC has 'primary responsibility for the maintenance of international peace and security'.²⁹ The idea of the UNGA reviewing the annual report on the PBC was seen by the P5 as a threat to the exclusive power of the UNSC over matters of international peace and security granted to it by the UN Charter. The P5 feared that the UNGA could gain overall control over the Commission.³⁰ The same day when the joint resolutions were adopted, the UNSC adopted resolution 1646. According to this resolution, the annual report submitted to the UNGA in accordance with the joint resolutions must also be submitted to the UNSC for an annual debate.³¹ Resolution 1646 was approved with 13 to 0 votes; Brazil and Argentina abstained. The non-permanent members in favour of the resolution were Benin, Denmark, Greece, Japan, the Philippines, Romania, Tanzania and Algeria.³² Only a few months before this resolution, these countries supported resolution 60/1.

Despite the fact that these states initially supported the establishment of the PBC under the UNGA, they changed their positions. At the same time, Japan, Benin, Algeria and the Philippines strongly highlighted the need to reform the UNSC.³³ Denmark and Tanzania maintain affirmative positions towards the

²⁸ UNGA, "66th Plenary Meeting," 9.

²⁹ UN, *Charter of the United Nations*, art. 24.1.

³⁰ A representative of the UK suggested that such a concern was justified due to the rights given to the UNSC by the UN Charter. Interview by author with a representative of the UK Permanent Mission to the UN in New York, 11 Dec. 2009. A similar conclusion could be drawn from Berdal's reference to Bolton's attempt to remove conflict prevention and development from the tasks of the PBC to place it under the control of the UNSC. Berdal, "The UN Peacebuilding Commission".

³¹ UNSC, "Resolution 1646," 1.

³² UN, "Security Council Resolution 1646 (2005)."

UNSC reform.³⁴ Romania had a different position. The representatives of Romania emphasized that the UNSC 'remains the critical UN body charting international relations on threats to global and regional security'.³⁵ Similarly, Greece reaffirmed the commitment to the primary role of the UNSC in maintaining international peace and security.³⁶ In the case of Romania, it was expectable that the country would not oppose the position of the UK and France in the UNSC at a time when it was preparing to join the EU. Japan, together with the G4 countries, was one of the proponents of the reform of the UNSC. Yet, Japan is influenced by the USA which supports Japan's interest in permanent membership in the UNSC.³⁷ Also, Japan expressed the fear that the Organizational Committee of the PBC could possess great autonomy in deciding on procedural rules of the PBC.³⁸

As far as the adoption of the identical UNGA resolution is concerned, the UK in its role during the EU Presidency played a crucial role in influencing the position of other EU member states.³⁹ The EU states did not express any concerns about the change in the subsidiary role of the PBC as, for instance, Brazil, Argentina or India did. The EU member states coordinate their voting at the UN. Although many EU states are in favour of a reform of the UNSC, they also enjoy significant privileges within the current system while maintaining a relatively strong share of the seats in the UNSC. Keeping the PBC under the responsibility of the UNSC could ensure a continued share of the EU in the control of UN peacebuilding. The EU as a whole is the largest financial contributor of the UN general budget and peacekeeping budget, as well as of the global development aid.⁴⁰

Different positions on the question of to whom the PBC is accountable emerged shortly after the adoption of the Outcome Document, despite the fact that the Outcome Document established the PBC as being accountable to the UNGA. There was considerable disagreement: The P5 favoured the concept of the PBC as a subsidiary body of the UNSC. In contrast, many countries favoured the PBC being accountable to the UNGA and ECOSOC. Several states presented different proposals on to which body the PBC should report and provide advice during the negotiations regarding resolution 60/180.⁴¹ Similarly as the majority of UNGA's resolutions, resolution 60/180 was adopted without a vote. The resolution was discussed in four separate

³³ UN, "Address by H.E. Mr. Junichiro Koizumi"; UN, "Address by H.E. Mr. Mathieu Kérékou"; UN, "Address by H.E. Mr. Abdelaziz Bouteflika"; UN, "Address by H.E. Mr. Gloria Macapagal Arroyo".

³⁴ UN, "Address by H.E. Mr. Anders Fogh Rasmussen"; UN, "Address by H.E. Mr. Benjamin William Mkapa."

³⁵ UN, "Address by H.E. Mr. Traian Basescu."

³⁶ UN, "Statement by H.E. Mr. Kostas Karamanlis."

³⁷ Hyde, "The State of U.S."

³⁸ UNGA, "Official Records: 70th Plenary Meeting."

³⁹ EU Presidency Statement, "United Nations General Assembly."

⁴⁰ EU member states jointly fund more than 40 per cent of the peacekeeping budget, 38 per cent of the regular UN budget, and more than 55 per cent of global development aid. UN, "Committee on Contributions"; EEAS, "The EU and the UN."

round-table sessions.⁴² Numerous countries raised concerns that these round-tables provided little chance to learn the positions of other states. When the resolution was presented, many countries were surprised by its outcome.⁴³

Statements of the member states suggest that those countries supporting the resolutions adopted in December worried about the significant power and autonomy that the PBC could have over peacebuilding. They saw the shifting of responsibility from the UNSC to the hands of other UN member states as an ambitious step. The adoption of joint resolutions and resolution 1646 confirms neorealist views: national interests shape decision-making processes in the UN. Powerful countries, in military and economic terms, seek to increase their power in the decision-making processes in the UN. From this perspective, it could be argued that the P5, and their supporters, succeeded in their quest for the control over the PBC. Nevertheless, as the third section of this paper demonstrates, the attempts by the powerful countries in the UNSC had only initial and limited effect in stunting the institutional design of the PBC.

Tensions in the Advisory Function of the PBC

UNSC resolution 1646 contradicts the proposal of the former UN Secretary-General Kofi Annan who argued that '[m]embers of the United Nations should be able at any stage to appeal for advice to the Peacebuilding Commission'.⁴⁴ The initial Outcome Document identifies the role of the Commission as to advise 'all relevant actors within and outside the United Nations'⁴⁵ involved in peacebuilding in a post-conflict country. The meaning of the advisory function of the PBC in the Outcome Document is that the Commission shall advise countries without imposing any recommendations. Later resolutions constrained the advisory role of the Commission to advising the four principal organs of the UN. According to common paragraph 12 of the founding resolutions, the PBC could be considered as an advisory body of the UNSC, the UNGA, the ECOSOC and the Office of the UN Secretary-General. Paragraph 12, which is not the part of the Outcome Document, states that these four bodies can ask for advice from the PBC.⁴⁶ This might portray a high degree of equality of principal organs in decision-making processes.

⁴¹ Permanent Mission of Denmark to the UN and Permanent Mission of the United Republic of Tanzania to the UN, "Letter to All Permanent Representatives."

⁴² Each cluster had a minimum of 40 states, following the principle of equitable geographical distribution. These sessions were closed to the media and the public. UNGA, "Resolution 59/291," 5.

⁴³ Some representatives argued that negotiations on the final version were restricted to 16 states – the club of powerful states. UN, "Sixtieth General Assembly Plenary Meeting."

⁴⁴ UNGA, "Addendum 2 to In Larger Freedom," 5.

⁴⁵ UNGA, "Draft Resolution: Security Council Reform Process," 24.

⁴⁶ UNGA, "Resolution 60/180," 4; UNSC, "Resolution 1645," 4.

Nevertheless, the level of influence on the advisory function of the PBC is not equal. The founding resolutions state, three times, that the PBC shall provide advice to the UNSC. Under paragraph 12(b) of the constitutive resolutions, the PBC shall establish its agenda based on requests for advice from the ECOSOC or the UNGA 'with the consent of a concerned Member State in exceptional circumstances [...] and with which the Security Council is not seized in accordance with Article 12 of the Charter'.⁴⁷ Similarly, according to paragraph 12(c) of the same resolutions, the request for advice can also come 'from Member States in exceptional circumstances on the verge of lapsing or relapsing into conflict and which are not on the agenda of the Security Council'.⁴⁸ Article 12 of the UN Charter states that the General Assembly shall not make any recommendations relative to the maintenance of international peace and security 'unless the Security Council so requests'.⁴⁹ According to paragraph 12 of the founding resolutions, this means that states which are currently on the agenda of the UNSC cannot be considered for peacebuilding unless the UNSC decides to remove them from its agenda. These include countries in which the UNSC is acting under chapter VI or VII. For instance, these are the countries in which peacekeeping operations are held, or countries which are the targets of sanctions under the UNSC resolutions.

Moreover, paragraph 16 of the founding resolutions states that, if a post-conflict country is on the agenda of the UNSC, 'the main purpose of the Commission will be to provide advice to the Council at its request'.⁵⁰ Paragraph 16 implies that the UNSC has the power to decide which country can be considered for peacebuilding. This means that ECOSOC and the UNGA are less influential in this aspect since they can request advice from the PBC on a country only if the UNSC allows it. While taking into account that most, if not all, post-conflict countries are on the agenda of the UNSC, this excludes states which are currently on the agenda of the UNSC from being able to seek the advice of the PBC. The powers granted to the UNSC in this paragraph make the countries that seek assistance of the PBC dependent on the will of the UNSC. This dismisses the initial meaning of the advisory function of the PBC according to which the PBC would advise countries without imposing any recommendations. Although the procedural rules of the PBC state that the PBC cannot intervene in a country against its will and that the consent of the government is required, it may be inferred from the founding resolutions that the consent of the country concerned is only needed in 'exceptional circumstances'.⁵¹ This could be misused by the UNSC which has the right to request advice on a country from the PBC.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ UN, *Charter of the United Nations*, art. 12 (1), (2).

⁵⁰ UNGA, "Resolution 60/180," 4; UNSC, "Resolution 1645," 4.

From this perspective, the UNSC, especially the P5, succeeded in constraining the role of the Commission to one of a subsidiary and advisory body of its own. The US Permanent Representative to the UN underlined that ‘the Peacebuilding Commission’s main purpose will be to provide advice at the Council’s request’.⁵² The Outcome Document does not include any reference to the PBC providing advice to the UNSC. This means that the conditionality under which the PBC is constrained to advise the UNSC was never considered in paragraph 98 of the Outcome Document. The UNSC could have significant incentives in controlling the work of the PBC. Only one month after the adoption of the establishing resolutions, the UNSC resolution 1653 underlined the potential importance of the PBC for the work of the UNSC in Africa.⁵³ The stabilization of the situation in this region is crucial for economic and political interests of both powerful states and emerging economies. Africa has become a significant destination for economic and agricultural investments of rising powers such as China and Brazil.⁵⁴ Controlling the activities of the PBC could be crucial for permanent members to maintain their influence in the region. Furthermore, the UNSC sought to continue to keep its primary role in maintaining international peace and security, including peacebuilding missions. This can be observed in the reaction of the UNSC to Annan’s proposal to establish the PBC. After the submission of Annan’s report *In Larger Freedom*, the UNSC issued a statement in which it ‘recalls its primary responsibility for the maintenance of international peace and security [and] ... considers post-conflict peacebuilding closely linked to its primary responsibilities’.⁵⁵

The UNSC sought to strengthen its position in peacebuilding. The P5 were concerned about the PBC being placed under the control of the UNGA. Giving specific responsibilities to the UNGA for the maintenance of international peace and security, which is the primary responsibility of the UNSC, might undermine the power of the P5. The US ambassador to the UN, John Bolton, intelligibly expressed this: ‘the Commission must take into account the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security’.⁵⁶ According

⁵¹ Ibid.

⁵² He also argued that

[t]he authority of the Security Council to decide whether and when the Commission should be asked to address such matters is important to ensure that the Council can effectively exercise its primary responsibility under the Charter for the maintenance of international peace and security.

UNGA, “66th Plenary Meeting,” 5.

⁵³ UNSC, “Resolution 1653”.

⁵⁴ Conflicts directly harm the interests of these states. For example, in 2008, Chinese oil workers were kidnapped in Sudan on several occasions. BBC, “China Workers Abducted in Sudan.”

⁵⁵ UNSC, “Statement by the President of the Security Council,” 1.

⁵⁶ UNGA, “66th Plenary Meeting,” 5.

to him, the PBC makes ‘an important contribution to the work of the Security Council to build sustainable peace in the aftermath of immediate threats to international peace and security’.⁵⁷

Nonetheless, even if it seems that the UNSC has legally the ultimate control over the PBC, in terms of practicalities, it is the UNGA that has more influence over the work of the Commission than the UNSC. The role of the UNSC is in deciding whether a country can be considered for the PBC. The influence of the UNSC mostly starts and ends at this point, however. It is the UNGA which oversees the functioning and regulations of the PBC. The UNGA has adopted a significantly higher number of resolutions regarding the work of the PBC than the UNSC. Moreover, the design of particular actions and their implementation is decided by different configurations of the Commission (see next section). Despite its limited autonomy, the PBC can act more independently in the field. In terms of operational implementation, the PBC is largely independent from the power of the UNSC.

The above examination suggests a tension between the principle of equality and power. The PBC reflects a power struggle between two different organs of the UN that oversee the PBC: the UNSC and the UNGA. This struggle reflects the contemporary international system. On the one hand, there is a traditional power-based approach to international relations, in which powerful actors have the most decisive role in the control over the maintenance of international peace and security. Within the international system, these powerful states exercise their power through the UNSC. It includes 15 states, among which the P5 are those that ultimately matter. They hold permanent membership and the veto right in the UNSC. This special status determines the five states as the most powerful states in the world. On the other hand, the UNGA represents the principle of international multilateralism, in which all states have an equal right to participate in decision-making processes on global issues. While establishing the PBC, the intention of the UNGA was to avoid that the Commission becomes just another tool for powerful states.

Tensions in the Composition of the PBC

The PBC operates in three main configurations: the Organizational Committee (OC), Country Specific Configurations (CSCs) and the Working Group on Lessons Learned. These principal configurations, together with the PBSO and the PBF form the PBA. The 2005 World Summit characterized the Commission as an intergovernmental body allowing all states concerned with a country on the agenda of the PBC to participate in decision-making processes by majority vote or by unanimity. The OC fulfils the intergovernmental function of the PBC. The role of this Committee is to develop an agenda for the

⁵⁷ Ibid.

PBC, including a plan for the Commission's activities and the Integrated Peacebuilding Strategies for peacebuilding missions. The OC is the main configuration of the PBC and oversees its activities, as well as its configurations. The Committee consists of 31 members: 7 from UNSC (including the P5), 7 from ECOSOC, 5 from the top 10 financial contributors to the UN budget, 5 from the top 10 military contributors to the UN peace missions, and 7 additional members to balance geographical biases, including countries elected by the UNGA, that have experienced post-conflict recovery.⁵⁸ CSCs address peacebuilding activities in a country that is on the agenda of the PBC and serve as its main interface with the government of that country. In addition to the members of the OC, each CSC includes relevant international organizations; countries in the region engaged in the post-conflict process or relief efforts; relevant regional and sub-regional organizations; financial, troop- and police-contributors; and UN representatives.

The membership in the PBC portrays several contradictions. First, even if the PBC was established with a view to promote the equality of all states, the P5 of the UNSC secured permanent membership in the OC. This position could be seen as an attempt of the P5 to possess direct control over the activities of the PBC. This intention was clearly expressed by the US Permanent Representative to the UN who argued that UN members must ensure that the PBC makes an important contribution to the work of the UNSC in building peace in the aftermath of immediate threats to international peace and security. According to him, the best way to prevent the backsliding towards war is to ensure that the UNSC 'is aware of all of the elements that are essential to achieving sustainable peace in a given nation, from immediate humanitarian assistance to transitional security, to [...] institutional building'.⁵⁹ This means that the P5 are guaranteed membership in the OC.

Paragraph 101(a) of the Outcome Document determines that seven members of the OC are from the UNSC. Common paragraph 4(a) of the founding resolutions adds that these seven members should be 'selected according to rules and procedures decided by the Council'.⁶⁰ This does not imply that the P5 of the UNSC should be guaranteed permanent membership of the OC. Nevertheless, the UNSC secured the membership of the P5 in the PBC in resolution 1646.⁶¹ Numerous countries expressed their deep concerns about the membership of the P5 in the Committee.⁶² They feared that the involvement of the P5 in the work of the PBC can negatively affect the effectiveness of particular activities of the body. For example, the Permanent Representative of India

⁵⁸ UNGA, "Resolution 60/180," 2–3; UNSC, "Resolution 1645," 2–3.

⁵⁹ UNGA, "66th Plenary Meeting," 5.

⁶⁰ UNGA, "Resolution 60/180," 2–3; UNSC, "Resolution 1645," 2–3.

⁶¹ As a result, the ten non-permanent members of UNSC have two seats only.

⁶² For example, Egypt, Mexico, Cuba, Venezuela, Brazil, India and Switzerland. UNGA, "66th Plenary Meeting," 11ff.

stressed that ‘this would limit the capacity of the other principal organs and actors to address peacebuilding activities in post-conflict situations’.⁶³

Second, the representation of member states could be seen as unequal and unfair in certain aspects. The fact that 7 members of the UNSC are selected out of the 15, whereas only 7 members of ECOSOC are selected out of the 54 and only 7 members of the UNGA are elected out of the 193 points to an unequal distribution of seats. It reduces the representation of the UNGA and ECOSOC in the Commission to an inadequate position. The OC also includes donor countries that constantly belong to the top contributors of assessed contributions to the UN budget, such as Germany, Japan and Norway, and thus were members of the OC several times.

Third, a contradiction can also be seen in the operating procedures of the PBC. The involvement of many actors can make it difficult to find consensus. The rule of consensus gives every member state a veto. For example, it took more than half a year for the OC to agree on procedural rules.⁶⁴ The records from the meetings of the Committee show that each country seeks to promote its own interests.⁶⁵ For instance, during a country specific meeting on Burundi, the representative of Mexico called for the prioritization of the fight against drug trafficking while highlighting Mexico’s profound experience in this area. The UK delegation stressed the need to focus on free and fair elections, and economic development. In contrast, the representative of Burundi claimed that these suggestions do not address main problems. He underlined that it is necessary to support local and national capacities in deciding on the strategies for their country.⁶⁶

Despite the contradictions, the composition of the PBC has several positive elements. It includes not only Western and powerful states but also non-Western countries. The OC usually consist of not more than ten ‘traditional’ Western states. The composition is also geographically balanced. The strong presence of states from the Global South counter-balances countries from the Global North, which was the aim of the G77 states. The representation from all regional groups is one of the procedural criteria of the PBC adopted by the Committee.⁶⁷ Geographical balance is ensured by the UNGA and ECOSOC. The distribution of the UNGA seats was used to offset geographical imbalances. Two seats were selected for Africa, one for Asia, one for Eastern

⁶³ Ibid., 10.

⁶⁴ Special Research Report: Peacebuilding Commission.

⁶⁵ This is visible in situations when the PBC decides on who is invited to the meetings of the CSCs. For instance, the French representative suggested that the *Organisation Internationale de la Francophonie* should be invited. The representatives from Brazil and Chile argued that NGOs should not take part in meetings. Brazil also questioned the participation of the European Commission. UN, “Summary Record of the 2nd Meeting,” paras. 16–24; UN, “Summary Record of the 5th Meeting.”

⁶⁶ Fieldnotes by author from the observation of the Informal Meeting of the CSC of the PBC on Burundi, New York: UN Secretariat, 14 Oct. 2009.

⁶⁷ UN, “Provisional Rules of Procedure,” 1–2.

Europe and three for the Group of Latin America and Caribbean Countries. The Western European and Others Group countries were not selected, since they held a disproportionately high number of seats.⁶⁸ ECOSOC decided that in addition to one seat per geographical group, one seat would go to Africa and one to Asia.⁶⁹ According to the founding resolutions, the members of the PBC elected by the UNGA and ECOSOC shall be countries that have experienced civil wars, ethnic conflicts or post-conflict situations. Such countries can significantly contribute to the design of peacebuilding strategies.

Also, the OC deals with organizational and procedural issues. It looks at peacebuilding situation in particular countries while designing rules, methods and strategies for the implementation of activities of the PBC, that is, peacebuilding missions that are led by the UN Department for Political Affairs. Since it is an advisory body, the PBC can only make recommendations and give advice. The final decision on the implementation of strategies can be done only if all actors involved in matters related to the PBC agree. The Commission has to consider specific needs of countries concerned. In comparison to the UNSC, which can be seen as unbalanced because of the veto of its five permanent members, the decisions within the PBC, including the OC, are based on consensus.⁷⁰ The P5 of the UNSC are involved in the decision-making processes and procedures of the Committee with same rights as other members of this committee.

The role of non-P5 states in the PBC is noticeable especially in CSCs. Each CSC is headed by a member state which takes on a leading role in coordinating policies and decisions for peacebuilding in the respective country on the agenda. The configuration chairs organize informal meetings and visits to the respective country. They agree on priorities and instruments of engagement with the host government. They are key international interlocutors for the government of the configuration country and an important international advocate on behalf of that country. This is a new approach in the UN system as member states are directly engaged in countries under consideration. The chairs of the configurations can thus influence priorities for countries on the agenda.⁷¹

The PBC provided many members of the PBC with an opportunity to influence the scope and nature of peacebuilding in countries on the agenda of the PBC. Within the principal configurations, members can influence norms, values and objectives in respective peacebuilding missions. The configurations provide members with opportunities for the promotion of values, priorities and interests that are important to them. Tryggestad observed that even a small state such as Norway can reinforce new ideas

⁶⁸ UNGA, "Resolution 60/261," 1–2.

⁶⁹ ECOSOC, "Resolution 2006/3".

⁷⁰ UNGA, "Resolution 60/180"; UNSC, "Resolution 1645."

⁷¹ Special Research Report.

and norms, in particular women's rights and the inclusion of civil society in peacebuilding. Norway influenced not only the deliberations, guidelines, procedures and identity of the PBC but also strategic objectives in peacebuilding missions.⁷² Japan, during its chairmanship of the OC, expanded the list of priorities of the PBC into resource mobilization and economic revitalization through private sector.⁷³ As the chair of the Sierra Leone configuration, Canada convinced other members to tackle youth unemployment as one of the priorities of peacebuilding.⁷⁴

Besides non-P5 states, international and regional organizations, global and regional financial institutions, as well as NGOs can participate in respective configurations of the PBC. The EU, the International Monetary Fund, the Organization of Islamic Cooperation and the World Bank can take part in all the meetings of the PBC. CSCs include regional and sub-regional intergovernmental organizations and financial institutions. NGOs are allowed to attend meetings of the PBC's configurations and contribute to the PBC's work by providing written advice to the PBC members and the PBSO. In addition, they may serve as members of the Joint Steering Committees, which oversees the PBF.

The composition of the PBC represents an increased involvement of non-UNSC members and an exclusion of the veto power of the P5 in the governance of peacebuilding missions, which would usually be under the responsibility of the UNSC. Nevertheless, a larger number of state actors involved in decision-making processes can bring fruitful results only if there is effective cooperation. The PBC can fulfil its role through the process of negotiation and coordination, especially within its configurations. As a result, the actual governance of the PBC, that is, the implementation of the actions of the PBC, is based on the principle of cooperation.

Conclusion

This paper analysed the establishment and structure of the PBC from the perspective of the changing distribution of international power. The analysis of the origins, advisory role and composition of the PBC reveals multiple tensions that reflect the geopolitical shifts of power in the UN system in relation to matters of international peace and security. The subsidiary role of the PBC reveals a tension between the UNSC and the UNGA in the overall control over the Commission. The examination of the structure and composition of the PBC indicates a power struggle between the UNSC and the UNGA in the exercise of authority over the PBC. On the

⁷² Tryggstad, "State Feminism Going Global," 464–82.

⁷³ Interview by author with an official of the PBC, New York, Dec. 2009.

⁷⁴ UN, "Summary of the Visit of H.E. Mr. Guillermo E. Rishchynski"; High Commission of Canada in Ghana, "Canada – Sierra Leone Relations."

one hand, the origins and composition of the PBC highlight the emerging importance of the equality of all states and the shift of power distribution among the UN member states. The intergovernmental function of the PBC serves these purposes. On the other hand, powerful states, in particular the P5, have attempted to use the PBC as a tool to exercise their influence. These states may constrain the subsidiary and advisory functions of the Commission to an instrument of their interests. Despite the fact that the intention of the UNGA was to make the PBC solely a subsidiary body of the UNGA, the UNSC also secured the same right to oversee the PBC. While the quest of the UNSC to seize the ultimate control over the PBC could be seen as a victory of the UNSC over the UNGA, the attempts by the powerful countries in the UNSC had only limited effect in controlling the PBC. Thus, the Commission can be perceived as a tool for different UN organs to promote their interests and visions on peacebuilding. This fundamental tension explains the PBC as a result of geopolitical power shifts which reflect internal struggles within the UN.

The process of the creation of the PBC was also characterized by significant tensions among UN member states. These tensions, and the consequent creation of the PBC reflect the current discussion on the reform of the UNSC. The increasing self-confidence of non-P5 member states of the UN, based on the economic, political and diplomatic aspects of their power, have encouraged many states to challenge the existing system. These processes have influenced the understanding of the concept of power within the UN – in this case in the area of the maintenance of international peace and security. Traditionally, power within the UN system has mainly been reflected by the results of the Second World War. This system does not correspond with the current situation in international relations. The understanding of power within the UN has moved towards the inclusion of other aspects such as economic strength and regional representativeness.

The multifaceted tensions in the question of authority over the PBC reflect the contemporary character of the international system, namely a tension between the principles of power and equality in world politics. On the one hand, the P5 are granted permanent membership in the OC of the PBC. In contrast, other members of the Committee can be elected for a period of one or two years. On the other hand, the OC also involves non-powerful states, elected on the principle of geographical equality, the experience in post-conflict situations and the level of financial and military contributions to the UN. Neither the UNSC nor the UNGA decides on the procedural and internal issues of the PBC but 31 states of the OC. The PBC thus represents a new form of governance that is based on multilateral decision-making processes rather than on exclusive decisions by the P5. This new form of governance corresponds with Nye's arguments of multidimensional

power distribution in world politics (see p.2). The PBC reflects the contemporary geopolitical power shift in international relations, namely that not only powerful states (where power is narrowly defined as military power), but also other states can be involved in decision-making processes in the field of international peace and security.

The 2015 review of the PBA reflects these shifts. The role of non-P5 states is visible in the membership of the Advisory Group of Experts on the 2015 Review of the UN PBA, in which only one member, namely France, is from a P5 country. In contrast, other UN committees, such as the High-Level Panel on Threats, Challenges and Change, or the High-Level Independent Panel on Peace Operations, included all the P5 members. The PBC offers non-P5 states and the UNGA an opportunity to get involved in decision- and policy-making on peacebuilding matters. Donor states, emerging powers as well as countries from the Global South have their stakes in the PBC. Moreover, international and regional financial institutions are important players in the Commission. In addition, the role of civil society in peacebuilding is taken into account by the PBC. The 2015 review recommends a regulated and structured consultation with civil society organizations. At the same time, the 2015 review refers to the crucial role of the UNSC in the governance of the PBC.

The tension between the principles of power and equality reflects a general conflict between the two dominant international relations theories: neorealism and neoliberalism. From a neorealist perspective, the creation, the subsidiary function and the advisory role of the PBC are seen as an attempt of powerful states, that is, the permanent members of the UNSC, to increase their influence over peacebuilding issues. From the neorealist perspective, other states represented by the UNGA and ECOSOC also seek to influence the procedures and work of the PBC in order to increase their power, yet with less success, due to the specific role given to the P5 in the overall decision-making processes of the PBC. In contrast, neoliberalism explains the creation and the origins of the PBC as a result of the interdependence of different actors in the current globalized world. The PBC in its intergovernmental function allows non-powerful states and non-state actors to participate in decision-making processes on issues of international peace and security. This reflects the emerging principle of equality and cooperation in matters of international peace and security, in particular peacebuilding.

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