



OFFICE OF THE PRESIDENT OF THE GENERAL ASSEMBLY
59TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

FAX TRANSMITTAL

DATE: 19 April 2005
TO: Communications Office
United Nations
Room S-2050A
FAX: 212-963-6313
FROM: Marianne Bibalou
Ambassador/Deputy Chef de Cabinet
Room C-204
FAX: (212) 963-3301
NUMBER
OF PAGES: 10 (including this page)

Kindly communicate the attached to all the Permanent Representatives
to the United Nations.

GENERAL ASSEMBLY
AFFAIRS BRANCH/DGACM
DATE RECEIVED: 20/4/05
INFO: IB, MK, RP, GZ,
SM. file

cc. M. Kelley
J. Botnaru



THE SECRETARY-GENERAL

19 April 2005

Dear Mr. President,

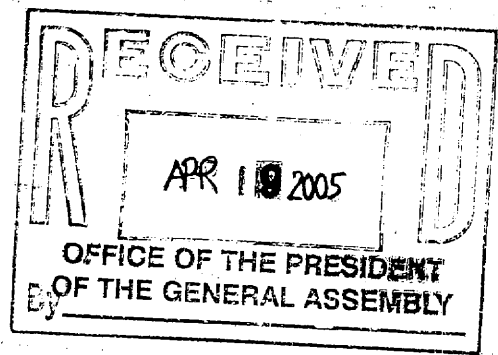
I have the honour to transmit the attached explanatory note regarding the Peacebuilding Commission as proposed in my report *In larger freedom: towards development, security and human rights for all* (A/59/2005).

I should be grateful if this note could be brought to the attention of the members of the General Assembly.

Please accept, Mr. President, the assurances of my highest consideration.

Kofi A. Annan

His Excellency
Mr. Jean Ping
President of the General Assembly
New York



Explanatory Note of the Secretary-General

Peacebuilding Commission

Background

In my report 'In larger freedom: towards development, security and human rights for all' (A/59/21 March 2005), I recommended that the Member States agree to the establishment of a Peacebuilding Commission, designed to fill an institutional gap in the United Nations. The United Nations has played a vital role in mediating peace agreements and assisting in their implementation, thereby helping to reduce the level of war in several regions. However, our record of success in mediating and implementing peace agreements is sadly blemished by some devastating failures. Indeed, several of the most violent and tragic episodes of the 1990s occurred after the negotiation of peace agreements — for instance in Angola in 1993 and in Rwanda in 1994. Roughly half of all countries that emerge from war lapse back into violence within five years. These two points drive home the message: if we are going to prevent conflict we must ensure that peace agreements are implemented in a sustained and sustainable manner.

Yet at this very point there is a gaping hole in the United Nations institutional machinery: no part of the United Nations system effectively addresses the challenge of helping countries with the transition from war to lasting peace. My 21 March report therefore proposed to Member States that they create an intergovernmental Peacebuilding Commission, as well as a Peacebuilding Support Office within the United Nations Secretariat, to achieve this end.

My own proposal modified that of the High-level Panel, based on reactions from Member States, particularly in terms of the appropriate role for the Economic and Social Council in addition to that of the Security Council, and the inappropriateness of the Peacebuilding Commission taking on an early warning function.

I am gratified by the very broad support that this proposal has received among Member States. I believe that achievement in this area would constitute a critically important step in the process of reform of the United Nations. At the same time, many Member States while accepting the proposal in principle have requested more detail about the functions of a Peacebuilding Commission. I stated in my 21 March 2005 report that I would provide a more detailed description of the possible functions. This explanatory note provides just such a description and suggests possible modalities.

I also stated previously that I would undertake further consultations with the international financial institutions. For reasons of timing, it has not been possible to conclude those consultations in advance of Member States' informal consultations within the General Assembly. I nevertheless want to reiterate the importance of full and active participation of the international financial institutions, in a manner appropriate to their governing arrangements, in the work of the proposed Peacebuilding Commission. Further consultations are planned, and I will keep the President of the General Assembly and his facilitators apprised as they progress.

Purposes of a Peacebuilding Commission

The Peacebuilding Commission must provide a central node for helping to create and promote comprehensive strategies for peacebuilding both in general terms and in country situations. It should encourage coherent decision-making on peacebuilding by Member States and by the UN's Secretariat, agencies and programmes. It should support – and not attempt to replace – effective country-level planning for recovery and peacebuilding. It must also provide a forum in which representatives of the United Nations system, major bilateral donors, troop contributors, relevant regional actors and organizations, the international financial institutions and the national or transitional authorities of the country concerned can share information about their respective post-conflict recovery activities, particularly as pertains to achieving coherence between the security/political and development/economic issues, in the interests of greater effectiveness.

The core of the work of the Peacebuilding Commission must be in its country-specific activities. Bringing together the critical actors, the Peacebuilding Commission can do four things: it can ensure that the international community as a whole is effectively supporting the national authorities; it can propose overall priorities, and ensure that those priorities reflect country-based realities; it can mobilize necessary resources, both for early priorities in recovery and in particular for sustained financial investment over the medium to longer term period of recovery; and it can provide a forum for ensuring coordination and resolving complications or differences where these emerge.

It could play a particularly important role by focusing attention and consolidating good practice on vital cross-cutting issues like demobilization, disarmament, reintegration and rehabilitation (DDRR), where effective programs must draw on the capacities and plans of actors across the full range of political-security-humanitarian-development activities.

Functions of a Peacebuilding Commission

- I. In the immediate aftermath of war, provide necessary information to the Security Council and focus attention on development and institution-building efforts necessary for recovery

In contexts where the Security Council is preparing a post-conflict operation, an early meeting of the Peacebuilding Commission could provide the Security Council with pertinent information about the availability of bilateral and financial institution funding for early peacebuilding activities relevant to the peacebuilding aspects of integrated missions.

The Peacebuilding Commission could also provide a mechanism through which donors could be encouraged to make specific, sustainable commitments to the financing of peacebuilding and recovery activities. It could help to ensure the speedy transition from relief-oriented financing to recovery and development oriented financing, and help to ensure adequate early attention to and financing for oft-neglected issues like building public administration capacity for the rule of law and the delivery of public services.

II. Help to ensure predictable financing for early recovery activities, in part by providing an overview of assessed, voluntary and standing funding mechanisms.

As planning for post-conflict operations is undertaken, or at the earliest stages of recovery, the Peacebuilding Commission could review a report that provides an overview of planned financing for peacebuilding through assessed, voluntary and standing funding mechanisms, giving both national authorities and the members of the Commission a chance to identify shortfalls and gaps.

Where gaps commonly occur, in the financing of early development activities and the recurrent costs of public administration, a Standing Fund for Peacebuilding could play a targeted and catalytic role.

III. Periodically review progress towards medium-term recovery goals.

At planned intervals (roughly two to four months after the establishment of an operation and then on a quarterly or semi-annual basis), the Peacebuilding Commission (in country-specific format) should meet to review progress towards medium-term recovery goals, especially in the areas of developing public institutions and laying the foundation for economic recovery. Carefully planned meetings of this type, drawing on information and analysis of the UN mission, country team and World Bank offices, could provide an opportunity to identify gaps in progress, areas where greater concentration of effort is required, funding gaps, and the like. Such meetings should not duplicate normal consultative group or similar in-country or country-based donor mechanisms, but should focus on critical links between the ongoing process of stabilization at the military/political level and the underlying process of recovery at the economic/financial/institutional level.

Such mid-course reviews could also provide a warning signal to the Security Council and to the international community as a whole if progress is not being made in consolidating the public institutions and the economic foundations for longer-term stability. In the absence of progress on these fronts, the Security Council has at times found itself in the position of not being able to remove peacekeepers or to take countries off of its agenda, for fear of instability and a relapse into conflict. The preferred solution of course is not longer-term duration of peacekeeping presences, but more intensive efforts at an earlier stage to ensure that when the military/security situation is adequately stabilized, peacekeepers can leave and the foundation is laid for continued stabilization.

IV. Ensure sustained financing of recovery and development activities and extend the period of political attention to post-conflict recovery.

The process of developing effective institutions for the rule of law, building state capacity to deliver public services, establishing a foundation for strong fiscal management and support to private sector activity – these activities normally take considerably longer than the average peacekeeping operation. One of the vital functions of a Peacebuilding Commission must be to ensure that the international community's political and financial attention to recovering countries – which are often fragile and at risk of renewed conflict – continues well past the normally brief duration of a peacekeeping presence. Working with the Economic and Social Council, the

Peacebuilding Commission could provide sustained attention as countries move from transitional recovery towards development.

The *ad hoc* post-conflict groups under the Economic and Social Council, formed over the past few years, constituted helpful efforts to perform this function. It is important that we learn from these, which could inform the workings of the Peacebuilding Commission and of ECOSOC. I do believe however that a standing body that draws at different stages on the authority of the Security Council and of ECOSOC will be able to provide a more powerful and consistent system of support.

V. Prevention

Countries that have been through war in the previous 5-10 years are at far higher risk than others of witnessing a relapse of war. Therefore, post-conflict peacebuilding is a critical form of prevention. It is not enough, however. Preventing wars from breaking out in the first instance is a core goal of the entire United Nations system.

Neither the Peacebuilding Commission nor Support Office should have an early warning function. There are other mechanisms in the United Nations for what has become known as 'operational prevention', i.e. the use of tools such as mediation and preventive peacekeeping, when conflict has become imminent or has broken out in a small-scale way. These are necessary parts of the United Nations and regional organizations' capacity, and should continue to be strengthened.

More relevant to the Peacebuilding Commission, however, is the issue of risk reduction. Members of the United Nations should be able *at any stage* to appeal for advice to the Peacebuilding Commission or for assistance from a Standing Fund for Peacebuilding. The Peacebuilding Commission and a Standing Fund for Peacebuilding can add an important dimension to the UN's preventive efforts by providing better tools for helping states and societies reduce the risk of conflict including by aiding their efforts to build state capacity, especially in the area of the rule of law.

VI. Develop best practice on cross-cutting peacebuilding issues

In issue areas that require extensive collaboration between political/military, humanitarian and development actors both within the United Nations system and without, the Peacebuilding Commission (in core membership format) could provide an important mechanism for regularizing best practice and agreeing on division of labour between the respective operational actors.

VII. Improve the coordination of the United Nations funds, programmes and agencies.

The establishment of a Peacebuilding Commission and Support Office can improve the coordination of UN missions and agencies in post-conflict operations in three ways. First, participation by the funds, programs and agencies in the work of the Peacebuilding Support Office will lead to improvements in planning, as specified below. Second, the various departments, funds, programs and agencies should participate in the Peacebuilding Commission

as part of a single UN team, lead by a senior official representing the Secretary-General; this too will strengthen a sense of common purpose and joint endeavor. Third, and most important, the Peacebuilding Commission should be used by its members to set common priorities together with the national authorities. This more than anything else can ensure that the various UN activities are financed according to common priorities not, as is too often the case, according to donor-specific or agency-specific priorities.

Functions of the Peacebuilding Support Office

For the above functions to work effectively and efficiently, a small but high-quality Peacebuilding Support Office will need to be established. The primary functions of the Peacebuilding Support Office must be three-fold:

- to prepare the substantive inputs for meetings of the Peacebuilding Commission, including by gathering and analyzing information from members of the Peacebuilding Commission about their respective peacebuilding activities and financial commitments;
- to provide high-quality inputs to the planning process for peacebuilding operations, working with lead departments, UN field presences and others;
- to conduct best practices analysis and develop policy guidance as appropriate.

Staff of the Peacebuilding Support Office should have expertise in post-conflict strategy development, in several of the substantive areas that form the core of the civilian aspects of post-conflict peacebuilding, and in donor mobilization. The Office should pull together a small team with experience of reconstruction at the national level, experience across the range of the UN system, and exposure to the work of other institutions such as the international financial institutions and regional organizations. As noted in my 21 March report, I believe that the Peacebuilding Support Office should contain a dedicated Rule of Law unit.

Standing Fund for Peacebuilding

Several potential donors have expressed strong interest in making contributions of new funds for peacebuilding efforts. I believe a Standing Fund for Peacebuilding to be essential. One option would be the establishment of a voluntary, replenishable fund. Were it in existence, it could provide critical, targeted support to nascent authorities and to early peacebuilding activities. It could help provide sustained attention of the UN system beyond the normal cycle of peacekeeping. And it could provide national authorities with vital support to strengthening institutions of the rule of law, national reconciliation processes and similar in efforts to reduce the risk of conflict.

I will work in the coming months to solidify potential commitments to such a Fund. Any fund should have accountability mechanisms that conform to the highest available standards.

Institutional Structure

As noted in my 21 March report, I believe that the Peacebuilding Commission would best combine efficiency with legitimacy if it were to advise the Security Council and the Economic and Social Council in sequence, depending on the state of recovery. Simultaneity should be avoided because it will create duplication and confusion.

The institutional structure of the Peacebuilding Commission should not alter the formal prerogatives of the principal organs of the United Nations. If the proposal for sequential reporting to the Security Council and the Economic and Social Council is agreed, these two bodies would have to work together to identify the modalities for transition between the two. While a given country is on the agenda of the Security Council the work of the Peacebuilding Commission would have to remain within the purview of that body. However, one of the purposes of the Peacebuilding Commission should be to ensure that (a) adequate early work in transitional recovery is undertaken and that (b) the Economic and Social Council has a predictable, effective mechanism for continued support so that early transition from the Security Council is possible. In such matters, the views of the national authorities should be taken duly into account.

Membership

As noted in my 21 March report, the Peacebuilding Commission would be most effective if its core membership comprised a sub-set of Security Council members, a similar number of Economic and Social Council members, the major donors to a standing fund for peacebuilding, or representatives of the donor community, and some leading troop contributors. The total number of core members should be small, perhaps between 15 and 20 members. Members should have expert knowledge of the issues. It should work by consensus.

In its country-specific operations, the Peacebuilding Commission should involve the national or transitional authorities as appropriate, relevant regional actors and organizations, troop contributors, where applicable, and the major donors to the specific country. The participation of international financial institutions is vital. I have started discussions with them to determine how best they can be involved, with due respect for their mandates and governing arrangements.

The participation of regional organizations is vital. Clearly, regional organizations should participate in the country-specific meetings as appropriate.

United Nations participation should reflect the dual (and at times contradictory) goals of (a) improving coordination within the system and (b) ensuring that development actors participate more fully in the deliberations of the UN's political/military processes. I believe this can best be accomplished if UN participation in the Peacebuilding Commission is at all times led by a single senior UN official representing the Secretary-General, accompanied by other departmental or agency colleagues as relevant. Of course, the Secretary-General remains responsible and accountable to the membership for the overall coordination and coherence of the UN system.

Modalities

It is too early to tackle the question of modalities in any detail. If the idea of sequential reporting to the Security Council and the Economic and Social Council is adopted, the Peacebuilding Commission will have to work out modalities with those bodies.

Some early ideas about modalities may be useful however. First, in listening to member states deliberations about the proposed Peacebuilding Commission, it seems clear that the Peacebuilding Commission should be advisory in nature. It should provide ideas and inputs to the work of the Security Council and of the Economic and Social Council and interface directly with the Secretariate on peacebuilding matters. With the right participation, the Peacebuilding Commission's outputs, albeit advisory, would likely carry substantial political authority and have an important impact on the work of its members and others.

Second, I believe that the core members of the Peacebuilding Commission should meet infrequently, perhaps on a quarterly basis. As core members, they could undertake such functions as reviewing and endorsing best practice in particular issue areas like DDRR, and commissioning independent or internal evaluations. The core membership, together with the bodies with whom it will work, will have to identify appropriate arrangements for chairmanship both of the core bodies and of country-specific meetings (which might usefully vary, providing opportunities for those most actively engaged in supporting post-conflict efforts in a given case to lead those efforts.)

Third, as suggested in the functions above, I believe that the country-specific meetings of the Peacebuilding Commission might usefully happen at regular intervals: prior to the establishment of the civilian part of a mission, or at early stages in the planning process – in this phase, meeting fairly frequently; and at later stages of recovery, meeting at regular intervals (perhaps quarterly or semi-annually) to assess progress.

Fourth, as noted briefly in my 21 March report, I believe that the Peacebuilding Commission should be creative in adopting modalities that allow for flexible participation by national actors, field-based representatives, mission representatives, and capital-based representatives, as appropriate. This could involve different kinds of representation within core and country-specific meetings; use of video-conferencing and related technologies to allow for field-based participation; and meetings outside of New York, either in Geneva, the capital city of countries chairing specific sessions, or in the country or region under consideration.

As part of the overall process, I believe it would be valuable if there were regular, independent evaluation of peacebuilding activities. Several bilateral donors and international financial institutions have instituted regular, rigorous evaluation practices. Within the UN system, the humanitarian community has gone farthest in regularly subjecting its operations to rigorous external evaluation. I believe this practice could usefully be adopted by the Peacebuilding Commission.