

# The United Nations At Sixty: Getting Serious With Conflict Prevention?

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The article assesses the results of the UN-Summit of September 2005 in the field of conflict prevention capacity, human security and the strengthening of the security-development-human rights nexus as the necessary elements for a shift from reaction to effective prevention. It is argued that although the concept of conflict prevention has been strengthened by the Summit Outcome Document, the shift needs to be consolidated and implemented through a concrete Action Plan on Human Security and Conflict Prevention. Without further concrete specifications and clear criteria for implementation, the general endorsements of the concepts of “human security” and the “responsibility to protect” risk to remain ineffective.

## 1. State Failure: New Challenges for UN Capacities for Conflict Prevention

### 1.1 The new Security Environment

In contrast to the situation when the United Nations was founded, most wars now take place within states rather than between them. The violent demise of former Yugoslavia and the genocide in Rwanda underlined the urgency for improving the global capacity for conflict prevention. The internal wars in Darfur/

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Sudan and the DRC continue to test the ability of the international community to prevent human atrocities. The Failed State Index, which is based on a thorough analysis of twelve indicators, currently lists 20 States as extremely vulnerable to internal conflict, ten of which are already showing serious signs of state failure<sup>2</sup>. But international involvement can make a difference. Although evidence to that end is still largely circumstantial, the 2005 Human Security Report shows that increased involvement by the United Nations has contributed to the decline in conflicts since the end of the Cold War (Commission on Human Security 2005, p.155). But the focus on reaction is not only less effective, it also is more expensive than successful conflict prevention. According to the Carnegie Commission on Preventing Deadly Conflict, in the 1990's the international community spent \$ 200 billion on conflict management in seven major interventions (Bosnia and Herzegovina, Somalia, Rwanda, Haiti, the Persian Gulf, Cambodia and El Salvador) but could have saved \$ 130 billion through a more effective preventive approach (Carnegie Commission 1997). To play an effective role in preventing the new kind of wars, the UN faces unprecedented challenges: how to operationalize the responsibility of the international community to protect populations in internal wars, how to mainstream preventive policies into development, humanitarian and governance assistance, and how to harness the important role of regional organizations and civil society for robust partnerships of prevention and peacebuilding on the ground?

## 1.2 New Conceptual Approaches

In response, at least in three major fields related to prevention, the UN proved its capacity of creative leadership.<sup>3</sup> Highlighting the link between development and disarmament, it recognized the important overall preventive impact a general reduction of military spending would exert worldwide. The UN Conference on the Relationship Between Disarmament and Development in 1987 and the final report of the Governmental Expert Group on the subject in 2004 stressed the preventive effect of disarmament measures for development (United Nations 2004b). Yet, the intellectual leadership was not translated into action by Member States. After the end of the cold war, the international community did not reap the aspired "peace dividend".

<sup>2</sup> The study was conducted by Foreign Policy and the Fund for Peace in July/August 2005 and is available at [http://www.foreignpolicy.com/story/cms.php?story\\_id=3098](http://www.foreignpolicy.com/story/cms.php?story_id=3098) (accessed 16 February 2006). The ranking is based on twelve social, economic, military and political indicators.

<sup>3</sup> Jolly/Emmerij/Weiss, 2005, provide a thorough analysis of the UN capacity in this respect.

Despite this setback, the UN continued to play an important role in the efforts to mainstream conflict prevention. It promoted three influential new concepts which are reflected in the 2005 World Outcome Document: “human security”, operational and structural prevention and the “responsibility to protect”.

In 1994, UNDP initiated a fundamental conceptual shift in thinking about security by articulating the concept of human security in its Human Development Report (United Nations Development Programme 1994, p. 3). It was promoted by a group of states from all regions with leading role played by Canada and Switzerland establishing the Human Security Network, and Japan, with UN backing, setting up the independent Commission on Human Security. It defined the concept as a new security paradigm that complements state security and aims to achieve both freedom from fear and freedom from want by the protection of individuals and communities (Commission on Human Security 2003; Bosold/Werthes 2005, p. 84). The UN established an Advisory Board on Human Security within the UN Office for the Coordination of Humanitarian Affairs (OCHA). While both initiatives differ in the extent to which broader root causes of conflict should be covered, their main thrust is to advance the capacity of the international community for preventing violent conflicts (Krause 2005, p. 1; Brzoska 2004, p. 156).

In 1994 former US Secretary of State Cyrus Vance and the President of the Carnegie Cooperation David Hamburg established and co-chaired the Carnegie Commission on the Prevention of Deadly Conflict. In its Final Report published in 1997 under the title Preventing Deadly Conflict (Carnegie Commission 1997; Hamburg 2002), the Commission introduced the distinction between operational and structural prevention<sup>4</sup> and made recommendations on strengthening the capacity of the international community in both fields, focusing on the United Nations as the primary global body responsible for prevention. The Commission’s work had a considerable impact on the reform efforts of the UN with Secretary-General Kofi Annan<sup>5</sup> taking the lead to instill the need for a shift of the Organization from “a culture of reaction to a culture of prevention”. He invited the Commission to present the report to the first-ever retreat of the Security Council with prevention as the central topic. The High-level Panel Report of 2004 added a third category known as “systemic prevention” by emphasizing regulatory regimes for prevention such as the Kimberley Process for conflict diamonds.

<sup>4</sup> Carnegie Commission 1997; for a critique of this distinction see Luck 2002 p. 259.

<sup>5</sup> Annan, 1999a. Annan’s predecessor *Boutros-Ghali* also supported the Carnegie Commission with his three major reports *An Agenda for Peace*; *An Agenda For Development*; and *An Agenda For Democratization* all pointing in the direction of conflict prevention, Hamburg 2002 p. 311.

The concept of the responsibility to protect arose after heated discussion about the legality of “humanitarian intervention” in Kosovo. Traditional international law did not provide satisfactory answers to the dilemma of intra-state crises and the need for prevention of crimes against humanity. While there was a consensus that the international community could not stand on the sidelines in cases of genocide, there was no agreement on when, how and by whom intervention can be justified. UN Secretary-General Annan therefore repeatedly challenged the UN to tackle these questions. In September 2000, the Canadian government launched the International Commission on Intervention and State Sovereignty. Its report entitled “The Responsibility to Protect” (2001) called for a shift of the debate, which should focus on a responsibility to protect rather than a right to intervene. This is more than a change in rhetoric, since it goes beyond the duty of the state concerned to protect its population from grave human rights violations by postulating criteria how and when the international community has a duty to act, if the state concerned fails to meet its obligation. As a main element it clearly spells out a primary “responsibility to prevent”, which lies with both the individual states and the international community as a whole.

### 1.3 Translation of the new Concepts into UN Action prior to the 2005 Summit

The new concepts were also translated into action by the UN prior to the 2005 World Summit, signaling a new preventive thinking within the UN organs and agencies, although structural deficits remained. But the steps initiated were impressive.

The most prominent advocate for conflict prevention within the UN has been its current Secretary-General Kofi Annan. In June 2001 he presented his first comprehensive report on the prevention of armed conflict (Annan 2001), drawing heavily on the Carnegie Commission’s distinction between operational and structural prevention. Highlighting conflict prevention as one of the primary obligations of Member States set forth in the UN Charter, it put forward ten guiding principles for the future approach of the United Nations to conflict prevention, in particular the need for national ownership, a comprehensive preventive strategy encompassing both short-term and long-term measures, effective prevention partnerships of the UN, regional organizations, governments and civil society, and for mainstreaming and cross-sectoral approaches in conflict prevention. In November 2001 in his first major speech after 9/11 Kofi Annan declared conflict prevention as one of four priorities of the UN’s future work.

In 1998, the UN set up its Department of Political Affairs and its Policy Planning Unit. It was to serve as the focal point during the operationaliza-

tion of preventive practice through a newly established Prevention Team and a Trust Fund for Preventive Action. A new Executive Committee on Peace and Security was given the task of bringing development and security strategies to bear on prevention in an integrated manner. Similar to the World Bank's establishment of a Conflict Prevention and Reconstruction Unit, UNDP was upgrading its Emergency Response Division into a Bureau of Crisis Prevention and Recovery, thus advancing the preventive role of development actors. New tools and mechanisms were developed, such as the Framework for Coordination, a headquarters-based coordination mechanism involving various departments, agencies and funds, and the "Common Country Assessments" developed by UNDP in collaboration with the UN Development Group in order to mainstream conflict prevention in development programs and governance assistance (United Nations Development Programme 2001). Furthermore, in November 2003 UNDP and DPA set up a joint program on building national capacities for conflict prevention in seven countries in danger of conflict. In 2000, an inter-agency task force was sent to West Africa to develop preventive partnerships with ECOWAS. Peace-building support offices were established in Liberia, Guinea-Bissau, the Central African Republic and Tajikistan to integrate peacebuilding and prevention efforts. The early warning role of the UN Office for the Coordination of Humanitarian Affairs (OCHA) was reaffirmed by giving OCHA a clear mandate to collect and analyze data that hint at possible humanitarian crises and to bring such cases to the attention of the Security Council. Interaction of all UN organs with regional organizations and civil society on conflict prevention steadily increased.<sup>6</sup> In September 2003, the Secretary-General stated in his interim report on prevention that efforts should be consolidated, inter alia through mobilizing and building of partnerships for conflict prevention (Annan 2003). The Security Council established a working group on conflict prevention and resolution in Africa in 2002 which, among other things, was pressing for a closer relationship between the Security Council, ECOSOC and the African Union, particularly with its new Peace and Security Council. ECOSOC in turn set up ad hoc advisory groups on countries emerging from conflict (Burundi, Guinea-Bissau and Haiti) to enable strong coordination among development partners, including the international financial institutions. On the occasion of the tenth anniversary of the Rwandan genocide on April 7, 2004, the Secretary-General presented his "Plan of Action Against Genocide" and appointed the renowned Argentine human rights lawyer Juan Mendez as his Special Adviser on the Prevention of Genocide. Also in April

<sup>6</sup> Annan 2001; s. also the reports on the multi-year project of the International Peace Academy on conflict prevention in Wermester 2003, p. 375; Sriram/Wermester 2003 pp. 14-16.

2004 during its presidency in the Security Council, Germany organized a first-ever thematic debate of the Council on the role of business in conflict prevention. While addressing the negative impact of unjust and illegal exploitation of resources in causing or worsening conflicts, it also highlighted the potential positive effect the private sector can play in helping countries to recover, for example by offering employment opportunities to former combatants.

A first systematic prevention effort with regard to the illicit spread of Small Arms and Light Weapons (SALW) was the adoption of the UN Program of Action on SALW in 2001.<sup>7</sup> Germany initiated a Resolution entitled “Consolidation of Peace Through Practical Disarmament Measures” which the General Assembly adopted by consensus in December 1996 (United Nations General Assembly 1996). It established the Group of Interested States in Practical Disarmament Measures (GIS) with the purpose of advancing and financing projects on SALW, in particular collection and destruction of surplus weapons as well as peace education targeted at conflict prevention and peacebuilding in Africa. In 2004 the GIS agreed to open itself for active participation of civil society. In view of the upcoming 2006 SALW review conference the UK proposed tighter export and import controls and standards for limiting exports to conflict or crisis regions through a legally binding Arms Trade Treaty (Benn 2005, p. 7). Shaping multi-stakeholder partnerships between the UN, regional organizations and civil society in the critical field of Demobilization-Disarmament-Reintegration (DDR) of ex-combatants, the UN Special Adviser for Africa in cooperation with the government of Sierra Leone and the support of Germany, Finland and Sweden launched a multi-stakeholder process aimed at establishing common standards for effective DDR-programmes as part of peacebuilding and prevention in Africa.

All these measures justify the positive assessment that in the past five years the UN’s prevention and peacebuilding work has become “more systematic, more sophisticated and less ad hoc” (Dress 2005, p. 116).

#### 1.4 Remaining Challenges

In assessing the actual impact of the new approach, an often cited success in prevention was the “preventive deployment” of EU peacekeepers under UN mandate in Macedonia in 2001. However, recent test cases such as Darfur, Haiti and the Democratic Republic of Congo point to the continued lack of coherence and political will of Member States in using the UN’s prevention repertoire.

<sup>7</sup> Full title of the programme: United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects 2001.

In the case of Darfur/Sudan it took several months just to put the atrocities there on the agenda of the Security Council, although their scale was well documented. In April 2004, the German Presidency of the Council held a so-called Arria formula meeting inviting civil society organizations to report to Council members on the situation on the ground. A joint visit (a first) by the UN High Commissioner for Human Rights and the UN Special Adviser on Genocide to Darfur and a more vigorous US position – the US Senate had just declared the Djanjaweed campaign in Darfur as genocide – helped to overcome opposition of Russia and China against Security Council action regarding Darfur. However, because of their reluctance and political tangling it took yet another eight months to have the Council adopt urgently needed targeted sanctions and to refer the situation in Darfur to the Prosecutor of the International Criminal Court (United Nations Security Council 2005a). Neither fully respected in regard to the Sudanese government nor to the rebels, the arms embargo still lacks effective implementation.

The case of Haiti shows that –similar as Rwanda– negotiated peace settlements do not prevent the relapse into conflict, even if the UN is involved in monitoring and peace-keeping. In Haiti, ten international peace operations between 1994 and 2004 were not able to bring about lasting peace and build the foundations for sustainable peace – the spread of small arms was not decisively tackled, national institutions were not able to uphold the rule of law and former combatants were not effectively reintegrated into civil society. These shortcomings, among others, led to a relapse into conflict within three years after the mandate of the International Civilian Support Mission in Haiti (MICAH) had elapsed and required another costly intervention, whose success is still far from clear. However, the UNDP and DPKO have begun to address these shortcomings and have recently developed “joint programmes” in crucial areas like DDR and the rule of law, beginning with Haiti and Sudan (Malloch Brown 2005, p. 37).

In the Democratic Republic of Congo, the close cooperation between the UN and the EU in preventing a deepening crisis is partly encouraging. The rapid deployment of EU troops (operation ARTEMIS) in summer 2003, only two weeks after the request by the Secretary-General, is probably a record in the deployment of troops at the request of the UN. However, while having some impact, the presence of international peacekeepers was and remains too weak. It could not prevent further bloodshed in parts of the DRC, and rebels in Ituri even attacked blue helmet personnel.

Thus, while first necessary steps have been taken, a clear political commitment for conflict prevention in the 2005 Summit Outcome Document, coupled with structural reform within the UN and its agencies was expected and required to overcome the remaining lack of coordination, coherence and political will.

## 2. National, Regional and Global Prevention Efforts

### 2.1 National Initiatives

National governments and regional organizations stepped up their respective preventive capacities as well. Many governments have established focal points for conflict prevention and peacebuilding.

In Germany, on the initiative of civil society and with the support of the German parliament, in May 2004 the Federal Government adopted an “Action Plan on Civilian Crisis Management, Conflict Prevention and Peacebuilding” (Auswärtiges Amt 2004; Debiel 2004; Marauhn 2004). It set up an inter-ministerial structure with a focal point for conflict prevention in every relevant ministry, coordinated by a Federal Commissioner for Conflict Prevention and Peacebuilding. In addition, it “institutionalized” participation of civil society by inviting representatives to the new Advisory Council on Conflict Prevention and Peacebuilding. Key objectives of the Action Plan are to enhance Germany’s support for an effective and comprehensive multilateral prevention strategy with reformed United Nations capacities at its core. The adoption followed a series of measures initiated by the coalition government of Social Democratic and the Green Parties since 1998 to develop an overall strategy for civilian crisis prevention, conflict resolution and peace consolidation as part of a forward-looking peace policy. The Centre for International Peace Operations (ZIF) was established in 2002 for systematic training and recruitment of “peace personnel” – inspired by the US Peace Corps – both for conflict prevention and peacebuilding. The government-supported Research Institute for International Affairs held several high-level workshops on strengthening the UN capacities for prevention, peacekeeping and peacebuilding (Kuehne / Meier-Klodt / Meinecke 1997). The Bonn International Center for Conversion (BICC), a private non-profit organization supported by the government of North Rhine-Westphalia, undertakes research in the field of peacebuilding, conflict resolution and prevention to promote the transformation of military-related processes and assets for civilian purposes.<sup>8</sup> In Bosnia and Afghanistan, Germany has acquired extensive experience in providing civilian police and in helping the nascent state authorities in setting up national police as part of the international peacebuilding and rule of law efforts. Given also Germany’s emphasis on conflict prevention aspects in its development assistance programs

<sup>8</sup> The 2005 yearbook (Bonn International Conversion Centre 2005) gives an excellent overview of recent conversion-related developments and is a good example of BICC’s work.

(for example, a strong GTZ role in financing and developing standards for DDR programs; DED programs for capacity-building in crisis prevention in developing countries) it could play an important role in the interface of the developmental and security nexus of conflict prevention and thus in the new Peacebuilding Commission.

It is necessary to build on and enhance these first steps. As proposed in the Action Plan, the Federal Government should explore the setting up of joint funding instruments, or launch a central or several thematically linked conflict prevention funds (Debiel et al. 2005, p. 11; Debiel 2004, p. 293, Weller et al. (eds.) 2004, p. 19). Such a joint undertaking by the relevant ministries for conflict prevention would enhance Germany's effectiveness on the ground and allow the Government to make rapid and substantial contributions to the new Peacebuilding Fund as well as to the UN Conflict Prevention Fund. The "lighthouse projects" designated by the Inter-Ministerial Committee should, if necessary, be supported with this objective in mind. A further priority of Germany's prevention policy should be to make the Civil Peace Service of ZIF established in 2003 a permanent civilian prevention capacity of specially trained police officers, judges, customs and tax officials, legal experts and administrators both for EU and UN use. These highly trained experts would then also be available for quick preventive deployment, forming a civilian rapid response capacity.

In Sweden, in 1999 under the leadership of then State Secretary Ian Eliasson, who now serves as the President of the 60th Session of the UN General Assembly, the government adopted an action plan for preventing violent conflict (Preventing Violent Conflict – A Swedish Action Plan 1999). Regarding sustainable financing of conflict prevention, Switzerland, the UK and Norway can claim an avant-garde role. Norway created a special fund for preventive action. The United Kingdom has adopted a comprehensive prevention policy based on innovative funding arrangements in 2001, establishing two Conflict Prevention Pools (Debiel 2004) which, in 2003/4, received 44 million pounds for preventive interventions in Africa (Benn 2005, p. 6). Conflict prevention is also mainstreamed into much of the traditional country development programming including quick impact projects. Examples are DFID's preventive focus in Nepal and its comprehensive peace-building efforts in Sierra Leone in support of preventive regional initiatives in West Africa through ECOWAS.

Japan, Switzerland and Canada have adopted far-sighted and financially buttressed preventive policy priorities to foster human security. The Prime Minister of Japan, Koizumi, and the Foreign Minister, Machimura, underlined Japan's strong support for the concept of human security as a key security strategy during the 2005 Summit. Switzerland set up a Department for Human Security in the Foreign Ministry and earmarked considerable funds to sup-

port preventive projects in the United Nations. It also established the Swiss Expert Pool for Civilian Peacebuilding. Canada's policy of conflict prevention forms part of a comprehensive „foreign policy for human security“, focusing on the control of small arms, peacebuilding, the protection of children and the economic dimensions of conflicts (Canada Department of Foreign Affairs and International Trade 2004). Consequently, Canada is a leading participant in the certification scheme of the Kimberley Process to tighten controls over the trade in „conflict diamonds“ (Ballentine / Nitzschke 2005).

In the US, in 2004 the Bush jr. administration created a new office within the State Department. According to his Head, Ambassador Carlos Pascual, the Office of the Coordinator for Reconstruction and Stabilization should enhance US capacity to respond effectively to evolving crises around the world in concert with the international community and make conflict prevention a routine element of policymaking (Krasner / Pascual 2005, p. 154).

## 2.2 Regional Cooperation

National efforts alone are not sufficient. One of the main difficulties in peacebuilding and conflict prevention is the lack of coordination and cooperation between the numerous actors. The development ministers of Germany, Norway and the Netherlands recognized this deficiency and consequently formed the Utstein Group in July 1999. The group, which now also includes the development ministers of Sweden and Canada, identified conflict prevention as one of its key action points. The Overview Report of the Joint Utstein Study of Peacebuilding gave clear recommendations on both the establishment of intervention strategies for specific situations and for devising a general peacebuilding strategy for donor governments, focusing on the necessary mainstreaming of prevention principles in development and humanitarian assistance (Smith 2004).

Among regional organizations, the EU and the AU are becoming forceful prevention actors. As Louis Michel, the European Commissioner for Development and Humanitarian Assistance notes (Michel 2005, p. 59), the EU assistance (making up more than half of the global ODA) should increasingly be used to make the strongest possible impact on prevention. To some extent, this has already been introduced into practice. In 2001, the Goteburg European Council adopted a programme for prevention of violent conflicts, and the European Security Strategy of 2003 formally recognized conflict prevention as a centerpiece of EU foreign policy. The EU Council Secretariat and the Commission established civilian and military prevention units to ensure integrated planning and better coordination between all actors involved in peacebuilding efforts. Additionally, rapid reaction forces – so-called “battle groups” – are formed, which will provide the EU with a capacity to react before an

emerging conflict has escalated into a (civil) war. Recognizing the increasing potential for effective cooperation, in 2003 the UN and the EU adopted a Joint Declaration aiming at strengthening cooperation in the fields of prevention, peacekeeping and peacebuilding.

Important progress in building peacebuilding and conflict prevention capacities was also made in Africa, thanks to the cooperation between the African Union and other relevant actors, such as the EU. The EU has provided funding for a Peace Facility for Africa aimed at conducting peace missions operated by Africans themselves. But deficiencies remain, as can be seen from the inefficiency of AU peacekeepers in Sudan. Therefore, the call of the 2005 World Summit for a ten-year plan for African capacity building is to be welcomed. The plan should be urgently elaborated and implemented.

### 2.3 The Contribution of Civil Society

Civil Society has become a valuable partner for prevention and peace. The Millennium Summit was preceded by an NGO Forum at UN Headquarters, which played a crucial role in shaping the Millennium Development Goals and proposing, among other things, to establish a standing UN Peace Force to prevent conflicts (Roche 2003 p. 148). In his landmark report of June 2001, UN Secretary-General Annan, a strong advocate of “citizen diplomacy”, invited civil society to hold an international conference on the role of CSO in the field of conflict prevention (Annan 2001, para. 147). This led to the formation of the Global Partnership to Prevent Armed Conflict (GPPAC) and culminated in the “Global Conference From Reaction to Prevention: Civil Society Forging Partnerships to Prevent Violent Conflict and Build Peace” on 19 – 21 July 2001 at the UN in New York. It was prepared by the European Centre for Conflict Prevention through a worldwide process involving nearly one thousand local CSOs and individuals. In the run-up to the conference, GPPAC adopted the Global Action Agenda on the Prevention of Armed Conflict which was based on Regional Action Agendas previously agreed at Fifteen Regional Conferences.<sup>9</sup> The Global Action Agenda makes specific recommendations for operationalizing the effective inclusion of local CSOs in robust partnerships for conflict prevention. The Conference also welcomed the initiatives for People Building Peace (Tongerren / Brenk / Hellema / Verhoeven 2005; Evans 2005, p. 121) as successful examples of effective prevention partnerships. It called for systematic cooperation of the UN, in particular the Security Council (inter alia through a formalization of the Arria Formula) and the Peacebuilding Commission, and regional organizations and governments with CSOs on the ground.

<sup>9</sup> The first draft was elaborated by Barnes 2005, p. 7.

### 3. Preparation, Outcome and Follow-up of the 2005 Reform Summit

#### 3.1 Preparation of the 2005 Reform Summit

Strengthening the preventive capacities of the UN system was one of the main features of two leading reports in preparation of the World Summit. The High-level Panel Report of December 2004 entitled “A more secure world: Our shared responsibility” (United Nations 2004a; Varwick, in this issue) identified state failure as one of the major new threats to collective security in the 21<sup>st</sup> century and proposed to set up a new Peacebuilding Commission with a strong preventive mandate from the outset. One of the core functions of the Commission should be to render “proactive assistance” in preventing countries from sliding towards State collapse (United Nations 2004a, para. 264). In his own report entitled “In Larger Freedom” submitted in preparation of the World Summit on 21 March 2005 and in a specific Explanatory Note on the Peacebuilding Commission dated 19 April 2005 (Annan 2005a; Annan 2005b), Secretary-General Kofi Annan also suggested an important preventive role for the PBC, allowing a Member State to appeal for advice to the Commission *at any stage*.

In addition, a number of States launched concrete initiatives aimed at integrating Conflict Prevention in the UN reform debate. For example, building on a previous Swedish initiative, Germany and Switzerland formed a Group of like-minded States on Conflict Prevention in December 2004. Its main purpose was to emphasize conflict prevention as a central priority of UN reform, to engage Member States in a dialogue with civil society and GPPAC prior to the September Summit and to advance the conflict prevention and human security agenda in a systematic follow-up of the reforms. A further input was made by a US-led NGO initiative, the Global Action to Prevent War, at a high-level seminar in Cuenca, Spain in March 2005 with a proposal to establish a UN Emergency Peace Force, which was supported by Democrats in the US Congress.

#### 3.2 Assessing the Results of the Summit

While the Summit results remain behind expectations, the Heads of State and Government succeeded in undertaking some of the suggested far-reaching reforms both regarding the institutional fabric of the organization – by setting up a new Peacebuilding Commission and a Standing Police Unit – as well as the strengthening of UN capacities for operational and structural conflict prevention. The Outcome Document underlined the need to strengthen UN capacities

regarding mediation and “good offices” and the role of the Special Adviser on the Prevention of Genocide, the need to enhance the contribution of women in conflict prevention and peacebuilding, and the importance of the protection of children in armed conflict. It also recognized for the first time both the concept of the “responsibility to protect” and of “human security”.<sup>10</sup> However, the entire arms control and non-proliferation agenda was completely left out, the illicit spread of small arms and light weapons only received a passing reference and the need to end impunity fell victim to last minute opposition by some non-aligned Member States. Also, the crucial role of civil society should have been highlighted more specifically.

The 60th General Assembly set another strong preventive mark by also adopting a special resolution on conflict causes in Africa, expressing its support for Africa’s ambitious goal of achieving a conflict-free Africa by the year 2010 (United Nations General Assembly 2005b), and by establishing a new Central Emergency Response Fund.

### 3.3 The Peacebuilding Commission

The decision to establish the Peacebuilding Commission (PBC) (United Nations General Assembly 2005c, para. 97) fills the gaping hole in the UN institutional structure which so far lacked a body that has the capacity to deal with specific peacebuilding cases in a comprehensive way and in all phases from the initial stages of peacemaking through conflict resolution and post-conflict reconstruction and development (Stedman 2005, p. 51). The fast resolution of remaining differences and the quick establishment of the PBC is encouraging.<sup>11</sup> Unfortunately, the preventive mandate of the PBC as well as its nexus to development policies remain weak. A clear reference to a preventive role was opposed by some non-aligned states fearing intervention in their internal affairs.

A further controversial issue was the line of authority of the future Commission. The proposal in the Explanatory Note provided for sequential reporting first to the Security Council and in the later stage of reconstruction to ECOSOC (Annan 2005b, para. 25). The US initially insisted that the PBC

<sup>10</sup> United Nations General Assembly 2005c; on its speedy implementation with regard to mediation and “good offices” s. Gambari 2005.

<sup>11</sup> It took only three months to resolve remaining differences, the PBC was finally established before the end of the year (United Nations General Assembly 2005a; United Nations Security Council 2005a). While at the time of writing (February 2006) difficulties among troop and financial contributors in deciding upon the exact composition have hindered it from starting its work, it is expected that these remaining difficulties will be solved within a few months.

should clearly be under the authority of the Security Council. To salvage a compromise the issue together with the open question of the composition of the PBC were referred to further negotiations. Without a compromise on the PBC, the Summit would have lacked any progress on institutional reform. However, after protracted negotiations, the General Assembly and the Security Council, in concurrent resolutions on the modalities of the PBC in December 2005 (United Nations General Assembly 2005a; United Nations Security Council 2005a), solved all outstanding issues.

In post-conflict situations on the agenda of the Security Council, it will be the main purpose of the Commission to provide advice to the Security Council. Regarding membership, in addition to the permanent members plus two elected members of the Security Council and five of the ten top troop contributors, five of the ten top financial contributors will be members of the Organizational Committee of the PBC. In addition, seven members elected by the Economic and Social Council and seven elected by the General Assembly will also sit on the Committee for renewable terms of two years. Fortunately, the Co-Chairs of the negotiations, Denmark and Tanzania, succeeded in re-introducing a preventive purpose at least in “exceptional circumstances” on the request of a Member State “on the verge of lapsing or relapsing into conflict”. As a major innovation, the PBC directly links the international financial institutions and other international donors, such as the European Union and regional banks, to the peacebuilding work of the United Nations, inviting them to participate in its meetings. Thus, for the first time, it brings the financial deciders and the decision-makers on peace and security together in one body, laying the basis for coherent and sustainable financing of post-conflict state building, security sector reform and reconstruction.

### 3.4 The Responsibility to Protect

The Outcome Document includes a political endorsement of the concept of the “responsibility to protect” of each state to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and also spells out the willingness to act through the Security Council, when national authorities fail to meet their obligation and peaceful means prove to be inadequate. A number of non-aligned Member States, who feared that it might be used as a pretext to interfere in their internal affairs, initially opposed mentioning the concept. The US rejected a stronger reference to a (legal) obligation for the international community to act, since this would limit the Council’s discretion in exercising its mandate. For the same reason, it was not possible to include language that would have requested or invited the five permanent members, as originally proposed by the Secretary-General, to refrain from using their veto in cases of genocide or other similarly grave human rights violations. Equally

disappointing is the fact that it was not possible to signal an end to impunity for perpetrators of such atrocities in the Outcome Document. In that respect, much will depend on the success of the International Criminal Court.<sup>12</sup>

The concept can only be effective if all actors not only recognize a responsibility to protect but if states and individual actors can also be held accountable if they fail to act. The recognition of the need to allow the international community to intervene as a last resort in situations of genocide and massive human rights violations is clearly linked to the issue of proper authority, in particular a mandate by the Security Council, thus rendering a reform of the Security Council to make it more representative and enhance the legitimacy of its decisions even more urgent (Pleuger 2005, p. 2; Rittberger, in this issue). Two Security Council debates following the 2005 Summit made further progress on conflict prevention, but also showed the limits of forging closer partnerships with civil society. At the meeting of the Security Council on 14 September 2005 at highest level, a resolution was adopted at the initiative of the African members of the Security Council, with the purpose of strengthening the UN and AU capacities for conflict prevention, inter alia. through preventive diplomacy and close monitoring of regions at risk (United Nations Security Council 2005c). On 20 September 2005, the Security Council held, for the first time ever, a thematic debate on the role of civil society in conflict prevention and the pacific settlement of disputes, calling for a more frequent and fruitful exchange of views between the Security Council and civil society. Although China opposed a strong reference to civil society, the Council for the first time referred explicitly to the so-called “Arria-formula” expressing its intention to strengthen its relationship with civil society (United Nations Security Council 2005b).

#### 4. Strengthening the Prevention Triad: Operationalizing the Security-Development-Human Rights Nexus

The main challenge for the international community remains: To strengthen the prevention triad of security, development and human rights. In October 1999, Secretary-General Kofi Annan already set the benchmark in this respect in his speech entitled “Development is the Best Form of Conflict Prevention” at the World Bank by emphasizing that human security, good governance, equitable development and respect for human rights are interdependent and mutually reinforcing (Annan 1999b). The Director of the Millennium Project Jeffrey

<sup>12</sup> That the case of Sudan was referred to the ICC by the Security Council is particularly encouraging in that respect.

Sachs, in his Report “Achieving the Millennium Development Goals” released in January 2005 (United Nations Millennium Project 2005, Messner, in this issue), highlighted the central importance of the Millennium Development Goals for international efforts to end violent conflict, instability, and terrorism. It reflected the growing recognition of the development-security-human rights nexus, and of the importance of an integrated strategy that overcomes artificial distinctions between security and economic development. Conflict theory has exposed the problems of traditional development policy connected to the inevitability of clientelism that engenders deceptive and precarious forms of stability. Many proposals have been developed to bring together security and development.<sup>13</sup> With the Outcome Document and the GPPAC Global Agenda, the international community now disposes of a practical roadmap to fully operationalize this vital nexus in practical steps on the ground. Of these recommendations, the various actors should in particular take the following measures for creating an “infrastructure for peace” and setting a priority framework for the new PBC (Dress 2005; GPPAC Conference July 2005):

- Mainstream conflict sensitive and preventive approaches into country assistance strategies, including common country assessments;
- Make capacity building for prevention and peaceful conflict resolution a top priority for all actors: (1) enhance coordination of the UN system with IFI’s in conflict prevention capacity building (2) consolidate and widen the Joint UNDP/DPA Programme on Building National Capacity for Conflict Prevention; (3) support the proposal for a 10 year Action Plan for Capacity Building of the African Union on Prevention and Peacekeeping; (4) create civil society-initiated regional centers and robust partnerships to monitor potential conflicts and respond in time through preventive diplomacy and cross-border initiatives (5) strengthen local capacities and culturally appropriate strategies for conflict prevention and resolution through autonomous and self-directed local, national and sub-regional networks (6) prioritize security sector reform as probably the most critical and sensitive area of institution-building in failed states and post-war situations;
- Create focal points for prevention and peacebuilding in UN Country teams. The Resident Coordinator/Special Representative of the Secretary-General should establish advisory councils involving local civil society;
- Develop multifunctional integrated peace operations with coherent and integrated mandates and leadership of all peacebuilding, peacekeeping and

<sup>13</sup> For details on these proposals cf. Anderson 1999; Sriram 2003, p. 3; Tschirgi 2003; Spear 2005, p. 91; Michel 2005, p. 59; Jäntin 2005, p. 76; Debiel 2002 p. 6; Debiel 2004.

humanitarian efforts within a country with priority for the protection of civilians and vulnerable groups;

- Establish human security as a guiding principle for domestic and foreign policy with an integrated approach and pooling of resources for prevention and peace-building, possibly with inter-agency focal points and consultation mechanisms with civil society and regional organizations;
- Develop a timetabled plan to reduce military budgets and direct more resources to address the causes of conflict and to promote human security;
- Implement with local communities integrated programmes of disarmament, demobilization, reintegration and rehabilitation which should be adequately funded and strengthen these through Weapons for Development programmes for illicit SALW;
- Negotiate a comprehensive arms trade treaty for conventional weapons.

## 5. Outlook

### 5.1 The Impact of the Responsibility to Protect

Effective prevention in fulfilling the responsibility to protect requires a consonant development of the conceptual and legal foundations of the international community. The trend to grant the international community some legal status (Paulus 2001; Tomuschat 1999; Wolter 2006a) will be strengthened by a shared international responsibility to protect when the state concerned fails or is unwilling to protect its population. Legal responsibilities go hand in hand with legal rights, which in the case of a responsibility to protect would mean that the international community (but not third States!) has a corresponding duty to prevent, and, only if these efforts fail, also to intervene (humanitarian intervention). The latter is not so innovative as it may seem, since such a possibility already exists under Chapter VII of the UN Charter – the Security Council may identify ethnic cleansing, genocide and other severe human rights abuses as threats to international peace and security and deal with them accordingly, as it has done in the cases of Somalia and Haiti. However, what is lacking is a consensus that clearly identifies when and how the Security Council has to act. The responsibility to protect as developed by the ICISS may prove to be the way forward on this issue. It introduces clear criteria on when and how the Security Council has to act on behalf of the international community. This would limit the Security Council's wide discretion, thus increasing pressure on it to fulfill its role. Additionally, its focus on prevention may help to

marshal resources and political will for preventive action. It is thus regrettable that the criteria developed by the ICISS are not fully spelled out in the Outcome Document.

The responsibility to protect will also feed on the ongoing change in the conception of national sovereignty in the era of globalization.<sup>14</sup> It has to be buttressed by theoretical foundations of global governance strengthening the arguments that the new “interventionist” powers belong to the international community as represented by the United Nations and not to individual states. The concept of a New Sovereignty (Chayes / Chayes 1995; Cranston 2004) with its main purpose in compliance with international regulatory regimes may be harnessed for the theory of prevention overcoming traditional strictures of the non-interference doctrine and building the foundation for an international regime of effective conflict prevention. This regime should contain an agreed set of equitable criteria and procedures of engagement, defining the scope of accepted measures and giving guidelines for constructive follow-up measures. Without such a theory, the concept risks delusion, diversion or worse hijacking by hegemonic powers. More radical approaches calling for permanent shared sovereignty in cases of failing or collapsing states (Krasner 2004, p. 85) are susceptible to abuse. Permanent shared sovereignty runs counter to the need for national ownership and is likely to lead to disappointment, resentment and eventually violence by those who feel locked out from power. Attempts to broaden the concept into a general interventionist security doctrine, as proposed by Feinstein and Slaughter (Feinstein / Slaughter 2004), undermine the authority of the UN system and illustrate the danger inherent in such a changed perception, they have to be resisted (Evans 2004).

## 5.2 Further Action

To follow-up the results of the September Summit and taking into account, among other things, the Global Agenda for the Prevention of Armed Conflict adopted at the GPPAC Conference, the Secretary-General will shortly present a new report on conflict prevention as mandated by the GA at its 56th session. This report should aim at operationalizing the shift from reaction to conflict prevention, making it the centerpiece of the renewed United Nations. The Group of like-minded States should then draft a new General Assembly resolution to mandate the necessary institutional, operational and structural implementation of the September Summit in the area of conflict prevention. The 61st session of the General Assembly in autumn 2006 would be an appro-

<sup>14</sup> For an overview of the changing perception of sovereignty and a critical review of recent concepts, cf. Nolte 2006 and Dicke 2000, p. 13.

priate moment to adopt such a resolution. As suggested by GPPAC (GPPAC Conference July 2005; Dress 2005, p. 149; Wolter 2006b), the United Nations could devote a special summit meeting in 2010 on conflict prevention and human security. The summit should engage in an inter-sectoral dialogue among UN agencies, Member States and CSOs and adopt a Global Action Plan on Conflict Prevention and Human Security with the following central elements:

- Promote peace planning and respective resource allocation on a global level (as opposed to current military planning by the leading powers);
- Provide coherent financing of operational conflict prevention and peacebuilding: review progress of the PBC and its \$ 250 million standing fund for peacebuilding and, if necessary, redirect focus on conflict prevention. The PBC should provide technical assistance to member states in developing and implementing programs for capacity-building in conflict prevention and dispute resolution;
- Mandate a special donor meeting on conflict prevention and peacebuilding to develop a technical cooperation approach to conflict prevention and avoid overly “projectized” and “donor-led” approaches; promote community funds;
- Develop conflict-sensitive guidelines to increase transparency about the source of funds and funding priorities;
- Strengthen early-warning capacities of the UN, *i. a.* independent information gathering and analysis and intelligence, and of regional and sub-regional organizations, in particular for Africa;
- Promote “Weapons for Development”-Programs;
- Create a standing UN peace force comprising both civilian police and troop units recruited on a voluntary basis.

These measures would enable the PBC, the Security Council and development agencies to apply effective preventive policies. The PBC should take a proactive role in addressing also emerging conflicts. The reforms will have to stand the “power test” (Luck 2002, p. 257) and prove that Member States and the UN system follow the new priorities, for example by fully financing all elements of DDR programmes, alter the pattern and direction of their UN contributions e.g. by pledging for the new Peacebuilding Fund, and follow through the new operational initiatives e.g. by setting up efficient focal points for prevention. Then, in cooperation with regional organizations, IFI’s and civil society, the UN and its new PBC have the potential to break the cycle of violence that affects so many regions.

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