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## Background Brief for the Global Policy Dialogue on Preventive Action, Sustaining Peace, and Global Governance

حوار السياسات العالمي حول الاجراءات الوقائية، إستدامة السلام و  
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يلخص موجز الخلفية هذا التحديات المرتبطة بالإجراءات الوقائية ، استدامة السلام ، والحوكمة العالمية إضافة إلى  
الاستجابات ومبادرات الإصلاح العالمية والإقليمية الحالية؛ مع إيلاء الاهتمام لمنطقة الشرق الأوسط  
الكبير

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## I. Overview

This **Background Brief** summarizes major global policy challenges associated with the theme of preventive action, sustaining peace, and global governance; current global and regional responses (including by United Nations Secretary-General António Guterres); and major global and regional institutional reform initiatives. Special attention is given to initiatives that are most relevant to challenges faced within the Greater Middle East. It concludes with discussion of a possible informal network or “community of practice” to advance a peacebuilding innovation agenda between now and 2020, the 75<sup>th</sup> anniversary of the United Nations. The Background Brief is designed to inform discussions at the Center for Conflict and Humanitarian Studies of the Doha Institute for Graduate Studies, the Stimson Center, and the Doha Forum’s **Global Policy Dialogue on Preventive Action, Sustaining Peace, and Global Governance** (17 December 2018), timed to coincide with the 18<sup>th</sup> edition of the Doha Forum from 15 to 16 December 2018 (*See Annex A below for Facilitators’ Guidance for the Working Groups on R2P, Post-Conflict Peacebuilding, and the Peacebuilding Commission/International Criminal Court at the Global Policy Dialogue*).

From Afghanistan, Iraq, and Syria to Libya and Yemen, major ongoing conflicts across the Greater Middle East continue to cause immense human suffering and material damage, embroiling countries politically, economically, socially, and militarily. Among the multiple root causes of violence are weak governance structures, radicalization, an influx of foreign terrorist fighters (including Daesh and Al-Qaeda), and regional political polarization, as well as low levels of socio-economic development and environmental factors. In seeking to help local actors manage and address the root causes of violent conflict across the Greater Middle East, global and regional bodies—including the United Nations, World Bank, and the Arab League—have applied political, economic, and social assistance approaches and tools. Together with Middle Eastern countries and extra-regional partners, these bodies seek to transform local conflict dynamics in an effort to build more stable, prosperous, and resilient states and societies. They are also instrumental in fulfilling the international community’s 2005 commitment at the United Nations to the “Responsibility to Protect” (R2P) norm, including the Responsibility to Prevent and Rebuild.

In conflict-affected states and regions worldwide, large gaps in security, justice, and governance are readily identified but hard to fill. Multiple, concurrent, and recurring intrastate conflicts, exploited by international terrorist and criminal organizations, have reversed the declining global trends in political violence witnessed since the end of the Cold War, fueling refugee movements and human suffering, particularly in the Greater Middle East. At the same time, the growing roles of women, civil society organizations, and businesses, whose voices are amplified through modern communications technologies, offer new opportunities for effective peacebuilding and governance reform and renewal, and transitional justice. Responding to these threats, challenges, and opportunities, the Albright-Gambari Commission, Doha Regional Dialogue on Sustaining Peace, and UN Secretary-General António Guterres (*see Annexes B, C, and D below*), among others, have offered a range of insights and well-designed proposals to inform deliberations at this Global Policy Dialogue on Preventive Action, Sustaining Peace, and Global Governance.

The **Global Policy Dialogue**, beginning with a focus on state fragility and preventing and responding to violent conflict (with special reference to the Greater Middle East), is a key vehicle to spur the formation of a network or community of practice for global governance renewal, innovation, and reform, using current reform proposals as points of departure. The meetings will seek to:

- **Establish broad areas of consensus on priority reform innovations** vis-à-vis a specific regional-global governance policy challenge, informed by, for example, proposals found in the reports of Albright-Gambari Commission on Global Security, Justice & Governance (2015) and the Rudd Independent Commission on Multilateralism (2016).
- **Provide fresh ideas and perspectives**, as well as help to build greater regional and global support, for the implementation of the **United Nations Secretary-General’s report, “Peacebuilding and Sustaining Peace”, and the UN/World Bank report, “Pathways for Peace.”**
- To engage a loose network of organizations and individuals committed to growing a **coalition of states and non-state actors interested in achieving critical reforms within the UN system**, in particular by 2020, the United Nations’ 75<sup>th</sup> anniversary.

The global policy dialogues will consider these and other ideas for better responding to the causes and consequences of recurring violence and weak states. The meeting at the Doha Institute’s Center for Conflict and Humanitarian Studies will give special attention to conflicts in the Greater Middle East (including Afghanistan, Iraq, Syria, Libya, and Yemen) and the need for enhanced cooperation and coordination between the United Nations and regional organizations, particularly in fulfillment of the international community’s 2005 normative commitment to a “Responsibility to Protect/Prevent/Rebuild” (a subject that remains under-discussed in the Greater Middle East region). It will also consider how to best group and approach diverse non-state actors in the region, including violent extremist groups.

Subsequent Policy Dialogues on “Global Security, Justice & Economic Institutions” and the “Global Climate Governance Architecture” will follow in June 2019 at the Stimson Center in Washington, D.C. and in November 2019 in Seoul, respectively. Together, the three-part series aims to advance a global consensus around several of the best recommendations for improving international responses to deadly conflict and weak states, challenges inherent in the hyperconnected global economy, and runaway climate change. A new knowledge-based **Platform on Global Security, Justice & Governance Reform** (please visit: <http://www.globalsecurityjusticegovernance.org/>) will communicate activities to advance such innovative reform ideas in the run-up to the September 2020 UN Leaders’ Summit.

The global policy dialogues’ “theory of change” is rooted in the conviction that greater results can be achieved when (1) individual states and non-state actors recognize that their priority issues or institutional reforms can benefit from a global systemic, coalition-supported effort; (2) greater opportunities arise for deal-making and exploiting linkages between issues; and (3) momentum for reform is, therefore, generated and sustained. Balanced attention toward gaining the confidence of powerful “insiders,” including the UN Secretary-General, and powerful “outsiders” from civil society, the media, and the business community, will be a hallmark of the **development of new knowledge and advocacy networks utilizing the new Platform**, each critical to leveraging institutions and individuals with the ability to affect changes in global governance.

## II. Major Global Policy Challenges to Preventing Violent Conflict and Sustaining Peace, with special reference to the Greater Middle East

The world today faces a critical moment in terms of preventive action, sustaining peace, and global governance. It is a time of increasing challenges but not of increasing capacity and capital to meet them. Examples in the Greater Middle East include the interventions and ongoing conflicts in Afghanistan, Iraq, Libya, Syria, and Yemen as well as the aftermath of the Arab Spring more generally. Moreover, as noted by the Albright-Gambari Commission, the “problems of fragile states and their ‘ungoverned’ spaces (that is, areas under the control of private militias, terrorist groups, or no one in particular) are not just domestic.”<sup>1</sup> Instead, these problems “tend to cascade disorder into neighboring states. They can be used as transit zones by drug or human traffickers and are prone to having their resources looted for international markets.”<sup>2</sup> At the same time, areas where progress seemed within reach are now also questioned, among them the Joint Comprehensive Plan of Action (also known as the Iran Nuclear Deal), from which the United States has withdrawn.

### **Box 1:**

#### **Key numbers on global violent conflict.**

- Global Peace Index has deteriorated for the past four years, driven by increased levels of conflict in the Greater Middle East
- Economic impact of conflict and violence in 2017 was \$14.76 trillion
- Global military spending in 2017 is at \$1.7 trillion, rising again after a period of stagnation
- Four of the ten least peaceful countries in the world are in the MENA region
- 65.5m forcibly displaced people in the world

Sources: GPI, UNHCR, SIPRI

It is particularly worrying that recent statistics show a reversal of trends in violence. According to the 2018 edition of the Global Peace Index (GPI), that index has deteriorated for the last four years, and for eight of the last eleven years.<sup>3</sup> The 2018 GPI reveals a world in which the tensions, conflicts, and crises that emerged in the past decade remain unresolved, especially in the Greater Middle East, resulting in this gradual, sustained fall in peacefulness.

According to the GPI, in 2017 the economic impact of conflict and violence was “\$14.76 trillion in purchasing power parity (PPP) terms [which] is equivalent to 12.4 per cent of the world’s economic activity (gross world product) or \$1,988 for every person.”<sup>4</sup> Women and girls in particular become targets in conflict situations, especially sexual violence,<sup>5</sup> while remaining largely excluded from conflict prevention and peacebuilding efforts.<sup>6</sup>

At the same time, global military spending remains high. According to the latest numbers from the Stockholm International Peace Research Institute (SIPRI; *please note that SIPRI is different than the GPI, produced by the Sydney based Institute for Economics and Peace*), military spending amounted to \$1.7 trillion in 2017 and has continued to rise.<sup>7</sup> The number of displaced persons remains high as well. According to the UN refugee agency (UNHCR), as of 2017, 68.5 million people have been forcibly displaced, globally, including internally displaced persons.<sup>8</sup>

According to the GPI, although the Middle East and North Africa (MENA) region recorded an improvement in peacefulness in 2018, “it remains the world’s least peaceful region, a position it has held since 2015.”<sup>9</sup> The MENA region is “home to four of the ten least peaceful countries in the world,” with Qatar being the one that experienced “the single largest deterioration in peacefulness, as the political and economic boycott placed on it by the UAE, Saudi Arabia, Egypt, and Bahrain led to deteriorations in relations with neighboring countries and political instability.”<sup>10</sup> According to Brookings, “[n]ew conflicts in the Middle East and North Africa

account for the overwhelming majority of the increase in global battle deaths and conflict incidence.”<sup>11</sup> In addition, returning foreign fighters have emerged as a destabilizing factor, not just in Europe but across the Middle East.<sup>12</sup>

The crises, conflicts and tensions in the Greater Middle East harbor a potential for further deterioration, escalation, and spilling over into other countries. These can be divided into global interstate tensions (U.S.-Iran, with the Nuclear Deal in jeopardy); regional interstate tensions (blockade of Qatar; Israeli-Palestine conflict); civil wars that are internationalized (e.g., in Yemen, Syria, Afghanistan, Libya, and post-ISIS Iraq), failed state situations (Somalia, where international suppression of piracy succeeded but legitimate and effective governance is tentative at best despite the presence of an African-led peacekeeping force), authoritarian trends, and human rights violations (e.g., Turkey, Turkmenistan, Saudi Arabia).

**Box 2:**

**Overview of recent U.S. policies regarding global governance norms and institutions.**

- Jan. 2017: U.S. abandons Trans-Pacific Partnership
- August 2017: U.S. notification of intent to withdraw from Paris Climate Agreement
- Oct. 2017: U.S. notification to withdraw from UNESCO
- Dec. 2017: U.S. ends participation in UN Global Compact on Migration
- May 2018: U.S. withdraws from Iran Nuclear Deal
- June 2018: U.S. withdraws from UN Human Rights Council
- Sept. 2018: U.S. threatens sanctions against ICC
- Oct. 2018: U.S. withdraws from Optional Protocol to the Vienna Convention on Diplomatic Relations Concerning the Compulsory Settlement of Disputes

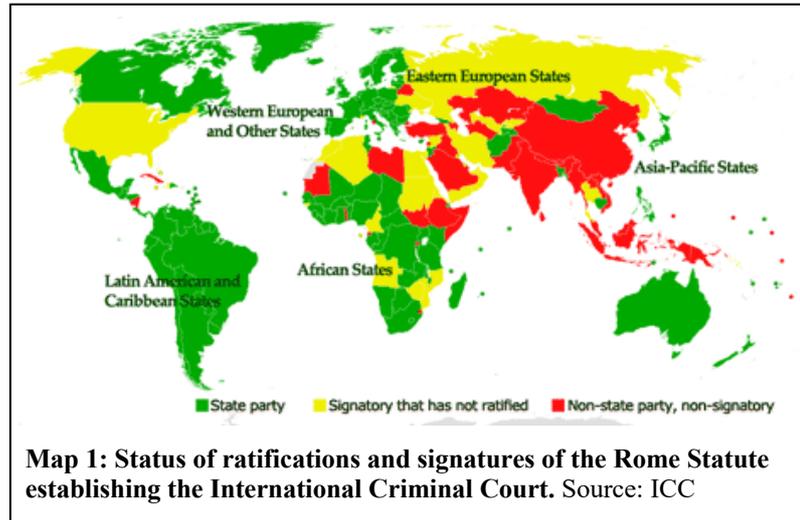
At the same time, the current crisis of global governance undermines and severely weakens international support mechanisms to increase resilience, reduce corruption, combat extremism, and ensure regional stability in these and other trouble spots. In particular, U.S. withdrawal from key international institutions and normative frameworks that it traditionally championed has created leadership vacuums. This concerns the Iran Nuclear Deal, the Paris Climate Agreement, the Global Compact on Migration, and UNESCO (*see Box 2*).<sup>13</sup> Meanwhile, Europe is to a large degree absorbed by the intricate mechanics and acrimonious debates of the withdrawal of the United Kingdom from the European Union. This distracts from the global agenda as

set out in policy declarations of both the EU (see the 2016 EU Global Strategy) and the UK (‘Global Britain’).<sup>14</sup> To the world, “Brexit”, together with the Eurozone crisis and migration/refugee crises, raises serious questions regarding regional integration projects elsewhere. This includes ASEAN,<sup>15</sup> but also institutions such as the African Union and the Gulf Cooperation Council, and puts in doubt their potential to, firstly, play a constructive role in resolving disputes between their members, and secondly, to be aggregate contributors to solving global challenges.

The intersection between ineffective global institutions and worrying regional trends in the Greater Middle East is clear from the following examples. The International Criminal Court (ICC) has been experiencing a backlash from both Western and non-Western countries in recent years. The U.S., which played an instrumental role in drafting the 1998 Rome Statute of the ICC, has passed legislation undermining the court such as the 2002 American Service-Members’ Protection Act, concluded Bilateral Immunity Agreements with countries to prevent American citizens from being transferred to the ICC, and most recently threatened sanctions against the ICC.<sup>16</sup> Moreover, alleging that the ICC is a Western-centric organization primarily focused on prosecutions in Sub-Saharan Africa,<sup>17</sup> four countries (Burundi, the Gambia, the

Philippines, and South Africa) have given notice since 2016 of their intent to withdraw from it (although the Gambia and South Africa rescinded their withdrawal notifications in 2017). In addition, the universality of the ICC’s mission is questioned due to an underrepresentation of Asian countries among state parties to the Rome Statute (*see Map 1*). Faced with these challenges, the ICC remains constrained in its ability to serve as an effective tool to adjudicate—and ultimately to prevent through deterrence—mass atrocities, including in the Greater Middle East.

Another example is the erosion of the WTO’s ability to settle disputes through the blocking of new appointments to the Appellate Body by the U.S.,<sup>18</sup> potentially rendering judicial recourse ineffective as a form of peaceful dispute resolution. For instance, by the time Qatar’s complaints against Bahrain, Saudi Arabia and the UAE reach the appeals stage,<sup>19</sup> the Appellate Body may have lost its quorum, rendering it inoperative.



While the pressure exerted on global institutions continues to deprive countries of tools for peaceful dispute resolution, the lack of leadership in global governance and the disregard for global norms and institutions is likely to embolden other countries to violate core international norms in their effort to assert their interests unilaterally.

As noted by the 2015 Report of the Albright-Gambari Commission, the “grim news is that too few resources are being brought to bear in timely fashion in service of prevention, or that action may be politically blocked under current interpretations of powers like the [United Nations Security Council] veto, as the war in Syria has illustrated.”<sup>20</sup> This holds, unfortunately, even more true today. Effective responses are needed for the conflicts and crises at hand, for those that may escalate soon, and for those where warning signs are starting to appear.

### **III. Current Global and Regional Responses to Preventing Violent Conflict and Sustaining Peace**

From initiatives of the United Nations and World Bank at the global level to the work of regional organizations such as the Arab League, African Union, and European Union, myriad international efforts currently seek to combat violent conflict and sustain peace in fragile and conflict-affected societies, achieving mixed levels of success. This section of the Background Brief offers a snapshot of some of these endeavors, as a further complement to the Annex A Facilitators' Guidance (see below) for the Working Groups on (1) the Responsibility to Protect, (2) Post-Conflict Peacebuilding, Peacekeeping, Transitional Justice & Rule of Law Promotion, and (3) the Peacebuilding Commission and International Criminal Court.

#### ***The Responsibility to Protect***

The Responsibility to Protect (R2P) norm was initially proposed, in 2001, in the report of the International Commission on Intervention and State Sovereignty.<sup>21</sup> The Rome Statute establishing the International Criminal Court upon its ratification in 2002, is one important expression of the concept's initial operationalization. The ICISS outlined three phases of R2P: Prevention, reaction, and rebuilding, with the final step being considered the most important for sustaining peace with justice.

In September 2005, world leaders at the UN Summit agreed on two major sets of responsibilities pertaining to the Responsibility to Protect:

“138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian, and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”<sup>22</sup>

Due to controversies associated with R2P actions over the past decade (i.e., in the case of Libya in 2011), R2P is commonly misunderstood as being one-dimensionally focused on military intervention. However, this overlooks its in-depth and multifaceted approach to conflict prevention, peacekeeping, and post-conflict rebuilding. In response to legitimate concerns about mitigating the norm's abuse, the Brazilian government introduced the notion of “Responsibility while Protecting.” In doing so, it asserted that forcible intervention should be done only as an absolute last resort after diplomacy and prevention have failed, it must be limited and proportionate in nature, and it must result in effective protection and avoid further violence or instability.<sup>23</sup>

Far from being abandoned following earlier controversies, since 2011, the UN Security Council has invoked the Responsibility to Protect 54 times,<sup>24</sup> and the UN Human Rights Council has invoked it 30 times.<sup>25</sup> That said, more needs to be done in order to reach consensus on the signs and factors fueling a potential mass atrocity event. Other significant challenges to operationalizing R2P today include:

1. Many countries, large and small, have not ratified or even signed the Rome Statute, including China, Russia, Turkey, and the United States.
2. Fragile States are economically underdeveloped and lack sufficient judicial systems (including courts, police, and prisons) to implement R2P effectively.
3. The need for collective action is often lacking, most noticeably today in cases such as Syria and Yemen.

### ***The Responsibility to Prevent***

Building capacity of states to prevent mass atrocities requires far closer attention to the political and social conditions known to generate extremism and violence. While there is no universal agreement on the precise warning signs of mass atrocities, the UN Office of Genocide Prevention and the Responsibility to Protect has developed signs for mass atrocities, the African Union has set-up an early warning center (the Continental Early Warning System), and many NGOs have also developed systems that look for and examine the social-political factors that could lead to mass violence.<sup>26</sup>

Moreover, the UN has started to shift from an emphasis on reaction to prevention. Besides the earlier noted R2P political declarations of the Security Council and Human Rights Council, and many UN agencies, including UNDP, OHCHR, UNHCR, and OCHA, have begun to examine their relationship to R2P.

### ***Peacebuilding and Sustaining Peace***

Part of the problem with peacebuilding is the ongoing lack of agreement as to precisely what it entails and what its goals should be. In his 1992 “An Agenda for Peace”, then UN Secretary-General Boutros Boutros-Ghali argues that “peacebuilding [is] action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict.”<sup>27</sup> According to the International Dialogue on Peacebuilding and Statebuilding, five goals are critical to peacebuilding and statebuilding: “Legitimate Politics (foster inclusive political settlements and conflict resolution); Security (establish and strengthen people’s security); Justice (address injustices and increase people’s access to justice); Economic Foundations (generate employment and improve livelihoods); [and] Revenue and Services (manage revenue and build capacity for accountable and fair service delivery).”<sup>28</sup>

Earlier this year, in referring to the General Assembly and Security Council’s twin 2016 “Peacebuilding Resolutions”, UN Secretary-General António Guterres, in his seminal report on “Peacebuilding and Sustaining Peace” wrote:

“... Member States needed to work better together to sustain peace at all stages of conflict and in all its dimensions and stressed that sustaining peace was imperative to preventing the outbreak, escalation, continuation and recurrence of conflict. ... sustaining peace should be broadly understood as a goal and a process to build a common vision of a society, ensuring that the needs of all segments of the population were taken into account. ... sustaining peace was a shared task and responsibility of Government and all other national stakeholders and should flow through all three pillars of the United Nations’ engagement at all stages of conflict. They further reaffirmed the primary responsibility of national Governments and authorities in identifying, driving and directing priorities, strategies and activities for sustaining peace and emphasized that inclusivity was key to advancing national peacebuilding processes and objectives.”<sup>29</sup>

In rebuilding a post-conflict country, it is essential to include women in peace processes both to better address the root causes of a conflict and foster sustainable peace through a more inclusive society. Many international actors and initiatives, including the Albright-Gambari Commission, have recommended that the international community do more to include women in peace processes. However, increasing their participation remains challenging, and programs for promoting greater inclusion often run into roadblocks, including divergent cultural norms and the inflexible demands of fundamentalist combatants for excluding women from a peace process—as demonstrated by this year’s two Nobel Peace Prize winners (*Box 3*).

**Box 3:**

**Seeking Justice and Healing for Women in War-Shattered Societies**

This year’s Nobel Peace Prize winners, Nadia Murad and Dr. Denis Mukwege, highlight the plight women face in conflict, the need for women to be involved in the peace and rebuilding process, and the challenges associated with the R2P norm and International Criminal Court. Nadia Murad suffered as a sex slave at the hands of the Islamic State. Today, she shares her story of repeated physical and sexual abuse to highlight the plight of women in war zones and Yazidi refugees through her organization Nadia’s Initiative. Dr. Mukwege is a Congolese Gynecologist and anti-rape activist who runs a clinic that treats the physical and psychological effects of rape, which include despair, genital mutilation, and alienation from society. He continues to run a clinic, Panzi Foundation, for rape survivors and the Mukwege Foundation to end wartime sexual violence.

Nadia Murad’s story manifests the plight of women in war zones, as well as the challenge to bring justice to victims and to protecting civilians in ongoing conflicts. Today, she carries her message to all women, not only the Yazidis, who have been victimized by the Islamic State and other extremist groups. Through her testimony, the movement has grown to bring charges against top Islamic State officials, and the UN [Iraq Independent Investigative Team](#) is now collecting evidence of war crimes, including rape, in Iraq. However, despite becoming an overnight international celebrity thanks to her Nobel Peace Prize, severe violence continues in neighboring Syria, and thousands in the region remain refugees.

Dr. Mukwege’s work personifies many reforms, not only in the treatment of women in conflict zones but how civil society can augment broader Responsibility to Protect and international justice efforts. Through his clinic, he is able to provide a safe zone for the invaluable treatment of wartime violence victims. The Mukwege Foundation has brought to light the plight of women facing wartime sexual violence. Recently, the Congo convicted eleven people of systematically raping girls in the [Kavanmu case](#). Each of the rescued victims were treated at Dr. Mukwege’s clinic, and later, through his foundation, their testimony was heard in a court of law. Through his hospital and advocacy, victims were treated, and justice was delivered.

Sources: United Nations and Trial International

A recent study by the New America Foundation, *The Way Forward on Gender, Peace, and Security*, found that while Iraq and Afghanistan reserve parliamentary seats for women, inclusion in broader decision making in society remains difficult.<sup>30</sup> In the ten years since the signing of the UN Security Council Resolution 1325 on Women, Peace, and Security, only three percent of signatories in the fourteen agreements it reviewed were women.<sup>31</sup> Despite the passage of UNSCR Resolution 1325 in 2000, only fifty countries (out of 193 UN Member States) have actually embarked on national action plans, including Afghanistan, Iraq, Tunisia, Palestine, Jordan, and Mali.<sup>32</sup>

## ***The Peacebuilding Commission***

In 2005, the United Nations created the Peacebuilding Commission with the following mandate:<sup>33</sup>

1. To bring together all relevant actors to marshal resources and to advise on and propose integrated strategies for post-conflict peacebuilding and recovery.
2. To focus attention on the reconstruction and institution-building efforts necessary for recovery from conflict and to support the development of integrated strategies in order to lay the foundation for sustainable development.
3. To improve the coordination of all relevant actors within and outside the United Nations, to develop best practices, to help to ensure predictable financing for early recovery activities and to extend the period of attention given by the international community to post-conflict recovery.

The Peacebuilding Commission was established as a subsidiary body to the General Assembly and the Security Council. Once viewed as an innovative experiment to break away from business as usual, the Commission has a mixed record over its first thirteen years. Its attempt to create integrated peacebuilding strategies became intertwined with many other processes and mechanisms at work in the fragile states it chose to support. With no control over peacebuilding funds (though, to an extent, able to influence the Peacebuilding Fund also established in 2005), it has not been a particularly effective player.

The Peacebuilding Commission has made some important strides, including through innovating various configurations for engagement (including regional engagements) and, over time, a more flexible integrated peacebuilding strategy instrument. However, consistent with the 2016 peacebuilding resolutions of the UN General Assembly and Security Council (A/RES/70/262 and S/RES/ 2282), the Peacebuilding Commission should be formally entrusted with additional conflict prevention responsibilities. Furthermore, UN Member States need to revisit the Commission's relationship with the Security Council and General Assembly, its basic authorities, and its current still limited focus. Moreover, there remains room for improvement for collaborating with civil society actors on the ground.<sup>34</sup>

## ***Peacekeeping***

Peacekeeping has been an integral part of the UN almost since its inception. At the same time, it has become increasingly dangerous in recent years, causing many scholars and UN officials to argue that the changing nature of conflict requires a more robust and proactive kind of peacekeeping. These new circumstances require greater capacity and willingness to engage hostile forces both for self-protection and to fulfill mandates to protect civilians from physical harm, while keeping the use of force proportionate and focused on minimizing civilian casualties. In December 2017, the UN presented a series of recommendations on changing the way the United Nations does business in high-security risk peacekeeping operations.<sup>35</sup>

### ***Box 4:***

#### **Women in Peacekeeping Operations**

- UN Police: 15%
- Peacekeepers: 6%
- Civilian Staff: 20%

Sources: United Nations Peacekeeping and UN Police

If dangerous missions continue to be assigned, the UN will need more ready and rapid sources of deployable capacity. At around US \$7.5 billion per year the cost of UN peace operations is equal to just 0.5 percent of world military spending. It would be better still, however, if the organization had a better means of analyzing and preventing outbreaks of conflict and the rise

of violent extremism. Yet further still the world body needs to cope better with long-standing missions that seem to have prolonged the state of “no-peace and no-war”, such as the UN mission in Cyprus and Lebanon,

*UN Collaboration with Regional Organizations:* With the growing number of conflicts worldwide, the United Nations has initiated new partnerships with regional organizations. In September of this year, the UN and the European have identified a new set of forward-looking opportunities for cooperation on peace operations and crisis management for the period 2019-2021, including in the areas of Women, Peace, and Security and strengthening cooperation between missions and operations in the field. Within the context of its joint UN-AU framework for enhancing partnership on peace and security, launched in April 2017, UN has supported Africa-led peace operation, such as in Somalia, and it has worked with the AU to strengthen its more than decade old United Nations-African Union Hybrid Operation in Darfur (UNAMID).

### ***Rebuilding the Rule of Law***

States recovering from conflict face difficulties in restoring or creating effective rule of law, a generations-long process of technical adjustments and in how government is viewed and run.<sup>36</sup> Outside parties have limited ability to alter a host state’s governing culture. Many efforts by conflict-affected states to end armed violence become caught between wartime structures of power and organized crime cartels that use weak states as both transit zones and new markets. Rebuilding rule of law—and both the capacity and integrity of government institutions—is nonetheless a high priority of most international peacebuilding efforts.

A wide range of development actors engage in rebuilding rule of law. The UN Development Program has funded a number of these efforts—especially legal and judicial training programs—in countries acutely in need of such capacity. The European Union also deploys missions to support rebuilding rule of law in eastern Europe, Africa, and Southwest and Central Asia.

Effective rule of law requires capable, law-abiding, and rights-respective institutions of justice and law enforcement. In post-conflict settings, that often entrails security and justice sector reforms. In many conflict-affected states, formal institutions of criminal and civil justice may have been badly damaged or never reached the entire population. In such cases, informal traditional or community-based justice has received growing attention as a workable alternative while efforts are made to bring traditional forums into alignment with international standards of human rights.<sup>37</sup>

### ***The International Criminal Court and Transitional Justice***

The ICC was established in 2002 to prosecute those most responsible for serious crimes of concern to the international community. It has jurisdiction over war crimes, crimes against humanity, genocide, and, since July 2018, the crime of aggression. Unlike the Yugoslavia and Rwanda *ad hoc* tribunals, it is designed as a court of last resort. This means it will only step in if national courts are unwilling or unable to conduct prosecutions.

As noted in Section II of his Background Brief, the ICC is currently experiencing a backlash from both Western and non-Western countries, including for a perceived exclusive focus on sub-Saharan Africa. However, some of these situations have been referred to the ICC by countries from that region, such as the Central African Republic, Mali, and the Democratic Republic of the Congo. Moreover, since 2011, the Court has been moving to prosecute

defendants from North Africa, including Saif Gaddafi, son of Muammar Gaddafi. Recently the court has also started preliminary investigations in Iraq, Columbia, Argentina, Burma/Myanmar, North Korea, Afghanistan, the Philippines, Palestine, and Ukraine. In cases such as Iraq, requests have come from the UN Security Council.<sup>38</sup>

However, the ICC's ability to bring suspects to justice is still limited. With no arrest power, the ICC is dependent on countries, many of which are not signatories, to turn over suspects when it can be politically dangerous, or the leader is still in power. There are currently 15 defendants at large.<sup>39</sup> In addition, despite arrest warrants, some defendants, such as Omar Al-Bashir, remain in power.

Beyond the International Criminal Court, several post-conflict countries have set-up tribunals and truth commissions to address abuses of the past. In the Democratic Republic of the Congo, for instance, a military tribunal was established in the village of Kavumu to try Frederic Batumike and eleven members of his militia for abduction and rape of girls aged thirteen months to twelve years old.<sup>40</sup> In Tunisia, the government set up a truth commission to investigate the crimes of former President Ben Ali. However, local tribunals are difficult to form as local politicians are afraid of being tried, and they may become overwhelmed with abundant levels of evidence. Moreover, trials are taking too long to process, affecting both the availability (e.g., witnesses dying) and the quality of evidence. And after being initially flooded with witnesses, Tunisia's truth commission has only prosecuted one perpetrator.<sup>41</sup>

### ***The Need for Greater Innovation, Renewal, and Reform***

Though far from representing a comprehensive overview on current global and regional responses to preventing violent conflict and sustaining peace in fragile and conflict-affected states, the above overview highlights many gaps in the international system in need of urgent attention. Some ideas for a recommended global-regional governance innovation, renewal, and reform agenda are presented for consideration and debate in the next section.

## **IV. Select Proposals for Change recommended by recent Global and Regional Innovation Initiatives for Preventive Action and Sustaining Peace**

In recent years, steps to strengthen global and regional responses to fragile and conflict-affected steps have accelerated in response to growing mass violence and related global policy challenges detailed in Section II of this Background Brief. These include the United Nations' 2015 Global Study on the Implementation of the United Nations Security Council Resolution 1325 and Reports of the High-Level Independent Panel on United Nations Peace Operations and the Advisory Group of Experts on the 2015 Review of the United Nations Peacebuilding Architecture. In early 2017, the incoming UN Secretary-General António Guterres initiated his restructuring of the United Nations "peace and security pillar."

On the Road to 2020 and the commemoration of the United Nations' 75<sup>th</sup> anniversary—and *expected September 2020 Leaders' Summit in New York similar to past major anniversaries*—the opportunities abound for deepening this innovation, renewal, and reform agenda in new areas where both UN Member State and partners in civil society and the private sector can also provide greater leadership and fresh ideas and perspectives. To provoke a rich discussion and foster wide debate at the Global Policy Dialogue on Preventive Action, Sustaining Peace, and Global Governance, planned for 17 December 2018 at the Doha Institute for Graduate Studies, the following proposals are briefly introduced from the Albright-Gambari Commission on Global Security, Justice & Governance, the Independent Commission on Multilateralism (ICM), the Report of the Secretary-General on Peacebuilding and Sustaining Peace, and the UN-World Bank's Pathways for Peace Report. Complimentary to the further guidance found in Annex A, they are structured as the Global Policy Dialogue's three Working Groups on (1) the Responsibility to Protect, (2) Post-Conflict Peacebuilding, Peacekeeping, Transitional Justice & Rule of Law Promotion, and (3) the Peacebuilding Commission and International Criminal Court.

### ***Working Group #1: The Responsibility to Protect, including Prevention, Rebuilding, and Mitigating the Norm's Abuse***

**Proposal 1 (Albright-Gambari Commission):** *Improve conflict analysis and crisis warning and focus the entire UN system on R2P implementation*

The Responsibility to Protect can be invoked too late to be of major help in fast-moving atrocity scenarios. High-level discussions should, therefore, both work out an agreement on the signs and factors associated with mass atrocity events, and designate responsibility for analysis and warning to enable quicker decision-making. That capacity could be vested in the UN Secretariat and include rotating contributions from Member States. Moreover, the UN Security Council should not be seen as the only organ with authority relevant to R2P if preventing atrocities is to be taken seriously. All major UN agencies and programs should develop a plan of action to review the relevance of their work to the R2P norm and a unified UN perspective on the challenge of preventing and addressing atrocities.

**Proposal 2 (Albright-Gambari Commission):** *Specify the responsibilities and objectives of R2P mission participants*

More can be done to assign specific responsibilities to states and institutions among the international community when states are unable or unwilling to uphold their responsibilities domestically. The effort to set concrete, achievable goals for various actors under R2P's three main pillars (pillar one: state responsibility to protect its citizens; pillar two: international aid to states; and pillar three: collective international action when states are unable or unwilling to

discharge their responsibility) needs to be a concerted one. These goals could take the form of a multi-stakeholder, new social compact that includes civil society and business active in the fragile or conflict-affected environment. States could also build consensus through a new diplomatic initiative or independent expert report, or the UN Secretary-General could focus on this agenda in his annual R2P report.

**Proposal 3 (Albright-Gambari Commission):** *Embed standards-monitoring and human rights teams in R2P-associated events*

Brazil's "Responsibility While Protecting" concept encourages R2P authorizations to incorporate a due diligence requirement with regard to protection of civilians and avoidance of civilian casualties. To accommodate this concept and ensure the principle of "no net harm" in R2P planning and deployments, states undertaking protective interventions should agree to embed UN mission monitors in their operations in exchange for UN Security Council authorization to act and to verify due diligence in avoiding civilian casualties.

**Proposal 4 (ICM Report):** *Invest in prevention and the positive power of human rights*

New commitments to prioritize prevention should be matched by corresponding commitments to provide resources. The UN Secretary-General should launch a fundraising drive for preventive initiatives, which should be considered an investment rather than a cost. International aid should put prevention into practice by investing in strategic policies that strengthen the long-term resilience of states and cities, including through disaster risk reduction and rule of law programming. Member states should further increase budgets for domestic and international prevention programs that strengthen human rights compliance and accountability mechanisms. They should also strengthen support for national and local human rights architectures and capacities, recognizing and reinforcing the important role played by civil society.

**Proposal 5 (ICM Report):** *Strengthen the UN's capacity to prevent and resolve conflict*

The UN Secretariat should better integrate human rights monitoring into conflict risk analysis. Systematic violations of human rights should trigger the activation of conflict prevention or resolution mechanisms. Furthermore, ways should be identified to meaningfully engage with armed non-state actors that are or could become parties to armed conflicts or that have an impact on the delivery of humanitarian assistance.

**Proposal 6 (Pathways for Peace Report):** *Foster a social and political environment where the deeper drivers of conflict can be addressed*

Prevention entails promoting favorable structural conditions, where possible. Many of today's conflicts are rooted in perceptions of exclusion related to inequalities across groups. Addressing these and the narratives that often form around them is critical. The 2030 Agenda provides a framework for addressing some of these issues. Prevention means shaping incentives for peace and this can happen both through institutions, as they change their rules and policies, and through key decisions by influential actors. Domestic institutions play a central role here, both in mitigating conflict and in sanctioning violent behavior.

**Proposal 7 (Pathways for Peace Report):** *Encourage prevention by supporting greater inclusivity in decision-making arenas*

Shaping incentives for peace also requires a strong focus on arenas where access to power, resources, and security are contested. These arenas define who has access to political power and representation, natural resources (in particular, land and extractives), security and justice, and basic services. Because existing power dynamics determine access to these arenas, prevention means making the arenas more inclusive, particularly to groups that have traditionally been left out of decision-making processes, especially women and youth.

***Working Group #2: Post-Conflict Peacebuilding, Peacekeeping, Transitional Justice & Rule of Law Promotion***

**Proposal 1 (UN Secretary-General’s Report on Peacebuilding and Sustaining Peace):** *Consider assessed contributions for civilian-led peacebuilding and the Peacebuilding Fund (similar to UN peacekeeping)*

Assessed budgets would provide higher predictability and sustainability of funding for peacebuilding and reduce the costs of voluntary resource mobilization. It is important to note that the use of assessed contributions would send a powerful signal regarding the commitment of all Member States to peacebuilding and sustaining peace. In addition, mission transitions and drawdowns represent some of the most critical periods and the time during which investments in sustaining peace made by national authorities and their international partners over the years can be either sustained or lost in a matter of months. After a drawdown, United Nations country teams commonly face a “financial cliff” in support for peacebuilding activities. In recognition of the imperative of well-managed and appropriately resourced transitions, the Secretary-General calls upon the principal contributors to peacekeeping budgets to voluntarily commit the equivalent of 15 per cent of the final full-year budget of a closing peacekeeping mission, to be contributed to peacebuilding activities through existing projects or the country-level pooled fund managed by the resident coordinator office, each year for a period of two years following the end of the mission’s mandate.

Moreover, consider steps to ensure that core funding representing \$100 million or an approximate and symbolic 1 per cent of the value (whichever is higher) of the total United Nations budgets for peace operations (peacekeeping and special political missions together) be provided to the Peacebuilding Fund annually from assessed contributions under the United Nations budget. The assessed contributions should be provided in a way that ensures necessary oversight without undermining the Fund’s comparative advantage as a fast, unearmarked, flexible, and pre-positioned pooled fund working under terms of reference approved by the General Assembly.

**Proposal 2 (Pathways for Peace Report):** *Provide the means for a minimum basic service delivery of development work throughout periods of open conflict*

In *contexts of open violence*, preventing escalation of violence takes priority. In many cases, efforts are focused on mitigating the impact of violence on civilians, the economy, and state institutions—once a state has collapsed or atrocities have been committed, violence is often irreversible in the short term. In these situations, development actors often halt or cease operations in high-risk areas; yet, maintaining development projects is critical for buffering populations against the risk of violence. In these moments, it is critical for development actors to identify ways to work through local partners and to employ more flexible delivery systems, in order to ensure a minimum of basic service delivery.

**Proposal 3 (Pathways for Peace Report):** *Strengthen institutions that act as mechanisms to support & encourage preventative diplomacy*

Preventive diplomacy refers to early diplomatic action taken “to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts, and to limit the spread of the latter when they occur” (UN Secretary-General, “Agenda for Peace”, 1992). The UN Secretary-General, for example, plays an essential and personal role in preventive diplomacy through the provision of “good offices” to all parties. Mediation is a process whereby a third party assists two or more parties, with their consent, to prevent, manage, or resolve a conflict by helping them to develop mutually acceptable agreements. Within the United Nations, the establishment of regional political offices—the UN Office for West Africa and the Sahel (UNOWAS), the UN Office for Central Africa (UNOCA), and the UN Regional Center for Preventive Diplomacy in Central Asia (UNRCCA)—has responded to the increasing regionalization of conflict. Given their standing presence, ability to deploy, and relationships with most key stakeholders across the region, these regional offices offer alternatives to peacekeeping operations and have proved to be effective.

**Proposal 4 (ICM):** *Increase accountability for gender equality programming*

UN legitimacy is dependent on accountability for women’s participation. For the Global Study on the Implementation of Security Council issue related to women peace and security.

**Proposal 5 (ICM):** *Adopt a unified, holistic, and coherent approach to empowering women and increasing accountability for gender equality programming*

The evidence is compelling that women’s physical security and gender equality in society are associated with broader peace and stability in states. To break women’s peace and security out of its silo, the UN should implement it within the context of development, human rights, humanitarian action, and peace and security agendas at large. The 2030 Agenda for Sustainable Development presents a significant opportunity to eliminate all forms of violence against women. Special Representatives of the Secretary General should routinely report to the Security Council on the implementation of UN Security Council Resolution 1325 on Women, Peace, and Security within their country or region of operation.

**Proposal 6 (Albright-Gambari Commission):** *Establish a New Civilian Response Capability to meet rapid deployment needs for civilian specialist skills*

To expand and enhance the next generation of peace operations, the Commission recommends establishing a new UN Civilian Response Capability of approximately five hundred personnel to include fifty top flight mediators and experienced diplomats. A reserve component of about two thousand would recruit personnel from across the UN system and beyond for specific planning management, institutional development, and technical skills. These arrangements would need to offer participants both incentives and periodic feedback on their quarterly likelihood of call-up, and to confirm their continuing interest and availability. Central to the future of integrated (civilian-military-police) UN peace operations, the capability would aim to establish strategic partnerships with regional and other peacebuilding actors beyond the UN system. It would represent a clearer commitment by the world body to the Responsibility to Rebuild within the broader R2P norm.

**Proposal 7 (Albright-Gambari Commission):** *Consider transformational justice as a postwar alternative that addresses not just the results but also the roots of violence*

As conflicts around the world continue to flare up, and some transitional justice efforts stumble, more effective international responses to help fragile communities overcome grievances that

plague their societies need to be found. One approach is to design such programs to be transformational rather than transitional, on the argument that war-torn societies need more than one kind of post-conflict truth and justice. They need legal or retributive justice supported by forensic truth, acknowledgement of wrongdoing, socioeconomic justice (compensation for injury or loss), and political justice (democratic accountability as well as public policy and services).

**Proposal 8 (Albright-Gambari Commission):** *Strengthen the role of women in peace processes*

To prioritize justice for women, global and regional organizations need to do more to include women in the peace process. Raising the profile of women requires the following steps. First, global and regional institutions need to set an example by appointing women for prominent peacekeeping roles. Second, international funders should demand women's inclusion in the peace process. Third, global and regional institutions need embark on a holistic approach to women's equality and coopt men into the process. The HeForShe campaign is an example of men supporting women's equality and empowerment at the grassroots level.

***Working Group #3: Strengthening the Peacebuilding Commission and International Criminal Court***

**Proposal 1 (UN Secretary-General's Report on Peacebuilding and Sustaining Peace):** *When a peacekeeping mission draws down, a peacebuilding capacity mapping should be undertaken and discussed with Member States through the Peacebuilding Commission*

The need for collaborative leadership is particularly in evidence when a United Nations peace operation is being drawn down. The Secretary-General therefore recommends that, during the drawdown, a mapping of capacity of the United Nations country team against peacebuilding priorities be undertaken and discussed with Member States through the Peacebuilding Commission. This is what occurred in Liberia, where the assessment of capacities against the priorities outlined in the Liberia peacebuilding plan—conducted by the joint project of UNDP, the Department of Peacekeeping Operations, the Department of Field Support, and the Department of Political Affairs on United Nations transitions in mission settings—showed the need for substantial investments through the United Nations country team in order to continue peacebuilding efforts. Comprehensive gender analysis and effective planning are also essential to ensure that gains on gender equality are not eroded when peace operations are withdrawn. Another example of good practices in this regard is the integrated transition planning that took place in Côte d'Ivoire. Integrated planning at an early stage and throughout the life cycle of a mission is critical. Additional planning capacity should also be deployed where and when required.

**Proposal 2 (The Advisory Group of Experts on the 2015 Review of the United Nations Peacebuilding Architecture):** *The Peacebuilding Commission should advise the Security Council on the peacebuilding dimensions of a peace operation*

To strengthen its role as a primary peacebuilding body, the Security Council should consider regularly requesting and drawing upon the advice of the PBC, to assist in ensuring that the mandates, benchmarks and reviews of peace operations, however short-term in scope, reflect the longer view required for sustaining peace. The Security Council should further ensure that the mandates for peacebuilding missions emphasize the imperative for an integrated mission that draws upon the strengths of the entire UN system. Where the decision is taken by the

Security Council to establish a peace operation, it should build on existing UN and other capabilities and integrate existing UNCT activities into enhanced UN peacebuilding efforts during the mission period, and the UNCTs must therefore be appropriately resourced. In approving the leadership structures of missions, the Security Council should underline integration and accountability.

**Proposal 3 (Albright-Gambari Commission):** *Create a stronger Peacebuilding Council to replace the Peacebuilding Commission*

To fill gaps in the Peacebuilding Commission's performance, it should be transformed into a Peacebuilding Council, empowered with new policy development, coordination, and resource mobilization authorities, in support of conflict prevention and recovering conflict-affected states not hosting a Security Council-mandated peace operation. The transformation of the Human Rights Commission into a new Council is an example, where its authority was enhanced with the introduction of new tools such as the Universal Periodic Review. The new Peacebuilding Council could further serve as an appropriate contemporary replacement for the Trusteeship Council as a principal organ of the United Nations (given its shared commitment to responsible sovereignty-building in fragile states). The international trusteeship system, which the Trusteeship Council is entrusted to oversee, came to an end in 1994 when Palau became the 185<sup>th</sup> UN Member State.

**Proposal 4 (Albright-Gambari Commission):** *Entrust the new Peacebuilding Council with a conflict prevention mandate*

Giving the newly proposed Peacebuilding Council a conflict prevention mandate would encourage the development of new prevention tools, such as peacebuilding audits—similar to the Human Rights Council's country reporting mechanism, the Universal Periodic Review—that could serve as an important early warning function for the Peacebuilding Council and the Security Council. In consultation with (and beyond countries currently on the agenda of) the Security Council, both the Peacebuilding Council and the Secretary-General should determine a country's suitability for a peacebuilding audit. The UN Peacebuilding Fund, as a vehicle for prevention, also holds promise. In 2008, PBF resource were allocated to a clear-cut instance of prevention in Guinea (Conakry), thereby setting an important precedent in a country without a UN mission presence at the time.

**Proposal 5 (Albright-Gambari Commission):** *Improve integrated peacebuilding strategies and monitoring*

Although the Peacebuilding Commission's integrated strategies have evolved in the right direction (in some cases merging with related tools that command respect in a host country, and innovating various configurations for engagement, including regional engagements), significant room remains for improvement: focusing on no more than four to five conflict drivers and adopting more concrete, time-bound, and measurable benchmarks of progress. This would also make the new Peacebuilding Council attractive to conflict-affected countries beyond Sub-Saharan Africa and enhance its accompaniment functions in direct support of a host country's peace process, as well as longer-term post-conflict peacebuilding.

**Proposal 6 (Albright-Gambari Commission):** *Enhance working relations between the UN Security Council and International Criminal Court*

Improving the relationship between the International Criminal Court and the UN Security Council would strengthen the ICC's ability to fulfill its mandate, further enhancing global security and justice. Specific recommendations include:

- (i) Develop a protocol outlining factors that could guide the Security Council on when to refer matters to the International Criminal Court.
- (ii) Sustain a dialogue between the ICC and the UNSC by allowing the ICC's president and prosecutor to brief the UNSC periodically.
- (iii) Secure an agreement by the permanent members of the Security Council that it is unacceptable to use their veto in cases such as genocide, or that vetoes of referrals to the ICC be justified publicly in written form.
- (iv) The UN Security Council's Working Group on Tribunals should be used as a forum to discuss pertinent issues of international criminal justice.
- (v) Support ICC action against perpetrators, including enforcing ICC arrest warrants through sanctions (such as freezing assets).

<b>Proposal 7 (ICM): <i>Systematically pursue justice</i></b>
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The Security Council should systematically urge states to investigate and prosecute international crimes over which they have jurisdiction and to cooperate with other states and the International Criminal Court, where the latter have jurisdiction. Upon the request of states or the ICC, the Security Council should impose appropriate travel bans and asset freezes on those subject to such investigations. Moreover, the Security Council should engage in a strategic dialogue with the ICC to address the challenges it faces. For example, an annual retreat could be held for Security Council members and key ICC staff. When it refers cases to the court, the Security Council should ensure the court has adequate resources to follow through. The Security Council should also adopt guidelines for ICC referrals that would decrease real or perceived selectivity. At the same time, states should be given the opportunity to adjust their response to human rights violations to avoid the need for a referral. In addition, the Security Council should build on existing proposals to constrain the use of the veto in cases of mass atrocities.

***Conclusion: Debating and implementing a new UN system renewal, innovation, and reform agenda***

Though not an exhaustive list of reform proposals, the above recommendations could catalyze a more comprehensive approach to change at the United Nations and vis-à-vis regional organizations and other partners critical to preventive action and sustaining peace. For the purposes of the Global Policy Dialogue in Doha, the goal is to catalyze a robust conversation that pushes the boundaries of conventional thinking. At the same time, it is important that all recommendations garnering support during the dialogue are viable within a broader strategy for reform and coalition-building effort, the subject of Section V. of this Background Brief.

## V. Proposed Issues for Discussion and Some Recommended Actions for a Possible Informal Global Network / Community of Practice

During the Global Policy Dialogue on Preventive Action, Sustaining Peace, and Global Governance’s concluding plenary discussion, participants will consider ways to work together informally on specific actions, for the period 2019-2020, in the run-up to the expected UN Leaders’ Summit in September 2020 in New York—timed to coincide with the UN’s 75<sup>th</sup> anniversary commemoration. In particular, the session could address:

- How can current global governance reform efforts be strengthened through enhanced global multi-stakeholder partnerships (e.g., through new coalition-building efforts, such as the *UN2020 Initiative & Together First: A Global System that Works for All*)?
- How should the expected Leaders’ Summit at UN Headquarters in September 2020 and its preparatory process be organized to maximize the substantive contributions of the largest number of well-informed state and non-state actors? What lessons can be adapted from the Post-2015 Development Agenda (SDGs), the 2015 Paris COP, and other major multilateral diplomatic forums and agreements in recent years?
- Toward which reform proposals from this Global Policy Dialogue on Preventive Action, Sustaining Peace, and Global Governance could the new “Platform on Global Security, Justice & Governance” encourage deliberation over the next two years?
- How can efforts focused on preventive action and sustaining peace be linked closely to broader global governance reform initiatives and generate mutual benefits?
- How can global and regional support be strengthened and sustained for the recommendations of the UN Secretary-General’s Peacebuilding and Sustaining Peace Report and the UN/World Bank Pathways for Peace Report?
- What specific activities should have highest priority and be undertaken by whom (e.g., within the proposed global network/platform)? How should the network/platform be structured (e.g., as a basic, on-line knowledge platform in support of global civil-society driven coalition-building efforts, such as the *UN2020 Initiative and Together First*)? Examples of actions that could be undertaken include:

- ⇒ Social media (including an interactive, multi-lingual web platform that showcases, for example, public campaigning tools, information on network partner institutions, and global public and expert e-consultations) and in-person public awareness-raising activities and social mobilization campaigns.
- ⇒ Regular public outreach through television, radio, print media, and social media.
- ⇒ Op-eds, substantive policy reports, and public speaking.
- ⇒ Direct outreach to government, business, civil society, and international organization leaders, including UN Mission, G20, & regional organization member state consultations.
- ⇒ A specialized “Youth Engagement Track” to target and harness the talents and idealism of students and young professionals.
- ⇒ Support for the UN 2020 Initiative, Together First, and Global Town Halls designed to engage citizens and their civic organizations in ensuring that the United Nations’ Leaders’ Summit in September 2020 New York focuses on critical new tools, networks, norms, and institutional reforms for improved global governance to meet the challenges of growing mass violence, runaway climate changes, and cross-border economic shocks.

## NOTES

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- <sup>39</sup> International Criminal Court (ICC), “Defendants at Large,” last accessed December 5, 2018, <https://www.icc-cpi.int/defendants?k=At%20large#Default=%7B%22k%22%3A%22At%20large%22%7D>.
- <sup>40</sup> Trial International, “Frederic Batumike and Others – Kavumu Trial,” last modified July 26, 2018, <https://trialinternational.org/latest-post/frederic-batumike-and-others-kavumu-trial/>.
- <sup>41</sup> Lillia Blaise, “Tunisia Truth Commission Brings One Court Case in Four Years,” *New York Times*, June 6, 2018, <https://www.nytimes.com/2018/06/06/world/middleeast/tunisia-torture-trial-zine-el-abidine-ben-ali.html>.

## Annexes

### Annex A: Working Group Facilitators' Guidance

#### *Facilitators' Guidance*

#### **Working Group #1: The Responsibility to Protect, including Prevention, Rebuilding, and Mitigating the Norm's Abuse**

*Facilitators:* Ellen Laipson and Reem Al-Forassy

The Responsibility to Protect (R2P) Working Group will give attention, in the first break-out session (9:40 am – 11:00 am), to the major challenges facing the implementation of the R2P norm since its adoption at the 2005 United Nations Summit, including in the areas of prevention, rebuilding, and mitigating the norm's abuse. The Working Group will also consider the effectiveness of current global and regional efforts to improve the operationalization of the Responsibility to Protect. *Where possible, participants are encouraged to speak to R2P's relevance (or lack thereof) to conflicts and conflict transformation in the Greater Middle East.*

#### ***Questions for Discussion*** (please add to these):

- 1) Is there now general agreement on the signs and factors of a potential mass atrocity event?
- 2) Do the UN and regional organizations maintain tools for effective early warning? What about tools for effective early action (e.g., preventive diplomacy/mediation) and rebuilding?
- 3) Should mass casualty attacks by extremist non-state terrorist organizations fall outside the scope of R2P and purely within counter-terrorism and CVE frameworks for analysis / action?

In the second break-out session (1:45 pm – 3:15 pm), the Responsibility to Protect Working Group will discuss new and innovative reform ideas in connection with the challenges to the R2P concept's implementation and weaknesses in current global and regional responses identified in the morning break-out session, giving attention to:

- Relevant reform proposals from recent global and regional initiatives, including the Albright-Gambari Commission & Independent Commission on Multilateralism.
- New ideas for consideration by the UN Secretary-General's Peacebuilding and Sustaining Peace Report and the UN/World Bank Pathways for Peace Report.
- How to build consensus on and advance a select number of reform proposals.

#### ***Questions for Discussion*** (please add to these):

- 1) As recommended by the Albright-Gambari Commission, should there be greater investments in early warning capabilities and R2P action plans for an approach to atrocities prevention that involves all UN agencies and programs? Should all international actors seeking to prevent, react to, and rebuild after mass atrocities be asked to set concrete, achievable goals?
- 2) In line with Brazil's earlier "Responsibility While Protecting" recommendation, should UN mission monitors be embedded in all forces participating in R2P implementation?
- 3) As the ICM recommends, should the UN Secretary-General launch a fundraising drive for preventive initiatives, and, as recommended at the Doha Regional Dialogue on Sustaining Peace, should a Global Conference on Preventive Diplomacy be convened?
- 4) What else is missing, and how can consensus/progress be advanced on a few proposals?

## *Facilitators' Guidance*

### **Working Group #2: Post-Conflict Peacebuilding, Peacekeeping, Transitional Justice & Rule of Law Promotion**

*Facilitators:* Sultan Barakat and Aziza Mohammed

The Post-Conflict Peacebuilding Working Group will give attention, in the first break-out session (9:40 am – 11:00 am), to the major challenges facing peacebuilding after protracted violent conflict in fragile states and regions, including in the related areas of peacekeeping, transitional justice, and rule of law promotion. The Working Group will also consider how effective current global and regional efforts to improving post-conflict peacebuilding, peacekeeping, transitional justice, and rule of law promotion. *Where possible, participants are encouraged to speak to the relevance (or lack thereof) of internationally supported peacebuilding efforts to conflicts and conflict transformation in the Greater Middle East.*

***Questions for Discussion*** (please add to these):

- 1) Is there a general international consensus on the objectives of post-conflict peacebuilding?
- 2) Are women's concerns adequately represented and address in post-conflict governance?
- 3) Do the UN and regional organizations require greater peacekeeping capacity and willingness to engage hostile forces both for self-protection and to protect civilians from physical harm?
- 4) Over the past three decades, how have the more than thirty truth and reconciliation commissions (of varying scope and powers) helped victims and brought greater accountability?

In the second break-out session (1:45 pm – 3:15 pm), the Post-Conflict Peacebuilding Working Group will discuss new and innovative reform ideas in connection with the challenges to peacebuilding's (and the associated concepts of peacekeeping, transitional justice, and rule of law promotion) implementation and weaknesses in current global and regional responses identified in the morning break-out session, giving attention to:

- Relevant reform proposals from recent global and regional initiatives, including the Albright-Gambari Commission & Independent Commission on Multilateralism.
- New ideas for consideration by the UN Secretary-General's Peacebuilding and Sustaining Peace Report and the UN/World Bank Pathways for Peace Report.
- How to build consensus on and advance a select number of reform proposals.

***Questions for Discussion*** (please add to these):

- 1) As recommended by the UN Secretary-General, is it time to consider assessed contributions for civilian-led peacebuilding and the Peacebuilding Fund (similar to UN peacekeeping)?
- 2) As proposed by the Albright-Gambari Commission, could a New Civilian Response Capability (e.g., with more experienced mediators, including women) enhance peace operations?
- 3) What mix of institutions, actors, and incentives may help the pursuit of rule of law and transitional justice measures, while promoting stabilization, recovery, and peacebuilding?
- 4) What else is missing, and how can consensus/progress be advanced on a few proposals?

## *Facilitators' Guidance*

### **Working Group #3: Strengthening the Peacebuilding Commission and International Criminal Court**

*Facilitators:* Richard Ponzio and Joris Larik

The Peacebuilding Commission and International Criminal Court (PBC-ICC) Working Group will give attention, in the first break-out session (9:40 am – 11:00 am), to the major challenges facing the PBC since its establishment in 2005 and the ICC since the ratification of its Rome Statute in 2002. The Working Group will also consider the effectiveness of current global efforts to improve the functioning of the Peacebuilding Commission and International Criminal Court. *Where possible, participants are encouraged to speak to the PBC's and ICC's relevance (or lack thereof) to conflicts and conflict transformation in the Greater Middle East.*

***Questions for Discussion*** (please add to these):

- 1) How effective are the UN Peacebuilding Commission and International Criminal Court in both helping to avert and prevent the recurrence of protracted violent conflict?
- 2) Is it time to revisit the Commissions relationship with the Security Council and General Assembly, its basic authorities (e.g., lack of a prevention mandate), and its current limited focus?
- 3) How have the mandate and capabilities of the International Criminal Court, as well as its limited UN Security Council links, stymied efforts to promote international criminal justice?

In the second break-out session (1:45 pm – 3:15 pm), the Peacebuilding Commission and International Criminal Court Working Group will discuss new and innovative reform ideas in connection with the challenges facing both the PBC and ICC and weaknesses in current global responses identified in the morning break-out session, giving attention to:

- Relevant reform proposals from recent global and regional initiatives, including the Albright-Gambari Commission & Independent Commission on Multilateralism.
- New ideas for consideration by the UN Secretary-General's Peacebuilding and Sustaining Peace Report and the UN/World Bank Pathways for Peace Report.
- How to build consensus on and advance a select number of reform proposals.

***Questions for Discussion*** (please add to these):

- 1) As proposed by the Advisory Group of Experts (AGE), the PBC should advise the Security Council on the peacebuilding dimensions of a peace operation, such as by ensuring that mandates, benchmarks, and peace operation reviews reflect the requirements for sustaining peace.
- 2) As recommended by the Albright-Gambari Commission, empower the Peacebuilding Commission as a new Council (replacing the Trusteeship Council) with new coordination, resource mobilization, and prevention authorities (a new Peacebuilding Audit).
- 3) As the Albright-Gambari Commission proposes, the Security Council should support ICC action against perpetrators and adopt a protocol for guiding its referrals to the ICC.
- 4) What else is missing, and how can consensus/progress be advanced on a few proposals?

Annex B: Status Update for Recommendations on Preventive Action and Sustaining Peace by the Albright-Gambari Commission on Global Security, Justice & Governance

<b>Strengthen the role of women in peace and security</b>	
Strengthen the role of women in peace processes	<ol style="list-style-type: none"> <li>1. Global and regional institutions need to appoint more women to prominent peacekeeping roles in order to make themselves examples to local actors.</li> <li>2. International actors that fund and support peace processes need to demand the inclusion in women peace processes.</li> <li>3. Regional and global institutions need to embark on a more holistic global campaign for women’s equality which co-opts men as partners.</li> </ol>
Learn and share lessons from National Action Plans under <a href="#">UNSCR 1325</a>	<ol style="list-style-type: none"> <li>1. Align national action plans with national policies and priorities.</li> <li>2. Plans that compliment and influence foreign policy need not rely on Resolution 1325 to be successful.</li> <li>3. While stakeholder cooperation is essential, cooperation models need to be aligned to local country needs.</li> </ol>
Global Actors	<a href="#">List of NGOs UN Women UN Development Program</a> <a href="#">Top Countries UN Women donors</a> Active Countries: Sweden, The Netherlands, Canada
State of Reform	There is a growing consensus that women are vital to peace processes. Many NGOs have formed that specialize in bringing women mediators and professionals to peacebuilding processes, but plans to bring men into the same processes are few. ( <a href="#">UN Women</a> ) There are now 76 countries that have developed a UNSC 1325 national action plan (39 percent of UN Member States), but their record of implementation is mixed. ( <a href="#">Peace Women</a> ) Moreover, the UN’s civilian staff and peacekeepers have made little progress in recruiting women. ( <a href="#">Uniformed Women Statistics</a> )

<b>Prevent armed conflict</b>	
Improve conflict analysis and crisis warning	High level UN discussions need to work out agreement on the signs and factors of a potential mass atrocity event and to designate responsibility for analysis and warning in the Secretariat.
Focus on the Responsibility to Protect (R2P)	<ol style="list-style-type: none"> <li>1. All major UN agencies should develop a plan of action to review their relevance to the R2P norm and its implementation.</li> <li>2. The UN system should also develop a unified approach on preventing and addressing mass atrocities.</li> </ol>
Global Actors	<a href="#">List of NGOs UN Development Program UN Department of Political Affairs: prevention and mediation</a>
State of Reform	Both the UN and NGOs have made significant progress in the development of crisis warning. There are known methods to prevent armed conflict, but this prevention power ultimately depends upon Security Council action ( <a href="#">Implementing the responsibility to protect: accountability</a> ). Many UN agencies have recognized the importance of R2P to their field operations (e.g., UNDP, DPA, OHCHR, UNHCR, and OCHA), but several still need to draft reports on their progress in implementation.

## Develop greater consensus on R2P Operations

Specify the responsibility and objectives of R2P mission participants	More needs to be done in order to assign specific responsibilities to the international community when states are unable or unwilling to uphold their responsibilities in protecting their citizens. This can be accomplished by (1) developing a new multi-stakeholder compact that includes business and civil society in conflict affected regions. States could also (2) build consensus through a new diplomatic initiative, an independent expert report, or a special section of the UN Secretary General’s annual R2P report.
Emphasize the principal of “no net harm” in R2P planning and deployment	In R2P operations, it is particularly important to incorporate due diligence with regard to the protection of civilians and to avoid civilian casualties.
Embed standards-monitoring / human rights teams in R2P-associated activities	To avoid civilian casualties, with any authorization of a peacekeeping mission, UN monitors with a special focus on human rights should also serve as an integral part of a peacekeeping field-based mission.
Global Actors	<a href="#">List of NGOs</a> , <a href="#">UN Office of Genocide Prevention and Responsibility to Protect</a> , <a href="#">UN Peacekeeping operations</a> , <a href="#">African Union Continental early Warning System</a> Active countries: Australia, Columbia, and South Korea
State of Reform	The UN clearly states that R2P is primarily a State’s responsibility, but interest/commitment amongst states vary ( <a href="#">Secretary General Report 2018</a> ). A central stated principle of UN peacekeeping and R2P is do no harm; this is manifested in the UN’s strict rules of engagement ( <a href="#">Principals of Peacekeeping</a> ). While the UN has developed systems for host country civilians to report misconduct (including with the help of Protection of Civilian Advisors) and sets rules of engagement, there is, as of yet, no policy to embed monitors in peacekeeping missions to prevent the excessive use of force ( <a href="#">Protection of Civilians Mandate</a> ).

## Strengthen UN military, police, and civilian response capacity

Make designated Member State military units available or regional peace operations on short notice	<ol style="list-style-type: none"> <li>1. UN Member States need to urgently develop reserve units that can be deployed on 30 to 60 days’ notice for crisis intervention.</li> <li>2. States should offer deployments for at least a six-month duration.</li> <li>3. States should rotate their units on the standby list and not have a unit spend more than one-year on standby.</li> </ol>
Enhance UN ability to rapidly deploy military planning and support teams to new and existing missions	<ol style="list-style-type: none"> <li>1. The UN Office of Military Affairs, which is presently staffed at 110 officers, should be expanded by at least 50 posts.</li> <li>2. The bulk of Office of Military Affairs (OMA) personnel should be trained and equipped for temporary field duty, as needed.</li> </ol>
Make designated Member State formed police units available for UN deployment on short notice	Member States that use gendarmerie-type should have one or two well trained and well equipped formed police units for relatively rapid deployment for no more than one year.

Establish a sizable standing and reserve capacity to support the rapid and sustainable deployment of police to UN peace operations	<ol style="list-style-type: none"> <li>1. Develop a permanent standing cadre of police and police development specialists for rapid set-up of police components in new peace operations.</li> <li>2. Give Member States financial incentives to place specific officers on reserve, and provide reimbursement for deployments.</li> <li>3. Create a roster of senior (retired) police officers and civilian police specialists available for UN missions.</li> </ol>
Establish new capacities to meet rapid deployment civilian specialists needs	<ol style="list-style-type: none"> <li>1. Establish a UN response capability of 500 personnel (including 50 top notch diplomats and mediators).</li> <li>2. Establish a reserve component of about 2000 personnel to prepare specialists across the UN system to assist with specific planning, management, institutional development, and other technical skills.</li> </ol>
Global Actors	<a href="#">World Bank</a> , <a href="#">UN Peacekeeping operations</a> Active countries: <a href="#">Top Countries Contributing to Peace Keeping</a>
State of Reform	<p>While progress has been made, the UN Secretary-General continues to call for improvements in training and the mobilization of peacekeeping personnel to better respond to crisis situations (<a href="#">Secretary General Report 2018</a>). The UN OMA is still understaffed, but with proper military training, military personnel are capable of field deployment (<a href="#">UN Office of Military Affairs</a>). While the UN OMA has a staff of trained military officers to advise, there is little incentive to put units on reserve (<a href="#">UN Office of Military Affairs</a>).</p> <p>While many states actively participate in peacekeeping operations, deployments and training for policing depend on the permanent reserve capacities of police within countries (<a href="#">UN Police</a>). The 50-strong mediation component of the Albright-Gambari Commission’s proposed “New Civilian Response Capability” can build upon the success of the Department of Political Affairs more than decade-long experience with its Mediation Support Unit, and the more recent establishment of the Secretary-General’s High-Level Advisory Board on Mediation.</p>

### Improve capacities for restoring the rule of law, transitional justice, and host country resilience

Focus G20 support on the New Deal for Engagement in Fragile States	The G20, in consultation with an upgraded Peacebuilding Commission, should meet with the G7+ group of fragile and conflict ridden states to develop a plan to implement the recommended actions of the New Deal. <a href="#">New Deal</a>
Combat corruption to support effective rule of law	When rebuilding a post-conflict country, peacebuilders need to build anti-corruption strategies into capacity building programs.
Augment current disarmament, demobilization and reintegration (DDR) programing with greater emphasis on countering violent extremism	<ol style="list-style-type: none"> <li>1. To reduce the recycling of fighters, DDR programing needs to focus on the social reintegration of fighters.</li> <li>2. Use biometric data to build databases of individuals who process through DDR programs anywhere in the region.</li> </ol>
Consider hybrid models of justice when transitioning to a	Combining customary, religious and international human rights principles in the work of state courts can provide a realistic interim way forward for rule of law development in fragile states. It can help build foundations for

modern state court system	<p>durable peace as justice is dispensed and rights are safeguarded by a practical arrangement through which the state can take credit.</p>
Consider transformational justice as a postwar alternative that addresses not just the results but the roots of violence	<p>Make justice transformational instead of transitional to counter the underlying grievances that caused the violence. War-torn societies need not only transitional justice, but retributive justice supported by forensic truth, acknowledgement of wrongdoing, socioeconomic justice, and democratic justice.</p>
Enhance working relations between the UN Security Council and International Criminal Court	<ol style="list-style-type: none"> <li>1. Adopt a protocol or outlining factors that could guide the Security Council on when to refer matters to the International Criminal Court.</li> <li>2. Sustain a dialogue to allow the ICC president and prosecutor to brief the Security Council.</li> <li>3. Secure agreement between permanent Security Council members to not use their veto in certain cases, such as genocide.</li> <li>4. Use the UNSC's Working Group on Tribunals as forum to discuss pertinent issues.</li> <li>5. Support ICC action against perpetrators, including enforcing ICC arrest warrants through sanctions.</li> </ol>
Global Actors	<p><a href="#">Countries where the UN has DDR programs</a>, <a href="#">The Prevention Project</a>, <a href="#">Strong Cities Network</a>, <a href="#">ISD</a>, <a href="#">Sahel Network on Preventing Violent Extremism</a>, <a href="#">OSLO Governance center (UNDP)</a>, <a href="#">TAP Network</a>, <a href="#">IDLO UNDDR</a></p> <p>Active countries:  <a href="#">U.S.</a>, <a href="#">USAID</a>, Australia, Argentina, Costa Rica, Denmark, Switzerland and Tanzania: <a href="#">GAAMAC</a> <a href="#">EU Radicalization Awareness Network</a> <a href="#">Strive</a></p>
State of Reform	<p>There is growing recognition of the need for transitional justice. and some countries view it as a central national security issue (<a href="#">Stand UP for SDG16+</a>).</p> <p>With SDG16+ many countries, including post-conflict countries, and the UN have recognized the need to combat corruption as integral to national and international security (<a href="#">Stand UP for SDG16+</a>).</p> <p>While the UN and other NGOs have developed robust CVE and DDR programs that focus on reintegrating combatants into civil society (with definitive measures of success and systems to track fighters), there remains no use of biometric data to track the success of reintegration (<a href="#">UN DDR Country Overview</a>).</p> <p>While G7+ nations are committed to helping post-conflict countries, they are not always based around New Deal principles.</p> <p>Some UN documents manifest an appreciation for transformative justice in post-conflict states, but transformative justice has yet to serious play out in terms of implementation.</p> <p>While the Security Council refers matters to the ICC, there is not a standard process or agreement on when not to veto resolutions related to R2P (<a href="#">Implementing the responsibility to protect: accountability</a>). In addition, the ICC continues to face difficulties in arresting its suspects and it has many outstanding arrest warrants (<a href="#">Coalition for the ICC</a>).</p>

## From Peacebuilding Commission to Peacebuilding Council

Create a strong Peacebuilding Council in place of the Peacebuilding Commission	<p>The proposed Peacebuilding Council would have the authority to marshal resources to support countries/regions where there is no UNSC sanctioned peace mission.</p> <p>The Peacebuilding Council could replace the Trusteeship Council as a principal organ of the United Nations.</p>
Entrust the new Peacebuilding Council with a conflict prevention mandate	A prevention mandate in the Peacebuilding Council would help to marshal a more widespread prevention ethos across the UN system.
Improve integrated peacebuilding strategies and monitoring	Need for the PBC to focus even greater attention and resources on conflict drivers and to develop benchmarks for success in countries on its agenda.
Global Actors	<p><a href="#">UN Peacebuilding</a></p> <p>Major supporting countries: South Korea, Japan, South Africa, Colombia, Norway, The Netherlands, and Canada</p>
State of Reform	<p>The UN Peacebuilding Commission has made important strides in its initial eleven years, including through innovating various configurations for engagement and a flexible integrated peacebuilding strategy instrument. However, with now control over peacebuilding funds and with little staff support, there is considerable room for improvement.</p> <p>UN Member states need to revisit the Commission’s relationship with the Security Council and General Assembly, its basic authorities, and its current limited focus.</p> <p>The Peacebuilding Commission strongly feels its mandate is to engage conflict-affected countries throughout all stages of conflict, including conflict prevention (<a href="#">Peacebuilding Commission Formal meeting</a>)</p>

## Annex C: Summary of the Doha Regional Dialogue on Sustaining Peace (January 2018)

SUMMARY OF DISCUSSIONS  
DOHA REGIONAL DIALOGUE ON SUSTAINING PEACE  
DOHA, STATE OF QATAR  
18-19 JANUARY 2018

### **BACKGROUND**

On 18 -19 January 2018, in Doha, the Ministry of Foreign Affairs of Qatar, under the auspices of H.E. Sheikh Mohammed bin Abdulrahman bin Jassim Al-Thani, Deputy Prime Minister and Minister of Foreign Affairs of the State of Qatar, convened a regional dialogue for the purpose of encouraging fresh reflection on what sustaining peace means at the regional level. The dialogue took place in the lead-up to the High-level Meeting on *Peacebuilding and Sustaining Peace*, to be convened in April 2018 in New York, (as per General Assembly and Security Council parallel resolutions on the review of the peacebuilding architecture A/RES/70/262 and S/RES/2282) and sought to elicit and offer concrete local and regional views that could be fed into the High-level meeting.

The specific objectives of the dialogue were to: (1) to reach a mutual understanding among U.N. Member States, regional organizations, civil organizations and the private sector on the relationship between sustainable development, conflict prevention, mediation, peacekeeping and human rights; (2) propose a menu of strategic options to represent local and regional views on sustaining peace in current UN discussions on sustaining peace; (3) identify issues related to local and regional capacity; and (4) discuss options to harness the potential negative effects of technology and innovation and in support of sustaining peace.

H.E. Mr. Miroslav Lajčák, President of the 72nd Session of the General Assembly; H.E. Mr. Sultan bin Saad Al-Muraikhi, State Minister for Foreign Affairs of the State of Qatar; Ms. Ana Maria Menéndez, Under-Secretary-General and Secretary-General's Senior Adviser on Policy from the Office of the UN Secretary-General; Mr. Tegegnework Gettu, United Nations Under-Secretary-General and Associate Administrator of the United Nations Development Programme (UNDP); H.E. Mr. Nassir Abdulaziz Al-Nasser, High-Representative, United Nations Alliance of Civilizations; Mr. Mohammed Ali Alhakim, Under-Secretary-General and the Executive Secretary of United Nations Economic and Social Commission for Western Asia (ESCWA); and Mr. Robert Malley, President and CEO of the International Crisis Group (ICG), participated in the dialogue. In addition, the dialogue brought together over 60 key actors with expertise on sustainable development, peacebuilding, conflict prevention, crime and disarmament, and human rights along with permanent representatives from over 22 UN Member States from the MENA region, Central Asia and Africa.

H.E. Ms. Alya Al-Thani, Permanent Representative of the State of Qatar to the United Nations in New York, chaired the regional dialogue. Ms. Sarah Cliffe, Director of the Center on International Cooperation at the New York University, Dr. Sultan Barakat, Director of the Center for Conflict and Humanitarian Studies at the Doha Institute for Graduate Studies, and Prof. Ibrahim Gambari, former UN Under-Permanent Mission of the State of Qatar to the United Nations Secretary General, Chairman and Founder of the Savannah Centre for Diplomacy, Democracy and Development in Nigeria, moderated the discussions.

The two-day regional dialogue included: a High-level segment, a key note speech; and thematic interactive panels covering several dimensions of sustaining peace: (1) setting the scene; (2) regional platforms and processes for sustaining peace; (3) linkages between the 2030 agenda for sustainable development and sustaining peace; (4) sustaining peace and the prevention of conflict; (5) mediation for peace: a key tool for prevention and peacemaking; (6) emerging threats: the dark side of innovation; and (7) financing the peace. The final session of the workshop included summaries of key points made during the seven sessions and closing remarks by the Chair.

## MAIN CONCLUSIONS

### *Universal concept*

1. The Regional dialogue recognized sustaining peace as a Charter responsibility of the entire United Nations system and more integrated, strategic and coherent approaches to prevent the outbreak, escalation, continuation and recurrence of conflict are urgently needed. The participants had an in-depth discussion on the concept of sustaining peace and agreed the resolutions on the review of the peacebuilding architecture call for a broader concept than peacebuilding, reaching across the conflict continuum, peace and security, development, human rights and humanitarian action. However, sustaining peace could be better defined through a focus on implementation at local and national levels.
2. The Regional dialogue emphasized that sustaining peace is a universal concept. Everyone, not just in conflict-affected countries, must have the ability to live peaceful lives without insecurity and violence. Ultimately, every country in the world is at risk of violent conflict, with many facing insecurity situations. Thus, all countries should aim at building resilient societies and promoting key issues like slashing corruption, ensuring political, social and economic inclusiveness, promoting human rights, providing access to security and justice, and ensuring accountability to guarantee sustainable peace.
3. Sustaining peace should not be seen as the securitization of development or an infringement on sovereignty. It should be seen as an attempt to ensure the multilateral system is able to support countries better sustain peace. Depending on their national context, some countries might need different support from the multilateral system. Those on the sharp-end of current conflicts or crises might need special and concerted action.
4. There is a need to address great power rivalry at the global and regional level which is fueling conflict, through opening up new avenues for dialogue in innovative ways.

### *National Ownership*

5. Sustaining peace is the primary responsibility of Member States and is built upon national ownership and inclusivity. The meeting also made a case for a pragmatic approach to enhancing understanding of sustaining peace at national and local levels, for example through its inclusion in national plans of action for the SDGs. In this regard, civil society, women and youth are a crucial ally in sustaining peace and should be seen as partners.

### *2030 Agenda for Sustainable Development*

6. Sustainable, inclusive development is the paramount goal of the work of the United Nations in support of Member States. The 2030 Agenda for Sustainable Development is also the best defense against violent conflict and instability, as the international community has committed to leaving no one behind and reaching the furthest behind first. The 2030 agenda commitment to build peaceful, just and inclusive societies in SDG16 and across other 7 SDGs, is truly transformative and provides the international community with a universally agreed vision to address the complex roots that underpin today's crises. Moreover, the commitment to building peaceful, just and inclusive societies within the 2030 agenda underpins the Sustaining Peace resolutions and is a vital foundational aspect.
7. The Regional Dialogue highlighted the importance of a comprehensive approach to sustaining peace, particularly through an investment in prevention and addressing the root causes of conflict. There should not be competition between peace and development for resources, rather, the meeting reiterated that development, peace and security and human rights are **interlinked and mutually reinforcing** goals of the United Nations (e.g., peace created the conditions for development to flourish, and development ensures that peace is sustainable and just). The UN-World Bank joint study, *Pathways for Peace*, makes a strong case for the value of investing in prevention and how development, with a prevention-based approach, can contribute to sustaining peace. The report points out that, even with cautious estimates, more investment in conflict prevention could save the international community anything from \$5 billion to \$70 billion per year for the affected county and the international community combined. The benefits would be even more significant at the national level, as prevention could save countries over \$34 billion per year in losses.
8. The comprehensive commitment to build peaceful, just and inclusive societies in the 2030 agenda accurately reflects the reality that a number of conflicts today are not about poverty and inequality – but instead about exclusion from access to power, human rights abuses, absence of inclusive

institutions, and lack of access to justice – concepts which are all prominent in the framework. Fulfilling these obligations are thus vital if states are to sustain Peace and prevent violent conflict.

9. As human rights law provides a framework for conflict prevention and sustaining peace, then efforts by States, supported through the concluding observations of treaty bodies and by UN agencies working on the ground, can address potential violations and help to reduce the risk of conflict. This applies as much to social and economic development issues as it does for civil and political rights issues. The example of Tunisia teaches us that whilst many of the human development assessments in the 2000s were indicating positive trends in the country, the treaty bodies and other human rights assessments were showing levels of social and economic exclusion as well as political repression which should have been the early warning signs of what was to come.

10. Participants noted that people want to be included in decision-making and want equitable opportunities. The protection of women’s rights, youth rights, and minority rights are important factors for inclusive societies. Inclusion is a crucial element for sustaining peace and preventing conflict. The voice of young people and women as peacebuilders needs to be brought in and listened to in particular.

### *Human Rights*

11. There is no need to ‘reinvent the wheel’ and devise some new ‘frameworks to sustain peace’. Instead, it would make sense to better use the prevention framework given to the international community by the founders of the UN: international human rights law and its mechanisms that the Member States have tirelessly developed over the years. There is a need to make sure that human rights are at the core of the approach from start to finish, and not only once the conflict has ended or development has been achieved.

12. Peace and security cannot be achieved without human rights: “we will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights. Unless all these causes are advanced, none will succeed.”

13. HR underpins both SDGs and the sustaining peace agenda. If we follow the logic of our assertion that human rights are inherently about preventing conflict and crisis, then the rights-based development which has been the norm for the past 20 years in the UN system, is really about injecting prevention into sustainable development. And if we say that you can’t have peace without development, then by extension adopting a human rights-based approach to sustaining peace is also about injecting prevention into sustaining peace, and henceforth a guarantee to sustain peace.

### *Emerging threats*

14. Participants noted that information and exponential technologies are increasingly transforming international coexistence by generating both risks in terms of security, defense and crime capable of creating strong tensions and even destabilization in international relations. However, they also fuel innovation and development, in certain instances representing opportunities for significant economic growth and equitable development that can reinforce stability.

15. It was pointed out that state sponsored cyber-attacks are a threat to international peace and security. Resorting to invasive action without international sanction, ignoring the principle of settling disputes peacefully, disrespecting the borders or the laws and norms established by states and civil society – each can, have an immense impact on peace.

16. Overall participants noted emerging opportunities for the United Nations when addressing fundamental security and legal challenges to the UN’s sustaining peace effort stemming from innovations in the areas of cyber-security and artificial intelligence. Attention should be given to raising greater awareness, knowledge, and understanding across political leaders in UN Member States – as well as within the Security Council and General Assembly – about the need to better equip the international community with additional tools to prevent, mitigate, and manage risks to international security posed by innovations in science and technology.

17. The establishment of a new stand-by roster of cyber-security and cyber-crime experts to assist countries in the Global South in developing critical cybersecurity and cybercrime fighting capabilities by pulling information and encouraging joint analysis and coordination, was suggested.

18. To ensure that new technologies (such as lethal autonomous weapons, artificial intelligence, and digital communications) are developed, transferred and used in line with international law was also advocated. Weapons are instrumental in contributing to violations of most human rights in conflict and non-conflict situations.

19. Finally, it was also noted that as scientific and technological development surge ahead, constant advances in artificial intelligence, automation, among others, seem to challenge assumptions about what it means to be human.

#### *Financing the peace*

20. The Regional Dialogue also highlighted the importance of ensuring adequate, predictable and sustained financing for peacebuilding, including through the exploration of innovative financing solutions, as well as options for assessed and voluntary funding as requested by the resolutions. The Peacebuilding Fund is a central component of the Secretary-General's vision of prevention, a driver for coherence in peacebuilding activities and a key tool in the role of the Peacebuilding Support Office as a "hinge" connecting different parts of the UN system.

21. The vital thing is also to design funding mechanisms to focus on addressing drivers of conflict and monitor their success in doing so, as well as to make financial mechanisms accessible to support the inclusive vision underpinning 'sustaining peace'.

#### *Focus on regional and sub-regional organizations*

22. The importance of regional and sub-regional organizations in efforts to sustain peace was highlighted (African Union and ECOWAS were considered great examples). They play a key role in sustaining peace; through preventive diplomacy, confidence-building and mediation efforts, preventing violent extremism, peacekeeping and peacebuilding. Regional partners share knowledge, analytical capacity and strong local networks. There should be a focus on regular dialogue, enhanced information-sharing, improved coordination and joint approaches and activities.

#### *Middle East*

23. The region is host to conflicts and occupation. Conflicts in the region are composed of "layers of conflict", superimposed one upon the other, involving geopolitical interests, escalating regional and major power rivalries, fragmentation and proliferation of non-state actors/armed groups, but also includes outside involvement, which complicates mediation and efforts to reach comprehensive and inclusive peace settlements.

24. Counterterrorism has come to dominate foreign policy in theory and in practice. It has given license to governments to first label their armed opponents as terrorist and then treat them as such. At times this has led to the neglect of efforts to address the complex drivers of conflict effectively. Furthermore, most current counter-terrorism policies and strategies have no longer term vision on how to build peace, or how actions/approaches are contributing to the idea of sustaining peace.

25. Given the increasing number of conflicts the region suffers from, it is time for the Arab world to start thinking and acting as a region. The region's problems reflect the lack of sustained investment in structural prevention. Participants noted that they've seen early-warning signs in almost every case, but, as a region and as an international community, have not had the tools to prevent the crises escalating. Corruption, injustice and exclusionary government policies are quite often the root causes for conflict.

26. Institutional reform was noted as the most vital priority for prevention in the region. Institutions - from those dealing with human rights, to justice, to security, to employment and livelihoods - should be open, transparent, and responsive to citizen's needs. In some instances, institutions might need to be completely reinvented.

27. The region has an urgent need for a long-term rights-based sustainable development strategy: national and regional strategies should be contextually-relevant but founded in the commitments to build peace, provide access to justice, and promote inclusive, accountable, and transparent institutions made in the 2030 agenda.

28. Access to justice was viewed a key challenge and supporting the process of building accountable, legitimate institutions that respect human rights as a key element of conflict prevention and sustaining peace. Access to justice, and legitimate avenues to address grievances is a fundamental part of an inclusive society, and the absence of these dynamics fuels grievances and can lead to conflict at a number of different levels. Moreover, it is necessary to challenge power and justice structures that reinforce social, political and economic injustices - such as, providing access to justice for marginalized groups, including women and ethnic minorities.

29. The region lacks dedicated investment in mediation, training of diplomats who can manage negotiations, and institutions for handling dialogue and mediation efforts effectively - whether unilaterally or through partnerships with regional and international organizations or with states that

have established track records in mediation. Enhancing capacity for mediation should include local actors, women and youth. Greater engagement in mediation by regional organizations is needed as well.

30. There is a clear connection between accountability and sustainability of peace efforts. There are links between impunity and resurgence of crisis and violence. Accountability mechanisms, including as part of transitional justice processes, play an important role in providing victims and affected communities with opportunities to reclaim a space in society.

*Looking ahead*

31. The Regional Dialogue looked forward to the Secretary-General's forthcoming report on Peacebuilding and Sustaining Peace and the upcoming High-level Meeting on Peacebuilding and Sustaining Peace to be convened by the President of the General Assembly on 24-25 April 2018. Participants highlighted the need to take a longer-term view of the High-level Meeting and sustaining peace for the United Nations. There was a call for an outcome from the High-level Meeting that ensures continued interaction between the UN system, Member States, civil society and private sector on sustaining peace.

32. The State of Qatar proposed to hold and host a **global conference on preventive diplomacy** to sort out outstanding issues and usher in permanent peace and stability across the region. Qatar's willingness to host such an event is out of its belief in the importance of the firm role that preventive diplomacy plays as a main pillar in the vision of the UN Secretary-General and Doha's sense of responsibility to support the Secretary-General's reform and to empower the UN system to prevent conflict and to sustain peace.

## Annex D: Secretary-General's Proposals to Reform the United Nations

### **Reform of the United Nations Development System**

- 1st Report of the Secretary-General: Repositioning the United Nations development system to deliver on the 2030 Agenda: ensuring a better future for all: [A/72/124 - E/2018/3](#)
- 2nd Report of the Secretary-General: Repositioning the United Nations development system to deliver on the 2030 Agenda: our promise for dignity, prosperity and peace on a healthy planet: [A/72/684-E/2018/7](#)
- [Remarks of the Secretary-General on Repositioning](#) of the UN Development System, in the Context of the [Quadrennial Comprehensive Policy Review](#) of Operational Activities for Development
- Explanatory Notes
  - [A new generation of UN Country Teams](#)
  - [The reinvigorated Resident Coordinator system](#)
  - [Enhanced Resident Coordinator offices](#)
  - [Common business services and back-office functions and enhanced UN-DOCO](#)
  - [UN inter-agency Pooled Funds](#)
  - [A reinvigorated ECOSOC Operational Activities Segment](#)
  - [A Joint Board of NYC-based funds and programmes](#)
- [Revised draft: General Assembly](#) resolution on the repositioning of the UN development system, in the context of the Quadrennial Comprehensive Policy Review

### **Reform of the Management of the United Nations**

- Report of the Secretary-General: Shifting the management paradigm in the United Nations: ensuring a better future for all [A/72/492](#) & improving and streamlining the programme planning and budgeting process [A/72/492/Add.1](#)
- [Remarks of the Secretary-General](#) introducing his management reform proposals to the General Assembly Fifth Committee
- General Assembly resolution [72/266](#) 'Shifting the management paradigm in the United Nations'
- Report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 2018–2019 [A/72/7/Add.24](#)
- Proposed revisions to the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (article VII and annex) [A/72/73/Rev.1](#)
- Limited budgetary discretion [A/72/497](#)
- Review of the efficiency of the administrative and financial functioning of the United Nations [A/72/682](#)

### **Reform of the United Nations Peace and Security Pillar**

- Report of the Secretary-General: Restructuring of the United Nations peace and security pillar [A/72/525](#)
- General Assembly resolution [72/199](#) Restructuring of the United Nations peace and security pillar ▪ Report of the Secretary-General: Peacebuilding and sustaining peace [A/72/707–S/2018/43](#)
- [Remarks of the Secretary-General](#) to the General Assembly introducing his report on Peacebuilding and Sustaining Peace

### **Other United Nations Reform Strands**

- United Nations [System-wide Strategy on Gender Parity](#)
- Secretary-General's Bulletin: Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations [ST/SGB/2017/2](#)
- Report of the Secretary-General: Special measures for protection from sexual exploitation and abuse : a new approach [A/71/818](#) + [Corr.1](#) + [Add.1](#)
- Report of the Secretary-General: Capability of the United Nations system to assist Member States in implementing the United Nations Global Counter-Terrorism Strategy [A/71/858](#)