

**Security Council**

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Letter dated 10 January 2011 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to inform you that during the Presidency of Bosnia and Herzegovina, the Security Council is scheduled to hold an open debate on the theme “Post-conflict peacebuilding: institution-building” on Friday, 21 January 2011.

Bosnia and Herzegovina has prepared the attached concept note to help guide the discussion on this subject (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Ivan **Barbalić**
Ambassador
Permanent Representative, Bosnia and Herzegovina



Annex to the letter dated 10 January 2011 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

Post-conflict peacebuilding: institution-building

Security Council open debate: Bosnia and Herzegovina concept paper

Bosnia and Herzegovina proposes to convene an open debate of the Security Council on 21 January 2011 to consider the importance of institution-building as part of a comprehensive approach to peacebuilding in countries recovering from conflict and on the road to sustainable peace.

Armed conflict not only causes the loss of human life and physical damage; it also has serious effects on Government institutions. It tears the social fabric, deepens ethnic divisions and conflict among communities, and results in deaths and displacement among the population, thus destroying the basis for the functioning of institutions. Such a lack of capacity greatly hinders a society's ability to restore and maintain peace. This may be one of the main reasons why the majority of post-conflict countries experience a return to conflict within 10 years in spite of all the efforts to promote peace. Consequently, an increasing emphasis has been placed on the crucial role of institutional development in preventing the renewal of conflict. Those concerned with peacebuilding have come to recognize the importance of coordinated rapid action to support post-conflict Governments in building core State capacities. If properly executed, such action can help restore security, legitimacy, accountability and effectiveness, thus delivering peace dividends that will enhance trust in national leadership.

The traditional approach to post-conflict recovery has been to focus on providing humanitarian relief and rehabilitation assistance from the outset, leaving the complex process of institution-building for a later stage. However, as the Secretary-General underlines in his 2009 report on peacebuilding in the immediate aftermath of conflict, it is usually too late to start developing institutional capacities when peacebuilding efforts are already at the exit strategy phase. Although threats to peace are greatest in the immediate post-conflict period, that time also offers the greatest opportunity to strengthen the national capacities needed to see peacebuilding efforts through. The building of accountable, legitimate and resilient institutions should therefore be a strategic objective from the early stages of the process. The international community should offer its support to post-conflict countries to help them achieve functional and effective governance.

Building institutional capacity is a difficult undertaking in any country. It becomes even more challenging, however, when placed in a post-conflict setting. The root causes of violence remain long after the conclusion of ceasefires and peace accords, creating highly volatile environments. Many of the resources indispensable to creating or rebuilding institutions, including physical infrastructure, social capital, financing and human capital, are greatly depleted by the previous conflict. However, an additional look should be given to local capacities, taking into account the specificity of each situation. The process is complex, involving multiple stakeholders and capacity issues, and the need to strike the right balance between achieving short-term results (such as providing basic services) and long-term capacity development including institutional reform.

Post-conflict institution-building represents a very broad task, owing to the fact that institutional gaps exist in virtually all sectors of society. This in turn requires a complex, comprehensive approach to developing capacity. At the same time, in order to ensure the success of peacebuilding efforts, priority has to be given to the development of those institutions that will prevent a relapse into conflict and secure the survival and renewed credibility and legitimacy of the State. The specific capacities that should be given primacy will vary from country to country. Certain institutions, however, are crucial to consolidating peace regardless of the country context, and significant efforts should be invested in their development. They include: (a) institutions carrying out political functions (such as implementing peace agreements, elections, taking and implementing decisions, and carrying out leadership functions); (b) security and rule-of-law institutions; (c) public finance institutions; and (d) institutions entrusted with economic recovery and service delivery. Debates about post-conflict institution-building often assume that the aforementioned functions are carried out only by State institutions. However, in reality, some of those functions are carried out partly or completely by various non-State actors, such as civil society and international organizations. In many cases, civil society also acts as an additional pillar in institution-building by helping newly formed institutions to define agendas and priorities that are of direct benefit to citizens. Effective oversight and accountability mechanisms are central to the legitimacy and credibility of the institutions.

Considering the weakened and vulnerable state of post-conflict countries, it may be tempting to transfer much of the responsibility for peacebuilding and consequently institution-building to the international community. It is indeed appropriate in certain cases for the international community to set up transitional institutions and provide services that would be otherwise rendered through national capacities. However, the purpose of institution-building is to progressively reduce dependence on the international community and promote self-reliance. National ownership is a *sine qua non* for the establishment of effective institutions and securing sustainable peace. First and foremost, there must be at least a basic level of consensus and political will among the leading national stakeholders in order for institutional development to succeed. Second, national actors have a far better knowledge of local conditions, which makes them more suitable to assess which institutional solutions will work in their particular context. They are also aware of existing institutional resources, and their inclusion in the institution-building process can ensure that such resources are utilized to the greatest extent while preventing the creation of redundant capacity. National ownership also facilitates the inclusion of all key stakeholder groups (such as all parties in the conflict, refugees and internally displaced persons, minorities and women) in designing and participating in future institutions.

The United Nations, Member States, regional organizations and international financial institutions also play a vital role in post-conflict institution-building. Their objective in this process should be to facilitate and support programmes that lead to the creation of a stable, viable, and responsive state by working with domestic decision-making institutions. Given the conditions in post-conflict environments, the best way to achieve that objective is by providing reliable, early and flexible funding, as well as a pool of civilian experts, particularly in the areas of justice, security sector reform, governance and economic recovery. It is also important that the efforts of those various external actors are coordinated, primarily through the mechanisms of the United Nations, to avoid differing or overlapping courses of

action. International organizations should also bear in mind that they can make a significant contribution to institution-building and the peacebuilding process as a whole by making sure that domestic professionals have the incentives to remain within domestic structures, thus preventing “brain-drain”. Finally, the success of post-conflict institution-building depends on forging a partnership based on shared goals between the international community and a post-conflict society. When domestic and international stakeholders build consensus on a set of goals, achieving those goals becomes a driving force for institution-building, thus stabilizing a post-conflict society by bringing all stakeholders together to collaborate on a shared agenda until the risk of future conflict is eliminated.

While we welcome the progress presented in the report of the Secretary-General (A/64/866-S/2010/386), we also believe that much remains to be done. With regard to areas such as predictability of response and national capacity development, we support his recommendation that greater efforts are required from the United Nations, international financial institutions, Member States, regional organizations and civil society in order to reach an agreement on how we can work together to address the continuing challenges of post-conflict peacebuilding, including institution-building. We hope for and encourage a fruitful exchange of views and valuable contributions from the Security Council during this debate.

The Security Council has already addressed a number of issues related to the theme of post-conflict institution-building.¹ In this particular debate, it is expected to focus on the following questions as challenges in the further elaboration of the theme of post-conflict peacebuilding:

1. How effectively does the Security Council consider and reflect on the process of institution-building when preparing for all stages of a mission that are crucial for consolidating peace, taking into account the specificities of each country and situation?
2. Bearing in mind the importance of introducing national ownership when preparing and implementing institution-building tasks, is there a need to further consider how the United Nations and international community can assist in building upon existing national capacities and resources in a more efficient and coordinated manner?
3. How can the partnership between international actors be better defined in order to improve effective institution-building during the different phases of the process? What could be the role of the Security Council in enhancing this partnership?
4. What additional steps could be taken within the United Nations system for better, integrated and more coordinated approach for carrying out institution-building processes?
5. How can the advisory role of the Peacebuilding Commission, especially in terms of lessons learned, be more effectively used to enable the United Nations system to establish an integrated approach for institution-building and to address the gaps in transition?

¹ See S/PRST/2010/20, S/PRST/2010/7, S/PRST/2010/2 and, inter alia, S/PRST/2010/18, S/PRST/2010/11, S/PRST/2009/23, S/PRST/2008/14, S/PRST/2008/18 and S/PRST/2007/3.