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Can Intergovernmental Organizations Be Peacebuilders in Intra-State War?
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ABSTRACT
This article examines the sources of authority of intergovernmental organizations (IGOs) conducting peacebuilding independently of peace operations. Expanding Inis Claude’s notion of the two identities of the UN, the article suggests re-imagining the state/non-state divide in international organization by distinguishing between governmental and non-governmental sources of authority, rather than between different types of organizations. Similar to international non-governmental organizations, IGOs depend on moral and expert credibility as non-state sources of authority in peacebuilding. This reliance and the in-built pro-government bias curtail their ability to engage in transformative peacebuilding, rendering it likely that IGO interventions contribute to maintaining existing power imbalances.

KEYWORDS
Intergovernmental organizations; international non-governmental organizations; peacebuilding; legitimacy; authority; First and Second United Nations

Introduction
Defying traditional research paradigms in IR theory, intergovernmental organizations (IGOs) are increasingly recognized as ‘self-directed’ (Oestreich 2012), ‘semi-independent’ (Cronin 2002, 55), or, at times ‘corporate’ actors (Claude 1996, 291) with steadily expanding mandates in global politics (Avant, Finnemore, and Sell 2010; Barnett and Duvall 2004; Barnett and Finnemore 1999, 2004; Peters et al. 2009; Weiss, Carayannis, and Jolly 2009). Their actor-like qualities notwithstanding, the involvement of IGOs in the resolution of intra-state wars poses a number of challenges, particularly if these organizations conduct operational peacebuilding activities such as disarmament, reconstruction, dialogue, or institution-building projects, to name but a few, within the domestic affairs of states.

In line with the other contributions to this special section, I define peacebuilding as a multilateral endeavour that is jointly conducted by the United Nations and its bodies, bilateral development agencies, international organizations, and NGOs to help states and societies emerging from internal violent conflict transit to a more stable, or ‘self-sustaining’, peace after the conclusion of a peace agreement. According to 2010 UN Peacebuilding Support Office guidance, peacebuilding ‘is neither a purely political, security nor developmental process, but one that must bring together security, political, economic,
social and human rights elements in a coherent and integrated way’ (UNPBSO 2010, 1). As such, peacebuilding spans the entire spectrum of reconstruction and development, state building, and peacemaking efforts, including justice, mediation, and reconciliation, ‘undertaken on the far side of conflict’ (UN 2000, 13). While originally conceived of as providers of ‘technical’ reconstruction and development assistance (UNSC 1993), IGOs like the UN Development Programme, UNESCO, or the World Bank have steadily expanded their peacebuilding portfolios to include local reconciliation (UNDP 2008, 2011), political dialogue processes, or the prevention of violent extremism (UNDP 2016; UNESCO 2015).

A considerable share of international post-war peacebuilding efforts is conducted outside the scope of UN-mandated peace(-keeping) operations. What this means is that a host of international governmental and non-governmental organizations such as the international financial institutions, specialized agencies of the UN system and of regional organizations, development and humanitarian INGOs and bilateral assistance agencies operate in post-war countries not on the basis of a resolution and mandate issued by the UN Security Council, but based on the invitation by and an agreement with host state governments.

In contrast to peacebuilding programmes conducted within the framework of a peace (-keeping) operation or international transitory administration mandated by the UN Security Council, this little defined ‘grey area’ of peacebuilding work therefore immediately depends on the consent and cooperation of target state governments and is rarely fully coordinated. This dependency implies that IGOs can only be effective peacebuilders if one of two conditions is met: either, IGOs can draw on the political (and at times, persuasive or coercive) clout of a peace operation or of their member states (Gippert 2017), or they succeed in gaining the consent and constructive cooperation of the target state government as gatekeeper to any kind of involvement of international agents in their domestic affairs.

These stipulations might appear fairly obvious, and they mirror the conundrums of conducting military peacekeeping under conditions of uncertain consent or co-operation in intra-state settings. However, while the latter have extensively been analyzed (Bellamy and Williams 2010; Sloan 2011; Tsagourias 2007; White 2015), the degree to which civilian peace support activities are hampered by parallel dynamics and the implications of IGO dependence on target state governments for conducting peacebuilding without Security Council backing have rarely been systematically assessed (Barnett and Zürcher 2009; Lake 2016).

The present article fills this gap by developing a conceptual framework for systematically assessing the scope of action of IGOs operating in this grey area of post-war peace support. It re-examines Claude’s (1996) seminal distinction between the ‘First’ and ‘Second’ United Nations and related conceptualizations of the so-called ‘Third UN’ (Kittikhoun and Weiss 2012; Weiss, Carayannis, and Jolly 2009) to explore the relationship between state based and non-state based sources of legitimacy and authority that IGOs within and outside the UN system can bring to bear on non-military peace support. In particular, the article develops further Claude’s insights on the link between different dimensions of the UN system and their specific resources for fostering international peace and security to the wider field of non-military peace support to assess the sources and resources of legitimacy and authority that IGOs employ to conduct peacebuilding programmes within the domestic space of sovereign states.
In seeking to conceptualize the grey area of non-coercive intergovernmental peace support, the article sets out two related arguments. Firstly, while IGOs such as the United Nations Development Programme, the Organisation for Security and Co-operation in Europe (OSCE) – and evidently the Bretton Woods institutions – possess more financial and political leverage vis-à-vis target state governments compared to international non-governmental organizations (INGOs), their room for manoeuvre in contested settings is in fact curtailed by the very same limitations as those faced by most INGOs (Vedder 2007). By having to eschew any semblance of political partisanship or interference, the scope of action of IGOs vis-à-vis host state governments is in important respects more akin to that of large INGOs than to those of the political organs of the United Nations or bilateral donors. This, in turn, strongly constrains their ability to engage with and confront conflict parties and thereby to act as peacemakers or peacebuilders within sovereign states.

Secondly, and relatedly, in focusing on the legal, institutional, and political interface between IGOs and target state governments, I argue that IGOs’ reliance on alternative (i.e. non-state) sources of legitimacy and authority such as expert knowledge and moral credibility paradoxically further curtails their scope to act as peacemakers and peacebuilders vis-à-vis the host state government (Convergne 2016, 190). In contrast to most literature on international organizations that focuses on the relationship between IGOs and their member states (principals), this article studies ‘the other end’ of the state-IGO interface, i.e. that between IGOs and the governments of states in receipt of post-war peace, development, or humanitarian assistance. These ‘host’ governments continue to be the primary partners, contractees, and thereby gatekeepers for international assistance of any kind with regard to interventions in their sovereign sphere. As a result, it is doubtful to what extent post-war peacebuilding endeavours conducted by IGOs can meaningfully address the causes and dynamics of ongoing societal or political conflict (Aggestam 2015).

To what extent, then, and on what basis can IGOs act as peacebuilders in post-war countries? This article puts forward an alternative framework for understanding the state/non-state divide in international organization to argue that a key resource for the capability of IGOs to act as peacebuilders is the purportedly non-political quality of special issue IGOs working in this field and the importance of their moral and expert credibility. This, in turn, narrowly delimits the type of peacebuilding that such organizations can conduct, potentially rendering them a source of maintaining and reinforcing power (im)balances rather than assisting in their transformation. The article hence rejects the functional hypothesis that activities and processes of IGOs are a functional response to policy issues, and advances an argument that it is the interaction between activities and seeking legitimacy for these that determines an IGO’s scope of action (Goetze 2020; Stage 2020; see also Moe and Geis 2020).

The article offers a significant contribution to the literature on peacebuilding and post-war intervention by conceptualizing the role and scope of action of the broad range of civilian IGOs that together populate the grey area of peace support conducted outside the framework of UN peace operations. In reviewing the legal, institutional, and political framework that conditions IGOs’ room for manoeuvre, the article interrogates the boundaries and types of peacebuilding that these organizations can conduct. The arguments presented here draw on a research project into the evolution of dominant IGO peacebuilding practices since the end of the Cold War. The project employed historical process
tracing and a comprehensive discourse analysis of policy documents, resolutions, guidelines, and manuals of a set of international and bilateral peacebuilding organizations to trace changes in the practical reasoning on peacebuilding at the conceptual level and in two specific peacebuilding cases, Bosnia and Herzegovina and Timor-Leste. This research was complemented by a mix of participant observation and 25 interviews with staff of international organizations and bilateral agencies in Bonn, Dili, Eschborn, Florence, Geneva, London, and Oslo.

In the following sections, I firstly consider sources of legitimacy and authority for intrastate peacebuilding across different types of international organizations. I subsequently review Claude’s (1996) concept of the Two United Nations and related work conducted by the UN Intellectual History Project with a view to identifying and tracing the sources and resources of authority that IGOs draw on when working in the grey area of post-war peacebuilding. In the third section, I put forward a framework to explore the legal, institutional, and political parameters that circumscribe the role of IGOs in post-war peacebuilding.

In discussing the limits of IGO engagement in peacebuilding, I do not make the case for greater political intervention in post-war societies, nor do I try to argue that their limitations are necessarily a major impediment to peacebuilding success. Instead, my argument is concerned with understanding the type of peacebuilding intervention that such organizations engage in by default and emphasizes the importance of re-considering its political effects on target state societies on a case-by-case basis (Aggestam 2015).

Authority, legitimacy, and power across the state-non state divide

According to classical definitions, ‘international organizations’ as a category comprises both intergovernmental (IGOs) and non-governmental organizations (INGOs) (Rittberger, Zangl, and Kruck 2013, 22). IGOs such as the United Nations and its agencies and bodies, the Organization for Economic Cooperation and Development (OECD), the International Organization for Migration, or the Bretton Woods institutions are created by sovereign states to conclude and implement an international treaty. Over time, the bureaucracies of some of these organizations have extended their institutional capacities and scope of action, thereby gaining greater independence from their original, state-driven agendas (Barnett and Finnemore 1999, 2004).

In contrast to IGOs, the leverage of international non-governmental organizations (INGOs) such as Human Rights Watch, Oxfam, or the International Crisis Group is almost entirely derived from their purportedly non-partisan, and frequently humanitarian, charitable, or otherwise altruistic mandates and reputations in conjunction with their recognized subject matter expertise (Barnett 2011; Terry 2002; Weiss, Carayannis, and Jolly 2009). Notwithstanding these different sources of leverage and authority between the IGO and INGO spheres, this article holds that IGOs and INGOs conducting peacebuilding activities within states share a similar concern with constructing and maintaining a reputation as honest brokers based on their moral and expert credibility. While both INGOs such as Human Rights Watch or IGOs like the UN Development Programme or the World Bank frequently see such legitimacy claims contested, their successful performance not only allows both types of international organizations to champion particular issues or agendas, such as good governance or sustainable development, but is often thrown into
sharp relief with traditional, state-based forms of power and the pursuit of national, partisan, or state-centred political interests (Emmerij 2007; Rittberger, Zangl, and Kruck 2013).

The notions of legitimacy and authority are closely linked, and I use them in conjunction with each other to emphasize the social and moral element of authority (as legitimate power) in the absence of an a priori legal or regulatory basis that legitimizes IGO action within states. When considering Beetham’s (1991) classic three dimensions of legitimacy, i.e. regulatory/law, social, and moral, it is evident that neither IGOs nor INGOs conducting peacebuilding interventions independent of a peacekeeping operation can a priori legitimize their work in the legal sense, as neither have any ‘right’ to conduct peacebuilding interventions independent of an agreement with the host state government. Instead, and as the following sections will demonstrate, such an agreement depends on their recognized (social) and moral (expert and non-partisan) legitimacy. This is, however, not to say that such a process takes place in a political vacuum.

Clark (2007) develops a definition of legitimacy in international society that links its normative content with an emphasis on power and social interaction: ‘The normative substance of legitimacy … (is) supplied by a trio of contemporary norms – legality, morality, and constitutionality. These exist in a dynamic relationship and often pull in opposite directions’ (166). What this means is that ‘norms … translate as legitimacy principles only through the filtering process of contested politics’. This process is ‘suffused with power relations, and it is hard to see where coercion stops and voluntarism starts in the production of it’ (163). In the context of international organization, such processes can be observed in multiple instances in which the content of legitimate norms and practices (seemingly) follow the preferences of influential member states or coalitions that exert pressure on smaller or middling powers (Zaum 2016, 1112; see also Bliesemann de Guevara and Kühn 2011, 141–143). In the case of intra-state peacebuilding, however, the sovereignty of the gatekeeping host state government affords it much greater leverage (power) with regard to accepting the legitimizing strategies of IGOs. Accordingly, the legitimacy and authority of both intergovernmental and non-governmental organizations to act as peacebuilders principally, although certainly not exclusively, depends on their non-partisan and expert reputations as a key resource.

Taking the centrality of credible non-partisanship and expertise as a key resource for peacebuilding seriously, I suggest replacing the conventional division between governmental and non-governmental types of international organizations with the distinction between state-based and non-state based sources of IO authority across the state-non-state divide. While most IGOs within and beyond the United Nations system draw on their member states to project political, military, or economic leverage, just like INGOs, these IGOs have increasingly come to rely on alternative sources of authority, including their subject matter expert status (Adler and Bernstein 2005; Goetze 2017; Gross Stein 2011; Sending 2015) and moral credibility (Kille 2007).

To explore the relationship between different sources of IGO authority, the following section re-examines Claude’s (1996) distinction between the First and Second United Nations and his emphasis on distinct types of resources that these draw on in the area of international peace and security. Although Claude’s argument is only concerned with the UN proper, his insights, particularly with regard to the incompatibility of different types of IGO authority and legitimacy in peace support, can be harnessed for studying a broader set of IGOs.
The Two United Nations and non-state resources for peacebuilding

Claude (1996, 290) famously introduced a distinction between the two ‘identities’ or ‘institutions’ of the United Nations. The First United Nations comprises its staff, an international secretariat or bureaucracy located in New York, Geneva, and other regional headquarters. Most discussions of the intentions, hopes, and plans of the UN refer in fact to the will of this First UN, as expressed by the secretary-general or his or her subordinate officials. (Claude 1996, 290)

While this First UN de facto depends on the member states that ‘hold the power of life and death over the organization’ (291), the degree to which member states can exert control varies from case to case and from state to state. Claude briefly alludes to, but hardly explores the complex relationship between the member states and the First UN as ‘sponsors, suppliers, supporters, and directors, its clients and customers, the beneficiaries of most of its activities’, but the key point is that the First UN is a ‘corporate entity’ that is ‘separate but dependent’ on member states (291).

The Second UN, by contrast, is defined as ‘the collectivity formed by almost all the states of the world’ (291). This collectivity commissions a secretariat to facilitate their cooperation, with ‘various states exercis[ing] leadership from time to time, in particular areas of policy’ (291). Claude’s distinction, although admittedly a stark simplification of the complex webs of agency, accountability, and influence between the First and Second United Nations, provides a useful heuristic and conceptual device for unpacking the relationship between the different dimensions or ‘faces’ of the UN system (Cronin 2002; Weiss, Carayannis, and Jolly 2009; Kittikhoun and Weiss 2012). More important, however, for the purposes of the present article is the connection Claude draws between the ‘two organizations’ and ‘two equally distinctive types of activity’ in the field of global peace and security (Claude 1996, 291). He thereby develops a grid in which the ‘noncoercive, consensual, and neutral’ activities are the ‘province’ of the First UN (291), whilst the second category of ‘essentially judgmental, partisan, and coercive’ activities are the province of the Second UN of member states (292).

The first set of activities comprises impartial assistance and requires basic goodwill and ‘prudence’ (291) of the parties. On the part of interveners, the ‘essential resources’ are ‘moral capital, reputation for fairness and freedom from political bias, and diplomatic skill’ (292) to inspire trust that assistance will be rendered in an ‘evenhanded’ manner. Activities of the second category are prompted by ‘the rejection of neutrality, the denial of the moral equivalence of the claims or behaviour of the parties, and the identification of one or more parties whose efforts should be defeated’ (292) thus requiring intervening agencies to take sides and back their stance with ‘political and physical capabilities for decisive action’ (ibid.).

Claude’s distinction between the pacific settlement of disputes and coercive action (collective security) and the allocation of these tasks to different ‘identities’ of the United Nations obviously mirrors the distinction between the Secretariat of the United Nations on the one hand and the Security Council and General Assembly as its foremost political bodies on the other. What is central here is his normative and empirical argument for reinforcing and preserving the distinction between the two United Nations with a view to protecting the resources of the First UN to successfully execute its mandate in the area
of peace and security. In other words, the First UN has to protect its ‘reputation for impartiality and fairmindedness in dealing with contentious situations’ (294) by remaining and, importantly being perceived of as distinct from the Second UN as an explicitly political, and at times partial, organization capable of enforcement. With regard to coercive action, this applies both to cases of ‘overt’ partiality when opposing ‘aggressors’ and in cases of ‘ostensibly neutral and humanitarian’ enforcement action (294), as even the latter will invariably have political consequences.

The discussion surrounding the drawbacks of ‘marrying peacekeeping with (…) elements of peace enforcement’ (Bellamy and Williams 2010, 93) at the interface of pacific dispute settlement and coercive action has been the focal point of most peacekeeping scholarship and policy debate since the early 1990s (Bellamy and Williams 2010; Paddon 2016; Sloan 2011; Tsagourias 2007; UN 2000, 2015b; UNDPKO 2008; White 2015). However, a similar, but less acknowledged conundrum faces all those agencies within and beyond the UN system that conduct a wide range of peacebuilding programmes in states emerging from internal conflict, both within and outside the framework of a UN peacekeeping operation mandated by the UN Security Council.

What all these non-military (or non-coercive) IGOs have in common is that they commission, design, and/or implement operational activities such as peacebuilding programmes and projects within the sovereign space of states, and they very often do so in what I call the ‘grey area’ of peacebuilding, i.e. without the authority afforded by a peacekeeping mandate, mandate for self-defence, or the persuasive and coercive power of instruments such as the European Union’s Stabilisation and Association Process. Like the First UN of secretariat and staff, special agencies such as the UN Development Programme (UNDP), UNHCR, but also the International Organization for Migration (IOM), the Organization for Security and Co-operation in Europe (OSCE) and even, if thanks to its lending power to a lesser extent, the World Bank rely on their subject matter expertise and moral credibility as key resources for conducting peacebuilding activities within states.

Particularly in regard to peacebuilding, this dependence on non-state sources of authority and legitimacy moves the First UN and other IGOs that lack coercive powers more closely into the realm of what Weiss, Carayannis, and Jolly (2009, 123) have called the Third United Nations, i.e. ‘nongovernmental organizations, academics, consultants, experts, independent commissions’ etc. that interact with the bodies of the First and Second UN. Weiss and his colleagues at the UN Intellectual History Project are mainly interested in the circulation of and ‘shifts in ideas, policies, priorities, and practices’ (Weiss, Carayannis, and Jolly 2009, 123) across these three ‘components’. To this end, they do not suggest studying all IGOs/INGOs through the lens of the UN, but propose applying the tri-partite framework to other IGOs to simultaneously study the first, second, and third EU, OECD etc. (Weiss, Carayannis, and Jolly 2009, 124). By contrast, and following Claude’s grid, my concern here is with the different dimensions and related key resources at the disposal of IGOs with regard to the grey area of intrastate peacebuilding. As I will show in the following section, outside a peace operation backed by a Security Council mandate, all special agencies, special issue, or non-military regional organizations are tied by the same constraints with regard to peacebuilding, as legitimate coercive action other than self-defence is the prerogative of the Security Council.

To sum up this discussion, I build on Claude’s (1996) conceptualization of the First and Second United Nations and Weiss, Carayannis, and Jolly’s (2009) notion of the Third United Nations.
Nations to distinguish between *three dimensions of international organization* both within and beyond the UN system whose peacebuilding work draws on distinct sources of authority. The Three United Nations framework is useful, firstly in that it allows juxtaposing the influence of states as foremost actors and members of IGOs in shaping global governance with the agency of non-state actors such as international and national non-governmental organizations and think tanks, which make up the remainder of the so-called international community (see also Jolly, Emmerij, and Weiss 2009). Secondly, and more importantly for the purposes of the present article, the distinction between the ‘Three UN’ helps emphasize the middle ground that the Secretariat and staff of the UN and of other IGOs (the First UN) inhabit in between the UN/IGOs of member states (the Second UN) and the Third UN of INGOs and experts in regard to the sources of their authority and legitimacy when working in post-war peacebuilding.

On the one hand, these IGOs draw on state-based forms of power when they are commissioned within the framework of a UN peacekeeping operation or supported by the material and immaterial clout of individual member states (or groups thereof). On the other hand, and particularly outside the framework of a peace operation mandated by the UN Security Council (Weiss, Carayannis, and Jolly 2009, 124), the key sources and resources of IGO authority are arguably more akin to those of INGOs, as both intergovernmental and non-governmental organizations depend on the consent of target state governments, which thereby control or prohibit any form of unwanted interference. In addition, the principle of non-interference is also enshrined in the founding treaties of most IGOs. At the same time, as the following section will explore, the IGO-host state relationship is not simply defined in legal terms, but shaped by the ongoing negotiation of legal, institutional, and political parameters that define IGOs’ scope of action in intra-state peacebuilding.

**Parameters delimiting the scope of comprehensive IGO peacebuilding**

The following section employs the insights derived from the discussion of state and non-state sources of legitimacy and authority across the ‘Three United Nations’ to scrutinize the legal, institutional, and political parameters that circumscribe the extent to which IGOs can engage in comprehensive peacebuilding activities in contested settings.

**The international legal and institutional framework**

At the most basic level, the prohibition for the (First and Second) United Nations to interfere in the domestic affairs of states is enshrined in Art. 2 (7) of the UN Charter. Despite several related efforts to circumvent this provision, including the Responsibility to Protect (Ignatieff 2003), ‘gradations’ of or ‘shared’ sovereignty (Keohane 2003; Krasner 2004), the only exception to the ban on interference is foreseen if the Security Council recognizes the ‘existence of any threat to the peace, breach of the peace, or act of aggression’ and invokes Chapter VII of the UN Charter to authorize coercive measures. Simultaneously, at the inter-state level, the prohibition of interference is also maintained by a series of General Assembly resolutions (290, 1236, 2131, 2625) that have created a ban on military, economic, political, and other actions that violate another state’s sovereignty (Rittberger and Zangl 2006, 126). However, as Rittberger and Zangl (ibid.) argue, both
provisions are in practice subject to change. Since the end of the Cold War, the Security Council has repeatedly determined that specific wars and continued serious human rights violations within states constituted a threat to international peace and security and has authorized military interventions. In addition, the General Assembly resolutions listed above also held that issues pertaining to decolonization, racism, and apartheid did not fall within the domestic jurisdiction of states (Rittberger and Zangl 2006, 126). Notwithstanding such stipulations, with the exception of decisions by the Security Council, the ban on any kind of intervention in the domestic affairs of states has – in theory, if not in practice – remained intact.

Peacekeeping operations are subsidiary organs of the Security Council as a political body. They are usually headed by a Special Representative of the Secretary-General and either exclusively consent-based under the Council’s mandate for the pacific settlement of disputes (Chapter VI) or additionally equipped with a Chapter VII mandate that endows the operation with defined powers within the target state and vis-à-vis the respective government (Guéhenno and Sherman 2009, 6). In addition, and regardless of whether an operation is authorized under Chapter VI or VII of the UN Charter, the fact that peacekeeping operations are usually authorized by the Security Council – and exceptionally – the General Assembly, also serves to ensure broad political support (Martin and Fortna 2009).

By contrast, peacebuilding undertakings comprise a large number of organizations that are not in any way mandated by the Security Council, General Assembly, or otherwise linked to a peace(-keeping) operation and the legal and political clout afforded them. Unless an international transitory administration has been established, most external agencies, be they governmental or non-governmental ones, work on the basis of bilateral agreements with the host state government. This, in turn, raises the question of political and legal power relationships, particularly in cases where external organizations competitively bid for development and reconstruction contracts (Dann 2013). Against this backdrop, there have been multiple efforts at coordinating, integrating, or mainstreaming peacebuilding across the UN system and beyond to project greater political leverage and leadership vis-à-vis target state governments. Early on, Boutros-Ghali had advocated a lead coordinating and authorizing role for the UN Secretariat on behalf of the UN Security Council – albeit with little success particular in view of the refusal of the humanitarian parts of the organization to coordinate their efforts with the political organs (UNOCHA 2011; UNSG 1995).

Before the UN peacebuilding architecture was created in 2005, the Department for Political Affairs (DPA, now Department of Political and Peacebuilding Affairs) was in charge of peacebuilding policy (Barnett et al. 2007, 42). However, until at least 2010, none of the UN documents that summarize and reflect on strategic or operational peacebuilding practice include any reference to DPA publications or guidelines (although occasionally mentioning DPA input). In addition, it seems that the Department for Political Affairs has not published any guidance or strategy whatsoever prior to a limited number of manuals on mediation starting in 2010. Given the strong interfaces and overlaps between peacemaking and peacebuilding (Ramsbotham, Woodhouse, and Miall 2011, 14) and the political character of the latter (UNSG 2009, 17, 31), DPA’s earlier ‘silence’ with regard to any visible leadership in regard to peacebuilding is rather surprising.

To address gaps in peacebuilding leadership, in 2005, the UN Peacebuilding Commission (PBC) was created as an intergovernmental advisory body tasked with facilitating ‘a
coordinated, coherent and integrated approach to post-conflict peacebuilding and reconciliation’ (UNSC 1645, 1). The membership of the Commission is recruited from the Security Council, General Assembly, and Economic and Social Council, thereby underscoring the Commission’s key purpose in establishing a permanent link between the First and Second UN’s peacebuilding resources, i.e. credible non-partisan expertise on the one hand and political leverage on the other. In this vein, particularly in regard to countries that the Commission officially takes onto its agenda, the chair of the Commission is supposed to fulfil a diplomatic and political role, which appears to be a unique provision and arguably reflects the recognition of the political nature of and leadership gap in most peacebuilding endeavours. In addition to facilitating continuity of financing, learning, and policy attention, it is evident from the close link between the Peacebuilding Commission and the Security Council, General Assembly, and Economic and Social Council as key political bodies that a central purpose in creating the Peacebuilding Commission has been the establishment of a permanent high-level intergovernmental body, i.e. a political body whose work might enforce that of other ad hoc fora and bolster the efforts of various IGOs that conduct peacebuilding independently of a peace(-keeping) operation. However, as the Peacebuilding Commission is not equipped with any executive functions, Paris (2009, 74) concludes: ‘The challenge … is to strike a balance between preserving the flexibility of the existing networked structures … and the requirement of some measure of hierarchy on the other’, particularly with regard to adding greater political ‘weight’ to peacebuilding strategies (UN 2010, 16). This balance, however, does not appear to have been struck thus far, as illustrated by subsequent UN reviews of the Commission’s work (UN 2010, 2015a), and it remains to be seen whether recent institutional reforms such as the relocation of the Peacebuilding Support Office to the new Department of Political and Peacebuilding Affairs will have the desired effect of enhancing strategic coordination.

In view of Claude’s (1996) argument regarding the preservation of the First and Second UN’s distinct resources for contributing to peace and security, and particularly the First UN’s reliance on non-partisanship and expertise, the question arises whether any attempt at bringing the clout of the Second UN to bear on the work of the First risks compromising this reputation.

**The founding treaties and mandates of intergovernmental organizations**

Intergovernmental organizations working within particular states rely on cooperation agreements with the government of the host state. These governments commission organizations to provide services or to ‘support and supplement … national efforts’ in their areas of expertise (Govt. of BiH and UNDP 1995), such as for example institution building, governance reform, refugee return, and dialogue processes.10 In executing such mandates, most IGOs are bound by the principles of neutrality and impartiality as derived from the norm of non-interference. In the case of the World Bank, as the most important multilateral development donor, the prohibition of political interference in the domestic affairs of recipient states is contained in Art V(10) of the founding treaties of the International Bank for Reconstruction and Development:

The Association and its officers shall not interfere in the political affairs of any member … Only economic considerations shall be relevant to their decisions, and these considerations
shall be weighed *impartially* in order to achieve the purposes stated in this Agreement. (cited in Dann 2013, 161)

Based on Weller’s (1998) typology of the legal quality of impartiality in international organizations, in the case of the World Bank impartiality is not only a constitutional principle (i.e. inscribed in the organization’s founding documents) but also defined in operational terms as part of the code of conduct. What is more, these principles have also been a part of the substantive justification of the Bank’s practice. As Dann (2013, 111–115) argues, despite the manifestly increasing intrusiveness of development practices in the legislative and hence political affairs of recipient states since the 1980s (e.g. ‘structural adjustment’), and in the 1990s with regard to human rights and governance, the prohibition of political interference was taken seriously by the World Bank well into the 1990s, if only for strategic reasons. This evident paradox has in practice been ‘resolved’ by applying seemingly objective, quantifiable, and measurable economic categories that justified the application of conditionality criteria in the technocratic language of ‘structural adjustment’. This strategy of decoupling the political content from development and/or ‘post-war reconstruction’ practice is evident in the degree to which the World Bank has sought to justify and frame its governance agenda in purportedly purely economic terms by defining four areas of governance that are deemed ‘non-political’: public sector management, accountability, rule of law, and transparency and the fight against corruption (Shihata and Attali 1990; cited in Dann 2013, 116). Given the widespread criticism of World Bank practices among policy makers, observers, and beyond (Duffield 2007; Marquette 2004), these strategies on the part of the World Bank have only partly been successful, but they are in any case maintained by the Bank’s lending power and standing as a major donor. By contrast, organizations with less financial clout like UNDP have carefully curated their non-partisan expert reputations (Murphy 2006) as a ‘service provider’, or to quote a 2003 planning document for Timor-Leste, ‘a partner of preference for governments, with a special mandate to press for improved governance and poverty reduction’ (UNDP 2003, 21).

In sum, then, unless an international transitory administration (ITA) or peacekeeping operation with a far-reaching mandate has been established, most external agencies, be they intergovernmental, governmental (bilateral), or non-governmental ones, work on the basis of bilateral agreements with the host state government. This, in turn raises the question of political and legal power relationships, and the degree to which the host state government can seek alternative partners or donors that are not suspected of interference (e.g. the Government of the People’s Republic of China and those of other emerging powers, Strange et al. 2015). The issue is further exacerbated in cases where intergovernmental and non-governmental organizations competitively bid for development contracts (Dann 2013), thereby providing a strong additional incentive for IGOs to try and preserve their neutral and non-partisan reputations as members of the First UN.11

**Political considerations: Leverage and legitimacy**

After the mid-1990s to mid-2000s had seen an unprecedented degree of intervention by IGOs in post-war peace support operations, the last decade witnessed a changing geopolitical power balance and the rise to prominence of alternative donors (Quadir 2013; Strange et al. 2015). These developments have changed the terms of the debate on the
role, influence, and interests of IOs in the domestic affairs of post-war and transition states. In this regard, the rising engagement of donors such as the Chinese government that neither follow the criteria established by the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD-DAC) for official development assistance nor tie their investments or assistance to conditionality criteria in post-war or transitioning states has weakened the hegemony and bargaining power of traditional (OECD-DAC) donors and affiliated IGOs. While criticisms of actual or suspected political interference of donors, IGOs, and INGOs are by no means a new phenomenon (Duffield 2007; Hazeldine 2010), a series of high-profile controversies and government decisions has intensified the controversy on questions of legitimacy and accountability (Collingwood and Logister 2005; Vedder 2007). Examples range from government prohibitions and restrictions on the work of all kinds of agencies – be they international governmental or non-governmental organizations, or local NGOs receiving foreign funding – in Ethiopia, Egypt, China, Myanmar, Russia, and Turkey, to the international controversy surrounding alleged IO interference in the Arab Spring and Maidan protests. Several IOs, both governmental and non-governmental ones, are voicing concerns regarding the shrinking political space for their engagement (Carothers and Brechenmacher 2014). The political bodies of some IGOs, including the Organisation for Security and Cooperation in Europe and the Council of Europe, have issued statements calling for the protection of the work of international and national non-governmental organizations (CoE 2016; OSCE and CoE 2015).

Beyond concerns regarding the global restoration of authoritarian forms of governance, the controversy surrounding the work of international governmental and non-governmental organizations within the domestic affairs of states directs attention to the interactions between state parties and IOs working at the intersection of humanitarian aid, human rights, democracy promotion, peacebuilding, and development. If IGOs are commissioned by or partner with host state governments in the aftermath of violent conflict, this implies that their engagement risks having an inherent bias towards that government, at the very least in terms of validating it through their partnership, and thereby to maintaining the political status quo. Several IOs and donors have long since partnered with non-governmental bodies to avoid channelling all available funds to governments (see also Richmond and Carey 2005). This strategy has in recent years prompted a rapidly rising number of governments to significantly curtail the scope of action of externally funded national non-governmental organizations (ICNL 2016). Notwithstanding such efforts, particularly in contested settings, international organizations partnering with recipient governments can effectively claim ‘political neutrality’ only if the government is not itself the subject of a political conflict within the country concerned, at which point peace-building actors risk ‘taking sides’ on behalf of the government or at the very least being perceived of doing so.12

A standard approach to handling this dilemma is exemplified by the OECD-DAC (1997) guidelines Conflict, Peace and Development Co-operation on the Threshold of the twenty-first Century. The guidelines (1997, 129) hold that co-operation in conflict areas presupposes the ‘broad acceptance throughout society of the legitimacy of the state and the credibility of the institutions of governance’ and describe the role of external organizations as that of a non-political facilitator, educator, or trainer (113). Accordingly, the role of external actors in this process is primarily described in terms of strengthening local processes and
building the required capacity, typically on behalf of or in close cooperation with the respective government. Such developmental notions of building structural stability and equality and the related paradigms of ‘strengthening skills and building capacities’ have strongly shaped the ‘technocratic turn’ (Mac Ginty 2012) of IGO peacebuilding. Not only do these paradigms tie in seamlessly with the traditional development agendas of many special issue organizations, but they also allow them to square the circle of maintaining and defending their non-political and non-partisan reputations while at the same time engaging in post-war peacbuilding-as-capacity building. In this regard, only a careful scrutiny of their practices on a case-by-case basis would allow for an assessment whether IGOs such as the UNDP are indeed successful in seeking to combine their role as ‘service providers’ with their ‘special mandate to press for improved governance and poverty reduction’ (UNDP 2003, 21). This discussion has shown that the scope for legitimate peacebuilding interventions by intergovernmental (and non-governmental) organizations of any kind in intra-state peacebuilding is limited. It crucially depends on IGOs’ expertise and credible non-partisanship as non-state sources of legitimacy and authority. This holds particularly true if transitioning or post-war states can tap into the resources of alternative donors whose assistance or investments are not tied to political conditionality criteria. Not only are peace support interventions within states beyond the original remit of most organizations except for the political bodies of the UN (i.e. the Security Council, and, by extension some regional organizations under Chapter VIII of the UN Charter), but they frequently run counter to the standard mandates and practices of most IGOs, many of which hail from the humanitarian and development sectors. Their access to contested settings and their standing as legitimate ‘honest brokers’ as a key resource for conducting peacebuilding within states depends on the extent to which such organizations can successfully project an image of themselves as non-partisan, impartial, and credible experts. Such a performance is not only indispensable to gaining access and cooperation to a particular contested setting, but it is also a vital component of an IGO’s reputation vis-à-vis prospective host state governments and peers in their field of expertise to ‘establish themselves as strong and reliable development partners’ (UNDP 2000, 3). To the extent that the central government of the target state is a party to such conflicts, IGOs’ room for manoeuvre, and thereby for conducting comprehensive peacebuilding that directly addresses underlying patterns of inequality or exclusion, is limited by their need to preserve their non-partisan reputation. In regard to intra-state peacebuilding, then, and notwithstanding the political and economic clout of their member states, IGOs’ dependence on non-state sources of legitimacy and authority simultaneously enables and constrains their scope of action.

**Conclusion**

This article has contributed to how we understand the legal, institutional, and political parameters that delimit the capacity of IGOs to conduct post-war peacebuilding in a comprehensive manner. My argument has drawn on a growing body of literature that study IGO bureaucracies as increasingly self-directed actors in global governance. On the one hand, organizations such as the UNDP or the World Bank have made substantive inroads with regard to shaping global policy agendas on issues such as sustainable development, conflict prevention, or good governance, many of which are relevant in post-war
peacebuilding. On the other hand, however, while IGOs are expanding their original mandates, outside the confines of an UN-mandated peacekeeping operation (Ch. VII), their engagement in post-war peacebuilding is narrowly defined by a set of legal, institutional, and political parameters. As my analysis has emphasized, as IGOs have adopted post-war peacebuilding within states to their agendas, the successful performance and maintenance of a non-partisan non-political identity has become a key source and cornerstone of IGO authority and legitimacy in peacebuilding. This is not to deny the importance of other sources of IGO authority, i.e. the political leverage and bargaining power of member states, and it is certainly not to claim that IGO interventions as such are non-political. Political bargaining processes among IGO member states are notoriously hard to research and well beyond the focus of this article (see Bliesemann de Guevara and Kühn 2011, 142). Instead, the argument made here is is that the fact that intergovernmental organizations have to create and preserve non-political, non-partisan reputations that mirror the key characteristics of Claude’s (1996) First United Nations to gain the acceptance and cooperation of host state governments renders them less likely to engage in the political dimensions of a peace process. In the field of post-war peacebuilding, political neutrality and non-partisanship have effectively become indispensable sources of legitimate IGO-authority, making their scope of action vis-à-vis host state governments arguably more akin to those of INGOs as part of the Third UN of INGOs and independent experts than to the Second UN of member states.

While the main purpose of this article has been to analyse the scope of action of IGOs operating in the grey area of peacebuilding, further research is needed to unpack the range of diverse IGO strategies that undoubtedly exist between different IGOs and across peacebuilding settings. Strategies will likely depend on the bargaining positions of specific host state governments, for instance in regard to the availability of alternative donors. More importantly, such strategies will vary according to the financial clout and mandates of particular organizations and the degree to which their commitment to non-partisanship is not only a function of their status as intergovernmental organizations as in the case of the international financial institutions, but a key prerequisite to their ‘ordinary’, for instance humanitarian work as in the case of UNDP or UNHCR (UNOCHA 2011).

What, then, are the implications of my argument for the prospects of successful IGO peacebuilding? Several authors (Autesserre 2010; Paddon 2014; Pantuliano 2014) and UN evaluations (UN 2010, 2015a, 2015b) have emphasized the importance of linking peacebuilding to an ongoing political (peace) process. To the extent that political conflict persists after the conclusion of a peace agreement, this necessitates the continuance of peacemaking efforts such as mediation and reconciliation beyond the initial settlement and beyond a country’s political elite. Such efforts are already underway, for instance in the case of UNDP’s programme to strengthen local dialogue institutions and mechanisms in Timor-Leste (UNDP 2008, 2011). As my analysis has shown, it is evident that such a task largely falls outside the remit of most IGOs in cases of contested governance, i.e. if the government is a (former) conflict party. An important question that would result from my research is hence: who should be entrusted with aiding the political aspects of peacebuilding? Within UN peace operations, such tasks are usually conducted by the Special Representative of the Secretary-General (UN DPKO 2003). While the expectations vis-à-vis the steering role of the Peacebuilding Commission in this regard have not been fulfilled
(UN 2015a), the recent reform and expansion of the Department of Political and Peacebuilding Affairs seems to reflect the recognition that peacemaking, i.e. mediation and reconciliation efforts as part of a wider peacebuilding process, ought to continue beyond the conclusion of a settlement. By contrast, as argued above, it seems unlikely that this task can be fulfilled by any of the special issue IGOs even if they enjoy the general backing of the host state government in situations of cooperative peacebuilding.

In short, the problem of IGO peacebuilding in intra-state conflict is directly related to the perennial discussion of the tension between balancing the norms of sovereignty and non-interference in the domestic affairs of state with substantive, and hence at times political, forms of support to peacebuilding processes, i.e. comprehensive peacebuilding. In this regard, it links back to the bigger normative debates surrounding contested norms and instruments relating to ‘humanitarian interventions’, the prevention of gross violations of human rights, and the Responsibility to Protect. As I have argued, the very same dilemmas that have hampered the extension of peacekeeping mandates with enforcement action in cases where there is ‘no peace to keep’ are also at play in regard to peacebuilding conducted by IGOs in contested settings. Not only is the failure to engage with the political side of a peace process likely to delimit the chances of peacebuilding ‘success’, but it crucially reifies existing power (im-)balances.

Notes

1. For a detailed discussion on UN Peacebuilding, please refer to Stage’s (2020) contribution to this special section.
2. I would like to thank Catherine Goetze for suggesting this notion.
3. Note that Weiss, Carayannis, and Jolly (2009) and Kittikhoun and Weiss (2012, 120) invert Claude’s (1996) original distinction between the First and Second UN.
4. See Johnson (2014) and Richardson (2014) on the scope of action of the UN General Assembly for advising enforcement action beyond self-defence under Uniting for Peace.
5. In practice, most peace operations heavily compromise or suspend the sovereignty of the host state government, see Chesterman (2004, 56–57).
6. See Howard and Dayal (2016, 192–193) on standard definitions of peace(-keeping) operations that ‘exclude peacebuilding and political missions that are primarily composed of civilians’.
8. A full list is available from <http://www.peacemaker.un.org/resources/mediation-guidance> (08 May 2018). In addition, there is one report by the SG/DPA on preventive diplomacy.
9. Almost all other Secretariat departments and divisions, operational agencies, the former Administrative Committee on Coordination (ACC), the Executive Office, and the Policy Committee of the Secretary-General have issued commentary and guidance on peacebuilding. Beyond the Secretariat, decisions and recommendations were issued by the Security Council and the General Assembly (Fifth Committee; Special Committee on Peacekeeping Operations).
12. Witness, for instance, the reporting on forced resettlements in Ethiopia, some of which are claimed to have occurred in the course of projects funded by the World Bank and the UK Department for International Development, see Human Rights Watch (2015) (08 May 2018).

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