

that, while impunity for serious human rights violations could not be tolerated and perpetrators had to be held accountable, the quest for justice should not become an obstacle to peace.<sup>11</sup>

The representatives of Germany, Spain and France stressed the importance of the supportive role of the International Criminal Court in the achievement of justice, effective humanitarian standards and strengthening peace and security throughout the world.<sup>12</sup> Pointing to their specific national experiences, the representatives of Angola and Benin made reference to truth and reconciliation commissions, amnesties, collective apologies and financial reparations as a means to end conflicts and set in motion processes of national reconciliation.<sup>13</sup>

<sup>11</sup> Ibid., p. 16 (Spain); p. 17 (France); p. 19 (Brazil); pp. 19-20 (Pakistan); p. 21 (Russian Federation); p. 25-(Philippines); and p. 29 (China).

<sup>12</sup> Ibid., p. 13 (Germany); p. 16 (Spain); and p. 17 (France).

<sup>13</sup> Ibid., p. 26 (Angola); and p. 30 (Benin).

At the end of the debate, the President made a statement on behalf of the Council,<sup>14</sup> by which the Council, *inter alia*:

Reaffirmed the vital importance of the role of the United Nations in post-conflict national reconciliation;

Considered that it would be appropriate to examine further how to harness and direct the expertise and experience of the United Nations system, drawn up from several key areas, so that the lessons and experience of the past could be learned and built on;

Invited the Secretary-General to give consideration to the relevant views expressed in the debate in the preparation of his report on the role of the United Nations in justice and the rule of law;

Invited all Members of the United Nations, and other parts of the United Nations system with relevant experience and expertise, to contribute to the process.

<sup>14</sup> S/PRST/2004/2.

## 45. Items relating to business and civil society

### A. The role of business in conflict prevention, peacekeeping and post-conflict peacebuilding

#### Initial proceedings

##### Deliberations of 15 April 2004 (4943rd meeting)

At its 4943rd meeting, on 15 April 2004, the Security Council heard briefings by the President of the World Bank, the President and Chief Executive Officer of Siemens, the President of the Economic and Social Council, and the Chairman of the Ad Hoc Advisory Group on African Countries Emerging from Conflict. Statements were made by the Secretary-General and by all Council members.

In his introductory statement, the Secretary-General recalled that the Council had set up expert panels to assess the role of political economy in triggering or prolonging conflict. It had authorized some peacekeeping missions to assist in the monitoring of economic sanctions and arms embargoes and to support efforts to re-establish national authority over natural resources. He elaborated on various efforts and initiatives undertaken to address the economic

dimensions of armed conflict and stressed that the time had come to translate those ad hoc efforts into a more systematic approach. In his view, such an approach would promote greater cooperation and interaction between the United Nations security and development arms and ensure that the economic dynamics of armed conflict were reflected in efforts to prevent conflict, in peace agreements and in peacekeeping mandates. The Secretary-General informed the Council that he had established an inter-agency group on the political economy of armed conflict, chaired by the Department of Political Affairs, which would be offering recommendations to both the United Nations system and Member States.<sup>1</sup>

Recalling the efforts made by the World Bank in different regions, the President of the World Bank highlighted the positive role which could be played by business in conflict prevention and reconstruction. He noted that lack of economic opportunity and resulting competition for scarce resources was at the root of

<sup>1</sup> S/PV.4943, pp. 3-4.

most conflicts. Giving people hope through restoring business was the best way to avoid conflict.<sup>2</sup>

The President and Chief Executive Officer of Siemens underlined the crucial role which could be played by the private sector in post-conflict peacebuilding and reconstruction, as in the cases of Afghanistan and Iraq. He pointed to security, infrastructure, financing, post-conflict planning and visible progress as critically important factors for business participation in post-conflict situations.<sup>3</sup>

The President of the Economic and Social Council emphasized the primary responsibility of the private sector in building economic and social well-being. She also drew attention to the fact that the private sector sometimes contributed to instability and conflict, and stressed the need to create a favourable environment to attract private business into post-conflict areas to contribute to stabilizing social situations. In her view, the public sector itself must assume responsibility to help prevent and mitigate conflict. Acknowledging the collaborative efforts of the General Assembly, the Security Council and the Economic and Social Council, she stressed that much more could be done to develop a comprehensive and long-term perspective towards both sustainable development and conflict prevention.<sup>4</sup>

The Chairman of the Ad hoc Advisory Group on African Countries Emerging from Conflict noted the inescapable linkage between peace and economic development. Only when there was peace could the private sector make its contribution towards creating economic growth and prosperity. He further believed that the international community was the most important player in creating the political environment in which the private sector could do business.<sup>5</sup>

Most Council members concurred that it was timely and appropriate for the Council to discuss the role of business in conflict prevention, peacekeeping and post-conflict peacebuilding. They held that sustainable economic growth could be a key to conflict prevention and reconstruction, while at other times economic factors could contribute to the genesis of many violent conflicts. Some representatives noted that business activity, as important as it was, was not a

substitute for the essential role played by public authorities, which had the primary responsibility for providing incentives for economic activity and investment.<sup>6</sup> Speakers agreed that, because many war-torn States were vulnerable to continued instability and poverty, the business sector must participate responsibly in post-conflict reconstruction. Some speakers said that business should actively participate in the disarmament, demobilization and reintegration process and post-conflict peacebuilding.<sup>7</sup>

Many speakers commended the Secretary-General's Global Compact Initiative, which set out principles to help businesses contribute to global sustainable development. They applauded its role in bringing together businesses, United Nations agencies and civil society groups in a common effort to promote corporate citizenship and increase corporate support for responsible practices, thus reducing the risk of crisis situations.<sup>8</sup>

Several Council members considered it was important to prevent the negative involvement of business actors in conflict situations, and to ensure that businesses operated appropriately and did not make matters worse.<sup>9</sup> Several representatives stressed that it was essential that businesses did not participate in human rights abuses and refrained from any improper involvement in local political activities, thus making a direct contribution to preventing and overcoming conflicts.<sup>10</sup> The representative of Chile expressed the need to develop codes of conduct and monitoring standards applicable to business activities.<sup>11</sup> The representatives of the United States and Pakistan believed that companies could provide leadership through setting examples of corporate citizenship such as adopting corporate codes of conduct or choosing to participate in voluntary international codes regarding corporate behaviour.<sup>12</sup> The representative of China

<sup>2</sup> Ibid., pp. 4-6.

<sup>3</sup> Ibid., pp. 6-8.

<sup>4</sup> Ibid., pp. 8-10.

<sup>5</sup> Ibid., pp. 10-12.

<sup>6</sup> Ibid., p. 6 (Chile); p. 20 (Angola); p. 26 (United Kingdom); and p. 28 (Brazil).

<sup>7</sup> Ibid., p. 13 (China); p. 16 (Chile); p. 18 (France); and p. 20 (Angola).

<sup>8</sup> Ibid., p. 12 (Algeria); p. 16 (Chile); p. 18 (France); p. 19 (United States); p. 20 (Angola); p. 23 (Pakistan); p. 24 (Russian Federation); p. 25 (United Kingdom); p. 28 (Brazil); and p. 29 (Germany).

<sup>9</sup> Ibid., p. 13 (China); p. 16 (Chile); and p. 25 (United Kingdom).

<sup>10</sup> Ibid., p. 15 (Romania); p. 19 (United States); p. 24 (Russian Federation); and p. 25 (United Kingdom).

<sup>11</sup> Ibid., p. 16.

<sup>12</sup> Ibid., p. 19 (United States); and p. 23 (Pakistan).

stated that private business should scrupulously abide by the relevant Security Council and General Assembly resolutions and other codes of conduct.<sup>13</sup>

Council members agreed on the need to build on the experience accumulated in managing economic factors as a source of conflict. The representatives of France and Benin expressed interest in the report of the inter-agency group established by the Secretary-General.<sup>14</sup> The representative of Romania suggested that the Secretariat put together a report highlighting the significance of the broader regional and global dimensions of the political economy of contemporary intra-State conflict. A major part of that report could focus on the political economy of post-conflict transformation since it was at that stage that business involvement could take on a really strong positive connotation.<sup>15</sup> The representative of Chile suggested that the report should focus on the complex interrelationships between the private sector and conflict and make recommendations on prevention and post-conflict reconstruction that could be taken up by the Security Council and the Economic and Social Council for implementation in future peace operations.<sup>16</sup>

Several speakers drew attention to the role of the United Nations in monitoring international business activity, illegal or legal. The representative of France said that it might be timely for the Council to systematize its approach for taking into account economic factors in conflict zones and crisis situations by the establishment of a mechanism using independent experts.<sup>17</sup>

The majority of the speakers welcomed the Kimberley Process Certification Scheme as a significant contribution to the maintenance of international peace and security.<sup>18</sup> The representative of China appreciated its contribution to severing the link between the illegal trade in diamonds and armed conflicts.<sup>19</sup>

Noting that the need for private sector involvement was particularly acute in conflict zones in

Africa, several Council members commended the New Partnership for Africa's Development, which had acknowledged the importance of creating the conditions for investment and business, and stressed the importance of international support for that initiative, particularly in the form of private investment in economic development.<sup>20</sup>

The representative of Algeria observed that, at the end of the emergency reconstruction phase of countries emerging from conflict, the international community was faced with a lack of any significant investment, which was the only thing that could lead to sustained and lasting growth.<sup>21</sup>

## **B. Role of civil society in post-conflict peacebuilding**

### **Initial proceedings**

#### **Deliberations of 22 June 2004 (4993rd meeting)**

At its 4993rd meeting, on 22 June 2004, the Security Council included in its agenda the item entitled "Role of civil society in post-conflict peacebuilding". The President (Philippines) drew attention to a letter dated 1 June 2004 from the representative of the Philippines, transmitting a background paper on the item.<sup>22</sup> Statements were made by all members of the Council and the representatives of Australia, Bangladesh, Canada, Egypt, Ireland, Japan, Nepal, Peru, the Republic of Korea, Senegal, Sierra Leone and Uganda.<sup>23</sup>

In his introductory statement, the Secretary-General noted that the growth of the partnership between the United Nations and civil society reflected the need for the latter to contribute to post-conflict decision-making in an era of globalization and State fragmentation. While welcoming the Council's efforts to strengthen its informal relations with civil society, he felt it was now necessary for the Council to deepen its dialogue and place its relationship with such groups on a more firm footing. He asked the Council to pay serious attention to the recommendations contained in

<sup>13</sup> Ibid., p. 13.

<sup>14</sup> Ibid., p. 18 (France); and p. 22 (Benin).

<sup>15</sup> Ibid., p. 14.

<sup>16</sup> Ibid., p. 17.

<sup>17</sup> Ibid., p. 18.

<sup>18</sup> Ibid., p. 12 (Algeria); p. 13 (China); p. 14 (Romania); p. 16 (Chile); p. 17 (France); p. 19 (United States); p. 20 (Angola); p. 23 (Pakistan); p. 25 (Russian Federation); p. 26 (United Kingdom); and p. 28 (Brazil).

<sup>19</sup> Ibid., p. 13.

<sup>20</sup> Ibid., p. 12 (Algeria); p. 21 (Angola); p. 26 (Russian Federation, United Kingdom); and p. 29 (Brazil).

<sup>21</sup> Ibid., p. 12.

<sup>22</sup> S/2004/442.

<sup>23</sup> The representative of South Africa was invited to participate but did not make a statement.