

The Board of Peace as an International Organization

Outline

Preliminary Remarks

I. The Establishment of the Board of Peace

A. The Treaty Establishing the Board of Peace

B. Member States of the Board of Peace

II. The Functioning of the Board of Peace

A. The Institutional Structure of the Board of Peace

B. The Legal Nature of the Board of Peace

Conclusions

Preliminary Remarks

The first international legal instrument to mention the Board of Peace is United Nations Security Council Resolution 2803 (2025)².

The English version of this resolution³ uses the term “*Board of Peace*,” adding the abbreviation “BoP” in parentheses, while the French version uses the term “*Conseil de paix*,” without indicating any abbreviation.

Since the Board of Peace itself acknowledges a legal link between this international organization and the aforementioned resolution – as the resolution is published on the Board of Peace’s official website⁴ – we prefer to use the term “*Conseil de Paix*” (with a capital “P”), rather than “*Conseil de la Paix*” (as found in the French-language press), bearing in mind that the founding treaty of this international organization is written solely in English; therefore, there is no official document in French from this international organization indicating its name in French.

The purpose of this article is limited to analyzing the Board of Peace in relation to its founding treaty. We do not address the issue of its relationship with Security Council Resolution 2803 (2025), the United Nations Charter, or the United Nations.

We will examine the establishment of this international organization (I), followed by its functioning (II).

I. The Establishment of the Board of Peace

* *Professor of International, European, and Comparative Law at the College of European Studies, University of Paris 1 Panthéon-Sorbonne;*

Email: liviucp@yahoo.fr;

Manuscript received on March 30, 2026.

¹ This article is written and published in my capacity as a university professor, in accordance with academic freedom and independence, and does not express the position of, nor does it engage the responsibility of, any State, Government, or public authority.

² UN Security Council, Resolution 2803 (2025), adopted by the Security Council at its 10,046th meeting, on 11/17/2025, published at [https://docs.un.org/fr/S/RES/2803\(2025\)](https://docs.un.org/fr/S/RES/2803(2025)), webpage last checked on 04/21/2026.

³ Published at [https://docs.un.org/en/s/res/2803\(2025\)](https://docs.un.org/en/s/res/2803(2025)), webpage last checked on April 21, 2026.

⁴ <https://boardofpeace.org/resolution-2803>, webpage last checked on 04/21/2026.

As an international organization, the Board of Peace was established by an international treaty (A), and its members are states (B).

A. The Treaty Establishing the Board of Peace

The founding treaty of this international organization is the “*Charter of the Board of Peace*”⁵.

The official website of the Board of Peace states that the President of the United States signed the Charter on January 16, 2026. The PDF version available for download on the same official website is a copy that includes the handwritten signature and the same date, January 16, 2026, with the day written by hand. The location is not specified.

At the same time, on the official website of the President of the United States of America, an official press release states that the Charter was “ratified” by the President of the United States of America on January 22, 2026, in Davos, Switzerland, and photos showing the moment of the signing and the signed version of the treaty are included⁶. Similarly, the official website of the U.S. Department of State contains an official press release regarding the Secretary of State’s participation in the “*Charter Signing Ceremony*,” also on January 22, 2026, in Davos, Switzerland.

In our view, for the purposes of identifying this international treaty, the date and place to be noted for its signing are January 22, 2026, in Davos, Switzerland. The signing took place on the sidelines of the World Economic Forum.

The Parties to the Charter are the Member States of the Board of Peace.

The prerequisite for becoming a Member of the Board of Peace, and thus a Party to the Charter, is an invitation extended by the Chairman of the Board of Peace to a particular State⁷. Following the invitation, to become a Party to the Charter, the State must sign the Charter and then ratify, accept, or approve it, in accordance with its domestic legal procedures, if such a procedure is required by its domestic law⁸. This is therefore a semi-open multilateral international treaty (to which only States invited by an internal body of the international organization it establishes may become Parties).

Upon signature of the Charter, it enters into full force and effect for those States for which signature constitutes consent. For States whose domestic law requires ratification, acceptance, or approval, the Charter enters into force provisionally upon signature, unless their domestic law prohibits this and they have informed the Chairman of the Board of Peace, at the time of signature, that they are unable to apply the Charter provisionally prior to ratification, acceptance, or approval⁹. Unless otherwise provided in the Charter, for such States the Charter shall enter into force on the date of deposit of the instrument of ratification, acceptance, or approval with the Depositary of the Charter, in accordance with the general rules of international treaty law. In the event that ratification, acceptance, or approval is required under domestic law, the Chairman of the Board of Peace may authorize a signatory State to participate in the work of the Board of Peace, without the right to vote, during the ratification, acceptance, or approval process¹⁰.

⁵ Published on the official website of the Board of Peace, <https://boardofpeace.org/charter>, webpage last verified on 04/21/2026.

⁶ <https://www.whitehouse.gov/releases/2026/01/president-trump-ratifies-board-of-peace-in-historic-ceremony-opening-path-to-hope-and-dignity-for-gazans/>, webpage last verified on 04/21/2026.

⁷ Art. 2.1 of the Board of Peace Charter.

⁸ Art. 11.1 para. b) of the Board of Peace Charter.

⁹ Art. 11.1 para. b) of the Charter of the Board of Peace.

¹⁰ Art. 11.1 para. b) of the Board of Peace Charter.

The entry into force of the Charter is contingent upon the expression of consent to be bound by it of three States¹¹.

The Charter does not permit any reservations¹². Interpretative declarations are not prohibited in principle (unless they conceal hidden reservations), but their validity depends on the legal will of the Chairman of the Board of Peace, who is the “*final authority*” regarding the interpretation of the Charter¹³.

The Depositary of the Charter, any amendments and additional protocols, signatures, and instruments of ratification, acceptance, or approval is the United States of America¹⁴.

The Charter may be amended in accordance with a procedure set forth therein¹⁵. Proposals to amend the Charter may originate from the Executive Board or from at least one-third of the Member States acting jointly. Proposed amendments must be communicated to all Members, who are given a 30-day period for review prior to debate and voting. Draft amendments are discussed and voted on by the Board of Peace, with the required majority for adoption being two-thirds of the Parties’ votes (as a general rule), or unanimity (for amendments to Chapters II, III, IV, V, VIII, and X, namely 6 of the 13 chapters of the Charter, and 15 of the 25 articles of the Charter, respectively). After adoption by vote of the Board of Peace, amendments must be confirmed by the Chairman of the Board of Peace to take effect. Amendments to the Charter enter into force on the date of their adoption, unless another date is expressly provided for in the amending resolution.

Since the Charter provides for the possibility not only of amendments to its text but also of additional protocols¹⁶, and since their purpose is similar, the same procedure must be used for the adoption of additional protocols, in the absence of any express provision in the Charter. If the additional protocol concerns a matter governed by a chapter of the Charter for which an amendment requires a unanimous vote, such unanimity is also required for the adoption of the additional protocol, and the protocol may enter into force only after the unanimous consent of the Parties to the Charter has been expressed. In other matters, the adoption of the additional protocol requires only a qualified majority of two-thirds of the Parties’ votes, and it applies only to those States that have expressed their legal consent to be bound by it. In all cases, the adoption of an additional protocol to the Charter requires the confirmation of the Chairman of the Board of Peace.

For a given State, its status as a Party to the Charter ceases on the date it ceases to be a Member of the Board of Peace¹⁷. In general, the Charter ceases to exist on the date the Board of Peace ceases to exist¹⁸.

In the absence of any express provision, the Charter also ceases to exist following the unanimous consent of the Parties, pursuant to Art. 54(4) of the Convention on the Law of Treaties¹⁹.

A very specific method of terminating the Charter is the dissolution of the Board of

¹¹ Art. 11.1 para. a) of the Board of Peace Charter.

¹² Art. 12 of the Board of Peace Charter.

¹³ Art. 7 of the Board of Peace Charter.

¹⁴ Art. 11.2 of the Board of Peace Charter.

¹⁵ Art. 8 of the Board of Peace Charter.

¹⁶ Art. 11.2 of the Board of Peace Charter.

¹⁷ Art. 2.3 and Art. 2.4 of the Board of Peace Charter.

¹⁸ Art. 10.1 of the Charter of the Board of Peace.

¹⁹ Convention on the Law of Treaties, Vienna, May 23, 1969, published at https://legal.un.org/ilc/texts/instruments/french/conventions/1_1_1969.pdf, webpage last checked on April 21, 2026.

Peace as an international organization, decided unilaterally and at the discretion of the Chairman of the Board of Peace²⁰.

Another specific method of terminating the Charter is its expiration, namely at the end of each odd-numbered calendar year, unless the Chairman decides, before November 21, to extend the existence of the Organization and, thereby, its founding treaty²¹.

In the absence of an express provision in the Charter, the fact that the number of Parties falls below the number required for its entry into force (which is 3 States²²) does not result in the termination of the Charter, according to Article 55 of the Convention on the Law of Treaties. It is true that, in principle and according to some legal scholars, an international organization is created by a multilateral international treaty, which means it must have at least 3 Members, and thus at least 3 Parties to the constituent treaty, a treaty that must be and remain a multilateral international treaty. However, in our view, it is not impossible or contrary to a peremptory norm of international law to create an international organization through a bilateral treaty and thus composed of only two States. At the very least, therefore, and in the absence of an express provision to the contrary in the constituent treaty, it is not contrary to a peremptory norm of international law for an international organization to continue to exist with only two members (which transforms the constituent treaty from a multilateral treaty into a bilateral treaty). It follows that the Charter may continue to exist legally with only two parties, thereby transforming from a multilateral treaty into a bilateral treaty. Admittedly, if one of these two remaining parties ceases to be a party, the Charter ceases to exist, as it is an international treaty and not a unilateral act.

As for the interpretation of the Charter of the Board of Peace, the Chairman of the Board of Peace is the sole authentic interpretive authority²³. In our view, this implies that, in interpreting the provisions of the founding treaty, one must prefer the solution most consistent with the interests of the Chairman of the Board of Peace, that is, the solution favorable to his powers.

In conclusion, the Charter of the Board of Peace is the founding treaty of this international organization, a multilateral international treaty (which, in extreme cases, may become a bilateral treaty), which does not permit reservations and which establishes a specific and restrictive procedure for its amendment.

B. Member States of the Board of Peace

The Members of the Board of Peace are States²⁴. No other type of subject of international law (such as international organizations) is eligible to become a Member.

Apart from a State's legal intent to become a Member of the Board of Peace (and a party to its Charter), there is only one other legal condition for membership in the Organization: an invitation to participate addressed to the State in question by the Chairman of the Board of Peace. It is within the discretionary power of the Chairman of the Board of Peace to select the States eligible to become Members, without any involvement of the other bodies of the Board of Peace or its Member States. There are no geographical requirements (the Board of Peace is therefore an international organization with a universal scope) or requirements regarding values such as a democratic system, the rule of law, respect for human

²⁰ Art. 10.2 of the Charter of the Board of Peace.

²¹ Art. 10.2 of the Charter of the Board of Peace.

²² Art. 11.1 para. a) of the Board of Peace Charter.

²³ Art. 7 of the Charter of the Board of Peace.

²⁴ Art. 2.1 of the Board of Peace Charter.

rights, or a free-market economy.

Even a state that is not recognized by other members may be invited by the Chairman of the Board of Peace to become a member, as the Chairman of the Board of Peace is the sole judge of the statehood of the entity in question. Thus, Kosovo is a founding member of the organization²⁵.

There are 28 founding Member States of the Board of Peace. They are listed on the Organization's official website in English alphabetical order (English being the Organization's official language), with the exception of the United States of America, the founding Member State listed first: United States, Albania, Argentina, Armenia, Azerbaijan, Bahrain, Belarus, Bulgaria, Cambodia, Egypt, El Salvador, Hungary, Indonesia, Israel, Jordan, Kazakhstan, Kosovo, Kuwait, Mongolia, Morocco, Pakistan, Paraguay, Qatar, Saudi Arabia, Turkey, United Arab Emirates, Uzbekistan, Vietnam.

Following an invitation by the Chairman of the Board of Peace, a State becomes a Member of the Organization by expressing its consent to become a Party to the Charter, either by signing the Charter or by depositing an instrument of ratification, acceptance, or approval, on the same day as the signature or, respectively, the deposit of the instrument²⁶.

For States whose domestic law requires the ratification, acceptance, or approval of the founding treaty, there is the status of provisional Member, upon signature and prior to the deposit of the instrument of ratification, acceptance, or approval, in two cases²⁷. First, if domestic law permits the provisional application of the Charter upon signature, the signatory State automatically becomes a provisional Member by the mere act of signing the Charter, which applies provisionally with all its legal effects. Second, if domestic law does not permit this, the State in question, which must inform the Chairman of the Board of Peace of this situation, may be authorized by the Chairman of the Board of Peace to participate in the work of the Board of Peace as a provisional Member, but without the right to vote. In the absence of authorization from the Chairman of the Board of Peace, a State that cannot provisionally apply the Charter prior to the deposit of the instrument of ratification, acceptance, or approval does not become a provisional Member of the Board of Peace.

As a Member of the Organization (the Board of Peace), a State is represented and has the right to vote (one vote per Member) in the intergovernmental body of the Organization (the Board of Peace)²⁸.

There are two categories of Members: permanent Members and Members for a limited term (non-permanent)²⁹. Permanent Members are those who, within one year of the Charter's entry into force, have paid a contribution of more than one billion U.S. dollars in cash to the Board of Peace's budget (the Charter's entry into force refers to its general entry into force in the case of Founding Members, and to its entry into force for a specific State in the case of other States). States that do not pay the contribution at the minimum level and within the maximum timeframe retain their membership status for a period that "*may not exceed three years*"; this wording is consistent with the fact that every two years the Organization may be dissolved ipso jure, at the end of each odd-numbered calendar year, unless the Chairman of the Board of Peace decides, before November 21 of that odd-numbered year, to extend the Organization's existence³⁰. However, the initial term of 3 years (maximum) may be renewed

²⁵ See the Board of Peace's official website, <https://boardofpeace.org/>, last accessed on April 21, 2026.

²⁶ Art. 2.1 and Art. 11.1(b) of the Board of Peace Charter.

²⁷ Art. 11.1 para. b) of the Board of Peace Charter.

²⁸ Art. 2.2 para. a) and Art. 3.1 para. d) of the Board of Peace Charter.

²⁹ Art. 2.2 para. c) and Art. 2.3 para. (i) of the Board of Peace Charter.

³⁰ Art. 10.2 of the Board of Peace Charter.

by the Chairman of the Board of Peace, under the same conditions as the initial period (namely, for a maximum period of 3 years), with no limit on the number of renewals. The decision (or successive decisions) to renew and its (their) conditions are at the discretion of the Chairman of the Board of Peace. The decision to pay or not to pay the contribution (in the amount and within the timeframe set forth in the Charter) constitutes the sovereign power of each Member State, which thus freely decides whether it wishes to be a permanent Member (by paying the contribution and thereby becoming a permanent Member *ope legis*) or merely a non-permanent Member.

As an individual status, membership (permanent or non-permanent) ceases:

- following voluntary withdrawal (which is a discretionary power of any Member State, exercised by means of a written notification addressed to the Chairman of the Board of Peace, with immediate effect)³¹;

- following expulsion from the Organization (a revocation decided by the Chairman of the Board of Peace, at his discretion; this decision may be overturned by a veto expressed through a two-thirds vote of the Member States; as a result, the revocation decision adopted by the Chairman of the Board of Peace is not enforceable until the next meeting of the Board of Peace, during which a vote may be held; however, the inclusion of this matter on the agenda is not guaranteed, as the Board of Peace, as an organ of the Organization, does not control the agenda of its meetings, which is set by the Executive Board and approved by the Chairman of the Board of Peace, and if the veto issue is not on the agenda, it cannot be debated or voted on; the Member State subject to the exclusion decision issued by the Chairman of the Board of Peace may vote, as the decision is not enforceable and the State retains its membership status prior to the meeting at which the veto may be exercised; however, since the matter is not clearly regulated by the Charter, it is the Chairman of the Board of Peace who has the authority to interpret the Charter, including with regard to the enforceable nature of his decision and the impossibility for the excluded State to participate in the vote concerning the possible veto against his decision)³².

For non-permanent Members, this status also ceases (again as an individual measure) upon the expiration of the (maximum) three-year term, unless the Chairman of the Board of Peace, at his discretion, decides to renew the Member's status for a new maximum term of three years, which may itself be renewed at the Chairman's discretion³³.

It must be noted that the payment of the contribution of more than one billion U.S. dollars before the end of the first year of obtaining membership does not guarantee permanent membership status, as even a permanent member may at any time be excluded from the Organization by a discretionary decision of the Chairman of the Board of Peace. Conversely, a non-permanent Member who has not paid the contribution may remain a Member of the Organization indefinitely, as the Chairman of the Board of Peace may decide, successively and at his discretion, to extend the (non-permanent) Member status every 3 years.

Any Member of the Organization whose membership has ceased may be invited, without restriction, to rejoin as a Member, at the discretion of the Chairman³⁴.

As a collective matter, membership in the Organization (and as a Party to the founding treaty) ceases upon the dissolution of the Board of Peace and its Charter³⁵.

³¹ Art. 2.3 para. (ii) and Art. 2.4 of the Board of Peace Charter.

³² Art. 2.3 para. (iii) of the Board of Peace Charter.

³³ Art. 2.3 para. (i) of the Board of Peace Charter.

³⁴ Art. 2.1 and Art. 2.3 *in fine* of the Charter of the Board of Peace.

³⁵ Art. 2.3 para. (iv), Art. 10.1, and Art. 10.2 of the Board of Peace Charter.

We thus observe the existence of two categories of Members, permanent and non-permanent, distinguished on the basis of a financial criterion (the payment of a financial contribution of more than one billion U.S. dollars before the first year's end), as well as the dependence of membership status (invitation, extension, exclusion) on the discretionary will of the Chairman of the Board of Peace.

II. The Functioning of the Board of Peace

The Board of Peace is an international organization that naturally possesses an internal organizational structure (A) and is characterized by certain specific features that determine its legal nature (B).

A. The Institutional Structure of the Board of Peace

The institutional structure of the Board of Peace includes:

- the governing (decision-making) bodies: the *Board of Peace* and the *Chairman*;
- the executive (administrative) body: the *Executive Board*, led by its *Chief Executive*;
- subsidiary bodies: the subcommittees;
- institutions with legal personality: the subsidiary entities;

a) The Board of Peace³⁶ is the Organization's intergovernmental decision-making body. It is thus noted that the name of the intergovernmental decision-making body (the Board of Peace) is identical to the name of the international organization (the Board of Peace).

In terms of its composition, it is a classic intergovernmental body of an international organization, composed of representatives of all Member States, with each Member State of the Board of Peace having an equal right to vote with all other Members³⁷. The representative of a Member State on the Board of Peace (as a body of the Organization) is its Head of State or Government, depending on the constitutional structure of the Member State in question; this representative may be replaced by an alternate (who must be a high-ranking official), with the prior approval of the Chairman of the Board of Peace³⁸.

The Board of Peace carries out its functions through meetings, which fall into two categories: voting meetings and non-voting meetings.

Voting meetings³⁹ are held on a regular basis (once a year) and on an ad hoc basis. They are convened by the Chairman of the Board of Peace, who sets the date and location. The agenda is drawn up by the Executive Board, forwarded to the Members, who may submit comments, and then approved by the Chairman of the Board of Peace. Non-voting meetings⁴⁰ are held jointly with the Executive Board at least once a quarter. The date and location are set by the Chief Executive of the Executive Board.

In voting meetings, the Board of Peace⁴¹:

- adopts major policy decisions aimed at achieving the Organization's objectives;
- adopts the budget;

³⁶ Art. 3.1 of the Board of Peace Charter.

³⁷ Art. 3.1, paras. (a) and (d) of the Board of Peace Charter.

³⁸ Art. 2.2 para. a) and Art. 3.1 para. g) of the Board of Peace Charter.

³⁹ Art. 3.1 para. c) of the Board of Peace Charter.

⁴⁰ Art. 3.1 para. f) of the Board of Peace Charter.

⁴¹ Art. 2.3 para. (iii), Art. 3.1 para. b), Art. 5.2, and Art. 8 of the Board of Peace Charter.

- establishes subsidiary entities;
- appoints the Organization's senior officials;
- authorizes the creation of accounts necessary for the fulfillment of the Organization's missions;
- approves international treaties to which the Organization becomes a Party;
- adopts amendments and additional protocols to the Charter;
- exercises a veto over the decision of the Chairman of the Organization to expel a Member;

In meetings without a vote⁴²:

- the Board of Peace takes note of the reports of the Executive Board on its operations and decisions;

- Member States may submit recommendations and guidelines to the Executive Board.

Representatives of relevant regional international economic cooperation organizations may attend meetings of the Board of Peace, upon invitation and under the conditions set by the Chairman of the Board of Peace⁴³.

There is no quorum requirement for the validity of meetings.

Decisions are adopted by a majority of the Member States present and voting. In the event of a tie, the Chairman has the right to vote (including during the period when he is the representative of the United States of America, as President of the United States of America, and has previously voted once as a representative of a Member State at a Board of Peace meeting, having the right, in the event of a tie, to a second vote, this time in his capacity as Chairman of the Board of Peace)⁴⁴.

Certain decisions of the Board of Peace are adopted by a qualified majority, always calculated based on the number of Members of the Organization, regardless of their presence at the meeting. Thus, amendments to the Charter, as well as additional protocols, require, depending on the subject matter, a two-thirds majority or unanimity⁴⁵. The decision to veto the Board of Peace Chairman's decision to exclude a Member State must be adopted by a two-thirds majority of Member States⁴⁶.

After being adopted by a vote of the Board of Peace, decisions must be approved by the Chairman of the Board of Peace, who may reject them without giving reasons⁴⁷. For decisions adopting amendments or additional protocols to the Charter, the decisions of the Board of Peace must be confirmed by the Chairman of the Board of Peace, and such confirmation may be refused at the Chairman's discretion⁴⁸. The only decision of the Board of Peace that is not required to obtain the subsequent approval or confirmation of the Chairman of the Board of Peace is the veto of his decision to exclude a Member, since the logic of the veto is to oppose a decision made by another, therefore the veto cannot be subject to the will of the party against whom it is directed; however, this is a matter of interpreting the Charter, for which exclusive and discretionary authority rests with the Chairman of the Board of Peace, who may interpret the Charter as requiring his approval for all decisions voted on by the Board of Peace, including the decision to veto the exclusion of a Member.

It is evident that, despite the fact that the Board of Peace is the Organization's

⁴² Art. 3.1(f) of the Board of Peace Charter.

⁴³ Art. 3.1 para. h) of the Board of Peace Charter.

⁴⁴ Art. 3.1 para. e) of the Board of Peace Charter.

⁴⁵ Article 8 of the Board of Peace Charter.

⁴⁶ Article 2.3 (iii) of the Board of Peace Charter.

⁴⁷ Article 3.1 para. (e) of the Board of Peace Charter.

⁴⁸ Article 8 of the Board of Peace Charter.

intergovernmental decision-making body, where its Members are represented, it has no control over the convening of its meetings, the agenda of its meetings, or the decisions voted upon. It cannot debate or vote on any matter unless it is on the agenda, and it cannot independently adopt any affirmative decisions (without the subsequent approval of the Chairman of the Board of Peace), but only (by abstaining from voting) negative decisions (refusal to vote on the budget, refusal to approve international agreements, refusal to adopt amendments or additional protocols to the Charter, refusal to establish subsidiary bodies, refusal to appoint senior officials of the Organization). It is therefore a decision-making body (matters falling within its statutory jurisdiction cannot be adopted without its vote), but one strictly subject to the veto of a single-person decision-making body, namely the Chairman of the Board of Peace, who can completely and without justification block any decision voted on by the intergovernmental decision-making body.

The fact that decisions adopted by the intergovernmental body where all Members are represented are not all-powerful within the Organization (while remaining subordinate to the founding treaty) does not constitute a revolutionary solution in the law of international organizations. For example, within the United Nations, in matters of international peace and security, the primary role falls to the Security Council (itself an intergovernmental body, but of smaller size and with voting privileges), and not to the General Assembly (the intergovernmental body where all Members are represented and their votes are equal). Similarly, in certain international organizations, decisions adopted by vote by the intergovernmental body may be overturned by a judicial body of that international organization. On the other hand, what is entirely novel is the arrangement whereby all decisions of the intergovernmental body of which all Members are part can be completely and without justification blocked by a single person of the same international organization, which moreover holds a lifetime mandate and is not subject to any oversight by the other bodies of the international organization or its Members (with the exception of the decision to expel a Member).

b) The Chairman of the Board of Peace⁴⁹ is a single-person decision-making (governing) body, who is not appointed by another body of the Organization nor by its Members and who is not (with very few exceptions) subject to censure by or accountable to other bodies of the Organization and/or the Members of the Organization.

As for appointment, as an exception, the first (chronologically) Chairman of the Board of Peace is accepted by the Member States (both founding and subsequent) when they express their consent to be bound by the Organization's founding treaty, as his name is *explicitly* stated in the Charter. Conversely, for subsequent Presidents, their appointment is entirely outside the purview of the Members or the Organization's bodies, other than the Chairman.

The Chairman of the Board of Peace possesses exceptional powers, which have no equivalent in any other international organization for a single-person body.

The Chairman of the Board of Peace has the following powers:

- he is the only one who may, at his discretion, invite a State to become a Member of the Organization⁵⁰;

- he is the only one who may, at his discretion, extend the status of non-permanent Member beyond the initial maximum term of 3 years⁵¹;

- he may expel a State from the Organization without justification (this is his only power subject to the oversight of the intergovernmental decision-making body, which may

⁴⁹ Art. 3.2 and Art. 3.3 of the Board of Peace Charter.

⁵⁰ Art. 2.1 of the Board of Peace Charter.

⁵¹ Art. 2.2 para. c) and Art. 2.3 para. (i) of the Board of Peace Charter.

veto such a decision by a two-thirds qualified majority of the Organization's Members)⁵²;

- he receives notification from a Member of its withdrawal from the Organization⁵³;
- he convenes voting meetings of the Board of Peace and approves or rejects the agenda without providing a reason⁵⁴;
- he casts the deciding vote at Board of Peace meetings in the event of a tie⁵⁵;
- he approves or rejects, without providing a reason, all decisions adopted by vote by the Board of Peace⁵⁶;
- he approves or rejects, without providing a reason, the representation of a Member at Board of Peace meetings by an alternate⁵⁷;
- he invites representatives of interested regional international economic cooperation organizations to attend Board of Peace meetings and sets the conditions for their participation⁵⁸;
- he creates, modifies, and dissolves subsidiary entities of the Organization at his discretion⁵⁹;
- he designates, at his discretion, his successor as Chairman of the Board of Peace⁶⁰ (he may only designate his own successor, and not the successor of his successor);
- he establishes, at his discretion and as necessary, subcommittees of the Organization and determines their mandate, structure, and operating rules⁶¹;
- he appoints, renews the term of office, and removes members of the Executive Board at his discretion⁶²;
- he appoints the Chief Executive of the Executive Board, with the appointment subject to confirmation by the Executive Board by a simple majority vote, calculated among the members present and voting, without a quorum requirement (this is its only power subject to review by the Organization's administrative body)⁶³;
- he may, at his discretion and at any time, veto any decision adopted by the Executive Board⁶⁴;
- he establishes additional reports to supplement the quarterly reports that the Executive Board submits to the Board of Peace⁶⁵;
- he is the final authority regarding the scope, interpretation, and application of the Charter⁶⁶;
- he confirms or rejects, without providing a reason, amendments and additional protocols to the Charter adopted by the Board of Peace⁶⁷;
- he may, at his discretion, adopt resolutions and directives to carry out the missions of

⁵² Article 2.3 para. (iii) of the Board of Peace Charter.

⁵³ Art. 2.4 of the Board of Peace Charter.

⁵⁴ Art. 3.1 para. c) of the Board of Peace Charter.

⁵⁵ Art. 3.1 para. e) of the Board of Peace Charter.

⁵⁶ Art. 3.1 para. e) of the Board of Peace Charter.

⁵⁷ Art. 3.1 para. g) of the Board of Peace Charter.

⁵⁸ Art. 3.1, para. h) of the Board of Peace Charter.

⁵⁹ Art. 3.2 para. (b) of the Board of Peace Charter.

⁶⁰ Art. 3.3 of the Board of Peace Charter.

⁶¹ Art. 3.4 of the Board of Peace Charter.

⁶² Art. 4.1 paras. a) and b) of the Board of Peace Charter.

⁶³ Art. 4.1 paras. c) and e) of the Board of Peace Charter.

⁶⁴ Art. 4.1 para. e) of the Board of Peace Charter.

⁶⁵ Art. 4.2 para. b) of the Board of Peace Charter.

⁶⁶ Art. 7 of the Board of Peace Charter.

⁶⁷ Art. 8 of the Board of Peace Charter.

the Board of Peace⁶⁸;

- he may, at his discretion and at any time, dissolve the Organization⁶⁹;
- he may, at his discretion, decide on the continuation of the Organization's existence every two years, before November 21 of each odd-numbered year⁷⁰;
- he is informed by the States that have signed the Charter that subsequent ratification, acceptance, or approval is required and that early provisional application of the Charter is not possible⁷¹;
- he may, without justification, authorize States that cannot provisionally apply the Charter to participate without voting rights in the work of the Board of Peace⁷²;
- he approves the Organization's official seal at his discretion⁷³.

It is evident that, through his extraordinary and discretionary powers concerning the existence of the Organization, its founding treaty, its Members, the intergovernmental body, his successor, and the executive body, the Chairman of the Board of Peace, as a single person, is the most important and powerful principal body of the Organization, a unique situation in the law of international organizations. This situation, however curious it may be, is not in itself contrary to international law or to the sovereignty of the Member States of the Board of Peace, which have freely accepted the Charter.

There are very few restrictions on the prerogatives of the Chairman of the Board of Peace:

- the Chairman's decision to exclude a Member may be blocked by a veto cast by two-thirds of the Members⁷⁴; as we have shown above, by its very nature the veto decision is not compatible with subsequent approval by the Chairman, but it is the Chairman who is the official interpreter of the Charter and may decide otherwise;
- the Chairman's decision appointing the Chief Executive of the Executive Board must be confirmed by a majority vote of the Executive Board⁷⁵;
- the Chairman may be declared incapacitated by a unanimous vote of the Executive Board, resulting in the termination of his term in office⁷⁶; by its very nature, the decision declaring incapacity adopted by the Executive Board is not subject to a veto by the Chairman declared incapacitated and, furthermore, the decisions of the Executive Board are binding⁷⁷, so the Chairman's term of office ends immediately, and the removed Chairman can no longer exercise a veto; on the other hand, the new Chairman, successor to the deposed Chairman, may veto the Executive Board's decision declaring the former Chairman incapacitated, the effect being the reinstatement of the former Chairman to his office and the termination of the office of the Chairman who exercised the veto; however, since the Chairman is the official interpreter of the Charter, he may decide that he retains the right of veto regarding the Executive Board's decision declaring his incapacity.

In its dealings with the Chairman, the Executive Board is much stronger than the Board of Peace (the intergovernmental decision-making body), as the Executive Board may declare the Chairman incapacitated, which automatically results in the termination of his

⁶⁸ Art. 9 of the Board of Peace Charter.

⁶⁹ Art. 10 para. 2 of the Charter of the Board of Peace.

⁷⁰ Art. 10 para. 2 of the Board of Peace Charter.

⁷¹ Article 11.1 para. (b) of the Board of Peace Charter.

⁷² Article 11.1 para. (b) of the Board of Peace Charter.

⁷³ Article 13.3 of the Board of Peace Charter.

⁷⁴ Article 2.3 para. 3 of the Board of Peace Charter.

⁷⁵ Art. 4.1 para. (c) of the Board of Peace Charter.

⁷⁶ Art. 3.3 of the Board of Peace Charter.

⁷⁷ Art. 4.1 para. e) of the Board of Peace Charter.

duties and the automatic assumption of office by his successor as Chairman.

Even more distinctive features, yet still in accordance with international law and the sovereignty of Member States (which are Parties to the Charter of their own free will), pertain to the term of office and the appointment of the Chairman⁷⁸.

The term of office of the Chairman of the Board of Peace is for life; it ends only upon resignation, upon incapacity unanimously determined by the Executive Board, upon death, or upon the dissolution of the Board of Peace.

As for the appointment of the Chairman, there is a significant difference between the first (chronologically speaking) and subsequent Chairmen of the Board of Peace. The first Chairman is specifically designated by the Organization's founding treaty, and thus by the will of the founding Members, and subsequently accepted by the other Members joining the Organization, namely Mr. Donald J. TRUMP.

For all other (subsequent) Chairmen, it is the incumbent Chairman (at a given time) who appoints his own successor. Neither the intergovernmental body in which the Members are represented, nor the Members themselves, have any involvement in or are consulted regarding the process of appointing the future Chairman. The incumbent Chairman may designate only his own successor, and not the successor of his successor, as each Chairman has the authority to designate only his own successor.

The Charter contains no conditions or restrictions regarding the successor designated by the Chairman, who is allowed not to hold the nationality of a Member State, who may be a family member of the incumbent Chairman, may be a representative of a Member within the intergovernmental decision-making body, may be a member or Chief Executive of the Executive Board, etc. The only two incompatibilities are the Chairman himself (he cannot designate himself as his own successor, as that would be absurd) and a person deemed legally incompetent (since such a person cannot assume the duties of Chairman and would be removed by the Executive Board, and legal rules must be interpreted in a manner that produces practical effects; there is, however, a caveat, as the incapacity pertains to the Chairman, not the successor; thus, for example, a person who is legally incapacitated at the time of their appointment as successor due to their young age may no longer be legally incapacitated by the time the office of Chairman becomes vacant, so that person may, in full compliance with the rules, assume the duties of Chairman, as the act of appointing the incapacitated individual is valid and beyond reproach). The distinctive feature of the first Chairman is that he is also the head of a Member State; thus, he exercises both the functions of Chairman of the Board of Peace and those of representative of the United States of America to the Board of Peace.

This also means (the solution being supported by the absence of any contrary conventional rule) that the duties of Chairman of the Board of Peace are compatible with any other duties within the Organization (for example, member or Chief Executive of the Executive Board) or outside it (at the level of a State, another international organization, or the private sector).

A total institutional deadlock occurs if the Chairman's term ends (other than through the dissolution of the Board of Peace itself) without the Chairman having designated a successor, or if the designated successor refuses the mandate. No other body of the Organization nor the Parties may appoint the Chairman in this scenario, nor amend the Charter to change the appointment procedure (since amending the Charter requires the Chairman's confirmation). The Organization is completely paralyzed (decisions of the

⁷⁸ Art. 3.2 and Art. 3.3 of the Board of Peace Charter.

intergovernmental body cannot be approved, so there will be no budget) and no one can extend the Organization's existence beyond November 21 of the odd-numbered calendar year. In our view, the termination of the Chairman's term of office without the appointment of a successor or with a successor who refuses the mandate constitutes the occurrence of a situation that makes the implementation of the Charter of the Board of Peace definitively impossible, a situation that, pursuant to Art. 61 of the Convention on the Law of Treaties, leads to the termination of the Charter and, consequently, the cessation of the Organization's existence, a situation that must be acknowledged by its Members.

In conclusion, the term of office, the method of appointment, and the discretionary powers of the Chairman are unique features, but they remain within the framework of international law and respect the sovereignty of the States that agree to be bound by the Charter of the Board of Peace.

c) The Executive Board⁷⁹, headed by its Chief Executive, is the executive (administrative) body of the Organization.

Since the text expressly provides that the majority vote in the Executive Board refers to members present and voting, including the Chief Executive, it follows that the latter is also a member of the Executive Board; therefore, the rules applicable to members of the Executive Board also apply to the Chief Executive, in the absence of an express provision to the contrary.

The Charter does not specify the number of members of the Executive Board; therefore, the decision rests with the Chairman of the Board of Peace, as the body competent for such appointments.

Members of the Executive Board are appointed at the discretion of the Chairman, the sole requirement being that they be leaders of global stature, a concept subject to the Chairman's interpretation (this substantive requirement also applies to the appointment of the Chief Executive, who is also a member of the Executive Board). For the Chief Executive, the appointment made by the Chairman must be confirmed by a vote (a simple majority of members present and voting). There are no requirements regarding nationality or incompatibility, which means that a Head of State or Government of a Member State, who represents their State within the intergovernmental decision-making body, may simultaneously serve as a member of the Executive Board and even as Chief Executive. Ultimately, nothing prevents the Chairman from appointing his or her successor or from appointing himself or herself as a member or Chief Executive of the Executive Board.

The term of office for members (and for the Chief Executive, who is also a member) of the Executive Board is two years, and the term is renewable under the same conditions. Members (and the Chief Executive, who is also a member) of the Executive Board may be removed at any time and without justification by the Chairman of the Board of Peace.

The Executive Board holds regular meetings (every two weeks for the first three months following its formation, and then monthly) and special meetings. They are convened by the Chief Executive.

In addition, there are also joint meetings (at least) quarterly between the Board of Peace (meetings without a vote) and the Executive Board, convened by the Chief Executive.

Since there is no express rule to the contrary, the Executive Board sets its own agenda. This is a very significant difference from the intergovernmental decision-making body, which does not set the agenda for its meetings.

⁷⁹ Art. 3.1 paras. c) and f), Art. 4.1, Art. 4.2, Art. 5.2, Art. 8, and Art. 10.2 of the Board of Peace Charter.

There are no quorum requirements for meetings of the Executive Board.

Decisions of the Executive Board are adopted by vote, with the Chief Executive having an equal vote as a member. A simple majority of votes is required, calculated among members present and voting.

Nothing prohibits the Chairman from participating in meetings of the Executive Board, despite the fact that there is no express provision to that effect, as is the case for his participation in meetings of the Board of Peace. If the Chairman participates in meetings of the Executive Board, he does not have the right to vote, unlike in meetings of the Board of Peace (where he may exercise his right to vote in the event of a tie).

Decisions take effect upon adoption, but the Chairman may exercise his veto at any time, which renders the decision null and void. This is a significant difference from the decisions of the Board of Peace, which only take effect after their approval by the Chairman. The existence of the veto power requires the Executive Board to forward all its decisions to the Chairman immediately after their adoption.

The Executive Board enjoys regulatory autonomy by adopting its own rules of procedure (which have the same legal status as its decisions and are therefore subject to a possible veto from the Chairman). By comparison, the Charter does not grant the Board of Peace, as an intergovernmental decision-making body, the power to adopt rules of procedure.

Regarding the powers of the Executive Board, the Charter is vague and generally provides that it shall exercise the powers necessary and appropriate for the implementation of the Organization's mission, in accordance with its founding treaty.

In addition, the Executive Board:

- sets the agenda for the Board of Peace's voting meetings, with the approval of the Chairman;

- determines, by unanimous vote of its members, the Chairman's inability to perform his or her duties;

- authorizes the establishment of controls and oversight mechanisms for budgets, financial accounts, and disbursements, to the extent necessary or appropriate to ensure their integrity;

- adopts rules and procedures concerning the Organization's assets, obligations, and liability in the event of dissolution;

- proposes the adoption of amendments or additional protocols to the Charter.

The Executive Board reports on its activities and decisions to the Board of Peace during joint quarterly meetings and, additionally, upon the Chairman's decision. During these joint quarterly meetings, Member States may issue recommendations or guidance to the Executive Board.

In conclusion, the Executive Board is a body whose composition depends on the Chairman's discretion; it follows the model of a board of directors of a private for-profit company and possesses very broad powers, which are in fact more extensive than those of the Organization's intergovernmental decision-making body.

(d) Subcommittees⁸⁰ are subsidiary bodies of the Organization.

The only principal body empowered by the Charter to create subcommittees, as subsidiary bodies of the Organization, is the Chairman of the Board of Peace.

The Chairman's authority to establish subcommittees is exclusive and discretionary; and is not shared with any other body of the Organization.

⁸⁰ Art. 3.4 of the Board of Peace Charter.

The Chairman determines the mandate, structure, and operating rules of the subcommittees he creates.

e) Subsidiary entities⁸¹ are institutions of the Organization, endowed with their own legal personality.

The Charter authorizes both the Board of Peace to establish subsidiary entities and the Chairman of the Board of Peace to create, modify, or dissolve subsidiary entities necessary or appropriate for the fulfillment of the Organization's mission.

There is a contradiction between the two texts establishing the powers of the Organization's two main decision-making bodies, for while both main bodies are expressly empowered to create subsidiary entities, at the same time it is expressly stated that this power rests exclusively with the Chairman.

By virtue of the Chairman's exclusive authority to interpret the Charter, it is up to him to decide. It is, however, possible to reconcile the two texts by noting that the intergovernmental body's power to create subsidiary entities is heavily contingent upon the Chairman's will (it is the Chairman who must approve the agenda for the voting meetings of the Board of Peace and who must approve the decisions adopted by the Board of Peace), meaning that ultimately the final decision on the matter rests with him.

Given the broad wording of the text regarding the Chairman's authority over subsidiary entities, which is described as exclusive, we consider that even entities created by the Board of Peace may be modified or dissolved by the Chairman.

Subsidiary entities have their own legal personality, enabling them to enter into contracts, acquire and dispose of property, appear in court, open bank accounts, receive and spend public and private funds, hire staff, etc.

We believe, however, that the statutory provision stating that subsidiary entities, like the Organization, have international legal personality, does not align with current general international law. While the Board of Peace, as an international organization, certainly possesses international legal personality, we are of the opinion that the subsidiary entities created by the principal bodies of this international organization have legal personality, but one that is not international (thus, in international relations, it is only the Organization that acts, either through its internal bodies or through its subsidiary entities endowed with legal personality). Thus, international law does not recognize the right of a State (even if it is the principal subject of international law by virtue of its sovereignty) to create on its own an international organization or another subject of international law (and thus endowed with international legal personality). *A minori*, an international organization (which is merely a subject derived from international law, as it is not sovereign) cannot, on its own, through an internal act of one of its internal bodies, create another subject of international law, that is an entity endowed with international legal personality. An international organization may certainly create an entity endowed with legal personality, but not international legal personality.

It follows that subsidiary entities are institutions endowed with legal personality within the State Parties (since third-party states are not bound to respect the Charter and decisions of an international organization of which they are not members), created by one of the Organization's principal decision-making bodies, in order to carry out the missions of the Board of Peace.

⁸¹ Art. 3.1 para. b), Art. 3.2 para. b), and Art. 6 of the Charter of the Board of Peace.

B. The Legal Nature of the Board of Peace

The Board of Peace is an international organization with a universal scope (membership is not restricted to states from a particular geographic region) and a semi-open character (membership requires a prior invitation from an internal body of the Organization)⁸².

It is a temporary organization, established (in January 2026) for a period of less than two years (until December 31, 2027, that is until the end of the first odd-numbered calendar year following its date of establishment), its extension being possible only if the Chairman of the Board of Peace so decides (at his discretion) before November 21 of each odd-numbered calendar year⁸³.

The Organization's existence depends not only on the legal will of the Parties (who may decide to dissolve the Organization), but also on the legal will of a single natural person, the Chairman, who possesses the same power of dissolution as a discretionary power⁸⁴.

The Board of Peace has international legal personality, enjoys international privileges and immunities, and may be a party to international treaties, including headquarters agreements and bilateral treaties concerning privileges and immunities⁸⁵.

The purpose of the Board of Peace is to promote stability, restore reliable and legitimate governance, and ensure lasting peace in regions affected by or threatened with conflict⁸⁶.

The Board of Peace is a cooperative organization based on the preservation of the intact national sovereignty of each Member State, and not an integration organization involving the joint exercise of its Members' sovereignty. The Organization exercises no jurisdiction over the territory of its Members and does not require its Members to participate in a specific peace-building mission without their consent⁸⁷.

Membership entails no mandatory financial contribution (with the exception of the contribution of more than one billion U.S. dollars owed by permanent Members, which is mandatory only if the State wishes to be a permanent Member), as funding from Members and other entities is voluntary⁸⁸.

The legal acts adopted by the Organization are: decisions of the Board of Peace, resolutions and directives of the Chairman, and decisions of the Executive Board⁸⁹.

The founding treaty does not specify the seat of the Organization, but merely provides for the possibility of one or more seats for the Organization and its subsidiary entities (which have legal personality), as well as field offices within States (not necessarily Members) with which agreements may be concluded⁹⁰.

The official language of the Board of Peace (used in the meetings of its bodies and in the acts issued by them) is English⁹¹.

⁸² Art. 2.1 of the Board of Peace Charter.

⁸³ Article 10.2 of the Board of Peace Charter.

⁸⁴ Art. 10.2 of the Board of Peace Charter.

⁸⁵ Art. 3.1 para. b), Art. 6, and Art. 13.2 of the Board of Peace Charter.

⁸⁶ Article 1 of the Charter of the Board of Peace.

⁸⁷ Art. 2.2 para. (b) of the Board of Peace Charter.

⁸⁸ Art. 5.1 of the Board of Peace Charter.

⁸⁹ Art. 3.1 para. e), Art. 4.1 para. e), and Art. 9 of the Board of Peace Charter.

⁹⁰ Art. 13.2 of the Board of Peace Charter.

⁹¹ Art. 13.1 of the Board of Peace Charter.

The Board of Peace has a seal, approved by its Chairman⁹².

As a result, the Board of Peace is an international organization with distinct characteristics: it is temporary in nature, has no permanent headquarters as specified in its founding treaty, does not require mandatory financial contributions from its members, and can be dissolved at the discretion of a single individual.

Conclusions

At first glance, the Board of Peace is an unremarkable international organization: a classic international cooperation organization, respectful of the individual state sovereignty of its Members, with a universal mission regarding peace, and with a classic intergovernmental body as its principal decision-making body, in which all Parties are represented and have equal voting rights.

However, upon closer examination, several highly distinctive features become apparent: the existence of the Organization, membership status, internal decision-making authority, and succession to power all depend on the will of a single individual, its Chairman, who is appointed *in terminis* and for life by the founding treaty.

This legal arrangement, however original it may be, is not in itself contrary to international law and does not violate the sovereignty of Member States, which have voluntarily become Parties to the Charter of the Board of Peace.

The sustainability of the Board of Peace, the expansion of its membership (especially its permanent members, who are responsible for contributions exceeding one billion U.S. dollars), the functionality of its internal system of bodies, and the actual effectiveness of its actions are extra-legal matters, which only a significant period of subsequent practice can attest to.

Text translated from French to English with DeepL, checked, corrected and edited by Cristina Andreescu.

⁹² Article 13.3 of the Board of Peace Charter.