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Between Legal Legitimacy and Structural Illegitimacy: A Study of the Board of Peace in Light of UN Security Council Resolution 2803

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ABSTRACT **Original Research Article**

This article examines the legality of the "Board of Peace" in light of UN Security Council Resolution 2803 through an analysis that combines both textual and contextual dimensions. It shows that this entity, despite its unbalanced nature and its pronounced concentration of power, does not explicitly violate the rules of positive international law. However, the study reveals a fundamental paradox: while the project appears legally valid in form, it raises a structural issue in terms of the values upon which the international order is founded. In this context, the article proposes the use of the concept of "objectivized natural law" to highlight the role of general principles in assessing such phenomena. It concludes that the Board of Peace reflects the limits of international law when confronted with institutional arrangements that are formally lawful yet undermine its underlying normative foundations.

Keywords: Board of Peace, UN Security Council Resolution 2803, International Organizations, International Legality, Public International Law, General Principles of International Law, Structural Legitimacy, United Nations Security Council, Multilateralism.

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Introduction

The maintenance of international peace and security constitutes one of the fundamental pillars upon which the contemporary international legal order is built. This role has been primarily entrusted to the United Nations Security Council, as the principal organ responsible for managing and addressing international conflicts within the institutional framework of the United Nations. However, the evolving nature of international conflicts, coupled with their increasing political and humanitarian complexity, has driven the international community to seek new and more flexible approaches to crisis management, sometimes beyond the traditional frameworks established by the United Nations Charter[1].

In this context, recent years have witnessed a growing tendency toward reshaping the mechanisms of international conflict management, whether through the adaptation of existing institutional roles or through the promotion of parallel or alternative structures aimed at overcoming what is perceived as the limited effectiveness of the multilateral system. This development has occurred alongside an intensifying critical discourse directed at traditional

[1]Raphaël Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously? Brief Reflections on the Potential Role of Legal Scholarship," *Journal du droit international (Clunet)*, no. 2 (April–June 2026), paras. 14–15.

international institutions, emphasizing their constrained ability to respond swiftly and effectively to contemporary crises, as well as the complexities inherent in their decision-making processes.

Accordingly, the establishment of new international arrangements no longer raises, in principle, fundamental legal concerns, given that international law recognizes the freedom of states to organize their mutual relations. Rather[2], the inquiry has increasingly shifted toward the nature of such arrangements, their structural foundations, and the extent to which they align with the core principles underpinning the contemporary international order—foremost among them sovereign equality, collective action, and respect for institutional legitimacy.

Within this framework, the project of the "Board of Peace," announced on 15 January 2026 at the initiative of Donald J. Trump[3], emerges as a prominent contemporary example reflecting this trend toward reconfiguring mechanisms of international conflict management outside traditional structures. The Board has been presented as a new international organization, based on a specific charter endorsed by a group of states[4], and characterized by an institutional design centered on a dominant leadership role vested with extensive powers that raise numerous legal and institutional questions[5].

Although the Board of Peace remains in an evolving institutional phase and has not yet developed into a fully operational international organization with a permanent institutional structure, its Charter and related official statements were publicly announced following the adoption of UN Security Council Resolution 2803 (2025). The present study therefore treats the Board of Peace as an emerging institutional framework whose legal and structural implications warrant scholarly examination within the broader context of contemporary international institutional law. The principal documents examined in this study, including the Charter of the Board of Peace and relevant public statements, are reproduced in the Appendices attached to this article[6].

This project acquires particular significance in light of its connection to the international context following the adoption of UN Security Council Resolution 2803, which addressed the situation in Gaza and referred to the establishment of an institutional framework tasked with managing a transitional phase related to reconstruction and the coordination of international efforts in this regard. A careful reading of the Charter of the "Board of Peace"[7], however, reveals a clear gap between the vision reflected in the discussions surrounding the resolution and the legal and institutional structure introduced by this initiative, thereby raising the issue of the relationship between the UN framework and the newly established mechanism[8].

Although the establishment of the "Board of Peace" has taken the form of an agreement among a number of states—thus placing it, prima facie, within the category of international organizations created under international law—its particular nature, along with the exceptional provisions contained in its Charter, raises questions that go beyond mere legal classification, extending to the extent of its consistency with the foundational principles of the contemporary international order[9].

This situation gives rise to a complex legal problem that does not merely concern the formal characterization of the Board of Peace as an international organization, but rather calls into question the adequacy of traditional criteria of legality in international law. While it is generally accepted that the creation of international organizations falls within the freedom of states to regulate their relations, and that the Charter of the "Board of Peace" does not, on its face, contain any explicit violation of the rules of positive international law, this alone does not settle the broader debate regarding its legality[10].

For the purposes of this article, the expression "structural illegitimacy" refers to institutional arrangements that may formally comply with the rules of positive international law while simultaneously undermining the foundational principles and structural balance of the contemporary international legal order. In the present case, this notion is linked to the progressive expansion of the Board of Peace beyond the institutional framework envisaged under Resolution 2803, the concentration of authority within a highly personalized

[2]Romain Le Bœuf, "The Board of Peace: A New International Organization?" *Le Club des juristes*, January 23, 2026.

[3]Ryan Mancini, "Trump Announces Gaza 'Board of Peace' Has Been Formed," *The Hill*, January 15, 2026, https://thehill.com.
Donald J. Trump, post on Truth Social, January 17, 2026, https://truthsocial.com.

[4]As of 27 January 2026, several states had expressed their intention to join the Board of Peace, while others declined or reserved their position. Canada's invitation was reportedly withdrawn by President Trump on 23 January 2026. Despite initial skepticism, the diversity of participating states suggests that the initiative warrants serious consideration.

[5] "UN Security Council authorizes temporary international force for Gaza", *UN News*, 17 November 2025, available at: https://news.un.org.

[6]See Appendix I (UN Security Council Resolution 2803), Appendix II (Charter of the Board of Peace).

[7]United Nations Security Council, Resolution 2803, UN Doc. S/RES/2803 (2025), November 17, 2025, https://undocs.org/S/RES/2803(2025).

[8]John Sudworth, "Big Names on Trump's Peace Panel Face Huge Challenges in Gaza," *BBC News*, January 17, 2026, https://www.bbc.com.

[9]"World Leaders Show Caution on Trump's Broader 'Board of Peace' amid Fears for UN," *Reuters*, January 19, 2026, https://www.reuters.com.
United Nations Security Council, 10046th Meeting, UN Doc. S/PV.10046, November 17, 2025, pp. 3,9,11 statement by the representative of the United States.
For arguments supporting the legality of the Board of Peace, see: Le Bœuf, R., "The Board of Peace: A New International Organization?", *Le Club des juristes*, 23 January 2026.
Y. Suedi, "5 Legal Problems with Trump's Board of Peace (in 2 Minutes)," *Simplified Approach to International Law (SAIL) Blog*, January 21, 2026.

[10]M. Bonnet, "The Board of Peace: A Threat to the United Nations?," *Le Club des juristes*, January 27, 2026; emphasis added.

institutional structure, and the emergence of a parallel mechanism of international governance capable of weakening the collective and multilateral foundations of the United Nations system.

Accordingly, this article raises the following question:

To what extent can the "Board of Peace" be considered lawful under positive international law despite its structural imbalance?

The article does not argue that the Board of Peace is formally unlawful under positive international law[11]. Rather, it examines whether a legally valid institutional arrangement may nonetheless generate forms of structural imbalance capable of weakening the normative coherence of the contemporary international order, particularly through the duplication of international legitimacy and the gradual displacement of collective institutional authority.

This question gives rise to a deeper inquiry concerning the limits of the positivist approach in assessing the legality of international legal phenomena, and its capacity to accommodate institutional models that may formally comply with legal rules while substantively conflicting with the principles upon which the international system is built—particularly sovereign equality, multilateralism, and institutional legitimacy.

The importance of this study lies in its examination of a contemporary model that tests the limits of the international legal system and highlights the tension between formal legality and the underlying normative and structural foundations of the international order. The "Board of Peace" project does not merely raise questions regarding its compatibility with existing legal rules, but also sheds light on a deeper issue relating to the capacity of international law, in its positivist form, to accommodate ongoing transformations in the structure of international relations without undermining its internal coherence.

The relevance of this study is further reinforced by its connection to the context following the adoption of UN Security Council Resolution 2803 and the debates it has generated regarding the role of the Security Council in designing non-traditional mechanisms for conflict management. This makes the analysis of the "Board of Peace" an appropriate entry point for understanding emerging trends in the exercise of international functions and their legal and institutional limits.

From a methodological perspective, this article adopts a dual analytical approach. It begins with a legal examination of the foundational texts of the Board of Peace in light of the rules of positive international law[12], with the aim of assessing the extent to which formal legality is satisfied. It then expands the scope of analysis to include the structural and normative context of the international system, by invoking the general principles governing international relations, thereby enabling an evaluation of this model beyond mere formal compliance with legal rules.

In this context, the article adopts an analytical perspective inspired by what may be described as an "objectivized natural law" approach, understood not as a return to classical natural law theory, but rather as a framework grounded in the general principles and structural values progressively recognized within contemporary international law.

On this basis, the analysis proceeds by examining the legal foundations of the Board of Peace's legitimacy within the framework of positive international law (Part I), as well as the limits of this legitimacy through an assessment of its structural characteristics and its consistency with the foundational principles of the contemporary international order (Part II).

Part I: The Legal Legitimacy of the Board of Peace in Light of the Rules of Positive International Law

Assessing the legality of the "Board of Peace" requires, at the outset, a strictly legal approach grounded in the rules of positive international law[13], as the primary normative framework for evaluating the validity of international acts and conduct. In its traditional formulation, international law is based on the principle of the freedom of states to organize their mutual relations, including the establishment of new international organizations and the determination of their structures and competences in accordance with their common will, in the absence of any binding institutional model or unified formal requirements restricting this prerogative[14].

Within this framework, the Charter of the "Board of Peace" raises a central question concerning its compatibility with existing legal rules, particularly in light of the unconventional provisions it contains, which depart from prevailing patterns in the organization of international institutions. However, such specificity[15], notwithstanding its exceptional character, is not in itself sufficient to establish illegality, unless it is coupled with a clear violation of international law. It is therefore necessary to distinguish between the "exceptional" or "controversial" nature of certain provisions of the Charter and the criterion of legal legitimacy in its strict sense.

Accordingly, the analysis will first focus on the legal foundation that affirms the freedom of states to establish

[11]The expression "positive international law" is used in this article to refer to the body of formally recognized legal rules governing international relations, including treaties, customary international law, and binding institutional acts.
[12]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," paras. 6, 22.
[13]Ibid., para. 30.
[14]E. Lagrange, "The Category of 'International Organization,'" in E. Lagrange and J.-M. Sorel, eds., *The Law of International Organizations* (Paris: LGDJ, 2013), 54.
[15]Le Bœuf, "The Board of Peace."

international organizations, as the primary basis for recognizing the legality of the "Board of Peace" **(Section I),** before turning to an examination of the exceptional provisions contained in its Charter and assessing their compatibility—despite their unusual nature—with the rules of positive international law **(Section II).**

Section I: The Freedom of States to Establish International Organizations as a Basis of Legality

The freedom of states to organize their mutual relations constitutes one of the established principles of international law, enabling them, within the framework of their sovereignty, to establish international organizations that reflect their common will and respond to their political and functional considerations. In this context, the Charter of the "Board of Peace" falls within the category of international agreements aimed at creating an institutional arrangement among states, thereby constituting, in its legal nature, an expression of the convergence of multiple state wills toward the establishment of a new institutional framework.

The mere agreement of a number of states on a legal text containing regulatory provisions and establishing a structure entrusted with functions of an international character is[16], in principle, sufficient to qualify such an entity as an international organization, at least from the standpoint of formal legal characterization, regardless of its level of institutional development or its proximity to prevailing traditional models[17].

International law does not, in this regard, impose a unified institutional model for the creation of international organizations. These latter vary in terms of their structures, competences, and decision-making processes, depending on their objectives and the nature of the will that created them. The decisive criterion does not lie in the degree of conformity to a particular model, but rather in the existence of the basic formal elements that characterize an international organization—most notably the presence of a founding international agreement, the participation of states in its membership, and a minimum level of institutional organization allowing for the exercise of specific functions. From this perspective, the "Board of Peace" does not appear to fall outside this framework, despite the particularity of its Charter, as the states that have joined it have expressly or implicitly accepted to be bound by its provisions, which suffices to confer a legal character upon its existence[18].

This position is further reinforced by the absence of any rule in positive international law prohibiting states from establishing organizations of a non-traditional character or from agreeing upon institutional arrangements that may appear, from a doctrinal standpoint, unusual or even controversial. International law, in its current structure, does not impose a democratic or balanced model in the organization of international institutions, nor does it require a specific distribution of competences within them, so long as such arrangements do not entail a clear violation of peremptory norms or existing international obligations. Accordingly, the exceptional nature of the Charter of the "Board of Peace," particularly about the concentration of authority in the hands of a specific actor, is not, in itself, sufficient to negate its legality; rather, it remains within the scope permitted by the principle of the freedom of states in international contracting[19].

If the Charter of the "Board of Peace" falls, by its nature, within the category of agreements establishing an international organization, assessing its legality requires addressing a fundamental issue, namely, the absence of a binding legal model governing the form and structure of international organizations in international law. Unlike certain domestic legal systems that impose specific frameworks for the establishment of institutions, international law does not recognize a uniform standard or predefined template that states must follow when creating an international organization. On the contrary, the diversity of international organizations—in terms of their structures, functions, and modes of operation—reflects the inherent flexibility of this field and its primary subordination to the will of the founding states.

Within this framework, the departure of the Charter of the "Board of Peace" from traditional institutional models, as known within the United Nations system or other multilateral organizations, cannot be regarded as evidence of illegality. Rather, it constitutes an expression of the possibility of designing alternative institutional arrangements, even if such arrangements may appear, from a doctrinal perspective, inconsistent with contemporary trends in the organization of international cooperation. International law does not, for instance, impose the principle of separation of powers within international organizations, nor does it require a balanced distribution of competences among their organs, nor even the existence of specific mechanisms of control or accountability, notwithstanding the importance of such elements at the level of institutional legitimacy.

Accordingly, the particularity of the organizational structure of the Board of Peace, including the concentration of powers or its departure from conventional institutional forms, cannot in itself be construed as a breach of international law. Rather, it falls within the margin of discretion enjoyed by states in designing institutional frameworks they deem appropriate for achieving their common objectives. The relevant standard of assessment is therefore not the degree of "conformity" of this model to traditional ones, but rather the existence of a clear

[16]Charles de Visscher, *Theory and Reality in Public International Law*, 4th ed. (Paris: Pedone, 1970), 67.

[17]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?"

[18]Lagrange, "The Category of 'International Organization,'" 54.

[19]Le Bœuf, "The Board of Peace."

violation of binding legal rules—something that does not appear, at this stage of the analysis, to be established[20].

The principle of will constitutes one of the fundamental pillars of international law, as international legal rules are, in essence, viewed as the product of the convergence of the wills of sovereign states. In this context, the establishment of international organizations does not depart from this logic, as their legal existence is grounded in an agreement between states that have, through their free will, consented to create a common institutional entity and to define its rules of operation and competences. Consequently, the legality of the "Board of Peace" finds its immediate foundation in this principle, insofar as the states that have joined it have expressed their consent to its Charter, whether through signature or through other forms of accession[21].

It follows that the assessment of the legality of this Board cannot be dissociated from respect for the will of its founding states, even if such will may be subject to criticism or questioning from an external perspective. International law, in its positivist formulation, does not evaluate the motives or underlying considerations of states' choices, but rather focuses on the existence of valid and unvitiated consent. In the present case, there is no indication that the accession of states to the "Board of Peace" has occurred in a manner contrary to the rules governing the expression of consent in international law, thereby reinforcing the presumption of its formal legality.

This voluntarist perspective also provides an explanation for the acceptance by states of provisions that may appear, from an institutional standpoint, unbalanced or unconventional, such as the concentration of powers within the organization or the imposition of restrictive conditions for membership. As long as these provisions have been expressly agreed upon by the member states, they fall within the scope of what is legally permissible, even if they raise concerns from the standpoint of fairness or political appropriateness. In this sense, the Charter of the "Board of Peace" does not constitute a departure from the logic of international law, but rather represents a clear manifestation of the principle of will in one of its most pronounced forms[22].

This broad reliance on state consent, however, also reveals one of the structural limits of positivist legality in contemporary international law. The fact that institutional arrangements may derive formal validity from converging state wills does not necessarily prevent them from generating structural tensions within the international legal order itself. In the case of the Board of Peace, the issue does not concern the existence of consent as such, but rather the institutional consequences of an arrangement capable of concentrating authority, weakening collective mechanisms of governance, and progressively shifting the basis of legitimacy from multilateral institutional authorization toward contractual and politically centralized forms of legitimacy[23].

While the principle of will provides the positive foundation for the legality of the establishment of the "Board of Peace," the absence of any prohibitive legal rule further reinforces this legality from a complementary negative perspective. Unlike certain domestic legal systems, international law is not based on a closed or exhaustive codification of forms of international organization; rather, it grants states a wide margin of freedom in the absence of an explicit prohibition. Consequently, the mere fact that the Charter of the "Board of Peace" contains unusual provisions or proposes an unconventional institutional model is not, in itself, sufficient to establish its illegality, so long as no conflict with a binding rule of international law can be demonstrated[24].

In this regard, it is essential to distinguish between two distinct standards: the standard of "conformity with prevailing practice" and the standard of "legal legitimacy" in its strict sense. Much of the criticism directed at the Charter of the "Board of Peace" stems from its departure from the traditional frameworks established by international practice, whether in terms of the concentration of authority, the conditions of membership, or the absence of oversight mechanisms. However, these considerations, while relevant from a doctrinal or political perspective, do not in themselves amount to a legal violation unless they can be linked to a specific rule of international law[25].

It may therefore be argued that the "exceptional" or even "disruptive" character of certain provisions of the Charter does not render them unlawful, but rather places them within the scope permitted by the international legal system in its current state. International law does not, in principle, prohibit the establishment of organizations based on an unequal distribution of power or granting special privileges to a particular actor, provided that such arrangements are founded on an explicit agreement between the states concerned. Accordingly, the assertion of the illegality of the "Board of Peace" solely on the basis of the unusual nature of its structure conflates legal evaluation with value-based or institutional assessment, which requires further analytical distinction[26].

Moreover, the legality of the Board of Peace cannot be assessed solely in isolation from its broader institutional context. Although its Charter may formally satisfy the requirements traditionally associated with the establishment

[20]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?"
[21]Ibid.
[22]deVisscher, *Theory and Reality in Public International Law*.

[23]Article 103 of the Charter of the United Nations provides:
"In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail."
Charter of the United Nations, art. 103.
[24]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?,"
[25]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," para. 12.
[26]Le Bœuf, "The Board of Peace."

of international organizations, the progressive expansion of its institutional functions beyond the framework envisaged under Resolution 2803 raises broader concerns regarding the emergence of parallel structures for the management of international peace and security. Such developments may ultimately contribute to a fragmentation of institutional legitimacy within the contemporary international order[27].

In light of the foregoing, it appears that the "Board of Peace," despite its non-traditional character and the reservations it raises at the level of its institutional structure, falls, in principle, within the framework permitted by positive international law. Based on the principle of the freedom of states to establish international organizations, the central role of state consent in the creation of legal obligations, and the absence of any prohibitive rule or explicit norm precluding such a form of organization, it cannot be conclusively asserted that this entity lacks formal legal legitimacy[28].

Furthermore, an examination of its Charter does not reveal any direct conflict with the provisions of the United Nations Charter, nor any violation of peremptory norms of international law, thereby reinforcing the presumption of its legality within the limits defined by international law in its current form. However, this conclusion, while coherent from a legal standpoint, is not without difficulty, as it simultaneously reveals a potential gap between what the law formally permits and what is required in terms of the foundational principles of the contemporary international order.

Accordingly, affirming the legal legitimacy of the Board of Peace does not necessarily resolve the question of its acceptability within the structure of the international system; rather, it opens the way for shifting the analysis to another level, one that goes beyond the confines of positive law to examine the extent to which this model is consistent with the principles that constitute the normative framework of international relations. This, in turn, necessitates moving toward a broader approach addressing the structural and value-based dimensions of this institutional arrangement.

Section II: The Exceptional Character of the Charter of the Board of Peace Without a Direct Violation of International Law

If the analysis of the legal basis for the establishment of the "Board of Peace" has led to affirming its legality from the perspective of positive international law, this does not preclude an examination of the nature of its Charter and the exceptional features that clearly distinguish it from prevailing models in the organization of international institutions. In both its general structure and detailed provisions, the Charter does not merely depart from traditional forms; it presents an institutional model based on an unprecedented concentration of power and on legal drafting that raises several questions regarding its precision and internal coherence.

Nevertheless, the "exceptional" or even "abnormal" character of this arrangement is not, in principle, sufficient to establish its illegality, so long as it does not amount to an explicit violation of international law. This again requires distinguishing between the standard of legal assessment, which is confined to compliance with binding rules, and the standard of institutional or value-based assessment, which concerns the suitability of the model and its consistency with contemporary developments in international law. Within this framework, the analysis of the Charter of the "Board of Peace" requires identifying the main manifestations of its exceptional nature, whether in terms of the distribution of power within it, the conditions of accession, or the absence of oversight mechanisms, as a preliminary step toward assessing the effect of these features on its legal status[29].

The unprecedented concentration of power in the person of the President of the "Board of Peace" constitutes the most prominent manifestation of the exceptional character of its Charter, and indeed the most controversial from the perspective of international institutional law. A careful reading of the Charter reveals an almost absolute dominance of the President over the various functions of the organization, whether in relation to accession, the conduct of its activities, or even the interpretation of its provisions and the determination of their scope of application. The Charter expressly provides that Donald J. Trump shall preside over the Board[30], granting him broad powers including, for example, the authority to invite states to accede, a veto in decision-making, exclusive competence to create, modify, or dissolve subsidiary organs, and the status of final authority in interpreting the Charter and settling disputes arising from its application[31].

The matter does not stop at the concentration of powers; it also extends to the personalization of authority within the organization. This is reflected in the naming of the President in the text of the Charter itself, and in granting him the power to directly designate his successor, with very limited conditions for his removal or replacement[32]. This approach appears unique in the contemporary practice of international organizations, which generally rest on a relative separation among organs and on the submission of executive leadership to some form of collective oversight by member states.

Nevertheless, despite this "appropriative" character of authority, such a structure does not, from a formal standpoint, conflict with any peremptory norm of international law. States, as sovereign persons, remain free to determine the institutional framework of the organizations they establish, including the distribution of powers within them, even if this

[27]See Appendix II

[28]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," para. 9.

[29]Ibid., para. 11.

[30]See Appendix II.

[31]Charter of the Board of Peace (CCP), arts. 2.1, 3.1(e), 3.2(b), 7.

[32]CCP, art. 3.3.

leads to the creation of an arrangement closer to an "autocratic" model than to the prevailing participatory models[33]. In other words, international law does not impose a specific model of governance within international organizations; it merely establishes general limits, leaving broad discretion to the will of states in designing non-traditional institutional forms.

However, while this conclusion is sound from the narrow perspective of legal legitimacy, it does not prevent questioning the extent to which this model is consistent with the historical development of the law of international organizations, which has gradually moved toward strengthening the collective character of decision-making and limiting individual authority, in furtherance of the principle of the sovereign equality of states. This brings back the central problem on which this article rests: how can an institutional model with such a concentration of authority be lawful, while at the same time giving rise to a suspicion of "structural illegitimacy"?

In this respect, the problem raised by the Board of Peace does not lie solely in the concentration of authority as an internal institutional feature, but also in the broader transformation of the logic of international legitimacy that such concentration may produce. By relocating decisive authority from collective institutional mechanisms toward a highly personalized structure, the Charter contributes to a gradual shift from multilateral legitimacy toward forms of contractual and centralized legitimacy that risk weakening the collective foundations of the contemporary international order[34].

Alongside the concentration of authority in the hands of the President of the organization, the Charter of the Board of Peace reveals another equally problematic feature: the linkage of certain aspects of membership within the organization to explicit financial considerations. This appears most clearly in the requirement to pay a substantial financial contribution—up to one billion dollars in cash[35]—as a condition for enjoying certain privileges within the Board, most notably the status of "permanent membership"[36].

In principle, the inclusion of financial obligations among the conditions for accession to an international organization is not entirely novel. Some organizations of an economic or financial character—such as the International Monetary Fund[37]—operate on the basis of financial contributions by member states, sometimes linked to the size of the state's economy or its share in the organization's capital. Yet this model differs fundamentally from the present case in two essential respects.

First, organizations that rely on financial contributions as a condition of membership or as a means of determining voting weight are generally economic or financial in function, which justifies such a link as a reflection of the state's contribution to financing the organization's activities. The Board of Peace, by contrast, is presumed to be an organization with a "political-security" function related to peacebuilding and peace management. Introducing a direct financial criterion for obtaining institutional privileges is therefore difficult to reconcile with the nature of that function.

Second, and more importantly, requiring the payment of a financial amount "in cash," without any clear indication of its destination or the mechanisms governing its use, raises concerns relating to transparency and legitimacy. It also opens the door to conceiving of the organization as a "privileged" space in which institutional status is purchased, rather than constructed on the basis of the sovereign equality of states. This departs from one of the classical foundations of the law of international organizations, which rests—at least formally—on the principle of legal equality among members, irrespective of their economic capacities.

Nevertheless, despite these substantive criticisms, this system does not appear to violate the rules of positive international law. Just as states are free to establish an international organization under the conditions they deem appropriate, they are also free to determine the conditions of membership within it, including financial conditions, provided that no peremptory norm of international law is violated. Thus, the "unusual" character of this condition does not, in itself, rise to the level of legal illegality, but remains within the margin of contractual freedom enjoyed by states[38].

Yet this conclusion once again reinforces the paradox on which this article is based: while this financial system remains legally justifiable, it simultaneously reflects a profound shift in the conception of the international organization, from a cooperative framework grounded in equality to a structure closer to a "system of privileges" governed by financial capacity. This raises serious questions about its legitimacy from a structural and value-based perspective.

The issue therefore extends beyond the mere existence of unequal institutional arrangements. What is at stake is the emergence of a model in which institutional influence becomes increasingly detached from collective representation and progressively linked to financial and political capacity. Such evolution may contribute to the fragmentation of institutional legitimacy within the international system and to the development of parallel structures of international governance operating alongside the United Nations framework[39].

[33]Le Bœuf, "The Board of Peace."
[34]UN Charter art. 103.
[35]John Irish, ed. Louise Heavens, "Trump's Gaza Peace Board Charter Seeks $1 Billion for Extended Membership, Document Shows," *Reuters*, https://www.reuters.com.
[36]Charter of the Board of Peace (CCP), art. 2.2(c).
[37]Articles of Agreement of the International Monetary Fund, arts. II–III.
[38]Le Bœuf, R., "The Board of Peace".
[39]UN Charter art. 103

In addition to its authoritarian structure and non-traditional financial dimension, the Charter of the Board of Peace reveals a deep defect at the level of legal drafting itself, both in terms of terminological precision and the organization of internal procedures. This directly affects the level of legal certainty that any constituent instrument of an international organization is expected to provide.

A reading of the Charter's provisions reveals a lack of coherence in the use of basic concepts related to decision-making. The text distinguishes, in an unclear manner, between "decisions," "executive decisions," and "decisions/directives" issued by the President, without precisely defining the legal value of each or the relationship among them. For example, the Charter provides that decisions are to be taken by a majority of member states present and voting, but "subject to the approval of the President," who may also cast a vote in the event of a tie[40]. This raises a fundamental question: if the President's approval is a necessary condition for the adoption of a decision, what is the purpose of the voting process in the first place?

This ambiguity is further complicated by an incoherent distribution of powers among different organs. On the one hand, the President has the authority to issue "directives" or "decisions" on behalf of the Board (CCP, art. 9). On the other hand, the Executive Board—appointed essentially by the President—has the power to adopt decisions that take "immediate effect" (CCP, art. 4.1(e)), while the Board in its plenary form retains a limited decision-making power subject to the President's approval. This overlap of competences[41], without a clear hierarchy among them, deprives the institutional structure of any coherent legal logic.

Nor is the problem confined to procedural aspects; it also extends to the general drafting of the text, which lacks the minimum standards established in the "art of international legal drafting" (*legistique internationale*). Recent decades have witnessed significant developments in the drafting of international treaties, particularly with regard to precision, clarity, and the organization of final clauses, with a view to ensuring the proper application of texts and avoiding interpretative disputes[42]. The Charter of the Board of Peace, however, appears in this respect to lag behind these developments, to the point of resembling nineteenth-century texts more than contemporary treaty drafting.

One of the clearest examples is the ambiguity surrounding the invitation to accede to the organization. The Charter does not specify the form of such an invitation, its duration, or the possibility of withdrawing or amending it, a problem that was practically illustrated by the withdrawal of the invitation addressed to Canada shortly after its announcement[43]. Similarly, the absence of an independent dispute settlement mechanism, together with the President's exclusive control over this function, reflects a clear regression from one of the major achievements in the development of international law: recourse to a neutral third party for the settlement of disputes.

Although these defects directly affect the effectiveness of the text and its applicability, they once again do not amount, in themselves, to a legal violation. International law does not impose strict and unified standards for the drafting of treaties; rather, it provides a general framework that leaves states broad freedom in organizing their texts, even where this results in technically weak or internally incoherent instruments.

This reality nevertheless reinforces the "anachronistic" character of the Charter. It does not merely reflect an outdated institutional model, but also reveals a regression in legal drafting techniques that are presumed to have become settled features of modern international practice. The problem therefore lies not only in the content of the text, but also in its legal structure itself, which lacks the minimum level of precision and coherence[44].

The microscopic analysis of the provisions of the Charter of the Board of Peace leads to a conclusion that appears, at first sight, contradictory. This paradox illustrates one of the central limits of positivist legality in contemporary international law: the possibility that institutional arrangements may remain formally lawful while simultaneously generating structural tensions capable of undermining the normative coherence of the international legal order.

On the one hand, the text reveals deep defects affecting its institutional structure, whether through the excessive concentration of power in the hands of its President, the introduction of unusual financial considerations in determining the status of states within it, or the weakness of legal drafting and the absence of procedural precision. On the other hand, these defects, despite their seriousness, are not sufficient—within the framework of positive international law—to establish the illegality or invalidity of the Charter.

This is mainly explained by the broad margin of freedom enjoyed by states in establishing international organizations and determining their rules of operation. International law does not impose a specific institutional model, nor does it lay down strict, unified standards for the drafting of constituent instruments. Consequently, the "exceptional" or even "abnormal" character of certain provisions of the Charter does not, in itself, transform it into an unlawful text; it remains within the realm of what is legally possible, however far it may appear from established practice.

[40]Charter of the Board of Peace (CCP), art. 3.1(e).
[41]CCP, arts. 4.1(e), 9.
[42]United Nations, *Final Clauses of Multilateral Treaties* (New York: United Nations, 2006), 1.
[43]Donald J. Trump, post on Truth Social, January 23, 2026, https://truthsocial.com.
[44]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," para. 15.

This conclusion, however, does not mean that the Charter is free from difficulty. On the contrary, what this analysis reveals is a clear gap between formal legal legitimacy and the structural acceptability of the text within the international order. Although the Charter may technically be placed within the category of agreements establishing international organizations, its structure reflects a conception that differs from, and even contradicts, the historical development of the law of international organizations, which is based on institutional balance, multilateralism, and sovereign equality.

The limits of the microscopic approach thus become clear. Focusing on the provisions themselves, in isolation from their context and function within the international system, does not allow for a full understanding of the problem posed by the Board of Peace. This requires moving to a broader analytical level that takes into account the legal and political framework in which the Charter emerged, and the nature of its relationship with the other components of the international system.

Accordingly, the assessment of the legality of this entity cannot be completed without going beyond the text itself and moving toward a macroscopic approach capable of evaluating the project in light of the broader international context. This will form the subject of the following section.

Part II: The International Context and the Limits of Legality: A Macroscopic Reading of the Board of Peace

If the preceding analysis has led to affirming that the Charter of the Board of Peace can be placed within the sphere of legal legitimacy from a formal perspective, this conclusion does not resolve the problem; rather, it reveals its limits. The microscopic approach, which focuses on the text in itself, shows that the project does not explicitly conflict with the rules of positive international law. Yet it remains unable to explain the broader sense of non-acceptance it generates within legal circles, or to account for the tension it creates within the structure of the international order[45].

From this point, the role of the macroscopic approach becomes apparent. This approach does not examine provisions in isolation, but seeks to understand the project in its broader context: its relationship with Security Council Resolution 2803, its position within the UN system, and the extent to which it is consistent with the general principles that frame contemporary international relations. The question is no longer simply: is the text lawful? Rather, it becomes: how can a text that is formally lawful give rise to a suspicion of structural illegitimacy?

In this sense, the notion of "structural illegitimacy" employed in this article does not refer to the formal invalidity of the Charter under positive international law. Rather, it designates a situation in which an institutional arrangement, while remaining formally lawful, contributes to transforming the normative and institutional logic upon which the contemporary international order is based, particularly through the weakening of collective mechanisms of legitimacy and the emergence of parallel structures of governance.

Accordingly, this Part moves beyond the limits of formal analysis by examining the position of the Board of Peace within the broader international framework. It does so first by addressing the weakness of the traditional legal arguments that may be invoked to challenge its legality **(Section I),** and then by exploring the limits of prevailing doctrinal approaches, as a prelude to identifying a deeper theoretical basis for explaining this tension **(Section II).**

Section I: The Limited Possibility of Challenging the Legality of the Board of Peace under International Law

The argument that the Charter of the Board of Peace constitutes an exceeding of the mandate conferred by UN Security Council Resolution 2803 represents one of the most prominent claims that may be invoked to challenge the legality of this project from the perspective of positive international law. This argument is based on the assumption that the Security Council, through its resolution of 17 November 2025[46], established—explicitly or implicitly—a specific body entrusted with transitional functions related to the situation in Gaza, and that any departure from this framework, through the creation of an independent international organization with a broader scope, constitutes an unlawful exceeding of the mandate granted[47].

This view relies on an interpretation according to which the Security Council intended to establish a subsidiary organ, or at least to define a specific legal framework for the operation of the "Board of Peace" as a temporary mechanism for managing a transitional phase, thereby requiring that its activities be confined to the implementation of the "comprehensive plan" referred to in the resolution. However, a closer examination reveals that this interpretation is weakened by several textual and methodological considerations.

First, the resolution does not contain any explicit formulation indicating the creation of a subsidiary organ of the United Nations. Rather, it employs expressions such as "welcomes" or "takes note of" the establishment of the Board of Peace—formulations that differ fundamentally, in the language of the

[45]See also Article 4.2(a), which similarly provides that the Executive Board "shall exercise the powers necessary and appropriate to implement the mandate of the Board of Peace."

[46]United Nations Security Council, Resolution 2803, UN Doc. S/RES/2803 (2025), November 17, 2025. available at: https://undocs.org/S/RES/2803(2025).

[47]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," para. 37.

Security Council, from those used when establishing subsidiary organs, which typically take the form "decides to establish"[48]. This terminological distinction is of considerable importance, given its legal implications for the nature of the entity created and its institutional relationship with the United Nations[49].

Second, the only clear link between the Security Council and the Board of Peace, as reflected in the resolution, consists in the requirement to submit periodic reports concerning the implementation of certain tasks, without thereby establishing a direct legal subordination or an institutional relationship of dependency[50]. Consequently, the mere reference to an entity or the expression of welcome regarding its establishment is not sufficient, in itself, to confer upon it the status of a "subsidiary organ," nor to restrict its institutional development beyond the framework envisaged by the drafters of the resolution.

Third, international practice demonstrates that when the Security Council intends to create subsidiary organs, it uses clear and unambiguous language, as is the case with peacekeeping operations or international criminal tribunals, where the decision to establish such bodies, along with their legal nature and competences, is explicitly stated[51]. In the absence of such formulation, it is difficult, from a legal standpoint, to assert that the Council has created a body bound by a specific framework that cannot be exceeded[52].

Accordingly, the argument that there has been anexceeding of the mandate conferred by Resolution 2803 rests on an assumption not supported by a clear textual basis, and relies on an expansive interpretation that is not grounded in established rules of interpretation in international law. Rather than constituting a direct legal implementation of the Security Council resolution, the Board of Peace appears closer to an independent political initiative that was merely "welcomed" within the framework of the resolution, without being legally subordinate to it.

At the same time, however, the practical evolution of the Board of Peace beyond the limited framework envisaged in Resolution 2803 contributes to the emergence of an institutional structure capable of operating alongside, rather than within, the collective framework traditionally associated with the United Nations system.

Thus, despite its apparent plausibility, this argument does not withstand rigorous legal scrutiny, thereby limiting its usefulness as a basis for establishing the illegality of the project on the ground of exceeding the mandate of a UN mandate.

If the argument based on exceeding the mandate of the mandate presupposes the existence of a direct legal relationship between Resolution 2803 and the Charter of the Board of Peace, a closer examination of both texts reveals, on the contrary, an almost complete absence of such a legal link. The Charter is not, either formally or substantively, grounded in the Security Council resolution, nor does it present itself as its implementation, which significantly weakens any attempt to subject it to its constraints.

From a textual standpoint, the Charter of the Board of Peace contains no explicit reference to Resolution 2803, to the Security Council, or even to the context in which the resolution was adopted, including the situation in Gaza or the "comprehensive plan" mentioned therein[53]. Instead, the Charter merely provides, in general terms, that its activities shall be carried out "in accordance with international law," without linking those activities to any specific UN framework or resolution. This absence of reference cannot be regarded as a mere drafting omission; rather, it reflects a deliberate autonomy in the legal construction of the Charter.

Moreover, a comparison between the "Board of Peace" as referred to in the resolution and the "Board of Peace" as structured in the Charter reveals a fundamental difference in nature and function. While the resolution refers to a limited transitional mechanism linked to a specific phase of a particular conflict, the Charter establishes a general-purpose international organization aimed—according to its provisions—at promoting stability, rebuilding governance, and achieving peace across various conflict-affected regions, without being confined to any specific geographical or temporal framework[54].

This divergence leads to a central conclusion: despite the similarity in nomenclature, the two do not constitute a single legal entity, but rather reflect two distinct conceptions—one embedded in a specific international decision[55], and the other embodied in an independent contractual instrument concluded between a group of states. The connection between

[48]United Nations Security Council, 10046th Meeting, UN Doc. S/PV.10046, November 17, 2025, p. 18, statement by the representative of China.

[49]UN Security Council, 10046th meeting, 17 November 2025, 16:45, UN Doc. S/PV.10046, p. 18 (statement by the representative of China: "The resolution is ambiguous and unclear on many key aspects. The draft requests the Council to authorize the establishment of a Board of Peace and an international stabilization force, which would play a central role in the post-war administration of Gaza"; emphasis added).

UN Security Council, 10046th meeting, 17 November 2025, UN Doc. S/PV.10046, p. 20 (statement by the President, speaking in his capacity as the representative of Sierra Leone: "The resolution establishes a Board of Peace tasked with ensuring a transitional administration and authorizes the deployment of an international stabilization force in Gaza").

[50]Ibid., p. 10.

[51]See, for example, United Nations Security Council, Resolution 1509, UN Doc. S/RES/1509 (2003), para. One; United Nations Security Council, Resolution 2100, UN Doc. S/RES/2100 (2013), para. 7.

[52]S. B. Traoré, *Interpretation of United Nations Security Council Resolutions: A Contribution to the Theory of Interpretation in the International Community* (Basel: Helbing Lichtenhahn, 2020), 295–304.

[53]CCP, art. 1.

[54] Ibid.

[55]United Nations Security Council, 10046th Meeting, UN Doc. S/PV.10046, November 17, 2025, p. 9, statement by the representative of Pakistan.

them is therefore not legal in nature, but political or discursive, and insufficient to produce binding legal effects.

It may even be argued that the establishment of the Board of Peace under the Charter does not constitute even an indirect implementation of the Security Council resolution, but rather represents a wholly separate initiative, even if it overlaps with it in certain contextual aspects. In international law, what matters is not the designation or political background, but the legal structure of the texts and the relationships they create—relationships that, in this case, appear to be either absent or insufficient to establish any form of legal dependency.

Accordingly, the claim that the Charter of the Board of Peace violates or exceeds Resolution 2803 presupposes a legal relationship that does not, in fact, exist. This leads to a decisive conclusion: in the absence of such a link, it is not possible to speak of an "exceeding of mandate," since the mandate itself does not constitute, from a legal standpoint, a binding foundation for the Charter.

Another argument advanced is that the Charter of the Board of Peace may be inconsistent with the purposes and principles of the United Nations Charter, particularly with regard to sovereign equality, respect for human dignity, and the promotion of international justice. This argument is based on the observation that the institutional structure of the Board—characterized by the concentration of authority in a single President and by a de facto inequality among member states—appears, at least in spirit, to be at odds with these principles.

However, despite its apparent persuasiveness, this argument has limited legal effect. The Charter of the Board of Peace does not contain any explicit provision that violates the rules or principles of the UN Charter. On the contrary, it states that its activities shall be conducted "in accordance with international law"[56]. Nor does it formally deny the principle of equality among states, as all member states remain equally subject to the authority of the President within the institutional framework of the organization, thereby preserving a minimum level of "formal equality," even within an unbalanced system.

As for issues relating to justice or the protection of fundamental rights, any potential deficiencies remain confined to the internal functioning of the organization and do not extend, in principle, to the broader international legal order or to the functioning of the United Nations itself. In other words, the creation of an international organization with an internally unbalanced structure does not, in itself, constitute a violation of the UN Charter, so long as that organization does not claim to replace the United Nations or exercise competences that encroach upon its core functions.

Thus, the claim that the Board of Peace is unlawful on the basis of its inconsistency with the purposes of the United Nations encounters the limits of positive international law, which does not impose on states an obligation to create organizations that mirror the UN model, nor does it prohibit them from developing alternative institutional frameworks, even if such frameworks appear to diverge from the general orientation of the international system since 1945[57].

Accordingly, this argument, while strong from a normative or political standpoint, The difficulty therefore lies not in identifying a direct legal prohibition, but in explaining how institutional arrangements that remain formally compatible with positive international law may nonetheless generate tensions capable of weakening the coherence of the broader international legal order. Does not provide a sufficient legal basis to challenge the legality of the Charter of the Board of Peace. Rather, it once again reveals the gap between legal legitimacy and structural acceptability within the international system.

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A further, more profound argument suggests that the Charter of the Board of Peace may violate certain peremptory norms of international law (*jus cogens*), particularly the right of peoples to self-determination, especially given the project's political association with the situation in the Palestinian territories. This argument is based on the idea that the exclusion of a particular party or the disregard of a specific legal status may constitute an infringement of a fundamental right forming part of the international public order.

However, despite its theoretical significance, this argument faces substantial legal difficulties when applied to the case of the Board of Peace. First, the Charter does not explicitly address the issue of Palestine, nor does it legally connect itself to any specific conflict, including the situation in Gaza[58]. Any attempt to link it to a violation of the right to self-determination therefore rests on an assumption not supported by the text itself, which weakens the legal foundation of the argument.

Furthermore, the assertion that the absence of representation of a particular party within an international organization constitutes, in itself, a violation of a peremptory norm remains highly questionable in international legal doctrine. By their nature, peremptory norms relate to the prohibition of particularly serious acts, such as aggression, genocide, or slavery, and do not generally extend to the regulation of membership within international organizations or to the institutional choices made by states in this regard.

It is true that the right to self-determination has attained a prominent status in international law, and that the International Court of Justice affirmed, in its advisory opinion

[56]CCP, art. 1.

[57]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," para. 33.

[58]Charter of the Board of Peace (CCP).

of 19 July 2024 concerning the occupied Palestinian territory, that this right may acquire a peremptory character in the context of occupation[59]. However, applying this principle to the Charter of the Board of Peace remains indirect and closer to political reasoning than to precise legal qualification.

Accordingly, linking the Charter to a violation of peremptory norms lacks a direct legal basis and relies on an expansion of these norms beyond their traditional scope of application. This renders the argument, despite its moral and political force, insufficient to establish the invalidity or illegality of the Charter within the framework of positive international law.

A review of these traditional legal arguments leads to a clear conclusion: the positivist approach of international law largely fails to provide a coherent basis for challenging the legality of the Charter of the Board of Peace. Whether the argument concerns an alleged overstepping of the mandate under Resolution 2803, or an attempt to ground illegality in a supposed inconsistency with the purposes of the United Nations or with peremptory norms, all such arguments encounter the limits of the texts themselves, the absence of a sufficient legal link, or the nature of the rules invoked.

This result reveals a striking paradox: This paradox reflects one of the central structural limits of contemporary positivist legality: its difficulty in addressing institutional transformations that occur not through explicit violations of legal rules, but through gradual reconfigurations of the institutional logic of international governance itself. despite its deep structural deficiencies, the text remains—within the framework of positive international law—difficult to challenge in terms of legality. This reflects, in essence, the broad freedom enjoyed by states in establishing international organizations, contrasted with the limited range of legal constraints that may be invoked against them[60].

However, this "inability" should not be understood as the end of the analysis. On the contrary, it constitutes a starting point for reframing the issue from a different perspective. The persistence of a sense of non-acceptance toward this project, despite its formal legality, indicates that the problem lies not only in the texts, but also in the theoretical frameworks used to interpret and evaluate them.

It therefore becomes necessary to move beyond the confines of a strictly positivist approach and to examine the conceptual tools provided by international legal doctrine, in order to assess whether they are capable of accommodating such an exceptional case, or whether they too encounter their own limits. It is precisely within this gap between formal legality and structural legitimacy that the limits of prevailing doctrinal approaches become most apparent. This requires, in a subsequent stage, an analysis of the positions of different doctrinal schools and an exploration of their capacity to explain the tension between legal legitimacy and structural illegitimacy.

Section II: The Limits of Traditional Doctrinal Approaches in Explaining the Structural Illegitimacy of the Board of Peace

The Charter of the Board of Peace raises a central problem that goes beyond the boundaries of traditional legal analysis, namely the tension between its formal legal legitimacy on the one hand, and the broader perception of its structural illegitimacy on the other[61]. By "structural illegitimacy," this article refers not to formal invalidity under positive international law, but to the emergence of an institutional structure that, while formally lawful, departs from the foundational logic of the contemporary international order, particularly regarding multilateralism, institutional balance, and collective legitimacy.

As the preceding analysis has shown, it is difficult—if not impossible—to rely on the rules of positive international law to establish the illegality of this project, whether in relation to its connection with UN Security Council Resolution 2803, or in terms of its potential conflict with peremptory norms or the principles of the United Nations Charter. Yet this conclusion does not dispel the prevailing sense—particularly among international law scholars—that the entity remains, in essence, "unacceptable."

The significance of this paradox lies in the fact that it reveals the limits of the traditional distinction between legality and legitimacy—that is, between what is "legal" in the sense of conformity with applicable rules, and what is "legitimate" or "acceptable" in light of the values underlying the international order. In the present case, the Charter of the Board of Peace appears to fall within the former category without attaining the latter, raising a deeper question concerning the nature of the standards employed in international legal doctrine to assess such phenomena[62].

This tension is not confined to academic discourse; it extends to political and media narratives, where the same question emerges in different forms: how can an institutional entity of

[59]Suedi, "5 Legal Problems with Trump's Board of Peace."
International Court of Justice, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, July 19, 2024, para. 233.

[60]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," para. 30.

[61]Bonnet, "The Board of Peace: A Threat to the United Nations?"; emphasis added.

[62]Alain Pellet, "International Law in Light of Practice: The Impossible Theory of Reality. General Course on Public International Law," *Recueil des cours de l'Académie de droit international* 414 (2021): 179.
- Giorgio Gaja, "General Principles of Law," *Max Planck Encyclopedia of Public International Law*, April 2020.
- Linos-Alexandre Sicilianos, "The Human Dimension of International Law: General Course on Public International Law," *Recueil des cours de l'Académie de droit international* 440 (2024): 401.
- International Court of Justice, *Legality of the Threat or Use of Nuclear Weapons*, Advisory Opinion, July 8, 1996, *ICJ Reports* 1996, para. 79.

this nature be considered lawful? And is the reliance on the free will of states sufficient to justify the creation of an institutional framework that, in its structure, appears to contradict the evolution of international law since the mid-twentieth century? Although these questions may seem to fall outside the strict legal framework, they nonetheless reflect a genuine problem concerning the limits of the law itself.

Accordingly, the issue is no longer limited to determining whether the Charter of the Board of Peace is lawful, but rather concerns the capacity of the conceptual tools available in international legal doctrine to explain this divergence between legal form and structural substance. This necessitates an examination of the theoretical approaches underlying that doctrine, and an assessment of their ability—or inability—to accommodate such an exceptional case.

The voluntarist approach constitutes one of the most deeply rooted theories in international legal doctrine. It is based on the central idea that international law is the product of the will of sovereign states, and that their obligation to comply with its rules rests solely on their free consent. According to this view, any international agreement that establishes an organization or creates obligations among states is considered lawful, provided that it reflects the convergent will of the states concerned and remains within the limits permitted by positive international law.

From this perspective, the Charter of the Board of Peace does not raise any significant legal difficulty. The text, in essence, reflects a unilateral initiative put forward by a state, and subsequently accepted—whatever the underlying motivations—by a number of other states that chose to join this institutional framework. It thus constitutes an expression of the convergence of sovereign wills, which is sufficient, under the voluntarist approach, to confer legitimacy upon it.

However, despite its internal coherence, this explanation reveals its own limits. It reduces international law to its formal dimension, largely disregarding the normative or structural considerations raised by certain institutional projects. As long as consent is present, questions concerning the content of that consent or its consistency with the evolution of the international system fall, within this framework, outside the scope of legal analysis[63].

The problem lies in the fact that such reduction leads to a difficult conclusion: it becomes possible to justify any institutional arrangement, however imbalanced, so long as it is grounded in an agreement between states. As a result, the voluntarist approach is unable to account for the sense of unease generated by the Charter of the Board of Peace; at best, it ignores it as a matter that is “non-legal"

In this respect, the Board of Peace illustrates how formal consent may operate as a source of legality while simultaneously masking deeper structural transformations affecting the distribution of authority within the international system.

In other words, this approach explains reality but does not provide the tools to critique it. It clarifies how the project came into existence, but does not answer the deeper question: is the convergence of wills sufficient to confer legitimacy on any institutional arrangement, regardless of its nature? It is precisely here that the limits of voluntarism become evident, as an approach that describes what is, without enabling its evaluation against broader standards.

In contrast to voluntarism, objective approaches—particularly in their sociological or critical dimensions—seek to move beyond the reduction of international law to state will, by linking it to social structures and power relations within the international community. According to this perspective, international law is not merely the product of converging wills, but also reflects the balance of power and the social necessities shaping international actors[64].

Within this framework, the emergence of the Board of Peace can be relatively easily explained: it represents, in essence, the expression of the will of a dominant power seeking to reshape the international institutional landscape in accordance with its interests, in a context marked by the decline of multilateralism and the rise of unilateral tendencies. The “exceptional” character of the Charter—whether in terms of the concentration of power or its hierarchical structure—thus appears not as a deviation, but as a logical outcome of the power relations that produced it[65].

Yet, despite its explanatory capacity, this analysis also remains limited. Like voluntarism, it explains the phenomenon without providing a legal standard by which to assess it. To describe the Board of Peace as a reflection of power relations does not answer the question of its legality, but merely situates it within a realist context that explains its existence without either validating or invalidating it in legal terms.

Some critical approaches go even further, suggesting that international law itself functions as a tool for legitimizing such power relations. Within this framework, it becomes difficult to distinguish between what is “legal” and what is “illegal,” as both are seen as products of the same underlying structure of power[66].

Accordingly, although the objective approach is valuable in revealing the political and social background of the Board of Peace, it does not provide a solid legal basis for challenging its legality. It demonstrates that the project reflects an

[63]deVisscher, *Theory and Reality in Public International Law*, 67.

[64]Ibid., 80.
R. Bachand, *The Subalterns and International Law: A Political Critique* (Paris: Pedone, 2018), 249–52.

[65]P. B. Casella, “International Law, History and Culture,” *Recueil des cours de l’Académie de droit international* 430 (2023): 539.

[66]Olivier Corten, *The Discourse of International Law: A Critical Positivist Approach* (Paris: Pedone, 2009).

imbalance in the distribution of power, but fails to translate this insight into a finding of legal illegitimacy. This returns us to the same dilemma: explanation without evaluation.

The examination of both the voluntarist and objective approaches thus leads to a converging conclusion, despite their different theoretical foundations: neither is capable of providing a clear legal basis for contesting the legality of the Charter of the Board of Peace. The former affirms its legitimacy on the basis of the convergence of sovereign wills, while the latter explains it as a product of power relations without being able to convert that explanation into a legal judgment of illegitimacy.

This convergence reveals a deeper impasse within contemporary international legal doctrine. On the one hand, voluntarism leads to the acceptance of the project, even where it is substantively problematic, so long as the formal conditions of consent are met. On the other hand, objective approaches highlight the structural imbalance embodied in the project, but fail to provide a legal mechanism to challenge it. In both cases, the law remains unable to articulate the broader sense of non-acceptance it provokes.

The result is a form of normative asymmetry in which international law remains capable of validating institutional forms through consent, yet struggles to address transformations that undermine the collective structure upon which its own legitimacy historically depended.

The core of this impasse lies in the fact that both approaches, despite their differences, remain—directly or indirectly—within the same positivist framework, which prioritizes the description of existing legal realities without necessarily enabling their evaluation against broader normative standards. In this context, law becomes more an instrument of description than of regulation or guidance.

It follows that the problem raised by the Charter of the Board of Peace cannot be fully addressed within the limits of these approaches. The difficulty lies not only in the application of legal rules, but also in the theoretical framework that determines how those rules are understood. This necessitates the search for a different approach, capable of combining explanation and evaluation, and of introducing a deeper normative dimension into the analysis.

In other words, overcoming this impasse requires reconsidering the foundations upon which international law is understood, and seeking conceptual tools that can explain the persistent sense of non-acceptance generated by this project, despite its apparent conformity with the rules of positive law.

The limitations revealed by traditional doctrinal approaches thus point to the need for an alternative theoretical framework—one that does not merely describe legal phenomena, but also enables their evaluation in light of deeper normative standards that transcend the explicit will of states or the reflection of power relations. The common shortcoming of both voluntarism and objective approaches lies not only in their conclusions, but in their shared assumption that international law can only be measured by reference to itself, that is, within the confines of its existing positive rules.

However, the case of the Charter of the Board of Peace demonstrates that this assumption is no longer sufficient. The existence of a text that is "legally valid" yet widely perceived as unacceptable in its structure and function indicates that there are, within the international system itself, implicit standards—if not explicitly articulated ones—that shape our evaluation of legal phenomena. These standards cannot be fully reduced to state will, nor can they be entirely explained as mere reflections of power relations[67].

This observation calls for a re-engagement with certain theoretical tools that have historically sought to transcend such reduction, particularly those recognizing the existence of general principles or structural values that, in one way or another, underpin the international legal order. In this context, it becomes possible to revisit what is known as "natural law," not in its classical or metaphysical form, but within a more contemporary and realistic framework, which may be described—following certain recent approaches—as "objectivized natural law."

This conception rests on the idea that the international legal order is not limited to positive rules, but is also grounded in a set of general principles that have gradually emerged through international practice and reflect a minimum level of consensus regarding the nature and function of the system. These principles—such as good faith, sovereign equality, and respect for obligations—are not merely rhetorical; they often serve as interpretative and guiding tools employed by international courts and legal doctrine alike[68].

Thus, resorting to this framework does not imply departing from law, but rather expanding its scope by incorporating a normative dimension that allows for a deeper understanding of the tension between formal legality and structural illegitimacy. This, in turn, paves the way for the next stage of analysis, which will assess the extent to which the Charter of the Board of Peace conflicts with these general principles, understood as expressions of an "objective law" that transcends the limits of written texts.

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[67]Maurel, "Can Trump's 'Board of Peace' Be Taken Seriously?," paras. 47–48.

[68]Maurice Kamto, *Objectivism and Will(s)* (Paris: Pedone, 2021), 235.
- Pellet, "International Law in Light of Practice," *RCADI* 414 (2021).
- Robert Kolb, *Good Faith in Public International Law* (Geneva: Graduate Institute Publications, 2000).
- Georges Abi-Saab, introduction to Kolb, *Good Faith in Public International Law*, xxix.
-Jean-Pierre Cot, "Good Faith and the Conclusion of Treaties," *Revue belge de droit international* 1968/1: 139–41.
- Mathias Forteau, "On Jean-Pierre Cot's 'Good Faith and the Conclusion of Treaties' (1968-I)," *Revue belge de droit international* 2015/1–2:238–48.

Conclusion

The analysis of the Charter of the Board of Peace, in light of UN Security Council Resolution 2803, reveals a complex tension within contemporary international law. While the project does not explicitly conflict with the rules of positive international law and thus appears formally lawful, its institutional structure—characterized by a concentration of authority and a departure from the multilateral logic that has shaped international organizations since 1945—raises concerns of structural illegitimacy despite its formal legality

This paradox highlights the limits of traditional doctrinal approaches. The voluntarist perspective, although capable of explaining the emergence of the project, tends to validate it on the basis of consent alone, while objective approaches, despite exposing its underlying power dynamics, fail to translate such analysis into a clear legal judgment. In both cases, international law appears to lack adequate tools to address institutional arrangements that formally comply with its rules while undermining its structural foundations.

In this context, the study suggests that recourse to a framework grounded in "objectivized natural law" offers a more comprehensive analytical perspective, by linking positive legal rules with the general principles underlying the international legal order. Although these principles are not always directly enforceable, they nonetheless function as implicit standards for assessing the consistency of legal projects with the broader normative structure of the system.

Ultimately, the Board of Peace illustrates the limits of international law when confronted with institutional models that comply formally with its rules yet depart from its underlying logic, raising broader questions about the capacity of contemporary international law to reconcile formal legality with the normative foundations upon which the international order itself depends.

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Appendices

Appendix I: UN Security Council Resolution 2803 (2025)

United Nations S/RES/2803 (2025)

Security Council

Distr.: General
17 November 2025

Resolution 2803 (2025)

Adopted by the Security Council at its 10046th meeting, on 17 November 2025

The Security Council,

Welcoming the *Comprehensive Plan to End the Gaza Conflict* of 29 September 2025 ("Comprehensive Plan")(annex 1 to this resolution), and applauding the states that have signed, accepted, or endorsed it, and further *welcoming* the historic *Trump Declaration for Enduring Peace and Prosperity* of 13 October 2025 and the constructive role played by the United States of America, the State of Qatar, the Arab Republic of Egypt, and the Republic of Türkiye, in having facilitated the ceasefire in the Gaza Strip,

Determining that the situation in the Gaza Strip threatens the regional peace and the security of neighboring states and *noting* prior relevant Security Council resolutions relating to the situation in the Middle East, including the Palestinian question,

1. *Endorses* the Comprehensive Plan, *acknowledges* the parties have accepted it, and *calls on* all parties to implement it in its entirety, including maintenance of the ceasefire, in good faith and without delay;

2. *Welcomes* the establishment of the Board of Peace (BoP) as a transitional administration with international legal personality that will set the framework, and coordinate funding for, the redevelopment of Gaza pursuant to the Comprehensive Plan, and in a manner consistent with relevant international legal principles, until such time as the Palestinian Authority (PA) has satisfactorily completed its reform program, as outlined in various proposals, including President Trump's peace plan in 2020 and the Saudi-French Proposal, and can securely and effectively take back control of Gaza. After the PA reform program is faithfully carried out and Gaza redevelopment has advanced, the conditions may finally be in place for a credible pathway to Palestinian self-determination and statehood. The United States will establish a dialogue between Israel and the Palestinians to agree on a political horizon for peaceful and prosperous coexistence;

3. *Underscores* the importance of the full resumption of humanitarian aid in cooperation with the BoP into the Gaza Strip in a manner consistent with relevant international legal principles and through cooperating organizations, including the United Nations, the International Committee of the Red Cross, and the Red Crescent, and ensuring such aid is used solely for peaceful uses and not diverted by armed groups;

4. *Authorizes* Member States participating in the BoP and the BoP to: (A) enter into such arrangements as may be necessary to achieve the objectives of the Comprehensive Plan, including those addressing privileges and immunities of personnel of the force established in paragraph 7 below; and (B) establish operational entities with, as necessary, international legal personality and transactional authorities

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11. A special economic zone will be established with preferred tariff and access rates to be negotiated with participating countries.

12. No one will be forced to leave Gaza, and those who wish to leave will be free to do so and free to return. We will encourage people to stay and offer them the opportunity to build a better Gaza.

13. Hamas and other factions agree to not have any role in the governance of Gaza, directly, indirectly, or in any form. All military, terror, and offensive infrastructure, including tunnels and weapon production facilities, will be destroyed and not rebuilt. There will be a process of demilitarization of Gaza under the supervision of independent monitors, which will include placing weapons permanently beyond use through an agreed process of decommissioning, and supported by an internationally funded buy back and reintegration program all verified by the independent monitors. New Gaza will be fully committed to building a prosperous economy and to peaceful coexistence with their neighbors.

14. A guarantee will be provided by regional partners to ensure that Hamas, and the factions, comply with their obligations and that New Gaza poses no threat to its neighbors or its people.

15. The United States will work with Arab and international partners to develop a temporary International Stabilization Force (ISF) to immediately deploy in Gaza. The ISF will train and provide support to vetted Palestinian police forces in Gaza, and will consult with Jordan and Egypt who have extensive experience in this field. This force will be the long-term internal security solution. The ISF will work with Israel and Egypt to help secure border areas, along with newly trained Palestinian police forces. It is critical to prevent munitions from entering Gaza and to facilitate the rapid and secure flow of goods to rebuild and revitalize Gaza. A deconfliction mechanism will be agreed upon by the parties.

16. Israel will not occupy or annex Gaza. As the ISF establishes control and stability, the Israel Defense Forces (IDF) will withdraw based on standards, milestones, and timeframes linked to demilitarization that will be agreed upon between the IDF, ISF, the guarantors, and the United States, with the objective of a secure Gaza that no longer poses a threat to Israel, Egypt, or its citizens. Practically, the IDF will progressively hand over the Gaza territory it occupies to the ISF according to an agreement they will make with the transitional authority until they are withdrawn completely from Gaza, save for a security perimeter presence that will remain until Gaza is properly secure from any resurgent terror threat.

17. In the event Hamas delays or rejects this proposal, the above, including the scaled-up aid operation, will proceed in the terror-free areas handed over from the IDF to the ISF.

18. An interfaith dialogue process will be established based on the values of tolerance and peaceful co-existence to try and change mindsets and narratives of Palestinians and Israelis by emphasizing the benefits that can be derived from peace.

19. While Gaza re-development advances and when the PA reform program is faithfully carried out, the conditions may finally be in place for a credible pathway to Palestinian self-determination and statehood, which we recognize as the aspiration of the Palestinian people.

20. The United States will establish a dialogue between Israel and the Palestinians to agree on a political horizon for peaceful and prosperous co-existence.

ANNEX 1 - President Donald J. Trump's Comprehensive Plan to End the Gaza Conflict

1. Gaza will be a deradicalized terror-free zone that does not pose a threat to its neighbors.

2. Gaza will be redeveloped for the benefit of the people of Gaza, who have suffered more than enough.

3. If both sides agree to this proposal, the war will immediately end. Israeli forces will withdraw to the agreed upon line to prepare for a hostage release. During this time, all military operations, including aerial and artillery bombardment, will be suspended, and battle lines will remain frozen until conditions are met for the complete staged withdrawal.

4. Within 72 hours of Israel publicly accepting this agreement, all hostages, alive and deceased, will be returned.

5. Once all hostages are released, Israel will release 250 life sentence prisoners plus 1700 Gazans who were detained after October 7th 2023, including all women and children detained in that context. For every Israeli hostage whose remains are released, Israel will release the remains of 15 deceased Gazans.

6. Once all hostages are returned, Hamas members who commit to peaceful co-existence and to decommission their weapons will be given amnesty. Members of Hamas who wish to leave Gaza will be provided safe passage to receiving countries.

7. Upon acceptance of this agreement, full aid will be immediately sent into the Gaza Strip. At a minimum, aid quantities will be consistent with what was included in the January 19, 2025, agreement regarding humanitarian aid, including rehabilitation of infrastructure (water, electricity, sewage), rehabilitation of hospitals and bakeries, and entry of necessary equipment to remove rubble and open roads.

8. Entry of distribution and aid in the Gaza Strip will proceed without interference from the two parties through the United Nations and its agencies, and the Red Crescent, in addition to other international institutions not associated in any manner with either party. Opening the Rafah crossing in both directions will be subject to the same mechanism implemented under the January 19, 2025 agreement.

9. Gaza will be governed under the temporary transitional governance of a technocratic, apolitical Palestinian committee, responsible for delivering the day-to-day running of public services and municipalities for the people in Gaza. This committee will be made up of qualified Palestinians and international experts, with oversight and supervision by a new international transitional body, the "Board of Peace," which will be headed and chaired by President Donald J. Trump, with other members and heads of State to be announced, including Former Prime Minister Tony Blair. This body will set the framework and handle the funding for the redevelopment of Gaza until such time as the Palestinian Authority has completed its reform program, as outlined in various proposals, including President Trump's peace plan in 2020 and the Saudi-French proposal, and can securely and effectively take back control of Gaza. This body will call on best international standards to create modern and efficient governance that serves the people of Gaza and is conducive to attracting investment.

10. A Trump economic development plan to rebuild and energize Gaza will be created by convening a panel of experts who have helped birth some of the thriving modern miracle cities in the Middle East. Many thoughtful investment proposals and exciting development ideas have been crafted by well-meaning international groups, and will be considered to synthesize the security and governance frameworks to attract and facilitate these investments that will create jobs, opportunity, and hope for future Gaza.

11. A special economic zone will be established with preferred tariff and access rates to be negotiated with participating countries.

12. No one will be forced to leave Gaza, and those who wish to leave will be free to do so and free to return. We will encourage people to stay and offer them the opportunity to build a better Gaza.

13. Hamas and other factions agree to not have any role in the governance of Gaza, directly, indirectly, or in any form. All military, terror, and offensive infrastructure, including tunnels and weapon production facilities, will be destroyed and not rebuilt. There will be a process of demilitarization of Gaza under the supervision of independent monitors, which will include placing weapons permanently beyond use through an agreed process of decommissioning, and supported by an internationally funded buy back and reintegration program all verified by the independent monitors. New Gaza will be fully committed to building a prosperous economy and to peaceful coexistence with their neighbors.

14. A guarantee will be provided by regional partners to ensure that Hamas, and the factions, comply with their obligations and that New Gaza poses no threat to its neighbors or its people.

15. The United States will work with Arab and international partners to develop a temporary International Stabilization Force (ISF) to immediately deploy in Gaza. The ISF will train and provide support to vetted Palestinian police forces in Gaza, and will consult with Jordan and Egypt who have extensive experience in this field. This force will be the long-term internal security solution. The ISF will work with Israel and Egypt to help secure border areas, along with newly trained Palestinian police forces. It is critical to prevent munitions from entering Gaza and to facilitate the rapid and secure flow of goods to rebuild and revitalize Gaza. A deconfliction mechanism will be agreed upon by the parties.

16. Israel will not occupy or annex Gaza. As the ISF establishes control and stability, the Israel Defense Forces (IDF) will withdraw based on standards, milestones, and timeframes linked to demilitarization that will be agreed upon between the IDF, ISF, the guarantors, and the United States, with the objective of a secure Gaza that no longer poses a threat to Israel, Egypt, or its citizens. Practically, the IDF will progressively hand over the Gaza territory it occupies to the ISF according to an agreement they will make with the transitional authority until they are withdrawn completely from Gaza, save for a security perimeter presence that will remain until Gaza is properly secure from any resurgent terror threat.

17. In the event Hamas delays or rejects this proposal, the above, including the scaled-up aid operation, will proceed in the terror-free areas handed over from the IDF to the ISF.

18. An interfaith dialogue process will be established based on the values of tolerance and peaceful co-existence to try and change mindsets and narratives of Palestinians and Israelis by emphasizing the benefits that can be derived from peace.

19. While Gaza re-development advances and when the PA reform program is faithfully carried out, the conditions may finally be in place for a credible pathway to Palestinian self-determination and statehood, which we recognize as the aspiration of the Palestinian people.

20. The United States will establish a dialogue between Israel and the Palestinians to agree on a political horizon for peaceful and prosperous co-existence.

Appendix II: Charter of the Board of Peace

CHARTER OF THE BOARD OF PEACE

PREAMBLE

Declaring that durable peace requires pragmatic judgment, common-sense solutions, and the courage to depart from approaches and institutions that have too often failed;

Recognizing that lasting peace takes root when people are empowered to take ownership and responsibility over their future;

Affirming that only sustained, results-oriented partnership, grounded in shared burdens and commitments, can secure peace in places where it has for too long proven elusive;

Lamenting that too many approaches to peace-building foster perpetual dependency, and institutionalize crisis rather than leading people beyond it;

Emphasizing the need for a more nimble and effective international peace-building body; and

Resolving to assemble a coalition of willing States committed to practical cooperation and effective action,

Judgment guided and justice honored, the Parties hereby adopt the Charter for the Board of Peace.

CHAPTER I — PURPOSES AND FUNCTIONS

Article 1: Mission

The Board of Peace is an international organization that seeks to promote stability, restore dependable and lawful governance, and secure enduring peace in areas affected or threatened by conflict. The Board of Peace shall undertake such peace-building functions in accordance with international law and as may be approved in accordance with this Charter, including the development and dissemination of best practices capable of being applied by all nations and communities seeking peace.

CHAPTER II — MEMBERSHIP

Article 2.1: Member States

Membership in the Board of Peace is limited to States invited to participate by the Chairman, and commences upon notification that the State has consented to be bound by this Charter, in accordance with Chapter XI.

Article 2.2: Member State Responsibilities

(a) Each Member State shall be represented on the Board of Peace by its Head of State or Government.

(b) Each Member State shall support and assist with Board of Peace operations consistent with their respective domestic legal authorities. Nothing in this Charter shall be construed to give the Board of Peace jurisdiction within the territory of Member States, or require Member States to participate in a particular peace-building mission, without their consent.

(c) Each Member State shall serve a term of no more than three years from this Charter's entry into force, subject to renewal by the Chairman. The three-year membership term shall not apply to Member States that contribute more than USD $1,000,000,000 in cash funds to the Board of Peace within the first year of the Charter's entry into force.

Article 2.3: Termination of Membership

Membership shall terminate upon the earlier of: (i) expiration of a three-year term, subject to Article 2.2(c) and renewal by the Chairman; (ii) withdrawal, consistent with Article 2.4; (iii) a removal decision by the Chairman, subject to a veto by a two-thirds majority of Member States; or (iv) dissolution of the Board of Peace pursuant to Chapter X. A Member State whose membership terminates shall also cease to be a Party to the Charter, but such State may be invited again to become a Member State, in accordance with Article 2.1.

Article 2.4: Withdrawal

Any Member State may withdraw from the Board of Peace with immediate effect by providing written notice to the Chairman.

CHAPTER III — GOVERNANCE

Article 3.1: The Board of Peace

(a) The Board of Peace consists of its Member States.

(b) The Board of Peace shall vote on all proposals on its agenda, including with respect to the annual budgets, the establishment of subsidiary entities, the appointment of senior executive officers, and major policy determinations, such as the approval of international agreements and the pursuit of new peace-building initiatives.

(c) The Board of Peace shall convene voting meetings at least annually and at such additional times and locations as the Chairman deems appropriate. The agenda at such meetings shall be set by the Executive Board, subject to notice and comment by Member States and approval by the Chairman.

(d) Each Member State shall have one vote on the Board of Peace.

(e) Decisions shall be made by a majority of the Member States present and voting, subject to the approval of the Chairman, who may also cast a vote in his capacity as Chairman in the event of a tie.

(f) The Board of Peace shall also hold regular non-voting meetings with its Executive Board at which Member States may submit recommendations and guidance with respect to the Executive Board's activities, and at which the Executive Board shall report to the Board of Peace on the Executive Board's operations and decisions. Such meetings shall be convened on at least a quarterly basis, with the time and place of said meetings determined by the Chief Executive of the Executive Board.

(g) Member States may elect to be represented by an alternate high-ranking official at all meetings, subject to approval by the Chairman.

(h) The Chairman may issue invitations to relevant regional economic integration organizations to participate in the proceedings of the Board of Peace, under such terms and conditions as he deems appropriate.

Article 3.2: Chairman

(a) Donald J. Trump shall serve as inaugural Chairman of the Board of Peace, and he shall separately serve as inaugural representative of the United States of America, subject only to the provisions of Chapter III.

(b) The Chairman shall have exclusive authority to create, modify, or dissolve subsidiary entities as necessary or appropriate to fulfill the Board of Peace's mission.

Article 3.3: Succession and Replacement

The Chairman shall at all times designate a successor for the role of Chairman. Replacement of the Chairman may occur only following voluntary resignation or as a result of incapacity, as determined by a unanimous vote of the Executive Board, at which time the Chairman's designated successor shall immediately assume the position of the Chairman and all associated duties and authorities of the Chairman.

Article 3.4: Subcommittees

The Chairman may establish subcommittees as necessary or appropriate and shall set the mandate, structure, and governance rules for each such subcommittee.

CHAPTER IV — EXECUTIVE BOARD

Article 4.1: Executive Board Composition and Representation

(a) The Executive Board shall be selected by the Chairman and consist of leaders of global stature.

(b) Members of the Executive Board shall serve two-year terms, subject to removal by the Chairman and renewable at his discretion.

(c) The Executive Board shall be led by a Chief Executive nominated by the Chairman and confirmed by a majority vote of the Executive Board.

(d) The Chief Executive shall convene the Executive Board every two weeks for the first three months following its establishment and on a monthly basis thereafter, with additional meetings convened as the Chief Executive deems appropriate.

(e) Decisions of the Executive Board shall be made by a majority of its members present and voting, including the Chief Executive. Such decisions shall go into effect immediately, subject to veto by the Chairman at any time thereafter.

(f) The Executive Board shall determine its own rules of procedure.

Article 4.2: Executive Board Mandate

The Executive Board shall:

(a) Exercise powers necessary and appropriate to implement the Board of Peace's mission, consistent with this Charter;

(b) Report to the Board of Peace on its activities and decisions on a quarterly basis, consistent with Article 3.1(f), and at additional times as the Chairman may determine.

CHAPTER V — FINANCIAL PROVISIONS

Article 5.1: Expenses

Funding for the expenses of the Board of Peace shall be through voluntary funding from Member States, other States, organizations, or other sources.

Article 5.2: Accounts

The Board of Peace may authorize the establishment of accounts as necessary to carry out its mission. The Executive Board shall authorize the institution of controls and oversight mechanisms with respect to budgets, financial accounts, and disbursements, as necessary or appropriate to ensure their integrity.

CHAPTER VI — LEGAL STATUS

Article 6

(a) The Board of Peace and its subsidiary entities possess international legal personality. They shall have such legal capacity as may be necessary to the pursuit of their mission (including, but not limited to, the capacity to enter into contracts, acquire and dispose of immovable and movable property, institute legal proceedings, open bank accounts, receive and disburse private and public funds, and employ staff).

(b) The Board of Peace shall ensure the provision of such privileges and immunities as are necessary for the exercise of the functions of the Board of Peace and its subsidiary entities and personnel, to be established in agreements with the States in which the Board of Peace and its subsidiary entities operate or through such other measures as may be taken by those States consistent with their domestic legal requirements. The Board may delegate authority to negotiate and conclude such agreements or arrangements to designated officials within the Board of Peace and/or its subsidiary entities.

CHAPTER VII — INTERPRETATION AND DISPUTE RESOLUTION

Article 7

Internal disputes between and among Board of Peace Members, entities, and personnel with respect to matters related to the Board of Peace should be resolved through amicable collaboration, consistent with the organizational authorities established by the Charter, and for such purposes, the Chairman is the final authority regarding the meaning, interpretation, and application of this Charter.

CHAPTER VIII — CHARTER AMENDMENTS

Article 8

Amendments to the Charter may be proposed by the Executive Board or at least one-third of the Member States of the Board of Peace acting together. Proposed amendments shall be circulated to all Member States at least thirty (30) days before being voted on. Such amendments shall be adopted upon approval by a two-thirds majority of the Board of Peace and confirmation by the Chairman. Amendments to Chapters II, III, IV, V, VIII, and X require unanimous approval of the Board of Peace and confirmation by the Chairman. Upon satisfaction of the relevant requirements, amendments shall enter into force on such date as specified in the amendment resolution or immediately if no date is specified.

CHAPTER IX — RESOLUTIONS OR OTHER DIRECTIVES

Article 9

The Chairman, acting on behalf of the Board of Peace, is authorized to adopt resolutions or other directives, consistent with this Charter, to implement the Board of Peace's mission.

CHAPTER X — DURATION, DISSOLUTION AND TRANSITION

Article 10.1: Duration

The Board of Peace continues until dissolved in accordance with this Chapter, at which time this Charter will also terminate.

Article 10.2: Conditions for Dissolution

The Board of Peace shall dissolve at such time as the Chairman considers necessary or appropriate, or at the end of every odd-numbered calendar year unless renewed by the Chairman no later than November 21 of such odd-numbered calendar year. The Executive Board shall provide for the rules and procedures with respect to the settling of all assets, liabilities, and obligations upon dissolution.

CHAPTER XI — ENTRY INTO FORCE

Article 11.1: Entry into Force and Provisional Application

(a) This Charter shall enter into force upon expression of consent to be bound by three States.

(b) States required to ratify, accept, or approve this Charter through domestic procedures agree to provisionally apply the terms of this Charter, unless such States have informed the Chairman at the time of their signature that they are unable to do so. Such States that do not provisionally apply this Charter may participate as Non-Voting Members in Board of Peace proceedings pending ratification, acceptance, or approval of the Charter consistent with their domestic legal requirements, subject to approval by the Chairman.

Article 11.2: Depositary

The original text of this Charter, and any amendment thereto, shall be deposited with the United States of America, which is hereby designated as the Depositary of this Charter. The Depositary shall promptly provide a certified copy of the original text of this Charter, and any amendment or additional protocols thereto, to all signatories to this Charter.

CHAPTER XII — RESERVATIONS

Article 12

No reservations may be made to this Charter.

CHAPTER XIII — GENERAL PROVISIONS

Article 13.1: Official Language

The official language of the Board of Peace shall be English.

Article 13.2: Headquarters

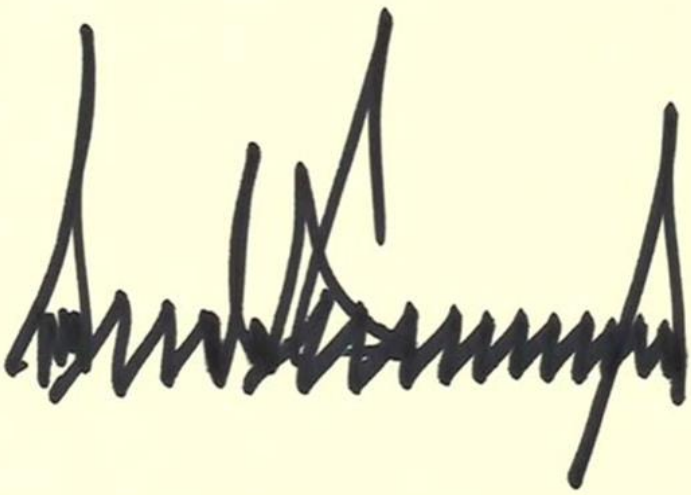
The Board of Peace and its subsidiary entities may, in accordance with the Charter, establish a headquarters and field offices. The Board of Peace will negotiate a headquarters agreement and agreements governing field offices with the host State or States, as necessary.

Article 13.3: Seal

The Board of Peace will have an official seal, which shall be approved by the Chairman.

IN WITNESS WHEREOF, the undersigned, being duly authorized, have signed this Charter.

FOR THE UNITED STATES OF AMERICA:



President Donald J. Trump

(Date: January 16, 2026)