



# General Assembly

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## Executive Committee of the Programme of the United Nations High Commissioner for Refugees

### Sixty-first session

#### Summary record of the 646th meeting

Held at the Palais des Nations, Geneva, on Thursday, 7 October 2010, at 3 p.m.

*Chairperson:* Mr. Woolcott.....(Australia)

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*The meeting was called to order at 3.20 p.m.*

**Review of the Annual Consultations with Non-Governmental Organizations** (document without a symbol distributed at the meeting)

1. **Mr. Tilahun** (Rapporteur for the Annual Consultations with NGOs), introducing the key points of the report on the annual consultations with NGOs held from 29 June to 1 July 2010, said that many considered the theme for the 2010 consultations — “National Partners: Providers of First Resort” — to be very timely. Given the significant increase in the scale of crises and humanitarian needs in recent years, national and local organizations played an essential role in, and were sometimes the only means of, providing humanitarian assistance. Although the need to develop the capacity of national organizations had long been recognized, very little had been done to meet that need. Currently, NGOs in the global South faced serious challenges, most notably in gaining access to the resources they needed to develop their institutional capacity and to become more than just implementers of short-term projects. They wished to carry out long-term projects and to become autonomous and better organized so that they could meet their communities’ needs.
2. The annual consultations had produced three broad recommendations for stakeholders. In the first, international organizations, including the Office of the United Nations High Commissioner for Refugees (UNHCR), were asked to consider the challenges faced by national NGOs and to review and simplify their policies and procedures in order to respond to the needs of those NGOs. That simplification process should be supplemented by training programmes on financial management, technical capacities, accountability and resource mobilization. In the second recommendation, both international and national organizations were encouraged to take advantage of their complementary strengths. Since local actors were better able to design and implement intervention measures tailored to their communities, international organizations should devolve decision-making power to them in order to increase local ownership and allow for sustainable goal-setting. In the third recommendation, donors were invited to review their procedures to ensure that they did not place an undue burden on national partners, particularly when transferring complex requirements onto local actors.
3. The NGOs had urged UNHCR to request that the donor community should establish a special fund for local NGO capacity development. They had emphasized that partnerships were at the heart of effective protection and aid and had asked UNHCR to enhance its partnerships with populations, NGOs, civil society, local authorities and other relevant stakeholders.
4. The NGOs had called upon UNHCR to provide leadership within the humanitarian community at large on the issue of preventing the sexual exploitation and abuse of affected populations by humanitarian aid workers and had asked the Executive Committee to include the issue in its agenda for 2011.
5. The NGOs had also called for increased international action to protect stateless persons and had recommended in particular that UNHCR should lobby Hungary, which would assume the presidency of the European Union in 2011, to consider statelessness and statelessness determination procedures as priority issues during its term.
6. As indicated in the report, all the UNHCR regional bureaux had held separate consultations with NGOs. While the consultations had produced some specific recommendations, common protection challenges that required the cooperation of all stakeholders, especially States, had also been identified. Those challenges included the issues of access to territory, non-existent asylum systems, prospects for local integration, shrinking humanitarian space, and limited availability of resources. In order to bridge the

existing protection gaps, UNHCR was called upon to strengthen its support for all relevant actors.

7. Lastly, the NGOs had expressed their willingness to work with UNHCR to commemorate the sixtieth anniversary of the Convention relating to the Status of Refugees and the fiftieth anniversary of the Convention relating to the Status of Stateless Persons. They had suggested that lobbying activities should be undertaken to promote accession to those conventions, particularly in the Middle East, North Africa and the Asia-Pacific region.

8. **Mr. Guterres** (United Nations High Commissioner for Refugees) welcomed the high quality of the report presented to UNHCR and said that he agreed with its conclusions. Through his experience, he had come to appreciate the true value of the work of NGOs, especially national ones. Great importance was attached to those organizations in the international humanitarian system, but the requirements imposed on them by stakeholders often made it difficult for them to operate. Thus, the assignment of responsibility for managing UNHCR budgets to local partners had led to problems with verification of UNHCR accounts in 2009. It made no sense to impose the same management requirements on OXFAM (Oxford Committee for Famine Relief) as on an NGO in eastern Chad. He therefore hoped that oversight bodies would give encouragement to NGOs in developing countries, adjusting their rules to take account of the specific circumstances and difficulties faced by those NGOs, and focusing on the actual work of each NGO rather than on abstract general rules.

9. **Ms. Pitotti** (Rapporteur for the Executive Committee) welcomed the fact that the report on the 2010 consultations with NGOs was both concise and clear. She said that, at the end of the very animated debates in which she had participated, one NGO had suggested that a results-based approach like the one adopted by UNHCR should be used to get the most out of future consultations. She believed that a very precise report should be drafted as soon as possible, outlining the main priorities and issues discussed during the annual consultations. The report should be sent to States to allow them to respond when the report on the annual consultations was considered.

10. Based on her reading of the report, she had identified certain areas in which it would be possible to make early progress. First of all, UNHCR could review its organizational structure and programmes, together with the work done by the Global Learning Centre and the UNHCR handbook on humanitarian operations. It might also be useful to discuss the Good Humanitarian Donorship initiative, and UNHCR might consider establishing a special fund for NGO capacity-building.

11. She agreed with Mr. Tilahun about the role of UNHCR in preventing sexual exploitation and abuse by humanitarian aid workers and she proposed holding consultative meetings on that issue in 2011.

12. She said she was pleased to note that UNHCR had carried out important projects in collaboration with a variety of different NGOs.

13. **Mr. Felten** (Germany) said that the main issue addressed during the consultations — namely, how to improve partnerships with, and strengthen capacities of, national and local NGOs in countries suffering from humanitarian crises — had often been raised in recent years but much remained to be done to address it. He therefore welcomed the practical and useful guidelines provided in the report on that issue. Strengthening the capacities of local partners and enabling them to fully participate in all aspects of humanitarian operations would improve the overall impact of international humanitarian aid efforts. As local NGOs were deeply rooted in civil society and were sometimes the only ones with access to the affected populations, they played an essential role in meeting beneficiaries' needs and promoting beneficiaries' involvement in the design and

implementation of humanitarian aid measures. Germany subscribed to a humanitarian system based on a diversity of humanitarian actors with different mandates and capabilities. His country viewed that diversity as an asset, because diverse approaches were required to meet the needs of affected populations adequately. The humanitarian reform process had been designed to provide a coordination framework that would make the best use of the variety of actors available. The cornerstone of that process was partnership between all humanitarian actors, regardless of their size or institutional form. His Government was pleased that UNHCR had adopted that partnership approach and encouraged the organization to pursue that path.

14. **Mr. Corr** (Ireland) commended UNHCR for its efforts to strengthen its partnerships with NGOs and said that the NGO focus in the 2010 consultations on the role of national partners was especially timely. He noted that a very significant proportion of UNHCR expenditure was dedicated to projects carried out by more than 800 partners, mostly national partners, and he emphasized that national partners often brought crucial advantages in terms of access to affected populations.

15. It was very important to include refugees and other affected persons in peace processes and other decisions that affected their lives. The role of national partners was equally crucial in that respect, particularly in terms of cultural sensitivity. His Government therefore urged UNHCR to continue to build the capacities of local partners through training and mentoring programmes. It welcomed the report's recommendation on an inclusive process for the joint review of the UNHCR partnership operations handbook, which should reflect more recent developments such as the cluster approach and the UNHCR urban refugee policy.

16. **Ms. Pollack** (United States of America) said that the United States strongly supported partnerships between NGOs and UNHCR because they were vital to ensuring protection, assistance and durable solutions for refugees. She asked how UNHCR planned to respond to the recommendations in the report that it should review and simplify its policies and procedures in order to respond more effectively to the needs of local and national NGOs, and that it should initiate training and mentoring programmes on financial management, technical capacities, accountability and resource mobilization mechanisms.

17. The United States participated in the Good Humanitarian Donorship initiative on good practices in humanitarian action. Her Government therefore agreed with the suggestion in the report that donors should review and simplify their policies, procedures and programmes affecting local NGOs with a view to allocating more funding to strengthen institutional capacities at the local and national levels.

18. Her Government believed that it was crucial for UNHCR to enhance its partnerships with affected populations, NGOs, civil society, local authorities and other relevant stakeholders in order to fulfil its responsibilities, including in urban settings, protracted refugee situations and situations involving internally displaced persons and stateless persons.

19. Noting the recommendation in the report on action to prevent sexual exploitation and abuse by humanitarian aid workers, she said that she encouraged the Executive Committee to focus on that important issue, which had received diminishing attention in recent years, and asked UNHCR to provide information on how it planned to address that issue and implement its strategy to combat gender-based violence in 2011.

20. **Mr. Matthews** (Australia) said that the updating of the UNHCR partnerships operations handbook, the latest version of which had been issued in 2003, could provide an opportune time for UNHCR and its partner NGOs to explore in more detail with local NGOs how UNHCR could best support the work of its partners in complex and insecure operating environments.

21. **Mr. Kullberg** (Finland) said that the increasing complexity of humanitarian crises called for good coordination among all concerned parties, including beneficiaries of aid and their host communities. It was important to ensure that tasks were distributed rationally, that humanitarian workers were able to adapt to the environment in which they worked and that there was no overlap between intervention measures.

22. Managing the transition from humanitarian intervention to normalization and development in both post-conflict and protracted refugee situations posed another major challenge. For good management, the efforts of development actors must complement those of humanitarian workers.

23. His Government hoped that UNHCR would prioritize gender and environmental issues when deciding on the distribution of funds within operations, given that, for example, women were often subjected to sexual violence on their long journeys to collect firewood and that firewood collection posed a persistent environmental problem and a source of conflict between refugee and host communities.

#### **Other statements**

24. **Mr. Wak-Woya** (Chairperson of the UNHCR Staff Council) said that the replacement of the special operations approach by any other type of arrangement with diluted incentives would affect staff morale in hardship duty stations, which would undoubtedly have a negative effect on UNHCR. He hoped that the Executive Committee would approve the High Commissioner's proposal to continue with the administrative place of assignment arrangement.

25. The report of the Internal Justice Council had not yet been properly analysed, but United Nations staff members throughout the world continued to express their concern about the administration of justice, including the lack of an independent oversight body for the new system and the lack of equality of arms for staff members.

26. The security of humanitarian staff in field duty stations was a constant source of concern; the best way to ensure staff members' protection was to raise awareness among Member States of the need for them to take responsibility for protecting such staff.

27. Staff in the general service category (G-category), who made up 70 per cent of UNHCR staff worldwide, could lose their jobs in field duty stations very easily, even if they held an indefinite appointment, and they were not treated on a basis of equality with international staff members. In many locations, they did not even benefit from rest and recuperation leave. Moreover, general service category staff who made up a "hidden workforce" were also eagerly waiting for their contractual status to be resolved.

28. From an examination of the countries of origin of staff members it was clear that there was an imbalance in favour of Europe and North America, and that trend even seemed to be worsening. At UNHCR headquarters, some divisions were more or less reserved for nationals of northern hemisphere countries. The newly recruited international staff contributed even further to that imbalance, to the detriment of southern hemisphere countries. The Staff Council urged UNHCR to rectify without delay the problem of the flagrant exclusion of nationals of those countries.

29. Some 180 colleagues still did not have a proper post after waiting for several years. The solution to the problem of staff in-between assignments was simple: just apply the new policy and suspend external recruitment until the staff members concerned had been placed in posts.

30. Some managers continued to cut posts, even after a lengthy recruitment process. That raised the question of whether they would be held accountable for the wasted time and

resources and whether UNHCR was aware of the devastating impact of that practice on staff morale.

31. In order to address all the concerns of UNHCR staff worldwide, a board should be established, or re-established, to review resource allocation decisions. In the meantime, the Division of Human Resources Management should be made a full member of the Budget Committee.

32. Very recently, management had proposed a new recruitment policy called PRIDE, aimed at headhunting, recruiting and deploying some 35 persons who were expected to be the future managers of UNHCR. Yet, throughout the world, UNHCR had a number of highly qualified and motivated young recruits in the general service category, as well as junior professional officers, national programme officers and United Nations volunteers with a proven record of performance and dedication and adequate field experience. In addition, more than 500 persons who had passed the examination to be included in the international professional roster were waiting to be recruited. UNHCR did not need a new policy; it simply needed to implement the existing policy properly.

33. Regarding promotion, the Staff Council was of the opinion that a rank-in-post system was a better solution and would also bring UNHCR practice into line with that commonly followed by other organizations in the United Nations system.

34. The Staff Council noted that the Division of Human Resources Management had breached the terms of employment for 30 national programme officers at the Budapest Service Centre. It urged UNHCR management to put a stop to that practice and to regularize the contracts of those officers without delay.

35. Throughout the world, staff members continued to complain that disciplinary measures for misconduct were applied neither proportionally nor transparently. The minimum that could be expected was to have a scale of disciplinary measures for particular misdemeanours.

36. The perceived independence of the Inspector-General's Office would be enhanced if the Office's annual budget and staffing table were submitted to the Executive Committee for consideration and adoption.

37. The Staff Council noted that the Division of Human Resources Management was the only division of headquarters not subject to inspection and that it was therefore very difficult to assess its capacity to implement the new appointment and postings policy.

38. Cordial and open discussions had been held between staff and management during the past year and in most cases had resulted in consensus.

39. **Mr. Hassan** (Egypt) noted with great concern the points raised by the Chairperson of the Staff Council and requested official replies to those issues. He reiterated his particular concern about disparities in the geographic distribution of UNHCR staff and the poor representation of developing countries in posts at the D-1 and D-2 levels. His Government hoped that the new recruitment policy, still under review, would resolve that problem. It was also important to prevent resources from being wasted. Noting that the Chairperson of the Staff Council had gone so far as to accuse the UNHCR administration of disregarding the rules, he said he wished to emphasize that all those problems, if true, were of very great concern for developing countries. UNHCR was a multilateral body, not a company controlled by its wealthiest stockholders, and its actions should be exemplary.

40. **Ms. Pollack** (United States) said that she agreed with the Chairperson of the Staff Council that the security of UNHCR staff was vital. Her Government was particularly interested in the implementation of the UNHCR policy on recruiting and retaining persons with disabilities as part of the effort to create a diverse work environment. It was also

important to ensure that staff in-between assignments were used wisely and received such training as was necessary to enable them to continue serving the cause of refugees. She wondered whether a moratorium on external recruitment, while perhaps serving to reduce the number of staff in-between assignments, might not also reduce the freedom of movement of UNHCR.

41. **Mr. Guterres** (United Nations High Commissioner for Refugees) said that all important decisions concerning staff were taken unanimously by the Joint Advisory Committee. The search for consensus explained why the new recruitment policy had not yet been adopted, even though it provided for measures to improve geographic distribution within UNHCR, including quotas, which were not permitted under the current procedure of recruitment on a case-by-case basis. The recruitment of mid-ranking administrators would also redress the balance, but staff representatives were opposed to that option, because it would reduce career prospects for existing staff members. He hoped that those measures would soon be approved by the Staff Council so that the issue of geographic distribution of posts could be resolved through a transparent process.

42. The number of staff in-between assignments had been greatly reduced through the use of shorter appointments. If a moratorium were to be set on recruitment until every staff member had received an appointment, it would prevent, among other things, improvements in the system of geographic distribution at UNHCR. Monitoring mechanisms were in place to ensure that members of the administration respected all current regulations.

43. At the behest of the Security Steering Committee, several important measures had been taken in the past two years to ensure the security of staff in the field. During the review of security conditions in all high-risk missions, all the proposals from those in the field had been approved. He would continue to consult with the Staff Council, in a spirit of openness and consensus-building, to resolve the remaining difficulties.

### **Meetings of the Standing Committee in 2011**

#### **Consideration of the provisional agenda of the sixty-second session of the Executive Committee** (draft decisions Nos. 2, 3 and 4)

44. **The Chairperson** said that the draft decisions would be included in the report on the sixty-first session of the Executive Committee, which would be submitted for adoption at the next meeting. He proposed that in draft decision No. 3, Croatia, Iraq, Malaysia and Slovakia should be added to the list of countries that had applied for an official observer status.

45. *It was so decided.*

*The meeting rose at 4.40 p.m.*