



General Assembly

Distr.: General
11 January 2010
English
Original: French

Executive Committee of the Programme of the United Nations High Commissioner for Refugees Fifty-ninth session

Summary record of the 625th meeting

Held at the Palais des Nations, Geneva, on Thursday, 9 October 2008, at 3 p.m.

Chairperson: Mr. VAN EENENNAAM..... (Netherlands)

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The meeting was called to order at 3.15 p.m.

Review of the annual consultations with the non-governmental organizations (Agenda item 8)

1. **Mr. THOMPSON** (Rapporteur for the Annual Consultations with NGOs) said that the annual consultations between UNHCR and NGOs made it possible to review matters arising in connection with their day-to-day work, as UNHCR worked together with many operational NGOs and advocacy NGOs. In 2008, the consultations had involved more than 300 participants and had been based on the theme of “Universal Human Rights for All” to mark the 60th anniversary of the Universal Declaration of Human Rights. One of the main issues highlighted was the difficulty UNHCR encountered when dealing with States as it sought to perform its protective function. One of the main reasons for this was that it was generally diplomats who were involved in the decisions of the Executive Committee whereas, on the ground, the decisions were taken by interior ministry and immigration officials, who were concerned about security issues and illegal immigration. It had been recommended that lessons should be learnt from human rights mechanisms and that an independent advisory group should be set up comprising recognized refugee protection experts, appointed by the High Commissioner. During a side event focusing on supervisory activities, it had been recommended that UNHCR, the States and NGOs should work together to design an appropriate mechanism and determine how it should operate in practice.

Mr. Thompson pointed out that, during the Annual Consultations, the High Commissioner had stressed that integrating the activities of UNHCR in the United Nations system should not result in any shrinking of humanitarian space. Humanitarian organizations were finding it increasingly difficult to access populations in need, although States had a responsibility to ensure that they had access to population groups, in their territory, who lacked adequate protection and assistance.

3. Mr. Thompson welcomed the High Commissioner’s attendance at the Global Humanitarian Platform and his commitment to the Principles of Partnership. There was a need for a forum of that kind in which NGOs, the International Red Cross/Red Crescent Movement the UN agencies and other intergovernmental organizations could come to the table, on an equal footing, to discuss the various problems that impeded humanitarian action.

4. This year, the report on the Annual Consultations with NGOs had been made available to the Executive Committee in advance, in an effort to establish better links between the work of the Executive Committee and the consultations. Mr. Thompson asked whether this had enabled the delegations to take up some of the NGOs’ recommendations and conclusions in their statements and bilateral meetings during the session. He also wished to know whether delegations felt the need to improve the links between the Executive Committee’s work and the Annual Consultations with NGOs and, if so, in what ways. These were questions designed to improve the dialogue between States, UNHCR and NGOs.

5. **The CHAIRMAN** thanked Mr. Thompson for having raised a number of specific and relevant issues in the context of the review. He asked whether delegations wished to respond or comment.

6. **Ms. TUDAKOVIC** (Canada) said that her delegation found it helpful to see the report on the Annual Consultations with NGOs in advance, as it prepared its statements several months ahead. Turning to the relationship between the Executive Committee’s work and the Annual Consultations with NGOs, she pointed out that the matter had already been under discussion for two years without any conclusion being reached. Nonetheless,

the Canadian delegation had made good use of the comments of NGO representatives in recent years, particularly in relation to certain specialized matters of a thematic nature discussed by the Committee.

7. **Ms. GARTNER** (United States) congratulated UNHCR on its work to strengthen its bilateral partnerships with the NGOs, particularly the Annual Consultations which made it possible to exchange information on operational activities and institutional matters. She also welcomed the fact that national NGOs had been able to take part in the consultations and hoped that they would do so in increasing numbers, as they played a key role in providing direct assistance to population groups in need and in enhancing national and local capacity.

8. Ms. Gartner wished to know how UNHCR and NGOs felt the consultations could feed into the Executive Committee's discussions, as it was not entirely clear to her delegation how best to harmonize the two processes and strengthen the links between them.

9. During the last round of consultations, the United States delegation had found the session devoted to the Principles of Partnership within the wider humanitarian family to be of particular interest. It was important that the Principles of Partnership should not remain merely theoretical but be put into practice by all the relevant organizations, both on the ground and at headquarters level. In point of fact, the principles of equality, transparency, a result-oriented approach, responsibility and complementarity – to mention just a few – were entirely consistent with UNHCR's goals.

10. **Mr. KUSIMBA** (Kenya) said that the Rapporteur had mentioned the difficulties UNHCR encountered in its relations with States when operating in the field. He wished to know what shortcomings that seemed to stand in the way of UNHCR's activities had been identified in current relations between States and the organization. He asked what measures NGOs proposed taking to overcome those obstacles.

11. **Mr. THOMPSON** (Rapporteur for the Annual Consultations with NGOs) acknowledged the need for improved coordination between the work of the Executive Committee and the consultations, but pointed out that the rigid structure of the Committee's sessions hampered any attempt to feed NGO contributions into the sessions. He had therefore concluded that the High Commissioner's Dialogue would be better suited to this type of discussion in which participants tackled various issues on an equal footing. That also answered the United States delegation's question on how best to strengthen the links between the work of the Executive Committee and the consultations with NGOs.

12. Mr. Thompson said that it would be beneficial to organize a side event at the next Executive Committee session to consider in greater detail the question of how to integrate the Principles of Partnership into the activities of UNHCR, the NGOs, the International Red Cross/Red Crescent Movements and the International Organization for Migration. Among other things, it was necessary to establish how to apply the principles to staff recruitment and appraisal, as well as to cooperation with the different partners.

13. In response to the question from the Kenyan delegation, Mr. Thompson explained that the problem raised during the consultations concerned the difficulties UNHCR had encountered in performing its function of monitoring the application of the 1951 Convention. It was therefore necessary to set in place machinery and procedures that made it possible to apply the Convention on a more systematic basis, to enable UNHCR to provide that monitoring.

14. **Mr. JOHNSTONE** (Deputy High Commissioner for Refugees) pointed out, in relation to the Global Needs Assessment currently under way, that the NGO community had long been urging the Executive Committee to involve it in this process. He acknowledged that the structure of the Executive Committee session was not conducive to

spontaneous discussion and considered that all of the parties concerned should reflect on how best to improve the quality and level of discussion. The delegates taking part in the Executive Committee's session were in fact speaking on behalf of their governments and that made spontaneous discussion difficult.

15. **The CHAIRMAN** welcomed the fact that there had been more questions and more extensive discussion than at the last session but believed it was necessary to consider how best to engage with NGOs in order to achieve a great degree of interaction. He thanked the NGOs for their work on the ground which made a very valuable contribution to implementing UNCHR's mandate.

Other statements (Agenda item 9)

16. **The CHAIRMAN** invited Mr. Avognon, the Chairman of UNCHR's Staff Council, to make his statement.

17. **Mr. AVOGNON** (Chairman of UNCHR's Staff Council) said that the key concerns for UNCHR staff in recent months had been the implications for the staff of the reform process and its consequences in terms of restructuring, rationalization, post cuts and, indeed, outsourcing, to cite but a few examples. In his opening remarks of the session, the High Commissioner had reaffirmed his commitment to the structural and management reforms designed to make UNCHR more efficient, and had stated that the rights of staff members had been taken into account during the reform process, and that solutions designed to mitigate the negative effects had been found in relation to all members affected by the process so far. UNCHR management was to be congratulated for having embarked on the difficult path of reform, the importance of which was recognized by staff members, in the interest not only of reducing costs but of making UNHCR better equipped to respond to the challenges of fulfilling its mandate.

18. The flaws and hitches that had accompanied implementation of the reform had cast doubt on whether the process was actually useful and could achieve its aims. In some instances, officials had not even been told of the decision to dismantle or overhaul their sections or divisions. Staff legitimately took the view that they should have been involved from the outset in aspects of the reform that had a direct impact on their work. The Staff Council reaffirmed that it was always willing to think, plan and act together with the management, in the interest of the staff as a whole, and that it wished to play an active part in the efforts designed to build a more effective UNHCR.

19. The High Commissioner had told the Executive Committee that he had been confronted with the most dysfunctional career management procedures he had ever encountered in the whole of his professional career. The Staff Council wondered where responsibility for this lay, given that, year in year out, UNHCR managers had assured the Executive Committee that the necessary action was being taken to rationalize human resource policies. The result was an impression of *déjà vu* every time new measures were announced, while little or no progress had been achieved on major issues including what was to happen to staff between assignments, promotion policies or the performance appraisal and grading system. Mr. Avognon expressed the hope that action would be taken in relation to those measures so that staff, particularly those working in difficult conditions, would feel reassured that they had the organization's support in terms of career and professional development.

20. Mr. Avognon urged UNHCR's management not to abandon the current structures for consultation between the staff and management which, although imperfect, made it possible to guarantee transparency when decisions that directly affected the staff were adopted. UNHCR needed to guarantee the independence of oversight bodies and greatly enhance disciplinary procedures and accountability issues to ensure that managers were

accountable for their acts. The question of the proportionality of sanctions applied in UNHCR was also important. A review of recent disciplinary measures recently taken in the organization suggested that senior officials were treated very leniently, whereas the sanctions for staff in the lower echelons were much more severe and, in many cases, disproportionate. The Staff Council urged the management to abide by existing rules and not allow a situation of impunity to develop.

21. Mr. Avognon was pleased to note that, according to information provided by the High Commissioner, an increasing number of UNHCR offices met the new minimum operating security standards. However, security in the field continued to be a matter of concern, as increasing numbers of staff were being targeted by terrorists and extremists in many operational areas, including during humanitarian crises. The attack on the UN premises in Algiers and the recent kidnapping of Ali Hassan Mohamed in Mogadishu showed that much remained to be done. The Staff Council hoped that the recommendations on staff safety contained in the Brahimi Report would be implemented and that the managers responsible for staff safety and security would have the resources they needed to meet their responsibilities.

22. UNHCR was far from being in a position to offer satisfactory conditions of employment in remote and difficult posts. Mr. Avognon was therefore calling on the members of the Executive Committee to help the organization provide adequate facilities for staff working in the most remote field locations.

23. The Staff Council wanted UNHCR to carry out a study of progress achieved and difficulties encountered in the recruitment, promotion and representation of women in the organization. At the same time, he appealed to management to ensure that the rights and expectations of male staff were not jeopardized by the implementation of gender equality objectives.

24. Mr. Avognon concluded by pointing out that UNCHR needed its staff in order to serve better still refugees, internally displaced persons and stateless persons throughout the world. The Staff Council looked forward to continuing to maintain a fruitful working relationship with members of the Executive Committee.

25. **Mr. JOHNSTONE** (Deputy High Commissioner) welcomed the quality of the dialogue that had been established between UNHCR's management and the Staff Council. UNHCR's managers were fully aware of the constraints imposed on staff in the context of the reform process, and this might, on occasion, have been demoralizing. Nonetheless, the reform was reaching a conclusion and the initial results were encouraging. There had always been close consultations between management and the Staff Council, even if the end-result had not always been an agreement. Management and the staff representatives also had great respect for each other.

26. On the question of the representation of women, Mr. Johnstone pointed out that the situation was less a matter of concern in UNHCR than in other bodies, particularly at the higher levels, as three of the four Assistant High Commissioners were women and four out of five regional offices were headed by women.

27. **Mr. VERSCHUUR** (Netherlands) reaffirmed that members of the Executive Committee placed the highest value on the work done by UNHCR staff and were fully aware of the risks run by individuals working in the field. The institutional reform had been undertaken at the request of the Executive Committee's members and, although its implementation caused officials problems, it should enable them to be still more effective in future. Finally, the members of the Executive Committee would have liked to have been given documents, specific information and possibly figures to give them a clearer picture of the problems to which the Chairman of the Staff Council had referred.

28. **Mr. AVOGNON** (Chairman of the Staff Council) said that the Staff Council had deliberately chosen not to swamp members of the Executive Committee with figures and statistics, as UNHCR's management and the Staff Council often disagreed on statistics. He reminded the Executive Committee that the Staff Council was always happy to provide it with any information it required.

The meeting rose at 4.05 p.m.
