

THE CREATION OF A POST OF ASSISTANT HIGH COMMISSIONER FOR PROTECTION

I. BACKGROUND

1. The realization of a position in UNHCR of Assistant High Commissioner for Protection (AHC-Protection) has been considered favourably by UNHCR's top management for a number of years. The former High Commissioner first proposed the creation of such a post formally in a letter to the Secretary-General dated 6 May 2004, in an effort to strengthen protection in his Executive Management structure. The Secretary-General lent his support in writing to the post creation. A written proposal was presented to the Executive Committee at its Standing Committee meeting in September 2004 (*Proposal to Establish an Assistant High Commissioner (Protection) in UNHCR, A/AC/96/992/Add.1*).

2. Protection is the *raison d'être* for UNHCR. Externally, the fulfilment of protection responsibilities has become an ever more difficult task in light of significant changes in the operational environment in which the organization seeks to deliver protection and find solutions. Internally, protection delivery, as well as investment in longer term protection strategies, both have had to compete with handling the exigencies of operations in this politically charged and sensitive environment. The role of the Department of International Protection (DIP) as the "voice" on protection and as the advocate for the building of more effective protection systems globally has been constrained by the fact that protection delivery in operations, as well as global advocacy and systems development, are managed at different levels and by disparate entities in the UNHCR structure. Against this background, the AHC proposal has as its principal objective to enhance the capacity of UNHCR, particularly in the Field, to advocate for and support governments in the creation and maintenance of an effective international protection regime.

3. The report of an independent consultant (*UNHCR's Senior Management Structure, Mannot*) concluded that the creation of an AHC-P would be "very desirable, as it could significantly support UNHCR's overall effort to strengthen the capacity of the organization in protection and durable solutions and help build a more effective interface between operations and DIP". The support for the proposal was, however, qualified with the caveat that it should be "placed in the context of a comprehensive organizational strengthening programme".

4. The Executive Committee has discussed the matter on several occasions. Questions about the proposal centred on concerns about the potential for overlap of responsibilities in the Executive Office, and a perceived danger that protection might thereby be sectoralized rather than "mainstreamed". The Executive Committee charged UNHCR to develop further the rationale for the post creation, taking particularly into account, in the context of the Mannot Report, the need to ensure balance in the organizational structure and to better linkages between Headquarters and the Field.

II. THE CURRENT VISION FOR THE NEW POSITION

5. Implementation of the protection mandate needs to have both a situation-specific context and a global one. However, given that the situational context for protection delivery is a highly political one, it can be a generator of bad practices as well as of good, as far as protection is concerned. In view of this it is important to maintain a system where operational guidance and support functions are developed with the involvement of those who have an eye as much to the future implications as to the present exigencies. And vice versa: protection policies and standard setting must be framed on the basis of - and be tuned to - operational realities. For this convergence to happen, there is significant advantage in establishing parity in the levels at which delivery of operations and implementation of protection responsibilities, together with the global doctrinal, standard-setting and asylum advocacy responsibilities, are managed and overseen. An AHC Protection should improve protection sensitivity, protection capacity, and protection delivery across the board in the organization. The post would be instrumental in re-aligning the place of protection throughout the organization, sharpening the focus on protection in operational and strategic planning as well as in the development of staff competencies. In this connection, protection training programmes targeting all UNHCR staff will be strengthened.

III. UNHCR HEADQUARTERS STRUCTURE: - A COHERENT APPROACH TO POLICY, SUPPORT AND SOLUTIONS

6. The protection function has rested mainly on several vertical pillars in the organization (DIP and the Department of Operations (DOS)), with the result that horizontal coherence and information flow have been less than optimal. The traditional approach to protection management in UNHCR groups global protection oversight responsibility in a separate vertical pillar. This implies limited horizontal correlation and a “top-down” relationship between Headquarters and the Field. Protection should rather be built as a horizontal girder running through all entities within the organization. In line with this thinking, the High Commissioner is proposing structural changes which should bridge two gaps: the gap between protection and operations, and the gap between Headquarters and the Field.

7. It is envisaged that the creation of the new AHC position would take place in the context of other structural adjustments at UNHCR Headquarters, whereby solutions and all field support functions would be brought together in one entity, underpinned by a centralized policy-making unit. The AHC-Operations and the AHC-Protection would share supervisory responsibilities for these new entities, which should facilitate stronger horizontal links between the protection advocacy, promotion, support and capacity-building activities in the Field and at Headquarters. The AHC-Protection would also help to bridge, at Headquarters, what has been seen as a certain “disconnect” between advocacy and standard setting globally and the protection operations managed by the regional Bureaux.

8. More specifically there would be a single, integrated support entity for the Field, which would comprise both technical and protection support, and all durable solutions back-up, including the new dedicated resettlement service. Convention Plus initiatives would also find their natural home-base here, no longer in effect to be pursued through something of an appendage to the more established and practically focused Field services at Headquarters. The goal in creating this solutions and support division would be to unify everything which is done

on a regular basis for the Field. As regards support and accountability, receiving instructions and making reports, the Field would find, in Headquarters, a “one-stop shop”

9. Second, the fast-paced evolution of the internally displaced persons issue in the context of United Nations reform and the new realities of the asylum/migration sphere have made it only too clear that UNHCR has not been sufficiently well equipped to move swiftly and decisively in its policy development. This could be rectified by centralizing in one unit certain policy development functions currently dispersed throughout the organization, and in particular at Headquarters. The Unit would bring together staff from the Evaluation and & Policy Analysis Unit, the Convention Plus Unit, DOS and DIP. The AHC-Operations and the AHC-Protection would together guide and direct this outcome-oriented “think tank”, ensuring that it proceeds on the basis of close links with the operations, but remains consistent as regards protection doctrine and standards. In tandem with the unified solutions and operational support division, it would form the “engine” of UNHCR Headquarters, ensuring the necessary coherence and consistency between organizational policy, solutions strategies, protection delivery and field support initiatives.

IV. CONCLUSION

10. The AHC-Protection proposal responds to a clear vision of UNHCR as a protection delivery agency where every action must be protection-minded and every staff member of the Office must have protection as the central orientation. The establishment of this senior level position is one step of several envisaged within the frame of this vision.

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