

**45th Meeting of the Standing Committee
Agenda Item 3**

**Introduction by Erika Feller
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23 June 2009

The best use I can make of the short time available to me, ahead of the introduction of the Note on International Protection by the Director of the Division of International Protection Services, Mr. Okoth-Obbo, is to provide an update on three issues which have been of direct interest to this Committee. These are: early protection observations coming out of the Global Needs Assessment (GNA) process; developments with the 10-Point Plan; and accountability issues.

Promoting consistency in protection delivery across operations and regions is a responsibility vested in my office. High hopes are held for UNHCR's Global Needs Assessment in this regard. I participated in the recent review of comprehensive field needs assessments and programme interventions, undertaken partly through the lens of our new *Focus* software. It was indeed interesting, even if somewhat constrained by our own inexperience with the software, which at the same time was getting over teething problems of its own. An overall observation is that the tool has undeniable potential, facilitating as it does the matching of needs, programme objectives and budgets. This first review has indeed made more transparent the protection gaps and where our own responses need to be recalibrated, or strengthened. Protection monitoring and programme design are the beneficiaries here.

Because all offices should from henceforth conduct needs assessments and develop objectives on the basis of the same Results Framework, thereby improving the possibilities for comparative analysis, greater global consistency should result. This was of course also the goal of the Strengthening Protection Capacities Project (SPCP) which has lent its methodology so successfully to the GNA process. Some of the cross-cutting trends brought into sharper relief through the programme review included the only partial "ownership" accepted by many governments of their own asylum systems. Situations differ one from another, but coming out quite clearly from the recent exercise is that UNHCR's role in national asylum systems needs some rethinking in a number of parts of the world. UNHCR is not the principal protection provider and can never be an effective substitute for the exercise by states of their proper responsibilities. Building the effectiveness of national asylum systems through improving registration arrangements, expertising refugee status determination, or working to sensitise national legislative frameworks to age, gender and diversity considerations, was highlighted as an activity meriting greater investment.

Protection staffing has long been a source of frustration and concern, to UNHCR and to some Committee members. Protection means people. It means having sufficient numbers of persons on the ground to make the concept of protection by presence meaningful, and to meet the demands of protection monitoring, as one of the main ways UNHCR's protection mandate can be delivered. It also means having sufficient numbers of staff with the requisite experience and knowledge in areas as diverse as

refugee status determination, age/gender and diversity programming, IDP cluster coordination or protection capacity building.

What the recent programme review underlined is that protection remains in many countries ill-served through too few staff, professional staff at too low levels, and high changeover in the additional temporary workforce [UNVs, project staff, deployees or temporary post creations]. RSD, for one, continues to be negatively affected, resulting in increasing backlogs in the handling of claims and a continued need for capacity-building. Coherence in decision-making is also impacted. Resettlement, too, has had to rely over the years on staff additions generously made possible by extraordinary government funding, but usually on the condition that the temporary positions created be mainstreamed over time. The mainstreaming becomes the problem, absent additional funds, unless there is an offset from within the regular [already prioritised] programmes able to be found. On the plus side, offices reported greater emphasis on strategies for alternatives to UNHCR RSD and for earlier handover to governments, whose proper responsibility the function remains, in any case. If the comprehensive needs assessment process realises more resources for upgrading and greater mainstreaming of protection staff support, with less reliance on temporary solutions, this would be a singular achievement.

The programme review brought out some interesting disconnects when it comes to population groups of concern, other than refugees. In relation to stateless people, it was positive to see the clearer realisation by all offices of the implications flowing from UNHCR's growing responsibilities for this group. The needs of stateless persons feature more prominently in our plans than ever before. At the same time, however, some offices have found it a challenge to move beyond advocacy and technical advice on statelessness issues, to developing an actual protection response capacity when it comes to impacted individuals or situations. Now this can be addressed through our planning and prioritization processes. The GNA illustrates the potential of what we could do if properly capacitated.

By contrast, internally displaced persons are solidly integrated into our planning. It was interesting to see from the review the improvement in the way IDP protection issues are analysed, from prevention to protection, documentation and land issues and solutions possibilities. If there was a disconnect brought out, it is that offices are not able always to budget sufficiently to enable them to implement comprehensive protection response plans, which can be quite modest when measured against the needs. Funding predictions also tend to drive disengagement strategies more than the demands themselves. Resources are necessary to underpin the expanded IDP coordination responsibilities of the office but have not to date been regularly planned into country operations. The GNA analysis brings this out as a gap to which greater priority needs to be accorded.

Actually this is illustrative of a more general and long-standing dilemma for the Office: that is, how to prioritise as between protection objectives in the face of the inevitability of insufficient funds. Our hope is that the GNA will assist to realise more resources for protection by making such gaps more transparent. The alternative is that things will not be done. Creative partnering alone cannot avoid this. Protection is a mandate responsibility. It can also be an unpopular responsibility on the ground with governments who may view it as invasive or inherently threatening. Protection

delivery under the authority of the UNHCR mandate is both a necessity for some functions – mandate status determination among them – and highly desirable for others, because of the added force given to the interventions with the authorities. Staff seniority and experience only reinforce the strength of protection advocacy, capacity building and delivery. These considerations have staffing and budget implications for the office.

Turning shortly to the 10-Point Plan, I have promised for some time now that UNHCR would make available a compilation of practices relevant to implementation of the plan across its various sectors. We have provisionally put this together, based largely on input from our field offices and some IGO and NGO partners. It is at the back of the room for your collection and comment. We fully expect and welcome suggestions for language changes, clarifications, deletions and, most important perhaps, additions, which we will do our best to accommodate in a final version, planned for release around the time of our ExCom session this September. I would emphasise at this early stage that the examples in the document have not been chosen as “best practices” as such, not least because some of them have both good and not so good aspects from a protection perspective. They are there, though, because they illustrate how States and other actors are endeavouring to grapple with the very difficult and manifold challenges of mixed migration and asylum flows, while finding the proper balance between national interests and international responsibilities. This compilation is of course a living document. Our expectation is that we will add to it or subtract from it practices which either have proved their worth or have been deemed ineffective. Your critiques will contribute as much, even more, than your praise at this point.

Finally, on accountability, UNHCR has made quite some progress over recent years in embedding accountability within its programming practices. The code of conduct, AGDM mainstreaming and an accompanying accountability framework, and mandatory participatory planning have all contributed to making “accountability to persons of concern” a central tenet in all our ways of working. Clearly, though, creating a “culture of accountability” is a continuing process, not an end state. You will probably know that, while UNHCR is not a member, the High Commissioner accepted an invitation from the Steering Committee for Humanitarian Response [SCHR] to participate in a “peer review on accountability to disaster-affected populations”. We have done so, wholeheartedly and committedly over the past year. It has been a valuable process from our perspective. I take this opportunity to encourage delegations to participate in a lunch-time panel discussion on accountability on Thursday, which will provide more information on the peer review process and its specific outcomes. This panel will also be the occasion for you to be briefed on the results of the second year of implementation of the AGDM accountability framework. The framework has proved its worth as an accountability tool but more fundamentally as one which promotes the internalising in all staff members of the ethics and values at the heart of gender and diversity policies, the basic underpinning of our people-centred working practices. The third year of its implementation will be one of consolidation and integration: while we intend to maintain the focus on accountability for AGDM objectives, we aim to align the framework now quite integrally within the current efforts underway to strengthen accountability and results-based management overall.

I cannot end without a short word about the next presenter. George has been the Director of the DIPS for the last three years. He has been an implacable defender of the principles of protection and a strong advocate, within and outside house, of their resolute implementation. He appreciates as well as any, more than most, the significance of UNHCR's protection mandate to the security and well being of our beneficiary populations. This will stand them and him in good stead in his next assignment as Director of the Africa Bureau. I extend my sincere thanks to him for all the support he has given to me and take this opportunity publicly to wish him every success in this next role.