

**Executive Committee of the
High Commissioner's Programme**

Standing Committee
52nd meeting

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**Draft report of the 51st meeting of the Standing
Committee (21-23 June 2011)**

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I. Introduction

1. The Chairman of the Executive Committee, His Excellency Ambassador Hisham Badr (Egypt), opened the meeting and extended a special welcome to the six new members of the Executive Committee: Bulgaria, Cameroon, Congo, Croatia, Togo and Turkmenistan, elected by the Economic and Social Council on 27 April 2011. The Vice-Chairperson, His Excellency Ambassador Jan Knutsson (Sweden), chaired the meeting during agenda items 5 to 10. Before moving to the adoption of the agenda, the Chairperson provided an oral report on his recent field mission to Thailand and Malaysia.

II. Adoption of the agenda

2. The agenda for the meeting (EC/62/SC/CRP.11/Rev.1) was adopted.

III. Adoption of the draft report of the fiftieth meeting of the Standing Committee

3. The report of the fiftieth meeting of the Standing Committee (EC/62/SC/CRP.10) was adopted, with a small amendment to paragraph 19.

IV. International protection

A. Note on international protection

4. Following an introductory statement by the Assistant High Commissioner (Protection), the Director of the Division of International Protection (DIP) presented the *Note on international protection* (EC/62/SC/CRP.10), recalling the opportunity provided by the commemorations to strategize on legal, policy and practical solutions required to address the challenges of protection in the 21st century.

5. During the debate, more than 40 delegations took the floor. Incidents of *refoulement*, detention, and deaths of migrants and asylum-seekers at sea, as raised in the Note, were condemned. Mixed migration remained a serious challenge, and support was expressed for the 10-Point Plan on Refugee Protection and Mixed Migration and the associated compilation of good practices.

6. Member States expressed concern regarding the prevalence of sexual and gender-based violence, particularly in the Democratic Republic of the Congo, and welcomed UNHCR's efforts to increase protection capacity in this area. Burden-sharing was also a common theme repeated throughout the discussion, with States calling for international solidarity to be translated into practice, noting the resource constraints and security risks faced by host countries, and emphasizing the need to avoid "host-country fatigue".

7. UNHCR was encouraged to redouble its efforts to find solutions to longstanding refugee situations. The Office's focus on comprehensive solutions strategies incorporating voluntary repatriation, resettlement and local integration, received broad support. Establishing linkages with peace and development actors, and targeted partnerships, including with regional organizations, were also seen as key elements in resolving protracted refugee situations and compensating for gaps in the Convention.

8. While a number of delegations recognized the need for strategies to deal with evolving forms of displacement, others urged prudence in this regard and suggested that the Office focus on ensuring more effective implementation of existing tools. Finally, a number of delegations expressed the hope that the commemorations would provide an opportunity for more States to accede to the international refugee and stateless instruments.

9. In his response, the Director acknowledged the many positive developments towards enhancing protection for persons of concern, such as the Quality Initiative in Europe, and the accession by a number of States to core Convention instruments. The Assistant High Commissioner (Protection) acknowledged the concerns raised by non-governmental organizations (NGOs) and looked forward to more in-depth discussions at the upcoming annual NGO Consultations.

B. Note on statelessness

10. The Director of the Division of International Protection introduced the Note on statelessness (EC/62/SC/CRP.13).

11. UNHCR was commended for scaling up its statelessness activities over the past few years and for increasing the number of operations that set objectives related to statelessness. The Office was encouraged to undertake robust performance monitoring and evaluation to measure the impact these activities have in preventing and reducing statelessness and protecting stateless persons. In addition, UNHCR's efforts to improve the accuracy of data on stateless populations received support, and member States who took the floor encouraged other Governments to be transparent and provide accurate baseline data on stateless persons.

12. Concern was expressed by a number of delegations regarding discriminatory nationality laws which limited the ability of women to acquire or transmit citizenship to their children. The importance of birth registration in preventing statelessness among children was also highlighted. In this regard, several delegations expressed the hope of being able to adopt a conclusion on birth registration in the near future.

13. The Director informed delegations that there would be an informal consultative meeting on birth registration in November and hoped that the Executive Committee would be able to negotiate a conclusion the following year.

V. Programme/protection policy

A. Protecting refugee women: promoting gender equality

14. The Deputy Director of the Division of International Protection, responsible for Pillar II (Protection Operational Support), introduced the report on *Protecting refugee women: promoting gender equality* (EC/62/SC/CRP.14). Before her presentation, the Committee heard testimonies from five refugee women on priority protection needs of their respective communities. These priorities included education, reproductive health care, access to justice and legal protection, economic empowerment, adequate water and sanitation, protection against sexual and gender-based violence (SGBV), and safe housing.

15. Delegations emphasized the need to include women in decision making, and men and boys in gender strategies. UNHCR was encouraged to look more closely at men/boys as victims of SGBV, explore the attitudes of men/boys regarding women as leaders of their communities, and view men and boys as agents of change. One delegation pointed out that

it was not simply a matter of increasing the number of women participating in decision-making bodies and processes, but on enhancing their real influence on the decisions being made.

16. Several States regretted the lack of adequate progress in providing sanitary materials to all women and girls of reproductive age and encouraged the Office to do more to meet the commitment made in this respect ten years previously. The provision of childcare facilities was also highlighted as an important element in ensuring economic empowerment. A number of delegations requested that UNHCR include sex-disaggregated data in its programme statistics to ensure that women were receiving their fair share of resources.

17. Regarding engagement with men and boys, the Deputy Director acknowledged that UNHCR had not fully developed this area; however, one good example was the involvement of men in the protection of women in the camps in Guinea. The new SGVB strategy also provided some useful guidance. In conclusion, the Deputy Director said that the Office hoped to build on good examples in the area of gender equality and the protection of women and girls, and stressed the importance of multi-year programming in this regard.

B. HIV/AIDS and Refugees

18. The Director of the Division of Programme Support and Management presented the report on *HIV/AIDS and Refugees* (EC/62/SC/CRP.15/Rev.1).

19. UNHCR was encouraged to do everything possible to increase the inclusion of refugees in countries' national strategic plans, projects and funding proposals to address HIV. Delegations also called for continued efforts to make antiretroviral treatment available to refugees and increase their access to programmes to prevent mother-to-child transmission. Several delegations questioned UNHCR's involvement in improving the HIV response in situations of natural disaster, as mentioned in the paper.

20. Regarding the reference to situations of natural disaster, he explained that in terms of the inter-agency response in the context of UNAIDS, it was the joint responsibility of both UNHCR and the World Food Programme (WFP), under the division of labour in addressing HIV in emergency situations, to ensure that a response to HIV did not fall through the cracks in natural disaster situations.

C. Community Services: towards a community development approach

21. The Deputy Director of the Division of International Protection, responsible for Pillar II (Protection Operational Support), introduced the report on *Community services: towards a community development approach* (EC/62/SC/CRP.16).

22. Delegations expressed concern regarding the observations contained in the paper that: a) the community services role was not clearly defined; b) there had been a steady decline in the number of professional community services posts, with a tendency to create them at the junior level; c) community services functions were not accorded the same importance and were often among the first to be eliminated; and d) community services staff were often not equipped to perform the core functions expected of them. Delegations emphasized the importance of empowering community services staff and of ensuring that protection officers were regularly present in the communities where they worked. Cooperation with development actors was also recommended.

23. In responding to the concerns raised, the Deputy Director acknowledged that despite UNHCR having doubled the number of community services positions in the past ten years, there had been a decline in international positions at the senior level. In addition, as the scope of the community services function greatly surpassed the resources available, there was a need to distinguish between the community services and protection functions, despite obvious convergences.

D. Staff safety and security issues, including refugee security

24. The Director of the Division of Emergency, Security and Supply, accompanied by the Chief of the Field Safety Section, presented the topic *Staff safety and security issues, including refugee security* (EC/62/SC/CRP.17).

25. Delegations expressed appreciation of UNHCR's ongoing efforts to assure the safety and security of staff and persons of concern, welcoming in particular the presence of field safety advisers and the progress achieved in respect of blast assessment and armoured vehicles. UNHCR was encouraged to continue training staff to respond and operate in changing security environments. Some delegations drew attention to the importance of cooperation with United Nations Department of Safety and Security (UNDSS) and other partners, while avoiding duplication of efforts in areas such as training and specialized capacity. Others asked for information on remote management in high risk operations; the apparent fall in the compliance rate of Minimum Operating Security Standards (MOSS) in UNHCR field offices and the estimated costs involved; and the impact of changes in the United Nations Security Management System from a "when to leave" to a "how to stay" approach.

26. In responding, UNHCR assured delegations that the Office was playing an active role in inter-agency fora on security. Expertise shared with other agencies included a blast engineer and hostage negotiators. UNHCR welcomed suggestions to work with the United Kingdom Department of International Development (DFID) and the European Union on developing the Manual for the Security of Persons of Concern. It was explained that the statistics on MOSS compliance appeared low, owing to the opening of over 40 new offices in late 2010, the complexity of making different types of premises compliant, and the timeframe required to put in place all of the security requirements.

E. The role of host countries: the cost and impact of hosting refugees

27. The paper on *The role of host countries: the cost and impact of hosting refugees* (E/62/SC/CRP.18) was presented by the Head of the Policy Development and Evaluation Service (PDES) and the Chief of the Operations Solutions and Transition Section (OSTS) in the Division of Programme Support and Management.

28. Twenty-four delegations took the floor to comment on the importance of acknowledging and assessing the contributions made by hosting countries and how to mitigate the burdens. The proposal to adopt the term "contributing countries" met with mixed reactions, some States expressing reservations that this did not adequately reflect the difference between contributing funds and actually providing the resources and services related to protecting and hosting refugee populations. While recognizing the difficulty of quantifying the costs, whether direct or hidden, many delegations called for further research and criteria for analysis, and looked forward to the results of the study being commissioned by the High Commissioner through the African Centre for Migration and Society based in South Africa. There was also a suggestion to establish a working group on host country contributions as a framework for further deliberations.

29. In summing up, the Head of PDES and Chief of OSTs recalled that UNHCR and partners were undertaking a variety of social, economic and environmental measures to mitigate the impact of hosting refugees, in both urban and rural areas, notably in trying to promote opportunities for livelihoods and other self-reliance solutions. Initial information on results of the study requested by the High Commissioner would be provided at ExCom in October, under the Evaluation agenda item.

F. UNHCR's role in support of an enhanced humanitarian response for the protection of persons affected by natural disasters

30. The Director of the Division of International Protection (DIP) introduced the sub-item on *UNHCR's role in support of an enhanced humanitarian response for the protection of persons affected by natural disasters* (EC/62/SC/CRP.19). His statement was followed by comments from the Chief of the Emergency Services Branch in the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), conveying the full support of the Emergency Relief Coordinator (ERC) and OCHA for the pilot arrangements agreed by the Inter-Agency Standing Committee (IASC) for designating UNHCR as lead agency to coordinate the protection response in situations of natural disaster.

31. Almost half of the delegations who took the floor expressed support in principle (albeit with many reservations related to the desirability or not of UNHCR taking on such additional responsibilities and activities) for the Office to undertake the role of lead agency for the protection of people affected by natural disasters as a pilot arrangement. This was on the understanding that an evaluation would be carried out, full reporting would be delivered to the Standing Committee, and empirical evidence could then be used to assess the resource-related and other implications of such involvement in the longer term.

32. However, the majority of Committee members declared that they were not convinced by the information provided to date. Several delegations encouraged UNHCR to focus primarily on its mandated responsibilities. Others called for further independent evaluation, as well as discussion amongst agencies and States, including at the level of the General Assembly, before assigning these overall protection coordination responsibilities to UNHCR. There was a clear call for postponement of any designation of responsibility as lead agency for protection in situations of natural disaster until outstanding questions were answered.

33. Responding to delegations' comments, the Assistant High Commissioner-Protection, the Director of DIP and the representative of OCHA recognized the concerns expressed, notably about State sovereignty; mandate implications; resources and capacity; and point of disengagement ("exit strategy"). They acknowledged the need to clarify the concept and nature of protection in different natural disaster situations, whether involving refugees or IDPs. They also recalled that the request for UNHCR's engagement in this respect, fully supported by the ERC/OCHA and the IASC, had been based on a keen awareness of a critical lack of predictable response through a single mandated agency, in particular as concerns planning for the protection of affected displaced people at the country level. Moreover, the Office, with 60 years of specific expertise, was considered by all concerned to be best placed to coordinate this response.

34. While appreciating the responses from UNHCR and OCHA, several delegations again took the floor to insist that further clarification be provided and follow-up discussions held before the Committee could envisage endorsing the engagement of UNHCR in a pilot arrangement as lead agency to coordinate the protection response in situations of natural

disaster. There were also suggestions that the problem of gaps in the humanitarian IASC cluster system should be reviewed and evaluated on a broader scale in consultation with States.

35. In conclusion, the Assistant High Commissioner acknowledged the outstanding objections of delegations to approving UNHCR's role in the pilot arrangement. She therefore proposed that further consultations be convened to discuss the question, for which a paper would be prepared to outline why the IASC system was proposing such a role for UNHCR and whether it was desirable for the Office to take this on and move away from the status quo of ad hoc arrangements in situations of natural disaster.

36. The Chairman observed that in the absence of a common understanding on UNHCR's involvement in the proposed pilot arrangement, further explanations and deeper dialogue were called for. He requested UNHCR to come back to the Committee with a proposed framework for such discussions.

VI. Regional activities and global programmes

37. The Director of the Division of Programme Support and Management (DPSM) introduced the topic of *Technical integrity of UNHCR's programmes* (EC/62/SC/CRP.20).

38. Three delegations commented on the challenges of finding experienced and qualified staff in order to strengthen UNHCR's capacity to manage technical sectors and to maintain standards of services to beneficiaries over time. The Director reported that UNHCR was incorporating quality indicators into its programming tools and seeking beneficiary feedback on the quality of its services.

VII. Management, financial control, administrative oversight and human resources

A. Update on the introduction of International Public Sector Accounting Standards (IPSAS)

39. The Controller presented the *Update on the introduction of International Public Sector Accounting Standards (IPSAS)* (EC/62/SC/CRP.21). Welcoming the fact that the Office was benefitting from lessons learned by other organizations, one delegation sought information on the review of IPSAS implementation in UNHCR to be undertaken by the incoming team of auditors. The Controller confirmed that this was scheduled to begin in July.

B. Funding end-of-service and post-retirement benefits

40. The Controller introduced the report on *Funding of end-of-service and post-retirement benefits* (EC/62/SC/CRP.23), noting that the text of the decision contained in the Annex to that paper incorporated suggestions made by delegations in previous meetings, including at the 50th meeting of the Standing Committee in March 2011 and at the informal consultative meeting on the subject in September 2010.

41. Delegations sought clarification on a number of issues, notably the methodology for determining the amount of the liabilities and the amounts to be allocated to the reserves proposed. Following responses by the Controller and discussion of several proposed

amendments to the draft decision contained in the conference room paper, the Committee adopted a decision on funding of end-of-service and post-retirement liabilities (see Annex I to the present document).

C. Establishment of an Independent Audit and Oversight Committee

42. The Deputy High Commissioner introduced the paper on the *Establishment of an Independent Audit and Oversight Committee* (EC/62/SC/CRP.24/Rev.1), noting that the document reflected the comments and concerns made at the 50th meeting of the Standing Committee in March 2011, as well as in a number of Informal Consultative Meetings on the subject.

43. A number of additional suggestions and requests for further changes were made during the discussion, relating mainly to the selection and appointment procedures for the members of the Independent Audit and Oversight Committee, contained in Annex II. At the end of this sub-item, the Committee adopted a decision on the establishment of an Independent Audit and Oversight Committee, as presented in EC/62/SC/CRP.24/Rev.2, Annex II, which was issued following the meeting (see Annex II to the present document).

D. Oral update on UNHCR's structural management change process

44. The Deputy High Commissioner provided an oral update on UNHCR's structural management change process, including on results based programming, the global strategic priorities, human resources management, the restructuring of the Division of Information Systems and Telecommunications, and the regionalization and decentralization process.

VIII. Programme budgets and funding

A. Update on budgets and funding in 2010 and 2011

45. The *Update on budgets and funding in 2010 and 2011* (EC/62/SC/CRP.22) was presented jointly by the Controller and Director of the Division of Financial and Administrative Management, and the Director of the Division of External Relations.

46. The late issuance of the paper was regretted, but delegations expressed appreciation for the information provided, in particular on the supplementary budgets. Some concerns were voiced over funding gaps for a number of refugee and IDP situations where there were pressing needs.

47. At the end of this sub-item, the Committee adopted a decision on overall programme budgets and funding for 2011 (see Annex III).

B. Global Report on activities in 2010

48. The Director of the Division of External Relations explained that the publication of the *UNHCR Global Report 2010* had been delayed owing to the date of closure of the 2010 accounts. An electronic version in English was already available on UNHCR's website and the Director offered to provide a detailed presentation at a later date, if required.

IX. Coordination

49. The Director of the Division of External Relations provided a summary of Elements for UNHCR's oral update to the 2011 substantive session of the Economic and Social Council (ECOSOC), which included efforts to improve humanitarian response, including internally and in the context of the Inter-Agency Standing Committee (IASC); initiatives launched with other United Nations agencies and partners to find solutions to protracted situations; and strengthened partnerships with national and international NGOs, which complimented UNHCR's own capacities.

X. Governance

50. In the interest of time, the Chairman suggested that any proposals on topics for inclusion in the High Commissioner's statement to the Executive Committee be transmitted in writing to the Secretary.

XI. Any other business

51. The Director of the Division of External Relations provided a short briefing on the current year's Nansen Awards Ceremony, which would take place in the evening of 3 October 2011, the opening day of the 62nd plenary session of the Executive Committee.

Annex I

Decision on funding of end-of-service and post-retirement liabilities

The Standing Committee,

Recalling the information provided by UNHCR on the funding of end-of-service and post-retirement liabilities at its previous meetings, including during the Informal Consultative Meeting held on 1 September 2010,

Conscious of the recommendations of the United Nations Board of Auditors that UNHCR establish specific funding for its accrued end-of-service and post-retirement liabilities,

Having considered the various options for funding a reserve, and taking into account best practices throughout the United Nations system,

1. *Acknowledges* that UNHCR needs to commence funding its liabilities for end-of-service and post-retirement benefits in order to mitigate against related financial risks and to avoid an audit qualification;
2. *Recognizes* that UNHCR does not need to fully fund the liabilities at once, but may do so over a period of time at a level that is considered prudent, while taking into consideration the need to maintain an adequate level of funds to meet operational priorities;
3. *Decides* that, in order to start building a reserve for funding after-service health insurance liabilities, a monthly payroll charge of 3 per cent shall be applied to the net base salary of all professional staff and of relevant general service staff, with effect from 1 January 2012;
4. *Decides* that, in order to start building a reserve for funding repatriation benefits, a maximum of \$2.0 million of staff costs savings will be allocated, if available, on an annual basis, with effect from 1 January 2012, and asks UNHCR to report annually on the use of this reserve and its replenishment needs;
5. *Decides* that UNHCR will provide further information on the scope of future after-service liabilities, and will report back to the Standing Committee during the first half of 2012;
6. *Notes* that a formal review will be undertaken every two years, in consultation with the United Nations Board of Auditors, to assess the assumptions and projections against the reserves held, and to make any required adjustments on a biennial basis, in line with the budget cycle and audit recommendations. This review should take into account any relevant United Nations General Assembly discussions on funding after-service liabilities that have taken place in the interim.

Annex II

Decision on the establishment of an Independent Audit and Oversight Committee

The Standing Committee,

Having considered the report by the independent Steering Committee¹ containing the review of governance and oversight within the United Nations, as well as the relevant resolutions adopted by the United Nations General Assembly on the establishment of an Independent Audit Advisory Committee,²

Taking into account the recommendations of the United Nations Board of Auditors and the United Nations Joint Inspection Unit, as well as best practices from throughout the United Nations system and the public and private sectors,

Having considered the debate on this issue at the fiftieth and fifty-first meetings of the Standing Committee,

1. *Agrees* to the establishment of an Independent Audit and Oversight Committee to assist the High Commissioner and the Executive Committee in the exercise of their oversight responsibilities in accordance with relevant best practices, industry standards and the financial rules and staff regulations and rules applicable to UNHCR;
2. *Adopts* the Terms of Reference as presented in Annex I of EC/62/SC/CRP.24/Rev.2;
3. *Invites* the Office of the High Commissioner to commence the recruitment procedure for the external members of the Committee as soon as possible, and to involve the Executive Committee closely in the appointment process;
4. *Looks* forward to the Committee's external, independent, senior-level advice regarding the functioning of audit and oversight in UNHCR; and
5. *Decides* to review the Terms of Reference before the end of the sixty-fourth session of the Executive Committee, preferably by June 2013 at the latest.

¹ A/60/883/Add.1 and A/60/883/Add.2.

² A/RES/60/248 and A/RES/61/275.

Annex III

Decision on overall programme budgets and funding for 2011

The Standing Committee,

Recalling the Executive Committee's decision at its sixty-first session on administrative, financial and programme matters (A/AC.96/1087), as well as its discussions under the programme budgets and funding item at the forty-ninth meeting of the Standing Committee,

Reaffirming the importance of international burden and responsibility-sharing in reducing the burden on countries hosting refugees, especially developing ones,

1. *Recalls* that the Executive Committee, at its sixty-first session, approved programmes and budgets for Regional Programmes, Global Programmes and Headquarters under UNHCR's 2010-2011 Revised Biennial Programme Budget amounting to \$3,069.5 million in 2011 including the United Nations Regular Budget contribution towards headquarters costs, an Operational Reserve (representing 10 per cent of programmed activities under Pillars I and II) of \$219.3 million and an amount of \$20 million for the "New or additional activities – mandate-related" Reserve; and *notes* that these provisions, together with those of \$12.0 million for Junior Professional Officers in 2011 brought total requirements for 2011 to \$3,320.8 million;
 2. *Notes* that the 2011 supplementary budgets currently amount to \$419.2 million for programmes benefiting refugees and internally displaced persons (IDPs), and other persons of concern to the Office;
 3. *Takes note* of an increase to UNHCR's 2011 Annual Budget amounting to \$419.2 million, thereby bringing the revised 2011 Annual Budget to a level of \$3,740.0 million;
 4. *Recognizes* that emergencies and unforeseen activities unfolding in 2011 may result in the need for additional or expanded supplementary budgets and that additional resources, over and above those for existing budgets, would be needed to meet such needs;
 5. *Notes* that projected income for the year 2011 reveals a shortfall of \$1,579.1 million under the Annual Budget; and
 6. *Urges* Member States to continue to respond generously, in a spirit of solidarity and in a timely manner, to the High Commissioner's appeal for resources to meet in full the approved 2011 Annual Budget.
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