



## Still minding the gap?

A review of efforts to link  
relief and development in  
situations of human  
displacement, 2001-2012

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## Executive summary

For UNHCR, the issue of involving development actors in the search for durable solutions for persons displaced by conflict, namely refugees, has a long history stretching back to the early 1980s, in particular the International Conference on Assistance to Refugees in Africa (ICARA) in 1984. More recently, especially after the UN Humanitarian Response Review of 2005, internally displaced persons have also become a regular, though distinct, feature of the search for durable solution. In addition, since late 2008, protracted refugee situations have become a focus of attention in the work of UNHCR, not only in terms of durable solutions, but also in promoting, with the help of development actors, a degree of self-reliance through livelihood activities.

An overview of UNHCR's initiatives to involve development actors from their beginnings up to the Brookings Roundtable in 1999 was the subject of a UNHCR study in 2001. This present paper complements that work by studying the same subject during the period 2001-2012.

The integration/reintegration of conflict-affected populations in their country of origin is recognized as one of the more important aspects of the transition from relief to development and as an integral part of peacebuilding. The international community has become more sensitized to development challenges posed by conflict and displacement; this is inter alia reflected in the *Principles for Good International Engagement in Fragile States and Situations* adopted in 2007.

Within the timeframe of this study, as can be seen from Annex 2, much seemingly has been accomplished in terms of policy papers, deliberations in ECOSOC and other fora, guidelines and tools, and new initiatives; but their impact on the ground has been notably limited. However, since 2008, one can see an added momentum to address this "gap" between rhetoric and reality. This paper attempts to account for this. While there might be a range of reasons for this discrepancy, one nodal one is the lack of predictable funding for transition initiatives.

In spite of the creation of special transitional funding mechanisms, one still is confronted with a phenomenon of "aid orphans" created by risk-adverse development partners. The subtitle of the 2011 OECD/DAC monitoring survey of the implementation of the Principles for Engagement in Fragile States and Situations is: *Can't we do better?* This could be the subtitle of this overview of UNHCR's efforts (2001-2012) to engage development actors in the search for durable solutions for those displaced by conflict.



# Introduction

1. The present study looks at developments in the areas of policy and process during the period 2001-2012 that sought to address “the gap(s)” that work against a smooth transition from humanitarian relief to development. This study is written primarily from the perspective of UNHCR, and mainly<sup>1</sup> in relation to its efforts to engage development actors in the search for durable solutions<sup>2</sup> to the plight of people forcibly displaced by conflict,<sup>3</sup> especially for those who have been living in protracted situations of displacement.<sup>4</sup> This study thus complements an earlier one undertaken by UNHCR in 2001.<sup>5</sup>
2. The issue of the gap(s), or put more positively, the need for relevant linkages, to better ensure the transition from relief (humanitarian activities) to development, has now become a recurring theme, especially in deliberations on post-conflict early recovery. Although post-conflict situations still dominate reflections on early recovery and peacebuilding, the specificities of post-disaster situations (e.g. hurricanes, earthquakes, etc.), as well as the impact of slow-impact natural disasters such as drought, have now also been recognized. Thus, UNHCR’s main interest in the reintegration of returnees (either IDPs or refugees), or local integration, particularly of refugees in protracted situations, is only one element of many that now occupy the attention of the international community in addressing the subject of transition from relief to development.<sup>6</sup>
3. In the period covered by this present study, there has been a notable growth of interest in the broad subject of the transition from relief to development, especially in situations of post-conflict and fragility.<sup>7</sup> The Timeframe at Annex 2 to this paper is witness to this

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<sup>1</sup> The word “mainly” is intended to flag the primary thrust of this study, namely the contribution of development and humanitarian actors to durable solutions; however, another important issue is their contribution towards a reasonable degree of self-reliance of those displaced through livelihood activities, while awaiting a durable solution.

<sup>2</sup> The term “durable solutions”, in relation to refugees, refers to any one of three possible outcomes: voluntary repatriation (and reintegration, generally, in the area of origin); local integration; and resettlement to a safe third country (UNHCR, *Agenda for Protection*, Third edition, October 2003, p. 73-81). In relation to internally displaced persons (IDPs), a durable situation could be sustainable reintegration in the place of origin, or local integration in the place where they are currently situated; or settlement in another part of the country (A/HRC/13/21/Add.4 of 9 February 2010).

<sup>3</sup> This paper focuses on relief to development in *post-conflict* situations. As such, it does not address transitions following on from sudden-onset natural disasters, or the particular challenges posed by slow-onset droughts. For the categorization of natural hazard-induced disasters, see *Displacement due to hazard-induced natural disasters, Global estimates for 2009 and 2010*, IDMC, NRC, June 2011.

<sup>4</sup> UNHCR describes a protracted refugee situation as one in which a refugee population of 25,000 persons or more has been living in exile for five years or longer in a developing country. This definition does not include Palestinian refugees who are under the mandate of UNRWA. See *Protracted refugee situations*, EC/54/SC/CRP.14, June 2004.

<sup>5</sup> Jeff Crisp, “Mind the gap! UNHCR, humanitarian assistance and the development process”, *New Issues in Refugee Research*, Working Paper No. 43, UNHCR, May 2001.

<sup>6</sup> UNHCR has also of late considered its role in relation to natural disasters. See Bryan Deschamp, Michelle Azorbo and Sebastian Lohse (2010) *Earth, wind and fire: A review of UNHCR's role in recent natural disasters*, PDES/2010/06. Geneva: UNHCR ([www.unhcr.org](http://www.unhcr.org)).

<sup>7</sup> Fragile States are described by the World Bank as countries facing particularly severe development challenges: weak institutional capacity, poor governance, and political instability. Often these countries experience ongoing violence as the residue of past severe conflict. Ongoing armed conflicts affect three out of four fragile states. For more on the definitions of conflict and fragility, see the World Bank website:

sustained interest. But one may ask: To what avail? One commentator, writing in 2008, noted that:

The international community has long been concerned with the need to strengthen the synergies between humanitarian and development assistance and improve the transition from relief to recovery and, ultimately, to longer-term development. Over the past decade, efforts to address the 'gap' between humanitarian and development, such as the 'relief-development continuum' and 'linking relief, rehabilitation and development', have resulted in significant discussion but little substantive impact.<sup>8</sup>

4. This paper will argue that, generally speaking, this observation is valid for the period covered by this study, namely 2001-2012. However, starting with the adoption of UN General Assembly Resolution 62/208 of 19 December 2007 on the *Triennial Comprehensive Policy Review*, with a more results-based orientation on issues covered, including the transition from relief to development, one senses an added seriousness in the international community in addressing transition issues, including forced displacement and durable solutions.

5. In fact, in the period 2008-2012, there have been a series of developments that taken together augur well for progress in relation to addressing the gap(s) between relief and development. In October 2008, the World Bank and the United Nations agreed on a *Partnership Framework for Crisis and Post-Crisis Situations*. Another indicator of the growing appreciation of conflict and forced displacement as factors working against development is the World Bank's 2011 World Development Report on *Conflict, Security and Development*.

6. This conviction about the interactive relationship between peace, durable solutions and development, also underpins the work of the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD) in the area of fragility and conflict. The establishment of an International Network on Conflict and Fragility (INCAF) in December 2009 as a subsidiary body of the OECD/DAC has given increased focus to the challenges presented by conflict and fragility for States transiting from relief to development.

7. To conclude the list of initiatives that have contributed to an enhanced understanding of transitions in a post-conflict situation over the last few years, one can point to the significant study undertaken by INCAF at the request of the OECD/DAC and the Secretary-General of the United Nations: *DAC Guidelines on Post-Conflict Transitions: International Support to Post-Conflict Transitions: Rethinking Policy, Changing Practice* (18 April 2012).

8. This paper will seek to assess the relevance of the key initiatives mentioned above, and those listed in Annex 2, for UNHCR's efforts to engage development actors in support of national authorities in the search for durable solutions. In doing this, it will make reference to three countries as case studies: Tanzania, Burundi and Pakistan.<sup>9</sup> The engagement of development actors in these three countries in support of those forcibly displaced by conflict had various objectives, including the local integration of refugees (Tanzania); the reintegration of returning refugees (Burundi); and assistance to areas hosting refugees,

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<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/STRATEGIES/EXTLICUS/0,contentMDK:22230573~pagePK:64171531~menuPK:4448982~piPK:64171507~theSitePK:511778,00.html>

<sup>8</sup> Sara Pavanello, *What does 'early recovery' mean?* November 24, 2008. See:

<http://blogs.odg.org.uk/blogs/main/archive/2008/11/24/5717.aspx>

<sup>9</sup> See Annexe 4.

especially through livelihood activities for both refugees and the local population, as well as mitigating the socio-economic impact of the large numbers of refugees (Pakistan). In this way, one has a more comprehensive picture of the potential contribution of development actors in bridging the gap(s) between relief and development.



## The broader context

9. UNHCR's search for durable solutions for those forcibly displaced needs to be looked at in a broader context. This broader perspective is important for UNHCR so that it can more strategically tap the resources of the UN system, be they structures, processes, or funding, in its search for durable solutions. This broader context can be studied from the point of view of objectives and *modus operandi*:

- the objective of durable solutions for the forcibly displaced as one essential element in the transition from relief to development;
- UNHCR's activities in regard to durable solutions as part of a broader coalition of actors working towards peace and stability, as foundations for development.

### Durable solutions, peacebuilding and development

10. The international community's concern in ensuring a smooth transition from relief to development in---- countries emerging from conflict has broader objectives than simply the search for durable solutions for those forcibly displaced. Its goal is primarily that of peace and stability. As noted in the 2004 Report of the UNDG/ECHA Working Group on Transition Issues, consolidating peace is the overarching aim of transition. The Report goes on to say:

The foundations for consolidating peace consist, in particular, of the rapid establishment of security and stability, encompassing as appropriate various measures for reform of the apparatus of state (e.g. policing) and institutions of government. This would include systems of justice and transitional justice, rule of law, protection of human rights, reconciliation among communities, DDDR,<sup>10</sup> and a social, legal and economic climate conducive to the safe and voluntary return and reintegration of refugees and IDPs.<sup>11</sup>

11. On 11 June 2009, the Secretary-General issued a report on peacebuilding in the immediate aftermath of conflict. He chose the reintegration of returnees as one of the five recurring priority areas in peacebuilding where he wanted to make significant progress.<sup>12</sup> On 4 October 2011, a meeting of the Secretary-General's Policy Committee took a Decision (No. 2011/20) on *Durable Solutions: Follow up to the Secretary-General's 2009 Report on Peacekeeping*.

12. The multiple aspects of the transition from relief to development, and more specifically to the subject of durable solutions, might be seen in the Annex to this Decision where the potential roles of some 12 agencies, funds and programmes are set out.<sup>13</sup> A comparison with

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<sup>10</sup> Disarmament, Demobilization, Rehabilitation, Reintegration.

<sup>11</sup> UNDG/ECHA (2004), *op. cit.*, para 29.

<sup>12</sup> A/63/881-S/2009/304, para. 17.

<sup>13</sup> OCHA, UNDP and UNHCR led the process for developing the Framework for "Ending Displacement in the Aftermath of Conflict". Contributions to the search for durable solutions are set out for the following agencies (in support of national governments and regional and local authorities): UNHCR, FAO, WFP, UNICEF, UNDP, IOM, ILO, UNEP, UNESCO, UNIDO, The World Bank, OHCHR.

an earlier (October 2004) UNDG *Guidance Note on Durable Solutions* shows a more comprehensive approach to this subject in the Policy Committee's document.<sup>14</sup>

13. Moreover, in addition to the goal of peacebuilding, there is the recognition that unless the issue of the forcibly displaced is addressed, there will be no meaningful sustainable development. Both peacebuilding and development are needed for statebuilding. The World Bank Operation Policy 2.30 of 2001 and its revision of March 2012 on *Development Cooperation and Conflict* noted that in relation to countries transitioning from conflict, the key efforts in support of the general policy objective of economic and social recovery include the reintegration of refugees as well as other conflict-affected populations (e.g. IDPs) into the economy.<sup>15</sup>

### **UNHCR as part of a larger team**

14. For UNHCR, the search for durable solutions for those of concern to the Office of the High Commissioner for Refugees lies at the heart of its protection mandate; hence, a durable solution, in its fullest legal and social expression, is an end in itself as it represents the ultimate form of protection. However, UNHCR's approach to, and discourse about, "the gap" has tended to be overly focused or, depending on one's perspective, rather narrow.<sup>16</sup>

15. UNHCR's strong conviction of its unique mandate has both positive and negative consequences. These are reflected in the different evaluations undertaken by donor partners of multilateral organizations.<sup>17</sup> Among the positive findings on UNHCR is its recognized high level of operational capacity with a strong focus on results; among the negative is its ambivalence, even at times resistance, to coordination initiatives of the United Nations. As stated in the 2011 DFID evaluation of UNHCR:<sup>18</sup>

UNHCR is uniquely mandated and has expertise in providing protection and assistance to displaced persons. [...] While UNHCR has improved considerably, the agency still needs to actively participate in the reformed humanitarian leadership, coordination and financing systems.

16. UNHCR's own studies of its relationship to "Integrated Missions"<sup>19</sup> and "Delivering as One Pilots"<sup>20</sup> tend to support the above observation about ambivalence. The challenge for UNHCR is to pursue its unique mandate which, at times, might require a discordant voice vis-à-vis government policies related to protection (as opposed to the hoped for "One UN Voice"), while working alongside and contributing to the work of the UN country team (UNCT), especially in relation to durable solutions.

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<sup>14</sup> See: <http://www.undg.org/index.cfm?P=16>

<sup>15</sup> The World Bank Operation Policy 2.30, Note 16.

<sup>16</sup> Some in the UN system feel that UNHCR's interest in the question is mainly one of how to access development sources of funding, a claim seemingly supported by the high profile of the UNHCR's Donor Relations and Resources Mobilization Service (DRRMS) on the Transitional Solutions Initiative (TSI), the latest initiative to address "the gap". Whatever the validity of this perception, the reality is that without resources nothing can be achieved to bridge "the gap". The TSI is discussed further on in this paper.

<sup>17</sup> See OECD/DAC's Overview of work on multilateral effectiveness:

<http://www.oecd.org/dac/evaluationofdevelopmentprogrammes/dcdndep/overviewofworkonmultilateraleffectiveness.htm>

<sup>18</sup> <http://www.dfid.gov.uk/What-we-do/Who-we-work-with/Multilateral-agencies/Multilateral-Aid-Review-summary---United-Nations-High-Commission-for-Refugees-UNHCR/>

<sup>19</sup> UNHCR, PDES/2009/04: *UNHCR's engagement with integrated UN missions. A report of a lessons-learned workshop*, August 2009.

<sup>20</sup> UNHCR; PDES/2008/1: *UNHCR's engagement in Delivering as One pilots. An informal stocktaking*, December 2007.

## Conceptual maze

17. A “conceptual maze” is the phrase used in a recent study to describe the confusion that exists over the terminology and concepts employed in the discourse on the transition from relief to development and the financing of the transition:<sup>21</sup>

When describing and addressing the problems of the transition gap and the disconnect between humanitarian and development assistance, donors and practitioners are moving in a conceptual maze. Where, for example, do relief, recovery and development start and where do they end? And what exactly do the different concepts for connecting these forms of assistance, from linking relief, rehabilitation and development (LRRD) to early recovery and developmental relief, entail?

Since many, if not most of these concepts lack clear, universally accepted definitions, establishing clear definitions of the terms and clarifying their usage in the international debate is a first necessary step in order to sharpen a funding instrument’s focus and strengthen links between different forms of assistance.<sup>22</sup>

### **The discontinued continuum**

18. Fundamental to any discussion about “the gap(s)” is a correct understanding of transition in a post-conflict situation. In the period under review in this paper, there was further progress on this issue, beginning with the setting up in 2002 of a Joint Working Group on Transition Issues by the United Nations Development Group (UNDG) and the Executive Committee for Humanitarian Affairs (ECHA). These two bodies had been created in 1997 as part of the Secretary-General’s UN reform initiatives. The Joint Working Group presented its aforementioned Report in February 2004. In this report, it gave the following agreed definition, or rather a description, of “transition”:

For the UN, transition refers to the period in a crisis when external assistance is most crucial in supporting or underpinning still fragile cease-fires or peace processes by helping to create the conditions for political stability, security, justice and social equity.<sup>23</sup>

The report went on to note that:

While in the past, transition processes were largely regarded as sequential or a continuum from relief to development or even from conflict to peace, it is now increasingly recognised that these facets exist simultaneously, at varying levels of intensity, susceptibility to reversals, and opportunity. Planning in transition situations must, therefore, anticipate that things can get worse before they can get better. Such contingencies and their security

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<sup>21</sup> J. Steets, with contributions from Domenica Preysing and Gilla Shapiro (2011) *Donor Strategies for Addressing the Transition Gap and Linking Humanitarian and Development Assistance. A Contribution to the International Debate*. Final Report. Berlin: GPPi.

<sup>22</sup> *Idem*, p. 8.

<sup>23</sup> UNDG/ECHA (2004), *op. cit.*, p. 6.

implications must be planned for, with a view to preventing or mitigating a relapse into conflict, protecting civilians, and protecting staff. This requires flexibility in the UN's operational response and in donor funding decisions.<sup>24</sup>

19. The history of this issue, the *continuum*, goes back a long way to the 1980s,<sup>25</sup> but for the purposes of this paper, it is sufficient to refer to the key General Assembly Resolution 46/182 of 19 December 1991 on the *Strengthening of the Coordination of Emergency Humanitarian Assistance of the United Nations*. In the annex to this resolution, there is a section dealing with the *Continuum from Relief to Rehabilitation and Development* (Section VII) which states that:

International cooperation and support for rehabilitation and reconstruction should continue with sustained intensity after the initial relief stage. (par. 41)

20. This statement and the title of the sub-section have been interpreted as implying a linear progression from relief to development. However, in his 1995 report on the same subject, the Secretary-General noted that:

"[u]ntil recently, traditional wisdom argued that responsibility for the convalescence of a society was transferred from humanitarian actors to development partners in a linear progression along what was called the 'relief to development continuum'. The assumption was that such baton hand-overs could be accomplished smoothly and that donor momentum or interest would remain constant throughout the process [...]. The experiences of Rwanda, Somalia and the Sudan, as well as concerns about the future of such ongoing operations as those in Angola reveal a fundamental flaw in the traditional notion of a relief to development continuum."<sup>26</sup>

21. This more nuanced understanding of the *continuum* is important for a range of reasons, not least for strategic planning, implementation and resourcing of transitions in post-conflict situations.

22. A fluidity as to the meaning of key terms and concepts was also noted by the UNDG/ECHA Joint Working Group. It commented that while the interchangeable use of the terms "rehabilitation," "reconstruction" and "recovery" had little practical impact in transition contexts, the definition of these terms could have serious implications to the extent that they may affect donor policies and funding decisions.<sup>27</sup>

23. The confusion in regards to terminology is particularly evident in regard to another concept, namely that of "early recovery", a key term in current discussions on the transition from relief to development.

### **Early recovery**

24. The Humanitarian Response Review commissioned by the Emergency Relief Coordinator and undertaken by a small team of consultants, presented its Report in August 2005. The IASC in response to the Review, inter alia, set out an initial list of 9 clusters (subsequently expanded to 12) and the respective Global Lead Agencies, and related Lead

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<sup>24</sup> *Idem*, p. 6.

<sup>25</sup> M. Buchanan-Smith, and S. Maxwell (1994) "Linking Relief and Development: An Introduction and an Overview". *IDS Bulletin* 24.

<sup>26</sup> A/50/203-E/1995/79 of 14 June 1995, para. 130.

<sup>27</sup> UNDG/ECHA (2004), *op. cit*, para. 32.

Agencies at the local level. Among these clusters, and of relevance to this report, is that of Early Recovery.

25. The Cluster Working Group on Early Recovery defines it as follows:

Early recovery is a multidimensional process of recovery that begins in a humanitarian setting. It is guided by development principles that seek to build on humanitarian programmes and to catalyse sustainable development opportunities. It aims to generate self-sustaining, nationally owned, resilient processes for post crisis recovery. It encompasses the restoration of basic services, livelihoods, shelter, governance, security and rule of law, environment and social dimensions, including the reintegration of displaced populations.<sup>28</sup>

26. The role of the Early Recovery Cluster from its beginnings in 2006 up until now has been bedeviled by debate and confusion. Is it a cluster with a specific content, even as a “left-overs” cluster grouping issues not covered in a specific crisis or disaster, or a cross-cutting theme for all other clusters? Or is it both?

27. In October 2008, the Danish Ministry of Foreign Affairs and the United Nations Development Programme co-sponsored in Copenhagen a Practitioners’ and Policy Forum on “Early Recovery – Addressing Gaps and Dilemmas Together”. This Forum had before it a study by the New York Center on International Cooperation (CIC) entitled “Recovering from War. Gaps in Early Action”.<sup>29</sup> This study noted the following in regard to definitions:

The usage of the term ‘early recovery’ is diverse and confused. It can refer both to response to disaster and conflict; to phases that are prior to the cessation of hostilities, and often (loosely) for much later action. The most frequently referenced definition is UNDP’s, which incorporates pre-peace agreement action and highlights the socio-economic elements of recovery, less so political and security elements.<sup>30</sup>

28. A cautious note sounded by one commentator on the 2008 Copenhagen Forum referred to above, would appear to be still valid:

The early recovery approach represents the latest expression of ‘linking’ debates, but to move the decades-long debates to concrete solutions and actions in the field it is important that earlier mistakes are not repeated. This would mean that more significant efforts should be made to clarify this relatively new concept both at conceptual and programmatic levels.<sup>31</sup>

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<sup>28</sup> Extract from Guidance Note on Early Recovery prepared by the IASC Cluster Working Group, (October 2007).

<sup>29</sup> Chandran, R., B. Jones and N. Smith, with Y. Funaki and G. Sorensen (2008) *Recovering from War: Gaps in Early Action*. New York: CIC.

<sup>30</sup> *Idem*, p. 4-5.

<sup>31</sup> Sara Pavanello, *What does ‘early recovery’ mean?* November 24, 2008.



## Developments in bridging the gap

29. UNHCR's catalytic work in relation to bridging the gap in the period under review (2001-2012) has been occasioned and facilitated, to varying degrees, by a range of initiatives, especially the following:

- ECOSOC, General Assembly deliberations and resolutions;
- the UN reform process;
- the elaboration of an architecture for peacebuilding;
- multilateral Banks, especially the World Bank's focus on conflict and fragility as factors inhibiting development;
- various OECD/DAC initiatives on aid effectiveness,<sup>32</sup> especially in relation to fragile states.

30. This paper will assess the relevance of the above factors for bridging the gap between relief and development, in particular for UNHCR's efforts to engage development actors in the search for durable solutions.

### **Deliberations and resolutions of the ECOSOC and the GA**

31. From the point of view of ascertaining the positions of the international community on the transition from relief to development, a privileged source is the related discussions and resolutions of ECOSOC. Its Substantive Session has five main components: the High-level Segment; the Coordination Segment; the Operational Activities Segment; the Humanitarian Affairs Segment; and the General Segment. The interconnectedness of relief and development is mainly considered in the Humanitarian Affairs Segment and the Operational Activities Segment.<sup>33</sup>

#### *ECOSOC 2001: selective funding*

32. In 2001, at the outset of the period covered in this paper, during the Substantive Session of ECOSOC, in the segment dedicated to Operational Activities, the report of the Secretary-General on the Triennial Comprehensive Policy Review (TCPR) of Operational Activities for Development undertaken by the United Nations System,<sup>34</sup> was considered. In the report of the Secretary-General to the 2001 ECOSOC Substantive Session (E/2001/66), it was noted that UN country teams (UNCTs) consulted in preparation for the Triennial Comprehensive Policy Review had mixed feelings on the effectiveness of the interactions

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<sup>32</sup> The Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD) was established in January 1960; it was initially called the Development Assistance Group (DAG).

<sup>33</sup> The Humanitarian Affairs Segment of ECOSOC was introduced only in 1989.

<sup>34</sup> E/2001/66 of 17 May 2001. This report is complemented by other related reports of the Secretary-General, *inter alia*, that on progress in the implementation of the multi-year funding frameworks and the evaluation of the United Nations Development Assistance Framework (A/56/70-E/2001/58).

among relief, development and the political and peace operations of the United Nations, as well as of the linkages among the Consolidated Appeals Process (CAP) and the Common Country Assessment (CCA) and the United Nations Development Assistance Framework (UNDAF) processes.<sup>35</sup>

33. On 6 July 2001, there was an exchange of views between a number of the Heads of United Nations Agencies (UNDP, UNFPA, UNICEF, WFP) on the subject of the transition from relief to development. In this exchange of views, the then Executive Director of the World Food Programme, Catherine Bertini, noted that

[a]s for the linkage between relief and development discussed in the document circulated at the meeting,<sup>36</sup> it in fact existed only on paper.”<sup>37</sup> [...] “No one could claim progress was being made in the discussion on the continuity between relief and development as long as the guiding logic was one of selective intervention and there was no structure in place to mobilize the resources needed to support the recovery effort.”<sup>38</sup>

34. Still in 2001, ECOSOC’s Humanitarian Affairs Segment<sup>39</sup> focused on the theme of “Strengthening the Coordination of the Emergency Humanitarian Assistance of the United Nations”. The Council had before it a report of the Secretary-General on this theme.<sup>40</sup> The question of linkages between humanitarian assistance and development was discussed. It noted the need for sustaining humanitarian gains by having mechanisms for funding the smooth transition from relief to development.<sup>41</sup>

35. In 2002, ECOSOC Resolution 2002/32,<sup>42</sup> pointed to the need for governments, when providing advice through governing boards of the United Nations system, including agencies, funds and programmes, to articulate the respective responsibilities for the transition from relief to development.

36. In the 2003 Humanitarian Segment of ECOSOC’s Substantive Session, in a Panel discussion of “The Transition from Relief to Development” on 11 July, Ms Carolyn McAskie, the then Deputy Emergency Relief Coordinator, cited the sobering statistic that almost two out of three countries emerging from war slipped back into conflict once again.<sup>43</sup>

#### 2004 TCPR

37. In 2004, there was a panel discussion in ECOSOC on a recent evaluation of the Common Country Assessment (CCA) and the United Nations Development Assistance Framework (UNDAF). The Department of Economic and Social Affairs (DESA) undertook this evaluation. Its findings are presented in summary form in the report of the Secretary-General on the TCPR (document A/59/85-E/2004/68).

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<sup>35</sup> *Idem*, para. 141.

<sup>36</sup> The particular paper she is referring to is not clear; possibly it is E/2001/CRP.1.

<sup>37</sup> ECOSOC Summary Records, E/2001/SR. 18, p. 3.

<sup>38</sup> *Idem*, p. 4.

<sup>39</sup> ECOSOC/5990 (30 July 2001). See also the Summary Records of this Segment (E/2001/SR. 22-26).

<sup>40</sup> A/56/95-E/2001/85 of 18 June 2001.

<sup>41</sup> A summary of the plenary debate and the panel discussions may be found in the ECOSOC report to the General Assembly: A/56/3/Rev.1, Chapter VI, pp. 36-40.

<sup>42</sup> E/2002/32, para. 10.

<sup>43</sup> E/2003/SR 32.

38. The evaluation noted a proliferation of actors involved in development cooperation meant that there was also a multiplicity of country-based diagnostic instruments and planning or cooperation frameworks, in addition to the CCA and the UNDAF. These needed to be integrated with national frameworks that define countries' priorities, strategies and policies.

39. During the Humanitarian Segment on 12 July 2004,<sup>44</sup> the representative of Canada stated that the transition to development must be managed more effectively and that the related challenges necessitated significant political engagement, adequate resources and the commitment of all partners to effective cooperation. More particularly, it was pointed out that some of the principles of the Good Humanitarian Donorship Initiative apply to the transition from relief to development.<sup>45</sup>

#### *2007 TCPR*

40. The Report of the Secretary-General for the 2007 Triennial Comprehensive Policy Review of Operational Activities of the United Nations Development System (TCPR),<sup>46</sup> *inter alia*, stressed that national authorities and national stakeholders needed to assume full responsibility for overseeing and managing recovery efforts. According to the Report, this was critical so as to ensure that recovery is sustained and that international support does not elicit dependency. It also noted that through UNDAFs and/or joint programmes, there was improved collaboration between humanitarian agencies and more development-oriented organizations on issues such as return and reintegration of refugees.

41. An informal ECOSOC panel discussion on "Coordination in the transition phase between emergency relief and sustainable recovery" was held in July 2007. The aim of this panel was to highlight the efforts that the United Nations and the World Bank are making to promote a common understanding of needs of countries in post-crisis transition and to address the central importance of ensuring national ownership of the recovery and development process, as well as the need to strengthen the partnership between the United Nations and the Bretton Woods institutions.

#### *A/RES/62/208*

42. A key resolution for bringing a results-focused approach to operational activities for development was the General Assembly Resolution 62/208 of 19 December 2007. It recalled the fundamental characteristics of operational activities of the United Nations development system, namely,

their universal, voluntary and grant nature, their neutrality and their multilateralism, as well as their ability to respond to the development needs of programme countries in a flexible manner, and that the operational

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<sup>44</sup> See E/2004/SR.34, para. 55.

<sup>45</sup> The Government of Sweden convened a meeting in 2003 to discuss good humanitarian donorship. At the meeting were representatives of 16 donor governments, the European Commission, OECD, the International Red Cross and Red Crescent Movement, as well as NGOs, and academics. A set of 23 Principles was adopted. Of particular interest for this paper is Principle 9, which reads: "Provide humanitarian assistance in ways that are supportive of recovery and long-term development, striving to ensure support, where appropriate, to the maintenance and return of sustainable livelihoods and transitions from humanitarian relief to recovery and development activities."

<sup>46</sup> A/62/73-E/2007/52.

activities are carried out for the benefit of programme countries, at the request of those countries and in accordance with their own policies and priorities for development, national ownership and leadership, flexibility in responding to national development requirements, the centrality of developing national capacities and the importance of predictable and stable funding, as well as stressing the need for efficiency, accountability, results and transparency in United Nations work at country-level.<sup>47</sup>

43. Part of this resolution, namely operative paragraphs 67-85 was expressly focused on the issue of the “transition from relief to development”. Moreover, the key issues of funding (operative paragraphs 17-34) and capacity building (operative paragraphs 35-47) were considered. Finally, the important question of the follow-up to the resolution was also dealt with.<sup>48</sup>

44. The subsequent sessions of the General Assembly (2008-2012) were provided with detailed, results-focused updates on the implementation of this resolution.<sup>49</sup> Further guidance was also provided in a series of General Assembly resolutions,<sup>50</sup> and ECOSOC resolutions on progress in the implementation of General Assembly Resolution 62/208.<sup>51</sup>

#### *Preparing for the QCPR*

45. ECOSOC 2011 adopted a resolution focused on preparations for the 2012 Quadrennial Comprehensive Policy Review (QCPR).<sup>52</sup> It will be recalled that the General Assembly had adopted a resolution (A/RES/ 63/232 of 19 December 2008, op. 18-20) to change to a four-year cycle in dealing with operational activities for development. The resolution E/2011/7 of 18 July 2011 set out some Guidelines for the preparation of the report of the Secretary-General on the QCPR; among these was the following:

An analysis of how the characteristics, approaches and strategic and programming frameworks of United Nations system operational activities should evolve to respond to various country situations, based on the principles of national ownership and leadership, and to the evolving international development cooperation environment.<sup>53</sup>

46. The theme of the “evolving international development cooperation environment” is discussed below, especially in the context of the Fourth High-Level Forum on Aid Effectiveness.

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<sup>47</sup> GA/RES/62/208, preambular paragraph 3.

<sup>48</sup> Operative paragraphs 140-143.

<sup>49</sup> The reports of the Secretary-General on follow-up to GA/RES/62/208 may be found in: E/2008/49 of 29 April 2008 which proposes the methodology of the follow-up process; E/2009/68 of 7 May 2009; E/2010/70 of 19 May 2010; E/2011/112 of 9 May 2011.

<sup>50</sup> General Assembly Resolutions 63/232 of 19 December 2008, 64/220 of 21 December 2009 and 65/177 of 20 December 2011.

<sup>51</sup> ECOSOC Resolutions 2008/2 of 18 July 2008, 2009/1 of 22 July 2009, 2010/22 of 23 July 2010.

<sup>52</sup> ECOSOC Resolution 2011/7 of 11 July 2011

<sup>53</sup> *Idem*, operational paragraph 14 (i).

47. One of the highlights of the 2012 ECOSOC Substantive Session was the launch of the Quadrennial Comprehensive Policy Review of Operational Activities of the United Nations Development System (QCPR). The two key documents were the reports of the Secretary-General related to the QCPR, namely the overall review of the QCPR discussed at ECOSOC and the second complementary report with the recommendations that grew out of the discussions in ECOSOC.<sup>54</sup> The second of the Secretary-General's reports proposes a range of recommendations of particular relevance to our study, namely, the transition from relief to development;<sup>55</sup> funding;<sup>56</sup> UNDAF;<sup>57</sup> Delivering-as-One;<sup>58</sup> gender equality and women's empowerment.<sup>59</sup> A third document of importance for this paper is the Main Report of the *Independent Evaluation of Delivering as One*.<sup>60</sup>

### United Nations reform: relevance for UNHCR

48. In the introduction to UNHCR's 2008 revised policy on reintegration,<sup>61</sup> reference was made to the positive influence of a number of initiatives that can be grouped under the general rubric of United Nations Reform:

Since 2003,<sup>62</sup> a number of developments aimed at enhancing United Nations system-wide coherence and consolidating support to peacebuilding processes have had a direct bearing on return and reintegration processes. These include the humanitarian reform process and the introduction of the "cluster approach" relating to internally displaced persons (IDPs); the growing practice of establishing integrated United Nations missions; the establishment of the Peacebuilding Commission; and the introduction of new funding modalities providing additional partnership opportunities and potential sources of funding for reintegration activities.<sup>63</sup>

49. This section of our paper will look at the significance of these various UN reform initiatives for UNHCR. The efforts of UNHCR to build stronger links with other UN system actors to ensure a more comprehensive and coherent approach to the search for durable solutions for those forcibly displaced, have profited considerably, although not exclusively,<sup>64</sup> by the coming to fruition of a number of initiatives that fall generally under the heading of UN reform relating to humanitarian, peace and security, and development activities; moreover, as will be considered below, developments in relation to the UN's peacebuilding

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<sup>54</sup> *Quadrennial Comprehensive Policy Review of Operational Activities of the United Nations Development System*, A/67/93-E/2012/79 of 11 June 2012; *Quadrennial Comprehensive Policy Review of Operational Activities of the United Nations Development System: Recommendations*, A/67/320-E/2012/89 of 15 August 2012.

<sup>55</sup> A/67/320-E/2012/89, para. 42-46.

<sup>56</sup> *Idem*, para. 27-31.

<sup>57</sup> *Idem*, para. 37-39.

<sup>58</sup> *Idem*, para. 47-54.

<sup>59</sup> *Idem*, para. 61-62.

<sup>60</sup> United Nations (2012) "*Main Report: Independent evaluation of lessons learned from Delivering as One*". [www.un.org/en/ga/deliveringasone/mainreport.shtml](http://www.un.org/en/ga/deliveringasone/mainreport.shtml)

<sup>61</sup> UNHCR, *Policy Framework and Implementation Strategy. UNHCR's Role in Support of the Return and Reintegration of Displaced Populations*, August 2008.

<sup>62</sup> In May 2003, UNHCR published its *Framework for Durable Solutions for Refugees and Persons of Concern*.

<sup>63</sup> *Idem*, para. 2.

<sup>64</sup> Related developments in The World Bank, the OECD/DAC are considered below.

architecture, in particular, have also had an impact on UNHCR's efforts to think more broadly in regard to strategies for promoting durable solutions for the forcibly displaced.

50. This UN reform process, for the purposes of this study, primarily refers to the reform initiatives launched by the then Secretary-General Kofi A. Annan in early 1997 and related subsequent developments; however, some earlier initiatives in relation to humanitarian activities and peacekeeping, have also been of particular relevance. Among key initiatives and related reports/resolutions, some of which pre-date Annan's reform initiatives, one might highlight the following:

- United Nations General Assembly Resolution 46/182: Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations (19 December 1991);<sup>65</sup>
- An Agenda for Peace. Preventive Diplomacy, Peacemaking and Peace-keeping (17 June 1992);<sup>66</sup>
- Renewing the United Nations. A Programme for Reform (July 1997);<sup>67</sup>
- In larger freedom: towards development, security and human rights for all, Report of the Secretary-General (A/59/2005 of 21 March 2005);
- Humanitarian Response Review, IASC, 2005;
- World Summit Outcome (GA Resolution 60/1) (October 2005);
- Resolution of the Security Council (1645/2005) and of the General Assembly (A/RES/60/180) establishing a Peacebuilding Commission, a Peacebuilding Fund and a Peacebuilding Support Office (December 2005);
- High-level Panel Report on System-wide Coherence: "Delivering as One" (A/61/583 of 20 November 2006);
- UN General Assembly Resolution (A/RES/62/208 of 14 March 2008): Triennial Comprehensive Policy Review of Operational Activities for Development of the United Nations System;
- Report of the Secretary-General on Peacebuilding in the immediate aftermath of conflict (A/63/881; S/2009/304 of 11 June 2009);
- Review of United Nations Peacebuilding Architecture (A/64/868-S/2010/393 of 21 July 2010) and related Resolution (A/RES/65/7 of 23 Nov.2010);
- Secretary-General's Policy Committee's Decision on Durable Solutions (Decision No 2011/20 of 4 October 2011).

#### *Humanitarian reform: 1991 and 1997*

51. Although outside the timeframe for this study (2001-2012), much of what has been achieved in this time period in the humanitarian arena (including the issue of transitions) can

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<sup>65</sup> <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/582/70/IMG/NR058270.pdf?OpenElement>:

<sup>66</sup> A/47/277-S/24111 of 17 June 1992.

<sup>67</sup> United Nations, Note of Secretary-General, A/51/950 of 14 July 1997.

be traced back to the first item of the above list, namely the General Assembly Resolution 46/182 of December 1991. The Resolution was the basis for the following: the creation of the post of an Emergency Relief Coordinator (ERC); the establishment of the Department of Humanitarian Affairs (which, in 1998, was re-organized as the Office for the Coordination of Humanitarian Affairs (OCHA)); the launch of the Consolidated Appeals Process (CAP); the setting in place of a Central Emergency Revolving Fund (CERF), which became, in 2006, the Central Emergency Response Fund; and the establishment of the Inter-Agency Standing Committee (IASC).

52. The IASC has become one of the main mechanisms for ensuring comprehensive, effective humanitarian responses to disasters<sup>68</sup> and complex emergencies.<sup>69</sup> In the annex to this resolution, and in subsequent resolutions of the General Assembly on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, one finds the enumeration of the principles of neutrality, humanity, impartiality that should characterize the provision of humanitarian assistance.<sup>70</sup> Subsequently, an additional principle of “independence” was included in the listing of humanitarian action.<sup>71</sup>

53. One cannot overemphasize the significance of General Assembly Resolution 46/182. It is the basis of all further developments in the area of increased coordination in the area of emergency humanitarian assistance. Over the years, the comprehensiveness of the issues covered by related resolutions has grown; a partial, and somewhat superficial indication of this is the enlarged scope of these resolutions over the years: in 1992,<sup>72</sup> the General Assembly Resolution on strengthening of the coordination of emergency humanitarian assistance of the United Nations system had 9 preambular paragraphs and 10 operative paragraphs; in 2011,<sup>73</sup> the corresponding resolution had 19 preambular paragraphs and 36 operative paragraphs.

54. By way of a general observation, one might note that the issue of the transition from relief to development was one that initially tended to attract more attention from humanitarian actors; for example, starting in 1991, with the adoption of General Assembly Resolution 46/182, and the subsequent annual reports<sup>74</sup> of the Secretary-General to the ECOSOC and the General Assembly on the subject of “Strengthening the coordination of emergency humanitarian assistance of the United Nations”,<sup>75</sup> the issue of transition was treated in one form or another in most reports; for example, the subject was considered under the headings: “Linkages between relief and rehabilitation and development in post-conflict situations”;<sup>76</sup> “Supporting the vulnerable populations in the transition from relief to development”;<sup>77</sup> “The transition from relief to development”;<sup>78</sup> “Transition”;<sup>79</sup> and

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<sup>68</sup> Major emergencies (natural disaster): A situation threatening a large number of people or a large percentage of a population, and often requiring substantive multi-sectoral assistance (IASC).

<sup>69</sup> Complex emergencies (man-made): A humanitarian crisis which occurs in a country, region or society where there is a total or considerable breakdown of authority resulting from civil conflict and/or foreign aggression; which requires an international response which goes beyond the mandate or the capacity of any single agency (Source: IASC).

<sup>70</sup> A/RES/46/182 of 19 December 1991, Annex.

<sup>71</sup> A/RES/66/119 of 15 December 2011, preambular para. 3.

<sup>72</sup> A/RES/47/168 of 22 December 1992.

<sup>73</sup> A/RES/66/119 of 15 December 2011.

<sup>74</sup> In Resolution 46/182, the Secretary-General was asked to report in the following year to the General Assembly.

<sup>75</sup> A/56/95-E/2001/85 of 18 June 2001; A/57/77-E/2002/63 of 14 May 2002; A/58/89-E/2003/85 of 3 June 2003; A/59/93-E/2004/74 of 11 June 2004; A/60/87-E/2005/78 of 23 June 2005; A/61/85-E/2006/81 of 2 June 2006; A/62/87-E/2007/70 of 29 May 2007; A/63/81-E/2008/71 of 30 May 2008; A/64/84-E/2009/87 of 28 May 2009; A/65/82-E/2010/88 of 25 May 2010; A/66/81-E/2011/117 of 16 May 2011; A/67/89-E/2012/77 of 25 May 2012.

<sup>76</sup> A/56/95-E/2001/85 of 18 June 2001, para. 114-116.

<sup>77</sup> A/57/77-E/2002/63 of 14 May 2002, para. 57-63.

<sup>78</sup> A/58/89-E/2003/85 of 3 June 2003, para. 33-44.

“Transition Financing”.<sup>80</sup> In 2005, a note from the Secretary-General dealt expressly with “The transition from relief to development”.<sup>81</sup> A further series of related reforms were introduced in 1997, following on from the recommendations of the Secretary-General as found in *Renewing the United Nations. A Programme for Reform* (July 1997).<sup>82</sup>

### *Humanitarian Response Review*

55. In 2005, the then Emergency Relief Coordinator, Jan Egland, launched the Humanitarian Response Review. One of the outcomes of this review was the introduction of the cluster approach.<sup>83</sup> Reference has been made above to difficulties related to the definition of one of these clusters, namely Early Recovery. Further clarification on this is important as the Early Recovery Cluster figures significantly in any discussion of transition from relief to development. As noted in the 2011 discussions on Early Recovery organized by UNDP:<sup>84</sup>

While the concept [of Early Recovery] has gained general acceptance, there remain unresolved fundamental issues pertaining to what early recovery is in the practical sense and how early recovery would effectively contribute to closing three fundamental gaps<sup>85</sup> that were identified in 2008.

### **United Nations reform: structures and processes**

56. This section of our report reviews the United Nations Reform from the perspective of structures and processes, in particular those that have been central in helping to bridge the gap(s) between relief and development.

### *United Nations Development Group (UNDG)*

57. One of the key structures instituted by Kofi Annan as part of his UN Reform initiatives, was the creation of the United Nations Development Group (UNDG) in 1997. The UNDG was intended to ensure greater coordination and coherence among UN development agencies, funds, programmes and offices; a particular focus was on improving the effectiveness of UN development operations at the country level. The UNDG Executive Committee is made up of UNDP, UNFPA, UNICEF, WFP; the Office of the High Commissioner for Human Rights is an *ex-officio* member of the Committee. The World Bank has observer status in the UNDG. Although a humanitarian actor, UNHCR saw the value of the UNDG for furthering its own objective of involving developing actors in its search for

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<sup>79</sup> A/60/87-E/2005/78 of 23 June 2005, para. 50-52.

<sup>80</sup> A/66/81-E/2011/117 of 16 May 2011, para. 49-51.

<sup>81</sup> A/60/89-E/2005/79 of 23 June 2005.

<sup>82</sup> United Nations, Note of Secretary-General, A/51/950 of 14 July 1997.

<sup>83</sup> For a description, see: [http://www.unicef.org/emerg/files/OCHA\\_update\\_hum\\_response\\_review.pdf](http://www.unicef.org/emerg/files/OCHA_update_hum_response_review.pdf)

<sup>84</sup> Inter-Cluster-Workshop: *Early Recovery: The Way Forward*, Draft Summary of 28 February 2011

<http://onerresponse.info/GLOBALCLUSTERS/EARLY%20RECOVERY/Pages/default.aspx>

<sup>85</sup> These three gaps are identified as follows: The strategic gap: initiating joint early recovery strategic planning at the earliest stages of a crisis. In the case of post-conflict situations, this planning should be linked to the evolving peace process, integrating political, security, human rights, humanitarian and development objectives; the financial gap: providing fast, flexible and predictable funding for early recovery planning and programmes that bridge humanitarian, recovery and longer-term development financing in post-disaster and conflict contexts; and in addition for post-conflict settings, providing early support to stabilisation and inclusive peace building; the capacity gap: addressing global, national and local capacity gaps to ensure that programming and early capacity development efforts are adequately planned and funded.

durable solutions. UNHCR was initially an observer, but became a full member of the UNDG in April 2003.

58. In October 2004, the UNDG issued a *Guidance Note on Durable Solutions for Displaced Persons (refugees, internally displaced persons and returnees)*.<sup>86</sup> Its purpose was to assist UN Country Teams (UNCTs) to identify, where appropriate, population displacement (refugees, internally displaced persons (IDPs) and/or returnees) as a challenge facing the country and to include strategic policies and programmes, in line with the national priorities, into the United Nations Development Assistance Framework (UNDAF) and its results-based matrix. In relation to developing strategies to address displacement, the Guidelines pointed out a number of operational gaps that needed to be overcome. The potential gaps that were highlighted included:

- *Institutional gaps*: these referred to the different operating modalities and cultures that existed among international agencies and government institutions.
- *Financial gaps*: funding was often either for emergency/humanitarian or development assistance.
- *Temporal gaps*: these gaps referred to those that can appear immediately after a crisis subsided and which often widened when emergency assistance declined and before long-term development activities began.
- *Gaps due to different programme formulation processes and budgeting cycles*: whereas development partners used multi-year planning and budgeting cycles, humanitarian actors worked with shorter-term perspectives and tools.<sup>87</sup>

59. Some eight years later, further guidance on seeking durable solutions for those forcibly displaced by conflict was issued to UN Resident Coordinators and Humanitarian Coordinators on 3 April 2012 by Helen Clark, the Chair of the UNDG, and Valerie Amos, the Emergency Relief Coordinator. This was based on a decision of the UN Secretary-General's Policy Committee of 4 October 2011 entitled: *Durable solutions: Ending displacement in the aftermath of conflict*.

60. This latest guidance pointed out that the Secretary-General had approved a preliminary Framework on *Ending displacement in the aftermath of conflict* which had established priorities and responsibilities in support of the delivery of durable solutions for internally displaced persons (IDPs) and refugees returning to their country of origin. It called on the Resident/Humanitarian Coordinators, in consultation with national governments and partners, to provide the lead in developing a strategy covering the first 24 months in the aftermath of conflict, which would assign appropriate roles and responsibilities for durable solutions for IDPs and refugees, based on the Framework and the respective mandates of agencies.

61. The purpose of these communications was to give guidance to UN Country Teams (UNCTs) in helping countries that had identified population displacement (refugees, internally displaced persons (IDPs) and/or returnees) as a key development challenge.

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<sup>86</sup> *Guidance Note on Durable Solutions for Displaced Persons (refugees, internally displaced persons, and returnees)*, UNDG, October 2004.

See: [http://altair.undp.org/documents/5239-UNDG\\_Guidance\\_Note\\_on\\_Durable\\_Solutions\\_for\\_Displaced\\_Persons\\_-\\_English.doc](http://altair.undp.org/documents/5239-UNDG_Guidance_Note_on_Durable_Solutions_for_Displaced_Persons_-_English.doc)

<sup>87</sup> *Idem*, p. 6.

Initiatives to address this issue, normally through Joint Programmes, would thus give concrete expression to elements of the United Nations Development Assistance Framework (UNDAF) and its results-based matrix for that country.<sup>88</sup>

#### *United Nations Development Assistance Framework (UNDAF)*

62. As part of the UN reform process, a planning framework called the United Nations Development Assistance Framework (UNDAF) was launched in October 1997. UNDAF aimed to ensure a more coherent approach to planning, programming and implementing development cooperation by the United Nations at the country level in support of a country's development plan and priorities.

63. Linked to UNDAF, and basic to the formulation of it, is the Common Country Assessment (CCA).<sup>89</sup> The quality of an UNDAF relies, to a large degree, on the quality of a CCA.

64. In the context of the Triennial Comprehensive Policy Reviews (TCPR) for the years 2001, 2004, and 2007, as well as the first Quadrennial Comprehensive Policy Review which began in 2012,<sup>90</sup> the Secretary-General reported to ECOSOC and the General Assembly on various aspects of the operational activities for development of the UN system, including issues related to the relevance, effectiveness and efficiency of UNDAF.<sup>91</sup> Corresponding to these reports, there were related resolutions by the General Assembly.<sup>92</sup>

65. The General Assembly resolution 59/250 of 22 December 2004 invited the United Nations system and the Bretton Woods institutions to explore further ways to enhance cooperation, collaboration and coordination, including through the greater harmonization of strategic frameworks, instruments, modalities and partnership arrangements, in full accordance with the priorities of the recipient Governments, and underlined the importance of ensuring, under the leadership of national authorities, greater consistency between the strategic frameworks developed by the United Nations funds and programmes, agencies and

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<sup>88</sup> As noted in the Guidance Note: "The integration of displaced persons and preventing forced displacement from occurring are development challenges. [...] In particular for countries emerging from conflict, reintegrating displaced persons is an important step toward local and national reconciliation and preventing the renewed outbreak of violent conflict. The return and integration of displaced persons reinforces peace processes and helps create stable and secure conditions that are essential for development objectives to be met."

<sup>89</sup> The CCA predates the 1997 UN reforms; it had been introduced in 1981 by the former Joint Consultative Group on Policy (JCGP) as a tool for formulating the Country Strategy Note.

<sup>90</sup> The comprehensive policy review of operational activities for development of the United Nations system was changed from a three-year cycle to a four year one by General Assembly Resolution 63/232 of 19 December 2008, op. 18-20.

<sup>91</sup> United Nations, Report of the Secretary-General, *Triennial comprehensive policy review of operational activities for development of the United Nations system*, A/56/320 of 23 August 2001; A/59/387 of 28 September 2004; A/62/253 of 15 August 2007; *Quadrennial comprehensive policy review of operational activities for development of the United Nations system*, A/67/93 - E/2012/79 of 11 June 2012. In addition, a range of related papers reflect evaluations (including assessments of the impact of the CCA/UNDAF) undertaken in preparation for the respective comprehensive policy reviews for 2001, 2004, 2007 and 2012: *Operational activities of the United Nations for international development cooperation. Progress in the implementation of the multi-year funding frameworks and evaluation of the United Nations Development Assistance Framework*, A/56/70-E/2001/58 of 14 May 2001, para.69-154; *Triennial comprehensive policy review of operational activities for development of the United Nations system*, A/59/85-E/2004/68 of 28 May 2004, para. 81-103; *Triennial comprehensive policy review of operational activities for development of the United Nations system*, A/62/73-E/2007/52 of 11 May 2007, para. 102-110; United Nations, Report of the Secretary-General, *Quadrennial comprehensive policy review of operational activities for development of the United Nations system*, A/67/93 - E/2012/79 of 11 June 2012, para. 106-131.

<sup>92</sup> A/RES/56/201 of 21 December 2001; A/RES/59/250 of 22 December 2004; A/RES/62/208 of 14 March 2008.

the Bretton Woods institutions.<sup>93</sup> An obvious example is the relationship between the UNDAF and the Poverty Reduction Strategy Paper (PRSP) facilitated by the World Bank.

66. At Annex 4 to this paper, the UNDAF for Tanzania (2007-2011) is discussed, as well as the country's PRSP. While the Tanzanian UNDAF comprehensively considers refugee issues and the transition from relief to development (especially through its related Joint Programme 6.1<sup>94</sup>), the Poverty Reduction Strategy Paper makes no substantive reference to refugees. In 2007, Tanzania became one of the *Delivering as One* (DaO) pilot countries. Between 2008-2011, UN Tanzania, in pursuit of the "One Programme" goal of the DaO project, "retrofitted" a series of Joint Programmes (JPs) into the UNDAF. This UNDAF was replaced by the United Nations Development Programme (UNDAF) in 2011. The UNDAF 2011-2015 aims to deliver more cohesive programming as part of the DaO project. The *Delivering as One in Tanzania: Annual Report 2011*<sup>95</sup> noted that:

Notwithstanding the accomplishments of the Joint Programmes, the UN Country Team acknowledged that these essentially formed a parallel structure to agency operations, increasing planning, monitoring and reporting requirements and, by extension, transaction costs. Moreover, the broader UN Development Assistance Framework (UNDAF) in which the Joint Programmes were retrofitted was found to be insufficiently focused and overly-ambitious, reflecting an emphasis on process rather than results. This adversely affected the UN's capacity to demonstrate impact or assess attribution thereof.<sup>96</sup>

#### *Delivering as One (DaO)*

67. This reform initiative aimed at bringing greater cohesion to the operational activities for development of the United Nations, especially at the country-level, found its inspiration in the findings of the report of the High-level Panel on System-wide Coherence: "Delivering as One".<sup>97</sup> A key recommendation of the High-level Panel was that the United Nations system should "deliver as one" at country level, exemplified in One Leader, One Programme, One Budget and, where appropriate, One Office; a fifth "one" was later introduced: One Voice.

68. At the end of 2006, the Secretary-General requested the Chair of the UNDG to move ahead in giving tangible expression to the "One United Nations" concept in the eight countries that had volunteered to be part of the pilot project.<sup>98</sup>

69. As pointed out in the Main Report of the *Independent Evaluation of Delivering As One*<sup>99</sup> of September 2012:

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<sup>93</sup> *Idem*, OP 52

<sup>94</sup> Zinyama, Lovemore M., and Slaus Mwisomba, *Joint Programme 6.1-Transition from Humanitarian Assistance to Sustainable Development*, End-of-Programme Evaluation, Final Report, UNDP Tanzania, 2011.

<sup>95</sup> <http://tz.one.un.org/images/PDF/Tanzania%20One%20UN%20Annual%20Progress%20Report%202011.pdf>

<sup>96</sup> *Idem*, p. 9.

<sup>97</sup> A/61/583 of 20 November 2006.

<sup>98</sup> Albania, Cape Verde, Mozambique, Pakistan, Rwanda, the United Republic of Tanzania, Uruguay and Viet Nam.

<sup>99</sup> <http://www.un.org/en/ga/deliveringasone/pdf/mainreport.pdf> A summary version may be found at: <http://www.un.org/en/ga/deliveringasone/finalsummary.shtml>. This evaluation does not include Pakistan;

the concept of Delivering as One proposed by the High-Level Panel was not adopted by Member States, so that no unified definition of it exists. Rather, it came to include a menu of approaches, which could be used and added to in various ways by the pilot countries, in keeping with the view that ‘no one size fits all’.<sup>100</sup>

70. Evaluations of the individual DaO pilots indicated that some of the positive benefits of this new approach included:<sup>101</sup> greater alignment between UN programmes and funding with national development priorities; strengthened government leadership and ownership; and better matching of the expertise of the various UN organizations (even of those not resident in the country) and national development priorities. However, in regard to a diminution in transaction costs and overhead costs, there was only modest progress to report.

71. A similarly positive note was struck by the Chair of the United Nations Development Group (UNDG), Helen Clark, in a “Building Block Paper” entitled *Managing Diversity and Reducing Fragmentation* emanating from the Fourth High Level Forum on Aid Effectiveness held in Busan, Republic of Korea (29 November 2011 – 1 December 2011):

Delivering as One has enhanced national leadership over the development agenda, made the UN system more demand responsive, increased access to a wide range of UN expertise, and demonstrated adaptability to a wide range of country contexts. The overall message from pilot countries is that they would like to see this as future way of delivering by UN in country.<sup>102</sup>

72. The *Independent Evaluation of Delivering as One*, while supporting the positive points noted in the previous statement by the Chair of the UNDG, was more circumspect about some other aspects of the initiative. One of its more sobering observations was in relation to sustainability:<sup>103</sup>

The level of support for “Delivering as one” within the pilot countries, the United Nations system and among certain Member States is assessed as strong. A growing number of countries have volunteered to become self-starters. Many other programme countries have not yet volunteered to take this step, however; others remain opposed to ‘Delivering as one’. At the end of December 2011, the cut-off point for evaluation findings, the financial sustainability of ‘Delivering as one’ was in considerable doubt, since key donors had indicated their intention to reduce or discontinue funding for it. On balance, the likelihood of sustaining ‘Delivering as one’ is moderate.<sup>104</sup>

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instead of a country-led evaluation, Pakistan undertook a stocktaking exercise, with a report prepared in 2010 in consultation with the Government of Pakistan and involving UN organizations.

<sup>100</sup> Main Final Report, Summary, p. 2, para.16.

<sup>101</sup> See C. Hyertström, *Delivering as One. Country Led Evaluations. Albania, Cape Verde, Mozambique, Rwanda, Tanzania, Uruguay, Viet Nam. Synthesis Report*, October 2011, p. xiii, para. 28.

<sup>102</sup> <http://www.oecd.org/dac/aideffectiveness/49476643.pdf>

<sup>103</sup> *Idem*, para. 88, notes that “[s]ustainability is a combination of the extent to which ‘Delivering as one’ is relevant, efficient and effective and has gained sufficient support at all levels in all relevant systems to ensure its continuation, along with its continuing financial viability.”

<sup>104</sup> *Idem*, para. 89.

## Peacebuilding

73. Subsequent to a resolution of the Security Council (S/RES/1645/2005) and of the General Assembly (A/RES/60/180 of 30 December 2005) the United Nations Peacebuilding Commission, Peacebuilding Fund and Peacebuilding Support Office were created.

### *Peacebuilding Fund*

74. Of the two support mechanisms for the Commission, namely the Peacebuilding Support Office and the Peacebuilding Fund, the latter is of particular interest to the theme of this paper. In 2011, the Fund allocated \$ 99.4 million, of which the largest allocation (16.15%) was for Burundi. UNHCR received in the same year a net transfer<sup>105</sup> from the fund of some \$ 8.7 million,<sup>106</sup> for some 24 projects in a range of countries (Burundi, Chad, Central African Republic, Democratic Republic of the Congo, Kyrgyzstan, Liberia, Somalia, Sudan). UNHCR was thus the second highest recipient of funds (10.7%) after UNDP (44%). Over the years, UNHCR's implementation of projects for the PBF has been growing, reflected in the following net grants to UNHCR: 2007: \$ 0.7 million; 2008: \$ 2.8 million; 2009: \$ 4.3 million; 2010: \$ 4.6 million.

### *Women and peacebuilding*

75. A recurring theme in ECOSOC discussions and in the Security Council has been on the issue of women in peacebuilding. This issue was addressed by the Security Council in its Resolution 1325 of 31 October 2000, entitled *Women, Peace and Security*. Although various actors have made efforts to implement resolution 1325, gender perspectives are still not systematically incorporated in planning, implementation, monitoring and reporting in the area of peace and security. On the 10th anniversary of Security Council Resolution 1325, a Cross-Cutting Report on the theme of *Women, Peace and Security* noted that:

The Council appears to have been considerably more successful in addressing the protection rather than the participation aspects of resolution 1325.<sup>107</sup>

76. A recent document dated 7 September 2010, a joint report of the General Assembly and the Security Council,<sup>108</sup> addressed the issue of "Women's participation in peacebuilding". Among the observations in this report, was the following:

Ensuring women's participation in peacebuilding is not only a matter of women's and girls' rights. Women are crucial partners in shoring up three pillars of lasting peace: economic recovery, social cohesion and political legitimacy.<sup>109</sup>

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<sup>105</sup> This is defined as the amount transferred to a Recipient Organization, less refunds of unspent balances received from the Recipient Organization.

<sup>106</sup> UNDP, *Fifth Consolidated Annual Progress Report on Activities Implemented under the Peacebuilding Fund. Report of the Administrative Agent of the Peacebuilding Fund for the Period 1 January to 31 December 2011*, Multi-Partner Trust Fund Office, UNDP, 31 May 2012, 4.5, p. 124.

<sup>107</sup> Security Council Report, Cross-Cutting Report No.2 on Women, Peace Security, posted on 1 October 2010 and accessed at: <http://www.securitycouncilreport.org/cross-cutting-report/lookup-c-gIKWLeMTIsG-b-6239031.php>

<sup>108</sup> A/65/354-S/2010/466 of 7 September 2010.

<sup>109</sup> *Op. cit.*, para. 7.

## Evolving development scene

77. The recent Fourth High-Level Forum on Aid Effectiveness (29 November – 1 December 2011, Busan, Republic of Korea) which brought together traditional donors, South-South co-sponsors, the BRICS,<sup>110</sup> civil society organizations and private funders, showed the evolving new world of development cooperation, one that was far more diverse from that of the 24-member Development Assistance Committee (DAC) established in January 1960.<sup>111</sup>

78. DAC, with its main focus on Overseas Development Assistance (ODA), published *Guidelines on Conflict, Peace and Development Cooperation*<sup>112</sup> in May 1997. This ground-breaking work was complemented in 2001 with the publication of *The DAC Guidelines: Helping Prevent Violent Conflict*.<sup>113</sup> Both works are premised on the conviction that conflict prevention is fundamental to poverty reduction and sustainable development. They also underline the challenge of the reintegration process of refugees:

Experience from many refugee repatriation and reintegration programmes show that the bulk of aid resources available tend to be spent on the repatriation operation. Less attention and resources have been devoted to the reintegration effort. There is, however, increasing awareness that the reintegration of returning refugees is the more complex part of the process, and more demanding in terms of resources. It is also important to synchronise reintegration programmes with the return of the refugees and to avoid a prolonged hiatus between repatriation and support for reintegration.<sup>114</sup>

79. In 2007, the DAC member countries endorsed The Principles for Good International Engagement in Fragile States and Situations.<sup>115</sup>

80. In 2008, at the Third High Level Forum on Aid Effectiveness in Accra, a number of fragile states called for a dialogue in which they could have an equal voice with development partners in establishing peacebuilding and statebuilding priorities. Thus the International Dialogue on Peacebuilding and Statebuilding (IDPS) was created in 2008 with the mandate to develop a set of peacebuilding and statebuilding objectives and an action plan for effective engagement in fragile states. Their findings were presented at the Fourth High Level Forum in 2011 in Busan, where Ministers and senior officials from the G7+ Group of fragile

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<sup>110</sup> Brasil, Russia, India, China, and South Africa.

<sup>111</sup> The membership comprises: Australia, Austria, Belgium, Canada, Denmark, the European Union, Finland, France, Germany, Greece, Ireland, Japan, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, South Korea, Spain, Sweden, Switzerland, the United Kingdom and the USA; The World Bank, the IMF and UNDP have observer status in the DAC.

<sup>112</sup> <http://reliefweb.int/sites/reliefweb.int/files/resources/7C9EF6DDE0533021C1256C2F00392CF3-oecd-guide-1997.pdf>

<sup>113</sup> <http://www.oecd.org/dac/conflictandfragility/1886146.pdf>. Part II of this document contains the 1997 *DAC Guidelines on Conflict, Peace and Development Cooperation*.

<sup>114</sup> *Idem*, p.135.

<sup>115</sup> The 10 Principles are: take context as the starting point; ensure all activities do no harm; focus on statebuilding as the central objective; prioritise prevention; recognise the links between political, security and development objectives; promote non discrimination as a basis for inclusive and stable societies; align with local priorities in different ways and in different contexts; agree on practical co-ordination mechanisms between international actors; act fast... but stay engaged long enough to give success a chance; avoid creating pockets of exclusion (“aid orphans”).

countries and development partners endorsed it and made specific commitments to implement its provisions.<sup>116</sup>

81. Another OECD/DAC related initiative was the creation in December 2009, of the International Network on Conflict and Fragility (INCAF) as a subsidiary body of OECD/DAC. INCAF has been particularly active in developing material and guidance for working with fragile states.<sup>117</sup>

82. In 2011, a monitoring report entitled *International Engagement in Fragile States: Can't we do better?* was published on the quality of development co-operation in fragile and conflict-affected states and situations. This 2011 report indicates that in the four years that have elapsed since their endorsement, there has not been a noticeable improvement in the way countries providing development assistance have acted in dealing with fragile states.

83. In April 2012, INCAF produced an important work on *International Support to Post-Conflict Transitions: Rethinking Policy, Changing Practice: DAC Guidelines on Post-Conflict Transitions*.<sup>118</sup> This work builds on and complements previous work such as: the *Report of the UN Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict*, the *2011 World Development Report: Conflict, Security and Development*, the OECD/DAC Guidance on *Supporting Statebuilding in Situations of Conflict and Fragility* and on the work of the International Dialogue on Peacebuilding and Statebuilding (IDPS) in its *New Deal for Engagement in Fragile States* adopted at the 2011 Fourth High Level Forum held in Busan, South Korea.

84. In the 2012 INCAF Guidelines on Post-Conflict Transitions, it is noted that while donors may be providing substantial and increasing amounts of support to fragile and conflict-affected states, this support was not producing the hoped-for results. Some of the critical factors for this situation are:

- Financing is too compartmentalized: a comprehensive approach is hard to achieve because funding is divided into rigid compartments, such as humanitarian, development and security-related financing, and is thus preventing a more holistic funding support to transitions;
- Policies and procedures related to international engagement and risk management are not sufficiently tailored to the specific transition situations. Current approaches tended to focus more on risk avoidance, than on good risk management;
- Planning processes are often based on unrealistic needs assessments with no link to the necessary funding. Needs-based approaches alone do not allow for the necessary prioritisation during transition;
- Financing instruments are fragmented and are based on institutional mandates, rather than on the particular objectives to be achieved.<sup>119</sup>

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<sup>116</sup> Description taken from the IDPS website:

<http://www.oecd.org/international%20dialogue/aboutthedialogue.htm>

<sup>117</sup> For more information on INCAF, see: <http://www.oecd.org/dac/conflictandfragility/44282247.pdf>

<sup>118</sup> OECD (2012), *International Support to Post-Conflict Transition: Rethinking Policy, Changing Practice*, DAC Guidelines and Reference Series, OECD Publishing.

<sup>119</sup> See summary note: <http://www.oecd.org/dac/conflictandfragility/49372078.pdf>

85. One novel element in this work is the importance attached to “transition compacts”.<sup>120</sup> Chapter 4 of this work is entitled: “A new way forward: transition compacts”. The nature and importance of this approach is summarized as follows:

[The way forward] involves the development of a ‘transition compact’: a country-specific, light and flexible agreement between national and international partners. A compact allows for agreement on critical transition priorities with an explicit financing strategy through a mix of funding sources and instruments. Compacts can improve the coherence and effectiveness of aid, thus reducing the risk of strategic failure, improving results focus, and providing real steps towards stronger national engagement and leadership. They allow for joint prioritization between national and international actors and frequent reviews of progress, thus addressing donor concerns about capacity, legitimacy and risks of engagement.<sup>121</sup>

86. Transition compacts are all about making aid effective, especially by making recipient countries and development providers mutually accountable. The United Nations, including the Security Council, has exercised an important role in these compacts to date; discussions now revolve around making the second generation of compacts more effective.<sup>122</sup>

87. Another form of engagement by the OECD/DAC in the area of aid effectiveness has been through support to high-level fora dedicated to this important subject. The First High Level Forum (HLF) on Aid Effectiveness was convened in Rome in February 2003; this was followed by another in 2005 in Paris which promulgated the *Paris Declaration on Aid Effectiveness* grounded on five principles, namely those of Ownership, Alignment, Harmonisation, Managing for Results and Mutual Accountability.

88. The next HLF in 2008 was held in Accra which led to the Adoption of the Accra Agenda for Action (AAA), and also led to the creation of the International Dialogue on Peacebuilding and Statebuilding (IDPS).<sup>123</sup> The Fourth HLF held in 2011 in Busan South Korea, led to the *Busan Partnership for Effective Development Co-operation*, a new global development partnership that embraced diversity and recognised the distinct roles that all stakeholders in co-operation can play to support development.<sup>124</sup> Moreover, this Forum saw the adoption of *A New Deal for Engagement in Fragile States*. As emphasized in the Thematic Session on Conflict and Fragility at Busan, the main challenge for donors is to put into practice commitments, principles and policies they sign up to,<sup>125</sup> especially as regards greater predictability of aid.<sup>126</sup>

89. During the Fourth High Level Forum (HLF4) in Busan, more than 150 countries and 45 international organisations agreed to establish a broadly inclusive forum to work towards the goal of aid effectiveness. This new forum, namely The Global Partnership for Effective

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<sup>120</sup> *Idem*, p. 65 ff.

<sup>121</sup> *Idem*, p. 65.

<sup>122</sup> *Idem*, p. 71-79.

<sup>123</sup> For the Paris Declaration and the Accra Agenda for Action, see:

<http://www.oecd.org/dac/aideffectiveness/43911948.pdf>

<sup>124</sup> Busan Partnership for Effective Development Co-operation, para 7:

<http://www.oecd.org/dac/aideffectiveness/49650173.pdf>

<sup>125</sup> <http://www.oecd.org/dac/aideffectiveness/49482085.pdf>

<sup>126</sup> For the proposed indicators of aid predictability see:

[http://www.aideffectiveness.org/busanhl4/images/stories/Indicators\\_targets\\_and\\_process\\_for\\_global\\_monitoring.pdf](http://www.aideffectiveness.org/busanhl4/images/stories/Indicators_targets_and_process_for_global_monitoring.pdf)

Development Co-operation, whose secretariat will be assured by the OECD and UNDP, was thus created in 2012.

### **The World Bank and other multilateral banks**

90. The term Multilateral Development Banks (MDBs) normally covers:

- The World Bank;
- The International Monetary Fund;
- The African Development Bank;
- The Asian Development Bank;
- The European Bank for Reconstruction and Development;
- The Inter-American Development Bank Group; and
- The Islamic Development Bank.

91. On 19 October, 2007, at a meeting in Washington DC, USA, the Heads of the various multilateral development banks discussed options for deepening their collaboration and strengthening their engagement in fragile situations. They noted that

[a]ddressing fragility is one of the highest priorities of the development community. Fragile situations undermine the development prospects of individual countries and can also affect regional stability and security.<sup>127</sup>

92. The group agreed to a set of goals, principles, operational approaches, and working arrangements for their engagement in fragile situations.

93. Among the multilateral development banks that UNHCR has worked with in addressing forced displacement in recent years, its principal partner has been The World Bank.

#### *The World Bank*

94. One of UNHCR's key partners is The World Bank ("Bank"). The Bank's support dates back to 1984 when one of UNHCR's earliest projects in the area of Refugee Aid and Development, namely the Income Generating Project for Refugee Areas (INGPRA) in Pakistan, was launched. The first project extended from 1984 to 1986; this was followed by two more similar projects (1987-1990; 1991-1996). The World Bank did not contribute to the project, but took on the role of Executing Agency for the projects, and Administrator for the Trust Funds. The independent evaluation of the projects undertaken by the Bank's Operations Evaluation Department was generally positive.<sup>128</sup>

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<sup>127</sup> <http://www.iadb.org/en/news/news-releases/2007-10-20/development-banks-commit-to-closer-collaboration-working-in-fragile-situations,4092.html>

<sup>128</sup> [http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/1999/07/28/000009265\\_3961219132900/Rendered/PDF/multi\\_page.pdf](http://www-wds.worldbank.org/external/default/WDSPContentServer/WDSP/IB/1999/07/28/000009265_3961219132900/Rendered/PDF/multi_page.pdf)

95. More recently, the World Bank's Global Program on Forced Displacement (GPDF) has provided renewed focus on displacement as a factor undermining development. At the first meeting of the Informal Consultation Group on the GPDF on 17 June 2010, it was stated that the development challenge of finding sustainable solutions to forced displacement of refugees and IDPs is an important topic for the Bank.

96. The Bank has been late in prioritizing this issue, but now the Global Programme of Forced Displacement offers an opportunity to integrate the development needs of refugees and IDPs in the Bank's Country Strategies. It was recognized that the mainstreaming of issues related to forced displacement into Country Strategies would be a challenge.

97. A recent paper discusses key aspects of an increased engagement on the part of the Bank with respect to the development challenges posed by forced displacement.<sup>129</sup> According to this paper, the Bank's strategic approach needs to be guided by a number of key principles.

98. First, the Bank should fully use its comparative advantage in a range of areas, including analytical work, sector development expertise and convening ability. Second, the Bank should become involved in a crisis leading to displacement early on and in close partnership with relevant government agencies and the international actors. Third, in order to produce sustainable outcomes, the Bank's engagement should be characterized not only by continuity, but also by flexibility, so as to allow rapid adjustments to changing circumstances.

99. Fourth, to the extent possible, the Bank's engagement should be field-based. A field-based approach means assessing the country context (i.e., needs of the displaced, economic situation of the country and related opportunities and limitations, the activities of partner agencies, in particular within the cluster approach in which UNDP leads the Early Recovery Cluster), as well as focusing on other communities present in the areas of displacement. Finally, the Bank should deploy a displacement angle/filter in order to guarantee that displacement is dealt with in analytical (e.g. Poverty Assessments) and operational work and, if applicable, in Country Assistance Strategies (CAS) and Interim Strategy Notes (ISN).

100. This more determined and coherent engagement on the part of the Bank as to the development challenges of forced displacement is in line with the Bank's policies and priorities as elaborated in Operation Policy 2.30 of 2001 on Development Cooperation and Conflict, and Operational Policy 8.00 on Rapid Response to Crises and Emergencies,<sup>130</sup> which came into effect in March 2007. In October 2007, the Bank's President characterized Fragile States as one of the six global challenges for the Bank.<sup>131</sup> Moreover, in his September 2008 speech on *Fragile States: Securing Development* in Geneva, the President pointed to displacement (of refugees) as both resulting from and contributing to the fragility of such States.

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<sup>129</sup> Christensen A. and N. Harild (2009) *Forced Displacement – The Development Challenge* (December), Conflict, Crime & Violence Issue Note, Social Development Department, Sustainable Development Network. Washington DC: The World Bank Group. The paper also identifies four critical barriers to durable solutions, namely that (i) rights to land, property and houses formerly belonging to the displaced people are being contested and denied; (ii) livelihoods are difficult to re-establish; (iii) the delivery of services such as education and health is frequently inadequate, obstructed or absent, and, (iv) local governance and rule of law are often weak, government capacity is limited, its legitimacy damaged, and social capital at the community level impaired.

<sup>130</sup><http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:21238942~menuPK:4564185~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html>

<sup>131</sup> President's Note to the Development Committee, October 21, 2007.

101. On 24 October 2008, the United Nations and the World Bank agreed to strengthen their cooperation in crisis and post-crisis situations. UN Secretary-General Ban Ki-moon and World Bank President Robert Zoellick signed a partnership framework which affirms their commitment to work together more effectively in countries affected by conflict and or natural disasters.

102. This UN-World Bank Partnership Framework for Crisis and Post-Crisis Situations formally recognizes the critical and complementary support the two institutions offer and the importance of integrated political, security and development frameworks in support of countries in crisis.<sup>132</sup> It provides common guiding principles for working with national authorities and partners to support crisis prevention, stabilization and recovery strategies while being cognizant of humanitarian principles of neutrality, impartiality and independence. It also calls on the World Bank Group and UN system organizations to improve inter-agency communications, strengthen joint planning, increase collaboration on funding mechanisms, and foster a culture of greater collaboration through joint training, evaluation and research.

103. The principles set out in the UN-World Bank Partnership Framework are operationalized through, inter alia, i) a UN Development Group-World Bank Post-Crisis Operational Annex<sup>133</sup> that establishes concrete operational commitments by the World Bank Group and the UN Development Group to strengthen their collaboration, particularly with regard to post-crisis needs assessments and multi-donor trust funds and ii) a Fiduciary Principles Accord, developed by the World Bank and a number of UN agencies, funds and programmes, aimed at facilitating timely transfer of financial resources under trust funds administered by either the World Bank or the UN Development Group in support of crisis and emergency response activities implemented by the other.

#### *African Development Bank Group*

104. The 2007 declaration of the Multilateral Development Banks on greater involvement in fragile countries and situations, referred to above, has not witnessed, except on the part of the World Bank, a notable involvement in fragile countries and situations. UNHCR has an MOU with the Bank which dates back to 1994. The Bank has also developed its own Post-conflict Assistance Policy Guidelines.<sup>134</sup> The most recent area of cooperation was with the Government of Liberia and UNHCR for the humanitarian emergency in 2011 on the Liberia-Cote D'Ivoire Border, for which the Bank granted UNHCR the sum of US \$ 630,000.<sup>135</sup>

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<sup>132</sup> <http://siteresources.worldbank.org/EXTLICUS/Resources/UN-WBframework.pdf>

<sup>133</sup> [http://siteresources.worldbank.org/EXTLICUS/Resources/UNDG-WB\\_Post\\_Crisis\\_Operational\\_Annex\\_\\_October\\_2008\\_\\_FINAL.pdf](http://siteresources.worldbank.org/EXTLICUS/Resources/UNDG-WB_Post_Crisis_Operational_Annex__October_2008__FINAL.pdf)

<sup>134</sup> [http://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/32%20-EN%20-Bank\\_Group\\_Post-conflict\\_Assistance\\_Policy\\_Guidelines\\_-\\_Revised\\_\(Approval\)\\_01.pdf](http://www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/32%20-EN%20-Bank_Group_Post-conflict_Assistance_Policy_Guidelines_-_Revised_(Approval)_01.pdf)

<sup>135</sup> <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/LOTB%20Approval%20on%2022-%2004%2011%20-%20%20Liberia-%20Emergency%20Assistance%20Proposal%2013-04-2011.pdf>



## UNHCR progress in bridging the gap: 2001-2012

105. The 2001 UNHCR 2001 paper on the gap(s) ended with a presentation of the various initiatives related to the Brookings Process, but without any assessment of its significance, given the short time that had elapsed since the launch of the Brookings Roundtable in January 1999. It will be recalled that in launching the Brookings Process, UNHCR turned to the World Bank in the hope of finding a more effective development partner.

106. Subsequently, Sadako Ogata, the then High Commissioner for Refugees, and James Wolfensohn, the then President of the World Bank, decided to launch an initial dialogue with a representative group of the relevant actors at a Roundtable convened by The Brookings Institution, in Washington D. C. on 15 January 1999.<sup>136</sup> The Roundtable was co-sponsored by UNHCR and the World Bank; UNDP subsequently became a co-sponsor when Mark Malloch Brown, the Vice-President for External Affairs at the World Bank, became the UNDP Administrator in July 1999.

107. In their paper that launched the “Brookings Process”,<sup>137</sup> the focus was on two inter-related areas: firstly, how to be better organized to respond to the challenges of transition, namely the institutional arrangements or the “the gap in approach”; and, secondly, on how to improve the financing for these transitions, which was largely determined by the political interests of donor countries and which was referred to as the “level of interest gap”.

108. Unfortunately, for a range of reasons,<sup>138</sup> the Brookings initiative did not realize its potential. Ogata later expressed her disappointment at the poor response of the development community to the efforts of UNHCR to promote a more predictable response to peacebuilding in post-conflict situations.<sup>139</sup>

109. At the time of publication of UNHCR overview in May 2001, UNHCR was struggling to achieve something tangible out of the Brookings Process. A series of UNHCR progress reports on reintegration, beginning in February 1999 and continuing up till February 2001, had been presented to UNHCR’s Standing Committee;<sup>140</sup> these were primarily reports on initiatives related to the Brookings Process.

110. Likewise, in the UNHCR Report to ECOSOC in 2000, there is a fairly comprehensive summary of the Brookings Process.<sup>141</sup> In the Report to ECOSOC in the following year, although there are four paragraphs dedicated to the issue of refugees and reintegration,<sup>142</sup> there was no reference to the Brookings Process. In the 2002 report to ECOSOC by

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<sup>136</sup> UNHCR, *Reintegration: A Progress Report* (EC/49/SC/CRP.6), 2 February 1999.

<sup>137</sup> Ogata, S. and J. D. Wolfensohn (1999) *From war to peace: Improving the odds of success for war-torn societies. Some personal observations*, presentation at the Brookings Roundtable on the Relief to Development Gap. Washington DC: The Brookings Institution.

<sup>138</sup> The principal author of this paper took part in the initial meeting at the Brookings Institution. It was disappointing to see the opposition of some UN institutions and bi-lateral donors to this initiative of UNHCR with the World Bank. See also the comment below of A. Suhrke and A. Ofstad.

<sup>139</sup> Sadako Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990s*. New York: W.W. Norton, p. 359.

<sup>140</sup> UNHCR, *Reintegration: A Progress Report*, EC/49/SC/CRP. 6 of 2 February 1999; EC/50/SC/CRP.11 of 31 January 2000; EC/51/SC/CRP.5 of 15 February 2001.

<sup>141</sup> E/2000/18 of 27 April 2000, para. 113-118.

<sup>142</sup> E/2001/46 of 18 May 2001, para. 109-112.

UNHCR,<sup>143</sup> there is a fleeting reference to the Brookings Process in the discussion of developments in Rwanda. Quietly, the Brookings Process had become history.

111. One could speculate as to the reasons why the Brookings Process failed to gain traction. In its “Policy Framework and Implementing Strategy. UNHCR’s Role in Support of the Return and Reintegration of Displaced Populations” (August 2008),<sup>144</sup> it is noted that:

[t]he Brookings Process did not have the desired impact owing to two interrelated gaps. The first was an institutional gap resulting from differences in priorities, planning and programming cycles between humanitarian and development partners. The second was a funding gap, whereby initiatives falling between short-term relief and development assistance were chronically under-funded owing, quite simply, to uneven donor interest or lack of dedicated budget lines for reintegration activities.<sup>145</sup>

112. It is hard to accept this rather simplistic analysis, as the very two “gaps” that the Brookings Process had identified and sought to address, are now given as the source of its failure. Another review summarized the reasons for the failure of the Brookings Process more succinctly and accurately:

The strategy followed by the World Bank and UNHCR in the second half of the 1990s was essentially a regime-building approach.<sup>146</sup> Given the powerful sponsorship, it is remarkable that the Brookings process barely got off the ground. A main reason was that donors resisted regime development of a kind that they feared would obligate new funds and introduce an additional bureaucratic layer in the international aid system. Donors instead preferred to retain control of funding and urged the agencies to address gap issues through improved coordination.<sup>147</sup>

113. In the period under review (2001-2012), there were a number of steps taken by UNHCR to further engage development partners in the search for durable solutions for those forcibly displaced, as well as to articulate its policy on durable solutions. These included:

- a Framework for Durable Solutions for Refugees and Persons of Concern (May 2003);
- the Convention Plus initiative (June 2003);
- a revised Reintegration Policy (August 2008);
- the introduction of a reintegration “pillar” in the revised UNHCR budget structure(2010);

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<sup>143</sup> E/2002/14 of 28 May 2002, para. 126.

<sup>144</sup> <http://www.unhcr.org/47ac2e3c2.html>

<sup>145</sup> *Idem*, para. 17.

<sup>146</sup> The meaning of “a regime-building approach” is suggested in the following: “An important part of the agency’s [i.e. UNHCR’s] strategy was to present the gap problem as a regime issue. Frustrated by the experience of working with UNDP on transitional relief-to-development issues, the agency sought a partner with a reputation for greater effectiveness and turned to the World Bank. The Bank... had by this time started to address post-conflict issues as well. With two equally bold leaders, who happened to get along very well on a personal level, the two agencies moved to address gap issues more systematically. In the consequent Brookings process they called for particular procedures to identify and address gap issues and, importantly, fresh funds and new funding mechanisms”, in Astrid Suhrke, and A. Ofstad (2005), “Filling ‘the Gap’: Lessons Well Learnt by the Multilateral Aid Agencies”, *Working Paper 14*. Bergen: Chr. Michelsen Institute, p. 6.

<sup>147</sup> *Idem*, p. 12.

- the Transitional Solutions Initiative (October 2010).

114. In addition, High Commissioner Lubbers (2001-2005) convened on 27 June 2003 the first meeting of the “High Commissioner’s Forum” which, on a number of occasions, considered issues directly related to the subject matter of this paper;<sup>148</sup> likewise, the current High Commissioner, António Guterres used his “High Commissioner’s Dialogue on Protection Challenges” for similar discussions,<sup>149</sup> but with a different purpose.<sup>150</sup>

### Framework for Durable Solutions

115. One of the initiatives of the High Commissioner for Refugees for finding durable solutions for refugees, was to systematically involve development actors in support of national authorities. This was clearly and practically set out in his *Framework for Durable Solutions*.

116. The *Framework* was shared with the UNHCR Standing Committee at its 28<sup>th</sup> Meeting on 25 September 2003 in the form of an Information Note (EC/53/SC/INF.3). This Information Note underlined the relationship of the Framework to UNHCR Global Consultations launched in 2001 and the related *Agenda for Protection* (A/AC.96/965/Add.1 of 26 June 2002), especially Goal 3 and Goal 5 of the *Agenda*. The Framework focused on three scenarios where development initiatives could play a role:

- Pending a durable solution, development assistance could contribute to the self-reliance of refugees (DAR: Development Assistance for Refugees);
- After repatriation, development assistance could be used for reintegration of returnees and for others living in the area of return (4Rs: Repatriation, Reintegration, Rehabilitation and Reconstruction);
- For those situations where a country of asylum would allow the local integration of refugees, development assistance in support of the area of integration, including both the local community and refugees, could be implemented (DLI: Development through Local Integration).

117. The doctrine underpinning these three components of the Framework is sound and comprehensive, and continues to inform subsequent formulations of policy in this area; however, the acronyms (DAR, 4Rs, DLI) have been quietly put aside and no longer figure in UNHCR’s current discourse on the search for durable solutions.

118. Of the components of the Framework for Durable Solutions listed above, the the 4Rs strategy was the one that captured the attention of development practitioners. The

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<sup>148</sup> As an example, the High Commissioner’s Forum of 2 May 2005 looked at the issue of “Focusing Development Aid”. For this discussion, a Note was prepared entitled “Statement of Good Practice on Targeting Development Assistance for Durable Solutions to Forced Displacement”. This is one of the more comprehensive and focused papers by UNHCR on the question of relief to development; for this Note, see: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=426cf2c02&query=Statement%20of%20Good%20Practices>

<sup>149</sup> See the paper on Protracted Refugee Situations (UNHCR/DPC/2008/Doc.2 of 20 November 2008) at:

<http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=492ad3782&query=Dialogue>

<sup>150</sup> For a description of these differences, see the Concept Note: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=4742b37c2&query=Dialogue>

UNDG/ECHA Working Group Report on Transition Issues made a number of positive references to the 4Rs initiative.<sup>151</sup>

119. As with previous reintegration initiatives (like the Brookings Process) and future ones (like the Transitional Solutions Initiative), one would be justified in asking what was specific to the 4Rs approach. Some commentators noted that:

While some in the community of UN reintegration practitioners may consider the 4Rs a mere re-labelling of existing activities, there is broad agreement that the attempt to systematically institutionalise the process is important in developing a more consistent, reliable process to address the longer-term needs of returning displaced people in every situation of return. Former efforts, while positive, were often driven by personality or by intersections of various agencies' interests limited to certain country contexts. The 4Rs attempts to make UN efforts less ad hoc and more predictable, thus ensuring that agencies involved in post-conflict activities engage, and continue to engage, in an integrated inter-agency planning process at both policy and practice levels.<sup>152</sup>

120. In the light of such positive factors, and the subsequent demise of the 4Rs, one has to ask: What went wrong? The 2008 paper containing UNHCR's revised Reintegration Policy<sup>153</sup> noted that:

UNHCR's experience with the "4Rs" has been mixed. Reviews of this approach have highlighted the difficulties for the parties concerned to set priorities in highly challenging field environments, as well as the constraints embedded in the United Nations system itself, including different understandings of the concept of transition.<sup>154</sup>

121. Another commentator, writing in December 2006, entitled his article: "The death-knell of '4R': rethinking durable solutions for displaced people."<sup>155</sup> However, on reading this article, it is difficult to see in what the death-knell consisted. The author notes that:

The 4R concept was quietly dropped from António Guterres' opening statement to the fifty-seventh Executive Committee of the High Commissioner's Programme in late 2006.

122. Is this the supposed death-knell? Moreover, it was not the concept that was dropped by new High Commissioner, António Guterres, but the use of the acronym "4Rs". It should be recalled that, while High Commissioner Guterres in his previous address on 3 October 2005 to the Executive Committee did not make specific reference to the "4Rs", he noted the importance of development cooperation actors for UNHCR's work in the area of durable solutions:

The lack of an effective link between relief and development remains as great a handicap for our work today as it was during the tenure of High Commissioner Sadako Ogata, who referred to it simply as 'the gap'. The gap

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<sup>151</sup> *Idem*, p. 21, para. 43, 53; p. 30, para. 81.

<sup>152</sup> B. Lippman, and S. Malik, "The 4Rs: the way ahead?" in *Forced Migration Review* 21: 9.

<sup>153</sup> EC/59/SC/CRP.5 of 11 February 2008.

<sup>154</sup> *Idem*, para. 18.

<sup>155</sup> R. Muggah writing in *Humanitarian Exchange Magazine*, Issue 36 (December 2006).

is not only an internal problem for the countries concerned. It also comes from dysfunctions in the collaboration of international institutions and can be exacerbated by the impact of different or even conflicting strategies of relief and development cooperation agencies, when poorly coordinated by some donor countries.

The absence of a transition from short- to longer-term assistance reduces the life expectancy of solutions. This is particularly true of repatriation. Large-scale population returns are difficult to sustain if development stalls and instability grows. Hard-won solutions may in fact be tenuous, even after years of effort to build them.<sup>156</sup>

## Convention Plus

123. Launched officially in June 2003 by the then High Commissioner R. Lubbers, the Convention Plus Initiative aimed at complementing the existing “global refugee regime”, i.e., the 1951 Convention and the 1967 Protocol, with substantial obligations as regards the issue of burden-sharing. More particularly, the Initiative was to find sustainable solutions to refugee problems by way of a more effective burden-sharing mechanism based on norms, rules, decision-making procedures, as well as a better management of refugee affairs through “a better apportioning of responsibilities amongst States”.<sup>157</sup>

124. To this end, the Initiative was also to attend to a range of more specific themes (so-called “strands”), such as the strategic use of resettlement, strategic targeting of development assistance, addressing irregular secondary movements. The High Commissioner’s initial idea to accomplish the Initiative with the aid of so-called special agreements,<sup>158</sup> was abandoned in favor of an approach referred to as “working from the outside in”, that is, modifying non-refugee specific instruments. Put differently, the Convention Plus was conceived to “materialize in development aid agreements plus, poverty reductions strategies plus, [etc.]”.<sup>159</sup>

125. In the minds of some, the Initiative failed for a number of reasons.<sup>160</sup> Firstly, the adopted approach meant that the more fundamental causes of uneven burden-sharing should be addressed by targeting specific issues first, whereas their interrelatedness was to be considered at a later stage. However, the authors of the Initiative failed to provide a strategy for this inductive approach which would then, on a general level, deal with the problem of burden-sharing itself.

126. Now, the latter’s underlying causes are rooted in the negative allocation system enshrined by the 1951 Convention. This instrument confers responsibility to provide protection to State parties in case the protection on the part of the country of origin does not materialize. This problem is aggravated by the economic condition of States having to

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<sup>156</sup> <http://www.unhcr.org/434e23774.html>

<sup>157</sup> Statement by Ruud Lubbers, United Nations High Commissioner Refugees, First Meeting of the High Commissioner’s Forum, 27 June 2003.

<sup>158</sup> In the sense of art. 8 sub (b) of UNHCR Statute.

<sup>159</sup> Durieux, Jean-François, 2005, “The Role of International Law: Convention Plus”, *Refugee Survey Quarterly* 24(4), 89-92, 91.

<sup>160</sup> Zieck, Marjoleine, 2009, “Doomed to Fail from the Outset? UNHCR’s Convention Plus Initiative Revisited”, *International Journal of Refugee Law* 21(3), 387-420. According to this author (*idem*, 394), the Convention Plus Initiative ended *de facto* in November 2005 with the Opening Statement by António Guterres, United Nations High Commissioner for Refugees at the High Commissioner’s Forum, 17 November 2005.

assume the major burden; in fact, they are often States with limited resources, namely developing countries and countries in transition. Secondly, since the Initiative was premised on building on the 1951 Convention and the 1967 Protocol, it neglected the issue of the non-parties, which in reality often bear a considerable part of the burden involved. This problem was never addressed throughout the preparatory process of the Initiative. Thirdly, the tools for the Convention Plus Initiative were to be elaborated by facilitating States, which were not representative of the States parties of the 1951 Convention and even less of the States outside this regime.

127. In fact, the States involved in the preparatory process were generally considered as biased towards the interests of the North. It is particularly noteworthy that the Southern States were excluded from the essential part of the negotiations on the “strand” dedicated to development assistance; they could only participate in the final two months of the Initiative. Finally, the failure of the Convention Plus Initiative became also apparent in the context of the different “strands”, mentioned above, that it was supposed to address. The first of these, dubbed “sharing people”, concerned durable solutions while focusing on resettlement.

128. However, this issue was not considered in terms of burden-sharing other than by merely stating that resettlement can be a tangible expression of international solidarity and responsibility-sharing mechanism. The second theme concerned “sharing policy definitions”, and more particularly the definitions of “irregular secondary movements” and “effective protection”. Diverging viewpoints as to policy approach prevented the core group from reaching a consensus. In particular, some of its members pleaded for a focus on increasing the protection capacity of developing States or those confronted with a mass influx of refugees. Obviously, while reducing the impact of the aggravating factors referred to above, such a strategy fails to address the underlying causes of the problem of burden-sharing.

129. The third strand – “sharing money” – was dedicated to the strategic targeting of development assistance with a view to supporting durable solutions for refugees, both in the country of asylum and in the home country, the key objective being the self-reliance of refugees. The work focused on special situations so as to develop a practical bottom-up approach based upon concrete initiatives to target development assistance in refugee and returnee situations.

130. The two facilitating States of this “strand”, Denmark and Japan, set out their conclusions in a joint statement. Its key points included the acknowledgement on the part of many States that targeting development assistance at durable solutions to forced displacement should ideally “strengthen international cooperation and promote international burden and responsibility sharing more equitably amongst States, including multilateral commitments aimed at providing speedy, durable, rights-based and protection-oriented solutions, especially for protracted refugee situations”;<sup>161</sup> the concern of some States that the targeting of the development assistance should not be viewed as a surrogate for humanitarian assistance (which they regarded as a central element of international burden and responsibility sharing), as well as the reluctance on the part of some States to regard forcibly displaced persons as agents of development.

131. However, the joint statement did not constitute an agreement between the States involved in this “strand”; moreover it omitted to indicate how development assistance would contribute to global burden-sharing in the sense envisaged by the Convention Plus initiative.

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<sup>161</sup> FORUM/2005/8, para 8.

132. To sum up, while the Convention Plus Initiative had the important merit of raising key issues pertaining to the problem of burden-sharing, it foundered mainly as it was based upon a piecemeal methodology. In order to provide a structural permanent solution to the problem of burden-sharing rather than a merely palliative one, such an endeavor would have required a systematic approach, that is, to be accomplished with the aid of a multilateral agreement, such as an instrument modeled after the 1967 Protocol.

### **Revised Return and Reintegration Policy and Strategy**

133. The revised<sup>162</sup> Return and Reintegration Policy and Strategy was presented to the 41<sup>st</sup> Meeting of the Standing Committee of UNHCR held on 4-6 March 2008.<sup>163</sup>

134. The policy is well crafted, comprehensive in its approach, and grounded in a sense of realism dictated by earlier experiences that often ended in failure. At the same time, it is visionary in that it recognizes emerging opportunities. It sees reintegration as a process that is multifaceted; consequently, it is modest in its assessment of UNHCR's contribution, but, nevertheless, convinced of its importance:

UNHCR considers it essential to recall that as a result of their initiative, enterprise and resilience, returnees and their communities often succeed in re-establishing their lives and livelihoods, even in the most adverse conditions. UNHCR's reintegration activities cannot bring about fundamental changes to those conditions, the roots of which are usually to be found in longstanding political, social and economic processes. The interventions undertaken by the Office can, however, tip the balance in favour of the people most directly concerned by the process of return and reintegration, providing them with an opportunity to enjoy a more peaceful and productive life than they have experienced in the past.<sup>164</sup>

135. In terms of previous initiatives, it summed up their limitations succinctly, but accurately, as follows:

[T]hey were hindered by a number of factors, including weak national capacity in the early stages of transition, the sequential phasing of humanitarian and development activities, and uneven donor interest.<sup>165</sup>

136. The new policy and strategy is realistic about two essential components for success: partnerships and funding:

Building and consolidating long-term strategic partnerships between humanitarian agencies and development partners, regional banks, regional organizations, bilateral donors and other relevant actors are necessary to ensure that return, reintegration, early recovery, development and peacebuilding activities are effectively synchronized. The various multilateral funding instruments – including pooled funding arrangements –

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<sup>162</sup> EC/59/SC/CRP.5; this policy is termed “revised” in reference to UNHCR's *Framework for Durable Solutions for Refugees and Persons of Concern* (EC/53/SC/INF. 3 of May 2003); see also the UNHCR *Handbook for Repatriation and Reintegration Activities* (May 2004).

<sup>163</sup> UNHCR's *Role in the Support of the Return and Reintegration of Displaced Populations: Policy Framework and Implementation Strategy* (EC/59/SC/CRP.5).

<sup>164</sup> *Idem*, para. 11.

<sup>165</sup> *Idem*, para. 19.

that have been established to address the challenges of post-conflict transition and recovery present new opportunities for organizations to diversify their sources of funding.<sup>166</sup>

137. While sound and comprehensive, the success of the UNHCR's policy and strategy for return and reintegration will ultimately depend on the contributions of others, especially: a capacitated state, and with the active involvement of local authorities and civil society organizations; bilateral donors who are not risk-averse, but willing to contribute along the lines of the DAC Guidelines for involvement in fragile states and situations; multilateral partners, especially of the UN system, who are prepared to make their specific contribution in accord with their comparative strengths and mandates along the lines indicated in decision of the UN Secretary-General's Policy Committee of 4 October 2011 entitled: *Durable solutions: Ending displacement in the aftermath of conflict*; and above all, the returnees themselves.

### **New budget structure**

138. In 2010, UNHCR introduced a new budget structure. It was built around four pillars, one of which was "Global Reintegration Projects". The other pillars were: Global Refugee Programme; Global Stateless Programme; Global IDP Projects.<sup>167</sup> This structure had the advantage of "firewalling" core UNHCR mandate activities from activities in the area of reintegration and work for internally displaced persons (IDPs). One further advantage from the vantage point of this paper, is that now one has the possibility of readily identifying budgets and expenditures in the area of reintegration projects.

139. In the 2010, a total of \$ 182.8 million was budgeted for reintegration projects; expenditure amounted to \$ 90.2 million; comparable figures for 2011 were \$ 289.4 million and \$ 121.4 million respectively. In UNHCR's budget system, budgeted amounts don't imply availability of funds, but rather the upper limit of expenditure, provided that funds are available. Even if UNHCR or a joint partner has funds, it is conceivable that the other partner(s) in a joint programme may not, and thus delay its implementation; this has already happened with joint programmes under the next initiative to be considered, namely the Transitional Solutions Initiative.

### **Transitional Solutions Initiative (TSI)**

140. The early drafts of the "Concept Note on Transitional Solutions Initiative" give some clues as to its origin and basic inspiration; a title of an early draft reads: "Building a Better Response to Durable Solutions. (Nordic plus initiative)". Even this title, like its current one, is not overly revealing of its intent. Rather, it (TSI) is unnecessarily confusing.

141. The term "transitional solutions", becomes somewhat problematic when it is juxtaposed with "durable solutions". While one may intuit what the initiative is all about, a better title would have been preferable. It is the initiatives that are transitional, not the solutions. A title such as "Transitional Initiatives towards Durable Solutions" would seem to better suggest what the TSI is all about.

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<sup>166</sup> *Idem*, para. 54.

<sup>167</sup> UNHCR, A/AC.96/1068 of 17 September 2009, para. 25.

142. The TSI has its roots in the work of a Nordic Plus<sup>168</sup> objective of ensuring a more harmonized and aligned approach to displacement by a range of development actors who might even want to delegate their funds and management to one of the Nordic Plus group who would interface with the recipient country on behalf of the other members of the group. This approach stems from the experience in Zambia in 2003 in what is called the “Harmonization in Practice” (HIP) project. They were particularly influential in forging the Paris Declaration on Aid Effectiveness (2005).

143. The essence of the TSI is set out in its Concept Note:

There is greater recognition now that displacement has humanitarian as well as developmental challenges, and in order to find durable solutions, situation specific comprehensive approaches, similar to some good past practices, would be required with the engagement of government, humanitarian and development actors with additional bilateral and multilateral assistance. The aim of the Transitional Solutions Initiative is to work towards including displacement needs on the developmental agenda for sustainability of interventions for refugees and IDPs and local community members well into recovery and development programming. In essence, helping prioritize displacement needs on the development agenda of governments and international development donors and other actors. As recognized through past experiences that a critical factor in supporting durable solutions is additional dedicated transition and development assistance supporting an integrated approach that targets both displaced, returnees, and local populations.<sup>169</sup>

144. The Concept Note traces the long history of different attempts to link relief and development by both UNHCR and UNDP: ICARA I,<sup>170</sup> ICARA II, CIREFCA,<sup>171</sup> PRODERE,<sup>172</sup> Brookings Process, the 4Rs, etc. But it concludes its overview by highlighting what it considers the “key issue”:

However, almost three decades later since the GA Resolution 37/197 (1982) some fundamental questions still remain valid:<sup>173</sup> why is it so difficult to include displacement on development agenda of donors, governments and development agencies’ programmes and funds? Even where refugees and

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<sup>168</sup> The Nordic Plus Group, which now consists of the United Kingdom, the Netherlands, Sweden, Norway, Denmark, Ireland and Finland, is an informal coalition of likeminded development actors seeking to develop a common approach to ODA issues, including fragile and conflict-affected countries.

<sup>169</sup> *Concept Note on Transitional Solutions Initiative, Summary.*

<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4e27e2f06&query=transitional%20solutions%20initiative>

<sup>170</sup> International Conference on Assistance to Refugees in Africa.

<sup>171</sup> International Conference on Assistance to Refugees in Central America (CIREFCA)

<sup>172</sup> PRODERE (Programa de Desarrollo para Desplazados, Refugiados y Repatriados) was a UNDP facilitated programme for the reintegration and rehabilitation of war affected populations in Central America. See also: <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3bd410804&query=PRODERE>

<sup>173</sup> GA Resolution 37/197 of 18 December 1982 on *the International Conference on Assistance to Refugees in Africa*, requested the Secretary-General, in close co-operation with the Secretary General of the Organization of African Unity and the United Nations High Commissioner for Refugees, to convene such a conference "...to consider the continuing need for assistance with a view to providing, as necessary, additional assistance to refugees and returnees in Africa for the implementation of programmes for their relief, rehabilitation and resettlement..." (op. para. 5( b)) and to "consider the impact imposed on the national economies of the African countries concerned and to provide them with required assistance to strengthen their social and economic infrastructure to cope with the burden of dealing with large numbers of refugees and returnees" (op. para. 5 (c)).

IDPs receive some assistance for return, why are the longer-term needs of the returnees not systematically integrated into the reconstruction planning? How can humanitarian agencies adapt their programmes further to facilitate early recovery without compromising humanitarian principles? How can additional, flexible and timely transitional and development assistance be ensured for refugees who are noncitizens.<sup>174</sup>

145. The Concept Note cites two operative paragraphs (namely 5b and 5c) of the General Assembly Resolution 37/197 of 18 December 1982. It fails to note, however, operative paragraph 11 which states:

that any additional assistance provided for refugee-related projects should not be at the expense of the development needs of the countries concerned.

146. At this time of overall pressure on ODA budgets, one might query whether additional dedicated transition and development assistance supporting an integrated approach that targets displaced (both IDPs and refugees), returnees, and local populations is a realistic objective. It will be recalled that at the 2001 Substantive Session of ECOSOC in a panel discussion with some Heads of UN agencies on transition from relief to development, Mark Malloch Brown, the then Administrator of UNDP noted:

With regard to the linkage between emergency operations and development activities, it should not be forgotten that the latter affected 4.6 billion people whereas the Office of the United Nations High Commissioner for Refugees (UNHCR), for example, dealt with 40 million people. Once the emergency relief phase was over, the amount spent for each inhabitant fell considerably. Temporary arrangements needed to be made for the difficult period of post-disaster recovery to make sure that some form of bridging finance was available. However, it was a sensitive question: the UNDP Executive Board had itself asked questions about whether it should allocate more resources to countries emerging from conflict and had concluded that its limited resources should be entirely devoted to development, which was already underfunded.<sup>175</sup>

147. The TSI, in its current articulation treats returnees, IDPs and refugees as equal beneficiaries. Experience has shown that whereas returnees and IDPs as nationals could, hypothetically, be included as beneficiaries in national development plans, the complicating factor has been whether the area of their resettlement is a development priority.

148. Similarly, host governments in the past have not shown themselves overly enthusiastic in including non-nationals, namely refugees, in national development plans under local integration programmes. On the other hand, the inclusion of refugees and the surrounding local areas in livelihood programmes to achieve a degree of self-reliance, is becoming more common. A positive element to the TSI is that it is getting support and momentum from development partners. This is an important consideration and gives a certain degree of leverage in negotiations with national governments.

149. As noted above, the key to success will be additional and dedicated resources for transition and development programmes. In transition contexts, TSI programmes to date

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<sup>174</sup> *Idem*, para. 9.

<sup>175</sup> E/2001/SR.18, p. 7

have mainly taken the form of Joint Programmes within a United Nations Development Assistance Programme (UNDAF). An unexpected obstacle that has presented itself in some instances (e.g. East Sudan) is that one party has the resources to finance its contribution, whereas the other party, has not. This has led to delays in implementation. In reading the minutes of “Friends of TSI meetings,”<sup>176</sup> it is striking to see how funding for this initiative is still so problematic.

150. Since its launch, pilot programmes listed under the TSI, to date, include East Sudan, Colombia and Nepal. On the other hand, other programmes like those in Georgia<sup>177</sup> that are expressly described as TSI-type/Nordic Plus initiatives have not received much attention in the publicity on TSI, except for one UNHCR news story (20 December 2010) focused on a joint UNDP-UNHCR project that aimed to ease the socio-economic integration of Chechen refugees in a poverty-stricken corner of Georgia, namely the Pankisi Gorge region, as well as benefit their host communities. The news story ends with the statement:

This so-called transitional solutions initiative could become a model for UNHCR and UNDP to apply in other countries where integration is seen as the best solution for refugees and other displaced people. Next year, UNHCR and UNDP hope to expand the programme to help internally displaced people living in other parts of Georgia.<sup>178</sup>

151. The Transitional Solutions Initiative is the last in a long line of initiatives that have sought to bring humanitarian and development actors together in the search for durable solutions. One is tempted to ask: Where is this initiative different to earlier ones? What are its distinguishing characteristics? Or is it just a re-branding exercise? The answers to these questions are not fundamental to its success. So far, however, success seems to be somewhat elusive, largely because of funding.

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<sup>176</sup> New York (17 November 2011); Geneva (24 November 2011; 26 September 2012).

<sup>177</sup> Joint Programme Document signed by UNDP and UNHCR on 23 October 2011 and 27 October 2011 respectively: “Support to Vulnerable Communities’ Livelihood Development in Shida Kartli Region”.

<sup>178</sup> <http://www.flickr.com/photos/unhcr/5279316519/in/set-72157625381556419>.



## Conclusion

152. In his 2009 report *Peacebuilding in the immediate aftermath of conflict* (A/63/881-S/2009/304), the Secretary-General addressed the central issue of funding the gap between relief activities and development. The Secretary-General noted:

Funding during the humanitarian phase comes in quickly, using special procedures designed for fast release. Funding for peacebuilding is usually drawn from development budgets, which typically have long lead times from inception to disbursement at the country level. The result is a funding gap between the time humanitarian funding starts to diminish and development funding starts to flow. The challenge is to close the gap from both sides, maintaining adequate levels of humanitarian financing in the period immediately after conflict, but also pre-positioning some funding for immediate and catalytic activities, and bringing development funds in earlier.<sup>179</sup>

153. In another report issued on 11 June 2012 on “*Quadrennial comprehensive policy review of operational activities for development of the United Nations system*”,<sup>180</sup> the Secretary-General again drew attention to an important aspect of funding:

The United Nations currently commits a high level of resources to countries in crisis and transition situations; yet, financial allocations are often heavily concentrated in a limited number of countries for unpredictable periods of time.<sup>181</sup>

154. This observation echoes that made in 2001 by the then WFP Executive Director, Catherine Bertini, when she spoke of “selective intervention”, and coincides with one made by Sadako Ogata, the then High Commissioner for Refugees, and James Wolfensohn, the then President of the World Bank, in their paper<sup>182</sup> that launched the “Brookings Process” in 1999. In that paper, they drew attention to a “level of interest gap” that referred to the way transitions were funded (or rather, not funded), and which was largely determined by the political interests of donor countries.

155. At the end of this overview of UNHCR’s efforts to engage development actors in bridging the gap between relief and development, one is left in no doubt that the nodal issue is funding. The invaluable 2012 INCAF study, *International Support to Post-Conflict Transitions: Rethinking Policy, Changing Practice: DAC Guidelines on Post-Conflict Transitions*, noted that:

Evidence shows that effective support to transition requires collective and parallel engagement by different policy communities. Despite decades of experience, we have still not been able to build a response that effectively

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<sup>179</sup> *Op.cit.*, para. 73.

<sup>180</sup> A/67/93-E/2012/79.

<sup>181</sup> *Idem*, para. 32.

<sup>182</sup> Sadako Ogata and J. D. Wolfensohn, *From war to peace: Improving the odds of success for war-torn societies. Some personal observations*, presentation at the Brookings Roundtable on the Relief to Development Gap, Washington DC: The Brookings Institution, 1999.

links humanitarian and development assistance, and that reconciles different principles and operational modalities in a way that supports transitions from conflict to peace. A change in both policy and practice is needed.<sup>183</sup>

156. The Foreword of this work goes on to note:

To ensure that development resources are used to support the essential objectives of peacebuilding and statebuilding, we need to bridge the divide between policy and practice to deliver more rapid, flexible and risk-tolerant support.<sup>184</sup>

157. The overall impression of this study covering the last 12 years is that there still remains a fundamental gap between policy and praxis. There has been considerable progress in relation to policy and in the appreciation of the disruptive nature of displacement on development (as recently reflected in the 2011 World Bank's Development report); but in regard to practice, principally reflected in the availability and predictability of funding to bridge the humanitarian - development gap, the very issue that led to the launch of the Brookings Process in 2001, things have not changed much for the better as is evident in the 2011 OECD/DAC *Monitoring Survey of International Engagement in Fragile States: Can't We Do Better?*.

158. This monitoring survey is an evaluation of the Paris Declaration on Aid Effectiveness on international engagement in fragile states.<sup>185</sup> The Fragile States Principles were listed earlier in this paper. Principle No. 10 states: "Avoid pockets of exclusion". Through risk-adverse, selective funding by donors, "aid orphans" are created by international development partners. The report of the OECD/DAC monitoring survey pointed to the continuing gap between rhetoric and reality:

The principles for Good International Engagement in Fragile States and Situations seem to have stimulated relatively limited change in international engagement at the country level since their endorsement by the OECD Development Assistance Committee (DAC) member countries in 2007 and their validation by both development partners and partner countries in Accra in 2008. According to the 2011 Survey, development partner practice has not improved significantly to achieve better results. The main message of this report is that a significant gap still exists between policy and practice.<sup>186</sup>

159. It will be noted that this monitoring survey has in its title the phrase: *Can't we do better?* This question could worthily have been the subtitle of our own study on "the gap". In Annex A to the 2012 INCAF study, *International Support to Post-Conflict Transitions: Rethinking Policy, Changing Practice: DAC Guidelines on Post-Conflict Transitions*, one has a well-planned road map, which if followed through could bridge the gap between relief and development.<sup>187</sup> It is in UNHCR's interest and those whom it serves to continue its advocacy on the issue, in particular promoting the reform agenda to implement the DAC Guidelines on Transition Financing.

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<sup>183</sup> *Idem*, p. 3.

<sup>184</sup> *Idem*, p. 4.

<sup>185</sup> OECD/DAC *Monitoring Survey of International Engagement in Fragile States: Can't We Do Better?*, Paris 2011.

<sup>186</sup> OECD, *International Engagement in Fragile States: Can't we do better?*, p. 11.

<sup>187</sup> The Annexe is entitled: *Key Elements of the Reform Agenda to implement the DAC Guidelines on Transition Financing*.

## **Annex 1: Terms of reference**

### **Still minding the gap?**

In 2001, UNHCR published a paper titled “Mind the gap! UNHCR, humanitarian assistance and the development process”, which provided an historical analysis of UNHCR's efforts to link its own humanitarian assistance programmes with the longer term efforts of development actors, including ICARA 2, the returnee aid and development initiative and the Brookings Process.

At the suggestion of the Head of UNHCR’s Donor Relations and Resource Mobilization Service, PDES now plans to commission an updated study on this issue, taking account of developments over the past 10 years.

The study will pay particular attention to the issue of UN reform (e.g. the introduction of the Cluster Approach, the Early Recovery concept, the Delivering as One initiative and the Peacebuilding Fund) as well as the way in which UNHCR has organized its efforts to establish better linkages with development actors, including UNDP, the World Bank and regional development banks. In addition, the study will examine the achievements and potential of UNHCR's current Transitional Solutions Initiative.

The study will focus on UNHCR’s relationship with development actors in the context of (a) return and reintegration programmes, (b) local integration initiatives, and (c) protracted refugee situations, and may involve a number of detailed case studies, including Tanzania, Burundi and Pakistan.

The review will be undertaken by an independent consultant. In accordance with UNHCR's evaluation policy its findings and recommendations will be placed in the public domain. It will be undertaken on the basis of a review of relevant documents and interviews with key interlocutors within and outside UNHCR.

## Annex 2: Timeframe

| Timeline           | Events, Studies, Resolutions etc.   |
|--------------------|---|
| 1980 (5 December)  | UN General Assembly Resolution 35/81 on Comprehensive Policy Review of Operational Activities for Development, in which a Triennial Comprehensive Policy Review of Operational Activities for Development, starting in 1983, is agreed upon (operational paragraph 13). |
| 1981               | ICARA I (International Conference on Assistance to Refugees in Africa)  |
| 1984               | ICARA II  |
| 1989 (29-31 May)   | International Conference on Assistance to Refugees in Central America (CIREFCA), Guatemala City   |
| 1989-1995          | PRODERE (Programa en favor de la poblacion desplazada, refugiada y repatriada)  |
| 1989 (7 September) | UNHCR presented a document to its Executive Committee on Refugee Aid and Development (A/AC.96/736). The Executive Committee adopted a range of Conclusions and Decisions on refugee aid and development (A/44/12/Add.1, para. 32).                                      |
| 1991 (19 December) | The United Nations General Assembly passed Resolution 46/182 on the strengthening of the coordination humanitarian emergency assistance of the United Nations.  |
| 1992 (17 June)     | An Agenda for Peace. Preventive Diplomacy, Peacemaking and Peacekeeping. Report of the Secretary-General pursuant to the Statement adopted by the Summit Meeting of the Security Council on 2 January 1992 (A/47/277- S/24111).   |
| 1992 (June)        | The Inter-Agency Standing Committee (IASC) established.   |
| 1996 (30 April)    | Communication from the European Commission to the Council and the European Parliament entitled "Linking Relief, Rehabilitation and Development" (COM(1996) 153).  |
| 1997 (6 January)   | UNHCR, Social and economic impact of large refugee populations on host developing countries, EC/47/SC/CRP.7.  |
| 1997 (May)         | OECD, Development Assistance Committee (DAC) Guidelines on Conflict, Peace and Development Cooperation, OECD Paris.   |
| 1997 (14 July)     | Report of the Secretary-General of the United Nations, Renewing the United Nations. A Programme for Reform (A/51/950).  |

- 1998 (3 August) UNHCR, Economic and social impact of massive refugee populations on host developing countries, as well as other countries: a quantitative assessment on the basis of special case studies, EC/48/SC/CRP.40.
- 1999 (15 January) Brookings Process. A Roundtable convened by The Brookings Institution and co-sponsored by UNHCR and the World Bank.
- 1999 (2 February) UNHCR, Reintegration: A Progress Report (EC/49/SC/CRP.6).
- 1999 (3 September) UNHCR, Social And Economic Impact Of Massive Refugee Populations On Host Developing Countries, As Well As Other Countries:Addressing The Gaps (EC/49/SC/CRP.24).
- 1999 (December) J. Macrae, "Aiding peace ....and war: UNHCR, returnee reintegration and the relief-development debate", New Issues in Refugee Research, Working Paper 14.
- 2000 (31 January) UNHCR, Reintegration: a Progress Report (EC/50/SC/CRP.11).
- 2000 (7 March) United Nations Secretary-General Kofi Annan convened a High-level Panel led by Mr. Lakhdar Brahimi, to study the UN's peace and security operations and how they might better be performed in the future. The report of the Panel (A/55/305-S/2000/809) was transmitted to the Secretary-General on 17 August 2000
- 2000 (9 June) UNHCR, Social And Economic Impact Of Massive Refugee Populations On Host Developing Countries, As Well As Other Countries (EC/50/SC/CRP.21).
- 2000 (2 October) Panel Discussion at the 51st session of the UNHCR Executive Committee on: Promoting and Building Peace: Linking Refugee and Humanitarian Assistance with Longer-term Development.
- 2001 (15 February) UNHCR, Reintegration: A Progress Report (EC/51/SC/CRP.5)
- 2001 (8-9 March) UNHCR Global Consultations (Third Track), 1st Meeting. Subsequent Meetings in 2001 were held on 28-29 June; 27-28 September.
- 2001 (23 April) Communication from the European Commission to the Council and the European Parliament of 23 April 2001 entitled "Linking Relief, Rehabilitation and Development - An assessment" [COM(2001) 153 final].
- 2001 (May) J. Crisp, "Mind the Gap! UNHCR, humanitarian assistance, and the development process", New Issues in Refugee Research No. 43
- 2001 (30 May) UNHCR, Social And Economic Impact Of Massive Refugee Populations On Host Developing Countries, As Well As Other Countries (EC/51/SC/CRP.16).

|                    |  |
|--------------------|--|
| 2001 (12-13 Dec.)  | A UNHCR ministerial-level conference was held in Geneva; it adopted a declaration which committed signatory nations to implement their obligations under the 1951 Convention and/or its 1967 Protocol fully and effectively.   |
| 2002 (31 May)      | Economic and Social Impact of Refugee Populations on Host Developing Countries as well as other Countries: Partnerships with Bilateral Development Agencies (EC/52/SC/CRP.10).   |
| 2002 (26 June)     | UNHCR, Agenda for Protection (A/AC.96/965/ Add.1).   |
| 2002 (9 Sept.)     | Strengthening of the United Nations: an agenda for further change. Report of the Secretary-General (A/57/387).   |
| 2003 (10 February) | Economic and Social Impact of Refugee Populations on Host Developing Countries as well as other Countries (EC/53/SC/CRP.4), a paper presented to the 26th. Meeting of the UNHCR Standing Committee (4-6 March 2003).   |
| 2003 (April)       | UNHCR became a permanent member of the UNDG.   |
| 2003 (16-17 June)  | Principles and Good Practice of Humanitarian Donorship adopted at a meeting in Stockholm convened by the Government of Sweden.   |
| 2003 (27 June)     | First Meeting of the High Commissioner's Forum and launch of "Convention Plus" initiative.   |
| 2003 (16 Sept.)    | UNHCR, Framework for Durable Solutions for Refugees and Persons of Concern (EC/53/SC/INF.3).   |
| 2003 (3 October)   | Strengthening the Capacity of the Office of the United Nations High Commissioner for Refugees to carry out its Mandate: Report on the UNHCR 2004 process (A/58/410).   |
| 2004 (February)    | Report of the UNDG/ECHA Working Group on Transition Issues.  |
| 2004 (18 February) | Economic and Social Impact of Refugee Populations on Host Developing Countries as well as other Countries (EC/54/SC/CRP.5), a paper presented to the 29th. Meeting of the UNHCR Standing Committee (9-11 March 2004).  |
| 2004 (May)         | UNHCR's Handbook for Repatriation and Reintegration Activities.  |
| 2004 (June)        | Convention Plus. Issues Paper on Targeting of Development Assistance, UNHCR's Convention Plus Unit.  |
| 2004 (August)      | Practical Guide to Multilateral Needs Assessments in Post-Conflict Situations. A Joint Project of the United Nations Development Programme, The World Bank, and the United Nations Development Group; produced by the German Agency for Technical Cooperation (GTZ) with support from the German Ministry for Economic |

Cooperation and Development.

- 2004 (October) UNDG Guidance Note on Durable Solutions for Displaced Persons (refugees, internally displaced persons, and returnees)
- 2004 (2 December) Report of High-level Panel on Threats, Challenges and Change (A/59/565).
- 2005 (January) UNHCR's Handbook for Planning and Implementing Development Assistance for Refugees (DAR) Programmes.
- 2005 (24 January) Background Note for Joint Meeting of the Executive Boards of UNDP/UNFPA, UNICEF & WFP. Agenda Item: Transition from Relief to Development using the Report of the United Nations Development Group (UNDG)/Executive Committee on Humanitarian Affairs (ECHA) Working Group on Transitional Issues as Background. UNDP: New York
- 2005 (2 March) Paris Declaration on Aid Effectiveness adopted at the Second High Level Forum on Aid Effectiveness, Paris, February 28-March 2, 2005.
- 2005 (21 March) In larger freedom: towards development, security and human rights for all, Report of the Secretary-General (A/59/2005).
- 2005 (2 May) High Commissioner's Forum: Convention Plus: Targeting of Development Assistance for Durable Solutions to Forced Displacement (Forum/2005/3).
- 2005 (2 June) Local Integration and Self-reliance, a paper (EC/55/SC/CRP.15) presented to the 33rd session of UNHCR's Standing Committee (28-30 June 2005).
- 2005 (7 June) International Cooperation and Burden and Responsibility Sharing in Massive Influx Situations (EC/55/SC/CRP.14), a paper presented to the 33rd. session of UNHCR's Standing Committee (28-30 June 2005).
- 2005 (August) Humanitarian Response Review, commissioned by the United Nations Emergency Relief Coordinator.
- 2005 (August) UNHCR's Handbook for Self-Reliance.
- 2005 (24 October) World Summit Outcome (GA Resolution 60/1)
- 2005 (20 December) Resolution of the Security Council 1645/2005 and of the General Assembly (A/RES/60/180 of 30 December 2005) to establish Peacebuilding Commission, Peacebuilding Fund and Peacebuilding Support Office.
- 2006 (February) The Secretary-General announced the formation of a High-level Panel to explore how the United Nations system could work more coherently and effectively across the world in the areas of

development, humanitarian assistance, and the environment.

- 2006 (8 May) Transition from Relief to Development and Ongoing Issues on Humanitarian Reform (High-level Panel Meeting in Rome, 19 May 2006).
- 2006 (9 June) Targeting Development Assistance, including International Cooperation for finding Durable Solutions for Protracted Refugee Situations, UNHCR (EC/57/SC/CRP. 19).
- 2006 (July) African Union Post-Conflict Reconstruction and Development (PCRD) Policy, adopted in Banjul, The Gambia.
- 2006 (20 Nov.) Note of Secretary-General transmitting the Report of the High-level Panel on System-wide Coherence: "Delivering as One" (A/61/583).
- 2006 (24 Nov) IASC Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response.
- 2007 (March) World Bank Operational Policy (OP) 8.00: Rapid Response to Crises and Emergencies; see also Bank Procedure (BP) 8.00.
- 2007 (4 April) Principles for Good International Engagement in Fragile States and Situations were adopted (2007 OECD/DAC High Level Meeting).
- 2007 (11 May) Triennial Comprehensive Policy Review of Operational Activities for Development of the UN System (A/62/73-E/2007/52).
- 2007 (June) When Displacement Ends: A Framework for Durable Solutions, The Brookings Institution - University of Bern, Project on Internal Displacement.
- 2007 (8 August) Latest update of the Communication from the European Commission to the Council and the European Parliament of 23 April 2001 entitled "Linking Relief, Rehabilitation and Development - An assessment" (COM (2001) 153 final).
- 2007 (September) United Nations Development Group and World Bank, Joint Guidance Note on Integrated Recovery Planning using Post Conflict Needs Assessments and Transitional Results Frameworks.
- 2007 (11-12 Dec.) The first High Commissioner's Dialogue on Protection Challenges: Refugee Protection, Durable Solutions and International Migration.
- 2008 (11 February) UNHCR's revised Reintegration Policy: Policy Framework and Implementation Strategy: UNHCR's Role in Support of the Return and Reintegration of Displaced Persons (EC/59/SC/CRP.5).
- 2008 (14 March) UN General Assembly Resolution on the Triennial Comprehensive Policy Review of Operational Activities for Development of the United Nations System (62/208).

- 2008 (20 May) Security Council Presidential Statement 2008 on Peacebuilding (S/PRST/2008/16).
- 2008 (18-20 June) IASC, 71st Working Group Meeting, Geneva: Humanitarian-Development Transitions: The World Bank's View of a Critical Component of Integrated Planning and Delivery in Post-Conflict Settings (WO/0806/2716/7).
- 2008 (11 July) International Meeting in London, hosted by DFID, on International Support for Post-Conflict Stabilization and Early Recovery.
- 2008 (1-3 October) Early Recovery Policy Forum, Copenhagen sponsored by Danish Ministry of Foreign Affairs and UNDP: "Early Recovery –Addressing Gaps and Dilemmas Together"; Draft Statement on "Joint Action for Strengthening International Support to Early Recovery".
- 2008 (24 October) UN and The World Bank agreed on a Partnership Framework for Crisis and Post-Crisis Situations.
- 2008 (19-21 Nov.) IASC, 72nd Working Group Meeting, Rome, Early Recovery and Recovery in Transition Situations (WO/08112906/7).
- 2008 (9-10 Dec.) The second High Commissioner's Dialogue on Protection Challenges: Protracted Refugee Situations.
- 2009 (7 May) ECOSOC, Results achieved and measures and processes implemented in follow-up to General Assembly resolution 62/208 on the triennial comprehensive policy review of operational activities for development of the United Nations system (E/2009/68).
- 2009 (11 June) Report of Secretary-General on peacebuilding in the immediate aftermath of conflict (A/63/881 - S/2009/304).
- 2009 (17 July) The Economic and Social Council (ECOSOC) convened an informal panel discussion on the transition from relief to development, with a focus on the key themes from the Report of the Secretary-General on Peacebuilding in the immediate aftermath of conflict (A/63/881-S/2009/304).
- 2009 (December) INCAF (International Network on Conflict and Fragility) established as a subsidiary body of OECD/DAC.
- 2009 (9-10 Dec.) Third High Commissioner's Dialogue on Protection Challenges: Challenges for People of Concern to UNHCR in Urban Settings.
- 2010 (12 January) Note on the creation of the new World Bank Program on Forced Displacement within the Social Development Department.
- 2010 (9 Feb.) IASC Framework on Durable Solutions for Internally Displaced Persons, The Brookings Institution - University of Bern, Project on

Internal Displacement, updated version.

- 2010 (19 May) Report of the UN Secretary-General, Results achieved and measures and processes implemented in follow-up to General Assembly resolution 62/208 on the triennial comprehensive policy review of operational activities for development of the United Nations system, (E/2010/70).
- 2010 (17 June) First Informal Annual Consultative Meeting among partners of the World Bank's Program on Forced Displacement was held.
- 2010 (16 July) Progress Report of the Secretary-General on peacebuilding in the immediate aftermath of conflict (A/64/866-S/2010/386)
- 2010 (21 July) Review of United Nations Peacebuilding Architecture (A/64/868 - S/2010/393) and the related Resolution (A/RES/65/7 of 23 Nov. 2010).
- 2010 (October) In cooperation with UNDP and support from The World Bank, UNHCR launched the Transitional Solutions Initiative. Concept Note. Transitional Solutions Initiative. UNDP and UNHCR in collaboration with the World Bank.
- 2010 (8-9 Dec.) Fourth High Commissioner's Dialogue on Protection Challenges: Protection Gaps and Responses.
- 2011 (17 February) The World Bank (Social Development Department), Study on Impact and Costs of Forced Displacement.
- 2011 (28 February) OECD, Supporting Statebuilding in Situations of Conflict and Fragility: Policy Guidance, DAC Guidelines and Reference Series, OECD Publishing.
- 2011 (April) The World Bank, World Development Report 2011: Conflict, Security and Development.
- 2011 (9 May) ECOSOC, Results achieved and measures and processes implemented in follow-up to General Assembly resolution 62/208 on the triennial comprehensive policy review of operational activities for development of the United Nations system (E/2011/112).
- 2011 (15 Sept.) OECD, International Engagement in Fragile States: Can't we do better?
- 2011 (4 October) Meeting of the Secretary-General's Policy Committee. Decision No. 2011/20 - Durable Solutions: Follow up to the Secretary-General's 2009 Report on Peacekeeping.
- 2011 (2 November) International Peace Institute (IPI), Aid Effectiveness in Fragile States: Lessons from the First Generation of Transition Compacts, a study by Christina Bennett, IPI.

- 2011 (29 Nov. - 1 Dec.) Fourth High Level Forum on Aid Effectiveness, Busan, Korea; the agreement entitled, Partnership for Effective Development Cooperation.
- 2012 (March) Revised World Bank Operational Policy (OP) 2.30 (originally issued in 2001): Development Cooperation and Conflict.
- 2012 (3 April) Joint communication issued to Resident/Humanitarian Coordinators by Helen Clark, Chair of UNDG and Valerie Amos, Emergency Relief Coordinator, on: Durable solutions: Ending displacement in the aftermath of conflict.
- 2012 (18 April) International Support to Post-Conflict Transitions: Rethinking Policy, Changing Practice: DAC Guidelines on Post-Conflict Transitions, OECD, Paris.
- 2012 (27 April) Revised World Bank Procedure (BP) 2.30 on Development Cooperation and Conflict (revision of BP 2.30 of January 2001 and June 2005).
- 2012 (22 May) Report of the Secretary-General, Strengthening of the coordination of emergency humanitarian assistance of the United Nations (A/67/89-E/2012/77)
- 2012 (29 May) The UN Secretary-General's Policy Committee Decision on Durable Solutions, UNHCR, IOM 047/2012-FOM 048/2012.
- 2012 (11 June) United Nations, Note of Secretary-General, Quadrennial Comprehensive Policy Review of Operational Activities for Development of the United Nations system (A/67/93-E/2012/79).

## Annex 3: Country profiles

### A. United Republic of Tanzania

#### *Background information documents:*

- UNHCR Country Operations Profile (2012)<sup>188</sup>
- The World Bank Country Overview<sup>189</sup>
- Poverty Reduction Strategy Paper (PRSP) and Joint IDA-IMF Staff advisory note<sup>190</sup>
- Country Assistance Strategy (CAS) (FY 2012-2015)<sup>191</sup>

#### *United Nations Country Documentation:*

- UNDAF (United Nations Development Assistance Framework (2007-2011))<sup>192</sup>
- UNDAF (United Nations Development Assistance Plan) 2011-2015<sup>193</sup>

#### *UN Country Team Report:*

- Delivering as One in Tanzania: Annual Report 2011<sup>194</sup>

#### *Evaluations and Studies:*

- DANIDA/UNHCR, Joint Evaluation: Evaluation of the Protracted Refugee Situation (PRS) for Burundians in Tanzania, October 2010<sup>195</sup>

### UNHCR Programme 2001-2012

UNHCR's programme, as reflected in UNHCR's Global Appeals (2001-2012/13 and the 2013 Update)<sup>196</sup> and the corresponding Global Reports (2001-2011)<sup>197</sup>, lists a range of development actors assisting in the pursuit of durable solutions for the Burundian caseload. For the purposes of this paper, the most relevant programmatic elements relate to the UNCT approach to the local integration of Burundian refugees, which was made possible by the Government's decision in 2007 to allow the integration of the Burundian refugees who fled

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<sup>188</sup> <http://www.unhcr.org/cgi-bin/tehis/vtx/page?page=49e45c736&submit=GO>

<sup>189</sup> <http://www.worldbank.org/en/country/tanzania/overview>

<sup>190</sup> <http://documents.worldbank.org/curated/en/2006/03/6735682/tanzania-poverty-reduction-strategy-paper-prsp-joint-ida-imf-staff-advisory-note>

<sup>191</sup> <http://www->

[wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2011/05/16/000333037\\_20110516030743/Rendered/PDF/602690CAS0IDA005B000public050120110.pdf](http://wds.worldbank.org/external/default/WDSContentServer/WDS/IB/2011/05/16/000333037_20110516030743/Rendered/PDF/602690CAS0IDA005B000public050120110.pdf)

<sup>192</sup> [http://www.undg.org/archive\\_docs/8328-Tanzania\\_UNDAF\\_\\_2007-2010\\_-\\_UNDAF\\_2007-2010.doc](http://www.undg.org/archive_docs/8328-Tanzania_UNDAF__2007-2010_-_UNDAF_2007-2010.doc)

<sup>193</sup> <http://www.unhcr.org/50a9f81f16.html>

<sup>194</sup> <http://tz.one.un.org/images/PDF/Tanzania%20One%20UN%20Annual%20Progress%20Report%202011.pdf>

<sup>195</sup> <http://www.unhcr.org/4cdd4bc29.html>

<sup>196</sup> For the most recent appeal (2012/2013), see: <http://www.unhcr.org/ga12/index.xml>; for the 2013 update, see: <http://www.unhcr.org/ga13/index.xml>

<sup>197</sup> For the most recent report (2011), see: <http://www.unhcr.org/gr11/index.xml>

their country in 1972; where this integration is to take place, namely in a new designated locations or where the new citizens (some 162,000) are currently located, is being considered by the government. Another part of the overall agreement is for the facilities (health, education) in the old settlements to be upgraded, the remaining land on which these settlements were built to be redistributed, and the environmental impact resulting from the presence of refugees to be redressed.

As part of the United Nations Country Team (UNCT) in Tanzania, UNHCR is committed to support both the country's achievement of the Millennium Development Goals (MDGs) and Tanzania's development priorities as outlined in the National Strategy for Growth and Reduction of Poverty (NSGRP, known as MKUKUTA under its Kiswahili acronym), and the Zanzibar Strategy for Growth and Reduction of Poverty (ZSGRP, known as MKUZA under its Kiswahili acronym).

The United Nations Development Assistance Plan (UNDAP) covering 2011-2015, replaced the Joint UN Programmes and the multiple UN-supported initiatives in the United Nations Development Assistance Framework (UNDAF) for the years 2007-2011 with a single, coherent business plan for all 20 UN funds, programmes and agencies operating in Tanzania.

The United Nations Development Assistance Plan (UNDAP) 2011-2015, in particular its Programme Results Matrix, is built around three outcomes of the Tanzanian development plan:

- Outcome 1: Growth for reduction of income poverty (MKUKUTA/MKUZA);
- Outcome 2: Improvement of quality of life and social well-being (MKUKUTA)/Well-being and social services (MKUZA); and
- Outcome 3: Governance and accountability (MKUKUTA)/Good governance and national unity (MKUZA).

Recent progress in addressing these issues is set out in the 2011 Delivering as One Report.<sup>198</sup> It presents the key achievements and lessons learnt from the Joint Programmes (JPs)<sup>199</sup> under UNDAF (2007-2011) up until 30 June 2011, and the first six months of UNDAP (2011-2015) from 1 July to 31 December 2012.

Cluster 1 focuses on some of the key drivers for pro poor economic growth and governance, including productivity enhancement and environmental and climate change mitigation. Cluster 2 aims to enhance partner capacities in education, health and nutrition, HIV and AIDS, WASH and protection. The programme for Cluster 3 addresses the enabling environment for development – good governance and further fulfilment of the Government's international treaty obligations. Environmental and disaster response and assistance to refugees is a key part of Cluster 3 activities.

Under each of the three outcomes there are programmes and activities focused on refugees, but refugees are more the focus of attention in relation to Outcome 3.

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<sup>198</sup> See fn 195.

<sup>199</sup> The Joint Programmes were initiated in 2008.

The Programme Working Groups for Cluster 3 are: Governance, Emergencies, and Refugees. The roles of the agencies in relation to Cluster 3 are as follows: FAO (EPR in agriculture, forestry and fisheries); ILO (labour-related conventions); IOM (asylum and migration); OHCHR (human rights reporting); UNCDF (LGA<sup>200</sup> financing); UNDP (good governance, democracy, development management); UNESCO (culture conventions, cultural heritage, freedom of expression, community and inter-cultural dialogue); UNFPA (gender discrimination, CEDAW reporting, SRH<sup>201</sup> and GBV<sup>202</sup> in emergencies); UNHCR (refugee services and durable solutions); UNICEF (child justice, EPR, children in refugee camps, development management for children, CRC<sup>203</sup> reporting); UN Women (gender budgeting, GBV and gender equity); WFP (EPR, refugee and host community services); WHO (health emergency preparedness).

The UNDAF for Tanzania 2007-2011 is a good example of the way in which a range of UN development actors contributed to the work of UNHCR.<sup>204</sup> Related to all three clusters of the UNDAF, a Joint Programme between UNDP, UNICEF, UNHCR, WFP, UNCDF, ILO, FAO, UNESCO, IOM and UNIDO, ran from July 2008 to June 2011. This Joint Programme 6.1 was entitled: "Transition from Humanitarian Assistance to Sustainable Development".

The evaluation of this joint programme, although critical in parts, noted that:

"Despite problems and delays experienced at the beginning, the programme has produced remarkable outputs that are already benefiting the communities and local authorities in the two [Kigoma and Kagera] regions."<sup>205</sup>

Among the principal outputs of the Joint Programme (JP) was land use planning in some 20 pilot villages in five districts as part of the orderly re-population of the former refugee camps. UNHCR had an important role in assuring this output. As part of the outputs of this part of the JP, land use maps were made and registered with the Commissioner for Lands so as to reduce disputes over land. Staff of the local authorities, as well as village and ward leaders, were trained on participatory land use planning, environmental legislation, the legislative requirements for economic impact assessments, and resolution of land disputes. Equipment for land survey and mapping was also purchased for the five districts and their staff trained on its use. In addition, UNHCR was responsible for improving and converting assets in the former refugee camps for delivery of social services.

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<sup>200</sup> Local government authorities.

<sup>201</sup> Sexual and reproductive health.

<sup>202</sup> Gender-based violence.

<sup>203</sup> Convention on the Rights of the Child of 1989.

<sup>204</sup> UNDAF for Tanzania, see: [http://www.undg.org/archive\\_docs/8328-Tanzania\\_UNDAF\\_\\_2007-2010\\_-\\_UNDAF\\_2007-2010.doc](http://www.undg.org/archive_docs/8328-Tanzania_UNDAF__2007-2010_-_UNDAF_2007-2010.doc)

<sup>205</sup> Lovemore M. Zinyama and Slaus Mwisomba, *Joint Programme 6.1 – Transition from Humanitarian Assistance to Sustainable Development*, End-of-Programme Evaluation, Final Report, UNDP Tanzania, 2011 page vi, para 4: [http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&sqi=2&ved=0CEEQFjAD&url=http%3A%2F%2Ferc.undp.org%2Fevaluationadmin%2Fdownloaddocument.html%3Fdocid%3D4990&ei=WzymUISbEo\\_mtQaZhIHwBA&usg=AFQjCNHTgfKmw4ati\\_blUDrxtVmpBD-KWg&sig2=vO5x93Fc4NuiLI7gkaS1JA](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&sqi=2&ved=0CEEQFjAD&url=http%3A%2F%2Ferc.undp.org%2Fevaluationadmin%2Fdownloaddocument.html%3Fdocid%3D4990&ei=WzymUISbEo_mtQaZhIHwBA&usg=AFQjCNHTgfKmw4ati_blUDrxtVmpBD-KWg&sig2=vO5x93Fc4NuiLI7gkaS1JA)

## Conclusion

While the UNDAF had a role in assuring a more coordinated approach by the UN Country Team, the UN agencies working in the country in support of the government's development plans felt that it lacked genuine programme cohesiveness, especially when compared to the One Programme under the current UNDAF. Nevertheless, the UNDAF did contribute to UNHCR's objective of engaging development actors in redressing environmental impacts of large numbers of refugees, rehabilitating schools, health clinics, etc. for use by the local communities, and in drawing up programmes to assist the local integration of the old Burundian caseload. Although UNHCR team members in Tanzania find the time spent in assuring programme cohesiveness under the UNDAF somewhat tedious, and the results slow in coming,<sup>206</sup> the quality of programmatic outputs and outcomes, as well as their sustainability, will hopefully compensate and outweigh such negative considerations.

## B. Republic of Burundi

*Background information documents:*

- UNHCR Country Operations Profile (2012)<sup>207</sup>
- The World Bank Country Overview
- Joint IDA-IMF Staff advisory note on PRSP II (2012-2015)<sup>208</sup>
- Country Assistance Strategy (CAS) (FY 2009-2012)<sup>209</sup>
- Strategic Framework for Peacebuilding in Burundi (Annex)<sup>210</sup>
- Conclusions and Recommendations of the Peacebuilding Commission on the Annual Review of its Engagement with Burundi (PBC/6/BDI/2) (8<sup>th</sup> November 2012)<sup>211</sup>

*The United Nations Country Documentation:*

- Stratégie intégrée d'appui des Nations Unies au Burundi 2010-2014<sup>212</sup>
- Resident Coordinator's Annual Report 2011<sup>213</sup>

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<sup>206</sup> DANIDA/UNHCR, *Joint Evaluation*, op. cit., p. 49.

<sup>207</sup> <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e45c056&submit=GO>

<sup>208</sup> <http://www->

[wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2012/07/20/000386194\\_20120720031503/Rendered/PDF/704860PRSP0P120Orffical0Use0Only090.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2012/07/20/000386194_20120720031503/Rendered/PDF/704860PRSP0P120Orffical0Use0Only090.pdf)

<sup>209</sup> <http://www->

[wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2008/07/23/000333038\\_20080723011238/Rendered/PDF/441930Revised010as0previous0record1.pdf](http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2008/07/23/000333038_20080723011238/Rendered/PDF/441930Revised010as0previous0record1.pdf)

<sup>210</sup> PBC/1/BDI/4 of 30 July 2007.

<sup>211</sup> [http://www.un.org/ga/search/view\\_doc.asp?symbol=PBC/6/BDI/2](http://www.un.org/ga/search/view_doc.asp?symbol=PBC/6/BDI/2)

<sup>212</sup> <http://www.undg.org/docs/11145/Burundi---UNDAF-2010-2014.pdf>

<sup>213</sup> <http://www.undg.org/docs/11145/Burundi---UNDAF-2010-2014.pdf>

### *Evaluations and Studies:*

- Susanna P. Campbell, with Leonard Kayobera and Justine Nkurunziza, Independent External Evaluation. Peacebuilding Fund Projects in Burundi, PBF, New York, March 2010.<sup>214</sup>
- CIC, A Field-Based Review of the Peacebuilding Commission in Burundi, New York, January 2010.
- DANIDA/UNHCR, Joint Evaluation: Evaluation of the Protracted Refugee Situation (PRS) for Burundians in Tanzania, October 2010.<sup>215</sup>

### **UNHCR Programme 2001-2012:**

UNHCR's programme, as reflected in UNHCR's Global Appeals (2001-2012/13 and the 2013 Update)<sup>216</sup> and the corresponding Global Reports (2001-2011),<sup>217</sup> give a good summary of the challenges facing UNHCR in Burundi over the period of this study (2001-2012).

### *Background and Issues:*

Burundi is one of the world's poorest and most densely populated nations with a land mass of 25,680 square kilometers and a population of some 8-9 million, some 90 percent of whom are engaged in agricultural activities.<sup>218</sup> The World Bank in its latest *World Development Report* (2011) provides a wealth of information from which one can see the difficult situation of the country and its people, of whom some 67 percent (2006 statistics) are living below the poverty line.<sup>219</sup> The UNDP 2011 *Human Development Report* ranks Burundi at 185 (out of 187 countries).<sup>220</sup>

One of the many challenges still facing the Government of Burundi is to redress the effects of its wars. Since independence in 1962, Burundi has experienced four wars, the most recent of which began in 1993 and lasted some ten years, in which 300,000 died and 1.2 million people were displaced. On 28 August 2002 the Arusha Peace and Reconciliation Agreement for Burundi was signed. Protocol IV to the Agreement deals with Reconstruction and Development.

At the time of the Arusha Agreement, it was estimated that there were some 340,542 Burundian refugees receiving assistance from UNHCR in Tanzania, as well as a further 200,000 unassisted Burundians in the country. Another large assisted group of Burundians, numbering some 20,000, were to be found in the DRC. Currently, it is estimated that there are still 24,380 Burundians in neighbouring Tanzania, some 15,000 of whom are expected to

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<sup>214</sup> Accessed at: <http://www.unpbf.org/wp-content/uploads/Independent-Evaluation-Burundi.pdf>

<sup>215</sup> <http://www.unhcr.org/4cdd4bc29.html>

<sup>216</sup> For the most recent appeal (2012/2013), see: <http://www.unhcr.org/ga12/index.xml>; for a 2013 update, see: <http://www.unhcr.org/ga13/index.xml>

<sup>217</sup> For the most recent report (2011), see: <http://www.unhcr.org/gr11/index.xml>

<sup>218</sup> For The World Bank Country Brief, see:

<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/BURUNDIEXTN/0,,menuPK:343761~pagePK:141132~piPK:141107~theSitePK:343751,00.html>

<sup>219</sup> *Idem*, p. 345, Table 1.

<sup>220</sup> <http://hdrstats.undp.org/en/countries/profiles/BDI.html>

return in 2012. In addition, there are a further 157,170 Burundians who are currently internally displaced.

Given the long-lasting nature of the conflict in Burundi, the presence of refugees in Tanzania has correspondingly been of a protracted nature.<sup>221</sup> The reintegration in Burundi of these nationals, some of whom were displaced and fled to Tanzania as far back as 1972, is a task that needs to be approached in an integrated manner, requiring the contribution of a range of humanitarian, security, peacebuilding and development actors. In particular, reintegration is further complicated by the resolution of property claims of returnees, especially by those who have lived in exile for a long time.

As mentioned above, the Arusha Peace and Reconciliation Agreement in 2002 marked a decisive stage in bringing stability to the country and the region, even though it did not contain ceasefire agreements with any of the major rebel groups. In 2003, ECOSOC established an Ad hoc Advisory Group on Burundi.<sup>222</sup> A number of reports to ECOSOC prepared by the Ad hoc Advisory Group trace the efforts made to facilitate the transition from relief to development.<sup>223</sup> But as noted in the assessment of the Ad hoc Advisory Groups,<sup>224</sup>

“[the Ad hoc Advisory Group on Burundi] pointed to the gap between relief and development it observed in the country, as in other post-conflict situations, and encouraged United Nations organizations to act to address it and to engage in longer-term rehabilitation of communities. Beyond these appeals [United Nations Consolidated Appeals Process], the report of the Group does not provide operational recommendations or strategic advice on how to make the transition from one phase to the other. Although the Groups’ value added resides principally in their advocacy role, their relevance would have been further enhanced by more detailed consideration of practical transition issues.”<sup>225</sup>

In view of the fact that the Peace Building Commission<sup>226</sup> was to focus its efforts on Burundi as one of its initial pilot countries, ECOSOC decided in 2006 to terminate the mandate of the Ad hoc Advisory Group on Burundi.<sup>227</sup>

The Strategic Framework for Peacebuilding<sup>228</sup> prepared by the Burundi configuration of the Peacebuilding Commission in consultation with the Government of Burundi and other stakeholders, recognized the importance and sensitivity of the reintegration of refugees for peace in Burundi:

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<sup>221</sup> In an initiative of the UN High Commissioner for Refugees, launched in 2008 to address protracted refugee situations, the Burundian refugees in Tanzania were chosen as one of five such situations for priority consideration and action (see EC/59/SC/CRP.15 of 2 June 2008). These protracted refugee situations were also the subject of the High Commissioner’s Dialogue on Protection Challenges held in December 2008. A series of evaluation reports on efforts to resolve these protracted situations has been undertaken by UNHCR. For the report on Burundian refugees in Tanzania, see DANIDA/UNHCR, *Joint Evaluation: Evaluation of the Protracted Refugee Situation (PRS) for Burundians in Tanzania*, October 2011.

<sup>222</sup> E/2003/16 of 21 July 2003.

<sup>223</sup> E/2004/11; E/2005/82; E/2006/53.

<sup>224</sup> E/2004/86 of 25 June 2004.

<sup>225</sup> E/2004/86 of 25 June 2004, para. 23.

<sup>226</sup> The PBC was established on 20 December 2005 by concurrent resolutions of the Security Council (S/RES/1645) and General Assembly (A/RES/60/180).

<sup>227</sup> Resolution 2006/12 of 26 July 2006.

<sup>228</sup> See fn 210.

“The risk that the reintegration of refugees and internally displaced persons, which is bound up more particularly with the land issue, may be poorly handled also has the potential to undermine the fragile stability of Burundian communities.”<sup>229</sup>

The Secretary-General’s most recent report to the Security Council on the United Nations Office in Burundi (BNUP)<sup>230</sup> sets out progress on the socio-economic reintegration of conflict-affected populations.<sup>231</sup> It notes a number of initiatives by sister organizations of the United Nations in favour of returnees, some of which had received seed-money for a number of projects from the Peacebuilding Fund.

### **Peacebuilding Fund: Burundi**

One of the key projects implemented by UNHCR with funding from the Peacebuilding Fund was in relation to land disputes in Burundi. The period for this project was July 2007 – October 2008. The amount provided for the project by the PBF was \$ 700,000. The potential for conflict over land had been recognized by the 2002 Arusha Accords. Since 2002, more than 300,000 Burundians (refugees or internally displaced) are estimated to be in situations where, on return to their original place of residence, they have found their property, sometimes destroyed or occupied by other persons. The extent of the problem is reflected in the fact that over 80 percent of conflicts registered in courts relate to land conflicts. The Project Description<sup>232</sup> recognized that access to land had become the main cause of conflicts at the community level. The PBF project was intended to strengthen the capacities of the Commission Nationale des Terres et Autres Biens (CNTB) established by the Government in 2006, to address these issues.

The *Independent External Evaluation*<sup>233</sup> found that the project on Land Disputes was highly effective, and that “[t]he project was implemented in a high quality fashion.”<sup>234</sup> In the timeframe of the project, it enabled over 3,000 cases of land conflict to be addressed, 19 percent amicably resolved, 49 percent resolved by the CNTB, 21 percent passed to another authority, and 11 percent could not be reconciled; it supported the establishment of a community based system for resolving land conflicts. Furthermore, it completed a study of all government land. Ultimately the project was assessed as reinforcing the capacity of the CNTB. As regards the sustainability of the project, the Independent Evaluation noted that the PBF project was planned to jump-start a project that would be continued by UNHCR with its own funding. In 2010, UNHCR was instrumental in helping resolve 2,600 land disputes; likewise, in 2011 some 2400 disputes were resolved.

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<sup>229</sup> *Idem*, para. 23.

<sup>230</sup> S/2011/751 of 30 November 2011.

<sup>231</sup> *Idem*, para. 40-45. Reflecting Burundi’s progress from conflict to peace has been the changing nature of the UN presence in the country. These included: ONUP, the peace-keeping mission (21 May 2004 to 31 December 2006); BINUP, a UN integrated mission, established in 2006 through UN Security Council Resolution 1719 of 25 October 2006 (1 January 2007 – 31 December 2010); BNUP, a lighter UN presence (UNCT) (established initially for 1 year, i.e., 1 January 2011 – 31 December 2011, its current mandate extends till 15 February 2013).

<sup>232</sup> Campbell, Susanna P., with Leonard Kayobera and Justine Nkurunziza, *Independent External Evaluation. Peacebuilding Fund Projects in Burundi*, PBF, New York, March 2010. <http://www.unpbf.org/wp-content/uploads/Independent-Evaluation-Burundi.pdf>; see especially pp. 212-214.

<sup>233</sup> *Idem*, p. 213-214.

<sup>234</sup> *Idem*, p. 213.

## Conclusion

The work of UNHCR in reintegrating refugees in Burundi has been facilitated by the inclusion of needs of returning refugees in the Arusha Accords and in national development plans, the PRSP, UNDAF and the Peacebuilding Commission's Strategic Framework for Peacebuilding. The new PRSP 2012-2015 reflects even more this coherence. The work of UNHCR in the area of resolving land disputes through support for the Commission Nationale des Terres et Autres Biens (CNTB) has been recognized. Work by UNDP, UNICEF and HABITAT has also contributed to progress in resolving shelter needs of the conflict-affected populations. These are all positive signs and augurs well for the future as UNHCR begins to disengage from Burundi.

## C. Islamic Republic of Pakistan

### Background information documents:

- UNHCR Country Operations Profile (2012)<sup>235</sup>
- The World Bank Country Overview<sup>236</sup>
- Country Partnership Strategy (CPS) (FY 2010-2013)<sup>237</sup>

*The United Nations Country Documentation:*

- UNDAF (United Nations Development Assistance Framework (2008-2012))<sup>238</sup>
- UN Country Team Report: Pakistan One UN Program. Annual Report 2011<sup>239</sup>

### UNHCR Programme 2001-2012:

The most recent UNHCR strategy document related to Afghan refugees was presented to an International Conference held in Geneva on 2-3 May 2012 and co-hosted by UNHCR and the Government of Switzerland: *Solutions Strategy for Afghan Refugees to Support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries*.<sup>240</sup>

UNHCR's Global Appeals (2001-2012/13 and the 2013 Update)<sup>241</sup> also set out a range of related goals, with the corresponding results in the respective Global Reports (2001-2011).<sup>242</sup>

While the story of Afghan refugees in Pakistan<sup>243</sup> can be traced back in UNHCR's archives to 1975, UNHCR signed an Assistance Agreement with the Government of Pakistan (GOP) in

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<sup>235</sup> <http://www.unhcr.org/cgi-bin/tehis/vtx/page?page=49e487016&submit=GO>

<sup>236</sup> <http://www.worldbank.org/en/country/pakistan>

<sup>237</sup> <http://www->

[wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2010/08/05/000350881\\_20100805114134/Rendered/PDF/535530CAS0CORR1IC0disclosed08141101.pdf](http://wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2010/08/05/000350881_20100805114134/Rendered/PDF/535530CAS0CORR1IC0disclosed08141101.pdf)

<sup>238</sup> <http://www.undg.org/docs/10244/undaf.pdf>

<sup>239</sup> <http://unportal.un.org.pk/sites/UNPakistan/Reports/OPR-%202011%2027-08-012-FINAL.pdf>

<sup>240</sup> <http://www.unhcr.org/afghanistan/solutions-strategy.pdf>

<sup>241</sup> The most recent appeal is that of 2012/2013 found at : <http://www.unhcr.org/ga12/index.xml>; a 2013 update is found at: <http://www.unhcr.org/ga13/index.xml>

<sup>242</sup> The most recent report is that for 2011, that can be accessed at: <http://www.unhcr.org/gr11/index.xml>

November 1979. The dramatic increase of refugees flowing into Pakistan resulted from the invasion of Afghanistan by Soviet forces in December 1979. At the height of the refugee crisis in the 1980s, there were some 3.3 million refugees in 340 camps in Pakistan, and 100,000 in the city of Peshawar in December 1988. Following the 11 September 2001 terrorist attacks in New York and the subsequent US bombing of Taliban and Al-Qaeda, there were at the end of 2001 an estimated 5 million Afghans in Pakistan. Since March 2002, UNHCR has facilitated the return of some 3.7 million registered refugees. There are still some 1.7 million refugees today in Pakistan.

The Pakistan Government had established a Commissionerate for Afghan Refugees in 1979. There is a Commissionerate for Afghan Refugees (CAR) in each province, with the Chief Commissionerate (CCAR) based in Islamabad. All the Commissionerates and the Chief Commissioner work under the Ministry of States and Frontier Regions (SAFRON), Islamabad.

UNHCR's current strategy in Pakistan is to support the Government of Pakistan's *Management and Repatriation of Afghan Refugees in Pakistan Strategy* (2009-2012). As part of this Strategy, UNHCR will be working with UNDP, sister UN agencies and other development partners to implement the Refugee Affected and Hosting Areas (RAHA) programme which is part of the UN's "Delivery-as-One" programme in Pakistan and which was launched by the Government in 2009. Pakistan's One UN Programme (OP I) was signed on 4 February 2009. Initially for a two-year period from 2009 to 2010, OP I was extended until December 2012 by mutual agreement of the Government of Pakistan and the UN. The first generation One Programme united 19 resident UN agencies and one nonresident agency and provided support to development initiatives of the Government of Pakistan through five Joint Programmes on (a) Agriculture, Rural Development and Poverty Reduction (ARP), (b) Disaster Risk Management (DRM), (c) Education, (d) Environment, and (e) Health and Population, with four cross-cutting issues of Gender Equality, Human Rights, Civil Society, and Refugees. In turn, these Joint Programmes comprised 21 Joint Programme Components.

The Disaster Risk Management (DRM) Joint Programme has two components: Disaster Risk Management and Refugee Affected and Hosting Areas (RAHA). The overall objective of the RAHA programme is to improve livelihood, rehabilitate the environment and enhance social cohesion within communities of refugee-affected and hosting areas. Public services will be improved and policies made more effective by strengthening the capacities of the government, community institutions and vulnerable groups. The UN One Programme has a range of crosscutting issues: human rights, gender equality, civil society engagement and refugees.

### **Target Areas**

RAHA will target communities in two broadly defined areas (Balochistan and Khyber Pakhtunkhwa (KP)) that have suffered the most because of the impact of large concentrations of Afghan refugees.

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<sup>243</sup> Rüdiger Schöch, "Afghan refugees in Pakistan during the 1980s: Cold War Politics and Registration Practice", *New Issues in Refugee Research*, Working Paper no. 157, UNHCR, June 2008

## **Refugee Affected Areas (RAs)**

These are the communities and regions of Pakistan that were heavily populated by Afghans for nearly 30 year but from where the majority have left or have been repatriated back to Afghanistan.

## **Refugee Hosting Areas (HAs)**

These are communities and areas that currently play host to 1.7 million Afghans living in refugee villages, mixed among rural populations or in urban ghettos.

Under the RAHA Joint Programme component, the planned outcomes and related outputs are:

- **JPC Outcome 1:** greater social cohesion and empowerment through community development in refugee affected and hosting areas.

*Outputs:* communities empowered to promote social cohesion and harmony; community and village level participatory monitoring systems established; provincial and local government institutional coordination mechanism strengthened to support RA communities.

- **JPC Outcome 2:** improved livelihood and local economies in refugee-affected and hosting areas.

*Outputs:* improved household income through development of entrepreneurial skills, income generation activities, and access to diversified livelihood opportunities; crop production and food security increased; vegetable production and marketing improved and strengthened; livestock production and marketing enhancement programme for refugee affected areas; local irrigation systems and networks revived; farm-to-market and village roads rehabilitated or constructed; community physical infrastructure rehabilitated or constructed.

- **JPC Outcome 3:** restoration of social services and infrastructures in refugee-affected and hosting areas.

*Outputs:* management and awareness of education, health, water and sanitation strengthened and increased; educational delivery systems from primary to secondary level improved; educational infrastructure from primary to secondary level rehabilitated; health delivery systems improved; health infrastructure repaired and enhanced; increased community access to safe drinking water and improved sanitation.

- **JPC Outcome 4:** improved social protection among co-existing Pakistani and Afghan communities living in hosting areas.

*Outputs:* expanded and strengthened protection services for Pakistani and Afghan communities; visibility of refugee issues raised and asylum space for registered Afghans maintained.

- **JPC Outcome 5:** restoration and improvement of the environment in refugee affected areas.

**Outputs:** natural forest covers and degraded rangelands rehabilitated; natural habitats and breeding grounds for declining species improved.

The *Pakistan One UN Program Annual Report 2011* lists the range of achievements in regard to RAHA in 2011.<sup>244</sup> It is interesting to consider the budget and expenditure for this component of the DRM Joint Programme.<sup>245</sup> The overall estimated budget for 2011 amounted to \$ 23.7 million. Funds received from the 7 participating UN agencies met the full budgeted amount. Expenditure for the implementation, broken down by agency was as follows: FAO: \$ 3.8 million; UNDP: \$ 4.0 million; UNESCO: \$ 0.9 million; UNHCR: \$ 12.3 million; UNWOMEN: \$ 0.2 million; WFP: \$ 0.6 million; WHO: \$ 1.9 million. Overall, the implementation was at 99.9 percent, the second highest implementation rate of all the Joint Programmes.

## Conclusion

The budget and expenditure for RAHA in 2011 alone should be a convincing argument for UNHCR's full-hearted participation in the DaO UN reform initiative. In addition, as argued throughout this paper, the very nature of reintegration as a multi-faceted reality requires a range of actors to ensure that reintegration represents a truly durable solution.

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<sup>244</sup> <http://unportal.un.org.pk/sites/unpakistan/pages/default.aspx>; see p. 29-30.

<sup>245</sup> *Idem*, p. 66, Table for Joint Programme on Disaster Risk Management and its two component elements: Joint Programme Component 1 (JPC1): Disaster Risk Management; and Joint Programme Component 2 (JPC2): RAHA.

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