

EC/55/SC/CRP.4  
15 February 2005

STANDING COMMITTEE  
32<sup>nd</sup> meeting

Original: ENGLISH

PROPOSAL TO CREATE A POST OF ASSISTANT HIGH COMMISSIONER  
(PROTECTION)

1. In its General decision on Administrative, Financial and Programme Matters (A/AC.96/1003, paragraph 24), the Executive Committee last October noted the proposal of the High Commissioner to create a further post at the Assistant Secretary-General level of an Assistant High Commissioner (Protection) and decided to revisit this proposal at the March 2005 Standing Committee meeting. It requested that in the meantime UNHCR commission and make available in good time the report of a full and independent review of its senior management structure that encompassed the issues raised by the ACABQ and Standing Committee and any relevant results of the current headquarters process review. The Committee further requested UNHCR to provide more detailed terms of reference for the proposed position, in line with the results of the aforementioned review, and decided that no expenditure be charged against the proposed budget item until the Committee had completed its further consultations and reached a decision.
2. Members were consulted on this subject at informal consultative meetings on 24 January and 8 February 2005 and the Final Report of the Independent Study of UNHCR's Senior Management Structure (the 'Mannet Report') has now been circulated to Executive Committee members and Standing Committee observers.
3. The High Commissioner on 15 February wrote to the Chairman of the Executive Committee with a revised proposal, drawing his conclusions from the views expressed at the consultations and the issues raised in the Mannet Report. The High Commissioner's letter is attached, along with revised terms of reference for the position and a draft decision for consideration by members at the 32<sup>nd</sup> meeting of the Standing Committee.

**NATIONS UNIES**  
LE HAUT COMMISSAIRE  
POUR LES RÉFUGIÉS



**UNITED NATIONS**  
THE HIGH COMMISSIONER  
FOR REFUGEES

Case Postale 2500  
1211 Genève 2  
Suisse

15 February 2005

Sir,

Since my first communication on the proposed creation of the post of Assistant High Commissioner for Protection, the Executive Committee and my Office have engaged in a constructive dialogue. The proposal was the subject of an independent review and was debated at the last two Standing Committee sessions. I have concluded, thanks in large part to the input received from Committee members, that a more modest approach, involving the upgrading of the post of Director of International Protection to the Assistant Secretary-General level, is a better solution than the original proposal.

My Office views the representation of international protection at the ASG level as an integral part of improving management at UNHCR and consistent with recommendations by the ACABQ. Organizational accountability will be unchanged with a single chain of command linking country Representatives, through regional Directors to the Assistant High Commissioner for Operations and the High Commissioner. This was a key recommendation of the Marnett report and I fully concur. Support sections and the Department of International Protection assist and advise managers at various levels of the chain but accountability remains clearly vested with operational managers.

The Assistant High Commissioner for Protection will be a principal and authoritative advocate in the Organization for more effective protection systems globally and better burden and responsibility sharing to realize durable solutions. The main aim for the position remains to expand the availability and strengthen the delivery of protection and the accessibility of durable solutions globally. A primary focus will be on improving protection sensitivity, protection capacity and protection delivery, as well as accountability therefor, in the field, with a strong results-based orientation. The upgrade of the DIP Director post will underpin its enhanced functions with the necessary authority and, as the structural link to DIP remains in place, will contribute to better overall management and oversight of the DIP/field interface.

As to this interface, DIP currently serves as a “capacitator” for the doing of protection by UNHCR staff in the field. The Department runs a number of training programmes, provides specialist policy and legal advice, and generates protection information of various sorts to underpin refugee status determination and protection decision making. The Department also manages protection staff deployment schemes to supplement field staff capacity, and directs resettlement programmes implemented in the field. Staff of DIP participate in all inspection missions of the Inspector General’s Office, in fulfillment of an oversight responsibility. DIP also plays an external advocacy role. The upgrade of the Director position will strengthen the place of protection in the organization’s policy and decision making processes at the most senior management level. This should materially contribute to mainstreaming the “culture of protection” externally and internally, and ensure that UNHCR performs effectively and with coherence and consistency globally.

His Excellency  
Mr. Hernán Escudero Martínez  
Ambassador  
Permanent Representative of the Republic of Ecuador



The upgrade from Director to Assistant High Commissioner for Protection is one element in the broader process of improving management of the Office. We have implemented greater fiscal discipline at Headquarters and are making more systematic use of operational guidelines in the field. We have recorded substantial improvements in the area of human resources and will do better still, particularly in elaborating a comprehensive workforce strategy, which will be the priority for the new Director of Human Resource Service when he assumes his functions on 1 April. Our resource allocation process has been revised to incorporate, beginning this year, broader needs assessments and strengthened consultations with partners and donors.

The Office has developed new procedures based on Results-Based Management. I have reaffirmed my intention to make RBM culture and strategy standard practice at UNHCR by drawing together related work, under the supervision of the Deputy High Commissioner. Of course, a key feature of fully effective RBM in the UNHCR context is an improved ability to deliver protection and measure the results.

Furthermore, the report of the independent consultant looked closely into all the implications of having an Assistant High Commissioner for Protection post and concluded that such a post would be very desirable as it could significantly support UNHCR's overall effort to strengthen the capacity of the Organization in protection and durable solutions and help to build a more effective interface between Operations and DIP. However, this recommendation was made with that proviso. And indeed, the study also recommended that the position upgrade be but one step in a more wide reaching process of management systems change. With the decision to upgrade the DIP Director post to the level of an AHC for Protection, UNHCR will be taking an important step within a context of more comprehensive change management initiatives, and will keep the Executive Committee informed of progress in this regard.

In summary, I have concluded from the very useful informal consultations held with the Committee since the time of the 55<sup>th</sup> plenary session of Excom, as well as from my further reflections, that the post of Assistant High Commissioner for Protection should be created through the upgrading of the existing post of Director of the Department of International Protection, rather than as an additional post supervising the latter. Nevertheless, the motive and objective are the same: to enhance the capacity of my Office to deliver international protection and to improve the interaction and mutual support between the Department of International Protection and the Department of Operations.

In concluding this I want to express my gratitude to ExCom for requesting an independent review. Beyond the favourable opinion on the Assistant High Commissioner for Protection and the advice, as mentioned above, to maintain 'a single chain of command with a clear line of accountability', the Mannet report produced a series of recommendations (see final report of the Independent Study on UNHCR's Senior Management Structure). I am fully aware that the specific decision on AHC-P is neither the first nor the last step in further improvements which I pledge to undertake in a comprehensive way.

The approach which I have outlined will incur significantly fewer costs, compared to the original proposal for the creation of a new post in addition to, and in supervision of, the Director of International protection.

I use this opportunity to recall that the Convention Plus Unit will come to an end in 2005 and that the draft 2006 AB will therefore feature not only the AHC for Protection but also an additional Deputy for DIP. One Deputy DIP will be charged with the follow-up of Convention Plus, in particular durable solutions and responsibility sharing. The intensified resettlement effort and service will be supervised by another Deputy. The follow-up of the Targeted Development Assistance strand will continue to be supervised by DER, especially DRRM.

Please accept, Sir, the assurances of my highest consideration.

A large, stylized handwritten signature in black ink, which appears to be 'Ruud Lubbers'.

Ruud Lubbers

## **DRAFT TERMS OF REFERENCE FOR THE ASSISTANT HIGH COMMISSIONER (PROTECTION)**

The Assistant High Commissioner (Protection) is directly accountable to the High Commissioner. He/She assists and guides the High Commissioner, the Deputy High Commissioner, and the Assistant High Commissioner (Operations) in the promotion and exercise of the Office's protection mandate.

The AHC (Protection) is charged with the overall responsibility for initiatives to expand the availability and strengthen the delivery of protection in the context of realising burden and responsibility sharing as well as durable solutions globally. The AHC (Protection) supervises the Department of International Protection (DIP), which includes the Resettlement Service, and ensures an effective interface between DIP and the operations. He/She provides guidance to the Regional Bureaux, DOS and ESS on issues of protection doctrine and policy, as well as on matters relating to:

- the building of national asylum systems through advocacy, advisory services and capacity building;
- implementation of the programme of the Agenda for Protection;
- resettlement;
- protection staffing.

The Regional Bureaux, DOS and ESS keep the AHC (Protection) informed of all relevant developments so as to ensure that guidance is provided on the basis of proper and sufficient information.

Specifically, the AHC (Protection):

- Advises and assists the High Commissioner in the formulation and interpretation of policy and strategies to realise UNHCR's protection mandate consistently and effectively and in a results-based framework;
- To this end, ensures that protection receives the necessary priority in the overall policy formulation, strategic planning and resource allocation of the organisation, and is integrated into all aspects of the management and delivery of operations, directed towards a solutions result;
- Directs the development and implementation of policies aimed at preventing and reducing statelessness and resolving protracted statelessness situations. In this regard, actively pursues UNHCR's lead role within the United Nations system as entrusted by the United Nations General Assembly;
- Advises the High Commissioner on issues and initiatives in the broader migration environment, particularly as they impact upon asylum and irregular movement, and oversees the development of appropriate policy responses;

- Develops strategies and tools to guide and monitor UNHCR's efforts to enhance protection capacity in field operations, including through training activities, development of field deployment schemes, and policy guidance on protection staffing;
- Promotes initiatives to address protection gaps affecting persons of concern to the Office, including refugees, returnees, stateless persons and IDPs. Oversees in particular the implementation of the Agenda for Protection; promotes mainstreaming of the Convention Plus approach; and advocates for crafting international protection initiatives around better burden and responsibility sharing, more timely solutions, and the availability of effective protection in regions of origin;
- Promotes resettlement solutions, develops policy and standards for the resettlement function, and oversees the Resettlement Service and its activities to expand the strategic use of resettlement globally and integrating resettlement appropriately into comprehensive approaches which balance all solutions;
- Promotes the development of a consistent and effective framework to strengthen national protection capacities worldwide;
- Directs the development of a clear management and accountability framework for the performance of the protection function in the field. Works closely with the Inspector General's Office and EPAU to improve UNHCR's management in this regard, including through promoting implementation of inspection and evaluation recommendations;
- Undertakes selective reviews of regional refugee situations with particular focus on promoting the more consistent implementation of protection objectives within and across regions;
- Pursues effective partnerships and strategic alliances in support of protection for all persons of concern to the Office, including within the UN system, with other international organisations, and with non-governmental entities;
- Represents the High Commissioner, as required, on protection matters vis-à-vis external parties including Governments, the UN system, international and intergovernmental organisations, Non-Governmental Organisations and others.

## DRAFT DECISION

*The Standing Committee,*

*Recalling* the Executive Committee's decision at its 55th plenary session (A/AC.96/1003 paragraph 24(b) and paragraph 24(h)) on the proposal for the creation of a new post of Assistant High Commissioner (Protection),

1. *Notes with appreciation* the report of the independent review of UNHCR's senior management structure concluded by the consultancy firm Mannet;
2. *Further notes with appreciation* the revised terms of reference submitted by the High Commissioner for the post in question and the observations on UNHCR's management reforms contained in his letter to the Chairman of the Executive Committee (EC/55/SC/CRP.4, Annex I);
3. *Approves* the creation of the post of Assistant High Commissioner (Protection) through the upgrading of the post of the Director of the Department of International Protection to the Assistant Secretary-General level, to be funded from voluntary funds;
4. *Authorizes* the High Commissioner to charge the corresponding expenditures to the 2005 Annual Programme Budget, with effect from 1 April 2005;
5. *Notes* that the net increase in annual expenditure incurred by the upgrading of the post in question is expected to be approximately \$30,000 and requests the High Commissioner to make the corresponding downward adjustment to the 2005 Annual Programme Budget by comparison with the initial estimate of \$300,000.