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*Linkages between Humanitarian Reform and the Broader UN Reform Process:
Information Note*

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I. Background to the Report of the High Level Panel

The High Level Panel on Threats, Challenges and Change was initiated by the Secretary General in response to the perceived challenges to the relevance of the United Nations in a changing environment, characterised at the time as dominated by the new global threat of terrorism. The panel took a wide-ranging view of the current threats to peace and security, and in early 2005 published its report. In brief, the High Level Panel emphasised the inter-connectedness of today’s threats to peace and security, noting that a threat to one was a threat to all, and that every state required international cooperation to make it secure.

The panel’s report identified six clusters of threats:

- war between states;
- violence within states, including civil wars, large-scale human rights abuses and genocide;
- poverty, infectious disease and environmental degradation;
- nuclear, radiological, chemical and biological weapons;
- terrorism; and
- transnational organised crime.

The report placed considerable emphasis on prevention, and proposed that this primarily involve better development processes and a greater global commitment to the eradication of poverty and addressing the threat of HIV/AIDS and other epidemic threats. It also recommended increasing the UN’s capacity for preventive diplomacy and mediation. It urged the International Atomic Energy Agency to control the spread of fissile material. It offered a definition of terrorism to assist the General Assembly in promoting a convention on terrorism. The Panel also recognised the need to respond to threats, and while reiterating that Article 51 of the UN Charter safeguards states’ rights to self protection, it suggested that this should also be used more proactively by the Security Council to take a broader view of what constitutes an “imminent threat.” The report endorsed what it perceived as an emerging norm of “*the responsibility to protect*” civilians from

large scale violence, and went further in recognising the international community's responsibility to act where states are unable or unwilling to afford protection to their citizens and as a last-resort use of force. The panel also felt that this implied a strong commitment to rebuilding states affected by violence and conflict. Though the report recognised peacekeeping as one of the essential strengths of the UN, it also expressed concern about the potential overextension of peacekeeping capacity. The report also strongly emphasised the importance of peacebuilding in a post conflict environment.

The panel recognised that the United Nations needed considerable strengthening in order to remain relevant and adequately address these challenges. First and foremost, the panel proposed that the General Assembly, ECOSOC and the Human Rights Commission need to be revitalised and gain credibility. The panel made two alternative proposals for increasing the credibility of the Security Council by making it a more representative body. It was felt that new institutions are also required, and to this end the panel has proposed the establishment of a Peacebuilding Commission to bring regional organisations and the international financial institutions together to work more closely with the UN in peacebuilding endeavours. Finally, the panel recognised the need to strengthen the United Nations Secretariat to give the Secretary General the support and the capacity to take on the roles proposed in terms of mediation and peacebuilding.

II. Background to the Secretary General's Report: "In Larger Freedom"

The Secretary General's report, *In Larger Freedom: Toward Development, Security and Human Rights for All*, has been written to provide the basis for an agreed declaration by Member States at the forthcoming Millennium Summit on the occasion of the 60th anniversary of the founding of the UN in September 2005. This report was written in response to the High Level Panel's report as well as to the report by Jeffrey Sachs that outlined the actions required to meet the Millennium Development Goals by 2015.

In brief, *In Larger Freedom* provides the outline of a reform agenda for United Nations with proposals for implementation. It includes reform elements that were not explicitly included in the High Level Panel report, and most notably places a greater emphasis on the rule of law, human rights and democracy.

The main elements are as follows:

- An agenda for speeding up progress towards the achievement of the Millennium Development Goals, including establishing "quick wins" in key areas of achievement.
- A renewed emphasis on ensuring environmental stability, including greater preparedness for natural disasters through the incorporation of risk reduction approaches.
- Reaffirmation of the High Level Panel's recommendations for dealing with terrorism, nuclear and biological threats and transnational organised crime.
- A strengthening of the UN's capacity for mediation and preventive diplomacy.
- Support to peacebuilding through the establishment of a Peacebuilding Commission supported by a Peacebuilding Support Office in the UN Secretariat and a peacebuilding fund.
- The establishment of a dedicated rule of law assistance unit within the Peacebuilding Support Office.

- The strengthening of the Office of the High Commissioner for Human Rights to enable stronger participation with the Security Council and a greater field presence for human rights monitoring.
- The establishment of a democracy fund to provide assistance to countries seeking to establish and strengthen their democracy.
- The strengthening of the UN General Assembly by ensuring a more focused agenda and establishing the GA as a streamlined body concerned with the main issues of the day.
- The reform of the Security Council to make it more relevant by enhancing its representative nature.
- The reform of ECOSOC to become a high-level development operations forum and to address economic and social challenges to threats and crisis as they occur.
- Further reinforcement ECOSOC's role in post-conflict management through engagement with a Peacebuilding Commission and reinforced links with the Security Council.
- The replacement of the Commission on Human Rights with a Human Rights Council.
- The reform of the UN Secretariat to improve accountability, efficiency and ensure strategic management.

III. Key Implications for Humanitarian Action

A. Strengthening the Humanitarian Response System

While the report of the High-Level Panel only tangentially refers to humanitarian issues, *In Larger Freedom* focuses on specific measures to strengthen the work of United Nations and, in this context, proposes key humanitarian reforms that require further examination and analysis:

- 1) ***More predictable response capacity.*** The SG's report acknowledges that strengthening the capacity of the humanitarian system to respond effectively and equitably to crises requires that current gaps in capacity are filled, and that field coordination and support structures are improved to ensure that such capacity is used to good effect. Anticipating that concrete recommendations will come out of the Humanitarian Response Review, including proposals for new standby arrangements, the Secretary-General proposes working with Member States and agencies to see that the proposals, once finalized, are implemented without delay.
- 2) ***Predictable funding to meet the needs of vulnerable communities.*** *In Larger Freedom* emphasizes that consistent and timely response to humanitarian emergencies and disasters requires adequate, predictable and flexible funding based on needs, and particularly in the initial emergency phases. To this end, the report proposes building on and broadening relationships with both traditional and new donors, including the private sector, and suggests examining both new and existing funding mechanisms to improve humanitarian financing in this regard. In particular, the report proposes examining whether the Central Emergency Revolving Fund (CERF) should be upgraded, or whether a new funding mechanism, such as the proposed upgraded CERF, should be established.
- 3) ***Greater support to internally displaced persons (IDPs).*** The report calls special attention to the special protection and assistance needs of IDPs, recognizing that they are often among the most vulnerable. Noting that no one humanitarian body is in charge of

looking after their needs, the report calls for strengthening inter-agency operational response to the protection and assistance of IDPs under the leadership of the Emergency Relief Coordinator. It also calls for greater acceptance by governments of the *Guiding Principles for Internally Displaced Persons* as international norms for their protection, and for the adoption of these principles through national legislation.

- 4) **Predictable right of access and guaranteed security for humanitarian workers in the field.** The SG's report acknowledges that humanitarian action is too often blocked by government forces or armed groups, or is paralyzed by terrorism or attacks against unarmed aid workers in violation of international law. It calls upon Member States to protect humanitarian space and humanitarian actors, and ensure that humanitarian actors have safe and unimpeded access to vulnerable populations. The report also envisages improving UN risk management systems through the new Department of Safety and Security.

B. General Implications

In addition, some of the broader reform proposals could have a substantial impact on humanitarian action.

- 1) **The “Responsibility to Protect”** – Both reports promote a more proactive role for the UN and suggest that the use of force be used preventively to preserve peace and security, especially in cases of genocide and ethnic violence. This reaffirmation is helpful to the extent that it reinforces the need for humanitarian and human rights concerns to be better reflected in the actions of the UN. However, both reports herald a more robust approach to peacekeeping that will undoubtedly have implications for cooperation in the field between humanitarian organizations and peacekeepers. This serves to emphasise the importance of the integrated missions study undertaken by OCHA, UNDG and DPKO. This report highlights the need to actively manage “humanitarian space” and not to rely on mission structure. Support to the Peacebuilding Commission as a body that systematically reviews mission mandates and structures could be an important safeguard in ensuring the appropriate relationships between humanitarians and political and military actors.
- 2) **Reform of the UN Bodies: the Security Council, the General Assembly and ECOSOC** - From a humanitarian perspective, reform and revitalization of these bodies are critical, although there is always a concern that Security Council reform may derail the reform process as a whole. The run-up to the September Millennium Summit provides an important timeframe for clarifying the respective roles that the General Assembly and ECOSOC should play with respect to humanitarian action and coordination. In particular, we welcome the view that ECOSOC should be more of a specialist technical development/humanitarian body, while we would see the General Assembly as being the substantive normative body for humanitarian action and resolutions. Research into the impact of ECOSOC's humanitarian resolutions suggests that the ECOSOC Humanitarian Affairs Segment works best when it provides a basis for genuine dialogue on humanitarian concerns between humanitarian organizations, donors and beneficiary countries. While this year's humanitarian segment of ECOSOC worked better, there is

still scope for reform and the review of the impact of the ECOSOC humanitarian resolutions will provide a basis for establishing a clearer long term agenda for the humanitarian segment

- 3) **The Peacebuilding Commission and Peacebuilding Support Office.** The Peacebuilding Commission has potential value for the humanitarian community as it may be able to bring about greater coherence in response to post-conflict situations. The Peacebuilding Commission can better engage the international financial institutions and ensure a more effective handover from relief to development. The Peacebuilding Commission may also be in a position to regularly review integrated missions and their mandates. This will be helpful in reinforcing the need to manage humanitarian interests in mission structures. Current proposals are for the Peacebuilding Commission to be attended by experts. The Peacebuilding Support Office, which it is anticipated will have about 30 staff, will provide a more strategic focus for missions. It is anticipated that the Peacebuilding Support Office will also provide a stronger humanitarian voice in the design of missions.

C. Current state of discussions and timetable for reform:

The General Assembly will open with a summit at which it is hoped that Heads of State will sign a summit declaration or outcome document that outlines the actions and commitments that are required by the member states of the United Nations in order to implement the millennium development goals by 2015 and institute the reforms outlined in the Secretary General's report. The draft "outcome document" which resulted from informal discussions by the General Assembly of the Secretary General remains under discussion. This document which is over 46 pages includes commitments by member states to implement and support the reform measures proposed in the SG's report. In recent debates it has become clear that at least one government would wish to see a far more concise summit document than is currently proposed. A major redrafting process is currently underway and a revised document may be agreed by September 6th. The Humanitarian proposals in the document are likely to remain unchanged.

The summit document is only the first stage in the process of reform implementation. Changes to the CERF will need to be agreed by a resolution of the General Assembly and at the request of ECOSOC; the Secretary General will produce a report on the upgraded CERF in time for the discussion on humanitarian issues. This takes place in late November.

This note is prepared for the information of IASC members and no actions are required.

Prepared by: OCHA