

**INTER-AGENCY STANDING COMMITTEE WORKING GROUP  
56th MEETING**

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Auditorium  
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**IDPs: Discussion on UNHCR's Proposed Conclusions concerning the Role of  
Humanitarian Coordinators, with focus on Internally Displaced Persons  
(by UNHCR)**

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The revised Terms of Reference of the Humanitarian Coordinators were endorsed by the IASC Principals at their meeting of 1 December 2003. The High Commissioner for Refugees noted that during the period over which the HCs' TOR were being revised, a number of underlying policy issues emerged to do with the application in practice of the HCs' TOR and requiring the attention and agreement of the IASC Principals. The context in which HCs are now working is changing: there have been growing demands for accountability on the part of the Coordinators and the Country Teams, a growing recognition of the need to provide more human resources to the Coordinator function, a sharper focus brought to bear on the Collaborative Approach (on IDPs) and Transition, and an increased occurrence of RSGs and SRSGs (where there is a need to situate the HC's role within the larger context of an integrated UN mission). The High Commissioner for Refugees raised these issues at the Humanitarian Coordinators Retreat in November 2003 where some constructive discussions were had. In December the IASC Principals were invited to discuss and conclude upon the points here below. They then requested the IASC WG to review the issues.

For ease of reference these are synthesised for the attention of the Working Group. The conclusions that the WG is asked to agree upon before further review by the IASC Principals in April are intended to compliment and accompany the recently endorsed revision of the Terms of Reference of Humanitarian Coordinators.

**PROPOSED CONCLUSIONS**

*We are all committed to making the collaborative approach on IDPs work better. Predictability and accountability need to be sharpened. A collaborative approach is also needed to effect transition operations, with the HC playing a role not yet elaborated in the TOR. Predictability and accountability are needed throughout the system to effect a 4Rs process. Similarly, recent discussions have concluded that protection-related assistance activities in complex emergencies require a collaborative approach, also with a leadership and accountability function for the HC. While some agencies have mandated protection responsibilities that are central to the allocation of responsibilities in a particular emergency, the implementation of protection-related assistance is not the exclusive mandate of any one agency and is provided through a much broader UN and NGO effort. Accountability is key in order to avoid unfilled gaps. The task of the Humanitarian Coordinator is to identify gaps in terms of mandates and/or the capacity to implement them. Emphasis should be placed on achieving complementarity between the core protection responsibilities in the different agencies and the delivery of protection-related assistance requiring a collaborative approach.*

In operations where there is a higher UN authority on the ground than the Humanitarian Coordinator – ie an (S)RSG – **there must be consultation and mutual support, with the SRSG also engaged and responsible for the overall IDP response, the planning of transition objectives and activities, and /or protection in complex emergencies as elements of the UN mission in that country.**<sup>1</sup>

**We need to improve the predictability** of the humanitarian community’s response to IDP problems. This approach can never be fully predictable and there is not one blue-print for IDP operations. But we should also avoid a fully ‘ad hoc’ approach, since this has so far failed to ensure adequate protection and assistance for IDPs. **The HCs’ role is to work with the Country Team to identify which agency is best placed to do what. A typology of responses based on general experience, capacity and mandate would be a good starting point and a tool for the HC to begin his task.**

Within this typology, UNHCR suggests that in situations of return and reintegration of IDPs, it would often be the agency best placed to do this. We offer our services as part of a more predictable response. This does not exclude playing a meaningful role at other times in the crisis, if requested and able to do so in that particular situation.

**To enhance accountability, the HC should present his/her strategy and action plan based on consultations with the Country Team to the ERC. The HC has the responsibility to ensure identified needs are addressed (ie the gaps in response are filled). Where the HC cannot achieve this at the field level, the ERC would request the IASC Principals to resolve them. As situations of transition evolve, the HC should present a plan for the handover of coordination functions to the RC.**

**The IASC should commit to implementing the recommendations of the transition group including a collaborative approach by the Country Team to ensure implementation of the Framework for Durable Solutions.**

**OCHA’s field presence is fully dedicated to the support of the HC system to enable him/her to carry out the TOR. OCHA field staff in complex emergencies should be designated the ‘Office of the Humanitarian Coordinator’ and should understand their role as such.**

**The HC may need the support of OCHA staff or staff on secondment from protection agencies to address protection gaps** (either in terms of mandates or protection-related assistance activities). **The highest official in the country should be part of the decision-making process on the mechanics** of secondment, given the need for optimal positioning of protection of human rights within a broader political framework.

The HC on the ground can benefit from and rely on the respective roles and expertise of the more ‘specialised’ protection agencies in a complex emergency. **Only if necessary would HCs have to fulfill an advocacy role with the authorities with respect to the protection areas covered by these agencies.**

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<sup>1</sup> *This does not contradict the SG’s bulletin on the relationship between (S)RSGs, RCs and HCs which underlines the HC’s leadership role on coordination of IDP responses and allows him/her a measure of independence in executing it.*

## - Draft Conclusions Presented to the IASC Principals -

### I. IDPs

- The challenge of IDPs needs to be addressed through a collaborative approach. However, in order to be effective, this collaborative approach requires leadership on the ground.
- It is therefore agreed that the highest United Nations official on the ground is held accountable for exerting this overall leadership. In practice, this means the SRSG, if there is one. If there is no SRSG, it should be the Resident Coordinator. Depending on the state and nature of the challenges and the presence of the humanitarian family in a particular country, there will be a Humanitarian Coordinator. This Humanitarian Coordinator, however, has to be seen as *assisting* the SRSG or the Resident Coordinator. In other words, the IDP leadership function is to be mandated to the Humanitarian Coordinator if he/she is present.
- The Humanitarian Coordinators are to present their respective plans of action to the Emergency Relief Coordinator in order to allow him to check its contents with the IASC Principals, the ECHA core group in particular. At his/her discretion, the Emergency Relief Coordinator may convene a meeting if he deems it appropriate, in order to propose amendments to the proposed plans of action when and if considered necessary.
- The Humanitarian Coordinator (or UN Country Team) is to base his/her action plan on a thorough assessment of the activities being undertaken by the various agencies as derives from their mandate and mission in a particular context or situation. In the case of UNHCR, this would involve its activities concerning refugees and returnees; in the case of UNICEF or WFP, their activities concerning women and children or food issues respectively.
- In post-conflict situations, the Humanitarian Coordinator should consult UNHCR about its capacity to, in areas of return of refugees, handle *returning IDPs* as well. In other words, when it comes to returns (preparation, information, monitoring, facilitation including intervening with the authorities at all levels), UNHCR should bear prime responsibility for organising the return of IDPs in the same way as it does for refugees. However, this would relate only to IDPs in areas of return “as standard”. If the Humanitarian Coordinator wants UNHCR to do more it should be upon his/her request [the HC and greenlighted by the ERC].
- The Humanitarian Coordinator, in practising the collaborative approach, makes use of the respective expertise and implementing capabilities of the IASC members in that particular country. The Humanitarian Coordinator does not instruct agencies but builds on their activities and on that basis, tries to find solutions for possible remaining gaps.
- OCHA’s field presence, in connection with IDP and other complex emergencies, is fully dedicated to the support of the Humanitarian Coordinator system and to the implementation by the Coordinator of his/her Terms of Reference. The Coordinator is accountable for the efficient management of the OCHA field staff in accordance with these objectives. By the same token, the OCHA field staff in complex emergencies should be designated as the “Office of the Humanitarian Coordinator” and should understand their role as such.

## **II. Transition**

- In recent years, progress has been made in regard of transition. Particular reference is made to the conclusion of the working group on transition chaired by Carol Bellamy. As long as a Humanitarian Coordinator is present, the handover of coordination functions needs to be submitted by him/her, on behalf of the UN Country Team and in collaboration with [the head of] OCHA and [the head of] DGO.
- Here also, in order to practise the collaborative approach effectively, leadership on the ground is required. Accountability of leadership is always a key element. Given the importance of transition (sustainable peace) leadership has to be exerted by the highest official of the UN in a particular country. Again, this is the SRSG, if there is one. If there is no SRSG, it should be the Resident Coordinator. Depending on the state and nature of the challenges and the presence of the humanitarian family in a particular country, there will be a Humanitarian Coordinator. This Humanitarian Coordinator, however, has to be seen as *assisting* the SRSG or the Resident Coordinator. In other words, the IDP leadership function is to be mandated to the Humanitarian Coordinator if he/she is present.
- The Chair of the UNDG and of ECHA need to consult each other to determine whether the Humanitarian Coordinator, mandated by the Resident Coordinator, will have the necessary staff, to be provided by OCHA, to fulfill this role.
- When it comes to practising this leadership role in transition, the IASC should conclude that the recommendations of the transition group need to be implemented; this includes the collaborative 4Rs concept.

## **III. Protection in complex emergencies**

- The various responsibilities of the different agencies and their accountability under their respective mandates are the starting point and must remain the centrepiece.
- The implementation of protection-related assistance activities is not the exclusive mandate of one single agency.
- The implementation of such activities therefore requires a collaborative approach. However, in practising protection on the ground, formally in the same systematic as described above in my first two points, it is key to build protection on legal regimes: the Geneva Conventions (ICRC), the UDHR (HCHR), the international refugee protection instruments at the centre of which is the Refugee Convention (UNHCR) and the Convention on the rights of the child (UNICEF). These legal regimes and their corresponding agencies play an important role here and carry with them a resulting authority. The “highest”/most senior UN (IASC) official on the ground can benefit from and rely on the protection role and expertise of these more “specialised” protection agencies and their principals. Only “if necessary” (as written in the Terms of Reference of the Humanitarian Coordinators) will the Coordinators have to fulfill an advocacy role in relation to the authorities in the protection areas covered by these agencies.

- The delivery of protection-related assistance by agencies is also provided through a much broader effort involving many agencies and NGOs.
- The task of the Humanitarian Coordinator is to identify gaps in terms of mandates and/or the capacity to implement them. Emphasis should be placed on achieving complementarity between the core protection responsibilities in the different agencies and the delivery of protection-related assistance requiring a collaborative approach.
- The Humanitarian Coordinator may have to be supported by OCHA staff or staff on secondment from the protection agencies in order to address any “protection” gaps (either in terms of mandates or the delivery of protection-related assistance activities). The mechanics of this, however, will have to be decided per country by the highest official of the UN in the country.
- This is needed because not only the humanitarian and development dimension but also the political (DPA) and the peace-keeping (DPKO) dimensions are relevant for an optimal positioning of the protection (human rights) dimension within the country-team structure.

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