

IASC's Operational Policy and Advocacy Group (OPAG) Meeting
26 March 2021

SUMMARY NOTE

INTRODUCTION

The Operational Policy and Advocacy Group (OPAG) of the Inter-Agency Standing Committee (IASC) convened on 26 March 2021. The primary objectives of this meeting were to: (i) identify challenges, lessons learnt and opportunities to address bureaucratic and administrative impediments on humanitarian action; (ii) review and discuss challenges and opportunities in IASC work to mitigate the impact of counter-terrorism measures on humanitarian action and agree on a way forward; (iii) discuss the status of RG3 priorities for the remainder of 2021 and agree on a way forward.

SESSION 1: BUREAUCRATIC AND ADMINISTRATIVE IMPEDIMENTS

Ms. Guarnieri opened the session by highlighting the significant and growing bureaucratic and administrative impediments (BAI) and their impact on the timely delivery of life-saving humanitarian assistance and protection, noting that this is an issue that affects both NGOs and UN agencies. She observed that efforts have been made to address these impediments, by a variety of actors, including donors, UN and NGOs, but more needs to be done to overcome these impediments. She highlighted that both the IASC Principals and the Emergency Directors called for enhanced measures to support IASC collective actions in this area, including the documentation of lessons and good practices to inform global and field-level advocacy efforts.

Mr. Julien Schopp, co-Chair of the IASC Results Group 1 on Operational Response (RG1), provided an overview of the Results Group's work on addressing the issue of bureaucratic impediments. He noted the recurrent nature of the issue at the EDG Annual Review of Operations, and hence the need to find practical solutions. Consequently, as part of its workplan, the Group mapped challenges of bureaucratic impediments across various operations in 2019, then proceeded to look at specific case studies collaborating with field colleagues.

Ms. Kathryn Strifolino, co-Chair of the RG1 sub-group on BAI noted that in 2019, bureaucratic impediments had a disproportionate and profound impact on local and national partners, in part since they form the bulk of frontline workers. She noted a stepped-up participation and engagement by the UN, leading to a greater momentum on identifying and agreeing on IASC wide efforts. In addition, there has been enhanced donor interest. As a first step to provide practical solutions, RG1 has focused on building an evidence base, through the documentation of a wide range of impediments; capturing lessons learned through country specific case studies which will form the basis for the development of a practical guidance and/or a best practices document. Ms. Strifolino further updated that in addition to the completion of the Myanmar case study in February 2020, three additional case studies on Venezuela, Nigeria and Afghanistan were currently underway.

Mr. Jeremy Wellard, co-Chair of BAI sub-group provided a quick snapshot of inputs received from the ongoing case studies to inform discussion. The case studies already provide examples of operational, procurement and financial challenges, as well as some positive examples and recommendations to inform ongoing efforts to address BAI. Key findings and lessons emerging indicate that there is a significant time investment by country leadership on dealing with BAI, ranging from 25-75% of their time which has both personnel and financial implications. While significant efforts are taking place at the organizational level, greater synergies at country and regional levels are needed to ensure more effective inter-agency cooperation. The case studies will emphasize the importance of contextualization of local analysis since most of the current solutions are generic. In addition, sharing of good practices is currently ad hoc, hence the need to develop collective tools and resources. Mr. Wellard identified opportunities to take this work forward, including donor involvement, Peer to Peer briefing for HCs to look at results of country level analysis and discussions with HCTs in-country. He called on OPAG members to encourage their organizations and members to take part in the country level surveys to inform the case-studies. In addition, he sought OPAG direction on what type of guidance/normative framework RG1 would deliver, informed by what has worked or not at country level, as well as a call to members to ensure BAI is addressed across all sectors

DISCUSSION

Members noted that the work of RG1 provides the basis for collective action to address bureaucratic and administrative impediments, bringing together UN and NGO efforts including linking to other important areas of work such as on protection. Members acknowledged the critical role of NGOs, especially local and national NGOs, and noted areas where further efforts would be required in support of organisations as well as governments, to address bureaucratic impediments. Organisations and humanitarian country leadership should be provided with concrete guidance. However, this should be in conjunction with additional support from other IASC structures, particularly the EDG. More needs to be done to strengthen organisations confidence to share information. Governments must be provided with evidence on how to take better measures to facilitate the work of international and national partners. To this end, the EDG engagement with governments to improve the perception of what the international humanitarian system can add to the response, demonstrates good practice. It is critical to define Government responsibility and why it's in their interest to address bureaucratic and administrative impediments. An offer was made to share relevant tools and frameworks to support governments to improve their legislation, as well as resources providing mapping of impediments and, relevant case studies. In addition, the critical support of UN partners, particularly OCHA in support of NGOs, should be strengthened.

Some critical actions were identified such as the need to provide solutions based on local demand and driven by country teams as challenges varied from context to context; the need to understanding challenges through consultation with the field level and identification of context specific support; and the need to support transformative step-changes in addressing bureaucratic and administrative impediments. The cluster system provides an entry point to support awareness raising and capturing of best practices. In addition, it is critical to

establish an early warning/escalation protocol with clear accountability for HCs to act as necessary. Regional platforms could be established to support this process. With availability of data, indicators could be attached to the system to provide warning on any worsening situation so as to prompt early action.

CONCLUSIONS AND FOLLOW UP-ACTIONS

1. Move forward with the development/consolidation of a best practices document to inform field efforts to address bureaucratic and administrative impediments and develop a dissemination plan to ensure it is accessible to field leadership – both HCs and HCT members **[RG1 in collaboration with IASC secretariat]**
2. Finalise the ongoing case studies on Afghanistan, Nigeria and Venezuela and develop a best practices document to inform ongoing support to operations and advocacy efforts and share outcomes at the earliest juncture with the OPAG and EDG to address bureaucratic and administrative impediments. **[RG1]**
3. Consider the development of early warning indicators, taking into account the IASC Early Warning Early Action and Readiness Report, to inform/advise early action to address bureaucratic and administrative impediments in specific contexts **[RG1 in consultation with the Sub-Group on Early Warning and Early Action]**

SESSION 2: IMPACT OF COUNTER-TERRORISM (COTER) LEGISLATION

OPAG co-Chair Mr. Geir Olav Lisle in his introduction noted the impact of counterterrorism measures introduced by Member states, multilateral organisations, and sanction regimes among others. He highlighted the positive development regarding the recent full revocation of the US designation of Ansarallah in Yemen, as a terrorist organisation, noting this decision was influenced by concerted advocacy by IASC members. He called on members to keep a focus on the IASC Principals request to deepen the evidence base regarding the negative impact; propose a practical solution for dialogue with member states and share practical guidance for HCs and HCTs.

Mr. Michel Anglade, co-Chair of the IASC Results Group on Collective Advocacy (RG3) provided a general overview of the Group's work on mitigating the negative impacts of the COTER Legislation on humanitarian action. **Ms. Kate Philipps-Barrasso**, the RG3 COTER sub-Group co-chair presented a framework, tools and processes that the Results Group is working on. The framework draws linkages between counter-terrorism measures/policies, the impediments created and impacts on humanitarian action. This framework informed the development of the CT & Humanitarian Action Resource Library, comprised of; 1) **Impact catalogue** and 2) a **recommendations** catalogue. So far, 1200 pages of literature has been reviewed in addition to 203 impacts between 2011-2018 which compromised effective operations. The impact catalogue is a synthesis of findings which can be easily filtered. It is categorized and user friendly, offering evidence of approaches and solutions and who the actors were. Over 50% of the impacts are operational. Meanwhile, the recommendations catalogue shows variety of recommendations, geared towards specific target groups, mostly members states and donors. The synthesis report will document recommendations on the basis of 20 years of evidence. In addition, the IASC has developed a **COTER database**, which is a collaborative tool developed to pool evidence of impacts from primary sources

and strengthen collective advocacy in real time. The database is meant to demonstrate evidence, enhance trends analysis over time, improve early warning and related response capability. The database is hosted by IASC secretariat, and accessible by all humanitarian actors.

Mr. Aurelien Buffler/ OCHA presented on the **HCT guidance on the impact of sanctions and counterterrorism measures on humanitarian operations**. He noted that it is intended to help HCs raise awareness and help HCs to react and address the issues without creating bad precedents. The scope of the Guidance is on; counterterrorism measures, and impact on humanitarian response, though it does not focus on social economic impact. Based on context specific analysis, the Guidance focuses on two practical actions; i) documenting the issue, to understand what the problem is, create a climate of trust in the HCT to collectively engage on the issue; ii) Taking action and addressing the issue with the host Government and donors. This is supported by good practice and lessons learnt. It provides key messages, analytical tools and reference documents. The guidance is aligned with the HC Handbook. The Guidance will be finalised over the coming weeks. Mr. Aurelien also underscored the alignment between the IASC COTER database and OCHA's Counterterrorism Committee Executive Directorate (CTED) report, in terms of common terminology, and sequenced roll-out.

Mr. Michel Anglade provided an overview of the **draft IASC-internal Solution Proposal** intended to propose solutions for sustained engagement with member states on counterterrorism measures. It adopts five key solutions, providing pros and cons to each; UN Security Council adopting resolution with a standing humanitarian exemption; Adopt standing humanitarian exemption or limited exceptions in specific sanctions regimes; Operationalise humanitarian safeguards; Member states adopt exemptions, and The UN Security Council/ member states adopt White Lists.. He noted that there is need for guidance to better define and understand counterterrorism measures since the measures are often drafted in vague terms. He also called on donors to move from a zero-risk tolerance to a risk-sharing policy in practice. He identified three key actions critical to the attainment of the proposed solutions; build an evidence-base, to better document the negative impact of counterterrorism measures and, ensure oversight of implementation of COTER and sanctions regimes. In addition, the following next steps are proposed; identify public messaging, identify a workplan behind the public messaging and the solutions paper, mapping of upcoming sanctions renewals in order to advocate on select renewals in a timely fashion. He made the following asks from the OPAG.

- IASC members and all humanitarian actors to contribute to the data base
- Endorse internal solutions paper

DISCUSSION

Members welcomed and showed great appreciation to the work of RG3 on mitigating the negative impacts of counterterrorism measures and promised their support to take the work forward. The collective advocacy work on humanitarian exemptions that among others, contributed to the delisting of Ansarallah in Yemen as a terrorist organisation, was applauded. Members noted the complexity and sensitivity of the issues, which touch on internal risk management arrangements. It was noted that, de-risking of banks and financial

institutions is a key factor in addressing counterterrorism measures, and hence the need for enhanced advocacy. Members made suggestions to strengthen the draft IASC solutions proposal, to ensure the language is neutral taking into account other humanitarian organisations, other than the UN system and NGOs. In addition, they called for it to be user friendly and less dense, and to also incorporate elements of risk. They indicated willingness to contribute to the IASC database.

CONCLUSIONS AND FOLLOW-UP ACTIONS

1. Provide red line comments on *the HCT guidance on the impact of sanctions and counterterrorism measures on humanitarian operations* so that it can be finalized and shared asap with the HCs and HCTs **[OPAG members]**
2. Share the CT and Humanitarian Action Resource Library and IASC COTER database with the OPAG and socialize with key stakeholders (UN, NGO, donors) **[RG3 with the support of the IASC secretariat]**
3. Nominate focal points to share information and engage on the IASC Counterterrorism database **[IASC Members]**
4. In addition to the tools being developed, further consideration should be given to how they can inform collective/coordinated advocacy efforts **[RG3]**.

RG3 WORKPLAN - PROGRESS UPDATE

Ms. Shoko Arakaki, co-chair of RG3, highlighted the key achievements of the Results Group, which include; development of common narratives on specific issues of concern (i.e.: protection messages on COVID19, climate change and IASC food security key messages); Facilitated local actors representation in RG3 from Uganda and Nigeria, with additional local actors being considered from Yemen and other countries.

She highlighted that the Group would look into how it can/should continue the collective advocacy on food security including a plan to update and strengthen these messages in April following the Secretary-General's statement on hunger and the creation of High-Level Task Force which would be discussed at the Principals meeting on 29 March, and also "famine prevention" being on the agenda of the Group 77. She also underscored that the particular work on the climate change by this Group is to influence key climate change processes such as the COP and to bridge the gap between the humanitarian agenda and the climate change agenda.

She noted the work on capturing of lessons learned and best practices with engagement with NSAG is being finalized. This will form part of the discussions in the OPAG in May on NSAG engagement.

She indicated that the IASC set up does not lend itself to agile, fast and proactive advocacy, given its consultative and normative nature and suggested that RG3 should focus on capturing best practices, while leveraging its own diversified networks to carry out timely and focused advocacy.

DISCUSSION:

Members commended RG 3 for its efforts. They applauded them on bringing in and supporting local voices. They voiced concern of Guidance fatigue and suggested that Results Groups focus more on documenting and sharing good practices and lessons learnt.

The OPAG co-Chair Ms Guarneri in her closing remarks expressed her appreciation that climate change is being proposed by IASC members for the upcoming Principals meeting in May (as climate has not featured as an agenda item for years). She reminded the RG that, with 9 months left in the current mandate of the RG, would be great and critical for them to deliver on the urgently needed guidance/best practices note on engaging with non-state armed groups.

CONCLUSIONS AND FOLLOW-UP ACTIONS

1. Expedite and urgently deliver on pending priority areas of work, particularly the compilation of best practices on engagement with non-state armed actors.

AOB:

Ms. Mervat Shelbaya, the Head of the IASC Secretariat noted that the IASC Principals were scheduled to have on the IASC structures at their May 2021 meeting. However, in light of the recent announcement, the Chair of the IASC decided to postpone the discussion until later in the year. This will give the opportunity to his/her successor to discuss and agree with the Principals on the key priorities for the IASC and the required structures to take them forward beyond 2021. Further details on this will be shared in due course. She noted that much has been learned, particular during the IASC's early response to the COVID-19 pandemic, and many good practices emerged during this period which will be taken into account and will inform the decisions regarding the priorities and structures.

The OPAG co-Chairs concluded with a reminder that the next OPAG meeting would take place on 22 April focusing on Humanitarian-Development Collaboration and its Linkages to Peace as well as on Nexus Financing.

ANNEX: PARTICIPANTS LIST

OPAG Co-Chairs	Ms. Valerie Guarnieri, Assistant Executive Director for Operations Services, WFP
	Mr. Geir Olav Lisle, Deputy Secretary-General, NRC
FAO	Mr. Daniel Donati
	Mr. Patrick Jacqueson
ICRC	Alexandra Boivin
ICVA	Ms. Mirela Shuteriqi
ICVA - ACBAR	Ms. Lisa K. Piper
ICVA – COAST	Mr. Reza Chowdhury
ICVA - FRD	Mr. Azmat Khan
ICVA - IMC	Ms. Mary Pack
IFRC	Mr. Frank Mohrhauer
	Ms. Petra Demarin
	Ms. Lindsay Hamsik
InterAction	Ms. Kate Phillips-Barasso
InterAction – Global Communities	Ms. Pia Wanek
IOM	Ms. Tristan Burnett
	Ms. Angela Steiger
OCHA	Ms. Andrew Wylie
OHCHR	Mr. Roberto Ricci
SCHR	Mr. Gareth Price Jones
SCHR - Christian Aid	Mr. Michael Mosselmans
SCHR – Save the Children	Ms. Leah Finnigan
UNDP	Mr. Peter Batchelor,
	Mr. Hugh Macleman
UNFPA	Mr. Ingo Piegeler
UN-HABITAT	Mr. Filiep Decorte
UNHCR	Ms. Annika Sandlund
	Ms. Lea Moser
UNICEF	Mr. Manuel Fontaine
WFP	Mr. David Kaatrud
	Mr. Gian Carlo Cirri
WHO	Mr. Rudi Coninx
	Ms. Mathilde Boddaert
EDG:	Mr. Allan A. Calma, Core Humanitarian Standard (CHS)
Results Group 1 on Operational Response:	Mr. Julien Schopp, InterAction
	Mr. Andrew Wylie, OCHA
Results Group 2 on Accountability and Inclusion:	Ms. Meritxell Relano, UNICEF
Results Group 3 on Collective Advocacy:	Ms. Shoko Arakaki
	Mr. Michel Anglade
Results Group 5 on Humanitarian Financing:	Mr. Jeremy Rempel
GCCG:	Ms. Marina Skuric Prodanovic
	Ms. Wan Sophonpanich, CCCM
Presenters:	
RG1:	Mr. Andrew Wylie , co-Chair, Chief, Assessment, Planning and Monitoring Branch, OCHA

Mr. Julien Schopp, co-Chair, Vice President/Director, Humanitarian Practice, InterAction

Ms. Kathryn Strifolino, BAI subgroup co-Chair, Senior Manager, Humanitarian Practice, InterAction

Mr. Jeremy Wellard, BAI subgroup co-Chair, Head, Humanitarian Financing, ICVA

RG 3:

Mr. Michel Anglade, co-Chair, Director and UN Representative, Geneva Office, Save the Children

Ms. Shoko Arakaki, co-Chair, Director, Humanitarian Office, UN-FPA

Ms. Kate Phillips-Barrasso, co-Chair COTER subgroup, Director of Policy, InterAction

Mr. Aurélien Buffler, COTER subgroup co-Chair, Chief, Policy Advice and Planning Section, OCHA

IASC secretariat: **Ms. Mervat Shelbaya**, Head, IASC secretariat
