

Report on the 2000 Pre-EXCOM Consultations

Report on the UNHCR-NGO Consultations Prior to the 51st Session of the Executive Committee of UNHCR

Almost 200 non-governmental organisations - the largest number ever - participated in the UNHCR-NGO Pre-Executive Committee consultations from 27-29 September. The meeting, jointly planned by UNHCR and the International Council of Voluntary Agencies, included plenary sessions on themes of major concern, as well as briefings by UNHCR on regional issues.

The format of this year's meeting was revitalised in order to encourage more debate. Moreover, invitations were extended to EXCOM members to attend as observers.

The recent murders of UNHCR staff in West Timor and Guinea elicited expressions of sympathy by NGOs and served as an ever-present reminder that the global context for humanitarian work with refugees is becoming more dangerous.

Participating NGOs expressed their appreciation to Mme Ogata for her work these past ten years and, at the same time, expressed their concern that the appointment of a new High Commissioner should be a transparent process.

UNHCR and NGOs shared their impressions of PARinAC, as a partnership based on mutual respect between NGOs and UNHCR. Regional PARinAC focal points assessed progress in their regions, pointing to the need for increased resources to enable communications and regional meetings. Both UNHCR and the NGOs called on PARinAC to address protection issues and to review its structures to increase its effectiveness. Most participants felt that although there are still difficulties in working out day-to-day relationships, PARinAC is an important collaborative process, which should be strengthened.

Protection, as always, elicited lively discussions and many questions from NGOs. Much of the discussion focused on UNHCR's planned Global Consultations on international protection, which will be based on the Department of International Protection's concept paper on three concentric circles of protection. The NGOs welcomed these consultations and look forward to participating in them, with particular interest expressed in discussing the "gaps" in protection and some concern about how the interpretative issues in the second "circle" will be carried forward. NGOs have become increasingly involved in protection both in terms of advocacy as well as operationalising protection in the field and have worked closely with UNHCR over the past 18 months in the "Reach-Out Process." A side meeting brought together a standing-room-only crowd of 50 NGOs, which discussed ICVA's role in facilitating the next period of this process.

In the plenary session, among the many questions raised on protection were the relationship between UNHCR's consultations on protection and human rights instruments; interdiction and the broader question of access to asylum procedures; internally displaced persons; difficulties in implementation of the right to asylum; relations between UNHCR and regional bodies; current protection issues in Guinea; detention of asylum-seekers; and the need for UNHCR field offices to become more supportive of NGO work in the field of protection.

A panel presentation on NGOs as implementing agencies: partners or contractors? expressed a range of opinions, from the growing power of international NGOs and the marginalisation of Southern NGOs, the role and potential role of the private sector in delivering contracted relief goods, and the balance between professionalism and humanitarianism. Questions were raised in the plenary session about the role of private companies and the unique contributions that NGOs bring, particularly as they often work in both emergencies and development. While some NGOs agreed on the need to contract work out to private companies, others stressed the "value added"

by NGO operations in emergencies. Other NGOs noted the contractual difficulties experienced by NGOs in working with UNHCR - particularly as funds are cut and budget revisions are required at short notice.

Regional sessions with UNHCR bureau directors looked at particular issues of common concern. Much of the focus of the discussion in the Africa session centred around the situation in Guinea. The need for addressing root causes and finding durable solutions for refugee and IDP situations in Africa, more generally, was also stressed. In the session on Asia, questions were raised about the situation of refugees given the security situation in West Timor, as well as the repatriation of Bhutanese refugees in Nepal and UNHCR's plans with regards to Burmese refugees in Thailand. The issue of the continuing displacement of Colombians featured prominently in the discussion on the Americas, including the concern of refoulement. In the CASWANAME session, NGOs requested UNHCR to ensure that the repatriation of Afghan refugees is entirely voluntary. In the Europe session, discussion mostly centred on the funding crisis affecting UNHCR's operations in the region: UNHCR spends more money in the continent than it receives from rich European governments. In the South-East Europe Operations Session, the better prospect for minority returns in Bosnia-Herzegovina and Croatia was high-lighted, but balanced by a sombre evaluation of potential crisis in the Federal Republic of Yugoslavia

The panel discussion on humanitarian-military cooperation was opened by the Assistant High Commissioner Soren Jessen-Peterson who began by sharing insights from his recent mission to West Africa where there is an urgent need for the borders to be secured in order to protect refugees. He pointed to the gap on internally displaced persons, the resource gap (as UNHCR is structurally underfunded), and the security gap as the three most important challenges facing UNHCR. He then suggested several areas where the military can contribute to humanitarian operations. While the representative of NATO (SHAPE) emphasised that the military is not a monolithic bloc and that it is sometimes reluctantly drawn into humanitarian operations, the NGOs on the panel expressed reservations about the military's role in humanitarian work. Issues raised in the plenary discussion included the need for joint pre-deployment training between the NGOs and the military and for civilian oversight of military assistance during emergencies; the growing involvement of the military in reconstruction and relief work in Kosovo; the fundamentally different objectives of military and humanitarian NGOs; the role of UNHCR in providing security to NGOs in difficult situations; and the identification of specific issues, such as de-mining, where military contributions are particularly needed. There seemed to be a consensus that the military is most useful in providing a secure environment in which humanitarian operations can be carried out.

Discussions also took place with the Head of UNHCR's Field Safety Section, in which it was noted that improvements need to be made on the cooperation and coordination between UNHCR and NGO field staff. It was mentioned that a short-term Task Force of the Inter-Agency Standing Committee Working Group has been set up with UN and NGO representatives to look at the issue of staff security and to develop a framework agreement to guide UN-NGO relations in the realm of security in the field.

The final session of Pre-EXCOM involved a question and answer period with the Deputy High Commissioner, Rick Barton, the Director of External Relations, John Horekens, and Head of Donor Relations and Resource Mobilisation Services, Michel Gaubaudan. Concerns were raised by NGOs on recent directives from UNHCR to implementing partners to cut programme budgets funded by UNHCR. While acknowledging UNHCR's structural underfunding, NGOs emphasised the negative consequences on programmes of such budget cuts so late in the year.