



# General Assembly

Distr.: General  
3 March 2017  
English  
Original: French

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## Executive Committee of the Programme of the United Nations High Commissioner for Refugees Sixty-seventh session

### Summary record of the 699th meeting

Held at the Palais des Nations, Geneva, on Thursday, 6 October 2016, at 10 a.m.

*Chair:* Mr. Staur ..... (Denmark)

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*The meeting was called to order at 10.10 a.m.*

**Consideration of reports on the work of the Standing Committee** *(continued)*

**(a) International protection** *(continued)* (A/AC.96/1156, A/AC.96/1164, A/AC.96/1155 and A/AC.96/1162)

1. **Mr. Inácio Junior** (Mozambique) said that Mozambique was at an advanced stage in the process of ratifying the conventions on statelessness to which it had acceded. It would continue to engage in the discussions on the draft African Union protocol on the right to nationality, which, once adopted, would contribute to the eradication of statelessness in Africa.

2. His delegation noted with appreciation the budget allocated by the Office of the United Nations High Commissioner for Refugees (UNHCR) for Mozambican refugees in Malawi and wished to inform the Committee that the repatriation process was well under way.

3. **Ms. Heward-Mills** (Ghana) said that her delegation aligned itself with the statement delivered on behalf of the African Group. Ghana wished to extend its sincere gratitude to Uganda, Kenya and Ethiopia, among other nations, which, despite their limited resources, were hosting the majority of persons displaced by conflict. Ghana called upon States which had made commitments under the New York Declaration for Refugees and Migrants to put them into practice.

4. **Ms. Rikalainen** (Finland) said that her country supported the principle affirmed by the Assistant High Commissioner (Protection) that sexual violence was a non-negotiable issue. Her Government believed that it was very important to provide assistance and protection to displaced women and girls with disabilities, who were 10 times more likely to be victims of sexual violence. Finland, which was a member of the Group of Friends of the I Belong Campaign to End Statelessness in 10 years (#IBELONG), aligned itself with the statement by Thailand and encouraged all countries to implement policies to prevent statelessness. The Ministry of Economic Affairs and Employment and the Finnish Innovation Fund Sitra had launched a Social Impact Bond project designed to train at least 2,000 migrants and help them into employment over the following three years.

5. **Ms. Rosenvinge** (Norway) said that her country had a long tradition of resettling refugees. Its 2016 resettlement quota of 3,120 places, 3,000 of them for Syrian refugees, would remain unchanged in 2017. Welcoming the joint initiative of the International Organization for Migration and UNHCR for new resettlement countries, she called upon States that had not yet done so to establish resettlement programmes or other initiatives to give legal status to refugees in need of protection. Norway placed great emphasis on the protection of children on the move and worked to ensure that children and young people could receive quality education in emergencies and protracted crises. She hoped that future work on the global compacts on migrants and refugees would take into account the various aspects of the situation of refugee children, especially unaccompanied minors.

6. **Ms. Pollack** (United States of America) said that countries could and should welcome refugees while ensuring their own security. Borders must remain open to those who needed asylum and the principle of non-refoulement must be applied. The implementation of the New York Declaration over the following two years would move forward the agenda on international protection. Her delegation believed that UNHCR had a key role to play in the development of the global compact on responsibility-sharing for refugees. The compact should recall the rights contained in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, including access to work and education and the need to find durable solutions with the support of all partners, including NGOs, civil society groups and faith-based organizations.

7. **Ms. Bhatla** (Canada) said that Canada had welcomed tens of thousands of refugees from around the world in the past and recognized the positive contribution they could make to their host country. To ensure that refugees were not subjected to the same ill-treatment that had forced them to leave their countries, UNHCR should prioritize protection interventions from the onset of emergencies. Her Government believed that education was a

critical component of immediate and long-term protection strategies and the search for solutions to the plight of refugees. It therefore called on UNHCR and other institutions and partners to renew their focus on education and vocational training for refugees.

8. **Mr. Kühle** (Germany) said that his delegation endorsed the statement by Thailand on behalf of the Group of Friends of the I Belong Campaign. Germany commended those States that had amended their legislation to eliminate statelessness. Having noted a degree of impatience during the discussions, his delegation cautioned the members of the Executive Committee against the adoption of hasty solutions that lacked the necessary protection safeguards and that could endanger lives or livelihoods. Such quick fixes were rarely sustainable.

9. **Mr. Rasmussen** (Denmark) said that his delegation wished to thank UNHCR for having emphasized the importance of providing refugees with access to the labour market in host countries. The Danish Government gave high priority to that issue. It believed that financial support alone could not provide a comprehensive response to the dangers faced by refugees as they migrated. There was a need to step up the fight against traffickers, including by providing refugees with a correct picture of the dangers posed by human trafficking and irregular migration. It was also important to discourage irregular migrants, especially young people, who were not in need of international protection from travelling to Europe in pursuit of the false promise of a better life and to convince them to remain in and contribute to the development of their countries.

10. **Mr. Wongsinsawat** (Thailand) said that Thailand was developing a screening mechanism, in line with international standards, to distinguish between persons in need of protection and persons who migrated for other reasons. A new law to incorporate the principle of non-refoulement in domestic legislation was also being drafted. In order to prevent women and children from becoming the victims of traffickers, Thailand was committed to strengthening regional cooperation among law enforcement agencies to dismantle trafficking networks. In the past, such measures had helped to reduce irregular movement in the Indian Ocean by 95 per cent. Thailand was also committed to preventing and ending statelessness. It fully supported the I Belong Campaign and had granted Thai citizenship to more than 18,000 people in the previous three years. It also collaborated with UNHCR to issue birth certificates to displaced children from Myanmar.

11. **Ms. Nanayakkara** (Australia) said that Australia, one of the world's major resettlement countries, would begin taking in 18,750 refugees per year for permanent resettlement in 2018 and would offer 12,000 additional places to Syrian and Iraqi refugees. Over the following three years, it would also welcome persons from protracted refugee situations. In response to the refugee crisis, Australia had established effective border protection and management to discourage traffickers. It had also committed 220 million Australian dollars (\$A) to those affected by the conflict in Syria. At the Leaders' Summit in New York, the Prime Minister had also pledged a further \$A 130 million. He had also announced the creation of 1,000 additional resettlement places under a community support programme. Australia worked in concert with its neighbours, including through the regional Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. The first Ministerial Declaration of the Process, issued in 2016, had recognized the need for a comprehensive, protection-focused approach to managing irregular migration and the need to address the causes of migration and to prevent and reduce statelessness. In that connection, Australia was also involved in the I Belong Campaign.

12. **Mr. Elgizouli** (Sudan) said that the recommendations of the Khartoum Process were being implemented and the Sudanese authorities were combating the trafficking and smuggling of migrants, especially women and unaccompanied minors. The Government stood ready to cooperate with UNHCR in the dignified return of refugees.

13. **Ms. Al Haj Ali** (Observer for Syria), referring to the situation in Aleppo, to which Mr. Türk, Assistant High Commissioner (Protection) had also alluded, said that terrorist groups, including Al-Nusra, were using civilians as human shields in the eastern part of the city. The civilians had effectively been taken hostage and could not benefit from the humanitarian assistance, including the opening of humanitarian corridors, that the Syrian authorities and Russian forces had been attempting to provide since 28 July 2016. On 5

October 2016, the General Command of the Syrian Army had announced a reduction in air strikes and mortar fire against terrorist groups in the eastern neighbourhoods of Aleppo to facilitate the passage of humanitarian assistance and to allow those who wished to do so, including combatants who had laid down their arms, to leave the city.

14. **Mr. Tesfa** (Africa Humanitarian Action), speaking on behalf of a large group of NGOs, said that the political progress made in 2016 must be translated into action on the ground for the millions of refugees, internally displaced persons and stateless persons. It was essential to integrate the commitments made in the New York Declaration into a rights-based implementation plan that was age- and gender-sensitive. The plan should include immediate steps to safeguard lives and fundamental human rights; enact equitable and predictable responsibility-sharing and refugee protection mechanisms; undertake a review of national border policies with an eye to protecting the human rights of all people at international borders; put an end to the detention of migrant children in accordance with the best interests of the child; implement national and local policies and campaigns to counter xenophobia, discrimination and racism; agree on concrete measures to improve protection and assistance for internally displaced persons; and take high-level action to agree on concrete measures to better protect aid workers from deliberate attacks.

15. **Mr. Türk** (Assistant High Commissioner (Protection)) said that humanity should be at the core of any response and that non-refoulement was a fundamental principle of the international protection system. Noting that UNHCR was a humanitarian rather than a political organization, he emphasized that it had a duty to call on all parties to conflict to respect international humanitarian law.

16. He expressed gratitude to the Group of Friends of the Campaign to End Statelessness in 10 years and, noting the suggestions for improving the Campaign, stressed that displacement and statelessness were closely linked. With regard to the self-reliance of persons of concern to UNHCR, two memorandums of understanding had been concluded in 2016, one with the Organization for Economic Cooperation and Development (OECD) and one with the International Labour Organization (ILO), on access to the labour market, employment and vocational training.

17. Welcoming the broad support expressed for the theme chosen for the High Commissioner's Dialogue on Protection Challenges, Children on the Move, he said that the preparatory work was ongoing. He emphasized that collective effort was required in order to make progress on all the issues raised, including resettlement, the fight against sexual and gender-based violence, and making the distinction between the perpetrators and the victims of trafficking.

**(b) Programme budgets, management, financial control and administrative oversight** (A/71/5/Add.6, A/AC.96/1157/Add.1 and A/AC.96/1159)

18. **Ms. Clements** (Deputy High Commissioner), after reviewing various issues already identified at previous meetings of the Executive Committee, said that several changes were being made to the structure of UNHCR. The Inspector General would assume responsibility for ensuring coherence among the different functions, including the merging of the Inspection and Internal Audit functions. Ad hoc inspections would remain available to respond to specific management problems or needs. Ms. Karen Farkas, Director of the Division of Human Resources Management, had been appointed to the post of Inspector General. Future holders of the post would be recruited externally for a time-limited mandate.

19. UNHCR would undertake a risk-based exercise to map its control frameworks in order to ensure that there were no gaps or unnecessary duplications of coverage. In addition, it would continue to develop its enterprise risk management framework and would establish an evaluation service.

20. UNHCR presently employed more than 15,000 people in 464 locations across 129 countries. Africa accounted for the largest number of staff, followed by Europe. A total of 87 per cent of UNHCR staff worked on the ground, half of them in high-risk areas. The organization owed it to them to make human resources management a priority. For that

reason, UNHCR had launched its first-ever human resources strategy, to be implemented over the following five years.

21. She was pleased to report that the Board of Auditors had issued an unqualified audit opinion, although it had also highlighted the unpredictability of contributions and pledges. It had noted progress in the implementation of outstanding recommendations, particularly with respect to counter-fraud measures. UNHCR remained fully committed to addressing the outstanding recommendations.

22. The report of the Office of Internal Oversight Services (OIOS) contained 198 recommendations and had been drafted on the basis of 35 audits conducted between mid-2015 and mid-2016. At the most recent Standing Committee, a number of delegations had expressed concern that UNHCR had received partially satisfactory or unsatisfactory ratings for many audits. UNHCR was working with OIOS to correct the problems identified. Responsibility for the relationship with OIOS would be shifting from the Division of Financial and Administrative Management to a new Internal Audit Support Service in the Inspector General's Office, which would have greater capacity and be better suited to follow up on OIOS recommendations.

23. **Ms. Vatne** (Norway), speaking also on behalf of Denmark, Finland and Sweden, said that the Nordic countries were among the largest donors of non-earmarked funding to UNHCR and encouraged efforts by the Office to make its donors aware of the many advantages of such contributions. Non-earmarked funds offered crucial protection and assistance to populations of concern to UNHCR while also ensuring flexibility. Such flexibility was all the more important as the gap between needs and available funding continued to widen. For UNHCR to be able to demonstrate that money was being used effectively and transparently, solid financial management systems and monitoring and auditing functions were necessary. UNHCR was making noteworthy efforts in that regard.

24. **Ms. Slade** (Australia), acknowledging that a significant amount of the financial resources received by UNHCR continued to be earmarked, urged donors to reduce earmarking, which constrained flexibility. She also encouraged UNHCR to continue its efforts to pass funding on to local actors. While Australia welcomed the increased efforts to utilize cash-based assistance programmes, it was a concern that some programmes had not been formally evaluated. Evaluations informed decision-making and made it possible to demonstrate results. Australia also encouraged UNHCR to increase its focus on verification in order to increase accuracy and to ensure that the allocation of resources was based on vulnerability and need.

25. **Ms. Pollack** (United States of America), commending UNHCR for continuing to work towards greater transparency and accountability, said that her Government had noted a certain "fatigue" in oversight operations and urged UNHCR to maintain its standards in that area. Her delegation would like to know more about how the High Commissioner intended to implement the changes announced, including to strengthen and improve the oversight and risk management procedures and to streamline policy development processes. The United States had noted with disappointment that some ongoing recommendations from OIOS reflected earlier recommendations that UNHCR had not yet implemented and called upon the Office to ensure their speedy implementation.

26. **Ms. Criswell** (World Vision International), speaking on behalf of the NGO community, said that the commitment of UNHCR to transfer to national first responders at least 25 per cent of its programme expenditures by the end of 2020 was a welcome development. She encouraged UNHCR to continue to strengthen the capacities of staff and partners in 2017. A record level of funding (US\$ 2 billion by June 2016) had been allocated to the UNHCR budget for 2016. However, those contributions remained far short of what was needed, which had had serious repercussions on the ground. In Uganda, for example, in order to provide full food rations to newly arrived South Sudanese refugees, it had been necessary to reduce food rations for those who had arrived earlier. There was a need to rethink how limited budgets would be utilized while at the same time intensifying efforts to meet the basic needs of populations.

27. **Ms. Demarin** (Canada) said that Canada welcomed the efforts made by UNHCR to ensure the safety and well-being of its personnel and to follow through on the commitments

of the Grand Bargain on humanitarian financing. Canada had been pleased to announce its first-ever multi-year core funding for UNHCR at the recent high-level plenary meeting on addressing large movements of refugees and migrants. It encouraged UNHCR to continue to forge closer links with its partners and, above all, to focus on the quality of those partnerships. While noting the progress made by UNHCR in results reporting, she asked the Office to explain to the Executive Committee how it prioritized its funding allocations, particularly in the context of budget gaps.

28. **Ms. Clements** (Deputy High Commissioner) said that she wished to thank all the speakers for the trust they had shown in UNHCR, and also to thank Australia, Canada, Denmark, France, Germany, Italy, Japan, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom and the United States of America for their non-earmarked contributions. Such contributions remained the best means of responding to the present unpredictable crises and allowed UNHCR to adjust its priorities in order to allocate resources to where they were most needed.

29. Noting that Australia had expressed concern about the lack of formal evaluations, she said that the High Commissioner would sign the new evaluation policy in the very near future. That policy would lay out a strategy for both centralized evaluations and decentralized evaluations in the field. Independent auditors conducted an annual examination of procurement by UNHCR partners to determine the cost-benefit. It was not yet possible to increase existing procurement thresholds, but UNHCR hoped to be able to do so in the future. With regard to the verification issues raised in the report of the Board of Auditors, 25 of the 94 regional operations would have conducted a verification exercise by the end of 2016. Accurate population data were essential in order to know where funds were being channelled and to achieve effective results. With regard to results-based management, which was very important to UNHCR, it was true that progress had been slow. The Senior Management Committee had at various times discussed the possibility of making better use of risk registers in administrative and operational decision-making. UNHCR had made significant progress in implementing the commitments deriving from the Grand Bargain, including on relations with local and national partners. With respect to staffing, the Office was presently reviewing its needs in terms of permanent staff.

### **Consideration of reports relating to programme and administrative oversight and evaluation**

#### *Report on activities of the Inspector General's Office (A/AC.96/1160)*

30. **Ms. Bourgeois** (Inspector General) said that an external review of the oversight functions of the organization had been conducted and a report produced. With regard to the inspection function, the Inspector General's Office had convened a workshop for senior staff of internal oversight bodies and the chief of UNHCR Audit Services in order to review the recommendations contained in the report. The next step would be to undertake a risk-based review of internal control and oversight functions in order to define the responsibilities of the internal bodies and OIOS and find appropriate solutions to address the gaps identified. A technical working group had been set up for that purpose, and its programme of work would be presented to senior management by mid-October 2016. Standard inspection missions had been suspended pending the outcome of discussions on the future of the inspection function; only critical inspection missions would be conducted. However, during the previous 12 months, the Inspector General's Office had conducted one inspection within the Division of Human Resources Management at Headquarters and seven field operation inspection missions, including two in collaboration with OIOS. Lastly with regard to the inspection function, priority had been given to following up outstanding inspection cycles, and 16 such cycles had been completed since January 2016.

31. Concerning the investigatory function, the Office had prioritized its work on protection from sexual exploitation and abuse and on allegations of financial fraud and fraud in resettlement and determination of refugee status. UNHCR had a zero-tolerance policy for any acts of sexual exploitation and abuse. The organization must remain extremely alert to the risk of fraud related to resettlement. The Inspector General's Office and the Division of International Protection were collaborating closely on the issue of

conditions for determining refugee status and eligibility for resettlement and would draw up a joint action plan when any doubts existed.

32. The Inspector General's Office had made significant progress in developing a proactive investigation function, enabling the organization to enhance its operations and minimize or eliminate risks by adjusting business processes. The primary goal of a proactive investigation was to detect and prevent misconduct. In 2016, four investigations had been initiated. There were three forms of investigation work: thematic proactive investigation work, which focused on areas vulnerable to exploitation due to a given operational reality, limited control mechanisms or other systemic weaknesses and examined unspecific budget lines that offered the possibility to disguise fraudulent activities; geographical proactive investigation work, which focused on one or more countries, depending on the situation, and on the identification of geographical hotspots based on accumulated information received by the Investigation Service at the intake level; and third-party proactive investigation work involving information received from external sources, including Member States, which pointed towards possible misconduct involving UNHCR and its implementing partners and vendors. The Inspector General's Office had also continued to strengthen the capacity of partners to prevent and address misconduct, including through a series of regional training workshops for NGO partners.

33. The human and financial resources available to the Inspector General's Office had not expanded in proportion to the increases in the UNHCR programme budgets or the increase in the number of complaints received by the Investigation Service. Although the European Anti-Fraud Office had recommended in 2013 that UNHCR should have a ratio of 1 investigator per 700 staff members, at present the ratio was 1 investigator per 1,500 staff members. The situation had a negative impact on the Office's ability to develop its proactive investigation work, prioritize allegations of sexual exploitation and abuse, conduct timely investigations on allegations of fraudulent activities by staff members or members of the affiliate workforce, and expand training workshops for national partners.

*Report on policy development and evaluation (A/AC.96/1161)*

34. **Mr. Macleod** (Chief of the Policy Development and Evaluation Service) said that his statement was the final one that would be delivered on behalf of the Policy Development and Evaluation Service. A new service dealing solely with evaluation would shortly be established in accordance with the recommendations of several external bodies, including the Independent Audit and Oversight Committee, thus bringing UNHCR into line with recognized good practice within the United Nations system.

35. The revised evaluation policy, which had been prepared on the basis of external and internal consultations, was underpinned by the principles of independence, impartiality, credibility and utility. Those principles were not always easy to adhere to in practice, particularly in complex situations where there was a need to ensure the protection of refugees. The new Service would provide guidance and technical support, as well as training on the implementation of decentralized evaluations.

36. From July 2015 to June 2016, the existing Service had endeavoured to assess issues of consequence to the organization. Regarding emergencies, the Service had completed the evaluation of the response to South Sudanese refugees in Ethiopia and Uganda. That evaluation had noted a marked improvement in the coordination of response efforts for refugees in Ethiopia in comparison with previous emergencies and had found the response to be timely and effective in both countries. The preliminary conclusions of the evaluation in Turkey indicated that UNHCR had provided a flexible response given the limited operating space and resources available. The major challenges identified included the need to improve knowledge of the refugee population, to scale up the protection response, to adapt coordination structures to national, provincial and municipal requirements, and to address the challenges faced by urban refugees. In the area of protection, the ongoing evaluation of the three UNHCR organizational strategies on child protection, gender-based violence and education was expected to conclude in the near future. The tender process for the evaluation of UNHCR management of the protection cluster had been completed and the contract awarded. The preparatory research and design work for the evaluation of UNHCR support to host communities had been completed and the tender process was under

way. In the area of programme and thematic evaluations, the Service had completed reports on UNHCR operations in Colombia, Kazakhstan, Kyrgyzstan and Tajikistan, and on the emergency transit centres in Romania and Slovakia. The Service had supported OIOS in evaluating the work of UNHCR in providing assistance to displaced persons and refugees and in carrying out its evaluation of the work of UNHCR in the area of registration. With regard to partnerships, the Service had been an active participant in the assessments by the Inter-Agency Humanitarian Evaluation (IAHE) group of the collective responses to the level-3 emergencies in the Central African Republic and South Sudan. As a member of the IAHE Steering Group, the Service had been involved at all stages of the evaluation management cycle. During 2016, the Service had been actively engaged in the design of a proposed forthcoming evaluation of operations in Iraq. The Service had maintained its support for independent research through the *New Issues in Refugee Research* publication series. It had also contributed technical input for a follow-up study comparing refugee and local households in northern Iraq, Jordan and Lebanon. In addition, it had taken part in the most recent World Bank study on forced displacement. The combination of the field experience of UNHCR and the analytical work of the World Bank had highlighted the need to collect reliable data and use them to influence policies and programmes. That concrete example of cooperation between humanitarian and development actors had paved the way for other collaborative projects. It was hoped that the practice would be extended to other UNHCR operations on the ground. The systematic collection of data on the socioeconomic situation of refugees would make it possible to establish an expanded database to be used to assess future UNHCR operations. Even when it was effectively designed and targeted, humanitarian action alone could not always lift refugees out of poverty; only long-term policies focused on self-reliance and skill acquisition could bring about real change.

37. **Ms. Pollack** (United States of America) said that her country endorsed the recommendation made by OIOS concerning the Policy Development and Evaluation Service and looked forward to seeing how the evaluations would contribute to the development of high-quality policies. She noted, however, that the lack of staff and resources in the Inspector General's Office had persisted for many years. It was a point of concern that the body appeared to be considered to some extent a business, when it was in reality a tool for strengthening UNHCR. She hoped that the High Commissioner would address that important issue.

38. **Ms. Bourgeois** (Inspector General) said that the problem of resource allocation for the Office would undoubtedly be considered in the review of oversight functions.

*The meeting rose at 12.50 p.m.*