

**Remarks by George Okoth-Obbo, Director,
UNHCR Regional Bureau for Africa, Geneva,**

for

**Panel on “Respecting and implementing the guiding principles of humanitarian
assistance at the operational level – assisting the affected populations”**

of the

**ECOSOC Humanitarian Affairs Segment on “Strengthening of the coordination
of humanitarian assistance: present challenges and their impact on the future”**

Monday 20 July 2009, Plenary Hall XIX, Palais des Nations, Geneva

The mandate and mission of the United Nations High Commissioner for Refugees (UNHCR) are fundamentally humanitarian. As specified in its statute, the work of UNHCR shall be non-political and humanitarian. UNHCR of course collaborates with Governments, which in fact bear the primary responsibility for international protection. Nevertheless, that work relies quintessentially on the principles humanity, neutrality, impartiality and independence. UNHCR seeks a social, political and security environment in which the persons of concern to it have access to, exercise and enjoy the essential rights of protection, humanitarian assistance and solutions, and the Organization can gain access to them to discharge its mandate.

The challenges UNHCR faces in its humanitarian work are not untypical of those we have heard described here today. For sure, we have encountered security measures and other deliberate or unintended obstacles that have limited our access to our persons of concern. There have been situations in which we have been perceived as promoting hidden political or other interests. Whereas there are cases in which our operations have not only benefited from, but indeed required security services provided by international police or military establishments, the blurring of the distinction between those establishments and humanitarian workers is a problem we also face, including in the context of integrated UN missions. Measures taken in the context of common United Nations security management have also come to impede our work in certain operations.

And, we too have felt the impact of activities taken in the context of international criminal law enforcement.

For purposes of this Panel discussion, I would like to highlight three particular points. First of all, it is important to acknowledge and applaud the fact that, across the world, the system of international protection – a system based fundamentally on humanitarian principles – continues to demonstrate its resilience. Under this system, protection, dignity and solutions are being found for the 10.5 million refugees worldwide of concern to UNHCR; the 14.4 million Internally Displaced Persons (IDPs) benefiting from the services of the Office; and the stateless persons who are the subject of UNHCR's activities in this field. For the decisive part of these situations, UNHCR can have unimpeded and unchallenged access to the persons it is mandated to serve. Some of the most striking examples of the determination to respect the international humanitarian principles at stake are witnessed in countries facing extreme forms of hardship, constraints and challenges of their own. The point I am stressing here is that, whereas we indeed face even egregious instances of transgressions of the humanitarian principles fundamental to the international protection mandate, there are telling examples out there of compliance or the determination to comply with them. These should be recognized, supported, reinforced and multiplied in every way possible.

Secondly, the truth is of course that there is also a very sad and preoccupying narrative of asylum-seekers, refugees, stateless persons and internally displaced persons the world over being treated extremely badly. Transgressions of the core standards of protection and basic humanity are taking place even as a matter of deliberate State policy. Thousands of forcibly displaced people have faced difficulties of access to territory; sexual and gender based violence; the securitisation of asylum; violations of the principle of non refoulement; and abusive detention, to name but only some of the most serious. What I am trying to illuminate is the following: Many of the situations which are commanding the concern of the global humanitarian community, especially in what is commonly referred to as shrinking humanitarian space, are indeed imbedded in the opacity that results from lack of access; extreme forms of insecurity, risk and danger; apparent conflicts of mandates or missions; and so on. These are important concerns for sure. At the same time, the examples I have just resumed show that the principles of international humanitarianism, including international protection, are facing pressures

which are in open and plain view; in instances where there are no abiding problems of access; and in cases where the pressures and drawbacks arise from measures established even legislatively. We therefore need to have a more over-arching and complex view of the notion of humanitarian space and of the instances to which our efforts to keep that space open, real and fulsome should be directed.

For my third point, I join others in calling acute attention to the concerns over the safety of humanitarian staff. Last week, UNHCR lost another staff member in Pakistan, the third one killed in that country in less than five months. Just the week before, a UNHCR worker was shot and wounded in Somalia. Humanitarian workers are being deliberately put in harm's way at a level never witnessed before. In all, some 260 of them have been killed, kidnapped or seriously injured over the last 12 months or so. It is ironical if the international humanitarian system comes to find itself consumed by the security and safety concerns of its workers as contrasted with the people whose needs we should be attending to. Yet, as risks to the safety of humanitarian workers mount, the viability and continuity of humanitarian programmes, including protection delivery, are sure to be put at stake.

The responsibility of Governments is a key anchor point in what is called for. The impunity of those who threaten or attack humanitarian workers must be more forcefully addressed by Governments, including ensuring the security of relief workers, especially in those conditions in which humanitarian operations are carried out under great risk and danger. Governments should do everything within their means to ensure that there is unrestricted access to populations in need in areas under their control and that humanitarian operations themselves can be carried out in a safe manner. It is of course true that, in situations of conflict, that responsibility is borne by all parties to that conflict, including non-state entities. This can be a very sensitive issue, yet the fastidious respect of humanitarian principles by all parties is precisely what should enable the delivery of humanitarian assistance to those in need to take place assuredly notwithstanding those sensitivities.

Humanitarian agencies themselves of course have an important role to play. First, we must co-operate and collaborate with Governments in the latter providing us the access, security and other environments which will enable us to work in keeping with the

internationally recognized humanitarian principles. International solidarity and burden-sharing are fundamental to this, especially as concerns the efforts that must be put into establishing the capacity of Governments across from knowledge and skills to delivery systems. We should continue to work together to ground our efforts to protect victims and alleviate their suffering even more indelibly in the humanitarian principles we are talking about today. The affirmation and diligence to, respectively, international refugee, human rights and humanitarian law standards, rights and obligations are critical steps in this regard. Beyond this, all parties concerned should engage and dialogue with each other in an open, candid and honest manner, and work to create the relevant operational and guidance frameworks to cater for the specific issues and situations concerned in the proper manner. UNHCR is thus pleased to be an active player in the work of the Inter-agency Standing Committee (IASC) in this regard, as well as in the Roundtables planned to take place in Chad and Pakistan which should help identify and address local factors preventing humanitarian workers from operating in a principled manner.

This is the same determination with which we must work to tackle the perception that the United Nations, including its humanitarian arm, is being instrumentalized for untoward purposes. The unblemished ethical, professional, neutral, independent conduct of humanitarian agencies and workers at all times is again a key step here. Initiatives such as the one taken by WFP last month, on behalf of the IASC, to convene an international expert meeting on the perception of humanitarians to better understand how our actions are perceived and devise ways to address those perceptions are others which UNHCR supports.

There is also more to be done to ensure that efforts taken in favour of coherence within the United Nations system, or under the auspices of other legitimate mandates, fully preserve the mandates and purposes of humanitarian action. As a start, we should not shy away from acknowledging that, at times, these different mandates, objectives, or activities may create awkward and even abiding negative consequences for humanitarian action. In environments in which political, peace-keeping, judicial, police or military enforcement mechanisms occur side by side or intersect with compelling humanitarian imperatives, or where there is a clear pre-dominance of long-term development objectives, the preservation of the objectives of humanitarian action should not be left behind or sidelined altogether. The United Nations security system, while doing all it

must to ensure the safety and security of its staff, nevertheless can envisage sufficient flexibility, based on specific risk assessments, to assure space for the continuation of humanitarian action as a central objective.

The need for the clear and unqualified reaffirmation and respect of humanitarian principles has never been as compelling and urgent as it is today. The choices and solutions involved may not always be easy to find. The effort nevertheless must be made in all earnesty and seriousness. UNHCR is thus very pleased that a panel of the ECOSOC Humanitarian Affairs Segment has been dedicated to this issue, which we consider as a clear sign of the willingness of Member States to more forcefully pursue the respect of humanitarian principles. For our part, we will sustain our commitment to continue working towards these goals.

Thank you very much.

Geneva

20 July 2009