



# HUMANITARIAN AFFAIRS THINK TANK

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## WHAT SHOULD BE EXPECTED FROM THE WORLD HUMANITARIAN SUMMIT IN ISTANBUL ?

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*The author is solely responsible for the views presented here, which do not necessarily reflect the positions of the organisation for which he works.*



Doctors Without Borders (*Médecins sans Frontières*, MSF) just announced its withdrawal from the World Humanitarian Summit (WHS), which will take place from 23 to 24 May in Istanbul<sup>1</sup>. Among the reasons cited, MSF regrets the metamorphosis of the Summit into a meeting between Heads of State whose commitments would only be out of phase with the repeated violations of international humanitarian law observed in various areas.

For others, such as Hervé Verhoosel, the spokesperson for the Secretary-General, the WHS is an opportunity to choose humanity and compassion rather than division and despair<sup>2</sup>. Ban Ki-moon's report, presented on February 2<sup>nd</sup> and titled "One Humanity: Shared Responsibility" dedicates a large part to statements of principle and calls on States to prevent and resolve conflicts through peaceful means (first "pillar") and to respect the standards of international humanitarian law (IHL) (second "pillar"). In support of the third and fourth pillars aiming to "ensure that no one is left out" and to "end deprivation", participants are called upon in the fifth to "invest in humanity", that is to say donate a lot of money.

Between these two opposing views, what should be expected from Istanbul? A review of the proposed commitments by pillar, available on the WHS website, provides part of the answer. In the wake of the tensions between Member States, General Secretariat (GS)<sup>3</sup> and Specialised Agencies, the main challenge of Istanbul is to strengthen the political backbone of the United Nations system, Security Council – General Secretariat – United Nations Development Programme (UNPD).

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<sup>1</sup> See the press release issued by MSF on May 5<sup>th</sup>: <http://www.msf.org/en/article/msf-pull-out-world-humanitarian-summit>

<sup>2</sup> <http://www.grotius.fr/transformer-lassistance-humanitaire-un-imperatif-moral-pour-lhumanite/>

<sup>3</sup> In the following text, the acronym GS refers to the General Secretariat, which means the structure, not the incumbent.

## THE ROAD TO ISTANBUL

In its May 5<sup>th</sup> 2016 press release, MSF spoke of the hope the organisation kept for 18 months, that the WHS would address the weaknesses of the humanitarian aid system in its management of conflicts and epidemics, but feared the Summit only resulting in the inclusion of humanitarian aid in a much larger spectrum including resilience and development.

Indeed, initial objectives of the Summit provided as framework a reflection on four main points: improvement of humanitarian efficiency, reduction of vulnerabilities and crisis management, transformation through innovation and assistance to populations in situations of conflicts. A broad yet specifically humanitarian agenda that served as framework in 9 regional and global consultations organised in 2014 and 2015.

What is left of it in the organisation of Istanbul? Some traces, but the articulation of the Summit derives from the five fundamental responsibilities mentioned in Ban Ki-moon's report, which titles highlight a tremendous amplification of the initial objective. The more concrete aspects, directly linked with regional consultations, will be discussed in special sessions, held in a separate building set apart from the nerve centre of the Summit, not unlike an off festival. An "international fair" will furthermore take place in the main building, where the various organisations will be able to present "their products", in the manner of an agricultural show.

One should not minimise these rare opportunities to develop networks, nor blame the United Nations for restoring the political dimension of humanitarian aid, which the international NGOs have been reiterating vigorously for a long time. But let there be no mistake, the core of the Summit will be in the roundtables held with high-level stakeholders, the only event to be subject to a report designed to be signed at the 71th United Nations general assembly. On what topics will the governments in attendance be required to take decisions? First, on commitments regarding the prevention and resolution of conflicts, as well as the adherence to standards; secondly, on aspects that are much more concrete but diffuse.

The first type of commitment is formulated in a conventional manner. To only mention those relating to a strong demand from NGOs in connection with the WHS<sup>4</sup>, stakeholders are invited to commit to the observance of humanitarian principles, and to the observance and dissemination of international humanitarian law. These commitments are specified in accordance with the United Nations Charter, reiterating the importance of preserving and ensuring peace through peaceful means, and using phrasings already suggested by the Security Council regarding, for instance, the protection of civilians in situations of conflict, the protection of humanitarian personnel, the enforcement of a sanctuary-like protection of medical personnel and buildings, etc. On this matter, Joanne Liu, president of MSF International and Peter Maurer, president of the International Committee of the Red Cross, reminded the Security Council of the increasing and repeated violations of previous resolutions before the Council unanimously adopted Resolution 2286<sup>5</sup>. Sadly, from its second paragraph, it refers to the 11 resolutions adopted since 1999, which clearly have had very little effect.

In this context, without being able to fault the Secretary-General for complying with his framework or wanting to hammer home a message that should unquestionably be repeated, it must be acknowledged that caution should be exercised regarding the operationalization of the agreed upon statements the Summit will inevitably lead to. Leaving it there would be insufficient. In the manner of corals hiding moray eels, the commitments submitted for consideration conceal a whole host of concrete propositions revealing the meaning of the Summit.

## THE UNITED NATIONS REFORM

One must remember that the United Nations system is heterogeneous, composed of three rather distinct structures: the Member States – the General Assembly and the Security Council being the privileged forums – the General Secretariat, a political structure at the

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<sup>4</sup> See for instance the Joint Declaration on Humanitarian Principles from 18 NGOs:  
<http://www.coordinationsud.org/nos-positions/humanitaire/>

<sup>5</sup> See the UN press release on the adoption of Resolution 2286,  
<http://www.un.org/press/en/2016/sc12347.doc.htm>. Peter Maurer pointed out that the International Committee of the Red Cross had observed 2400 targeted attacks on patients, healthcare workers and medical structures these past three years.

service of the Secretary-General, which notably comprise the Department of Political Affairs (DPA), the Department of Peacekeeping Operations (DPKO) and under-secretariats including one dedicated to humanitarian affairs; and finally specialised agencies, including in particular UNICEF, the World Food Programme (WFP) and the United Nations High Commissioner for Refugees (UNHCR). These are the most present agencies in the various contexts of intervention. In the field, representations for the UNDP can be found, having the dual specificity of being located in most UN Member States and representing the Secretary-General, except when he has a special representative mandated by the Security Council. As such, the UNDP nominally has coordination authority over other specialised agencies and can thus be considered as belonging to the General Secretariat's system.

There is permanent tension among these structures. The Member States have criticised the General Secretariat for its lack of control over specialised agencies or over ad hoc systems (the systemic corruption of the Oil-for-Food programme in Iraq, for instance), or its lack of efficiency in crisis management. Conversely, the General Secretariat has blamed Member States for submitting it to contradictory injunctions. As an illustration, the increasing number of resolutions from the Security Council in the last twenty years, and the deployment of a significant number of peacekeeping missions have not always been met with financial or human resources (force generation) proportionate to the scale of the missions entrusted to the GS. The incantatory declarations expected in the WHS are better understood in this framework, that of a reminder to the Member States of their responsibilities by the GS, which primary purpose is to preserve itself from ulterior criticism.

Another major source of tension relates to the coordination of specialised agencies. For bureaucratic, organisational and political reasons, they enjoy substantial autonomy and their coordination in the field has always proved to be difficult for the UNDP. Ban Ki-moon and his two predecessors, Kofi Annan and the late Boutros Boutros-Ghali have consistently adapted the system in order to achieve a greater accountability of specialised agencies towards the GS and a greater integration of the economic, political, military and humanitarian United Nations pillars<sup>6</sup>.

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<sup>6</sup> UN Resolution 46/182 (1992), the "Peace Agenda" (1992), the "Brahimi Report" (2000), the humanitarian reform of the United Nations (2005) and the "transformative agenda" (2011) may be referred to but do not constitute an exhaustive list

## REINFORCEMENT AND INTEGRATION

The commitments proposed to high-levels leaders are easily understood in light of the ambition of diffusing the various tensions going through the United Nations system and restore the General Secretariat's central role<sup>7</sup>.

With the commitments relating to the fourth fundamental responsibility, it is proposed for funders to finance collective results, according to multi-annual plans, for stakeholders to reinforce their development framework plans, in order to notably include resilience and disaster preparedness objectives. Regardless of their forthcoming content, it must be noted that the Member States' institutional partner in the conception and monitoring of these plans is the UNDP. One can argue over these two objectives being legitimate or not, but there can be no doubt on the fact that they reinforce the key role of the UNDP, to which specialised aid agencies are required to submit for assessment and tendering of their contributions.

In a similar manner, but aiming to reinforce the financial means of specialised agencies, the commitments proposed under the fifth fundamental responsibility suggest doubling the amount of the Central Emergency Response Fund (CERF, managed by the OCHA in New York) and investing in Pooled Funds<sup>8</sup> so that they constitute the vehicle for at least 15% of the global volume of humanitarian calls. Although NGOs consider the latter type of tools as unsuitable, and many funders refuse to support them (including ECHO<sup>9</sup>), they offer the comfort of control by specialised agencies over a part of humanitarian funding, a part that the WHS explicitly encourages to increase. In conjunction with the coordination conferred upon the UNDP (and with a reminder that the UNDP is technically the agency contracting the funding granted by Pooled Funds), the logic of a centralisation of the specialised agencies'

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<sup>7</sup> The following commitments may be consulted in the documents presented under the "Roundtables" tab, available (in English, for their French versions is not accessible) on:

<https://www.worldhumanitariansummit.org/key-documents>

<sup>8</sup> Pooled Funds are a funding mechanism by which funders can pool their financial support *via* the United Nations system in the field. The allocation of funds is done *via* clusters in the field, arbitrations are carried out by the humanitarian coordinator and/or the special representative for the Secretary-General. The Central Emergency Response Fund (CERF) is considered a type of pooled fund by the Office for the Coordination of Humanitarian Affairs (OCHA), but it is managed from New York and only United Nations specialised agencies can access it directly.

<sup>9</sup> ECHO is the European Union body dedicated to humanitarian aid and civilian protection.

power, under supervision of the GS, is blatant: the proposal aims to transform specialised agencies into preferential windows, in particular for national NGOs, which funding through international backers remains problematic. A proposal also concerns the increase of financial support towards peacekeeping operations managed by the DPKO, within the GS.

Finally, and it is one of the main objectives of the Summit, high-level stakeholders are invited to reinforce coordination mechanisms at the country level and globally to maximise the coherence of the policies set in order to reduce risk and vulnerability. This proposal, which appears in the fifth section of the fifth fundamental responsibility, encapsulates in itself the challenge of the WHS: to make the United Nations system an ideal vector for the “coherence agenda” put forward more than fifteen years ago.

## **FIGHTING AGAINST THE COMPASSIONATE PROVISION OF AID**

Other components of the proposed commitments are relatively more autonomous, such as the invitation extended to funders to guarantee that 20% of the total amount of aid will be attributed to “Southern NGOs”, as opposed to a ratio estimated by the Secretary-General to be currently between 0,2% and 0,4%. The development of coordination platforms, particularly on innovation, is also in the recommendations. There is no question that this first summit will have significant and lasting consequences on the architecture of aid in general and humanitarian aid in particular. It is just as indisputable that resistance to the decisions will be strong, whether it has a State or bureaucratic origin. Indeed, one can hardly imagine the new Myanmar governance including the Rohingya in its national development plan after saying to the United States ambassador that the Rohingya were not recognised as one of the 135 ethnic groups of Myanmar<sup>10</sup>. It would be difficult as well to imagine the UNHCR tolerating a substantial transfer of its action with displaced persons towards other institutions in the United Nations system.

One should not prejudge the positive effects that could arise either, such as the abandonment by signatories of the reserves attached to the 1951 Convention on refugee law. Who would not rejoice if the host of the Summit, Turkey, finally recognised refugees

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<sup>10</sup> See <http://www.nytimes.com/2016/05/07/world/asia/myanmar-rohingya-aung-san-suu-kyi.html? r=0>

from the whole world and in particular from Syria, and not just European refugees, as one of the commitment proposals suggests? The assessment of the WHS' real impact will thus be long and arduous, always creating more disputes, contradictions and also successes. However, Ban Ki-moon's legacy to his successor is clear: will the United Nations be credible in the eyes of the Member States in terms of internal organisation, of efficiency in the implementation of its mandate?

In conclusion, let us insist on the fact that, in its attempts at coherence, in its exhortations to the Member States, the Secretary-General's report expresses willingness to return humanitarian aid to a secondary place in a hierarchy of priorities structured by a political framework, his secretariat being the depositary and the transmission belt. There is nothing absurd in this longstanding logic denoting humanitarian agencies' true place: that of "providers of aid"<sup>11</sup>, and not that of actors of aid. However, it is regrettable that the humanitarian view, specific and autonomous as it is, should be thusly threatened. In a world where, since 1945, conflicts, exclusionary policies, disregard for the most vulnerable populations have more than ever before emphasized ever-increasing tensions between national entities, a view that is focused on needs, structured by its principles, has never seemed more necessary. Aware of its shortcomings, confronted to its limitations, humanitarian aid must guard against an infertile irenic tendency. Nonetheless, it cannot cynically give into amoral realism, which would be tantamount to retroceding the sentencing process to the perpetrators of the crimes. ■

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<sup>11</sup> The phrasing features 7 times in the main body of the Secretary-General's report. The following phrasing, in §108, gives a very clear sense of what the Summit wants humanitarian agencies to be reduced to: "international providers will need to set aside such artificial institutional labels as "development" or "humanitarian", working together over multi-year time frames with the Sustainable Development Goals as the common overall results and accountability framework. Providers of aid will need to assess what skills and assets they can contribute in a given context, at a particular time (short, medium and long term) and towards a specific outcome."  
*In "One humanity, shared responsibility. Report of the Secretary-General for the World Humanitarian Summit", p. 29, §108.*



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