

# Mandate Review: Effective Coordination of Humanitarian Assistance

## Questions and Answers

*This document provides a written response to questions Member States raised during the Informal “Informal” meeting of April 4 2008, and, written questions submitted after the meeting.*

### **Resources Questions**

During the Informal “Informal” meeting of April 4, Member States asked the Controller questions on the issue of resources. These questions included:

1. If the process frees human resources, can these be reallocated?
2. How can the implications of PBIs be derived?
3. Does the suggested approach to establish resource implications involve looking at individual Mandates or sets of Mandates, and, what impact this might have on Mandates from after the 61<sup>st</sup> session?
4. Would the impact of recommendations on the sub-program level enable a view of actual activities, and would it help identify overlaps in activities?

The Controller has provided a written response, as agreed during the Informal “Informal”. This statement has been posted on the President of the General Assembly’s website, and can be found at:

<http://www.un.org/ga/president/62/issues/MandateReview.shtml>

### **Questions related to Recommendations**

5. Is there any indication on when comments from the DRC and Timor Leste could be expected?

*Response:* Since the Informal “Informal” meeting, Timor Leste has stated that they agree with the Co-Chairs’ recommendations on the Mandates for which they are the affected Member States. This has been indicated on the updated version of the Recommendations document.

The Co-Chairs have also been in close contact with the Democratic Republic of Congo, but the Mission is not currently in a position to comment on the Mandates. The Co-Chairs, therefore, suggest that no action be taken on these Mandates until further guidance is received from the DRC. In the updated version of the Recommendations

document, these Mandates have been placed under a separate list and attributed the status of “pending”.

6. Would the recommendation for Mandate 4200, Comoros, lead to an increase in allocation of resources?

*Response:* Part of the agreed parameters of Mandate review is the identification of gaps in implementation. However, it is for Member States to decide on how to fill these gaps. With regard to the Comoros Mandate, the Co-Chairs have highlighted a gap in implementation. The Co-Chairs note that, in the response from Comoros agreeing with the recommendation, the Member State also requested a resolution. This request has been included in the updated Amber Preliminary Analysis table, and not in the Recommendations, since it goes beyond the scope of the Mandate Review exercise.

7. Were the Member States affected consulted on the review of the Grey Mandates?

*Response:* The Co-Chairs have actively sought the input from Affected Member States with Mandates in all categories. These States were contacted by letter on 15 February, attaching all the non-Green Mandates relevant to them. The Co-Chairs responded to all Affected Member States that sought further consultation. Express agreement with the classification has not been included in the comments on Grey Mandates because these Mandates have simply been completed: they request a certain action, which has been fulfilled, to be completed by a particular date, which has now past. It should be noted that Mandates in the Gray category are not recurrent and have not been consistently renewed by subsequent resolutions.

8. Can you provide further clarification on the views of affected Member States, potentially in written form?

*Response:* The position of affected Member States is reflected in the Recommendations document. The Co-Chairs did not seek a full written explanation from affected Member States on their reasons for concurring or disagreeing with the recommendations.

9. Why should the inactive Mandates be discontinued? Because if they are inactive, there is no need to discontinue them.

*Response:* The language used in the Recommendations document has now been altered to reflect this concern. Inactive Mandates do not need to be discontinued, as they have been completed and are not recurrent. The aim of the recommendation is to indicate to the Secretariat the common understanding of the membership that these Mandates are no longer active.

10. What will the impact be of Recommendations on Completed Mandates on: the work of implementing entities and later resolutions and Mandates?

*Response:* Completed Mandates are those which are no longer active. That is to say the request/action has been delivered within the timeframe specified, and the mandate has not been renewed. Recognizing that these Mandates are inactive should not have any impact on either implementing entities' activities or later resolutions.

11. Shouldn't we only be renewing the secretariat Mandates? Shouldn't the other Mandates be placed on a 'non-applicable' category?

*Response:* The Co-Chairs are conducting the Review of Mandates according to the agreed parameters set out in the President of the General Assembly's letter of November 2007. This stated that: the review of Mandates should be extended to all General Assembly Mandates older than five years, including those that have been renewed, and, that a process should be established which allows for a more systematic input of expertise from main committees and from within the UN system, including from regional organizations.

12. Has the DSS been consulted?

*Response:* DSS has been consulted in the information gathering, preliminary analysis, and recommendation forming stages of the process.

13. Why are there errors in the Mandate Registry, and how can they be fixed?

*Response:* Further explanation has been added as to the nature of the errors encountered in the Mandate registry, and why they prevent the Mandates from being analyzed and categorized. This can be seen in the Annex 2 of the Recommendations document. These errors could be corrected as part of a wider updating of the Mandate Registry.

14. Would the consolidation of reports require changing resolutions?

*Response:* The consolidation of reports would not change existing resolutions. Should Member States agree to consolidate the reports of two different resolutions, these resolutions would remain intact, but the reporting requirements would be modified.

15. With regard to the recommendation that the DRC Mandates, can Mandates of the General Assembly be overtaken by the MONUC, which is a Security Council Mandate?

*Response:* The Co-Chairs recognize that Mandates from the Security Council cannot overtake Mandates from the General Assembly. The purpose of comments in their Preliminary analysis was to draw attention to the fact that, although the implementing entities continue to respond to current need in the DRC, these Mandates have not been renewed since the 58<sup>th</sup> Session (A/RES/58/123). However, since the Co-Chairs have not received comments from the Affected Member State on the draft Recommendations, they

suggest that no action be taken on these mandates until further guidance is received from the Democratic Republic of Congo.

16. How do we deal with consolidation of reports that go to different committees?

*Response:* Current practice allows for reports to be simultaneously assigned to different agenda items, even if these items belong to different Committees. The same document can also be issued as an official document of more than one United Nations organ.

17. Why does the recommendation for Mandates 8869 and 15839 (Safety and security of humanitarian personnel and protection of United Nations Personnel) say there is a scope for consolidation with other Programme implementation reports?

*Response:* The implementing entity has highlighted that there is some duplication in requirements stemming from Resolution '59/211 on 'Safety and Security of Humanitarian Personnel and Protection of United Nations Personnel', and, the reporting requirement of the annual 'Strengthened and Unified Security Management System' resolution. These lead to duplication of efforts within DSS. However, during consultations with Member States, it was suggested that it would be preferable to keep these two reports separate, as they are of different nature and focus on different aspects of safety and security. Therefore, the Co-Chairs decided to remove this recommendation from the updated Recommendations document.

18. Why do the Recommendations request that the Secretary-General report on possible means to improve the structure of coordination and line of responsibility, or strengthen Mandates?

*Response:* The methodology developed by the Co-Chairs allows duplication, overlap, gaps and lack of clarity in lines of responsibility to be identified. These problems could lead to inefficient implementation of mandates, and lack of oversight. The Co-Chairs are not in a position to identify operational solutions to these problems. The Secretariat's expertise is needed to establish the practical details of making these changes. The responsibility for this should rest with the Secretary-General.

This response applies to particular questions on the impact of recommendations tied to Mandates: 8869, 15839, 15840, 3905, 15841, 18108, 22668, 4200.

19. What will the impact of consolidating or strengthening Mandates be on the work of the General Assembly Committees and/or Plenary?

*Response:* In the case of Mandates classified as Amber, the Co-Chairs suggest that the Secretary-General report back to General Assembly with specific proposals on how to strengthen the implementation by improving coordination and/or to designating clearer lines of responsibility. Any recommendation contained in the report of the Secretary-General could later be assessed by the committees or the plenary, as appropriate, when the membership will be able to make a final decision on the Mandates. This response

applies to questions related to Mandates 8869, 15839, 15840, 3905, 15841, 18108, 22668, 22669, 4200.

The Co-Chairs do not expect there to be any impact on the work of Committees and/or Plenary as a result of recommendations for Mandates to be discontinued or those that have been Completed. This response applies to questions on Mandates: 3704, 18896, 15535, 3892, 22185

22186 and Mandates relevant to the Democratic Republic of Congo identified to be Discontinued. It also applies to questions relating to the following Completed Mandates: 3906, 15842 as well as those Mandates related to Afghanistan and Somalia also identified as Completed.

20. What is the 'Originating Resolution' for Mandate 8165?

*Response:* The Mandate Registry database indicates that this Mandate is part of resolution A/RES/54/30 and there is no prior resolution related to this Mandate.

21. What is the current situation with regard to Mandates 17967 and 17968, and where they reported on?

*Response:* Reporting requirements stemming from resolution A/RES/49/139[B] were responded to in report A/50/203. Subsequent resolutions on this matter did not include similar mandates. Therefore these Mandates are considered to be 'Completed'.

22. Are all 46/182 mandates green?

*Response:* Yes, with the exception of: 21125, 21127 and 18376 which are Completed, and have not been renewed. In the case of Mandate 18376 latest renewal of the resolution (A/RES/57/153) does not make any mention of this Mandate.

## Changes made to Recommendations and Preliminary Analysis following feedback

### 1) Reclassification from Grey (Completed) to Green Mandates

- Mandate 18185: This Mandate is from the Assistance to the Palestinian people (A/RES/33/147), and 'requests the Secretary-General to submit a report to the General Assembly at its sixtieth session, through the Economic and Social Council, on the implementation of the present resolution, containing: (a) An assessment of the assistance actually received by the Palestinian people; (b) An assessment of the needs still unmet and specific proposals for responding effectively to them'. Despite the fact that this resolution requests a report to be delivered by a specific date which has now past, it has been moved to Green because the resolution has been renewed frequently, including: A/RES/60/126; A/RES/59/56; A/RES/58/113; A/RES/57/147; A/RES/56/111.
- Mandate 18742: This Mandate is on the International cooperation and coordination for the human and ecological rehabilitation and economic development of the Semipalatinsk region of Kazakhstan (A/RES/52/169), and 'Requests the Secretary-General to report to the General Assembly at its sixty-third session, under a separate sub-item, on the progress made in the implementation of the present resolution.' The reporting requirement has been fulfilled, but this Mandate was renewed in A/RES/60/216, which requests a report on the implementation of the resolution in the sixty-third session.
- Mandate 3700: This Mandate is on Strengthening of the coordination of emergency humanitarian assistance of the United Nations (A/RES/46/182), and requests the Secretary-General to report to the General Assembly at its fifty-eighth session, through the Economic and Social Council at its substantive session of 2003, on the progress made in strengthening the coordination of emergency humanitarian assistance of the United Nations, including the implementation of and follow-up to Economic and Social Council resolution 2002/32 of 26 July 2002 and the present resolution. Although the specific reporting requirement has been fulfilled, the reporting requests have been renewed annually.

2) The request by Comoros that the General Assembly adopt a resolution has been taken out of the Recommendations and included in the Preliminary Analysis. Part of the agreed parameters of Mandate review is the identification of gaps in implementation. However, it is for Member States to decide on how to fill these gaps. Comoros' request has been included in the updated Amber Preliminary Analysis table, and not in the Recommendations, since it goes beyond the scope of the Mandate Review exercise.

3) The recommendation that reporting requirements stemming from Resolution '59/211 on 'Safety and Security of Humanitarian Personnel and Protection of United Nations Personnel', and, the reporting requirement of the annual 'Strengthened and Unified Security Management System' resolution be consolidated has been removed from the updated Recommendations documents. This is because, through consultations with Member States, it was suggested that it would be preferable to keep these two reports

separate, as they are of different nature and focus on different aspects of safety and security.