I Background

At the IASC’s meeting in Rome in December 2012 and at the suggestion of the High Commissioner for Human Rights, the Principals agreed as an item on its agenda to hold a discussion on the implications of the Report of the UN Secretary General’s Internal Review Panel on United Nations Action in Sri Lanka (IRP report) for the protection of human rights in humanitarian crises. With a view to addressing protection challenges that go beyond the situation of Sri Lanka in 2009, and following discussions between OHCHR and UNHCR, it was decided that the session would be prepared and facilitated jointly by the two Principals.

OHCHR and UNHCR facilitated consultations and a review of a joint paper entitled “The protection of human rights in humanitarian crises” with Global Protection Cluster (GPC) participants as well as IASC focal points. A final draft of the joint paper was submitted to the IASC Secretariat on 1 May 2013.

II IASC Principals discussion of 8 May 2013

At their meeting of 8 May 2013 in Washington D.C., the IASC Principals recalled that the IASC definition of protection places the protection of human rights at its centre: all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, humanitarian law and refugee law). The Principals recognized the need for collective action to protect human rights in all circumstances, especially in conflicts, where the risk of violations of international human rights and humanitarian law often increases; the responsibility for protecting human rights should not be ‘ghettoized’. They further agreed that the IASC needs a common protection strategy in order to ensure that humanitarian action responds appropriately in the face of serious violations of international human rights and humanitarian law, including by advocating with relevant bodies - such as the General Assembly, the Security Council or the Human Rights Council -- about their responsibilities and to shield humanitarian organizations from unjustified blame when violations are not prevented. The Principals tasked the Working Group to discuss the joint OHCHR/UNHCR paper and come up with a punctual plan of action.

III Next steps

At its ad hoc meeting of 24 May 2013, the IASC Working Group discussed the need to come up with a forward plan, taking into consideration the UN’s DSG Action Plan, for the implementation of the recommendations contained in the joint paper.
On 14 June, the GPC’s Strategic Advisory Group expressed concerns about the limited time available to present the said proposal to the IASC WG on the next steps, particularly given the fact that the UN’s DSG process had not yet been finalized or made public, and that the large non-UN constituency of the GPC and the IASC had not yet had the opportunity to familiarize themselves with the UN’s DSG Action Plan. Concern was also expressed about the complexity of the issues and the need for appropriate time and consultations to be undertaken before a proposal could be presented.

OHCHR and UNHCR discussed these concerns including those expressed by GPC participants with DERC Kang at a meeting in Geneva on 17 June 2013, following which agreement was reached that the discussion on the next steps would be presented at the WG’s ad hoc meeting of 18 July as an item under ‘AOB’.

Once the UN’s DSG process and the action plan are finalized and available to all stakeholders, OHCHR and UNHCR will hold consultations, under the auspices of the GPC and in full consultations with IASC focal points on the recommendations of the joint OHCHR/UNHCR IASC background paper with a view to ensuring coherence with the DSG’s final action plan. The outcome of these discussions as well as a proposal on next steps will be presented to the IASC WG at its meeting in October.

Prepared by: OHCHR/UNHCR, July 2013