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Reforming the UN's Humanitarian Machinery: **DRAFT**
Sisyphus Revisited?

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Sisyphus at least never had to ask directions. This paper, on the other hand, asks whether the UN's humanitarian structure has a top, whether it works, and whether there are ways its performance might be enhanced. These queries, of course, are deceptively simple and straightforward, for the UN system is neither. To these ends, the paper is divided into five sections. They ask, respectively, 1) does the UN have a top?, 2) who is in charge?, 3) are complex emergencies manageable?, 4) is horizontal coordination an oxymoron?, and 5) are ECOSOC and the Security Council reformable? Like the UN, the answers are broad. Unlike the UN, they are also quite modest.

I. Does the UN Have a Top?

Before attempting to assess how the top-down aspects of the UN's management of humanitarian issues might be improved, it would be prudent to ask what the top of the United Nations looks like and who is in charge. The UN, after all, is a body of uncertain dimensions. As much by practice as design, the shape, contour, and proportions of the world body defy easy classification. There are a number of reasons for this:

- One, in the UN it is never lonely at the top. Efforts to trim high-level posts have been resisted both by member states and by Secretaries-General too ready to give them the status posts they seek for their nationals. As a result, there remain more Under-Secretaries-General than Assistant Secretaries-General in the world body.
- Two, to the extent that there are pinnacles in the UN's architecture and experience, they are shared by member state governments and top international civil servants, sometimes more, sometimes less comfortably. Member states are more ready to delegate blame than credit, while the secretariat frequently claims that there is nothing wrong with the system but the fickle member states.
- Three, the convoluted machinery of the UN system features an unusually large number of parts, which relate to each other in subtle and nuanced ways that are hard for outsiders (and often insiders as well) to decipher. The division of labor among the parts is both complex and dynamic. Each piece has an understandable

rationale, structure, and hierarchy, but this is not always so for the conglomeration as a whole.

- Four, the potent mix of universalism and humanism that drives the organization's ambitions, agendas, and programs gives its structure an amorphous, ungainly, and restless cast. Despite the perennial effort to freeze spending and posts, to rationalize structure, and to enhance coordination and coherence, the UN system – a true misnomer – still lacks well-defined boundaries and fixed sides.
- Five, the world body, especially in its emergency response mode, must be prepared to shift its attention, assets, and programmatic mix rapidly as external events dictate. The UN's dimensions, as well as its internal complexity, are thus to some extent subject to the vagaries of distant events, geopolitics, and domestic politics over which it has little or no control.

All of this suggests an enterprise in which lines of responsibility, authority, and ultimate accountability lack clarity and definition. In such a non-system, problems of unity of purpose, coherence of the division of labor, and coordination of implementation efforts are likely to be endemic.

Power is anything but centralized in the UN system. It has as many hierarchies, it seems, as it has units. As the following excerpt from the World Food Programme (WFP) General Regulations illustrates, relations and reporting lines among the various inter-governmental organs are sometimes less than crystal clear:

The [Executive] Board shall, within the framework of these General Regulations, be responsible for providing intergovernmental support and specific policy direction to and supervision of the activities of the WFP in accordance with the overall policy guidance of the General Assembly of the United Nations, the FAO Conference, the Economic and Social Council and the Council of FAO, and for ensuring that WFP is responsive to the needs and priorities of recipient countries. The Board will be subject to the general authority of the Economic and Social Council and the Council of FAO.¹

The multiplicity of reporting lines may well produce sufficient confusion to permit this Executive Board considerable autonomy. And WFP has had a reputation for strong management

¹ Paragraph 1 of Article VI of the WFP General Regulations, adopted by the FAO Conference (res. 11/97 of November 17, 1997), as quoted in WFP/EB.1/2003/4-E, p. 4.

and a cohesive sense of purpose in recent years. But it does sound as if everyone and no one is in charge, at least on the inter-governmental side.

Though much of the formal planning and mandate-setting process occurs within the walls of UN headquarters in New York, the question of how these multilateral mandates are to be translated into effective action is shaped by a far broader and more dispersed set of venues and actors.² Among them are a raft of private human rights and humanitarian groups that have an active presence in the field, at headquarters, or both, as well as a spectrum of regional organizations and bilateral arrangements. In terms of scale, the amount of humanitarian activity taking place outside of UN channels generally exceeds that overseen by the world body in most complex emergencies. The result, of course, is not just a single top-down hierarchy, but a multi-layered and complex mosaic of political interactions and influences among inter-governmental bodies, international and national secretariats, national parliaments, and a host of non-governmental actors. So, for the purposes of this “top-down” exercise, it will be stipulated that the UN’s “top” is both broad and diverse, encompassing all of those international, governmental, and non-governmental actors that play a recurrent and significant role in helping to shape the organization’s strategies for meeting the humanitarian needs associated with complex emergencies.³

In more traditional management models, those at the top decide and those at middle and lower levels implement. As this discussion suggests, however, such hierarchical, vertically

² Arthur C. Helton, “Rescuing the Refugees,” *Foreign Affairs*, vol. 81, no. 6 (March/April 2002), p. 76. The critical role of non-governmental groups in humanitarian relief and the need for UN processes to gain their input were the subjects of a vast literature during the 1990s, including Secretary-General Boutros Boutros-Ghali’s 1995 *Supplement to An Agenda for Peace*, reports by the Nordic UN Project, the Stanley Foundation, and the UN’s Joint Inspection Unit, as well as by a number of independent commissions and scholars.

³ While non-governmental groups are not a formal component of the official UN hierarchy, their involvement in both decision-making and implementation is so prevalent at all levels as to constitute an important adjunct to the formal machinery.

based, distinctions do not work well in the UN system and most particularly in the case of humanitarian emergencies. The goal, in fact, is often to insure that the kind of turf battles so often seen among headquarters are not replicated at the field or delivery level. Cautioning against what he terms “bureaucratic imperialism,” Jonathan Moore frets about the “thoroughly fragmented and feudal nature” of the UN system.⁴ Managers on the ground, needing to display initiative and flexibility in responding to the unexpected, may play a larger role in turning strategy into policy than those at the “top.” As Erskine Childers and Brian Urquhart underlined, there is an “undoubted need to avoid merely establishing a higher-level authority at the headquarters level which then stifles or delays necessary and often urgent ground-level decision-making in emergencies.”⁵ In their view, “decentralized authority means that one official responsible to the Secretary-General organizes an integrated emergency relief operation; chooses as its ground-level manager someone who can be relied upon for sound and efficient daily decision-making (and for knowing when a decision needs headquarters input); and then delegates to that chosen person.” They concluded that weaknesses in the UN’s structure (circa 1994) made this “real decentralization...virtually impossible.” Thomas Weiss and Larry Minear likewise questioned in 1992 “the ability of anyone to exercise effective coordination within the existing UN structure.”⁶

⁴ Jonathan Moore, *The UN and Complex Emergencies: Rehabilitation in Third World Transitions* (Geneva: United Nations Research Institute for Social Development (UNRISD), 1996), pp. 27 and 29.

⁵ Erskine Childers and Brian Urquhart, *Renewing the United Nations System* (Uppsala, Sweden: Dag Hammarskjöld Foundation, 1994), p. 114.

⁶ Quoted in *ibid.* A number of options for bringing greater coherence to the UN’s response to humanitarian emergencies were considered in the preparation of Secretary-General Kofi Annan’s 1997 reform package, but the resistance of key agency heads precluded their realization. For a well-informed account of the derailment of significant reform possibilities in 1997, see Thomas G. Weiss, “Humanitarian Shell Games: Whither UN Reform,” *Security Dialogue*, vol. 29, no. 1 (March 1998), pp. 9-23.

As a 1996 World Food Programme (WFP) document phrased it, “WFP’s mandate is to assist the poor and hungry. They do not live in Rome. The heart of our work is therefore in the field.”⁷ In his 1998 report on strengthening the coordination of humanitarian assistance, the Secretary-General recognized that OCHA would have to look in more than one direction for guidance and inspiration. “The Office,” in his words, “will remain responsive to the expectations of member States and members of the Inter-Agency Standing Committee, and will adjust its priorities and working methods to reflect the needs of the victims of complex emergencies and natural disasters.”⁸ OCHA, in other words, would need to listen to both states and peer agencies, while employing both bottom-up and top-down strategies. This is doubtless a challenging assignment, but also a quite typical one, familiar to managers throughout the system and since the UN’s earliest days.

II. Who Is in Charge?

Given these factors, it should come as no surprise that the frequent lament of those seeking to overhaul the UN system as a whole – that “there is no center at the center”⁹ – could apply equally to the world body’s structure for humanitarian assistance. Try as they might, successive Secretaries-General have discovered that the leverage that they possess for managing, much less reforming, the UN system is decidedly limited. To a remarkable extent, within the system both the power of the purse and the power of appointment are dispersed. While the

⁷ From *Preparing Our Future*, July 1996, as quoted in *A Decade of Change: Renewal and Transformation of the World Food Programme, 1992-2002*, WFP/EB.1/2002/9, January 29, 2002, p. 22.

⁸ Report of the Secretary-General, Strengthening of the Coordination of Emergency Humanitarian Assistance of the United Nations, A/53/139-E/1998/67, June 12, 1998, para. 20, p. 6.

⁹ See, for example, Peter Fromuth, ed., *A Successor Vision: The United Nations of Tomorrow* (New York: United Nations Association of the USA, 1988).

Secretary-General has more influence over such basic executive decisions than anyone else, his responsibilities as “chief administrative officer” (Article 97) under the Charter fall far short of those of the typical chief executive officer (CEO) of a private firm or not-for-profit organization. The Secretary-General is markedly inhibited in terms of reallocating resources, shifting posts, or hiring-and-firing without member state consent or at least input. It is often said that his/her board of directors consists of the 191 member states. Fair enough, but these directors – or at least the wealthier among them – also provide the organization’s revenues and, to a large extent, its capacities for action. So they are primary actors, as well as the ultimate decision-makers. In exercising oversight over the operations of the UN system, national capitals are, to a substantial degree, assessing the value of their own contributions to the system, both on the goal setting and operational sides of these matters. While member states have reason to complain about the lack of accountability within the decentralized secretariat, it also needs to be asked: to whom the member states are accountable for their own leadership and programmatic contributions to the UN’s humanitarian response system? Doesn’t the lack of coordination within the UN system reflect, in part, the lack of coordination within capitals, particularly those of the major donors?

An adept and articulate Secretary-General, such as the incumbent, can employ his or her bully pulpit both to set a tone and direction for the disparate parts of the system and to influence the way member states, their publics, and the media weigh the issues of the day. This can be a powerful tool in seeking a coherence of purpose. The relative success that Kofi Annan has had in reaching out to other barons and baronesses in the system, as well as to the UN’s wider public and governmental constituencies, testifies to the centrality of the Secretary-General’s personal qualities in giving some sense of coherence and purpose to the organization. Good leaders (and workers) can overcome mediocre or confused structures, but even the most streamlined

machinery cannot produce consistent results without skilled and/or inspired leadership. Over time, UN veterans learn not only the arcane processes, procedures, and structures that define the international bureaucratic system, but, just as importantly, how to circumvent them when needed to accomplish key tasks. This conclusion suggests the need for substantial modesty on the part of those engaged, as this author often has been, in efforts to spur institutional reform in the world body.

The Secretary-General, of course, serves at the will and whim of the member states. As Boutros Boutros-Ghali discovered, losing favor in a major capital can risk a truncated tenure on the 38th floor. A politically skillful Secretary-General, on the other hand, has some modest management tools at his/her disposal. One is to propose the regular budget and any suggestions for shifting the allocation of resources to the General Assembly, where its Fifth Committee and Advisory Committee on Administrative and Budgetary Questions (ACABQ) are known for casting a sharp and skeptical eye on any proposed changes or supplements.¹⁰ Likewise, the Secretary-General has the authority to appoint the executive heads of UN programs and some UN agencies. These selections, however, are generally subject to confirmation by the member states, which often treat such questions as matters of high politics and distinct national interest.

Power is not a one-way street in the UN system. The member states do depend on the Secretary-General and UN agencies and programs to carry out the mandates produced by inter-governmental organs as fully, effectively, and efficiently as possible. National decision-makers, moreover, generally value the assessments and suggestions of key secretariat figures, from the field as well as headquarters, who are well versed on developments on the ground. The voice of current or former international civil servants with such direct experience may well be influential

¹⁰ As noted below, most funding for

in their home capitals, NGOs, academia, or media. Tacit advocacy alliances often form between those in the secretariat and those in national governments who see eye-to-eye on how to proceed. So enterprising international officials do find ways of being heard in national, as well as international, decision-making processes.

On the other hand, those individual member states most interested in the outcome of a given crisis may well have goals and agendas that are more than a little distinct from those that have been agreed within the Security Council or other UN inter-governmental organs. Since diplomats are known for their skill in covering over substantive differences with artfully ambiguous language – as recently displayed in Security Council resolution 1441 on Iraq – mandates are rarely characterized by programmatic precision. The scores of Council resolutions on the Balkans, including both Chapter VI and VII mandates on the humanitarian emergency, were replete with serious internal contradictions. In several recent crises – Kosovo, Afghanistan, and the Ivory Coast come to mind – the Council failed to comment at all on the use of force by member states, even though their military actions would help shape the context for parallel or subsequent humanitarian action. Even within a given national capital, moreover, there might not be a unity of purpose: witness the chronic differences in Washington, DC on these issues, both between the State and Defense Departments and between the Clinton Administration and Congress. Under such circumstances, there may be a substantive disconnect between how a member state votes in multilateral fora and how its national policies regarding financial, material, or troop contributions are eventually decided.

Even when the Council manages to produce an unambiguous mandate, the commitment, as well as the capacity, of capitals to provide material or political support for major peace and

humanitarian missions will necessarily vary markedly.¹¹ National bureaucracies and parliaments, moreover, may well be torn between competing appeals for assistance in peacekeeping, humanitarian relief, and longer-term post-conflict reconstruction and development.¹² Agency heads and the Secretary-General understand the need to work capitals to encourage them both to contribute to consolidated appeals and to provide bilateral assistance and political support. In some cases, informal understandings or quid pro quos are an integral part of such interactions. In the process, the views and positions of both the secretariat and the national policymakers are likely to be affected. When things work well, the resulting convergence, if not consensus, is likely to resemble a creative mix of substantive elements drawn from capitals, agencies, and the accumulated experience on the ground. This is another opportunity for seeking a merger of “top” and “bottom” perspectives.

III. Complex Emergencies: Managing the Unmanageable?

In terms of management flexibility, humanitarian emergencies pose both an opportunity and a challenge for the Secretary-General and other top international administrators. They pose needs that “do not remain in separate or static compartments,” commented Jonathan Moore, so “there must be flexibility along with accountability.”¹³ On the plus side, the graphic and often highly-publicized devastation incumbent in such situations generates sympathy, concern, and an unusually clear and unambiguous demand for UN involvement. The need for concerted

¹¹ For an explanation of why member states have doubts about participating in humanitarian interventions, see Edward C. Luck, “The Enforcement of Humanitarian Norms and the Politics of Ambivalence,” in Simon Chesterman, ed., *Civilians in War* (Boulder, Colorado: Lynne Rienner Publishers, 2001), pp. 177-196.

¹² For analysis and case studies of the difficulties in insuring sufficient and reliable support from donors, see Shepard Forman and Stewart Patrick, eds., *Good Intentions: Pledges of Aid for Postconflict Recovery* (Boulder, CO: Lynne Rienner Publishers, 2000).

¹³ Jonathan Moore, *The UN and Complex Emergencies*, op. cit., p. 27.

multilateral action is rarely presented so starkly. The demand for fresh, earmarked resources is seen by publics and legislators as relatively short-lived, not as the addition of permanent posts or budgetary supplements. Since neither natural nor man-made disasters can be predicted with any degree of confidence, funding and assembling an international response is largely done on an ad hoc and voluntary basis.¹⁴ Because these are not regular budget items, international managers will not be as constrained by the kinds of rigidities inherent in the budgetary process described briefly above.

But there is a worrisome downside as well to such free-flowing funding patterns. There is no assurance that the pace of voluntary funding will be maintained or that it will be allocated to where it is most needed rather than primarily to the most visible emergencies. In a 2002 report, the Secretary-General pointed to worrying trends in both regards.¹⁵ The effort to induce voluntary support out of the wealthier member states, moreover, may well provide them with another chance to practice micro-management over international operations. Kenzo Oshima, the UN's Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, recently identified growing donor involvement as one of the key developments since the first meeting of the Inter-Agency Standing Committee (IASC) a little over a decade ago. In his words, "donors are more intricately involved in strategic decisions and the attention given to humanitarian action, particularly in the Security Council, increased."¹⁶ Even his Turtle Bay Office for the Coordination of Humanitarian Affairs (OCHA), charged with ongoing

¹⁴ The fluctuations can be dramatic. Funding and posts for the UN High Commissioner for Refugees (UNHCR), for example, more than doubled between 1990 and 1996 and have fallen substantially since then with the contraction in the number of refugees. John Stremlau, "People in Peril: Human Rights, Humanitarian Action, and Preventing Deadly Conflict" (Washington, D.C.: Carnegie Commission on Preventing Deadly Conflict, May 1998), p. 26.

¹⁵ Report of the Secretary-General, *Strengthening the Coordination of Emergency Humanitarian Assistance of the United Nations*, A/57/77-E/2002/63, May 14, 2002, para. 67, p. 17.

¹⁶ Opening Remarks to the 50th IASC Working Group Meeting, OCHA, September 18, 2002, p. 1.

responsibilities for policy development, coordination, and advocacy, receives three-fifths of its funding from extrabudgetary resources.¹⁷ Mark Malloch Brown, the Administrator of the UN Development Programme (UNDP), ruefully noted in January 2001 that its crisis and post-conflict work had been “crippled by the diminishing core resources situation,” while growing “non-core resources are becoming increasingly important to maintain a viable CPC agenda for UNDP.”¹⁸ The scope for serious long-term strategic planning by the “top” under such circumstances is bound to be seriously circumscribed.

Finding the requisite financial and material support is not the only challenge facing those attempting to shape a coherent response to complex emergencies. Since the end of the Cold War, the most demanding crises have been caused by or linked to situations of organized violence, usually in the form of civil war or ill-formed transnational conflict. As Secretary-General Boutros Boutros-Ghali stressed as early as 1994, the merger of these humanitarian and security agendas has posed conceptual, structural, and programmatic dilemmas for the member states and the secretariat.¹⁹ A number of humanitarian and human rights NGOs found the practice of delivering assistance by combat forces, as was done in Afghanistan, to be an affront to the impartiality principle that has traditionally been a foundation of humanitarianism. Similar dilemmas have been posed by policy choices about how to protect the vulnerable in virulent civil conflicts and whether military intervention for humanitarian purposes is appropriate and

¹⁷ A/53/139-E/1998/67, op. cit., para. 16, p. 5. A 1995 report of the UN’s Joint Inspection Unit regretted the lack of predictable financial resources for OCHA’s predecessor, the Department of Humanitarian Affairs (DHA). JIU/REP/95/6, p. 21.

¹⁸ Statement before the UNDP/UNFPA Executive Board, January 30, 2001.

¹⁹ Report of the Secretary-General, *Improving the Capacity of the United Nations for Peace-keeping*, A/48/403, S/26450, March 14, 1994, p. 3.

legitimate.²⁰ As complex humanitarian emergencies moved up the ladder of core international security concerns during the 1990s, the Security Council began to devote growing portions of its agenda and time to these matters. While no doubt this spurred public engagement in countries with the wherewithal to provide timely assistance, the development of strategies for humanitarian response was bound to be affected by the security prism through which the Council came to view them.²¹ In the United States, moreover, these issues tended to become mired in partisan politics during the Clinton Administration to an extent that probably would not have transpired if humanitarianism had not become merged in critics' eyes with more controversial questions of UN peacekeeping and the multilateral organization of military force.

One response to these controversies and conceptual muddles has been to stress the advantages of prevention, an approach that has proven irresistibly attractive but difficult to operationalize. To this end and despite pointed questioning by the ACABQ and General Assembly,²² recent Secretaries-General have maintained rosters of a score or more personal envoys or representatives. Most of these high-level personalities are used for fact-finding or mediation in areas of past or potential conflict, while the Department of Political Affairs (DPA) has been anointed the world body's focal point for prevention. However, as a general rule, the closer a crisis moves to needing outside intervention, the less the secretariat appears to be in

²⁰ Larry Minear, *The Humanitarian Enterprise: Dilemmas and Discoveries* (Bloomfield, CT: Kumarian Press, 2002), pp. 81-82 and 115-116 and David Rieff, "Humanitarianism in Crisis," *Foreign Affairs*, vol. 81, no. 6 (November/December 2002), pp. 111-121.

²¹ For a discussion of some of the considerations that should be taken into account in the conduct of a "human protection operation," see the Report of the International Commission on Intervention and Sovereignty, *The Responsibility to Protect* (December 2001), especially Chapter 7, pp. 57-67.

²² In 1996, Secretary-General Boutros Boutros-Ghali reported to the Assembly that there were 32 special representatives, envoys, and related special advisors in the secretariat. A/C.5/50/72, August 29, 1996, p. 2. For a fuller discussion of this phenomenon, see Cyrus R. Vance and David A. Hamburg, "Pathfinders for Peace: A Report to the UN Secretary-General on the Role of Special Representatives and Personal Envoys" (Washington, D.C.: Carnegie Commission on Preventing Deadly Conflict, September 1997).

control. When the Security Council becomes actively engaged in an ongoing or fast-breaking armed conflict, it will often call on the thirty-eighth floor to appoint a Special Representative of the Secretary-General (SRSG) to oversee the peacemaking, peacekeeping, monitoring, and/or humanitarian operations related to that conflict. In cases of UN-led peacekeeping missions, the Force Commander also is normally appointed by the Secretary-General.

However, while the SRSGs and Force Commanders do report to the Secretary-General through regular secretariat channels, their overall missions and purposes are defined by Security Council mandates, they report to the Council periodically, and the extent of the forces, funding, and other assets available for the operation is determined by the member states. Force-contributing countries, known for their allergies to mission creep, are particularly attentive to how the missions unfold and to how their forces are deployed and employed. Member state contingents often look to their national command structures for approval before undertaking expanded responsibilities, while UN Force Commanders exercise operational control, not command authority, over the units that compose the international force. By tradition, the Force Commander normally comes from the member state contributing the largest contingent and, in essence, is assigned to the UN mission by that capital. When the assignment is completed, many commanders seek to return to their career tracks in their national service. All of this, of course, constrains the Secretary-General's capacity for exercising autonomy or decisive authority in those complex emergencies that take place in a theatre of UN peacekeeping operations.

IV. Horizontal Coordination: An Oxymoron?

The UN system, for all its impressive breadth, is remarkably shallow. The mismatch between its ambitions and resources is legend. No doubt much could be done to improve vertical

relationships, to enhance opportunities for field and independent inputs into inter-governmental decision-making, and to foster a keener, more coherent, and more disciplined sense of purpose within existing hierarchies. Yet these differences in perspective generally appear to be more stark at headquarters than in the field, where operation-level managers are much closer to the problem and hence more cognizant of the pressing need to make the best of limited resources through rational burden-sharing arrangements. As Arthur Helton put it, “in reality, the coordination of humanitarian functions on the ground in an emergency setting often evolves and works as a matter of necessity.”²³ In this regard, he distinguishes between “strategic coordination” at headquarters and “operational coordination” at the field level. It may be, perversely, that resource shortages propel bureaucratic competition at the strategic level, while compelling cooperation at the field level. As the old Washington saying goes: where you stand depends on where you sit.

Whatever the explanation, few matters have so bedeviled UN reformers as devising ways of integrating and rationalizing the UN’s efforts horizontally across programmatic and institutional divisions. The magnitude of this challenge, first underlined in a 1947-1948 US Senate report on UN management problems,²⁴ has been recognized and addressed in any number of internal UN reform campaigns. The two most influential and relevant reform efforts in this regard were Sir Robert Jackson’s capacity study undertaken for UNDP in 1968 and the 1975 Group of Experts study, rapporteured by Professor Richard N. Gardner, on ways to enhance

²³ Arthur C. Helton, *The Price of Indifference: Refugees and Humanitarian Action in the New Century* (New York: Oxford University Press for the Council on Foreign Relations, 2002), p. 206.

²⁴ Senate Committee on Expenditures in the Executive Departments, *United States Relations with International Organizations*, 80th Cong. 2d sess., 1948, S. Rept. 1757, pp. 11-19. Also see Edward C. Luck, *Mixed Messages: American Politics and International Organization, 1919-1999* (Washington, D.C.: Brookings Institution Press, 1999), pp. 202-203.

international economic cooperation “in a comprehensive manner.”²⁵ Tellingly, both studies called for parallel steps on the inter-governmental and secretariat levels to consolidate budgetary, political, and programmatic authority. They recognized, as the 1948 Senate report had as well, that inter-agency program coherence would be hard to maintain in the absence of a common approach to fundraising and budgeting. Yet both the 1968 and 1975 reform packages – as the one proposed by Secretary-General Kofi Annan in 1997 – backed away from this core recommendation for political reasons: the authors knew there was insufficient political support for such a sweeping change. Having failed to push for this central objective, neither effort achieved more than a fraction of their reform agendas. Though member states have been reluctant to compel agencies to fully integrate their funding and programmatic efforts, they have been sufficiently concerned about the lack of cohesion to make strengthening coordination of the UN’s response to humanitarian emergencies a hardy perennial agenda item for both the General Assembly and ECOSOC.²⁶

Using funding as a lever to spur closer cooperation among relatively autonomous agencies – what Antonio Donini called “coordination-by-command” – has become standard UN doctrine.²⁷ This linkage was made in General Assembly resolution 46/182, the December 1991 measure that still stands as the singular landmark on the reform of humanitarian emergency

²⁵ Sir Robert G.A. Jackson, *A Study of the Capacity of the United Nations Development System*, vols. I and II, DP/5 (Geneva: United Nations, 1969) and Report of the Group of Experts on the Structure of the United Nations System, *A New United Nations Structure for Global Economic Cooperation*, E/AC.62.9 (New York: United Nations, 1975). For a capsule history of these two reform efforts, see Edward C. Luck, *Reforming the United Nations: Lessons from a History in Progress*, Occasional Paper No. 1 (2003), (New Haven, Connecticut: Academic Council on the United Nations System, Yale University), pp. 19-26.

²⁶ The Assembly has mandated the Emergency Relief Coordinator to prepare “an annual report for the Secretary-General on the coordination of humanitarian emergency assistance.” A/RES/46/182, para. 35 (i). In 1995, the UN’s Joint Inspection Unit published two reports devoted to ways of strengthening coordination in the humanitarian sector. JIU/REP/95/6 and JIU/REP/95/9.

²⁷ As quoted in Larry Minear, *op. cit.*, pp. 22-25.

assistance procedures. It stressed the need for an initial “consolidated appeal” (and for subsequent ones) precisely “for emergencies requiring a coordinated response.”²⁸ The implementation of this mandate, however, has fallen a bit short of expectations. In his 1998 report, the Secretary-General noted that the consolidated process “must involve all stakeholders, including the authorities of the host country” (para. 35) and “outline the overall vision and strategy of the international community in addressing the problems of countries in crisis” (para. 36).²⁹ Offering a deeper critique, Arthur Helton contends that “achieving a coherent approach has often proved difficult in the absence of budget authority. Sometimes consolidated appeals have been little more than wish lists.”³⁰

The findings of an independent review, which underlined both the promise and the mixed results of the consolidated appeals process, were included in the Secretary-General’s 2002 report.³¹ According to the review, the early appeals “were unable to fulfil the critical coordination function of the process” because they lacked “a coherent strategic approach” (para. 65). It concluded, however, that there had been progress since 1997, including “the inclusion of the Common Humanitarian Action Plan” (CHAP). The consolidated appeals process, it underlined, “remains the only coordination mechanism that continually brings together Inter-Agency Standing Committee members, host Governments, non-governmental organizations and, increasingly, donors for shared analysis, and to discuss and set common strategies, objectives and principles for humanitarian assistance in a country or region” (para . 70). The report regrets,

²⁸ A/RES/46/182, December 19, 1991, para. 31.

²⁹ A/53/139-E/1998/67, op. cit.

³⁰ Helton, *The Price of Indifference*, op. cit., p. 207.

³¹ A/57/77-E/2002/63, op. cit.

however, that “there has been a steady decline in the proportion of humanitarian assistance channelled through it” (para. 66) and that without “improved donor coordination” attempts to enhance the process will be of little benefit (para. 72). To meet these challenges, the report enumerates a number of steps to bolster the consolidated appeals process.³²

In addition to its stress on the strategic benefits of a consolidated appeals process, resolution 46/182 highlighted the roles of the resident coordinator on the country level³³ and of the new Emergency Relief Coordinator (ERC) and Inter-Agency Standing Committee (IASC) at headquarters level in ensuring greater coherence and unity of purpose. Among the integrative tasks assigned by the resolution (para. 35) to the ERC are “pooling and analysis of early warning information,” “organizing...a joint inter-agency needs-assessment mission and preparing a consolidated appeal to be issued by the Secretary-General,” managing a “central emergency revolving fund,” serving as “a central focal point” and chairing the IASC. These are important functions, but structural and financial obstacles have constrained the ERC’s potential as a central coordinating mechanism.

³² These recommendations by the Secretary-General include: “(s) Support efforts to ensure that consolidated appeals contain adequate plans to unite relief and transitional programmes, including in the area of resource mobilization; (t) Welcome the efforts made by the United Nations system to strengthen the consolidated appeals process as a coordination and strategic planning tool; (u) Call upon non-governmental organizations to participate actively and systematically to contributing to the humanitarian strategy contained in consolidated appeals and support the efforts of the Emergency Relief Coordinator to engage in a dialogue with non-governmental organizations in order to ensure their involvement in the development of consolidated appeals; (v) Call upon donors to support low-profile emergency appeals and ensure that funds foreseen for this purpose are not diverted in the response to large-scale emergencies, by increasing the overall levels of humanitarian assistance; (w) Encourage donors to support humanitarian coordination and strategic planning by addressing agreed priority needs identified through the consolidated appeals process; (x) Encourage the development of a global humanitarian financial tracking system which will allow improved coordination and accountability and encourage the Emergency Relief Coordinator to make proposals for the better definition of humanitarian assistance and the collection and dissemination of data on humanitarian needs and contributions; and (y) Encourage donors to meet annually and consider the global trend in humanitarian response to ensure that imbalances can be addressed when consolidated appeals are launched.” Ibid., para. 84, p. 22.

³³ In 1997, Secretary-General Kofi Annan modified field-level arrangements by noting that in some complex emergencies the ERC could designate a lead agency to coordinate the UN response. *Renewing the United Nations: A Programme for Reform*, A/51/950, July 14, 1997, para. 192, p. 62.

The ERC's cooperation with other entities in the system, is to be undertaken, of course, "in full respect of their mandates" (para. 34). To the regret of advocates such as Childers and Urquhart,³⁴ the post of ERC, designated in 46/182 only as "the high-level official," was established at an Under-Secretary-General level, on a par or lower ranking than the agency officials whose programs need to be meshed with an overall strategy. The ERC's staff, since 1997 housed in OCHA,³⁵ has never been large and is decidedly compact, as one would expect, compared to those of the operational entities with which it works. Given its limited size and funding, OCHA has had to recruit a number of senior officials on secondment from other agencies and programs in the IASC.³⁶ While this practice may have fostered better communications among the various entities, it is unlikely to have bolstered any illusions that OCHA could provide a heavyweight core for the system. Also, the ERC post was created with the expectation that voluntary funds would be contributed for this purpose (para. 34), and the goal for the central emergency revolving fund was set at a modest \$50 million (para. 24).

The utility of units in the UN system, of course, should not be judged by the size of their budgets or staff. OCHA's three core functions – "policy development and coordination; advocacy of humanitarian issues; and coordination of humanitarian emergency response"³⁷ – respond to deep and ongoing needs within the system. Yet OCHA clearly lacks the clout to

³⁴ *Renewing the United Nations System*, op. cit., pp. 116-117. Like Childers and Urquhart, Gareth Evans had also called for a humanitarian czar at a Deputy Secretary-General level. *Cooperation for Peace: The Global Agenda for the 1990s and Beyond* (St. Leonards, Australia: Allan and Unwin, 1993), p. 159.

³⁵ In his July 1997 reform package, Secretary-General Kofi Annan replaced the Department of Humanitarian Affairs (DHA) with OCHA, in part to shed the operational activities that DHA had taken on over time and to refocus the ERC's efforts on policy development, advocacy, and coordination. A/51/950, op. cit., esp. paras 185-192, pp. 60-62.

³⁶ A/53/139-E/1998/67, op. cit., para. 19, p. 6.

³⁷ *Ibid.*, para. 16, p. 5.

compel a system-wide integrated effort, to tap substantial new resources, or to have much effect on the priorities of donor governments. Instead, it has carved a niche for itself – much as the UN has in the larger international community – as a developer and promoter of system-wide norms, guidelines, codes of conduct, and standards and as a trusted convenor on topics of cross-agency concern. As chair of both the IASC, which includes the ICRC and some leading non-governmental organizations as well as the key UN players, and the Executive Committee on Humanitarian Affairs (ECHA) established as a result of the first step in Secretary-General Kofi Annan’s 1997 reforms, the ERC is well placed to play a catalytic role in drawing attention to new system-wide challenges and to act as an advocate of the Secretary-General’s views and as a listening post for him.³⁸ The ERC has also acted, at times, as the representative of the humanitarian community to the Security Council and other inter-governmental bodies, and vice versa. In his 2002 report, the Secretary-General called for support for OCHA’s efforts “to strengthen its regional presence” and for its new Unit on Internal Displacement.³⁹

Noting that coordination “has become a centerpiece of modern crisis management,” Kenzo Oshima contended in September 2002 that “the IASC is and will remain the primary forum for the humanitarian community to address these challenges effectively and in a coherent manner.”⁴⁰ As even coordinating bodies are inclined to do, the IASC has added a Working Group and a series of subsidiary bodies over the course of its first decade. In his 2002 report, the

³⁸ Participants in the IASC include OCHA, UNDP, UNHCR, Office of the HCHR, UNICEF, WFP, WHO, FAO, UNFPA, the Representative of the Secretary-General on Internally Displaced Persons, IOM, World Bank, International Federation of the Red Cross and Red Crescent Societies, ICRC, Inter Action, the Steering Committee on Humanitarian Response, and the International Council of Voluntary Agencies. As part of the Secretary-General’s 1997 reform package, an IASC Steering Committee, including UNHCR, WFP, UNICEF, UNDP, ICRC, and an NGO representative, was formed. A/51/950, op. cit., para. 190, p. 61. Participants in ECHA include UNDP, UNICEF, UNHCR, WFP, DPKO, DPA, UNRWA, SRSG for Children in Armed Conflict, and the HCHR.

³⁹ A/57/77-E/2002/63, op. cit., para. 84(d) and (k), p. 21.

⁴⁰ Opening Remarks, op. cit., p. 1.

Secretary-General commended the work of the Inter-Agency Reference Group on Preparedness and Contingency Planning, but urged greater integration of the guidelines it has produced into inter-agency planning.⁴¹ In addition to addressing broader thematic and normative questions, the IASC family has considered common approaches to more than two dozen specific crises. Over time, the mixed inter-governmental/non-governmental character of the IASC has proven to be a considerable asset, since improving coordination within the system is just part of the larger picture, especially in the field. Two of the future challenges identified by Mr. Oshima are particularly relevant to this analysis: 1) relations between IASC and the field and 2) how to enhance coordination with member states and their politico-military agendas. Regarding the former, he asked:

How can we engage Humanitarian Coordinators more actively? How can we ensure that the humanitarian policies developed within the IASC are effectively disseminated and more importantly put into practice at the field level? How can we ensure more effective communications with the field?⁴²

In terms of dealing with member states and their strategies, it is worth recalling that the humanitarian dimensions of security received relatively little attention from the Security Council prior to the 1990s. Now that the Council is seized with these matters, the challenge becomes how to integrate humanitarian concerns in Security Council deliberations, decisions, and resolutions, and in the operations they spawn, in the most propitious and effective manner. While touting the Aide Memoire on the protection of civilians in armed conflict adopted by the Council in March 2002, as well as its growing number of resolutions dealing with humanitarian

⁴¹ A/57/77-E/2002/63, op. cit., paras. 19-20, p. 6.

⁴² Opening Remarks, op. cit., p. 3.

affairs, Oshima concludes that the IASC will need to be increasingly articulate and single-minded on these matters in the years ahead.⁴³

V. ECOSOC and Security Council Reform: Mission Impossible?

In the mid-1990s, as it turned 50, the UN attempted the broadest reform campaign in its history. To no one's surprise, far more progress was made on those items requiring changes in the secretariat than on those entailing modifications in inter-governmental machinery. The General Assembly has been particularly resistant to change, other than adopting decidedly modest steps towards streamlining procedures. The membership of ECOSOC has been expanded twice and that of the Security Council once, and each took steps to spruce up its working methods over the course of the 1990s, largely in the direction of greater transparency and receptivity to outside inputs into its deliberations. In both cases, however, the visions of those who would improve those bodies' oversight of the UN's humanitarian efforts have far outstripped what has been achieved to date.

The most ambitious, though hardly the most detailed, proposal came from Secretary-General Kofi Annan. In his 1997 reform plan, he suggested that "it may be desirable in due course to give consideration to establishing a governing board for humanitarian affairs, which could give policy directives on overall humanitarian issues and oversee the coordination of humanitarian response."⁴⁴ The key questions of how such a body would be constituted and how it could summon the authority to give directives to independent-minded agencies – something ECOSOC lacks – have not been addressed by the Secretary-General. "In the meantime," he

⁴³ Ibid., pp. 3-4.

⁴⁴ A/51/950, para. 193, pp. 62-63.

continued, “it is recommended that a humanitarian affairs segment of the Economic and Social Council be established as soon as possible to give guidance on overall humanitarian issues and coordination.” This was accomplished the next year. In welcoming this decision by ECOSOC, the Secretary-General noted that he “hopes that the Council will, at an appropriate time, address the longer-term issue of oversight of the coordination of the United Nations humanitarian response, as proposed in his report on reform.”⁴⁵

It is not clear, however, whether ECOSOC is constitutionally or politically well suited for such a central role in this drama. Under the Charter, it has been assigned a coordinating, rather than policy, role, with the latter assigned to the Assembly and Council instead. The Article 63 agreements that it has entered into with some specialized agencies, moreover, might need to be revised to permit such an oversight relationship, something their own governing boards, as well as executive heads, are likely to resist. ECOSOC has not grown in status with its two enlargements, and, while it can be a useful forum for addressing major humanitarian issues and the reports of various programmes and agencies, it has by and large stayed away from operational matters. The lack of response to the Secretary-General’s proposals is telling.

The Security Council story is more complex. For one thing, it has adopted a series of relevant innovations to its working methods even as humanitarian considerations began to occupy a larger and higher place on its agenda. It has displayed an increasing appetite for first-hand accounts of developments within humanitarian emergencies, through a growing series of missions by Council members to trouble spots, by Arria formula sessions with NGO representatives, and by more frequent briefings by agency heads, as well as by the ERC and other UN officials. Likewise, the post-Cold War Council has tried to come to grips, conceptually as well as politically, with the policy implications of complex emergencies as a relatively new

⁴⁵ A/53/139-E/1998/67, op. cit., para. 21, pp. 6-7.

phenomenon (at least in its experience). This has meant a growing list of resolutions and presidential statements devoted to thematic questions rather than to specific crisis situations, as well as a number of workshops, roundtables, retreats, and reports devoted to these larger strategic matters. Particularly relevant to this paper is the ongoing series of Council inquiries on the protection of civilians in armed conflict and the aide memoire and roadmap OCHA has produced for it.

Has all this attention and contemplation, however, led to better policymaking in the Council from a humanitarian perspective? Some critics are unimpressed, others wary, and still others see the progress to date only as an indication of what could be accomplished with the advent of more rigorous guidelines and/or more expert input. As noted earlier, many in the humanitarian community see the Council's growing involvement as a mixed blessing. The Council may assert global norms and themes, but it must make choices about which crises to address and to which conflicts to dispatch peace operations. As a policymaking body, it must pick and choose, but humanitarian principles are said to be universal.⁴⁶ Such selectivity, according to Maurice Torelli, is tantamount to "humanity à la carte" and "cannot help but be discriminating."⁴⁷

Two basic approaches have surfaced over the years towards addressing these manifestations of the political nature of the Council. One is to urge the Council to develop a set of guidelines or standards for its decision-making on issues with humanitarian implications. The other would develop mechanisms and procedures for providing the Council with high quality

⁴⁶ Minear, *op. cit.*, pp. 94-95.

⁴⁷ Quoted in *ibid.*, p. 82.

independent information and analysis beyond that which it currently receives from the secretariat or that individual members receive from capitals.

Much of the Council's own thematic deliberations and resolutions have, in fact, contributed to the first goal. On questions such as human rights, gender, children, internal refugees, and protection of civilians, among others, the Council has worked with the secretariat and NGOs to build a set of principles and norms to shape both its future decisions and those of member states and other actors. None of these, of course, are binding, and some commentators would go farther to give a sense of automaticity to such principles. Larry Minear and his colleagues, for example, have called for a humanitarian "trigger mechanism" that "could automatically bring an acute civil war situation to the attention of the Security Council through the Secretary-General under Article 99 of the Charter."⁴⁸ To some member states, the binding quality the proposal seeks to achieve would represent a further intrusion on national sovereignty, even though the Council members would still be free to decide how to respond to the situation.

The second approach, featuring enhanced analysis and information, has been pursued in many versions for a variety of purposes through the years. An interesting recent suggestion along these lines – focused on humanitarian issues but not just on the Council – is the SHARE (Strategic Humanitarian Action and Research) concept put forward by Arthur Helton. He urges that an intergovernmental policy research center be created "to enhance the international humanitarian action system."⁴⁹ It "would identify impending crises before they erupt, promote preventive action, support comprehensive protection for all displaced people, and devise strategies to secure their lasting return." As a small, focused think tank, it would seek to

⁴⁸ Ibid., p. 35.

⁴⁹ Helton, "Rescuing the Refugees," *op. cit.*, p. 77.

complement the work of others and would be linked to the UN, possibly “as a standing advisory mechanism for the U.N. Secretary-General;” as well as to the IFIs, NGOs, and the private sector.

Though less focused substantively and less independent structurally, the proposal for an ECPS Information and Strategic Analysis Secretariat (EISAS) – designed to provide analytical support to the Executive Committee on Peace and Security (ECPS) – laid out in the 2002 Brahimi report was to serve a similar function.⁵⁰ While widely applauded by peacekeeping experts and a number of member states, the EISAS proposal has run into apparently mortal opposition, largely led by developing countries. Similar fates have greeted any number of ideas for enhancing the analytical content of Security Council deliberations.⁵¹ Whatever others might think, apparently a number of member states have stubbornly clung to the notion that, in such an inherently political body, whatever liabilities its decisions might have are unrelated to a lack of information or ideas.

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In conclusion, a word of modesty about the prospects for realizing major improvements in the “top” of the UN’s humanitarian structure might be in order. First, it is hard to identify where the top of the system lies and, once found, it appears broad and multi-dimensional, without a single focal or pressure point. Second, the reform record, while more than barren, has not been promising. Third, managers at the field level seem quite adept at circumventing irrelevant, overly restrictive, or perverse instructions from headquarters, just as the system as a whole so often finds ways of overcoming some of the more dysfunctional aspects of the UN’s

⁵⁰ A/55/305-S/200/809, August 21, 2000, paras. 65-75, pp. 12-13.

⁵¹ See, for example, the final report of the International Task Force on the Enforcement of U.N. Security Council Resolutions, *Words to Deeds: Strengthening the U.N.’s Enforcement Capabilities* (New York: United Nations Association of the USA, December 1997) and McGeorge Bundy et al, *Confronting the Proliferation Danger: The Role of the U.N. Security Council* (New York: United Nations Association of the USA, May 1995).

architecture when mobilizing to respond to a major humanitarian emergency. Perhaps decision-makers at the pinnacle should adopt a “do-no-harm” rule: hire and promote top managers, provide them with the requisite resources, and get out of the way.