



Oxfam and UNHCR – Partners in Advocacy
Common Understanding
November 2013

Background

UNHCR and Oxfam both value the partnership that the two organisations enjoy in many challenging operations, and their long history of cooperation. UNHCR respects Oxfam's independent advocacy activities, including in operations where the two organisations collaborate. Bilateral partnership discussions in 2012-13 at the highest levels have highlighted the need for enhanced, timely consultation and transparent dialogue regarding advocacy initiatives, and have resulted in the common understanding outlined below.

1) UNHCR's role and accountability in refugee and IDP operations

UNHCR's specific international protection mandate includes legal responsibility and accountability for the rights and well-being of every refugee, irrespective of local legal status, location (camp or non-camp) and background. The concepts of international protection and solutions are not limited to legal interventions, but also include the provision and coordination of assistance to ensure the well-being of refugees. UNHCR designs and implements protection and assistance strategies that take into consideration the longer-term aspects of protection and solutions for refugees, in the context of the host communities in which they live, the policies, legitimate concerns and obligations of the host Government, and the cross-border dimension of the specific context. Ensuring that refugees obtain protection and assistance in accordance with minimum standards is an absolute obligation for UNHCR.

UNHCR works with implementing, operational and advocacy partners and seeks to support the efforts of all involved in the refugee response, including through negotiation with the host Government and the promotion of a safe and enabling environment for partners to work in, as well as resource mobilisation internationally. The perceived success or failure of a refugee operation impacts on UNHCR's ability to deliver on its mandate, and in particular its capacity to mobilise international support for the protection of the refugees concerned.

In emergency operations involving IDPs, UNHCR's role may include leading the protection cluster and /or emergency shelter and camp coordination and management clusters. This is part of the agreed IASC division of labour under the cluster approach and is coordinated and led by the Humanitarian Coordinator.

2) Oxfam's operational and advocacy roles

Oxfam is an international confederation of 17 organisations networked together in more than 90 countries to combat the injustice of poverty. In emergency situations, including many refugee and IDP contexts, Oxfam will often contribute significantly to the provision of humanitarian assistance in the fields of WASH, livelihoods support and the protection of civilians, among others.

Oxfam aims to add value to humanitarian responses by leveraging its teams' direct contact with affected populations and extensive knowledge of the situation on the ground in disaster-affected

countries in order to advocate for change beyond the range of the organisation's own intervention. Advocacy is thus an integral part of Oxfam's response, known as the 'one-programme' approach – something on which it differs from some other operational NGOs. Oxfam seeks to base its advocacy on in-depth and up-to-date analysis, drawing for instance on community consultations, protection surveys and other research, knowledge of peace-keeping and security sector actors, and partnership with national and local organisations.

Oxfam produces a range of advocacy products that may refer to UNHCR. These include campaign reports, briefing papers, briefing notes, technical briefings, lobby letters, research reports, discussion papers and media briefings. Many of these products will be publicly available, either through high-profile launches or through the organisation's Policy and Practice website. Oxfam will usually circulate reports to key actors, including donors, when they are launched.

3) UNHCR, Oxfam and advocacy surrounding refugee operations

Owing to its mandate and status in the country as well as broader implications for the way UNHCR can ensure protection for refugees, the organisation usually works differently from NGOs when it comes to advocacy, and may focus greater efforts on diplomatic initiatives, but uses the media when required. UNHCR also has an unwritten policy of not publicly criticising partners, believing that any issues should be worked out together through dialogue. UNHCR is committed to constructive and more transparent dialogue on advocacy-related issues with key partners such as Oxfam. While UNHCR and NGOs may need to take different routes and speak with different voices, this can often be complementary and beneficial to the outcomes of the refugee response.

Even where views and voices diverge, the potential risks to the operation as a whole from strong public criticism can be mitigated when there is agreement on the facts and when the criticisms levelled are objective and evidenced. For this, timely exchange of information and advice, together with good consultation at field level, can help ensure such objectivity and factual accuracy, and build a relationship based on trust. Such dialogue may yield unexpected opportunities to build on each other's advocacy.

If, on the other hand, public advocacy seems to highlight, in public, disagreements and discord among operational actors in a challenging operation, donors and host governments can start to doubt the efficacy of the operation and mutual distrust can be sown among partners. The discord may also play into the hands of parties wishing to undermine sensitive protection outcomes. There are further implications when one of the actors concerned is UNHCR, because of its key, mandated role in building the foundation of the refugee response as a whole, its relations with the Government concerned, and its ability to mobilise resources. In other words, highly critical public advocacy targeted at UNHCR itself can have an adverse effect on other stakeholders, including the refugees themselves. In line with good partnership principles, problem resolution between two partners should be handled in a timely manner, bilaterally and through frank dialogue between the respective counterparts.

If Oxfam is seeking to bring about change in UNHCR's work, including in the way a refugee operation is led and coordinated, bilateral consultation will always be needed. Firstly, this is crucial for getting the facts right and checking the data being quoted or the linkages being made. Secondly, this is often the most effective way of bringing about change, and ensures that teams jointly assess any constraints on action (such as funding or government restrictions) that the refugee operation may face, and that might affect UNHCR's approach. This also allows for a productive two-way conversation about the best ways to address the issues raised, and where appropriate to coordinate messaging or framing of the issues.

4) Relevant partnership principles and commitments

- Both organisations are committed to transparency, honesty and a communicative partnership.

- ✚ There is mutual recognition of mandates/missions and the independence and respective operational and advocacy roles of the two organisations.
- ✚ Bilateral, operational issues and problems between partners will be discussed in an expedient and timely manner and resolved bilaterally, starting at the field level.
- ✚ On issues relating to the wider humanitarian response, the partners will take a collaborative approach, seeking to build consensus, and presenting any divergent views in a constructive manner in the appropriate fora.
- ✚ As an independent network, Oxfam cannot provide external actors with sign-off or oversight of advocacy messages.
- ✚ UNHCR does not seek to 'sign off' on Oxfam's advocacy messages, respecting its right to publish what it deems appropriate and useful.

5) Standard procedures

The above principles and understanding will be put into effect through the following process of consultation, which will be standard for all Oxfam advocacy in relation to UNHCR.

- ✚ A **more proactive approach** to identifying and planning for complementarity in advocacy will be adopted by the partners, with both teams on the ground exploring such opportunities in their forward planning and consulting with each other appropriately. A constructive dialogue should be maintained in all evolving situations.
- ✚ If Oxfam is seeking to bring about change in UNHCR's work, wherever possible Oxfam will always **raise any issues with UNHCR privately first, at local or country level and in a timely manner**. Where advance discussion is not possible for reasons of operational constraints, Oxfam will present the issues in a constructive manner, informing UNHCR and following up privately at the earliest possible occasion.
- ✚ If and when an advocacy product relates to the institutional credibility and accountability of UNHCR in leading and coordinating the operation concerned, Oxfam will also bring it in its early stages **to the attention of the relevant senior colleagues at UNHCR HQs** (usually senior desk officer/deputy or in some cases the director of a regional bureau). This should result in dialogue.
- ✚ Where an advocacy product makes significant mention of UNHCR and/or relates to UNHCR's institutional credibility and accountability, Oxfam will also offer UNHCR **late drafts** to comment on, providing adequate time for reaction. In such cases, Oxfam will always try to provide a **final copy** to UNHCR (at country and HQ level) at least 24 hours prior to launch.
- ✚ In situations where Oxfam itself has significant responsibilities in relation to failings it identifies on the part of other actors, including UNHCR, Oxfam will include **appropriate recognition of those responsibilities** in any public statements on the matter.
- ✚ **UNHCR will be ready and available at all levels** (field and HQs) to address with Oxfam issues relating to the partnership or emergency operations in a bilateral and transparent manner. UNHCR will contribute in a timely manner to the presentation of the facts and provide relevant feedback and perspectives to Oxfam on the general messages and potential implications of the publication.