

Independent Evaluation of UNHCR's Emergency Response to the Rohingya Refugees in Bangladesh, August 2017- September 2018,

UNHCR Management Response

UNHCR Evaluation Management Response	
Evaluation title:	Independent Evaluation of UNHCR's Emergency Response to the Rohingya Refugees in Bangladesh August 2017–September 2018
UNHCR evaluation reference:	ES/2018/08
Entity that commissioned the evaluation:	Evaluation Service
Date of Management Response:	10 May 2019

Summary	<p>The evaluation of UNHCR's response to the Rohingya refugee emergency in Bangladesh follows on from the declaration of the Level 3 (L3) emergency for Bangladesh, effective 19 September 2017. It is undertaken in line with UNHCR's revised Evaluation Policy approved by the High Commissioner on 16 October 2016. The evaluation started in January 2018 and was conducted over a period of 10 months and covers the first 12 months of the response.</p> <p>The purpose of the evaluation is to analyse the extent to which UNHCR provided a timely and effective response to the refugee crisis in Bangladesh. It will be used to reinforce the organization's global approaches to emergency response in refugee situations, as well as to provide recommendations to strengthen UNHCR's operations in Bangladesh in the second year.</p>
General comment	<p>The evaluation provided a much-needed summary of the issues that arose in the course of this L3 emergency and UNHCR's response approaches. This is a valuable review of the appropriateness of UNHCR's actions in a highly complex and politically charged environment which also posed formidable protection and practical operation issues that placed the lives and welfare of the refugees at extreme risk. The evaluation involved the use of a methodology – the prospective evaluation approach - that was at that time unfamiliar to the Bureau and teams on the ground. Among its features, the methodology entailed a high and sustainable level of engagement from staff of the operation, both as the evaluation was carried out as such and in providing factual, editorial and tactical inputs towards the finalization of the reports. Some key advantages of the prospective and sustained methodology could be clearly seen. At the same time, its challenges were also notable in an environment in which both Bureau and, particularly, the Operation's staff and managers were also seized with so many other key and urgent operational and response priorities to attend to. It will thus be useful to undertake and highlight the results of a lessons learned review in both this evaluation and others carried out elsewhere, including on ways in which its time and resource intense facets could be reduced and simplified for staff and operations already so stretched by the requirements of the emergency response.</p>

RECOMMENDATION 1:		<p>Leadership and coordination: UNHCR, as the internationally mandated agency for refugee protection, should advocate to become the single lead-agency for the Rohingya refugee response in Bangladesh (Regional Bureau for Asia Pacific).</p> <ul style="list-style-type: none"> • A streamlined ISCG structure is put in place to promote a single management line throughout the response, ensuring clear lines of accountability, communication, and mainstreaming of protection within all sectors. • The Protection Working Group assumes an enhanced role to ensure that protection remains at the heart of the response and is better mainstreamed across technical sectors. • Where possible, the current sector leadership arrangements are retained. UNHCR should not seek to assume leadership of every sector, but rather retain ‘best placed’ technical agencies and NGOs as sectoral leads, in line with the new approach elaborated in the Global Compact for Refugees. • UNHCR should work with UN leadership, international NGOs and government counterparts to develop a mechanism for joint policy development and the setting of strategic directions. 				
Management response:		X. Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):		The Office agrees with this Recommendation.				
Unit or function responsible:		Regional Bureau for Asia and Pacific (RBAP)/Representation				
Top line planned actions		By whom. This recommendation is considered as completed and should thus be closed.	Comments This recommendation is considered as completed and should thus be closed.	Expected completion date This recommendation is considered as completed and should thus be closed.	Progress	
					Status Completed.	Comments Completed.
1.1.	Conduct Coordination Review and ensure implementation of recommendations that will ensure lines of accountability, communication and mainstreaming protection across all sectors	RBAP/Executive Office	A joint review of the coordination structure for the response was carried out by UNHCR, IOM, UNDP and ICVA in October 2018 resulting in recommendations for a new coordination	December 2019	Implementation of the Coordination Review recommendations are ongoing.	Joint email and report sent by HC, UNDP, IOM, ICVA on 6 March Implementation Updates: The Representative has made great

			<p>structure which was shared with all the agencies involved in the response. Implementation of the new arrangements has begun, led by the UNHCR Representation.</p>		<p>length having a direct link with GOB/MFA/MDMR, while keeping the SEG co-chairs updated in the response. This includes leading the UN Taskforce on Bhasan Char – and leading on protection principles with the GOB on this initiative. The ISCG Snr. Coordinator now reports to the UNHCR Representative and coordinates the Heads of Sub Offices Group and co-leads GOB/RRRC forum to ensure a coordinate refugee response</p>
<p>RECOMMENDATION 2:</p>		<p>Strengthened Country Office: The Dhaka office should be reinforced with skilled policy and protection staff to collaborate with the Government of Bangladesh and senior UN leadership to chart options and consider and determine decisions in the coming years for the longer-term wellbeing of Rohingya people.</p> <ul style="list-style-type: none"> In Dhaka, the roles of protection/senior protection officers should be distinct from those of policy officers. Specifically, the team recommends hiring senior staff in the Dhaka office who speak Bangla and are experienced and comfortable with navigating the Government and translating policy positions in both directions. 			

		<ul style="list-style-type: none"> In the post-emergency phase, as standard assignments are intended for longer periods of time, and options for family life if based in Cox's Bazaar remain limited, UNHCR will have to continue to deploy creative and effective means of attracting and retaining high calibre staff to ensure the quality of delivery as per the first year. 				
Management response:		X Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):		The Office agrees with this Recommendation.				
Unit or function responsible:		RBAP/Representation				
Top line planned actions		By whom This recommendation is considered as completed and should be closed.	Comments This recommendation is considered as completed and should be closed.	Expected completion date This recommendation is considered as completed and should be closed.	Progress	
					Status Completed.	Comments Completed.
2.1	Conduct a staffing review in Bangladesh	RBAP	A Staffing Review was conducted in October 2018 and the proposed new structure and positions approved by the Budget Committee.	Q2 2019	Ongoing	New positions created. Recruitment ongoing
2.2	Conduct a staffing review for Dhaka.	Representation	Further to the taking of office by the newly appointed Representative, the organigram for the Operation was undertaken with the aim of reinforcing the Representation. This includes the separation of protection and policy roles as per the Recommendation.	Q2 2019	Ongoing	Once the Budget Committee approves – necessary HR process will start.

RECOMMENDATION 3:		Advocacy for livelihoods opportunities: UNHCR Dhaka should consider drawing on lessons learned from other operations where it was successful with temporary or time-bound economic inclusion opportunities. In the short term, creative options to enable temporary livelihoods, even in selected occupations, will go a long way in reducing harm and protecting refugees.				
Management response:		X Agree Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):		As in other refugee situations around the world, UNHCR supports the inclusion of Rohingya refugees in the social fabric of Bangladeshi society. The current policy framework of the Government however does not promote or allow access to livelihood programs for the refugees in the short or long terms. Therefore at this stage the implementation of socio-economic integration projects is not possible. UNHCR has nevertheless been undertaking strong advocacy on the matter. Its livelihood strategy in Cox's Bazar will also be framed around an advocacy while taking advantage of all opportunities to develop skillsets or capacities for refugees that are not too sensitive with the GOB. Advocacy efforts with key stakeholders like the World Bank towards these objectives are also under way.				
Unit or function responsible:		Representation/Livelihoods Unit, Cox's Bazar				
Top line planned actions		By whom	Comments	Expected completion date	Progress	
		Representation/Bureau/DRS			As above.	On-going/long – term.
3.2	Development of livelihood strategy and advocacy messages	Representation	RO Bangkok recently conducted a mission (Feb 2018) to support the operation to develop a strategy	May 2019	Ongoing	
RECOMMENDATION 4:		Repatriation advocacy: UNHCR must continue to advocate with all parties to respect obligations under international law, including upholding the principle of non-refoulement.				
Management response:		x Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):						
Unit or function responsible:		Representation/RBAP				
Top line planned actions		By whom	Comments	Expected completion date	Progress	
					As above.	

		Representation/Bureau / Office		Ongoing.	Ongoing.	As above.
4.1	Continuous advocacy at all levels according to international law	All levels of the organisation	Upholding the principle of ‘non-refoulement’ and addressing other critical asylum and protection aspects in the Rohingya refugee situation in BGD are at the core of UNHCR activities in the Operation and indeed vis a vis Myanmar itself as well. Crucially, the Office has, operationally speaking, improved the registration, documentation, gathering and disaggregating case and population data on the refugees. UNHCR has also improved outreach to and communication with them to better respond to their problems and needs including the battle against SGV, trafficking and other vulnerabilities the refugees, including, in particular, UASC are	NA	Ongoing	NA

			<p>exposed to. The Office has also taken a number of crucial steps with both the Bangladesh and Myanmar Governments, including concluding Memoranda of Understanding and other advocacy, diplomatic and programmatic actions in which the High Commissioner, other SET members and the Bureau leadership have been closely involved, to ensure that any repatriation of the refugees would be voluntary, in safety and dignity and sustainable according to the internationally accepted principles.</p>			
	RECOMMENDATION 5:	Integrating a historical perspective in future planning: A review/synthesis should be commissioned to condense the key lessons learned from previous Rohingya responses, develop possible scenarios for the years ahead and make them relevant and accessible to front-line and HQ staff in ways they can actively improve the operation.				
	Management response:	X <input type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
	Reasons (if partially agree or disagree):	The Bureau agrees with this recommendation principally in that what it calls for is what is already being done. UNHCR Operations conduct a country level biannual planning process. The process requires operations to undertake a series of consultative processes with key stakeholders and includes the development of scenarios and key assumptions that shape				

		strategic directions. The operations also have the opportunity to update their planning assumptions and scenarios before the start of the implementation year. At Headquarters' level, a review of the Office's previous activities with respect to the Rohingya refugees was undertaken as part of the Office's consolidation and enhancing of its overall response to the refugee crisis both in Bangladesh and as concerns Myanmar itself. This has resulted in the "Solidarity Approach for the People of Rakhine State" which encapsulates UNHCR's overall approach to the situation with a particular focus on solutions. The approach uptakes and features a number of the objectives and purposes reflected in the Recommendation. Therefore, while the gist of the recommendation is accepted, the specific Review/Synthesis called for is not accepted as it is substantively not required.				
Unit or function responsible:		RBAP and Evaluation Service				
Top line planned actions		By whom As per comments.	Comments As per comments.	Expected completion date No further action required.	Progress Status No further action required.	Comments
5.1	In the manner in which it is formulated, UNHCR considers that this Recommendation has been accomplished as elaborated above.	RBAP	In the manner in which it is formulated, UNHCR considers that this Recommendation has been accomplished as elaborated above.	In the manner in which it is formulated, UNHCR considers that this Recommendation has been accomplished as elaborated above.	In the manner in which it is formulated, UNHCR considers that this Recommendation has been accomplished as elaborated above.	
RECOMMENDATION 6:		Humanitarian imperative to respond: The strategic decision made by the senior-most leadership of UNHCR was to send a clear message to all staff to focus on delivery in Bangladesh. In future responses, UNHCR should be prepared to respond as it did in Bangladesh even when the mandate and coordination arrangements are not clear. This means a 'front foot forward' posture, or 'no regrets' policy.				
Management response:		Agree <input type="checkbox"/> X Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):		It is correct that the leadership of the Organization took a clear decision that, notwithstanding the inordinate, contentious and problematic characterisation of the situation by the Bangladesh authorities and the invocation of IOM as the organization that should lead coordination of the response, UNHCR would not hesitate to become engaged in responding to the situation. The Recommendation however mischaracterizes the considerations pursuant to which UNHCR affirmed and escalated its engagement in the emergency. The Office did not draw a distinction between, on the one hand a "front foot forward" mandate-based approach and, on the other hand, only a delivery, "no regrets" based				

		<p>approach. From the very onset of the escalation of the emergency, the Office’s clear position was and has remained that this was/is a “text book” refugee situation and that UNHCR had to become involved in the response and the legal, policy, operational and coordination mechanisms for global refugee response also had to apply. In keeping with this stance. UNHCR was determined not to allow, and did not allow, the characterization of the situation as a “migrant” or “displacement” situation to deter its engagement or diminish its advocacy for the recognition of the situation as a refugee situation, the application of asylum and protection principles and mechanisms and the assurance of all core elements of refugee protection and management. It is of course true that the policy and approach of the Government, for its own historical, political and geo-strategic reasons, imposed a different characterization of the situation and preference to project IOM as the agency to lead the response. However, it is emphasized that UNHCR’s institutional approach and engagement were configured on the view that this was and remains a refugee situation as understood in international law and not only on a “delivery”, “no regrets” event. The latter policy – of “no regrets” – in the specific form in which it is elaborated in the Organization’s emergency policy was also correctly applied to the Rohingya emergency response as it is in all others. What was and has been different with the Rohingya emergency in Bangladesh was the operational context which obliged the Office to be practical and flexible on applied operational and coordination mechanisms while still pressing forward with its mandated responsibilities. UNHCR’s legal and policy approach in this situation has been and remains fundamentally consistent with its global approach and the engagement in other comparable situations. For current and future refugee emergencies – even where a “migrant” dimension is asserted – the Office does not feel there is a need to change its current and evolving organizational approach for instance in the context of the Global Compact on Refugees.</p>				
Unit or function responsible:		Senior Management				
Top line planned actions		By whom	Comments	Expected completion date	Progress	
					Status	Comments
6.1	Organizational leadership.	As elaborated above.	As elaborated above.	As elaborated above. The recommendation does not require any further action.	As elaborated above.	As elaborated above.
RECOMMENDATION 7:		Senior emergency leadership: All L3 emergencies should have a priority representation system in place whereby senior managers can be rotated in quickly for up to a year if appointments are proving difficult. This should include, but not be limited to HQ staff.				
Management response:		X <input type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):		Under its Senior Corporate Emergency Roster (SCER) and Senior Emergency Leadership Programme (SELP) the Office prepares and maintains a pool of senior emergency response leaders and coordinators for deployment to lead and				

	coordinate UNHCR’s emergency responses particularly in L3 declared emergencies for up to two months as regular, permanent positions are created. The Office also has special HR measures that allow the re-deployment of staff resources within a country operation as required to respond to critical needs. These and other arrangements have however encountered a number of problems and challenges including of the type on which Recommendation 7 has been formulated, namely the quick and sustained deployment of senior emergency leadership personnel. The Division of Emergencies, Supply and Security (DESS) jointly with the Global Learning and Development Centre (GLDC) is leading the redesign of the Senior Corporate Emergency Rooster (SCER) and the Senior Emergency Learning Programme (SELP) aimed at addressing these gaps and to enhance deployment procedures and senior emergency leadership and management capacity.				
Unit or function responsible:	DESS, GLDC, Bureaux, Divisions, SET				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
7.1	DESS, GLDC, Bureaux, Divisions, SET	As above	September 2019 to 2020	Ongoing	As above
RECOMMENDATION 8:	Preparedness systems: There is a need to rethink early warning systems in complex political environments. After the 2016 influx the organization arguably should have been on higher alert. UNHCR’s early warning system, the HALEP, should be internally reviewed to see whether it can be improved based on the experience of Myanmar, or whether additional measures are needed.				
Management response:	<input type="checkbox"/> Agree <input checked="" type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	The Office agrees with this recommendation in principle while also needing to clarify that its “High Alert List for Emergency Preparedness” (HALEP) system in reference to which the Recommendation is made actually worked in the case of the Rohingya refugee emergency. This situation was foreseen by DESS and drawn to the attention of the Country Operation and Bureau in line with the applicable alert steps. What is acknowledged as having not worked effectively was preparedness and early action at organizational and country operational levels did not take place critically following the inclusion and self-diagnostic report of the situation in HALEP. The Office did not react in terms of comprehensive and systematic preparedness action and early response until the crisis had reached mass influx proportions. There were several, including unique, reasons for this, among them the very complex manner in which the Government had seen and treated Rohingya refugees in Bangladesh. HALEP is an internal global repository of preparedness information submitted by country operations that are identified at medium or high risk of a new or escalated (IDP or refugee) emergency. It is in itself not an independent early warning system especially when it comes to risk analysis, minimum or advanced preparedness actions and early response. Against this backdrop, the Office has recognized the urgency of reviewing how its overall policies, mechanisms, tools, decisions and actions on emergency response work, including how situations at high risk of displacement and with significant preparedness gaps are or				

	should be elevated to senior management for strategic decision-making and action, including triggering preparedness and early response and the allocation of required resources and capacities. Some of these actions have been taken, others are in progress.				
Unit or function responsible:	DESS				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
8.1	DESS, Bureaux, Divisions.	As above	Ongoing	Ongoing	
RECOMMENDATION 9:	<p>The recently adopted Global Compact for Refugees will require UNHCR to work with new models of partnership, to share space with other agencies, and to apply comprehensive, solutions-oriented responses from the outset of emergencies. Three key areas of recommendation emerge from the Bangladesh experience which can be translated to other operations:</p> <ul style="list-style-type: none"> • Managing shared spaces: The success of the Global Compact for Refugees will largely depend on UNHCR’s ability to share space, build partnerships, and encourage other, better placed agencies to contribute to a comprehensive response. UNHCR should actively incentivize a culture of collaboration and partnerships. This will involve defining areas where active collaboration can and should be sought, and ensuring these areas are communicated throughout. In particular, deeper complementarities with UNICEF, UNFPA and UN Women for responses in the future would benefit UNHCR. • Building alliances: UNHCR would benefit from cultivating a broad alliance and network of partners (operational and more broadly) for refugee operations that have a durable understanding of how best to achieve protection outcomes, and is based on an appreciation for different roles, perspectives, and sources of leverage of various actors • Revising the Refugee Coordination Model: UNHCR should therefore re-examine the Refugee Coordination Model to ensure its applicability in complex new circumstances, with a focus on how to balance UNHCR’s mandated accountabilities with the contributions of others. 				
Management response:	X <input type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	Driving forward the objectives of the Global Compact for Refugees (GCR) at large, including in the context of emergency response, in a manner that emphasizes, leverages and maximises inclusivity and partnership of international and, particularly, national agency and other responders are key corporate priorities. Even if the reasons have been complex and controversial, the response to the Rohingya emergency in Bangladesh features one of the highest levels and number of agency partners in key sectoral coordination leadership roles. Indeed, as the evaluation highlights, this situation created a number of coordination, complementarity and accountability challenges. The review of these arrangements that has taken place as indicated under Recommendation 1 above was precisely to strengthen partnership and the maximization of comparative advantages and to sharpen and reinforce, as far as UNHCR is concerned, its				

	global accountability for the Rohingya refugees in Bangladesh in particular with respect to protection and the search for solutions.					
Unit or function responsible:	DESS, DSR, SET.					
Top line planned actions	By whom	Comments	Expected completion date	Progress		
				Status	Comments	
9.1	As indicated.	As indicated.	As indicated.	Ongoing	Ongoing.	As indicated.
RECOMMENDATION 10:	<p>UNHCR’s overall protection response has been, on the whole, strategically sound and nimble to course correct as new challenges or gaps emerged. Four areas of recommendation emerge from the Rohingya response, particularly in the way reviews, data and strategic monitoring can enhance decision making, that could be replicated/considered for other operations:</p> <ul style="list-style-type: none"> • Review operational protection risks early: UNHCR should, as in the case of Bangladesh, undertake protection audits to ensure that the basics of physical protection – i.e. lights, locks, and gender-safe and segregated toilets – are covered. This should become standard practice in the first six months in every L3 response. • Balancing community-based protection and case management: Emergencies of a certain size and complexity should assume that community-based protection needs to be established early on, including examining the availability and capacity of local service providers from the outset. Bangladesh should be studied for good practices that can be replicated. • Impact/outcome indicators for protection: Impact and outcome indicators for protection programming could be developed at a global and regional level, and systems to gather, use and share this data should be developed for ease of roll-out early in any emergency. The protection sector should be able to demonstrate its reach and effectiveness beyond numbers of consultations, or numbers of facilities. This may have to be done in collaboration with UNICEF, UNFPA and UN Women as key actors in global protection implementation. • Use of statistically representative sampling and household surveys to monitor protection: The use of such surveys and data collection systems was exemplary in Bangladesh and should be standard practice from the outset in any new L3 response. Systems for collecting, analysing and sharing such data quickly and transparently should developed, taking into account protection and privacy concerns. 					
Management response:	x Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree					
Reasons (if partially agree or disagree):	At large, assuring core protection, safety and security needs of the refugees, particularly women is among UNHCR’s top priorities. With regard to due diligence reviews of such responses, which this Recommendation focuses on, the inspection of settlements, camps or shelters in L3 responses to ensure that basic physical protection facets (including light, locks, and gender-safe and segregated toilets) are covered are now ingrained as standard features of Real-Time Review missions by DESS and the Bureaux which, by policy, are supposed to take place in each L2/3 emergency after three months. The Division of International Protection (DIP) is also now systematically included in those reviews. The					

		full scope of a protection response is reviewed during these missions, including physical protection and protection – appropriate infrastructure. In these respects, the Office agrees that the response to the Rohingya emergency in Bangladesh is an important “good practice” example of Community Based Protection from which lessons are actually already being drawn. Meanwhile, DIP is also fully involved in the ongoing RBM revision which will include a new system of indicators to reinforce physical protection aspects. DIP has also, in collaboration with the Bureau, developed a new protection monitoring tool which will be made available to all operations in the course of this year.				
Unit or function responsible:		DIP				
Top line planned actions		By whom	Comments	Expected completion date	Progress	
					Status	Comments
10.1	UNHCR will develop corporate protection indicators	DIP	UNHCR is currently revising its Results Based Management system. As part of this, UNHCR will develop impact and outcome indicators, including for protection programming and protection results.	Q1 2020		
10.2	UNHCR will develop system that enables collecting, using and sharing data on impact and outcome indicators, including for protection as well as enable handling of emergencies.	RBM Revision project	The revision of UNHCRs Results Based Management system foresees the development of processes for collecting, using and sharing data for new impact and outcome indicators	Q2 2020		