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**Memorandum of Understanding on the
Joint Working Arrangements for
Refugee, Returnee and Internally
Displaced Persons Operations -
Revision effective as of 31 March 1997**

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NOTE TO THE EXECUTIVE BOARD

This document is submitted for information to the Executive Board.

Pursuant to the decisions taken on the methods of work by the Executive Board at its First Regular Session of 1996, the documentation prepared by the Secretariat for the Board has been kept brief and decision-oriented. The meetings of the Executive Board are to be conducted in a business-like manner, with increased dialogue and exchanges between delegations and the Secretariat. Efforts to promote these guiding principles will continue to be pursued by the Secretariat.

The Secretariat therefore invites members of the Board who may have questions of a technical nature with regard to this document, to contact the WFP staff member(s) listed below, preferably well in advance of the Board's meeting. This procedure is designed to facilitate the Board's consideration of the document in the plenary.

The WFP focal point for this document is:

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Should you have any questions regarding matters of dispatch of documentation for the Executive Board, please contact the Documentation and Meetings Clerk (tel.: 5228-2641).



1. INTRODUCTION

- 1.1 Even before the conclusion of the 1985 Memorandum of Understanding (MOU), UNHCR and WFP had established a very close partnership in the service of refugees. This was significantly strengthened with the new working arrangements introduced progressively from the start of 1992. A revised MOU, reflecting experience with these new arrangements, became effective at the start of 1994. This 1997 revision reflects the experience in implementing the provisions of the first revision.
- 1.2 The MOU sets out its objectives and scope, and establishes the division of responsibility and arrangements for needs assessment, food mobilization, logistics, appeals, monitoring, nutritional surveillance, reporting, and coordination. The last section contains the general conditions governing the MOU.
- 1.3 The Statute of UNHCR mandates the Office to assume the function of providing international protection to refugees and of seeking permanent solutions to the problems of refugees. Within the United Nations system, UNHCR is thus responsible for the protection and welfare of refugees, and for helping to find durable solutions, including voluntary repatriation, local integration and resettlement in third countries. Subsequent General Assembly resolutions have given UNHCR certain responsibilities in respect of stateless persons and returnees. In specific situations, and further to a request from the Secretary-General or a competent principal organ of the United Nations, UNHCR may also act on behalf of persons displaced internally for refugee-like reasons and those threatened with displacement.
- 1.4 The definition of persons within UNHCR's competence in the Office's Statute places emphasis on a well-founded fear of persecution. Additional criteria have been progressively added to accommodate the evolving nature of refugee flows. In many situations, UNHCR now provides protection and assistance to refugees fleeing persecution, conflict and widespread violations of human rights.
- 1.5 WFP is the food aid arm of the United Nations system. WFP meets the emergency food needs of refugees and internally displaced persons (IDPs), and provides the associated logistic support; uses food aid to support economic and social development; and promotes world food security, defined as access of all people at all times to the food needed for conducting an active and healthy life. WFP thus has both an emergency and a developmental role. The latter is of particular relevance in WFP's cooperation with UNHCR and other agencies, including financial institutions, in rehabilitation activities in the country of origin. Within the scope of the MOU, WFP has the lead responsibility for mobilizing basic food commodities and the resources to deliver them.
- 1.6 To achieve its objectives, the MOU must be of value to UNHCR and WFP colleagues in the field, and reflect their experiences. Suggestions to improve its usefulness are encouraged. Full and open cooperation and exchange of information at all levels are prerequisites for the success of the vital partnership for which the MOU provides the framework.

2. OBJECTIVES AND SCOPE

- 2.1 Through the timely provision of the right quantity of the right food and related non-food inputs, UNHCR and WFP seek to ensure:



- the restoration and/or maintenance of a sound nutritional status through a food basket that meets the assessed requirements, is nutritionally balanced and is culturally acceptable

and

- the promotion of as much self-reliance as possible among the beneficiaries, through the implementation of appropriate programmes to develop food production or generate self-employment, which will thereby facilitate a progressive shift from general relief food distribution towards sustainable development-oriented activities.

- 2.2 UNHCR and WFP are committed to ensuring that food aid is targeted at the household level and reaches the most vulnerable, and that its delivery respects the guiding principles of humanitarian action. They will also work together to implement strategies to involve the beneficiary community, and particularly women, in all aspects of the management of food aid.
- 2.3 The MOU is a management tool contributing to the achievement of these objectives by defining clearly the responsibilities and arrangements for cooperation between UNHCR and WFP. It does so in a way that maximizes the strengths and comparative advantages of each organization for the benefit of all concerned, and that ensures the necessary coordination.
- 2.4 The MOU covers cooperation in the provision of food aid to refugees, returnees and, in specific situations as defined in paragraph 1.3, IDPs, provided that the beneficiaries number at least 5,000. Where the beneficiaries are located in developed countries (namely countries other than those listed in the OECD/DAC Annual Report as aid recipient countries that fall below the threshold for World Bank loan eligibility), the provisions of the MOU will still apply provided that the availability of the necessary donor resources would not be at the expense of WFP's relief operations in developing countries. This will be determined by WFP on a case-by-case basis.
- 2.5 UNHCR will meet the food needs of persons of its concern but outside the scope of the MOU as defined above, and those of any persons who, while falling within the MOU's scope, have been excluded by a situation-specific agreement with WFP.

3. PLANNING AND NEEDS ASSESSMENT

- 3.1 UNHCR and WFP will undertake contingency planning and maintain contingency plans for countries where this is deemed appropriate. Each will seek to ensure joint participation -- with others concerned -- in the process, and share relevant contingency plans where these could not be developed jointly.
- 3.2 The indicative energy, protein and micronutrient requirements established by FAO and WHO, adjusted as necessary to take into account the demographic composition and other relevant factors specific to the beneficiary population, will provide the basis for the calculation of food needs. A common set of agreed nutritional guidelines will be used for assessing the food needs for both the general and any selective feeding programmes that may be necessary.
- 3.3 The Government of the country of asylum and UNHCR are responsible for determining the number of refugees, while WFP and UNHCR will jointly assess the number eligible for food assistance. An accurate identification of beneficiaries and a sound assessment of their needs



are essential for the mobilization and efficient use of the resources made available to both organizations.

- 3.4 UNHCR has developed and will maintain appropriate refugee-registration mechanisms. UNHCR has a joint responsibility with the host Government for ensuring that refugee numbers are established as accurately and as soon as possible after a new refugee emergency, and updated regularly thereafter. The size and the nature of the influx will determine the type of registration mechanism to be used. Pending registration, the most appropriate techniques will be used in order to estimate numbers and identify beneficiaries. In normal circumstances registration/verification will take place within three months of the start of a major influx. Arrangements must be made to register any new arrivals thereafter. Registration data should be verified and updated continuously, particularly during, but not limited to, food distribution. Verification of data on all beneficiaries should be repeated periodically, as required by the situation.
- 3.5 UNHCR will ensure that WFP is fully involved in the planning and execution of refugee enumeration/registration arrangements for actual or potential beneficiaries of food aid. Where a satisfactory registration has not been possible within three months, UNHCR and WFP will jointly determine the number of beneficiaries in need of food assistance. Operational partners and local representatives of donor Governments should be closely associated with this and other aspects of enumeration and registration. Should there be disagreement between the respective country offices on the number of beneficiaries to use in the absence of a satisfactory initial registration, the problem shall be referred to the headquarters level for resolution. Pending such resolution, WFP will provide food to the number of beneficiaries it estimates to be in need of assistance.
- 3.6 In consultation with the relevant government authorities, operational partners and experts, as appropriate, UNHCR and WFP will jointly assess the overall food aid and related relief requirements. Both agencies will agree on the modalities of food assistance, composition of the food basket, ration size, duration of assistance, as well as on directly related non-food inputs which may have an impact on the nutritional status of the beneficiaries. Special consideration will be given to the needs of women, children and vulnerable groups. The views of the beneficiaries, especially those of women, will be sought. The proposed food assistance programme will take into account all relevant factors, including the socio-economic and nutritional status of beneficiaries, cultural practices, overall food availability, prospects for self-reliance, availability of cooking fuels, and the need to minimize the environmental impact of using the cooking fuels selected.
- 3.7 UNHCR is responsible for determining the nutritional status of refugees and for the implementation of such selective feeding programmes as may be found necessary in addition to the agreed general ration. The results of nutritional surveys will be shared with WFP. The nutritional status of the refugees will also be examined as part of a joint food aid needs assessment. The decision to implement selective feeding programmes will be taken in consultation with WFP on the basis of agreed guidelines. UNHCR will keep WFP informed regularly on the implementation of such programmes.
- 3.8 Whenever possible, UNHCR and WFP will promote the use of food and non-food aid to encourage and support the self-reliance of the beneficiaries and of their communities, as appropriate. Measures will include food for work, and the provision of non-food inputs such as seeds and agricultural tools.
- 3.9 In a major new emergency, the initial assessment to determine the number of beneficiaries and the most urgent food needs will normally be carried out within the framework of the



emergency response being mobilized by both agencies, and would involve the participation of emergency response teams from UNHCR and WFP, as appropriate.

- 3.10 In ongoing operations, a review of food needs will normally take the form of a periodic joint assessment mission, undertaken either with country-based or outside staff. The composition of the mission will be mutually agreed. WFP will normally provide the mission team leader and a logistician, if required, and UNHCR a nutritionist and other specialist staff to help assess levels of economic self-reliance, if applicable. The participation as full mission members of selected donor and operational partner representatives will be encouraged so as to promote donor support for the mission's findings. The views of the relevant national authorities and of the beneficiaries will be sought. Jointly established guidelines for food needs assessment missions will be followed. Changes to the recommendations agreed by a joint food needs assessment mission shall be made only by mutual agreement, after discussion between the headquarters.
- 3.11 WFP will be closely associated with the planning and implementation of repatriation operations, and decisions on the use of WFP food will be taken jointly. If a repatriation commission is established by the Governments concerned and UNHCR, WFP should be a formal or informal observer at its meetings, whenever appropriate.
- 3.12 Food aid can also play a key role in the successful reintegration of returnees after their repatriation, when assistance to communities or areas is likely to be more appropriate than individual entitlements. Post-conflict rehabilitation activities are required not only for returnees but also for the affected population in the country of origin. Complementary linkages between the short-term reintegration efforts of UNHCR, such as quick-impact projects, and the development activities of WFP and others should be built so as to promote sustainable socio-economic recovery and a successful reintegration of returnees. Whenever appropriate, WFP will promote community and/or area-based projects in such sectors as food security, community services, infrastructure and production that would use food for work or monetized food aid. A joint (or multi-organization) reintegration strategy will be drawn up accordingly.
- 3.13 At the field level, joint plans of action setting out the agreed objectives and implementation arrangements for operations under the MOU shall be developed and updated regularly.
- 3.14 Should the UNHCR or the WFP country office consider that developments since the last needs assessment warrant a change in the agreed ration or number of beneficiaries, the other organization shall be advised immediately. The implications of these developments will be reviewed jointly and a course of action agreed.
- 3.15 Should the country offices not agree on a course of action, the issue shall be referred to both headquarters for appropriate resolution. Pending resolution, food assistance will be provided at the level established by the last agreed assessment, if applicable.

4. RESPONSIBILITIES FOR FOOD MOBILIZATION AND MILLING

- 4.1 WFP is responsible for mobilizing the following commodities, whether for general or selective feeding programmes: cereals; edible oils and fats; pulses and other sources of protein; blended foods; salt; sugar; and high-energy biscuits. Where beneficiaries are totally dependent on food aid, WFP will ensure the provision of blended foods or other fortified commodities in order to prevent or correct micronutrient deficiencies.



- 4.2 UNHCR is responsible for mobilizing complementary commodities. These include: local fresh foods; spices; tea; and dried and therapeutic milk.
- 4.3 The joint needs assessment will determine the specific commodities and quantities required. The assessment will also determine whether cereals are to be provided in whole grain or as flour. For practical, nutritional and environmental reasons, it is generally preferable to provide flour in the early stages of an emergency, but such provision may be difficult to sustain in protracted operations. If whole grain is provided, local milling capacity must be available, and the ration should include compensation for milling costs (normally 10 percent up to 20 percent, if justified), if these costs are borne by the beneficiaries. WFP is responsible for mobilizing the necessary resources for milling and will provide milling facilities to the beneficiaries where feasible.
- 4.4 WFP will consult UNHCR immediately should it become clear that WFP may not be able to ensure the timely arrival and/or milling of food to meet the needs agreed under the MOU, whether because of unavailability of resources, delayed deliveries, logistical problems, or any other constraints. Corrective action may include borrowing from the Central Emergency Revolving Fund of the United Nations Department of Humanitarian Affairs and UNHCR advancing funds to WFP against later reimbursement.
- 4.5 In particular cases where micronutrient requirements cannot be met through the ration, UNHCR will assume responsibility for the provision of the necessary micronutrients until the ration can be adjusted or fortified to meet these needs.

5. RESPONSIBILITIES FOR FOOD DELIVERY AND DISTRIBUTION

- 5.1 WFP is responsible for the timely transport to agreed extended delivery points (EDPs) of sufficient quantities of those food commodities it is responsible for mobilizing. WFP is also responsible for storing these commodities at the EDPs, and for managing the latter. WFP will keep UNHCR informed of the in-country logistical arrangements made to implement the agreed programme.
- 5.2 The location of an EDP will be proposed by the country offices, in accordance with agreed guidelines, and confirmed by UNHCR and WFP headquarters. The location selected should minimize overall costs and maximize management efficiency of the operation as a whole. EDPs should be located where sufficient warehousing space can be made available to ensure regular final distribution and the most efficient possible onward transportation, thus avoiding the need for further intermediate storage or trans-shipment between the EDP and the distribution location. Management and security considerations are particularly important. There should normally be a full-time UNHCR and WFP presence at the EDP location.
- 5.3 Unless otherwise agreed, UNHCR is responsible for the transportation of all commodities from the EDP and for their final distribution. Responsibility will be assumed ex-warehouse (i.e., EDP) or Free-on-Truck/Free-on-Rail, taking into consideration practice in the country. UNHCR shall make all logistical arrangements for the food commodities for whose mobilization it is responsible, and shall keep WFP informed of the logistical arrangements made to implement the agreed programme.
- 5.4 Arrangements for the final distribution of food commodities to beneficiaries will be agreed jointly by the Government and UNHCR, in full consultation with WFP and in conformity with the UNHCR commodity distribution guidelines. These arrangements will respect UNHCR and WFP's policy of ensuring the maximum possible appropriate involvement of the



beneficiary community, and of women in particular, in all aspects of distribution. The final distribution of food commodities will normally be the responsibility of an implementing partner of UNHCR, whose designation shall be jointly agreed by UNHCR and WFP. The distribution modalities and the responsibilities of the implementing partner for reporting on the distribution and use of food commodities will be the subject of a tripartite agreement among UNHCR, WFP and the implementing partner. UNHCR is responsible for ensuring that implementing arrangements also provide appropriate guidance to beneficiaries on how to prepare food in a manner that minimizes cooking time and safeguards its nutritional content.

- 5.5 In targeted feeding programmes such as school feeding, food for work, and in non-camp situations in the country of asylum or in situations where food assistance is targeted to both IDPs and refugees, UNHCR and WFP may agree to transfer the responsibility for distribution to WFP.
- 5.6 There is no automatic retroactive entitlement when full distribution of the agreed ration has not been possible. The decision on any retroactive distribution will be made jointly by UNHCR and WFP, taking into account the nutritional status of beneficiaries, measures taken by them, and any liabilities incurred in coping with the shortfall, its economic impact, and the future availability of resources.

6. RESPONSIBILITIES FOR FUNDING AND APPROACHES TO DONORS

- 6.1 UNHCR and WFP will each mobilize the cash and other resources necessary for the discharge of their respective responsibilities. Thus, WFP will mobilize all international and land transport, storage and handling (LTSH) costs, milling costs, if applicable, and any other resources required for the transport of its commodities up to the EDPs, storage at, and the management of, EDPs. UNHCR will mobilize cash and other resources necessary for all other aspects of commodity management and distribution from the EDPs onwards, and for all aspects from mobilization and purchase to delivery and distribution of the commodities for which it is responsible.
- 6.2 UNHCR and WFP will ensure that the resource implications for each organization are set out in all approaches to donors and related documentation in a manner that makes these responsibilities and their complementarity clear. Details on country-specific LTSH and distribution costs will be provided. Approaches to donors will be coordinated, and UNHCR will share with WFP in advance the text covering food needs in any appeal to donors. Joint approaches will be made whenever appropriate, both at the start of a new operation and at any time should it appear that the response of donors will not ensure the timely delivery of the necessary commodities.
- 6.3 UNHCR and WFP will urge donors to pledge commodities and cash for all food requirements under this MOU through WFP, rather than bilaterally. WFP will manage all contributions channelled through it, and coordinate and monitor donor pledges and shipments, including bilateral and non-governmental donations, of all commodities, seeking to adjust delivery schedules as necessary. UNHCR will be kept informed accordingly.
- 6.4 WFP will seek to ensure that bilateral food resources for refugees, returnees and IDPs falling under this agreement, whether channelled through WFP or not, are accompanied by the full cash resources needed to cover LTSH and other related support costs.
- 6.5 UNHCR will support WFP's specific approaches to donors to provide cash for local, regional or international purchase, so as to ensure that the needs of beneficiaries are met in



the most timely and cost-effective manner possible. UNHCR will also support WFP's general approaches to donors for cash contributions to bring the Immediate Response Account (IRA) of the International Emergency Food Reserve (IEFR) up to, and maintain it at, the approved level, and for contributions to any similar fund, so that WFP can respond swiftly to new emergency food needs.

7. MONITORING AND REPORTING

- 7.1 WFP will maintain an effective system for monitoring the food pipeline and keep UNHCR closely and regularly informed, at the field and headquarters levels, of its status and developments. WFP will immediately alert UNHCR should it appear that the pipeline may not be able to meet agreed needs.
- 7.2 UNHCR will organize regular nutrition surveys and maintain, in consultation with WFP, an effective surveillance system for monitoring the nutritional status of beneficiaries. The results will be shared with WFP as an important element to measure the progress and efficiency of the joint feeding programme.
- 7.3 UNHCR will establish, in consultation with WFP, an effective monitoring and reporting system for each operation under this MOU, with special attention given to qualitative information on the socio-economic status of beneficiaries as this affects their food needs. The responsibilities of the Government or other implementing partner entrusted with the distribution of WFP food will be set out in the tripartite agreement referred to in paragraph 5.4 in a manner that allows effective programme management and meets WFP's and UNHCR's requirement to account to their donors. This agreement will require the partner entrusted with distribution to report directly to both WFP and UNHCR on the distribution and use of WFP food. UNHCR and WFP field staff will undertake periodic joint monitoring missions at the food distribution sites.
- 7.4 UNHCR and WFP will seek to have multilateral donors accept the documentation provided to their Executive Committee and Executive Board, respectively, as fulfilment of reporting requirements, instead of requiring donor-specific reporting.

8. COORDINATION

- 8.1 Close cooperation, and an open and frequent exchange of information and assessments between UNHCR and WFP at the field level are essential. This should also enable the resolution of most actual and potential problems without referring them to headquarters. Regular and structured meetings will be held in the field to review progress and developments, and ensure a coordinated response.
- 8.2 The UNHCR and WFP country offices, in liaison with the relevant Government authorities as appropriate, will establish food aid coordinating mechanisms that allow regular consultation and exchange of information with multilateral and bilateral donors, the diplomatic community, other United Nations organizations concerned and NGO partners. UNHCR will ensure that the necessary operational coordination mechanisms outside the capital are established in close consultation and with the participation of WFP.
- 8.3 WFP will share with UNHCR the authorizing documents for assistance under the MOU before they are finalized. Letters of Understanding (LOUs) between WFP and the Government will expressly provide for full access to and monitoring by both organizations of



all aspects of the operation covered by the LOU. The need to associate UNHCR formally in a tripartite LOU will be considered jointly on a case-by-case basis.

- 8.4 WFP and UNHCR will collaborate on public information activities to promote awareness of the food and related needs of beneficiaries, understanding of each organization's role, and support for the work of each organization to address these needs. In all joint operations, WFP and UNHCR will acknowledge the role of the other to both the media and the general public in order to ensure the common goal of donor and host government support. At the field level, there should be adequate visibility for each organization.
- 8.5 At the headquarters level, coordination on operation-specific matters is the responsibility of the respective operations managers. Joint field missions will be undertaken when warranted by specific situations. Coordination on commodity and resource mobilization issues is the responsibility of respective resource mobilization services. Responsibility for coordination on overall policies and functional issues lies with the Directors of UNHCR's Division of Operational Support and WFP's Operations Department, who will encourage direct contacts among the technical, logistic and programme coordination staff concerned.
- 8.6 When either UNHCR or WFP is elaborating or developing emergency response capacities, systems and guidelines or taking any other action that could potentially benefit (or duplicate) the work of the other, the responsible unit in the other organization is to be informed and every effort should be made to maximize the benefits to both.
- 8.7 Each organization will develop and maintain its own training materials for discharging its responsibilities. Joint training courses will be held, with priority given to the field. These courses will focus on cooperation in implementing the provisions of the MOU and on a better understanding of the other organization's responsibilities and constraints. Such courses would normally use the training materials of each organization in combination. In addition, each organization will seek to offer the other places on courses with a more general relevance, such as emergency management training.
- 8.8 Joint headquarters-level meetings with Governments and others concerned by specific country or regional operations will be organized as required. If either UNHCR or WFP organizes a meeting with external bodies on operations covered by the MOU, the other organization will be invited.
- 8.9 The evaluation services of UNHCR and WFP will organize joint evaluations as appropriate, taking into account the scale and complexity of operations covered by the MOU. When an evaluation of a joint operation is organized by one organization, the other shall be informed and invited to participate.

9. GENERAL PROVISIONS

- 9.1 This revised MOU shall come into effect as of 31 March 1997, superseding the revised MOU dated January 1994.
- 9.2 It governs cooperation in all operations covered by its terms except those, or those parts of, operations as may be specifically excluded by mutual agreement.
- 9.3 The MOU may be modified at any time by mutual agreement. It will be kept under regular review by a joint task force established for this purpose by the Executive Heads of UNHCR and WFP.



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