PUTTING SAFETY AND DIGNITY FIRST:
A guide to protective action in programming

CHURCH WORLD SERVICE
Protection Mainstreaming Manual
2012 Edition
© Church World Service 2012

Photocopies of all or part of this publication may be made providing the source is acknowledged. Church World Service requests that feedback on the use of this material in training, research or program design, implementation or evaluation be directed to the address below. Requests for commercial reproduction of this material should be directed to CWS at the address below.

Church World Service
Attention: IRP
475 Riverside Drive, Suite 700
New York, NY 10115
Phone: (212) 870-3300
Fax: (212) 870-2132
Website: www.churchworldservice.org
Email: irp@churchworldservice.org

Cover Photo: Children at a School Safe Zones project in Kenya. Credit: Jessica Eby.

Acknowledgements: The manual builds on foundational work from other organizations with expertise in protection and advocacy, as well as the contributions of a wide range of CWS staff and partners. A special thanks to Jessica Eby and Carly Goldstone for their work on the previous versions of this manual.

Washington, D.C., June 2012
# Table of Contents

## CHAPTER 1: PROTECTION: WHY AND WHAT ............................................................................... 3  
I. Why focus on protection? ........................................................................................................ 3  
II. Defining protection .............................................................................................................. 4  
III. Protection from violence, coercion, and deliberate deprivation ........................................... 4  
IV. Protection for vulnerable groups ........................................................................................ 5  
V. International Humanitarian Standards .................................................................................. 6

## CHAPTER 2: INTERNATIONAL PROTECTION STRUCTURES .................................................... 9  
I. Legal protection framework .................................................................................................... 9  
II. Responsibility to Protect (R2P) ............................................................................................ 12  
III. International actors with a protection mandate ..................................................................... 13

## CHAPTER 3: THE ROLE OF NGOS IN PROTECTION ................................................................. 16  
I. Approaches to protection ....................................................................................................... 16  
II. NGO protection activity types .............................................................................................. 17  
III. NGO protection sub-sectors ............................................................................................... 18  
IV. Coordinating NGO protection activities ............................................................................. 24

## CHAPTER 4: APPLYING PROTECTION IN PROGRAMMING ...................................................... 26  
I. Minimum standards for protection mainstreaming ................................................................. 26  
II. Applying a protection lens to the program cycle ................................................................... 27

## CHAPTER 5: TOOLS FOR PROTECTION PROGRAMMING ...................................................... 33  
I. The Onion Tool for analyzing layers of protection ................................................................. 33  
II. The Egg Framework for protection ...................................................................................... 34  
III. Risk Equation Model for protection ................................................................................... 34  
IV. Types and Targets for Protective Action ............................................................................. 35  
V. Risk Assessment Tool .......................................................................................................... 36  
VI. Community consultation considerations .......................................................................... 37  
VII. Identifying Threats and Protection Assessment Tools ....................................................... 38  
VIII. Considerations in referring and reporting abuses and violations ..................................... 39  
IX. Reflection questions to ensure projects Do No Harm ........................................................ 41  
X. Checklist for project design: protection considerations ..................................................... 42

## CHAPTER 6: A MODEL FOR EFFECTIVE ADVOCACY .............................................................. 43  
I. Theories of change ................................................................................................................... 43  
II. “Rooted” advocacy ................................................................................................................ 43  
III. Advocacy as a protection tool .............................................................................................. 44  
IV. Advocacy in action ............................................................................................................... 45

## ANNEX 1: PROTECTION ASSESSMENT INDICATORS ............................................................. 49

## ANNEX 2: STAND-ALONE PROTECTION PROJECT EXAMPLES ............................................. 50

## ANNEX 3: OVERVIEW OF ADDITIONAL PROTECTION TOOLS AND RESOURCES .......... 52

## ENDNOTES ................................................................................................................................ 56
I. Why focus on protection?

As an agency that supports emergency relief, development, and refugee assistance programs, Church World Service (CWS) and its partners have an important role to play in protection activities around the world. Humanitarian protection – meaningful access to and enjoyment of basic rights – is an essential consideration for CWS programming, whether large or small, international or domestic, short-term or long-term, implemented directly or through partnership.

Consideration of protection improves all types of humanitarian and development interventions, as it calls for a focus on vulnerable populations and analysis of the threats to safety and dignity that they face. These considerations and proactive responses that result allow for programs to better serve all beneficiary populations.

The importance of considering protection stems from decades of ‘lessons learned’ the hard way. Working around the globe, with billions of dollars in funding, humanitarian and development agencies have learned the importance of implementing all programs according to agreed standards and procedures. Adhering to these standards, which now include key protection considerations, is an important first step towards the protection of beneficiaries.

Moreover, understanding the legal framework for protection of civilians allows our interventions to be linked with the international architecture that is responsible to protect the safety and dignity of people around the world. It allows us to build upon and refer to international treaties, conventions, and the work of actors with a specific protection mandate as key considerations for our programs.

On a practical level, a range of models and frameworks provide helpful ways of understanding the contexts in which we work and advise our program design. The resulting practical applications include how to apply a protection lens to the program cycle, how to develop specific skills that help us mainstream protection within our programs, and how to design programs that are intended principally for protection purposes.

Finally, protection analysis challenges us to look beyond the typical boundaries of our work into the structures and systems that limit access to and enjoyment of basic rights. Protection is the impetus behind a wide range of advocacy activities and guides us through the process of how to best engage structures and systems towards meaningful change.

Humanitarian agencies around the world are recognizing a responsibility to treat not only the symptoms but also the causes of violence, acute deprivation, and inequality. Donors, too, are increasingly supporting humanitarian and development work that includes protection considerations. CWS field programs, likewise, are committed to and engaged in work that promotes protection in the communities in which they work.

This manual is designed towards these ends, providing theoretical backing and practical tools that are understandable and useful to mainstream and integrate protection throughout CWS’ programming.
II. Defining protection

The International Committee of the Red Cross (ICRC) and the Inter-Agency Standing Committee (IASC) define protection as:

"All activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights, humanitarian and refugee law). Human rights and humanitarian actors shall conduct these activities impartially and not on the basis of race, national or ethnic origin, language or gender."\(^1\)

This definition remains broad, while emphasizing human rights and the responsibility of states for ensuring these rights are respected. In an attempt to apply the definition of protection to a non-governmental organization (NGO) context, Oxfam writes:

“Protection is about improving the safety of people... There are two sides to protection – reducing the negative consequences of our actions, and proactively helping people stay safer... Humanitarian organizations help people stay safer by reducing risk.”\(^2\)

Beyond the reactive and proactive component of this definition, the Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP), which was founded in 1997 following a multi-agency evaluation of the Rwandan genocide and humanitarian response, explains protection, from an NGO perspective, as:

“A concern for human rights, international humanitarian law and refugee law ... a new determination to develop truly practical programming that protects people from all forms of violation, exploitation and abuse during war and disaster ... an active concern for people’s personal dignity as well as for their safety and material needs.”\(^3\)

While this definition focuses on protection in contexts of war and disaster, it highlights rights, dignity and safety – the cornerstone concepts of protection in any context.

III. Protection from violence, coercion, and deliberate deprivation

To work towards a sharper, more practical understanding of protection, it is helpful to identify what it is that threatens rights, dignity and safety. To do so, Oxfam defines three categories of threats - violence, coercion and deliberate deprivation.\(^4\)

Violence includes the “deliberate killing, wounding, sexual violence, rape, torture, and the threat of any of these.”\(^5\) Violence is highly relevant in contexts of armed conflict, where civilians are threatened by armed actors, including government forces, armed opposition groups, or other armed groups. Violence restricts the ability to meet one’s needs (for example, to access health services, education, or livelihoods). Violence is also present endemically in non-conflict scenarios, and applies to more than just physical harm. It may be directed at vulnerable sectors of a population, such as children, women, the elderly, the disabled, and ethnic and religious minorities. Social and legal norms often serve as permission and reinforcement for these types of violence, and thus it becomes structural or institutionalized violence.

Coercion is “forcing someone to do something against their will.” Coercion utilizes power differentials among members or groups of a society, which result in one person or group with greater control of
and/or access to resources forcing another person or group to do something against their will in order to gain access to those resources. Extreme examples include “forced prostitution, sexual slavery, sexual exploitation, forced or compulsory labour, forced displacement or return, restriction of movement, prevention of return, forced recruitment, being forced to commit acts of violence against others,” while other, more subtle examples of coercion are present throughout society.

The threat of coercion exists not only within the societies that we operate, but also between NGO staff and the members of those communities. Different power dynamics exist between international NGO staff, national NGO staff, and the members of the communities in which they work, creating vulnerabilities for coercion.

Deliberate deprivation is “stopping people from accessing the goods and services they need to survive.” Examples include “destruction of homes, wells, and clinics; preventing access to land or markets; preventing delivery of relief supplies; deliberate discrimination in getting jobs, education, land, or services; illegal ‘taxes’ or tolls.”

The threat of deliberate deprivation can occur in a range of contexts, including endemic poverty, conflict and natural disasters. Moreover, deliberate deprivation may be on a household level (as when families in resource-scarce situations withhold food from girls until boys have had enough to eat), a community level (where access to services like education or health may be limited to particular religious or ethnic groups), and/or a national level (where states may follow policies or practices that result in unequal distribution or access to valuable resources across certain sectors of the population). Understanding deliberate deprivation requires an understanding of local power dynamics and issues of access to resources within and across the layers of society.

IV. Protection for vulnerable groups

After understanding the types of threats to safety and dignity, it is important to consider which groups within a specific context are particularly vulnerable to these threats. Vulnerabilities can be defined as, “The characteristics of a person or group and their situation that influence their capacity to anticipate, cope with, resist and recover from the impact of a hazard.” Vulnerabilities stem from limited, unsafe or ineffective access to resources. The following are categories and examples of these resources:

- Individual (health, fitness, skills, knowledge);
- Material (shelter, clothing, belongings, transport);
- Financial (savings, loans, income, assets);
- Social (strength and support of family, social network, community);
- Services and Infrastructure (health, social services, education, religious institutions);
- Information (timely, reliable information from different sources);
- State (effective army, police, courts, emergency service); and
- Natural (water, food, land)

Access to resources is part of a broader issue: inequalities in power relationships. The questions of, “who in any given society gets what, who makes decisions, and who is excluded,” must be considered at both the individual and structural levels. While inequalities at both levels are often deeply rooted, structural-level inequalities are all the more powerful, due to their entrenchment in institutions, law, policies, and cultural beliefs.

While each local context informs which groups are most vulnerable to protection threats, particularly vulnerable groups include: women and girls; children; the elderly; the displaced, including refugees and
internally displaced persons; people with disabilities; religious and ethnic minorities; and minorities due to sexual orientation. Chapter 3, Section III provides additional information on the vulnerabilities of these specific groups and the resulting protection implications.

Note: It is extremely important for NGO staff to be aware of their role in local power dynamics, whether national or international staff. Staff gender, ethnicity, religious background and other characteristics affect relationships with vulnerable groups in the community, which must be understood and addressed as thoroughly as possible.

V. International humanitarian standards

A further foundational concept of humanitarian protection is found in procedural standards and quality and accountability initiatives or frameworks. These standards call organizations to implement their relief and development programs according to necessary standards, including protection standards. The following sets of standards are particularly relevant to the protection work of CWS: The Code of Conduct for the International Red Cross and Red Crescent Movement (ICRC) and NGOs in Disaster Relief, The Sphere Project: Humanitarian Charter and Minimum Standards in Humanitarian Response, The Humanitarian Accountability Partnership (HAP) Standard in Accountability and Quality Management, The Do No Harm Approach, and The ACT Alliance Code of Good Practice.

The ICRC Code of Conduct is a series of ten principles that establish common standards for humanitarian action. It prioritizes the “humanitarian imperative”, and ensures that aid is based on need instead of “race, creed, or nationality” or “government or foreign policy.” The Code of Conduct requires common standards, such as building on local capacities, involving beneficiaries, reducing future vulnerabilities, and accountability to beneficiaries.12

The Sphere Project includes a humanitarian charter, protection principles, core standards, and minimum standards in humanitarian response. The minimum standards include important protection considerations, including how to address the needs of specific vulnerable populations in programming related to water and sanitation, food and nutrition, shelter and non-food items, and health. The Sphere Project’s protection principles include:13

1. Avoid exposing people to further harm as a result of your actions
2. Ensure people’s access to impartial assistance – in proportion to need and without discrimination
3. Protect people from physical and psychological harm arising from violence and coercion
4. Assist people to claim their rights, access available remedies and recover from the effects of abuse

The HAP Standard seeks to bring accountability to such standards, and “describes how to establish a commitment to accountability and the processes that will deliver quality programmes for the people who experience them first hand.” It requires that an organization (1) set out the commitments that it will be held accountable for, and how they will be delivered, (2) ensures that staff have competencies that enable them to meet the organization’s commitments, (3) ensures that the people it aims to assist and other stakeholders have access to timely, relevant and clear information about it and its activities, (4) listens to the people it aims to assist, incorporating their views and analysis in program decision, (5) enables the people it aims to assist and other stakeholders to raise complaints and receive a response through an effective, accessible and safe process, and (6) learns from experience to continually improve its performance.14
The Do No Harm approach is based on the acknowledgement that interventions of NGOs and other actors can have adverse effects for individuals and in the communities they work. It is the responsibility of NGOs to proactively plan ahead to anticipate adverse effects of programs and to make adjustments as appropriate to prevent and curtail harm. NGOs are responsible both to try to avoid negative effects on individuals and communities where they work, and to take steps for positive improvement of the security and dignity of these populations. To ensure no undue harm is done, this approach encourages NGOs to consider topics such as unintended negative consequences of NGO activities, NGO activities’ impact on people’s own protection efforts, discrimination (real or perceived) against groups of potential beneficiaries, and power dynamics between and among communities.\(^{15}\)

Finally, as a member of ACT Alliance, CWS is obligated to the protection principles specific to the ACT Alliance Protection Policy:\(^{16}\)

- Prioritise the safety, dignity and empowerment of all women, girls, boys and men at all times without discrimination.
- Make a core commitment to mainstream gender and protection into all humanitarian assistance programmes.
- Adopt a community-based approach to protection work that enables the active participation of communities in determining appropriate risk reduction measures.
- Ensure that all humanitarian needs assessments address risk, taking into consideration threats, vulnerabilities and capacities of individuals and communities.
- Ensure mechanisms are in place to prevent and respond to the occurrence of sexual abuse and exploitation and gender-based violence.
- Ensure that organisations having ‘specialised’ protection programmes observe professional standards and have the capacity and expertise to meet the standards required.
- Ensure all personal and protection-sensitive information is managed responsibly.
- Protection advocacy must be based on a careful risk-benefit analysis involving field staff and affected communities and be part of an integrated protection strategy.
- Recognise that the State has the primary responsibility for protection and ensure that the ultimate aim of protective humanitarian action is to reinforce, not replace, the State’s responsibility to respect, protect and fulfil human rights.
- In situations of international and non-international armed conflicts, recognise and promote the obligations of States and armed non-state groups under international humanitarian law.
including to respect and protect civilians, as well as to facilitate the work of humanitarian organisations working in areas affected by armed conflict.

- Seek to work in a complementary and collaborative manner with other humanitarian actors in order to strengthen the impact of collective protective action and avoid unnecessary duplication.

CHAPTER 1: Summary of Key Points

→ Many motivations lead NGOs to understand protection issues and implement programming through a protection lens, including the best interests of vulnerable populations, the desire to implement high quality programs, and donor requirements regarding protection.

→ While multiple definitions of protection exist, the key components include safety and dignity, as well as the respect for fundamental rights.

→ Protection threats include violence, coercion and deliberate deprivation, particularly in contexts of war and disaster.

→ Protection considerations should prioritize vulnerable groups within a community, as well as the power dynamics and access to resources and services related to each of these groups.

→ Quality and accountability standards require that at a minimum, NGOs do not exacerbate the risk posed to affected individuals and communities.
I. Legal protection framework

International, national and local legal frameworks provide formal systems of protection. At the international level, three primary bodies of law serve this function: international humanitarian law (IHL), human rights law, and refugee law.

*International humanitarian law* is “a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare.” A major source of IHL is the Geneva Conventions of 1949. *Human rights law* refers to international law that seeks to protect individuals in times of both war and peace, as expressed in numerous treaties and conventions outlined below. *Refugee law* pertains specifically to the rights and protection of refugees and is embodied in the 1951 Convention relating to the Status of Refugees and its 1967 protocol, along with regional legal instruments.

There are three main types of documents that make up international law: declarations, conventions, and treaties (or covenants). The international standards apply across the sovereign boundaries of states, while the primary responsibility for these standards’ effective implementation lies with states themselves. It is the responsibility of states to model their national legislation to meet or exceed the standards that are contained in the international texts to which they are signatories and then to follow through with good practices and effective implementation. When non-state armed actors are party to war, these actors also bear certain responsibilities toward civilians under international humanitarian law.

**International Declarations**

Declarations are nonbinding agreements, which serve as standards to which all nations commit their efforts. They tend to regard rights and freedoms the international community wants to be universally recognized and observed. Declarations important for protection include the following:

- The 1948 *U.N. Universal Declaration of Human Rights* was the first international legal document to establish the right to life, right to education, prohibition on slavery, prohibition on
torture, right to seek and enjoy asylum from persecution, right to a nationality, and many other rights. The conventions that followed – including the 1966 conventions on political and economic rights, the 1975 convention against torture, and so on – elaborated in greater detail the rights laid out in the 1948 declaration. 19

- The 1984 Cartagena Declaration on Refugees broadened the scope of the refugee definition found in the 1951 refugee convention to include persons fleeing from generalized violence. This definition is only applicable to those countries that have signed the declaration. 20

- The 1998 Guiding Principles on Internal Displacement, while not a declaration per se, is a set of standards put forward by the Representative of the Secretary General to the U.N. Commission on Human Rights for the effective protection of Internally Displaced Persons (IDPs). They are recommended standards to be followed by countries and practitioners dealing with internal displacement worldwide. 21

- The 2007 U.N. Declaration on the Rights of Indigenous Peoples outlaws discrimination against indigenous peoples, promotes their full and effective participation in all matters that concern them, and confirms their right to remain distinct and to pursue their own visions of economic and social development. The declaration provides an important standard for the treatment of indigenous peoples and can serve as a tool to help combat discrimination and marginalization. 22

**International Conventions**

Conventions are a set of widely accepted or explicitly stipulated standards and social norms, adopted by multi-state bodies such as the United Nations, the Organization of American States or the African Union. A given convention generally applies only to countries that have ratified it but has the force of an international treaty for all ratifying countries.

- The 1948 Convention on the Prevention and Punishment of the Crime of Genocide establishes genocidal acts as those intended to destroy a national, ethnic, racial or religious group, including killing its members, causing serious physical or mental harm to its members, preventing births within the group, or forcibly transferring children from the group to another group. This convention makes not only genocide a crime punishable by international law, but also public incitement to commit genocide, conspiracy to commit genocide, attempt to commit genocide and complicity in committing genocide. 23

- The 1949 Geneva Conventions lay out rules that govern civilians’ rights and armed actors’ responsibilities during times of war, otherwise known as international humanitarian law (IHL). The fourth Geneva Convention establishes the distinction between treatment of civilians and treatment of parties to conflict, stipulating that civilians shall not be subjected to violence or hostage-taking and are entitled to personal safety, family rights, religious convictions and practices, and manners and customs. Women are protected against rape, forced prostitution and assault. Collective penalties (against communities rather than against individuals who have committed specific crimes) are prohibited. 24

- The 1951 Convention Relating to the Status of Refugees, together with its 1967 implementing Protocol, defines a refugee according to four key elements: 1) presence of the individual outside of his or her country of origin, 2) well-founded fear, 3) existence of persecution and 4) nexus between that persecution and one of the five grounds established in the convention – namely race, religion, nationality, social group or political opinion. 25 If an individual meets these qualifications, he or she is entitled to the refugee protections laid out in the 1951 convention, including access to courts and legal assistance, education, public relief and assistance, the right to work, housing, and the freedom of movement. States are legally obligated to provide protection to refugees, not to deport them or conduct refoulement (forcing them to return to a
country where they would suffer persecution), and not to impose penalties on them if they entered into their country of asylum illegally.

- The 1969 *Convention Governing the Specific Aspects of Refugee Problems in Africa*, of the Organization of African Unity (OAU), established that signatory states would recognize as refugees not only those who fit the 1951 refugee convention definition, but also “every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.”

- The 1975 *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* not only prohibits states from carrying out such acts, but directs that they may not expel, deport or forcefully cause a person to return to or arrive in a country in which they are likely to suffer from torture. Torture is defined as, “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

- The 1979 *Convention on the Elimination of All Forms of Discrimination Against Women* condemns “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.” It establishes that women shall have rights equal to men with respect to nationality, education, employment (equal pay for equal work), access to bank loans and credit, marriage (and divorce), and health. Women are to have the right to vote and hold public office at all levels of government, and to participate in NGOs and associations “connected with the public and political life of the country.”

- The 1989 *Convention on the Rights of the Child* defines children as anyone under the age of 18. It assures that every child will have a right to a name and nationality at birth, the right to know and be cared for by his or her parents (as far as possible), the right not to be separated from his or her parents against his or her will (except if determined to be in the best interest of the child), and will be protected by states from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse.

- The 2006 *UN Convention on the Rights of Persons with Disabilities* elaborates and clarifies existing obligations for countries within the disability context. The Convention outlines eight general principles that guide the Convention’s obligations including: Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons; Non-discrimination; Full and effective participation and inclusion in society; Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity; Equality of opportunity; Accessibility; Equality between men and women; and Respect for the evolving capacities of children with disabilities and Respect for the right of children with disabilities to preserve their identities.

- The 1990 *U.N. Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* provides binding international standards to address human rights standards and violations for both documented and undocumented migrants; addresses the ‘obligations
and responsibilities’ of both the sending and receiving States; and seeks to put an end to the illegal and/or ‘clandestine recruitment’ and trafficking of migrant workers.  

- The 1999 International Labour Organization (ILO) Convention No. 182 on the Worst Forms of Child Labour identifies four forms of child labor that constitute its “worst forms”—slavery or practices like slavery (e.g., human trafficking), prostitution or pornography, illicit activities (e.g., producing or trafficking drugs), and work that is likely to harm the health, safety or morals of children. This convention mandates states to design and implement actions to eliminate these “worst forms of child labor.”

International Treaties

Treaties (or covenants) are part of the body of international law and have established civil, political, economic, social and cultural rights. While practical political incentives encourage maintaining treaties, there is not always a mechanism to ensure they are respected and upheld.

- The 1966 International Covenant on Civil and Political Rights includes the right to life, right to freedom of movement, right to equality before the law, right not to suffer torture or inhumane or degrading treatment, right to freedom of thought and religion, right to a means of subsistence, right of every child to acquire a nationality, and the right of all people to marry only with full consent of the individual.

- The 1966 International Covenant on Economic, Social and Cultural Rights includes the right to work, right to health and right to education, and specifically states that primary schooling should be compulsory and free to all.

National and Local Law

While human rights law, international humanitarian law and refugee law establish rights to which individuals are entitled, the ways individual states incorporate respect for (or defiance of) these laws has significant implications. National laws – relevant to specific countries, local contexts and populations – may be more detailed and afford greater protections than international law. For example, Colombia has a very extensive set of federal legislation governing the rights of internally displaced persons (IDPs) and the government’s obligations toward them.

However, it is important to note that what is dictated by legislation may be very different from what is implemented on the ground. These differences may be due to a lack of capacity and/or a lack of will to implement the policy. In understanding the relevant legal standards, it is important to consider which aspects are and are not being implemented and why.

There are also cases in which national legislation is insufficient to protect civilians’ rights. It even may be in direct violation of international law, restricting the rights of certain groups and individuals. For example, laws that create a higher burden of proof for women than men in filing for divorce are not only discriminatory, but run contrary to international law. Awareness of relevant national and local legal norms, particularly those that have a substantial positive or a negative impact on fundamental rights, is necessary in addressing protection concerns.

II. Responsibility to Protect (R2P)

As internal armed conflicts have become more common than wars between sovereign nation-states, civilians are increasingly being affected by non-state actors and their own governments than foreign governments. In response, the International Commission on Intervention and State Sovereignty (ICISS)
was formed to analyze the international community’s responsibility to protect in times of mass atrocities and to explain when consideration of civilian protection may trump nation-state sovereignty.

ICISS reported that the international community has a responsibility to intervene — even in violation of a state’s sovereignty — in cases where genocide, war crimes, ethnic cleansing and crimes against humanity are occurring. The ICISS report used the phrase “responsibility to protect,” or R2P, to explain this obligation.37

The R2P doctrine emphasizes the importance of preventative and nonmilitary means of intervention to proactively protect civilians, including diplomacy, humanitarian assistance, economic assistance and sanctions, and political action, as well as military action if needed.

For example, in March of 2011, R2P was invoked with the passage of UN Security Council Resolution 1973. NATO assumed responsibility to implement Resolution 1973, with an aim of “protecting civilians” from violence in Libya. A range of peaceful and coercive measures (diplomatic incentives, asset freezes, travel bans, arms embargo, expulsion from intergovernmental bodies, ICC referral) were instituted before military operations were used to create a no-fly zone.38

III. International actors with a protection mandate

Within the international legal framework, mandated protection actors are the entities with formal responsibility for protection, and who can be held accountable to their protection mandates. The primary entities in these roles include:

Each state has the primary responsibility to uphold and respect the rights of civilians within their sovereign territories, to take measures to prevent violations of national and international law, to respond adequately when violations occur, and to hold those responsible accountable. When citizens’ rights are violated, when states are unable or unwilling to fulfill their protection responsibilities toward their own citizens, or when state actors themselves are responsible for violation, other states and other mandated protection actors have specific protection-related responsibilities. In addition, governmental ministries and departments within each state serve important protection functions for the protection, including police departments, military forces, courts and legal systems, as well as other civilian bodies.

The United Nations General Assembly (UNGA) is the body responsible for adopting treaties and conventions, which form the bulk of the framework for international human rights law. It also approves all budgetary matters for the UN system. General Assembly Resolutions are non-binding on member states.39

The UN Security Council (UNSC), with five permanent members and 10 rotating members, has the power to issue resolutions calling for international intervention in times of war and atrocities against civilians, and can authorize the deployment of peacekeeping and war-fighting forces. According to the UN Charter, the responsibilities of the UNSC include:

- Maintaining international peace and security
- Investigating disputes or situations that could lead to international friction
- Recommending methods of resolving these disputes
- Formulating plans for the establishment of a system to regulate arms
- Determining the existence of threats to peace or acts of aggression and recommending action
- Calling on member states to apply economic sanctions and other non-forceful measures to prevent or stop aggression
- Taking military action against an aggressor
Electing the judges of the International Court of Justice, together with the U.N. General Assembly.  

The *International Court of Justice* (ICJ) was established by the U.N. Charter in 1945 as the primary judicial body of the United Nations. The main purview of the ICJ is to settle disputes between member states that are submitted to it. The ICJ may also be requested by the U.N. Security Council or the U.N. General Assembly to give an opinion on any legal matter. Unlike the International Criminal Court (ICC), the ICJ does not prosecute individuals accused of war crimes or crimes against humanity. The ICJ is not a human rights court, but it may address human rights protection issues that relate to issues such as genocide, race discrimination, self-determination, immunity of experts, consular access, belligerent occupation, nuclear weapons and diplomatic protection. However, the ICJ only deals with cases brought before it by member states against other member states, not individuals.

The *UN Department of Peacekeeping Operations* (DPKO) oversees peacekeeping operations mandated to maintain peace and security, as well as facilitate political processes, protect civilians, assist in the disarmament, demobilization and reintegration of former combatants, support the organization of elections, protect and promote human rights and assist in restoring the rule of law. UN peacekeeping missions generally focus their protection efforts on helping to ensure the physical security of civilians.

The *International Committee of the Red Cross* (ICRC), under the 1949 Geneva Conventions, is tasked with “visiting prisoners, organizing relief operations, reuniting separated families and similar humanitarian activities during armed conflicts.” Under the Statutes of the International Red Cross and Red Crescent Movement, ICRC is to take on similar work in “situations of internal violence,” where the Geneva Conventions may not apply. ICRC also has played a leading role in the protection discourse, leading discussions on responsibilities and standards for civilian protection work in armed conflict contexts.

The *U.N. High Commissioner for Refugees* (UNHCR) is responsible for overseeing refugee protection, according to the 1951 Convention Relating to the Status of Refugees and its 1967 implementing Protocol. These responsibilities include ensuring the right to seek asylum, international protection, and respect for refugee rights. It works with both host countries and the international community to ensure that refugees will not be forced to return to their countries of origin or any country where they may face persecution (refoulement). As a part of these responsibilities, it also either conducts or assists states to conduct refugee status determination (RSD) procedures for refugee resettlement.

The *Office of the High Commissioner for Human Rights* (OHCHR) is responsible to promote and protect all human rights, including preventing human rights violations, securing respect for all human rights, promoting international cooperation to protect human rights, coordinating related activities throughout the United Nations, and strengthening and streamlining the United Nations system in the field of human rights.

The *United Nations Children’s Fund* (UNICEF) has a mandate to promote children’s rights, survival, development and protection as laid out in the 1989 Convention on the Rights of the Child. UNICEF works in both development and emergency contexts to prevent and respond to violence, exploitation and abuse directed at children. UNICEF’s protection work focuses on changing legislation, policies, services and social norms to improve the protection of children.

The *International Labour Organization* (ILO) plays a protection function in regard to labor, particularly child labor, as mandated in the 1999 Convention. ILO implements the International Programme on the Elimination of Child Labour (IPEC) and leads international efforts on the *social protection floor*, which “emphasizes the need to implement comprehensive, coherent and coordinated social protection and
employment policies to guarantee services and social transfers across the life cycle, paying particular attention to the vulnerable groups.\textsuperscript{47}

In addition to the United Nations and ICRC, other regional intergovernmental organizations (IGOs) include the African Union (AU), Organization of American States (OAS), North-Atlantic Treaty Organization (NATO) and Association of South-East Asian Nations (ASEAN). These IGOs and their respective mechanisms also can serve protection functions. For example, NATO and the African Union also coordinate deployments of peacekeeping troops.

Other bodies may serve as forums for citizens to hold their own governments accountable for rights violations. For example, in the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS), citizens themselves can bring formal complaints against their governments for lack of protection or the active violation of their rights. If a charge against a state for rights violations of its citizens is found to be valid, other member states can place pressure on that state to redress the violation and seek justice for those responsible.

\textbf{CHAPTER 2: Summary of Key Points}

→ International humanitarian law (IHL), human rights law, and refugee law serve to protect persons who are not participating in hostilities, restrict the means and methods of warfare, protect human rights in times of both war and peace, and provide specific protections for those who qualify as refugees.

→ Each state, as a signatory to international conventions and treaties, has the primary responsibility to ensure rights are protected within their sovereign territories. States are responsible to take measures to prevent violations of national and international law, to respond adequately when violations occur, and to hold those responsible accountable.

→ When a state is unable or unwilling to fulfill its protection responsibilities – particularly in times of mass atrocities cases, where genocide, war crimes, ethnic cleansing and crimes against humanity are occurring – the international community has the responsibility to intervene, even in violation of the state’s sovereignty.

→ Mandated protection actors hold formal responsibility for protection and can be held accountable to their protection mandates. These actors include the United Nations Security Council, the U.N. High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), and the United Nations Children’s Fund (UNICEF).
CHAPTER 3
The Role of NGOs in Protection

Former U.N. Secretary General Boutros Boutros-Ghali affirmed that NGOs “are an indispensable part of the legitimacy” of the United Nations, while his successor Kofi Annan said that NGOs are “the conscience of humanity.”

In terms of protection, NGOs have the potential to have a positive influence on safety and dignity in the communities in which they work. Beyond having the ability to implement programs and provide services, NGOs often have both a grassroots presence as well as the status needed to reach and influence policymakers – which, when combined, can lead to significant influence. Moreover, NGOs often have access to and can partner with civil society organizations, human rights organizations, as well as other local and national NGOs. These ties, in addition to relationships with governmental and intergovernmental officials and structures, can increase NGOs’ potential to implement positive protective functions.

It is important to note, however, that the presence of NGOs may also have a mixed or negative influence on safety and dignity in the communities in which they work. Whether they are intentional or unintentional, the possible negative consequences of NGO presence and activities must be considered and addressed, with appropriate ‘checks’ puts in place. More information on these considerations is available in Chapter 5, along with tools designed to help mitigate against the threats that can be posed by the presence of NGOs.

I. Approaches to protection

Typically, NGOs conceptualize their protection activities through one of two approaches: the rights-based or the community-based approach. While these approaches are not mutually exclusive and can fit together nicely, they do have different stating points. The rights-based approach uses the lens of international law and human rights, while the community-based approach uses the lens of local capacities and resources. It is important to note that either approach to protection has its strengths and weaknesses, which should inform which protections actions and methodologies are chosen in a particular situation.

Rights-based approach
The rights-based approach is based on the international human rights system, including the relevant conventions and declarations described in Chapter 2. This approach identifies specific rights-holders, namely women, girls, boys and men of concern, as well as duty-bearers, namely the states and agents of the state. It seeks to enhance the capacities of rights-holders to claim their rights and of duty-bearers to comply with their obligations. Essentially, the rights-based approach sees persons of concern not as beneficiaries of aid, but as rights-holders with legal entitlements.

Working through this approach requires familiarity with the rights to which people are entitled under international, national and local laws. It requires an understanding of human rights, what constitutes violations of these rights, and the tools that can be used to realize rights and redress infringement of them.
NGOs who use this approach can serve several functions. For example, they can act as third-party witnesses to the violation of rights and play a part in reporting on violations. They can use their local relationships to play an advocacy role locally or nationally towards the fulfillment of human rights. They can utilize high-level relationships to assert political influence at the national or international levels to ensure rights are respected.

**Community-based approach**
While the international structures described in Chapter 2 are based on international law, and mandate duty-bearers for the protection of civilians, protection work may need to be accomplished outside of these structures. Communities, families, and individuals are constantly adapting to protection threats and utilizing traditional or new methods to prevent and respond to these threats. The community-based approach focuses on working in partnership with local communities to help develop or support already-existing local resilience, capacities, skills, and resources. It seeks to identify the community’s protection needs and works towards solutions according to those goals.

Community-based protection works to “support and assist the most vulnerable, increasing their safety with dignity by developing local prevention and response strategies and organizing their resources to reduce exposure to harm.” Community-based protection activities may take the form of resistance, vigilance against crime, empowering livelihood activities, promoting economic cooperation across conflict lines, defending the use of traditional medicines, resisting compliance with potentially abusive authorities, or organizing the avoidance of threats (such as through association with powerful patrons). Communities may also develop collaborative approaches to protection problems in conjunction with NGOs, UN agencies, ICRC, local institutions and/or local authorities. Community-based protection activities vary widely and are based on context-specific information and skills.

The community-based approach works to prevent and resolve protection risks at the community level. It encourages support structures and cultural patterns that reinforce the dignity and safety of communities, and the re-establishment of those structures where they have been destroyed or damaged due to displacement, civil strife, or other factors. NGOs that use this approach need to invest time, develop local understandings, and think carefully about the political context, community, cultural, and ethnic dynamics, and local gender roles. They need to see themselves as facilitators and understand their limitations in capacity and resources, the temporary nature of their presence, and the long term sustainability and impact of their interventions.

NGOs should be careful to not ignore or weaken these mechanisms that the community utilizes to protect itself from threats. For example, an NGO may create a “women’s protection committee” to monitor protection threats in a community, while unaware or dismissive of the role of traditional female elders in overseeing the safety of the community. This new committee could weaken the authority of the traditional system, and once the NGO initiative ends and the committee no longer meets, the community will have lost both the new protection committee and the traditional system.

**II. NGO protection activity types**

The type of activities undertaken by NGOs under the rubric of protection is broad. The Humanitarian Exchange Magazine provides a helpful summary of NGO protection activities:

*First, by their very presence NGOs support protection. Humanitarian presence, by witnessing abuse, can contribute to deterring it. This can, however, create dilemmas about what to do with...*
this information. If a humanitarian NGO remains silent about the human rights abuse that it has seen, it fails to deter violations, and may even be construed as legitimising these actions. On the other hand, publicly releasing information on abuses could lead to expulsion from a country, thereby depriving civilians of the NGO’s assistance altogether.

Second, a relief NGO can provide protection through education and training. The availability of primary and secondary education tends to reduce the number of children conscripted into the military, for example. When women are trained in income-generation skills and are able to reduce their dependence on relief, they also reduce their vulnerability to abuse. They have less need to trade sex for food or other assistance, and they can better protect themselves and their children from other abuses.

Third, NGOs can encourage self-protection by mobilising vulnerable groups. A community that is educated about its rights and endowed with a sense of entitlement can organise its members for mutual protection. This can prove an even more effective deterrent than the presence of outside NGOs.

Finally, a wide range of NGOs can partake in direct primary protection activities. For example, to better protect unaccompanied and separated children from physical abuse, NGOs can help identify family members, reuniting children with relatives or developing networks of foster families. Human rights training can help reduce attacks and other abuses by the local police. Having advance teams scout out and secure areas before displaced people return helps ensure safe repatriation.53

Beyond these four types of activities, NGOs play an important protection function in the way they carry out their humanitarian and development projects. Adhering to international humanitarian standards, as summarized in Chapter 1, ensures that relief and development activities do not cause additional harm or pose additional threats to those facing protection risks.

Coordination with other agencies and actors on protection issues is an important role that NGOs play, as no single actor has all of the requisite expertise or capacity to address protection threats. Chapter 3, Section IV provides more details on the coordination of protection activities.

Finally, advocacy that seeks to address protection issues is an important role that NGOs can play. Chapter 6 goes into detail on the thinking behind protection-related advocacy and the variety of approaches that NGOs can use.

III. NGO protection sub-sectors

After understanding the NGO protection activities by type of intervention, it is also useful to note the sub-sectors of protection activities. Many of these sub-sectors relate to the vulnerable groups described in Chapter 1, Section IV, and the protection concerns and activities specific to them.

Age, Gender, and Diversity (AGD)
The AGD approach, a UNHCR initiative, emphasizes the importance of analyzing actual and perceived characteristics of individuals and communities to better understand their protection risks and capacities. AGD highlights the importance of recognizing, understanding, and valuing people’s differences, such as age, gender, and diverse personal characteristics, such as values, attitudes, cultural perspectives, beliefs, ethnic background, nationality, sexual orientation, gender identity, ability, health, and social status. By
analyzing AGD dimensions, NGOs and other actors can more effectively address protection risks and support individuals’ and communities’ own protection capacities. The AGD lens promotes equal opportunities for people with different needs and abilities and ensures the inclusion of direct, measurable actions to combat inequality and discrimination.\textsuperscript{54}

**Child Protection**

UNICEF defines *child protection* as “preventing and responding to violence, exploitation and abuse against children.”\textsuperscript{55} Violence, exploitation and abuse against children are often carried out by someone the child knows, such as parents, other family members, caretakers, teachers, employers, law enforcement authorities, state and non-state actors and other children. Child protection activities can take a variety of forms and may focus on issues such as armed violence, lack of birth registration, child labor, child marriage, child recruitment by armed forces or armed groups, child trafficking, commercial sexual exploitation of children, children without parental care, children with disabilities, family separation in emergencies, female genital cutting, gender based violence in emergencies, children in conflict with the law, children affected by HIV/AIDS, landmines and explosive weapons, impairments to psychosocial stability and well-being, and sexual violence against children. UNICEF plays a leadership role in child protection activities, as well as international NGOs such as Save the Children. CWS, similarly, is actively involved in child protection in Latin America, Africa, and Asia.

**Gender-based Violence (GBV)**

*Gender-based violence* refers to “any harmful act that is perpetrated against a person’s will, and that is based on socially-ascribed (gender) differences between males and females. The term SGBV (sexual and gender-based violence) is also used to define these acts of violence.”\textsuperscript{56} Forms of GBV vary across cultures and may include sexual exploitation and abuse, domestic violence, forced/early marriage, honor killings, dowry/bride price abuse, deprivation of inheritance or property, and differential access to food and services. Although GBV is generally targeted toward women and girls, boys and men may also be victims of GBV (e.g., sexual violence, forced conscription, and sex-selective massacre). GBV perpetrators may include family members, police, armed forces, or others in positions of (relative) power. Protection activities focused on preventing and responding to GBV include placing water points and gender-separated latrines at easily accessible and lighted locations; establishing a coordinated, confidential, and appropriate referral and reporting mechanism for survivors of GBV; training local service providers on GBV survivors’ unique needs; providing health, psychosocial, legal and material support to GBV survivors; training and mobilizing men’s groups for gender equality and the prevention of GBV; and facilitating community discussions that address harmful norms of gender discrimination and behaviors that lead to and perpetuate GBV.\textsuperscript{57} Protection activities focused on GBV issues must be particularly mindful to not further stigmatize GBV survivors. While UNFPA and UN Women are the lead UN agencies that address GBV issues, prevention and response to GBV is undertaken by numerous humanitarian and development NGOs, as well as other UN agencies such as UNICEF, UNHCR, and UNDP.

**Forced Migrants**

Although several categories of forced migrants exist, as detailed below, many of them face similar protection risks, as do other migrants that may not fit into these categories. These risks may include: “armed attack and abuse while fleeing in search of safety; family separation, including an increase in the number of separated and unaccompanied children; heightened risk of sexual and gender-based violence, particularly affecting women and children; arbitrary deprivation of land, homes and other property; and displacement into inhospitable environments, where they suffer stigmas, marginalization, discrimination or harassment.”\textsuperscript{58} Protection activities with forced migrants often promote or provide legal and physical protection and minimize the threat of violence, including sexual assault. Protection of forced migrants also includes provision of shelter, food, water and medical care in the aftermath of
displacement, while taking into account the specific needs of women, children, the elderly and the disabled. Protection activities also often include facilitating the issuance of documentation that is recognized by the host country government (for those who have crossed international borders) or re-issuance of documents that were lost during displacement (for those who are internally displaced). In the longer term, protection activities with forced migrants may include helping individuals find durable solutions to their displacement, including voluntary return to their country/area of origin, integration into their place of refuge, or (for refugees and asylum seekers, in particular) resettlement to another country. Protection work with forced migrants may take place in camps, cities, towns, along border areas, or other areas to which displaced people migrate. UNHCR, along with local and international NGOs, are the primary protection actors focused on forced migrants.

**Refugees**

Refugee protection focuses on individuals who have fled their country of origin due to persecution (as defined by the 1951 Refugee Convention, described in Chapter 2) or due to violence or war (particularly in Africa and Latin America, where the OAU Refugee Convention and the Cartagena Declaration, described in Chapter 2, broaden the legal definition of refugee). Refugee protection falls under the purview of the international community because refugees, by definition, have crossed an international border, and are therefore no longer under the protection of the state in which they are citizens. Negotiating with host country governments so that refugees are not forced to return to their country of origin may be necessary to help ensure refugee protection. Working with host country government authorities on refugee protection issues is also particularly important when refugees are living outside of camps, such as refugees living in urban contexts. Other protection activities may include providing resettlement as a durable solution to displacement or establishing a community policing initiative in a refugee camp.

**Internally Displaced People (IDPs)**

IDPs often have similar experiences of displacement as refugees due to persecution and/or violence, but they have not crossed an international border. IDPs may eventually become refugees if they cross an international border, and IDPs may include refugees who have returned to their country of origin but are unable to return to their homes. IDP protection is the responsibility of national authorities; however, the international community may take on protection responsibility in situations in which the state is unwilling or unable to adequately protect from, or is the perpetrator of, protection violations. Due to gaps in the international legal framework and issues of state sovereignty, IDP protection is often very complicated to address due to political sensitivities, as are most migration-related issues.
Development-Induced Migrants
A wide range of development projects can cause displacement – construction related to water supply (dams, reservoirs, irrigation), urban infrastructure, transportation (roads, highways, canals), energy (mining, power plants, oil exploration and extraction, pipelines), agricultural expansion, parks and forest reserves, and population redistribution schemes.69 Development-induced displacement typically affects socially, economically, and/or politically marginalized populations. The consequences of development-induced displacement largely depend on how the related relocation plans are conceived, negotiated, and carried out.60 Although displacement by development projects forcibly evicts people from their land and disrupts their lives and livelihoods, development-induced migrants often receive less attention from the international community than other types of forced migrants.61 It is important to note that development-induced displacement may be a result of internationally-funded development projects, such as large infrastructure projects financed by the World Bank, governments, and even NGOs. Many of these agencies have impact assessment frameworks to mitigate involuntary displacement for the sake of development.

Environmentally Displaced People
Environmental displacement includes individuals and communities displaced by environmental disasters and climate change. Protection risks for environmentally displaced people depend on the situation of displacement – extreme hazards (e.g., earthquakes), slow-onset events (e.g., icecap melting or soil erosion), or permanent loss of territory (e.g., “disappearing” islands with the rise of ocean waters).62 Although protection after environmental disasters is a fairly well developed field63, much less has been done in the field of slow-onset environmental displacement. The Guiding Principles on Internal Displacement specifically refer to environmental displacement; however, these principles do not address cross-border displacement.

Survival Migrants
Survival migrants may be defined as, “people who are outside of their country of origin because of an existential threat to which they have no access to a domestic remedy but who fall outside the dominant legal interpretation of refugees.”64 The concept of survival migration has been adopted by some NGOs as a way to characterize the complex interaction of state fragility, livelihoods, and environment, compelling people to cross international borders in search of basic human rights or livelihoods.65 For example, the thousands of Zimbabweans who fled to South Africa due to chronic food shortages, economic recession and hyper-inflation have been seen as survival migrants. Because survival migrants are not legally recognized as refugees and may be considered ‘economic

Refugee Protection Space
According to UNHCR, refugee protection space “expands and contracts periodically according to changes in the political, economic, social and security environments.” It can be determined by the extent to which refugees:

- are threatened (or not) by refoulement, eviction, arbitrary detention, deportation, harassment or extortion by the security services and other actors;
- enjoy freedom of movement and association and expression, and protection of their family unity;
- have access to livelihoods and the labour market and are protected from exploitative treatment by employers, landlords and traders;
- enjoy adequate shelter and living conditions;
- are able to gain legal and secure residency rights and are provided with documentation;
- have access to public and private services such as healthcare and education;
- enjoy harmonious relationships with the host population, other refugees and migrant communities; and,
- are able to benefit from the solutions of voluntary repatriation, local integration and resettlement.

migrants’ or ‘illegal immigrants,’ international actors and NGOs may face more challenges in advocating and achieving protection outcomes for this population.

**Elderly**

Protection issues related to older people can take a variety of forms including physical, psychological or emotional, sexual and financial abuse. Protection threats may also arise due to intentional or unintentional neglect. Laws and customs may also create protection threats for the elderly, particularly women who may be subject to discriminatory inheritance and property laws. Approaches to identify and address elderly protection issues need to be placed within specific cultural contexts. For example, in some societies, older widows are subjected to forced marriages. Older women may also face accusations of witchcraft in some societies. Elderly protection activities may include such things as facilitating government issuance of identity documents for older people; conducting information campaigns to inform older people of their legal rights and social benefits to which they are entitled (e.g., health care, old age allowances, assistance for educating grandchildren under their care, etc.); offering age-appropriate work opportunities or financial support for those who cannot work; and training healthcare workers in older people’s healthcare issues and in how to identify and address elder abuse. In humanitarian contexts, specific provisions need to be made to ensure that older people have access to assistance. For example, aid distributions can be made more accessible by providing seats for those who cannot stand for long periods of time; food aid should be easily chewed and digested by older people; aid packaging should be designed so that it can be easily carried and opened; and provisions made for those who cannot travel long distances to reach displaced persons camps. The two organizations that have taken the lead on addressing protection issues related to older people are the World Health Organization (WHO) and HelpAge International, an international NGO.

**People with Disabilities**

People with disabilities (both physical and mental) are often faced with numerous protection threats. For example, people may be denied equal access to health care, employment, education, or political participation because of their disability. They may be subjected to violence, abuse, prejudice, or disrespect because of their disability. People with disabilities may also be denied autonomy, subjected to involuntary sterilization, confined in institutions against their will, or regarded as legally incompetent because of their disability. Protection activities focused on people with disabilities are diverse and may include increasing access to private latrine and bathing areas to help prevent abuse; providing training and awareness-raising programs to people with disabilities on their rights; conducting information campaigns in communities about the rights of people with disabilities to promote understanding and respect for people with disabilities; providing transport/assistance so that people with disabilities can attend support groups and community meetings; addressing protection threats faced by women with mental disabilities or learning difficulties, who may be at greater risk of sexual violence and abuse; addressing protection threats faced by mothers of children with disabilities, who may face abandonment, domestic violence and abuse, discrimination and stigmatization; and promoting the inclusion of children and young people with disabilities in children’s and youth groups in the community. People with disabilities are particularly vulnerable in situations of displacement, as typical adaption patterns are disrupted upon displacement. In these situations, people with disabilities must relearn adaptive techniques in new – and often harsher – living conditions, surrounded by new neighbors and communities. The Secretariat for the Convention on the Rights of Persons with Disabilities (SCRPD) in the Department of Economic and Social Affairs (DESA) at the United Nations Secretariat is the focal point for disability issues within the UN system. Handicap International is the leading international NGO working specifically on protection issues related to people with disabilities.
**Minority Groups**

Minority groups, such as ethnic or religious minorities and indigenous peoples, often face an array of protection threats. Protection threats related to minority groups vary widely depending on the context. They may face barriers in education, employment, political participation, and the justice system. They may have difficulties receiving birth and marriage certificates or documentation of land rights. They may also be subject to violence and abuse perpetrated by authorities, community members, or family members. Protection activities focused on minority groups may include providing training and awareness-raising programs to minority groups on their rights; conducting information campaigns in communities about the rights of minority groups to promote understanding and respect; working with local authorities to increase access of minority groups to documentation (identity cards, marriage certificates, land rights, etc.); and counteracting hate speech and negative stereotypes in the media, in schools, and in public education curricula. The main protection actors vary depending on the minority group in question.

**Stateless People**

Stateless people also constitute a minority demographic. Statelessness is the condition of having no recognition of citizenship or its equivalent by any sovereign nation. Stateless people are thereby barred from critical services and institutions typically accessed through citizenship and nationality, such as the legal workforce, healthcare, and education. Stateless people are oftentimes stigmatized by various countries for ethnic, religious, and political reasons. Phenomena generating statelessness include the implosion or splintering of a government, succession, or conflicting domestic and international laws. Children are in especial danger of statelessness. An example of a related protection activity would be advocacy for the adoption of legislation, with family reunification clauses, for stateless children.

**People Identified as LGBTI**

Lesbian, gay, bisexual, transgender, and intersex (LGBTI) refugees are a minority group fleeing persecution due to their sexual or gender identification. They are oftentimes in danger of violent acts not only in their home country, but also in countries of asylum and in resettlement countries, by citizens, other refugees, and government forces. Special protection mechanisms for LGBTI refugees may include housing exclusively for LGBTI refugees, with the potential to be relocated quickly and easily if necessary.

**Natural Disasters**

Numerous protection challenges can arise after a natural disaster, including threats to physical security; access to water, sanitation, food, and shelter; discrimination in access to assistance (women, ethnic minorities, older persons, disabled, etc.); exploitation of women and children when displacement becomes protracted or when early recovery has failed or not been implemented; lack of access to personal identification documents; and restrictions on freedom of movement and right to choose one’s place of residence (forced relocation). Protection activities after natural disasters are often similar to those provided to refugees and IDPs in the immediate aftermath of their displacement. Protection activities after disasters often work with national and local authorities of the affected country, as they hold primary responsibility to protect and assist those affected by the disaster. While UNHCR leads protection efforts after some disasters, there is no international organization with a mandate for protection and assistance after natural disasters.

**Protection in Non-Emergency Contexts**

While threats of violence, coercion and deliberate deprivation may be particularly acute or prevalent in the conflict or disaster contexts, risks to people’s dignity and safety also exist in non-emergency settings, in settings where development initiatives are underway. Threats in these development settings can in fact be more difficult to address, as they are not the result of a sudden change in society, but are part of
“normal life.” These include the non-fulfillment of human rights, summarized in Chapter 2. Many of the tools discussed in this manual, such as reflecting on Do No Harm principles or developing mechanisms to report abuse and violations within project activities, are as relevant to CWS programs and partners in non-emergency settings as they are in disaster or conflict settings.

Protection in development settings is often framed in terms of “social protection,” i.e., actions by the state or other actors (including NGOs) to address risk, vulnerability and chronic poverty. Social protection programs generally take the form of social assistance (e.g., cash transfers, public works programs, and in-kind transfers such as food, utility subsidies, health fee waivers), social insurance (e.g., health insurance, unemployment insurance), labor market interventions (e.g., skills development training, minimum wage legislation), and community-based social protection (e.g., strengthening social safety nets and coping strategies at the community level). In line with humanitarian protection initiatives, social protection focuses on vulnerable populations and emphasizes protection as a basic right, government responsibility, and community capacity.  

IV. Coordinating NGO protection activities

Protection activities present a special need for concerted coordination efforts. As ActionAid points out, “Protection relies on effective coordination by developing multi-levelled, multipronged approaches to protection problems. This enables actors with different priorities and approaches to work in complementary and diverse ways and at different levels.”  

In many high-profile contexts, particularly disasters and ongoing complex crises, protection activities are coordinated through the “cluster system.” The cluster system was established in 2005 in order to coordinate humanitarian activities, including protection activities. It is only applied in countries in which the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) appoints a Humanitarian Coordinator, which are those with “humanitarian crises which are beyond the scope of any one agency’s mandate and where the needs are of sufficient scale and complexity to justify a multi-sectoral response with the engagement of a wide range of humanitarian actors.” The cluster system is designed to ensure humanitarian response is effective, predictable, and accountable, where the leading agencies serve as “providers of last resort.” This means that they agree to “do their utmost to ensure an adequate and appropriate response.”  

At the global level, the Protection Cluster, led by UNHCR, is tasked to, “Lead standard- and policy setting relating to protection, support the development of strengthened protection capacity, and provide operational advice and support when requested by protection working groups at the country level. It also has a role in ensuring that protection is mainstreamed and integrated in other clusters and sectors.”  

At the field level, the cluster system seeks to improve the coordination among parties and thereby the response capacity of the humanitarian community. Each field level cluster is coordinated by the lead agency as agreed by the Humanitarian Coordinator (HC), who is appointed by the head of OCHA (also known as the Under-Secretary-General and Emergency Relief Coordinator) and the Country Team.  

Field-level Protection Clusters, typically led by UNHCR, can also include focal points for specific Areas of Responsibility (AoRs), which are led by agencies with the specific expertise. For example, the Child Protection AoR is typically led by UNICEF; the Gender-Based Violence AoR is typically led by either UNFPA or UNICEF; the Land, Housing and Property AoR is typically led by UN-HABITAT; the Mine Action AoR is typically led by UNMAS; and the Rule of Law and Justice AoR is typically led by UNDP or OHCHR.
NGOs can serve as co-leads in the field for the cluster or specific AoRs, and significant responsibility falls on them for the implementation of activities within the cluster.

To date, humanitarian response in refugee camps has not come under the cluster system, but has instead fallen under UNHCR’s responsibility due to its refugee mandate. The question of Protection Cluster leadership in natural disaster contexts has not been resolved, with UNHCR and OHCHR playing the role in different contexts.

In locations where the cluster system is not present, coordination around protection issues may take a very different form. In many places, local or national coalitions exist that seek to coordinate and/or advocate around protection-related issues. Because so much variation exists between these structures, this approach requires taking a close look at the structures that exist or could be created in each particular context, determining which are useful, and making location-specific decisions about which to engage.

CHAPTER 3: Summary of Key Points

→ The rights-based approach to humanitarian protection is based on the international human rights system, identifying specific rights-holders and duty-bearers, and seeking to enhance the capacities of rights-holders to claim their rights and of duty-bearers to comply with their obligations. The community-based approach focuses on working in partnership with local communities to support or develop local resilience, capacities, skills and resources. It seeks to identify community protection goals and works towards solutions according to those goals.

→ The range of activities NGOs can undertake for the purposes of protection include: humanitarian presence, education and training, self-protection by empowering vulnerable groups, direct primary protection, adhering to international humanitarian standards, coordination, and advocacy.

→ Within NGO protection activities, special emphasis is placed on the following groups: children, victims of gender-based violence, forced migrants, people with disabilities, minority groups, victims of natural disaster, minorities, and others needing social protection.

→ Protection activities require effective coordination, bringing together actors with different priorities to work through complementary yet diverse approaches.

→ Under the cluster system, UNHCR is responsible for coordinating the protection cluster, including NGOs. Sub-groups within the cluster system, referred to as while Areas of Responsibility, are often led by other agencies.
CHAPTER 4
Applying Protection in Programming

After understanding what protection means, the international protection structures, and the role of NGOs in protection, we can move to practical guidance in the implementation of protection activities. In doing so, one more distinction is needed regarding protection programming: stand alone protection projects versus other relief and development projects in which protection is mainstreamed.

Stand-alone protection activities are those that are specifically designed to address risks to safety and dignity, with primarily protection-related goals. Stand-alone protection projects usually relate to human rights, physical protection, assistance for vulnerable groups, or information and advocacy. For specific examples of stand-alone protection activities, see Annex 2.

Stand-alone protection activities should be complementary to those taken by other organizations, and should at no time impede the responsibility of mandated protection actors, emphasizing state protection responsibilities.

Rather than create protection-specific programs, CWS typically approaches protection programming through protection mainstreaming. Protection mainstreaming refers to integrating a protection lens throughout programs of other sectors. Mainstreaming ensures that relief and development programs do not have negative impacts on people's safety and dignity, address the needs of the most vulnerable, and contribute to the reduction of risks faced by beneficiary populations.

The first step in protection mainstreaming is implementing all programs according to international humanitarian standards, as described in Chapter 1, Section V.

I. Minimum standards for protection mainstreaming

In 2008, the Australian offices of four INGOs – Caritas, CARE, Oxfam and World Vision – came together to create a set of Minimum Agency Standards for Incorporating Protection into Humanitarian Response. The document includes minimum standards for incorporating protection into all humanitarian response programs. CWS offices and partners are committed to meet these protection standards.

Standard 1: Respect for individuals’ and communities’ safety and dignity is prioritized at all stages of humanitarian and development work.

Upholding this standard requires proactively considering the protection needs of beneficiaries throughout the project cycle, including during the analysis and assessment phase, the prioritization and objective setting phase, the design phase, the implementation phase, and the monitoring and evaluation phase. Chapter 4, Section II explains in detail the necessary considerations during each project phase.

Standard 2: Humanitarian and development programs and related protection activities do not undermine and instead seek to support the will and capacity of the state – as the primary actor responsible for civilians’ protection – to protect its population.
As the state is responsible to provide protection, programming at a minimum should not undermine state capacity, but seek to support and encourage it. Non-state actors should only substitute for the authorities when they have determined that the authorities do not have the needed capacity and/or willingness to assume their protection responsibilities and that their substitution is in the best interest of the populations at risk.  

**Standard 3: Humanitarian assistance and protection are provided equitably and impartially, based on the vulnerability and needs of individuals and groups affected by natural and human-made disasters, conflict or chronic hunger and poverty.**

In protection work, “priority [should be] given to protecting life and health, alleviating suffering, and ensuring respect for the rights, dignity and mental and physical integrity of all individuals in situations of risk.” The targeting criteria of such should be clearly defined and widely disseminated, with clear justification. Steps should be taken to ensure that programs do not discriminate against or overlook any particularly vulnerable group. Coordination with and referrals to other assistance providers and protection actors are needed.

**Standard 4: Whenever possible without increasing risk to individuals and communities, affected populations are intentionally engaged as informed and active partners in identifying and responding to protection concerns.**

The participatory approach, emphasized here, builds on existing capacities whenever possible. Programming that understands affected populations are partners has an increased chance of sustainability. Information about programs and processes, and related rights and responsibilities, should be shared in linguistically and culturally appropriate forms, increasing access to protection-related information for all affected social, economic, ethnic, religious and language groups.

**II. Applying a protection lens to the program cycle**

This section provides guidance for applying the protection lens across the four main stages of a simplified program cycle: analysis and assessment; prioritizing and setting objectives; designing and implementing activities, and monitoring and evaluation. The steps and tools included are process-oriented so that they can be applied in a variety of contexts and scenarios.

**Step One: Information, Assessment, and Analysis**

1. **Conduct an internal organization review**
   In considering new protection initiatives, it is important for NGOs to conduct internal discussions about the organization’s expertise, capacity, and resources, as well as the expertise, capacity, and resources of local partners in relation to protection issues. By discussing the protection context and organizational capabilities in a confidential space, NGOs can clarify and focus their approach and possible contributions. Including local partners in these discussions can also help staff to learn more
about potential areas of partnership, lessons learned, and gaps or duplication of protection programming. Case study: The importance of addressing root causes

2. **Gather already-existing information** (see *Identifying Threats Tool*, Chapter 5, Section VII)
   At the start of an assessment and throughout the program cycle, collect information from newspaper articles, radio interviews, reports and updates from government, United Nations and NGO sources, and program staff. Gain and maintain a working understanding of what programs government, NGO and INGO actors are implementing and what services are offered where and for whom. Gathering information related to vulnerability, capacity (including local support mechanisms), threats, rights, responsibilities, power dynamics, root causes, and consequences helps develop an understanding of the protection context. This information can include social, political, historical and cultural factors that surround the protection concern. In many cases, it is important to research which human rights, refugee, international humanitarian laws have been adopted or violated, as well as the national laws relevant to the activities and beneficiary populations.

3. **Directly consult affected populations** (see *Risk Assessment*, Chapter 5, Section V)
   When determining whether and how to go about consultation with affected communities during the assessment phase, a risk assessment should be completed to consider the consequences of such a consultation. If direct consultations are appropriate, ensure that a representative sample of men and women, boys and girls, parents, elderly, people with disabilities, religious and ethnic groups, LGBTI individuals, and members of particularly vulnerable groups are included.

Consultations should gather information related to vulnerability, protective capacity (including local support mechanisms), protection threats, rights, responsibilities, power dynamics, root causes, and consequences. This information should include the threats and protective capacity of families, social networks, the community, state actors, non-state actors and international actors. Participatory approaches are important to use during consultations, as they “provide a way for communities to discuss, identify, and analyze problems, reasons for vulnerability, and the causes underlying them.” Focus groups and individual interviews can help to involve different groups within a community, whose perspectives can then be compared. Because of its sensitivity, additional guidance on community consultations can be found in Chapter 5, Section VI.

4. **Analyze protection threats** (see *Protection Assessment Tool*, Chapter 5, Section VII)
   Consolidating the information that has been gathered from already existing information and community consultations will help to check for gaps, inconsistencies, and emerging themes. Drawing together the analyses is important before moving on to prioritization and objective
setting. Use caution before sharing the final analysis, as it could present risks to community members.  

5. **Identify and analyze protection strategies** (see Chapter 5, Sections I, II, III, and IV)  
Explore the protection strategies that people are currently using, who is using these strategies (and who is not), what resources they are drawing upon to implement these strategies, and which actors are involved in these strategies (family, NGOs, local authorities, etc.). The existing strategies should then be analyzed with communities to identify the strengths and weaknesses of the strategies and ways in which the strategies could be improved to reduce protection threats. After existing strategies have been identified and analyzed, work closely with communities to identify how protection strategies can be enhanced. This could include support to or adaptation of existing strategies and/or new prevention and response strategies to protection problems.  
Consider how to improve access of vulnerable groups to existing resources and services, including intangible resources, such as access to information and access to rule of law.  

**Step Two: Prioritizing and Setting Objectives**  
Once protection threats are identified and assessed, it is time to determine priorities for action. These will be based on the severity of the consequences of the threats identified, the expertise and mandate of the agency and local partners, and the ability to reduce risk given limited resources and staff time. This phase should finalize which protection threats will be addressed, as well as the objectives and desired outcomes that will be included in program design. It is important to note, however, that conducting community consultations such as this can create additional vulnerabilities, and a risk assessment should be conducted and particular sensitivities addressed before moving directly to the community. More information is available in Chapter 5, Section V.  

Direct consultation with the community is essential during this process, allowing those directly affected by the threat to rank their most pressing needs. Focus groups, for example, could be asked to rank priorities, analyze their vulnerabilities, and the severity of the consequences of various threats. Communities should be encouraged to consider protection problems at all levels of society in their prioritization, including those within families and at the local level. However these issues may not be perceived or “openly acknowledged as being important to safety and dignity.”  
Community ranking of protection issues can vary greatly across different groups within the population. For example, young men and boys might identify the greatest threat they face as that of forced recruitment by a local non-state armed group. Young women and girls might say they face the threat of sexual attack not only by the members of the armed group, but also by older male members of their immediate families, and land owners might say that their livestock is stolen by the armed group to feed their ranks. During these consultations, it is important to avoid prescribing action and to allow impacted populations to self-identify goals and actions. It is also important to be very clear in explaining the organization’s limitations and to “clarify your mission, approach, capacity, and funding” to help ensure that unrealistic expectations of the organization are not formed.  

If there are protection issues identified that an agency determines it is not qualified or well-positioned to address, those should be referred to other agencies or mandated protection actors who are better positioned to address them. Doing so ensures that no vulnerable populations are overlooked, and that response to protection issues is coordinated among agencies. Coordination with other protection actors such as government agencies, other NGOs, and community-based organizations should also strive to
avoid duplication of existing programs and services, focusing instead on prioritizing complementary protection activities.

**Step Three: Designing and Implementing Activities**

*Adapting Existing Programs*

If the objectives set in step two of the project cycle are conducive with existing programming, the NGO may choose to adapt existing programs to improve protection outcomes. For example, the NGO may change the type of assistance provided, change program timing, beneficiaries (including profile, number, and selection), location, or scope. See Chapter 5, Section X for a checklist designed to ensure that all program design is in accordance with the necessary protection considerations.

*Note:* Protection considerations may also require that existing programming be suspended or ended due to protection concerns. NGO staff should be open to receiving such feedback and work with communities to identify how programs can be adapted or modified to better serve beneficiaries’ protection needs. For example, the location of a latrine may need to be changed, the timing of a food distribution adjusted, or the list of beneficiaries kept confidential.

*Designing New Activities*

A range of tools are available to help design protection activities, explained in detail in Chapter 5. These tools include ICRC’s *Egg Framework*, which helps conceptualize the types of responses that address protection threats. The *Risk Equation* identifies the four aspects of risk and their relationship to each other, showing that protection activities should seek to decrease or increase one of those four aspects. Finally, the *Types and Targets of Protection Action* model explains the possible activity types, in relationship to the set objectives and targets.

When designing new protection activities, protection indicators should be used during the assessment phase. Recommended assessment indicators are available in Annex 1. The *Checklist for Project Design: Protection Considerations*, available in Chapter 5, Section X, is also useful for ensuring the project design is according to protection considerations.

*Risk Assessment*

All activities should be analyzed for unintended negative consequences for protection. Any time that an activity is identified as having potential to reduce a given protection threat, a *Risk Assessment* should be done on that activity to determine the other associated risks for staff and intended beneficiaries, to weigh the consequences of action or inaction, and to judge their relative severity. Risks may be external (e.g., armed conflict), internal (e.g., fraud), or a result of the program (e.g., increasing the risk of rape by increasing beneficiaries’ travel in the dark). New risk assessments should be conducted when significant changes occur in the security or political situation or when a disaster occurs. See Chapter 5, Section V for more information on conducting a risk assessment.

**Step Four: Monitoring and Evaluation**

Ongoing assessments are employed to identify and respond to protection threats as they may arise, and to evaluate the effectiveness of programs in reducing risk – or at least not increasing it. This is accomplished through people-centered monitoring, which can be carried out through many of the same participatory analysis tools discussed in step one of the program cycle. Ongoing monitoring and evaluation that involve community members and partners will help to adapt a program to better meet
beneficiaries’ needs and involve communities to address challenges as they occur. Furthermore, unintended consequences of a program may not be apparent until after implementation begins.\textsuperscript{101}

Meanwhile, program effectiveness should be evaluated according to sets of indicators built into the program design. These can include both quantitative and qualitative indicators, as well as process and impact indicators. Process indicators measure actions completed (e.g. number of books provided to students) while impact indicators measure the result of actions (e.g. number of students who attend school or parents who change their attitude about girls attending school). Protection-related indicators may focus on some or all of the following issues:

- \textit{Built capacity of local NGOs and CBOs in participatory tools and community-based protection;}
- \textit{Developed and coached community leaders from different groups;}
- \textit{Contributed to safety and dignity demonstrated by attitudinal and behavioral changes;}
- \textit{Increased awareness of rights and responsibilities;}
- \textit{Increased capacity and accountability of local authorities;}
- \textit{Achieved the above without causing risk and harm.}\textsuperscript{102}

### Case Study: Monitoring Protection Concerns

A livelihood project aimed to improve the cash flow and nutrition of IDPs by establishing vegetable gardens. The project was run in partnership between a local and international NGO.

The site of the garden was chosen because of its proximity to the local river, allowing excellent irrigation in a drought-affected area.

A community process selected villagers with the least financial and social resources. Six families worked individual plots within the garden and grew enough vegetables and fruits to meet the nutritional needs of their families, sell to other villagers and at the local market.

\textit{Follow up and review found that…}.

The project was meeting its livelihoods and health objectives. However, protection considerations had not been factored into the assessment, planning or implementation of the project.

Several problems were identified:

- The site had previously been disused land. The local NGO had not organized the legal permit. The families were using the land illegally and could be evicted at any time.
- The garden was a 1 hour walk from the village through unused land. The isolation caused the women concern, as they were alone during the day. Their children walked alone to the garden after school. Some women were married and their husbands would return at night.
- The villagers were not certain that landmines were not present in the area.
- The army and another armed group would regularly pass by on patrols and gunfights had occurred several times in the close vicinity.
- Families’ greatest fear was elephants, which would come to the river to drink. The families had built ladders and platforms in the trees but were scared of elephant attacks.


Again, participatory processes are useful to gauge program impact and effectiveness. A range of monitoring and evaluation techniques should be employed to help increase access to people most at-risk of protection threats. Techniques to consider include: a confidential complaints box or desk (for illiterate
populations) for program feedback and to inform staff about protection problems occurring within the community, community meetings, individual interviews (particularly with those who cannot attend events such as older people or those who are sick), and focus groups.  

CHAPTER 4: Summary of Key Points

→ Stand-alone protection activities are those that are specifically designed to address risks to safety and dignity, with primarily protection-related goals. Stand-alone protection projects usually relate to human rights, physical protection, assistance for vulnerable groups, or information and advocacy.

→ Protection mainstreaming refers to integrating a protection lens throughout programs of other sectors, ensuring that relief and development programs do not have negative impacts on people’s safety and dignity, that they address the needs of the most vulnerable, and that NGOs identify and seek to reduce risks faced by beneficiary populations, particularly those due to project activities.

→ CWS is committed to the following protection standards for protection mainstreaming:

  **Standard 1:** Respect for individuals’ and communities’ safety and dignity is prioritized at all stages of humanitarian and development work.

  **Standard 2:** Humanitarian and development programs and related protection activities do not undermine and instead seek to support the will and capacity of the state – as the primary actor responsible for civilians’ protection – to protect its population.

  **Standard 3:** Humanitarian assistance and protection are provided equitably and impartially, based on the vulnerability and needs of individuals and groups affected by natural and human-made disasters, conflict or chronic hunger and poverty.

  **Standard 4:** Whenever possible without increasing risk to individuals and communities, affected populations are intentionally engaged as informed and active partners in identifying and responding to protection concerns.

→ Protection mainstreaming considerations are needed throughout the project cycle, including needs assessments, project design, implementation, and monitoring and evaluation.
A wide range of tools have been developed to help NGOs understand the range of actions that can be taken to improve the safety and dignity of the communities in which we work. These tools can also be used to design protection programming, as well as to put mechanisms in place to reduce the possible negative consequences of NGO presence and activities.

I. The Onion Tool for Analyzing Layers of Protection (ActionAid)

The *Onion Tool* identifies the many layers surrounding an individual—from the individual to the widest level of the international community. The actors in each layer may serve as protection threats or sources of protection. By using the *Onion Tool* to understand and analyze the range of actors involved in protection, NGO staff can identify how the actions or inactions of families, social networks, and communities are contributing to harm or promoting protection.

The *Onion Tool* is also helpful to identify local protection strategies that are already in place and can be used as a springboard to discuss how these strategies could be improved. Furthermore, the Onion can be used to facilitate community-led development of additional local protection strategies that may be...
supported or integrated into NGO programming, as well as linked into the protection activities of state or international actors.\textsuperscript{104}

II. The Egg Framework for Protection (ICRC)

ICRC's \textit{Egg Framework} identifies three types of action that can be used to address specific patterns of abuse. These abuses – the yolk of the egg – could be any incidents that violate civilians’ rights. In concentric circles out from the yoke, the framework specifies three levels of action: responsive, remedial, and environment building.

The responses that are closest to the yolk in the diagram are those most closely connected with immediate response to the violations and to the victims of those violations. The scope of responses become broader as one moves further out from the yolk, both in terms of the scope of beneficiaries – including victims, communities and societies – and timeframe – including immediate, mid- and longer-term actions and programs.

Protection, in the Egg Framework, includes three types of activities -

\textit{Responsive action}: “any activity undertaken in connection with an emerging or established pattern of abuse and aimed at preventing its recurrence, putting a stop to it, and/or alleviating its immediate effects;”

\textit{Remedial action}: “any activity aimed at restoring people’s dignity and ensuring adequate living conditions subsequent to a pattern of abuse (through rehabilitation, restitution, compensation and reparation);”

\textit{Environment-building}: “any activity aimed at creating and/or consolidating an environment – political, social, cultural, institutional, economic and legal – conducive to full respect for the rights of the individual.”\textsuperscript{105}

The shape of the model is intended to demonstrate that protection activities are not chronological, but that they may overlap. Each layer may be relevant at any time, although its relevance depends on timing, as well as on the nature and gravity of the actual pattern of abuse. One organization does not have to engage in all types of protection, but each organization must understand the overall context and that each specific action – or absence thereof – could have a significant impact on the overall whole.\textsuperscript{106}

III. Risk Equation Model for Protection (ALNAP)

The Active Learning Network for Accountability and Performance (ALNAP) looks at the relationship between protection threats, violations, vulnerabilities, capacity and risk. The ALNAP model is most easily understood as an equation, adapted from natural disaster theory.\textsuperscript{107}
In this model, the threats are the specific factors which threaten the dignity and safety of beneficiaries. These threats include all the facets of violence, coercion, and deliberate deprivation, as described in Chapter 1.

Vulnerabilities are the attributes of the beneficiary that make him or her particularly susceptible to threat(s). These vulnerabilities usually stem from unequal power relationships and the structures that maintain those dynamics. Vulnerabilities are often shared by particular groups in society, as described in Chapter 1, including children, women, minorities, and people with disabilities. Other vulnerabilities are context specific, where they stem from or are exacerbated by, for example, forced displacement, natural disaster, conflict, or poverty.

The capacity to cope is the ability the beneficiary has to withstand or fight against the threat, which may be attributes of the individual, family, or community. The capacity to cope may also be affected by national and international influences, such as the presence of humanitarian actors or national rule of law systems.

Finally, exposure time is the length of time the beneficiary is exposed to risk.

Beyond helping protection actors to analyze the aspects of protection risks, this model helps to identify priorities in programming to address protection risks of beneficiaries: reducing threats, reducing vulnerability, reducing exposure time, and increasing capacity to cope.

It is important to recognize that any action may expose beneficiaries to new, secondary risks, which may require additional protection interventions. An overview of risk assessments, intended to help organizations address these secondary risks, is discussed in Chapter 5, Section V.

IV. Types and Targets for Protective Action

In order to strategize what types of activities are appropriate for what objectives, this model demonstrates the links between targets, objectives, and activities. This model relates most closely to the rights-based approach, which emphasizes the protective responsibility of the authorities. Depending on the context, three situations are possible, in order of preference -

1. The authorities act on their own accord,
2. The authorities are pressured to act, and
3. NGOs (temporarily) take on direct protection roles
As a result, NGO protection interventions range from providing services directly to advocating for the relevant authorities to serve those functions.

In the most ideal context, when the responsible authorities are willing to act on their own accord but simply do not have the means, the preferred intervention is capacity building. Substitution – taking the operational place of responsible authorities for certain protection roles – is a last resort, but becomes necessary when the responsible authorities are unwilling or manifestly incapable, despite support, of taking appropriate action. Both of these approaches usually involve some combination of humanitarian assistance and technical expertise at the field level.

The other three modes of engaging in protection activities fall under in the realm of advocacy. All three advocacy approaches – persuasion, mobilization, and denunciation – are explained in detail in Chapter 6.

The appropriate approach taken in any given situation should consider the willingness and capacity of the authorities to respond themselves, the NGOs’ capacity and experience in responding, the political risk of different modes for the security of the civilian population, the implications for NGO effectiveness, security and humanitarian access, how impacted populations may be put at risk, the duration of the intervention, and the roles of other organizations and the international community.109

V. Risk Assessment Tool

Throughout this manual, risk assessments have been highlighted for their importance in avoiding the unintended threats that may arise from humanitarian and development programs. These threats may include risks for staff and/or intended beneficiaries, and should be analyzed in terms of their likelihood and severity, as well as for the consequences of inaction. The tool also prompts the consideration of ways to reduce risk, after the analysis of the positive and negative consequences of action and inaction.

Regarding the risks to staff, it should be noted that in some contexts, there are different risks to different NGO staff. For example, locally-hired staff may face a higher risk when doing field work and assessments than expatriate staff. Decision makers should be aware of this when directing locally-hired staff to do field work and assessments.
The tool displayed here is an example of a risk assessment for conducting community consultations (Step One of the project cycle). A similar risk assessment tool should be used to assess the risk of implementing a program itself (Step Three of the project cycle).

VI. Community consultation considerations

If, after carrying out a risk assessment, community consultations are considered to be appropriate, the following are intended to guide the consultation process:

- Do not take down or store individuals’ names or identifying information unless they request or agree to follow-up contact, and it is determined to be in their own best interest.
- Manage any identifying information through a confidential data management system, including staff training on issues of confidentiality.
- Include a representative sample of the population, including women and men, boys and girls, elderly, parents, people with disabilities, and members of different ethnic and religious groups. While the entire consultation process should be representative, it may be appropriate to construct focus groups among peer groups to promote more honest dialogue.
- Create a confidential and safe space where the interviews/focus groups will take place, including travel to and from the space.
• Be clear from the outset about the purpose and goals for the consultation, who you are and what organization you represent, and what will be done with the information obtained.
• Obtain individual and community consent before beginning interviews and focus groups, including signed consent, if necessary.
• Do not create false expectations within the community of services or activities that the organization is not able to fulfill.

VII. Identifying Threats and Protection Assessment Tools

To help develop context-specific understandings of threats, NGO staff should analyze vulnerabilities, based on detailed understandings of local conditions and communities. The following tool helps to analyze each type of threat according to each layer of the ‘onion’ of actors.

Identifying Threats

<table>
<thead>
<tr>
<th>Family</th>
<th>Community</th>
<th>State Actors (police, military, civilian)</th>
<th>Non-State Actors (armed groups, NGO staff)</th>
<th>International Actors (Peacekeeping Forces, IGOS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violence</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coercion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deliberate Deprivation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Additional questions to consider when analyzing vulnerability:

• **Who is vulnerable (to a particular protection threat)?** Consider both real and perceived age, sex, gender, sexuality, physical appearance, ethnicity, religion, type of work, location of house/work/school, activities, familial relationships, social status, and memberships.
• **What makes people vulnerable?** Consider exposure to risk, social stigma, lack of resources (familial or community support, financial, political, educational, land and property).
• **When are people most vulnerable?** Consider time of day or night, time of year, festivals, food distributions, etc.
• **Where are people most vulnerable?** Consider locations, e.g. at home, in a displaced persons camp, outside the camp, after school, on the road, passing a nearby village/camp, on public transport, at the market, etc.

When doing so, remember the power dynamics within communities that likely “make it difficult to access or talk to groups which may be the most vulnerable and at risk of protection problems.”
Once specific threats have been identified, the tool above is useful to provide the framework with which to analyze those threats. It is intended to help think through all the aspects that relate to each threat, including the full range of actors, the root causes, and the existing protection strategies.

**VIII. Considerations in referring and reporting abuses and violations**

While an analysis of potential actions for protection can be quite broad, an organization should only undertake those actions for which it has the needed staff capacity, resources, expertise and access to be successful. When threats are identified that are beyond the scope of the organization, it is responsible to refer these issues to other protection actors. The organization at the level of each field office should have a clear reporting and referral policy regarding concerns about threats to individuals’ and communities’ safety and dignity.
If a Protection Cluster is in place in the location, the following is a model through which protection concerns can be reported and referred:

**Model Policy for Internal Reporting and Referral of Protection Concerns**

1. **Protection Working Group (PWG) will:**
   a. Consist of two co-chairs
   b. Monthly meetings will be open to all staff
   c. Staff can present concerns either at the meeting or to the PWG in writing

2. **Staff should present the following to the Protection Working Group:**
   a. Incidents and patterns of violations of human rights, refugee rights and international humanitarian law
   b. Threats to staff and beneficiaries’ safety and dignity
   c. Updates on protection threats previously identified
   d. Updates on ongoing activities which address protection threats (including programs and advocacy strategies)

3. **When new threats are identified, the PWG will designate an ad hoc group to carry out and present a full protection analysis and recommendations for:**
   a. Next steps for information gathering (if necessary)
   b. Program adaptation
   c. Protection advocacy

4. **PWG members will review the suggested actions and present them to the country program director or the program planning team for consideration and implementation**

These policies determine the process through which incidents, patterns of abuse and violations are reported and evaluated internally in order to determine what action to take. Follow-up action should include either referral to another agency with the capacity and/or mandate to respond, or action taken directly by the agency to respond to the protection threat. Direct action may be in the form of changing programs to respond to the protection threat and/or advocacy on protection issues with the relevant authorities.

It is important to establish policies and procedures appropriate for the specific activities in each program site. These policies should address the following:

- Which types of abuses and violations should be reported
- How they should be reported
- To whom they should be reported
- What action should be taken when abuses and violations are identified, including internal and external processes and actions

*Internal actions* include reporting to a specific person or committee, initiation of a protection assessment and determination of whether further information gathering is necessary and appropriate. *External actions* include information sharing with other agencies, referral of the individual or group
affected to another agency, changing the way the program is implemented, and engaging in advocacy with relevant authorities around the protection issue.

All known patterns of abuse and violation should be reported internally, analyzed, and result in a programmatic change, advocacy initiative, or a referral to another agency. When referrals are appropriate, they should be communicated in a confidential manner and reflect the source and reliability of the information at hand, and should only be referred to organizations with the necessary staff capacity, expertise and mandate.

*Note: Before sharing information externally, the confidentiality of the information must be considered, particularly in regards to victims. All NGOs that collect sensitive data should develop information confidentiality protocols, including the process of securing beneficiary consent for information sharing and the circumstances under which any personal information can be shared. Staff protocols for access to and use of confidentiality information should be in place.*

**IX. Reflection questions to ensure projects Do No Harm**

The following questions are for consideration during the assessment phase, project design phase, and evaluation phase. The process of answering each of these questions honestly is intended to lead to corrections in project design, ultimately ensuring that the potential adverse effects of your project are negated or minimized.

1. What does the affected population gain by our activities?
2. What might be the unintended negative consequences of our activities for people’s security, and how can we avoid or minimize these consequences?
3. Do the activities take into consideration possible protection threats facing the affected population?
4. Might they undermine people’s own efforts to protect themselves?
5. Do the activities discriminate against any group or might they be perceived as doing so?
6. Do the activities protect the rights of people who have historically been marginalized or discriminated against?
7. In protecting and promoting the rights of such groups, what will be the impact on the relationships within and beyond the community?
8. Could the activities exacerbate existing divisions in the community or between neighboring communities?
9. Could the activities inadvertently empower or strengthen the position of armed groups or other actors?
10. Could the activities be subject to criminal exploitation?
X. Checklist for project design: protection considerations

The following checklist is intended to bring together the primary aspects of this chapter to ensure that the key protection considerations are addressed in program design.

| We have adhered to ACT standards, IASC standards, the ICRC code of conduct, and international humanitarian and human rights law, for the design of this project |
| We have established protocols to safeguard sensitive information |
| We have established strong relationships with beneficiaries, local authorities, and related service providers, and continue to communicate with these entities |
| We have designed this project recognizing the responsibility of the authorities to provide protection |
| We have used a participatory approach to design this project, including the participation of vulnerable groups |
| We have included protection indicators in the proposal and will report on them |
| We have conducted a ‘risk assessment’ and have explained how the project will not cause harm to the beneficiary population, other vulnerable populations, or staff |
| We have identified and analyzed the threats to the beneficiary population(s) and existing protection mechanisms |
| The project is designed to reduce risk to the beneficiary population (reducing threat, vulnerability, or exposure time, and/or increasing capacity to cope) |
| The project supports the authorities to provide protection through capacity building or advocacy, if possible |
| The project includes advocacy strategies (persuasion, mobilization, denunciation) appropriate to the context, including a risk assessment, if necessary |
| The project includes complimentary strategies to provide at least one of the following: |
| Services for those who have experienced violations of their fundamental rights, safety and dignity (responsive action) |
| Help for vulnerable groups return to an adequate level of safety and dignity (remedial action) |
| Building an environment where violations are less likely to occur (environment-building) |
CHAPTER 6
A Model for Effective Advocacy

I. Theories of change

Advocacy can be defined as the action of demanding a solution to a common problem by lobbying and influencing decision makers for change.112 Positive change – as emphasized in this definition – can come about through a range of means. In particular, the following table, developed by Christian Aid,113 outlines 5 theories of how change comes about, as well as the practical implications of these theories:

<table>
<thead>
<tr>
<th>Theory of change</th>
<th>Implication for advocacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Society changes through the unintended consequences of the aggregate action of individuals each seeking to achieve their own happiness</td>
<td>Helps to create an environment that enables all individuals to pursue their life choices</td>
</tr>
<tr>
<td>2. Society changes through progress in knowledge and technological development</td>
<td>Supports universal access to knowledge and technological developments</td>
</tr>
<tr>
<td>3. Society changes through transformed beliefs, ideas and values</td>
<td>Supports those who are influencing/transforming ideas and values in society</td>
</tr>
<tr>
<td>4. Society changes through purposive collective action</td>
<td>Supports the grassroots mobilization of people who are living in poverty</td>
</tr>
<tr>
<td>5. Society changes through contestation and negotiations</td>
<td>Supports the changing of structures, institutions and power relations that perpetuate poverty and injustices</td>
</tr>
</tbody>
</table>

Understanding the range of change theories is useful to help specify the scope and types of change that are possible in any given context. Within this range, NGOs should be explicit about which theory of change underlies the advocacy activity they are planning or implementing.114 Theories of change can be complementary, with the same organization using multiple theories and approaches. The most successful and sustainable advocacy initiatives utilize various approaches concurrently.

In order to bring about these changes, effective advocacy requires an understanding of and conscious effort to address imbalances in power dynamics. “Ultimately social change is about power – what form it takes, how it is distributed and used, the people it affects, and how people react to it. Power may be seen as being held by institutions, and as something that can be seized, influenced or abused by people to bring about or prevent change.”115 Effective advocacy often requires taking on the powerful – and the structures that keep them in power – for the sake of the communities in which we work.

II. “Rooted” advocacy

“Rooted” advocacy is “advocacy that attempts to increase the capacity of local communities ... particularly those who are disempowered and vulnerable. In essence, it means involving local communities and local leaders as much as possible.”116 In this model, communities themselves, with the support of local partner or NGO staff, are best positioned to take the lead on advocacy initiatives at the local and national levels, including strategic decision making, organizing advocacy actions, and facilitating
confrontations with those in power. NGO partner or field offices are well positioned to work with impacted communities to help lift their voices to decision makers, or to vicariously represent impacted communities when they cannot due to fear of retribution. With these initiatives in place, international NGOs can then take up the advocacy initiative at the international level, building on and supporting the locally-driven initiative and raising local voices to be heard in national and international dialogues.

In essence, the “rooted advocacy” approach emphasizes local capacity, increasing the chances that the initiatives are designed in a way to directly involve and benefit the beneficiaries themselves. In some cases, however, an international NGO, UN agency, coalition, or even foreign government may need to take more public roles in advocacy activities, particularly when local partners are placed at risk by engaging in advocacy directly. When an international NGO is taking the lead on advocacy efforts, every effort should be taken to ensure these initiatives are well informed by the realities on the ground and by the needs and objectives of impacted communities.117

Similarly, a multi-year protection research project, conducted by ACT Alliance partners, has concluded, “A stronger connection must be made between local context and global action. This requires international actors to become better at listening to and learning from local voices, and appreciating local agency.”118 In this light, effective advocacy is highly dependent on strong involvement from – and ideally, leadership by – the community itself. Advocacy efforts should involve the community through the following:

- Developing trust with the community leadership and vulnerable populations
- Engaging the community on protection threats, risks, and response capacity
- Collecting information and evidence from the community, including considering the level of sensitivity of the information
- Developing community agreement on the desired change, avenues for change, and potential impacts, including risks, that both advocacy and anticipated outcomes may have on local communities
- Involving the community during the implementation of the advocacy efforts119

While this extent of community participation does create a lengthy process, these steps are based on the understanding of the importance of sufficient buy-in. Engaging in this process also helps to develop and strengthen the specific skills needed for the advocacy efforts, as well as the linkages, partnerships and coalition work needed to coordinate and leverage advocacy activities.

III. Advocacy as a protection tool

As noted in Chapter 3, advocacy is a key component of protection programming. In particular, “Advocacy plays a critical role in exposing and deterring abuses, persuading or forcing perpetrators to change their behavior, and by making sure that state authorities are conscious of their responsibilities and held accountable for their actions. Rather than just focusing on the immediate needs of the affected population, advocacy draws attention to the ‘root causes’ of a conflict or a systemic pattern of
While the last type of advocacy described here requires a greater investment of time and energy, it is often necessary to bring about meaningful ‘environment-building’ changes, as described in Chapter 5, Section II.

As the model in Chapter 5, Section IV illustrates, a range of advocacy approaches exist to address protection concerns. If actors are not acting because of a lack of understanding or capacity, an appropriate strategy could be:

a. Trainings on relevant rights and responsibilities (human rights, humanitarian law, refugee law and/or national law).

b. Education and sensitization on the rights of particularly vulnerable groups.

c. Outreach to other agencies with specialized mandates, expertise and staff to support the understanding or capacity of the actors (for example, ILO, UNICEF, UN Women, UNHCR, etc.).

On the other hand, if actors are not acting because of unwillingness, one of the following approaches may be used:

a. Persuasion: Engaging with authorities and other decision-makers at the local and national level through private dialogues with impacted communities and constituents whose opinions are respected by those in power that reminds them of their relevant legal responsibilities for civilian protection and the consequences of non-action. Providing specific recommendations for action to address civilian protection.

b. Mobilization: Identifying local, national and/or international agencies and officials that may be able to help bring pressure to bear on key actors for civilian protection, then collaborating with them and sharing information as appropriate to develop advocacy strategies. Advocacy strategies can range in intensity, from action days with impacted communities meeting with those in power; utilization of media; letter writing and call-in campaigns, civil disobedience, and negotiation and compromise techniques to achieve parts, if not all, of an agreed-upon objective.

c. Denunciation: Issuing critical public statements regarding protection threats and the lack or inadequacy of authorities’ response, but only after persuasion and mobilization are ineffective or unable to take place. Denunciation is most effective after all other strategies are exhausted, so that authorities cannot claim that they had not previously been made aware of the protection needs and consequences of their inaction.

IV. Advocacy in action

The following steps are designed to guide the development and implementation of an appropriate advocacy strategy:
1. Once protection problems are discussed with communities and information and evidence are gathered, agree on the desired change. Consider what theory of change is appropriate, as well as which type(s) of change is most strategic in which context:
   - Preventing, stopping, or alleviating the effects of violations. (Responsive)
   - Restoring adequate safety and dignity following a violation. (Remedial)
   - Creating an environment that helps to prevent such violations in the future and better promote safety and dignity. (Environment building)

2. Identify other advocacy actors (CBOs, NGOs, local media, women’s organizations, clubs and groups, academics, social networks, village or community leaders, charities, religious institutions, local businesses, unions) that are already engaging in advocacy on related issues or that may be interested in joining an advocacy network/coalition. Advocacy activities will be more effective when they are supported by more people. Certain individuals and organizations may, for instance, be strategically placed to take the lead on inside actions (directly and perhaps quietly meeting with those in power), and others may be well placed to take the lead on outside actions (protests, civil disobedience, denunciation).

3. Identify what actors need to make the proposed changes. Analyze their interests, influence over the protection issue, and relationships to other actors. Conduct actor mapping and power analysis exercises.

4. Identify whether actors are not acting because of a lack of will, a lack of capacity, or a combination of both. Note that different actors may be acting for different reasons—some may be able to act but refuse, and other closely-aligned actors, may be willing but unable. Based on such analysis, identify the most appropriate actions (persuasion, mobilization, denunciation) for each advocacy target, including the advantages, disadvantages, effects, steps, the person/group responsible, and the timeline to accomplish each step.

5. Develop key messages and any secondary messages. Keep in mind that advocacy can involve a progression of messages—for example, activities focused on the key desired change may need to wait until after you have built trust and rapport with decision-makers. Also, different spokespersons will be positioned to use different messages. For example, a business person can talk about the economic impact an action will have, while a faith leader can talk about the moral imperative of

“"We built networks with neighboring villages and communes in other provinces where the same company was working. We visited the monks, discussed the problem and asked for their help. The monks used the pagoda’s loud speaker to broadcast information about how the company plans would negatively affect our land and forests. We received technical support from NGOs on how to build networks. We also contacted the radio (Voice of America and Radio Free Asia) and told them our story and then they broadcast it.”

--Community Members in Cambodia

Examples of advocacy approaches at various points in the process

- Write letters to decision-makers to request assistance or to meet
- Collect petitions and send them to decision-makers, NGOs, and the media
- Face-to-face meetings with decision-makers
- Invite decision-makers to visit affected area
- Contact media (radio, newspapers, television) to increase awareness of protection problem and desired change
- Active non-violence (e.g., blocking tractors brought to illegally plow land)
- Non-violent demonstrations
- Take legal action
- Participate in local development planning processes

action, and an impacted individual can share their powerful story as an example of why change is needed.

6. **Identify and address safety concerns** for staff, partners, and affected individuals and communities engaging in advocacy activities. In cases in which local communities or local NGOs are placed at considerable risk because of their advocacy efforts, it may be preferable for an international NGO to take a more visible role in advocacy activities than its local partners. For international NGOs, those staff members engaged in advocacy on the national or international level must be acutely aware of how advocacy activities will affect the security situation for staff, partners, and affected individuals on the ground. INGOs should remember that local staff and partners often face greater security threats than expat staff, and that they may be wary to admit the danger they face in the community for fear of losing their job, as well as their ability to continue operating in an area.

In order to weigh the potential risks posed to staff and partners by engaging in different advocacy activities versus the possible benefits for affected individuals and communities, completing a **Risk Assessment Chart** can be a useful exercise. A variety of different advocacy approaches should be considered, including those undertaken in coordination with other agencies, and local, national and international-level actions. By quantifying the likelihood and severity of possible outcomes of action or inaction, both for staff and individuals and communities affected by the threat, the chart provides a useful tool to assess what risks are acceptable to assume through advocacy and what risks may be too grave. Even if certain actions are not appropriate for an organization due to these considerations, other advocacy actions, such as internal advocacy or working alongside impacted communities to strategize actions, can be successful. It is important for organizations to not outrule all advocacy actions just because some might not be feasible. All organizations can be involved in advocacy at some level, and groups should coordinate to strategically choose which individuals and organizations are involved in each type of coordinated advocacy.

*Note: Any public statements should apply legal standards uniformly to all actors to whom they apply (for example, both government and non-governmental armed groups should be held accountable for violations of international humanitarian law). Such public statements usually will be more effective if they are made jointly by multiple agencies. This also will decrease the risk of reprisal actions against the agency or staff by diffusing responsibility for the statement across multiple agencies.*

*Check the results* of advocacy efforts by discussing protection concerns with the affected communities and assessing if the situation is better than before certain advocacy efforts – both in the immediate climate and in the long-term. If not, consider additional actions that can be taken to influence decision makers. Identify the strengths and weaknesses of advocacy actions undertaken and analyze why some actions may have been more effective than others. After this analysis, adjust the advocacy strategy based on the lessons learned and on newly-identified problems in need of advocacy.
NGOs consider and be explicit about which theory of change underlies the advocacy activity they are planning and implementing, as well as understand the related power dynamics.

The ideal model of advocacy is “rooted advocacy,” where the communities are empowered to take the lead, reinforced and supported by national and international advocacy efforts, where needed.

In terms of protection, advocacy can be used to expose and deter abuses, persuade perpetrators to change their behavior, ensure that state authorities are conscious of their responsibilities and are held accountable, and draw attention to systemic patterns of abuse.

The following advocacy techniques can be used for protection purposes –

- Persuasion: Engaging with authorities and other decision-makers at the local and national level through private dialogue that reminds them of their relevant legal responsibilities for civilian protection.
- Mobilization: Identifying local, national and/or international agencies that may be able to help bring pressure to bear on key actors for civilian protection, then collaborating with them and sharing information as appropriate to develop advocacy strategies.
- Denunciation: Issuing critical public statements regarding protection threats and the lack or inadequacy of authorities’ response, but only after persuasion and mobilization are ineffective or unable to take place.

A series of seven steps is useful to guide NGOs through the process of conceptualizing and implementing advocacy campaigns related to protection.
Annex 1: Protection Assessment Indicators

The following are protection indicators that can be included in needs assessments for programs that seek to mainstream protection. When designing your needs assessment tool, select the indicators below that are relevant to your sector of work and the vulnerable group(s) you have prioritized.

| P1  | Number of violent incidents targeted against men and women, boys and girls, people with disabilities, displaced people, and religious and ethnic minorities |
| P2  | Number of reported cases of torture or cruel, inhuman or degrading treatment or punishment |
| P3  | % of reporting surveyed sites where arbitrary restrictions on freedom of movement exist |
| P4  | % of surveyed sites with active denial or obstruction of adequate justice mechanisms |
| P5  | % of surveyed sites where there is a functioning dispute resolution mechanism (judicial or customary/informal) to address housing, land and property grievances |
| P6  | % of affected population who may be at risk of eviction or unauthorized occupation / confiscation of their property |
| P7  | % of the affected population lacking personal identity documents. |
| P8  | Number of reports of people arbitrarily detained |
| P9  | % of surveyed sites in which international and/or national humanitarian organizations' access to affected populations has been limited |
| P10 | % of affected population with access to security services |
| P11 | Number of reports of sexual violence per 10,000 people |
| P12 | Number of reported cases of trafficking for exploitation (labor or sex) |
| P13 | % of health facilities equipped to respond to GBV survivors (e.g. PEP kits) |
| P14 | Number of separated children / unaccompanied children / orphaned children |
| P15 | Number of children reported missing |
| P16 | Number of children in the worst forms of child labor |
| P17 | Type and demographic data of group(s) who have access to and control of resources (e.g. water, land, disposable income, livelihoods, basic services, etc.). |
| P18 | Proportion of men and women, boys and girls, people with disabilities, displaced people, and religious and ethnic minorities with access to safe water supply |
| P19 | Proportion of men and women, boys and girls, people with disabilities, displaced people, and religious and ethnic minorities with access to minimum caloric intake |
| P20 | Proportion of men and women, boys and girls, people with disabilities, displaced people, and religious and ethnic minorities with access to health services |
| P21 | Proportion of men and women, boys and girls, people with disabilities, displaced people, and religious and ethnic minorities with access to livelihood options |
| P22 | Net school enrolment ratio of boys and girls, people with disabilities, displaced people, and religious and ethnic minorities |
| P23 | Dropout rates disaggregated by boys and girls, people with disabilities, displaced people, and religious and ethnic minorities |
| P24 | Existence of a “safe school” policy that ensures the physical, emotional, and mental protection of learners, with clear implementation action |
Annex 2: Stand-alone Protection Project Examples

The following are examples of the types of projects agencies have undertaken to address protection concerns. While projects like these could be included in larger projects, the below are largely examples of stand-alone protection projects. Use these examples as starting points to spark ideas about the sort of protection interventions CWS and partners could undertake.

**Human Rights**

→ Build staff, partner, or government capacity on human rights and guarantees, protection standards, etc.
→ Develop and/or implement human rights reporting mechanisms
→ Develop and implement community-based monitoring mechanisms:
  a) complaint boxes and grievance mechanisms in camps and settlements for displaced and affected communities;
  b) questionnaires and report cards that displaced and affected communities can complete;
  c) regular public meetings with local officials, NGOs, international agencies, and representatives from the local community;
  d) village-based consultations to encourage local communities to voice their concerns and to promote participation;
  e) separate fora to enable women to voice their opinions and concerns (especially in societies where women are traditionally excluded from participation in public discourse);

**Physical Protection**

→ Identify and map the potential sources of violence, coercion and deliberate deprivation, both from outside and from within the affected population, and take preventive measures to reduce their potential impact.
→ Conduct community-based public information campaigns to educate local communities, government and law enforcement officials and humanitarian workers about the risks and consequences of sexual and gender-based violence, as well as the penalties it can entail.
→ Provide appropriate, gender-sensitive and confidential medical, counseling and material support to survivors of sexual and gender-based violence.
→ Establish, in close coordination with camp residents, including women, a guard or buddy system among the camp population.
→ Initiate public awareness and mine risk education campaigns regarding anti-personnel mines that may have been dislodged during the disaster. Include information on the exact location of the mines and how to avoid them.
→ Providing training to local police officers on prevention and response to sexual violence and rape

**Assistance-based Protection**

→ Provide additional/specialized assistance to people with disabilities or those with long-term or chronic illnesses such as HIV/AIDS where necessary to meet their basic needs (e.g. extra
clothing, blankets, firewood, food and cooking utensils, safe shelter), in particular if their caregivers were injured or killed during the disaster.

→ Assist displaced and affected communities to return after a disaster to their original land, homes and property as soon as possible.

→ Provide women, as well as groups of persons with special protection needs, with viable economic opportunities in order to protect them against trafficking, forced prostitution, or other abusive and dangerous sources of income.

→ Distributing firewood in camps to avoid women and girls from being required to leave camps to collect firewood.

**Information and Advocacy-based Protection**

→ Conduct an intensive information campaign to inform affected communities about their rights and the responsibilities of institutions that have a protection role. For example, the information campaign could include procedures for replacement and renewal of personal documentation. Use a variety of methods to disseminate information including loudspeaker announcements, leaflets, posters, TV and radio broadcasts, newspaper advertisements, camp and community meetings, and cultural performances.

→ Intervene and engage in advocacy on behalf of the persons concerned if those affected by disasters are forced to return to or settle in any place where their life, safety, liberty and/or health would be at risk.

→ Establish mechanisms to monitor, to report on and to investigate incidents where the rights of individuals to freedom of thought, expression and assembly are curtailed and where individuals are punished or ill treated for the exercise of these fundamental rights. Ensure appropriate action by law enforcement bodies in such cases.

→ Creating community monitoring groups in border towns to monitor and expose trafficking of minors across the border.

→ Making posters highlighting the rights of children and posting them in a community.
Annex 3: Overview of Additional Protection Tools

The following are additional resources, focused on specific aspects of protection. The name of each resource is followed by a link for the soft copy, as well as a brief overview of what the resource includes.

<table>
<thead>
<tr>
<th>Protection Area</th>
<th>Resource</th>
<th>Link</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refugee and IDP Protection</td>
<td>Handbook for the Protection of Internally Displaced Persons. Global Protection Cluster, 2007.</td>
<td><a href="http://www.unhcr.org/4c2355229.pdf">http://www.unhcr.org/4c2355229.pdf</a></td>
<td>This handbook is a core document for any agency working with IDPs. It includes core concepts, principles and international legal standards that form the framework for protection work, as well as guidance in operationalizing these concepts, principles and legal standards. It helps analyze protection risks as well as planning to prevent and respond to risks faced by internally displaced persons. It includes the Framework for Durable Solutions as an annex.</td>
</tr>
<tr>
<td>Operational Protection in Camps and Settlements.</td>
<td>UNHCR, 2006.</td>
<td><a href="http://www.unhcr.org/448d6c122.html">http://www.unhcr.org/448d6c122.html</a></td>
<td>This Guide provides protection “good practices” in the context of refugee camps. It considers issues such as freedom of movement, information, protection monitoring, SGBV, and unaccompanied children. It also has useful annexes, including practical tools for implementing protection activities in refugee camps.</td>
</tr>
<tr>
<td>Protecting Refugees: A Field Guide for NGOs.</td>
<td>UNHCR, 1999.</td>
<td><a href="http://www.unhcr.or.jp/protect/pdf/ProtectingRefugees-FieldGuideforNGOs.pdf">http://www.unhcr.or.jp/protect/pdf/ProtectingRefugees-FieldGuideforNGOs.pdf</a></td>
<td>This field guide includes basic legal information about international protection for refugees and practical guidance for including protection measures in field operations, including each phase of refugee life. Chapters on women, children, older refugees, internally displaced persons and stateless persons each conclude with a checklist of recommended actions to be taken to help protect refugees.</td>
</tr>
<tr>
<td>Protection in Conflict and War</td>
<td>Reach Out Training Kit. Reach Out Working Group, 2005.</td>
<td><a href="http://www.icva.ch/doc00001528.html">http://www.icva.ch/doc00001528.html</a></td>
<td>This set of 10 modules is intended to equip trainers to conduct trainings on refugee protection, vulnerable groups, durable solutions to displacement, and “action planning.” It includes ToT, handouts, slides, and a glossary and bibliography.</td>
</tr>
<tr>
<td></td>
<td>Aide Memoire: Protection of Civilians in Armed Conflict. OCHA, 2009.</td>
<td><a href="http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_1008.pdf">http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_1008.pdf</a></td>
<td>The Aide Memoire is a tool for the Security Council to enhance its actions to protect civilians on the ground in the midst of armed conflict. It can also be used as the basis for analysis and reporting of protection concerns during humanitarian crises, highlighting issues for consideration for other actors involved in protection.</td>
</tr>
</tbody>
</table>
This document provides guidance on protecting civilians in situations of armed conflict and violence. It includes chapters on designing and implementing protection activities, reducing violations, and information management, as well as useful annexes.

This Oxfam training pack includes modules on an overview of protection, how to design protection programs, and how to mainstream protection. It includes trainers notes, case studies, and participatory activities.

This ICRC document outlays the overarching principles in protection work, the protection architecture, and the legal base of protection. It explains the goal of “complementarity” of protection efforts, how to manage sensitive protection information, and how to build professional capacity.

Protection in Humanitarian Work

http://www.humanitarianreform.org/humanitarianreform/Portals/1/cluster%20approach%20page/clusters%20pages/Protection/Protection._IDPs_Final.pdf
This assessment framework is designed to help organizations undertaking to begin protection-related projects with conflict-affected populations. It includes a framework for analysis, as well as a guidance note on participatory assessments.

http://www.icva.ch/doc00000717.html
This book discusses developing an integrated approach to protection and humanitarian work, and strengthening the protection environment. It explains models, such as the “egg framework,” as well as preventative and remedial protection activities.

http://www.sphereproject.org/component/option,com_docman/task,cat_view/gid,70/Itemid,203/lang,english/
The 2011 SPHERE Handbook includes a chapter on protection principles, as well as guidance notes on how to apply these principles.

This guide outlines the minimum protection standards relevant to all aspects of humanitarian efforts. It also addresses the minimum protection standards within the following sectors: food aid, water and sanitation, livelihoods, shelter, health, and education.

This guide lays out the concepts that underpin protection and those responsible. It is also designed to help agency staff think through the practicalities of protection focused programming in four clear steps: assessments, program design, implementation, and monitoring and evaluation.

### Protection in Natural Disasters


This field guide helps integrate community-based protection into humanitarian programs, including the framework and practical steps for implementation. It also includes a large number of tools, including tools for assessments, analysis, prioritization, and action of community-based protection.


This manual provides a detailed explanation of the legal aspects of protection in the context of disasters. It includes human rights at large, the rights of vulnerable groups, and land rights. It concludes with a chapter on curbing corruption risks in natural disasters.

### Child Protection


This document serves as the IASC operational guidelines on human rights and natural disasters. It includes consideration of rights in four spheres: security, basic necessities, social and cultural, civil and political. It also provides examples of efforts that seek to support these rights.


This field manual highlights the needs and risks of children in emergencies. It explains the international framework for protection of children, as well as programming for children in emergencies.

### Protection from Sexual and Gender-Based Violence


http://www.unhcr.org/refworld/docid/3ae6b3360.html

This document provides technical details on the eligibility of children to qualify for asylum as a durable solution.


This book includes a collection of articles addressing GBV around the world. Examples are both topical and regional, followed by a section that provides resources.


http://www.unhcr.org/protect/PROTECTION/47cfae612.html

This handbook provides an overview of protection concerns specific to women and girls. It goes on to help identify, prevent, and respond to risks for women and girls. It overview’s UNHCR’s response, as well as the international framework for protection in this context.

<table>
<thead>
<tr>
<th>Resource</th>
<th>URL</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>These guidelines for prevention and response of SGBV for refugees, IDPs, and returnees include guiding principles, as well as chapters on prevention of SGBV and its response. It also includes assistance in developing an action plan and monitoring/evaluation mechanisms.</td>
<td><a href="http://www.unicef.org/spanish/emerg/files/gl_sgbv03.pdf">http://www.unicef.org/spanish/emerg/files/gl_sgbv03.pdf</a></td>
<td></td>
</tr>
<tr>
<td>Training of Trainers on Gender-Based Violence. UNICEF</td>
<td><a href="http://www.un.org/en/pseataskforce/docs/unicef_training_of_trainers_on_sea_participant_manual.pdf">http://www.un.org/en/pseataskforce/docs/unicef_training_of_trainers_on_sea_participant_manual.pdf</a></td>
<td>This tool equips trainers to conduct trainings on sexual abuse and exploitation (SEA). It provides handouts, games, and activities to equip participants to prevent and respond to SEA.</td>
</tr>
<tr>
<td><strong>Protection of Human Rights</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training Manual on Human Rights Monitoring. OHCHR, 2001.</td>
<td><a href="http://www.ohchr.org/Documents/Publications/training7Introen.pdf">http://www.ohchr.org/Documents/Publications/training7Introen.pdf</a></td>
<td>This Training Manual provides practical guidance principally for the conduct of human rights monitoring in United Nations field operations, but it may also be useful to other human rights monitors. The Trainer’s Guide provides elements of training methodology, instructions and tips for trainers, additional exercises, and sample training tools, such as overhead transparencies, to conduct training courses for monitors.</td>
</tr>
</tbody>
</table>
Endnotes


5 Ibid.

6 Ibid.

7 Ibid.


Ibid.


Ibid.


Ibid.


OneResponse. The role of the PCWG. Retrieved 2012 from http://oneresponse.info/GlobalClusters/Protection/Pages/The%20role%20of%20the%20PCWG.aspx.


Ibid.


Ibid.


Ibid.

Ibid.

Ibid. p. 56

Ibid. p. 55


Ibid.

Ibid.

Ibid.

Ibid.

Ibid.


111 Ibid. p. 56


114 Ibid.


