

# **Ethiopian Protection Cluster**

## **Final Terms of Reference**

May 2008

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### **I. Background**

Ethiopia is a country that is annually affected by natural disaster in various parts of the country and from time to time is also affected by internal conflicts, both of which can result in the civilian population being at increased risk of vulnerability, displacement and insecurity.

In March 2007, a decision was made by the UN Humanitarian Coordinator to activate the cluster approach to ensure a more effective, coordinated, timely and accountable response to complex emergencies arising in Ethiopia. The Ethiopian Protection Cluster was therefore launched alongside other humanitarian sectors. The Ethiopian Protection Cluster recognises that it has an important but challenging role to play in ensuring a common understanding and integration of protection into other humanitarian sectors.

The primary responsibility for the protection of civilians in situations of natural disaster and/or internal conflict lies with the Government of Ethiopia. The role of protection agencies working in Ethiopia is to support and enhance the Government's capacity firstly to ensure that protection issues do not arise in emergency situations and secondly to respond and mitigate the effect of any protection issues that do arise. To achieve this, the Ethiopian Protection Cluster prioritises a strong relationship with the Humanitarian Coordinator, the Ethiopian Humanitarian Country Team and the Government of Ethiopia.

The Ethiopian Protection Cluster also acknowledges that individuals and communities are important actors in their own protection and that all humanitarian agencies have a role to play in ensuring that positive coping mechanisms are supported and enhanced at grass roots levels.

### **II. Definition of Protection**

The most globally acknowledged definition of protection and therefore the one that the Ethiopian Protection Cluster will use as the basis for its activities is the IASC definition:

“all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law (ie. human rights law, international humanitarian law and refugee law)”.

In addition to international law, the Ethiopian Protection Cluster also recognises the importance of regional human rights laws as set out in African Union conventions, sub-regional declarations and the relevant national laws including the Constitution of Ethiopia.

### **III. Cluster Membership**

Cluster meetings are open to all UN agencies, international NGOs, the ICRC and the IFRC with an interest in protection issues as participants or observers as agencies so wish. Any other interested parties should contact the cluster chair, who will consult the participants and then revert to the interested party with a decision as promptly as possible.

The cluster chair should review membership on a regular basis (and in any event at least twice a year) and if appropriate make recommendations to the participants about inviting other interested parties to participate in meetings, either as members or guests.

#### **IV. Working Principles**

Members of the Ethiopian Protection Cluster will be respectful of each other's mandates and recognise that all members have different areas of expertise and operational capacities. Planning and strategising shall be done in as transparent and sensitive a manner as possible, with due regard for principles of neutrality, impartiality and confidentiality and with the overall objective of building on members' individual strengths and developing complementarity.

#### **V. Sub-Clusters and Field Clusters**

In Ethiopia there are currently no sub-clusters or field clusters as envisaged by the Global Protection Cluster Working Group. This is an area that is likely to develop in the future. At the appropriate time, the relationships between sub-clusters, field protection clusters and the national protection cluster will have to be defined and these terms of reference amended accordingly.

#### **VI. Objectives of the Ethiopian Protection Cluster**

The IASC definition of protection is the foundation for all activities of the Ethiopian Protection Cluster. In pursuit of this, the Ethiopian Protection Cluster aims:

- To develop an understanding of protection in Ethiopia by providing awareness-raising and training to all relevant actors, including the Government of Ethiopia, humanitarian agencies, civil society stakeholders and donor agencies;
- To actively encourage and technically support other sectors of the humanitarian community (primarily through training, sharing good practices and standards and attending other cluster meetings) to mainstream protection into their activities with the objective of ensuring that all humanitarian activities systematically apply a human rights based approach and humanitarian principles in their response and have a positive impact on human security;
- To identify protection issues and gaps in responses to complex emergencies arising in Ethiopia and to use that information to:
  - advocate with Government of Ethiopia and support it through capacity building initiatives aimed at preventing and addressing protection concerns;
  - coordinate agencies to respond to identified gaps;

- enhance the ability of individuals and communities to develop positive self-protection mechanisms; and
- advocate with and mobilise donors to fund protection initiatives
- To develop and periodically review a common protection strategy and work plan that prioritises protection needs and gaps and identifies response, remedial and environment building activities.

## **VII. Relationship with Other Coordinating Bodies**

The Ethiopian Protection Cluster aims to have a strong working relationship with the office of the Humanitarian Coordinator, the Ethiopian Humanitarian Country Team, other clusters and the Global Protection Working Group.

### *The office of the Humanitarian Coordinator*

The Humanitarian Coordinator has overall responsibility for ensuring that the cluster approach is fully implemented in Ethiopia and that all sectors are accountable. Protection is a sector that is particularly sensitive and the support that the Humanitarian Coordinator can lend to protection initiatives is crucial to the cluster achieving its objectives. The Ethiopian Protection Cluster therefore aims to keep the Humanitarian Coordinator regularly informed of trends and issues arising in the protection sector and where appropriate seek his/her good offices in relation to advocacy initiatives and constructive dialogue with national authorities and the diplomatic and donor communities.

### *The Ethiopian Humanitarian Country Team (EHCT)*

Established in January 2008, the Ethiopian Humanitarian Country Team comprises the UN country team plus three international NGO representatives and one local NGO representative. The Ethiopian Protection Cluster considers its relationship with the EHCT to be very important in ensuring that it meets its objectives. The Ethiopian Protection Cluster aims to:

- report regularly to the EHCT on protection issues arising in the country and to provide information on protection issues accompanied by analysis and recommendations; and
- seek the support and guidance of the EHCT in advocating for protection issues with the Government of Ethiopia, the donor and diplomatic community

### *Other Clusters*

The Ethiopian Protection Cluster recognises that protection is not only a sector but also a cross-cutting issue that must be mainstreamed into other clusters. The Ethiopian Protection Cluster will therefore encourage the setting up of protection focal points in all other sectors and will from time to time attend other cluster meeting. The Ethiopian Protection Cluster will promote protection mainstreaming into all other sectors and share technical information and advice (such as protection standards and checklists) and offer training for all other sector members on protection challenges arising in the field and protection mainstreaming.

*The Global Protection Cluster Working Group (Global PCWG)*

The Global PCWG mission statement includes the following objective: “to support all protection coordination mechanisms and country teams in all complex emergencies, disasters and other such situations”. The Ethiopian Protection Cluster aims to work closely with the Global PCWG with the specific objective of ensuring that the sharing of information, best practices and standards is a two-way relationship.

## **VIII. Administration**

*Chairing and venue of meetings*

UNHCR will chair the cluster meetings. If UNHCR is not able to attend a meeting then UNHCR will arrange for another agency to chair. The meeting venue can rotate as agreed by cluster members.

*Agendas, action points and minutes*

UNHCR will draft meeting agendas and post-meeting action points and be responsible for circulating them to cluster members. Cluster members are expected to keep their own minutes of meetings.

*Reporting and policy documents*

Cluster members will regularly produce a protection report highlighting protection trends, identifying gaps, updating on progress in implementing the inter-agency work plan, outlining constraints and making recommendations. UNHCR will facilitate this process and the report will be confidential and shared with the Humanitarian Coordinator, the EHCT and cluster members that contribute to it.

With the support of cluster members, UNHCR will draft policy documents (such as the interagency strategy document and work plan) and other documents as requested and agreed by cluster members from time to time.

*Meetings*

Meetings will be held bi-weekly, with additional meetings being called on request.

*Coordination of other clusters*

UNOCHA shall be responsible for coordinating meetings between the Ethiopian Protection Cluster and other clusters and coordinating the protection focal points in other clusters.