



SOUTH-CENTRAL IRAQ PROTECTION WORKING GROUP

TERMS OF REFERENCE

I Geographic scope, goal and objectives

1. Based on a recommendation of the Humanitarian Country Team (HCT) in Iraq, the Emergency Relief Coordinator (ERC) activated the Cluster system in February 2014. The steady roll out of the Cluster mechanism was done to address the needs of Internally Displaced Persons (IDPs) resulting from escalating armed violence in Anbar Province between December 2013 to early 2014 and later expanded in 2015 to cover all IDPs in Iraq regardless of their place of origin and place of displacement and encompass the scope of humanitarian efforts across Iraq for the benefit of all those affected by the humanitarian crisis, including host communities, IDPs, returnees, Syrian refugees and other vulnerable groups.
2. Whilst the National Protection Cluster (NPC) covers the whole of Iraq, and the KR-I Protection Working Group covers the Kurdistan Region of Iraq (KR-I) and other areas under the de facto control of the Kurdistan Regional Government, the South-Central Protection Working Group (hereinafter 'the PWG') covers the remainder of the governorates in the centre and south of the country. Given the fluidity of the situation in terms of territorial control, the respective subnational Protection Working Groups will work closely to ensure adequate coverage of areas of disputed internal boundaries (DIBs).
3. Recognizing that the Government of Iraq bears the primary responsibility to protect all individuals within its jurisdiction in accordance with international and national legal provisions, the South-Central Iraq PWG aims to facilitate and enhance the provision of a predictable, coherent, coordinated, transparent, accountable, comprehensive, and overall effective response to the protection needs of the Iraqi displaced citizens and conflict-affected communities in Iraq, and to support overall coordination of protection activities in humanitarian action. The PWG will facilitate effective preventive, responsive and remedial action through contributing to the identification and resolution of protection issues across South-Central Iraq, and providing leadership and guidance on protection issues to national and international actors.
4. The PWG uses the IASC definition of protection as premise for its work, namely "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". The working group will also be guided by the Humanitarian and Protection principles and relevant Guidelines and Standards (e.g. Guiding Principles on Internal Displacement, IASC guidelines, etc.).
5. In line with IASC definition of protection, the PWG aims to:
 - a) Establish and strengthen efficient and effective coordination mechanisms of protection activities among protection actors, including but not limited to integrated assessments, information management and responses to urgent protection concerns.

- b) Support and build the capacity of the Government of Iraq to uphold its obligation and responsibilities to protect the rights of the affected civilian population in adherence with international and national laws.
 - c) Facilitate and support protection mainstreaming, with an Age, Gender and Diversity (AGD) perspective, into humanitarian action, and establish clear information-sharing and coordination mechanisms between humanitarian actors.
6. As working principles, members of the PWG will be respectful of each other's mandates and recognize that all have different areas of expertise and operational capacities. Planning and strategizing 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.

II Aims and activities

7. Lead on **identification** of emerging and critical protection issues through:
- a) Initiating and coordinating protection assessments, with focus on persons with special needs;
 - b) Ensuring that regular assessment and monitoring of the protection needs and gaps, as well as protection analysis and reports, are shared and inform protection and other humanitarian actors' planning and response, including through prioritization of the identified needs and response options;
 - c) Participating in joint assessments when relevant, encouraging the use of participatory and community-based approaches, with an AGD perspective.
8. Support protection-related humanitarian **response** to the needs of affected populations through:
- a) Mapping protection actors' response and operational capacity, as well as protection-related activities, including development of the 3-4W matrices and similar tools;
 - b) Ensure regular mapping and update of, agreeing on geographical and thematic areas of responsibility;
 - c) Developing uniform/standardized concepts, methodologies and monitoring, response and reporting tools/mechanisms applicable to area-specific organizational and operational settings;
 - d) Maintaining regular and needs-based coordination meetings with full participation of PWG members and, where required, other relevant stakeholders;
 - e) Ensuring regular information collection and sharing, including experience (best practices) exchange activities among interested parties;
 - f) Facilitating dissemination of relevant information (pertaining to available service providers, rights and durable solutions prospects) and comprehensive assistance to the target groups;
 - g) Mobilizing agencies, NGOs and authorities to plan and implement activities in a coordinated and strategic manner, avoiding duplication and adhering to PWG strategy, as well as protection and humanitarian standards;
 - h) Continuously monitoring and evaluating protection activities, measuring the impact and evaluating the response of specific projects;
 - i) Developing mechanisms to eliminate duplication, minimize gaps and promote complementarity in the humanitarian response; and
 - j) Decentralizing operational protection coordination to the governorate level.

9. Improve institutional/organizational **capacity** and raise **awareness** on protection issues through:
 - a) Producing and disseminating protection guidelines, best practices and policies to all relevant actors, and building the capacity of members of the PWG and relevant government parties through training, workshops and seminars;
 - b) Supporting the mainstreaming of protection into the strategy and work-plans of other clusters, working groups, and governmental bodies, through training, coaching, and sensitization activities to ensure people-centered humanitarian intervention;
 - c) Facilitating trainings, workshops, seminars, awareness-raising and sensitization sessions for humanitarian actors, authorities and affected populations;
 - d) Ensuring that PWG members are aware of and independently utilize relevant policy, strategic/technical and applicable international human rights and humanitarian law standards;
 - e) Ensuring increased participation and membership of international and local NGOs and, thus, increased coverage and strategic response.

10. Conduct collaborative, evidence-based **advocacy** activities with regard to critical/urgent and protracted protection issues through:
 - a) Identifying general or specific issues of concern in line with the NPC's, Humanitarian Coordinator's (HC) and the Humanitarian Country Team's (HCT) messaging and action, the resolution of which cannot be ensured through single-agency resources and capacities;
 - b) Collecting required information, identification of responsible authorities, and mobilizing/linking organizations and independent research/advocacy experts;
 - c) Consultation with regional/dedicated Working Groups, Task Forces, affected populations and supportive authorities.

11. Develop or contribute to the development of protection-sensitive **strategies and plans**, through:
 - a) Clearly identifying roles and responsibilities in the development of protection response strategies and plans of action, determining the required actions, and monitoring and ensuring timely implementation of action decided upon by the PWG;
 - b) Supporting the Humanitarian Response Plan (HRP) and other comprehensive humanitarian planning processes by engaging in needs overview, objectives formulation and response prioritization, based on PWG members' inputs;
 - c) Careful consideration of high-risk situations for contingency planning or other processes to address recurring or new conflicts and instances of generalized violence, where sufficient capacity for such planning exists within the PWG, with clear assignment of roles and responsibilities;
 - d) Clarifying funding requirements and priorities with regard to emergency humanitarian funding opportunities and donor commitments applicable to South-Central Iraq;
 - e) Mobilizing adequate funding to respond to identified needs and priorities;
 - f) Ensuring protection is reflected in joint inter-sectoral initiatives such as humanitarian pooled funding and flash appeal processes;
 - g) Inclusion and periodic review of protection objectives and activities in the protection work-plan, in consultation with PWG members and/or a dedicated working group/task force.

III Membership and participation

12. The PWG is open to all UN agencies, international organizations, national and international NGOs or entities, involved in ensuring respect for the protection environment in South-Central Iraq.

13. Representatives of national, regional, and local authorities, and other stakeholders such as donors, can be invited to participate in PWG meetings by the Coordinator as agreed upon by its members.
14. Participation in the PWG is divided between members and affiliate organizations.
15. Membership in the PWG requires:
 - a) respect for and adherence to agreed principles, policies, priorities, and standards (including the 2007 Principles of Partnership, humanitarian and protection principles, 'do no harm', and risk-to-benefit analysis).
 - b) technical protection expertise, operational capacity and presence in South-Central Iraq;
 - c) undertaking preventive and/or responsive operational protection-related activities, and/or advocacy, capacity building, and awareness-raising;
 - d) regular direct participation in PWG meetings (either in person or remotely);
 - e) participation in initiatives related to coordination, including completion of Activity Info, 3-4W, and other information-gathering exercises; and
 - f) sharing responsibility for PWG activities, including assessing needs, sharing information, developing plans, policies and guidelines.
16. An organization that does not adhere to the requirements outlined in para. 15b-f above, including participating in PWG meetings or completing tools within a reasonable timeframe, is deemed by the PWG to no longer undertake protection activities, and will be listed as an affiliate organization.
17. An affiliate organization is any other organization that wishes to receive protection information; has a demonstrable and valid reason for receiving protection information; and refrains from using its affiliation with the PWG, or information obtained through its affiliation with the PWG, in any way that violates or jeopardizes core PWG principles (including 'do no harm'). An affiliate organisation is eligible to attend any PWG meeting, and will receive all protection information circulated to members, but will be unable to participate/vote on decisions taken by the PWG, and will not benefit from the same favourable consideration as members with regard to funding opportunities.
18. A membership list is maintained by the PWG Coordinator, who will review it on a regular basis. Any other interested parties should contact the PWG Coordinator and Co-Coordinator, who will make a decision on membership, consulting existing members as necessary.
19. Any member or affiliate organization that is deemed to no longer meet the criteria for either category, or who violates core PWG principles (see para. 15a above), will no longer be considered to have either affiliation with the PWG. Issues related to membership and affiliate status will be discussed and determined by the PWG Steering Group.

IV Management and administration

20. The PWG is coordinated/chaired by UNHCR, which is the agency of last resort for provision of protection in IDP operations. UNHCR designates a Coordinator to chair the PWG.

21. The PWG is co-coordinated/co-chaired by an NGO, currently IRC, which designates a Co-coordinator. This will be periodically reviewed on the basis of performance and engagement, in consultation with PWG members.
22. In terms of substantive duties, the PWG Coordinator and Co-Coordinator are responsible for chairing PWG meetings and for coordinating and/or leading activities outlined above in section II.
23. With regard to administrative duties, the Coordinator and Co-Coordinator will:
 - a) Convene regular fortnightly meetings with PWG members, simultaneously at venues in Baghdad and Erbil (connected via video-link), as well as other UNHCR offices in South-Central Iraq where possible;
 - b) Convene *ad hoc* meetings as required;
 - c) Jointly set the meeting agenda items and distribute it to PWG members with relevant materials within a reasonable time (not less than two days) ahead of the scheduled meeting;
 - d) Coordinate required participation/inputs from members and other invited participants;
 - e) Share, within a reasonable time (not more than a week after the meeting), the draft minutes from the previous meeting and associated materials with the PWG members, participants and, where applicable, other stakeholders.
24. Decisions of the PWG are usually made by consensus, but where consensus cannot be reached, can be made by simple majority (50% plus one) vote. A quorum of one quarter of all members is required to pass a decision. In the case of a split vote, the Chair's vote is decisive.
25. Ad hoc invitations to governmental officials, donors, civil society organizations, and IDPs' representatives may be extended whenever appropriate at the discretion of the PWG coordinator and co-chair, following consultation with PWG members who sustain no objections. Government officials will attend for specific, pre-determined reasons relating to information-sharing only, and will only participate in specific agenda items in order to allow for discussions independent of their presence.

V	Structure and reporting
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26. The PWG coordinates its work with the National Protection Cluster (NPC). Its Coordinator and Co-Coordinator provide regular updates to the NPC Coordinator and Co-Coordinator about protection concerns, and participate in national-level meetings, including the Strategic Advisory Group, as needed. The NPC Coordinator and Co-Coordinator usually represent the Protection Cluster in inter-cluster forums.
27. Acknowledging the challenge of efficiency in decision-making when timeframe is tight and the humanitarian situation complex, especially in a forum inclusive of numerous actors with different levels and areas of expertise, the PWG will establish a Steering Group. The role of the Steering Group will be to support and facilitate the strategic direction and planning of PWG action in relation to service delivery and advocacy.
28. The Steering Group is comprised of the PWG Coordinator and Co-coordinator, the Rapid Protection Assessment (RPA) Project Manager, as well as other organizations with recognized expertise in protection and broad operational presence in the region. Membership in the Steering Group is decided by the PWG members, but shall not exceed eight persons.

29. Given the extended geographical area and complexity of the protection problems in South-Central Iraq, the PWG is operational at both subnational (South-Central) and area/governorate levels (see Annex I). In line with the aim to decentralize operational protection coordination to the governorate level, area/governorate PWGs and/or similar coordination mechanisms will be further established or consolidated, where necessary or appropriate. This will further the operationalization of protection in the region, enable the South-Central PWG to progressively empower and build the capacity of protection actors at the local level, as well as more ably support and facilitate the strategic direction and planning of coordinated complex service delivery at the subnational level. With the further establishment and consolidation of area/governorate PWGs in South-Central Iraq, it is foreseen that the South-Central PWG will meet less regularly, have fewer members, and these TORs be reviewed.
30. Area/governorate PWGs are to provide updates on protection issues and activities in their respective areas of responsibility at South-Central PWG meetings. The South-Central PWG provides feedback, support and guidance to the area/governorate PWGs.
31. Monitoring, reporting, and coordination between the South-Central and area/governorate PWGs:
- a) Facilitates reporting, information-sharing and collaboration with other coordination structures;
 - b) Enables close collaboration with Protection Cluster initiatives such as the Rapid Protection Assessment, including through RPA governorate focal points,
 - c) Promotes protection programmatic cohesion;
 - d) Identifies common concerns across operational areas; and
 - e) Develops upstream advocacy and programming strategies.
32. Further area/governorate PWGs are to be established when there are sufficient active local partners to warrant it, when a need is identified to delegate/decentralize operational decision-making in the area in question, and in the understanding that they will work under the South-Central PWG and/or South-Central regional Steering Group. Whilst area/governorate PWGs are to decide upon their own Terms of Reference, they must be in line with these Terms of Reference.
33. In consultation with its members, the South-Central PWG contributes to external reporting (or contributes to the National Protection Cluster reporting) as follows:
- a) 'Critical protection issues' presented at meetings of the Humanitarian Country Team;
 - b) OHCA-led humanitarian reporting mechanisms such as dashboards or the biweekly situation report; and
 - c) Any other specific reporting mechanism, as required.

VI	Amendments
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34. These Terms of Reference will be periodically reviewed (at least once a year) and amended by a majority of the members.