

SOMALIA PROTECTION CLUSTER

In 2006, the Somalia Inter Cluster Standing Committee took part in the global pilot roll-out of the cluster system. The Clusters, including the Protection Cluster (PC) were established to strengthen the co-ordination of humanitarian action in Somalia. At the global level there are four global areas of responsibilities out of which the Somalia PC has two: Child Protection and Gender Based Violence (GBV). At the country level, a working group on Mental Health & Psycho-Social Support Working Group was established in late 2012, and the Return Consortium formally joined the PC.

While the PC does not have Mine Action Working Group, UNMAS is an active contributor to the Cluster through the provision of information management products and training sessions on mine risk awareness.

In order for the Cluster to be effective in enhancing protection to the Somali population, a Technical Committee, which is a strategic advisory group and is comprised of key protection organisations, in a consultative manner, guides the larger PC Membership.

While recognizing that states have the primary responsibility to protect all individuals within their jurisdiction in accordance with international and national legal provisions, the Somalia PC aims to provide a coherent, coordinated, accountable, and comprehensive response to protection needs of the Somali people.

The PC is comprised of protection and human rights focused organisations that undertake preventive and responsive activities within the following definitional framework:

The concept of protection encompasses 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 law, international law, refugee law).¹

The overarching objective that PC Members will strive towards is equal respect for the rights of individuals without discrimination and as provided for in national and international law. Consequently, protection is not limited to survival and physical security but covers the full range of rights, including civil and political rights.

The work of the PC Members is guided by the principles of neutrality, impartiality, independence, and the humanitarian principle of 'Do no harm'.

1. Protection Cluster Specific Objectives

- i) To **identify** priority protection concerns;
- ii) To ensure that regular protection **assessments** are carried out with a special focus on vulnerable populations and groups with special needs;
- iii) To support effective **coordination** of protection activities responding to the identified key concerns in Somalia, and strive to reduce duplication of humanitarian action;
- iv) To develop appropriate protection sensitive **response strategies** and plans of action clearly identifying roles and responsibilities and report on their implementation;
- v) To undertake **advocacy** efforts to support preventive, remedial and reparatory actions by the relevant authorities in accordance with their obligations;
- vi) To support **resource mobilisation** initiatives for the Cluster and its Members;
- vii) To undertake **capacity building** and sensitisation of stakeholders; and

¹ This definition was originally developed over a series of ICRC sponsored workshops involving some fifty humanitarian and human rights organisations and was adopted by the IASC

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viii) To initiate or **enhance protection of civilians** initiatives within the context of humanitarian action.

2. Function of the Protection Cluster

2.1 The PC will voice the concerns, share information, and find solutions to the protection needs of affected populations.

2.2 *Specifically the Protection Cluster will:*

2.2(a) Actively seek to include key humanitarian partners able and willing to contribute expertise, knowledge and/or resources relevant to the priority protection issues.

2.2(b) Support effective coordination of protection activities among humanitarian partners. This includes among others, securing commitment of humanitarian partners to respond to identified needs, fill gaps, ensure an appropriate distribution of responsibilities and complementarities of different actors actions, and promote responses to urgent protection concerns.

2.2(c) Establish effective links with the Somalia field based PC and other relevant thematic working groups/ task forces.

2.2(d) Ensure that protection concerns and standards are appropriately represented within the protection-related forums, as well as provide guidance in liaison with other Clusters.

2.2(e) Ensure utilization of participatory and community based approaches in protection needs assessment, analysis, planning, monitoring and response.

2.2(f) Seek to develop a common protection strategy including the identification of gaps, and a predictable action plan.

2.2(g) Represent the interests of the PC in discussions with the Humanitarian Coordinator, at Inter-Cluster meetings, and with other stakeholders on prioritisation of issues for humanitarian action, resource mobilization, and advocacy

2.2(h) Facilitate the mainstreaming of protection into humanitarian action undertaken by other Clusters and provide support to other Clusters as necessary. Raise awareness among other Clusters and Cluster Leads regarding their responsibility to ensure that protection concerns related to their respective clusters are addressed

2.2(i) Ensure that Cluster members are aware of and utilise relevant policy guidelines, technical standards (such as *Sphere*) and relevant international human rights law.

2.2(j) Establish and maintain monitoring and reporting mechanisms on protection issues.

2.2(k) Endeavor to effectively engage with relevant stakeholders and parties to conflict to promote adherence to International Humanitarian law and Human Rights law.

2.2(l) Advocate with donors to fund humanitarian actors to carry out priority activities, while at the same time encourage protection cluster members to mobilize their own resources for their activities through their usual channels.

3. Participation and Membership in the Protection Cluster (PC)

3.1 The PC is open to all UN agencies, international organizations and national and international NGOs, involved in ensuring the respect of the protection environment for civilians.

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3.2 Representatives of local and national authorities and other stakeholders, such as donors can participate in PC meetings.

3.3 Participation in the PC is divided between:

- (i) Members of the PC; and
- (ii) Organisations affiliated to the PC (paragraph 3.5).

3.4 Membership in the PC requires²:

- (i) Regular participation at the national or field level in PC or working group meetings. In locations where there is no operational PC or WG organisations will not be required to have staff travel to attend a meeting.
- (ii) Mandatory completion of the quarterly PC or Working Group 4W (monthly) when requested by the PC Secretariat or group chairs. An organisation that does not complete three (3) consecutive quarterly 4Ws, or six consecutive monthly WG 4Ws, is deemed by the PC Secretariat to no longer undertake protection activities, and will be listed as an Affiliate Organisation (paragraph 3.5);
- (iii) Organisations must undertake responsive and/or preventative activities that are not purely advocacy, capacity building, or awareness raising;
- (iv) Share responsibility for PC Cluster activities, including assessing needs, developing plans, policies, and guidelines; and
- (v) Respect and adhere to agreed principles, policies, priorities, and standards.

3.5 Affiliate Organisations to the Protection Cluster (PC)

3.5(a) An Affiliate Organisation as stated in 3.3(ii) is an organisation that wishes to receive protection information but is not undertaking protection activities as per the requirements of paragraph 3.4(i) to 3.4(v).

3.5(b) An Affiliate Organisation is eligible to attend any PC or WG meeting at the National or field level, and will receive all protection information circulated by the PC Secretariat.

3.6 Protection Cluster Chair and Co-Chair Responsibilities

3.6(a) The Cluster lead is accountable to the Humanitarian Coordinator and reports regularly to the lead agency (UNHCR Somalia), with the aim of ensuring a more effective, coordinated response capacity, in response to humanitarian crisis in Somalia.

3.6(b) Specific tasks of the Protection Cluster Chair and Co-Chair include:

- (i) Identification of key protection partners;
- (ii) Coordination of program implementation
- (iii) Planning and strategy development
- (iv) Monitoring and reporting; and
- (v) Advocacy and resource mobilization.

4. Protection Cluster Architecture

² United Nations humanitarian organisations are deemed to be members even if the reporting requirements cannot be fulfilled. United Nations humanitarian organisations operate through partners, and therefore, to avoid double reporting, a partner's report will be sufficient.

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- 4.1 The PC is chaired by UNHCR and is committed to its obligations specified within its role as Global Protection Cluster lead.
- 4.2 The Danish Refugee Council (DRC) is the Co-Chair. The selection of a Co-Chair can be regularly reviewed with the objective of periodic rotation.
- 4.3 The PC Secretariat consists of the Chair and Co-Chair and Cluster Support Officer(s). The Secretariat's role is to manage the day-to-day operation of the PC, and to facilitate guidance and strategic direction as stipulated by the Technical Committee and/or the PC at large.
- 4.4 The PC consists of a National and Regional PCs and Working Groups. At the National level, in addition to the PC Secretariat and Technical Committee, the PC is comprised of a:
- (i) Gender Based Violence Working Group;
 - (ii) Child Protection Working Group;
 - (iii) Mental Health & Psychosocial Support Working Group; and
 - (iv) The Return Consortium.
- 4.5 The Technical Committee at the National level is comprised of up to 10 members from key UN & NGO protection focused organizations, Chairs/Co-Chairs of PC WGs, and the PC Chair and Co-Chair. Emphasis is placed on organizations that are either global thematic leads or have significant thematic technical experience in Somalia.
- 4.6 The purpose of the Technical Committee is to:
- (i) Provide strategic guidance to the PC;
 - (ii) Provide technical support on protection issues;
 - (iii) Provide strategic support and guidance to Working Groups and Task Forces; and
 - (iv) Address protection concerns raised by the wider PC Membership.
- 4.7 Each Regional PC oversees a specific geographic area and, in consultation with the National PC, determines which working groups, task forces, consortia etc., it wishes to establish and maintain and who should be the chair / co-chair.
- 4.8 Based on requirements and the needs to address protection concerns efficiently and effectively, the PC at either the National or Regional level can establish additional working groups, *ad hoc* thematic groups, Task Forces, Steering Committees, etc.
- 4.9 At the National level, the PC is supported by a Technical Committee (a strategic advisory group) and a Cluster Review Committee, which reviews proposals during Consolidated Appeals Process and any Common Humanitarian Fund OR Emergency Fund allocations.
- 4.10 In consultation with the National PC, Regional PCs may establish their own Technical Committee.
- 5. Frequency of Meetings**
- 5.1 At the National level, the PC Technical Committee will meet once a month though *extraordinary* meetings may be called by the Chair/Co-Chair, or at the request of a member of the Technical Committee.
- 5.2 The National level PC will hold a general meeting every two months, at which information will be shared, protection concerns highlighted, and updates from the regions through the WGs provided.

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5.3 Each Working Group at the National and Regional level will set the frequency of their own respective meetings.

5.4 At the Regional level, the PC will meet on a monthly basis.

6. Agenda and Action Points

6.1 The general PC at the National level will be arranged by the PC Secretariat. A draft agenda will be circulated to PC Members and Affiliate Organisations 5 days before the meeting. Draft minutes will be circulated shortly after the meeting.

6.2 At the general PC meeting updates from the National WGs are a standing agenda item. The chairs / co-chairs of those WGs will provide updates on their activities and decisions made including from the Regional WG, and highlight issues that require discussion and action by the TC.

6.3 The PC Secretariat is responsible to arrange the Technical Committee (TC) meetings. Final Minutes from the TC meeting will be shared with the PC Membership. Prior to wider circulation, sensitive information will be redacted to ensure confidentiality.

6.4 Action Points from Regional PC or WGs that require action by the National PC must be sent to the PC Secretariat, which in turn, will table the action point for discussion at the next Technical Committee meeting. Feedback and decision(s) reached by the Technical Committee will be communicated to the requesting Regional PC or WG by the PC Chair or Co-Chair.

6.5 Meetings by the PC and WGs at the Regional level will be arranged by the respective chairs and co-chairs should follow the process outlined in paragraph 6.1 as much as possible.

6.6 It is expected that at the Regional PC meeting, reports from WGs in existence in that particular Region are a standing agenda item.

7. Somalia Protection Cluster Terms of Reference

7.1 The Terms of Reference may be review on an annual basis.