



## KEY POINTS:

- Identifying the main elements to include in a human rights analysis
- Using the Protection Analysis tools for human rights analysis
- Understanding the added value of using Protection Analysis Framework (PAF) and how it links to other tools



## WHAT KEY ELEMENTS DO WE LOOK AT WHEN WE CONDUCT A HUMAN RIGHTS ANALYSIS?

First, set your frame/parameter for analysis: The frame determines the content that is analyzed, the questions that may be asked, the tools used to address the issues identified. What is not captured in the frame remains outside of the analysis.

- Protection risks from the perspective of human rights normative standards at stake, i.e., linking the relevant HR law to the identified protection threat.
- Risks for certain human rights violations to occur, knowing that certain contexts may pose particular risks for different groups of people within the affected population, especially if we think about women and girls, children, LGBTI persons.
- The impact of human rights violations on IDPs.
- Actors involved in the situation at stake. Look both at rights-holders and duty-bearers. And consider age, gender and diversity. Think of all the categories of IDPs that can be affected in specific ways by human rights violations. Show rights holders (affected population) as a separate point to duty bearers – also consider the role of the perpetrators.

Human rights analysis entails the identification of human rights violations. Start by identifying the key protection risks/threats that IDPs are facing and think about which human rights are involved in those protection concerns. Observe specific patterns; some human rights violations might occur nation-wide, while others are specific to certain regions. Note whether the human rights violations you identify affect everyone, or only specific categories of persons.

Keep the following questions in mind:

- Which rights are affected?
- Who is affected by the human rights concern?
- What and who is the source of the human rights threat?
- Does that threat relate to a gap in law or policy?
- Does that threat relate to an inadequate interpretation or application of the law or policy?
- Does that threat relate to ineffective institutions who cannot enforce the law?
- Are there particular State practices which are encouraging or failing to protect against threats?
- What is the link between the human rights threats and the human rights normative standards?



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## **WHAT IS THE PROTECTION ANALYSIS? AND HOW IS IT USEFUL TO THE PROTECTION CLUSTER?**

The second core function of field clusters is to inform HCT Strategic Decision-Making. It is defined by the IASC as preparing needs assessments and analysis of gaps (across and within clusters, using information management tools as needed) to inform priorities, identifying and finding solutions for (emerging) gaps, obstacles, duplication and cross-cutting issues and formulating priorities on the basis of analysis. Effective information management and data analysis at the global and field levels is essential for quality planning and programming in humanitarian operations as well as undertaking regular Protection analysis is essential to all aspects of the work of the Cluster, not least coordination of services, strategic planning and advocacy. Coordinated analysis should be regularly conducted across crisis affected areas, following the Protection Analytical Framework (PAF) together with the Protection Cluster information management and analysis tools including the list of commonly agreed key protection indicators, to contextualize the protection crisis, identify protection risks, needs, and capacity, as well as gaps across and within Clusters and inform setting of priorities. Analysis will help to identify protection risks, needs and gaps, and highlight obstacles, while taking cross-cutting issues into consideration. Results of this analysis will eventually help formulating and updating priorities, for strategic as well as operational planning, to address priorities, response gaps and duplication with operational partners, and to brief Humanitarian Country Team (HCT) and Intercluster Coordination Group (ICCG) on these key priorities.

Protection analysis tools and framework guide robust, context-specific analysis. They help anyone undertaking a context and risk-based protection analysis to answer the following questions:

1. What information is needed to undertake a protection analysis?
2. How should data and information be organized and structured to support an in-depth and integrated analysis?
3. Which are the most affected areas and population groups affected by the crisis?
4. Which are the protection risk the affected population faces?

Protection analysis is an in-depth and ongoing process. It informs decision making for multisectoral and multi-disciplinary strategies that reduce and prevent protection risks that may violate international human rights and refugee and humanitarian laws. It is suitable for use across humanitarian contexts, including with internally displaced people, returnees, refugees, and mixed situations.

## **WHAT IS THE ADDED VALUE OF CONSIDERING THE HUMAN RIGHTS ASPECTS IN PROTECTION ANALYSIS?**

The design and logic of the Protection Severity Scale of Protection Analytical Framework (PAF) explicitly incorporates a focus on the information required to ensure a solid focus on human rights in all protection analysis. The objective of this is to provide a deeper and more holistic overview of the protection environment.

## **HOW HAS THE GLOBAL PROTECTION CLUSTER WORKED ON ENSURING THAT THE HUMAN RIGHTS DIMENSION IS ADEQUATELY CAPTURED IN PROTECTION ANALYSIS?**

The Global Protection Cluster has produced a set of analysis tools and the PAF to ensure that HR analysis is integrated into the Protection Analysis as follows:

- Human Rights indicators for measuring the severity of needs across geographical areas and affected population groups;
- Analysis of structural issues and root causes that drive protection threats;
- Analysis roles of duty bearers and perpetrators;
- Linkages between identified protection risks and the relevant human rights violation(s);
- Extent of application of relevant legal frameworks in a given context.

An analysis that better incorporates those factors can support response at different levels and ensure stronger coherence with human rights and development actors. Moreover, GPC's Human Rights Engagement TT and Information and Analysis WG have initiated a workstream for fostering the C2A for HR into the protection analysis process.

 The analysis tools and PAF guidance can be found here:

HPC Guidance: <https://www.globalprotectioncluster.org/tools-and-guidance/hpc-guidance/>  
PAF: <https://www.globalprotectioncluster.org/2021/08/11/protection-analytical-framework/>

If you want to know more about the protection analysis tools and how these can be used for the effective inclusion of HR into the protection analysis, please get in touch with the GPC Information and Analysis Working Group ([aristing@unhcr.org](mailto:aristing@unhcr.org) / [ariasdel@unhcr.org](mailto:ariasdel@unhcr.org)).