

Common Guidance for Ethiopia HCT engagement on aid delivery in displacement and return areas

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Policy guidance: Promoting and ensuring compliance with international law and humanitarian principles are essential elements of effective humanitarian assistance.

- The four humanitarian principles of humanity, neutrality, impartiality and independence provide the foundations for humanitarian action. They are central to establishing and maintaining access to affected people, whether in a natural disaster or a complex emergency.
- Humanitarian life-saving assistance to those in need is delivered without any adverse distinction and provided solely on the basis of needs.
- IDP returns, as well as reintegration and relocation options, shall occur on a voluntary, dignified, safe and sustainable basis, in line with the IASC Framework on Durable Solutions. This implies consulting IDPs on their intentions and providing the information necessary to make a free and informed choice. In particular, a gender lens should be applied to ensure that women are accessing information directly not as third parties and have the opportunity to be heard independently.

Common approach to Ministry of Peace return planning: To ensure improved planning and coordination, international humanitarian partners should

- **Engage with Government planning** and implementation strategies on durable solutions¹ for IDPs at federal and sub-national (zonal and woreda) levels. This will also involve other non-state actors. At the sub-national levels, partners should seek understanding of who is responsible for what and where, in order to inform our engagement and target our advocacy in line with the agreed EHCT key advocacy messages.
- Ahead of returns, reintegration, or relocation solutions, partners should undertake a **joint assessment with Government** bureaus in areas of returns/relocation to gauge conditions of basic services – including access to reproductive health services and safe deliveries - and livelihood options in order to evaluate resources needed re-habilitate up to levels of pre-conflict (and based on pre-displacement indicators data) and length of continue humanitarian support to returnees' self-reliance.

¹ IASC Framework on Durable Solutions for IDPs states durable solutions to include returns to areas of origin, reintegration in areas of displacement, and relocation in other areas of the country. IDP Guiding Principle 28 recognizes that the competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow IDPs to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country.

- Whenever appropriate (including but not limited to cash distributions), humanitarian partners should conduct **risk analysis** on programs aimed at ensuring a ‘do no harm’ outcome.
- Humanitarian partners will distribute life-saving **assistance to returnees** to assist with the initial phase following return up to a limited pre-set duration and base on severity of needs, provided resources are available. The Government and humanitarian actors should not reduce **services in an area of displacement**, when there has been no change in the needs of that population, as this may have the effect of creating a push factor.

Operational guidelines: Partners should advocate for delivery of assistance according to operational best practices as follows:

- **Accountability to Affected Populations:** Under the leadership of the EOCs or other zonal coordination bodies, partners should include affected communities in the design of the specific response activity, and ensure that targeted communities are invited to identify their own needs including protection risks. Partners are requested to explain program goals to all community members – including non-target populations. IDPs should be proactively informed that assistance will be provided based on needs and not on status and/ or intention to return. Partners should establish effective feedback systems and complaint mechanisms to enable target populations to voice their concerns and issues relative to assistance and protection.
- **Intentions surveys Informed consent:** IDPs should be consulted and their views sought on their intentions for local integration, return, or relocation to ensure voluntariness in making such decisions. Government and humanitarian partners (where possible) should provide information on conditions in potential areas of return in order for IDPs to make voluntary and informed decisions on the appropriate solution to their displacement including for instance information about GBV protection and access to appropriate multisector services for survivors.
- **Targeting:** the EHCT-endorsed ‘needs based targeting guidelines for humanitarian partners’ should guide all humanitarian partners’ engagement on targeting, verification and registration in all sectors/Clusters that have a “master list of target populations”. Partners to seek the establishment of a joint targeting committee (comprised of local government, community representatives (both IDPs and host community, including women) and humanitarian partners) to register target populations. Final verification will be done independently by the implementing agency/ NGO.
- **Risk Assessment/Do No Harm:** Prior to interventions, partners should conduct a risk analysis, as much as possible using a common template, and consider whether the activity will create or exacerbate protection risks and benefits for individuals, households and communities, and to what extent new risks could be mitigated by affected communities,

humanitarian agencies and Government, and / or by complementary program activities, including compare risks and benefits of different response modalities, e.g. cash, vouchers or in-kind.

- **Prioritization:** Evidence-based conclusions on those having the most acute / immediate needs should be the basis for decision making by the EOCs (if applicable) and/ or partners on which groups to be targeted / prioritized, using the HNO indicators to measure severity and applying a gender lens. Dilemmas relative to assessments or prioritizations should be escalated to the HC / EHCT in Addis if and when needed.
- **Flexible programming:** Partners to review flexibility in programming, to ensure their ability to address the most-critical lifesaving needs, both in current areas of displacement and in areas of return – in line with evidence based and severity prioritization.
- **Minimum standards of assistance:** Partners to promote that all programming (their own and that of Government's) operates as much as possible in line with the Sphere Standards.
- **Sustained efforts:** Cluster Lead Agencies and OCHA to ensure sustained, principled and strong Cluster leadership in critical areas, with longer-term deployments.

Access: Partners should actively seek free, direct, and unhindered access to the overall affected population, including IDPs that are hosted by communities, in both areas of displacement and areas of origin/return.

- **Documentation:** Access constraints to continue to be systematically documented via OCHA's Access Monitoring Tool and analyzed for further advocacy. When needed, challenges related to access should be escalated to the HC / EHCT in Addis.
- **Negotiation:** Partners facing access challenges should prioritize local resolutions, by attempting firstly to resolve access constraints bilaterally, or raised through OCHA, with local Government counterparts.
- **Escalation:** Partners to use OCHA and the EOC fora (if applicable), and other coordination structures, to remind zonal / regional authorities of commitments made by federal authorities in Addis Ababa on issues relating to access, protection and coordination of the response. Challenges in this regard to also be highlighted in the context of Government obligations to protect IDPs under national and international law (the latter as reflected in the Guiding Principles on Internal Displacement).

Protection: All IDP decisions on durable solutions, and in particular on returns, must be made on a voluntary basis and in a free and informed manner. IDPs must be protected from direct and indirect coercion. As immediate practical steps:

- Protection Cluster members should organize "Go and See Visits" with IDPs to areas of return, to provide opportunities for IDPs to freely evaluate their options. Where convenient and feasible, Go and See visits could also be organized together with the Multi-sectorial assessments organized by OCHA with clusters and sectors. The presence of CP/GBV cluster members should be ensured as well.

- Protection Cluster members should provide *protection by presence*, in order to mitigate the likelihood of any rights violations, through monitoring visits in return locations, at the points of embarkation, and if feasible, disembarkation.
- Government should be informed of a readiness by the EHCT to formally express concerns about movements in which the principles of voluntariness, safety dignity and sustainability are not met. These should be escalated in case of: (1) Forcible placement of persons on buses or trucks, (2) Forced family separations, (3) Withdrawal of humanitarian assistance from persons, who intend to remain in areas of displacement.

Health, incl. Reproductive Health, and Gender-based violence

response:

- Members from the health cluster and the Technical working group for SRHR in Humanitarian Crisis, should visit the areas of return to assess the availability and accessibility of quality basic health services, including reproductive health services and safe deliveries. To the extent possible the visits should be coordinated with other cluster visits.
- In consultation with the CP/GBV cluster assessing the preparedness to ensure appropriate and comprehensive sexual and reproductive health service to GBV survivors, including availability of social workers.

Advocacy: All partners should remain strongly engaged, with senior/decision-making representation of the Government, and continue collective (public and private) common messaging on issues of internal displacement and returns. EHCT and HRDG donors to continue the existing model of documented advocacy with high-level Government. EHCT key advocacy messages are:

- The Government should provide assurances that humanitarian partners will be able to provide humanitarian assistance concurrently to those IDPs and returnees with the most critical specific needs regardless of their decision to return, or remain in areas of displacement.
- Returning the IDPs prematurely based on a predetermined timeline, without proper preparation, potentially deepens the humanitarian crisis and violations humanitarian principles.
- Mounting a response in the areas of return takes time and will need significant new investment in recovery and rehabilitation activities, without which there could be a major public health emergency among others and the risk of growing discontent.
- To ensure informed decision-making and build confidence amongst IDPs, it is imperative to assess availability of government services and livelihood opportunities, as well as facilitate Go-and-See Visits in areas of origin or habitual residence ahead of returns.
- For returns to be successful and sustainable, Government-led peacebuilding and reconciliation processes need more time to facilitate visible accountability and an end to impunity for crimes that were committed.

- Ensuring already allocated resources from development investment portfolios are effectively and efficiently implemented in conflict-affected areas is critical from a conflict mitigation and conflict sensitive response perspective and strengthening existing systems.