



PROTECTION CLUSTER TERMS OF REFERENCE

(North West and South West Regions, Cameroon)

I. BACKGROUND

Since November 2016, the protection environment in North West and South West regions of Cameroon has been a source of great concern because of the devastating consequences resulting from the ongoing fighting between the government security forces and the separatist armed groups. The civilian population have suffered and continue to be subjected to serious human rights violations and abuses at the hands of the parties to the conflict, including killings, abduction, arbitrary arrests and unlawful detention, extortion, physical and gender-based violence, extrajudicial executions and targeted assassinations as well as forced recruitment of child soldiers by the various non-stated armed groups.

To date and according to estimates by the humanitarian country team (HCT), no less than 437,515 persons have been displaced as a result of the ongoing crisis, out of whom 350,919 within the North West and South West regions while the rest of them have found refuge in neighboring West and Littoral regions. In addition and according to UNHCR, the crisis has also produced over 35,000 refugees who have been forced to cross into Nigeria since the beginning of this year.

The various needs assessments undertaken in some of the crisis-affected areas clearly indicate that the humanitarian situation is rather worrisome especially in terms of the protection risks and threats that the IDPs and the communities hosting them are confronted with. With a view to addressing their urgent life-threatening protection and humanitarian needs, a number of clusters, including the Protection Cluster, have been activated in October 2018 to lead and coordinate collective efforts undertaken in the context of the ongoing emergency response. This ToR is based on the standards elaborated by IASC as well as the recommendation from Humanitarian Country Team (HCT) in respect to response to the humanitarian needs in protection including forced displacements of population and the various human rights violations related to the current conflicts in these regions.

II. SCOPE OF WORK

The purpose of these terms of references of the Protection Cluster and its Sub-Clusters (Child Protection and GBV) and thematic groups is to effectively coordinate and strengthen the humanitarian protection response to the unfolding crisis in the North West and South West

Regions of Cameroon. The protection interventions undertaken by its members are aimed at promoting a favorable protection environment for men, women, boys and girls who have been displaced as a result of the ongoing crisis, as well as their host communities, through the prevention and mitigation of the various protection risks that they are confronted with.

The Protection Cluster adheres to the IASC definition of protection to guide its activities. As such, the Protection Cluster considers that protection includes “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 (i.e. human rights law, international humanitarian law and international refugee law).

The Protection Cluster acknowledges the fact that displaced persons, host communities and other affected populations have a crucial role to play in contributing to the creation of a favorable protection environment and, as such, they should be actively engaged in all the phases of the emergency response through the use of a participatory approach that takes into consideration their age, gender and diversity.

Furthermore, the Protection Cluster appreciates the fact that all the humanitarian actors involved in the response to this crisis have an important contribution to make to the ongoing efforts aimed at achieving positive protection outcomes through the design and implementation of protection-oriented activities in their respective areas of intervention.

III. GUIDING PRINCIPLES

The work of the Protection Cluster shall be guided by the 2007 Principles of Partnership, namely:

- equality among partners in consultation and decision making
- transparency among partners
- the primacy of a result-oriented approach to humanitarian action
- responsibility between partners to accomplish undertaken tasks
- Complementarity between the capacity and activities of local and international actors.

The activities of members of the Protection Cluster shall be guided by the Protection Principles contained in the 2011 Humanitarian Charter and Minimum Standards in Humanitarian Response, namely:

- Avoid exposing people to further harm as a result of any action or inaction;
- Ensure people’s access to impartial assistance – in proportion to actual needs and without discrimination;
- Protect people from physical and psychological harm arising from violence and coercion;
- Assist people to claim their rights, access available remedies and recover from the effects of abuse.

Furthermore, the interventions of the Protection Cluster members shall be guided by the humanitarian principles of Humanity, Neutrality, Impartiality and Operational Independence.

IV. MAIN OBJECTIVES

To ensure the effective and timely implementation of activities within the Humanitarian Response Plan and to contribute to the mainstreaming of protection throughout the humanitarian response, members of the Protection Cluster agree to:

- Work towards a harmonized approach, in order to provide a coordinated protection response to emergency, mid-term and long-term needs of the IDPs and other crisis-affected populations;
- Ensure the development of inclusive and pertinent coordination mechanisms which includes the collection and evaluation of protection incidents, analysis and management of information in collaboration with thematic working groups, other humanitarian and development actors.
- Work in partnership with all relevant actors involved in the humanitarian response to ensure that all persons of concern have equal access to quality protection services;
- Ensure evidence-based action and that gaps in protection services are filled so as to inform prioritization of resources where necessary;
- Enhance accountable, predictable and effective emergency, mid-term and long-term responses to the protection needs of persons of concern;
- Identify core protection advocacy concerns, develop key messaging on specific topics and contribute key messages to broader advocacy initiatives of the HCT;
- Work with other clusters to ensure that protection considerations guide all aspects of the IDP emergency response in North Western and South Western regions of Cameroon.
- Sensitise and reinforce the capacities of different actors, including protection cluster members on all protection issues, which consists of humanitarian principles, international humanitarian laws, human rights, the principal legal instruments ; including the Guiding principles on internal displacement ; the 2009 Kampala Convention on Internally Displaced Persons from which the national legislations on IDPs have been drawn.

V. MEMBERSHIP

Membership is free and open to all humanitarian organizations implementing protection related activities and services on behalf of people who have been displaced as a result of the ongoing crisis in South West and North West regions of Cameroon, their host communities as well as other crisis-affected populations, with the shared goal of enhancing the humanitarian protection response. These include, amongst others, UN agencies, international and national NGOs, and international organizations being already engaged in protection delivery or planning to do so in the near future. Organizations being part of the Protection Cluster commit to ensuring that they are represented by their staff with protection expertise in the regular as well as ad-hoc meetings called by the latter.

With a view to ensuring that the Cluster, its Sub-Clusters (Child Protection and GBV) and others thematic groups, if and when the latter are put in place, remain operationally focused

drawing on its members' existing expertise, resources and capacities, organizations newly engaged in the ongoing humanitarian response and who are willing to be part of the Protection Cluster are required to follow the application process which is described below:

Submit a written request in this regard to the Protection Cluster Coordinator outlining (1) the type of their protection activities including their duration by locations and (2) the main motivation behind their intention to join the Protection Cluster, and committing to regularly attending and actively participating in Cluster meetings, sharing relevant protection data through the various coordination tools such as the 5Ws matrix,

The collaboration with the State structures is carried out through advocacy with technical services in charge of protection of civilians, administrative or security issues in order to ensure the improvement of the protective environment of the civilian population.

VI. PROTECTION CLUSTER MEETINGS

The Coordination Meeting is the primary platform for the Protection Cluster Members to:

- Oversee the overall protection response across the South West and North West regions of Cameroon, including that of the Child Protection Sub-Cluster, the Gender-Based Violence Sub-Cluster and others thematic groups, if and when the latter are established;
- Guide the mainstreaming of Protection across all other Clusters;
- Keep abreast of developments relating to the ongoing crisis in the North West and South West regions and make common adoption on response plan for specific protection issues;
- Be updated on the status of relevant key events and activities undertaken by Cluster members;
- Be informed of relevant events and activities from other clusters;
- Share information between Cluster Members;
- Make collective decisions on behalf of the Protection Cluster in relation to strategy and other issues, as necessary;
- Present and discuss new project proposals by Cluster Members and other actors engaged in protection activities in South West Region, to ensure consistency and coherence with the activities of other Protection Cluster Members; and
- Discuss and review drafts of relevant reports, as necessary.

The duration of the Protection Cluster Meeting shall be no longer than two (02) hours unless under unavoidable circumstances, in which case the members will be notified beforehand. In light of the limited protection actors and restricted humanitarian access, it will take place on a fortnightly basis and more precisely on Wednesdays and the venue of the meeting will be UNHCR Office in Buea and Bamenda, unless otherwise indicated. The frequency, date and time of the meeting may be revised upwards or downwards depending on the actual scale of the protection response and the related coordination needs. Ad hoc meetings can be called at short notice as necessary.

COORDINATION TOOLS (5W Matrix)

- The Protection Activities Tracking Matrix is a tool used for information sharing, coordination (Identifying gaps and avoiding duplications) and planning purposes. It includes information on Who, is doing What, Where, When and How (5W) in relation to protection activities on behalf of IDPs and host communities in the South West and North West regions of Cameroon.
- Protection Cluster members are expected to maintain their organisation's entry for protection activities into the 5W Protection Activities Tracking Matrix.
- The Protection Activities Tracking Matrix is compiled in coordination with the Protection thematic groups (Sub-Clusters Child Protection, GBV et Working Group Access to Justice and Rule of Law

REPORTING

- Standard reporting on protection needs, progress in the protection response delivery, ongoing and planned activities and protection gaps, takes place through the periodic and ad hoc reports of the Inter-Sector Working Group at the national level.
- If and when established, the sub-clusters manage indicator reporting with partners for GBV and Child Protection related objectives and activities, while the Protection Cluster manages indicator reporting on all other protection objectives and activities as per the Humanitarian Response Plan (HRP).

Any other reporting mechanism can be developed and implement with common adhesion of protection cluster members in respect for communicate and advocacy on protection related issues.

PROTECTION STRATEGY

- Protection Cluster members are responsible to contribute to the development of the Protection Strategy taking into consideration the needs of the population of concern and other crisis-affected populations.

COORDINATED ASSESSMENT MECHANISMS

- Protection Cluster Members commit to sharing information on any assessments that they are engaged from the planning phases through to the release of the related reports;
- The Protection Cluster shall also coordinate with other clusters to incorporate protection considerations into relevant assessments.

APPLICATION AND REVIEW OF TERMS OF REFERENCE

These Terms of Reference govern the meetings, activities and publications by or on behalf of the Protection Cluster or any related matters. They are subject to review every year following their adoption by the Protection Cluster, or by at any other time by agreement of the members of the Protection Cluster.