Part IV

ACTIVITIES AND TOOLS FOR PROTECTION

(Guidance Notes)

Overview

The humanitarian response to situations of armed conflict or natural disasters involves a broad range of generic protection and assistance activities, which are usually strategically combined, as illustrated in Part III. The way in which humanitarian actors plan, implement or combine these activities may have a vital impact on the situation of the civilian population.

Part IV of the Handbook offers guidance to help staff in the field to maximize the potential of such activities for protecting internally displaced persons and other affected populations of different ages, sex and backgrounds. While it focuses on twelve activities, presented in the form of *Guidance Notes*, Part IV is not an exhaustive account of possible interventions. Activities herein have been selected following close consultation with the contributing organizations to the provisional release of the Handbook. The protection potential of such activities and their prevalence in IDP field operations were important criteria leading to the final selection.

The *Guidance Notes* aim to highlight ways in which each activity can support IDPs and other persons of concern in realizing their rights. They also provide suggestions to build and strengthen the capacity of national authorities and communities at different levels to fulfil those rights. In doing so, they aim to help mitigate the potential for additional protection risks created through these activities. Part IV is closely interlinked with Part V, which deals with specific protection risks, and both parts complement each other.

Suggestions provided in these *Notes* are wide-ranging as they are addressed to humanitarian staff in field operations of a varied nature and purpose. Therefore, humanitarian actors in the field will need to make a judgement call in the allocation of roles and responsibilities as appropriate.

The provisional edition of the Handbook will be field tested during the first half of 2008. All human rights and humanitarian staff and partners are encouraged to provide feedback on the Guidance Notes. Examples of relevant field practices, which will be included in the first edition of the Handbook, are also welcome. All comments and suggestions can be sent to **hqidphb@unhcr.org**.

Guidance Note 1

Protection Monitoring

🔑 Key message

Protection monitoring during internal displacement involves collecting, verifying, and analyzing information in order to identify human rights violations and protection risks encountered by IDPs and other affected populations. Protection monitoring generally takes place over an extended period of time and should be coordinated and undertaken by agencies with a specific mandate and expertise to do so, in cooperation with UN agencies and members of civil society, particularly those directly affected: internally displaced persons and others.

1. What is protection monitoring and why is it done?

The principal objective of protection monitoring is **to reinforce the responsibility of State actors** and relevant non-State actors to protect IDPs and other affected populations. These State and non-State actors are referred to as "**duty-bearers**," because of their obligation to respect, protect and fulfil the rights of "**right-holders**," in this case, the IDPs and otherwise affected communities (*see Part I.1*). 📖

The information gathered and the analysis carried out should also assist in guiding and informing **action by relevant international and national actors**. These actions might include specific interventions on behalf of individuals and groups, the planning and implementation of humanitarian assistance operations, the deployment of peacekeepers, and advocacy and/or other activities by international actors and national and international civil society.

Very often, protection monitoring will be conducted in the context of broader protection assessment exercises, such as during **participatory assessments** being undertaken for the development of a protection strategy (*see Part III.1*). 📖

1.1. The key principles of protection monitoring

Applying the general principles explained in Part I.1 of the Handbook, protection monitoring must be **independent** and **neutral**, and conducted with respect for the **do-no-harm** concept. Monitors must respect the principle of confidentiality, protect their sources, be sensitive to the feelings of victims and witnesses, and not make promises they cannot fulfil. They should respect the proper functioning of national and local authorities and seek ways to support local capacity building.

Protection-mandated agencies should take any steps necessary to ensure the safety of their monitors, particularly if there is a potential for reprisal or retribution. Protection monitoring agencies should be transparent with State and non-State interlocutors and other concerned populations about the nature of their work. This should be balanced against the need for keeping certain information confidential in order to ensure the safety of the IDPs and monitors.

Monitoring must be based on the rights defined and guaranteed by **relevant international human rights and humanitarian law instruments, regional treaties** and **national legislation.** Monitors should be familiar with the international and regional mechanisms and mandates established for the protection of human rights (*see Part I. 2*). 📖

Protection monitoring can take **different forms** and **serve different purposes.** These include:

- **General or community-level monitoring**, which assesses changes in the overall protection situation in a community, a village, a region or a country. While it might gather information about specific incidents and affected individuals, general monitoring focuses on understanding trends and patterns in order to inform and improve programming and project implementation. It can be undertaken by most field staff as long as basic protection considerations are taken into account.
- **Incident or individual-level monitoring**, which aims to document human rights violations suffered by victims and survivors. It requires collection of sensitive and often confidential information from victims/survivors or witnesses and might reveal specific protection problems that require immediate response and referral. Ideally, such monitoring contains a case management component. It should always be undertaken by trained protection/human rights monitors. Incident monitoring should not duplicate existing, well functioning national structures.

2. How protection monitoring is done

Protection **monitoring can be conducted under different modalities**. **The choice will be determined by contextual and operational factors**, such as: the type of setting; the size of the population being monitored; the specific operational purpose of the monitoring activity; and the resources (both human and financial) available for monitoring. Monitoring can take place within camps, in rural areas or in urban settings. While always based on the same international standards, monitoring can focus on certain aspects of any given situation. For example, within camps, monitoring can examine distribution systems, the physical locations and layout of camps, health facilities, the situation of vulnerable groups, physical protection, including sexual and gender-based violence and abuse, and issues related to psychological assistance and social welfare.

Monitoring activities should also cover the various phases of the displacement cycle and should include persons already displaced, persons at risk of displacement, returnees, and affected host populations. Different monitoring approaches may be required to monitor these different types of populations.

No one activity or tool for monitoring is appropriate for all situations; yet, the activity or tool used to gather specific pieces of information should be clearly recorded in each situation. That will make it easier to verify the data collected and to confirm that the tool used successfully captured the protection concerns specific to the situation.

The Box below provides an outline of possible activities and tools for monitoring protection:

Some Activities and Tools for Monitoring Protection

- Spot checks or camps/settlement walkabouts, home visits;
- Direct contact by victims or witnesses;
- Surveys of areas of displacement, return or settlement, in total or in random sample;
- Informal or semi structured interviews with individuals in random sample;
- Community, camp management meetings or focus group discussions (with IDPs, host communities, other relevant groups) (*see Part III.1*);📖
- Complaints mechanism within agencies;
- Liaison with national human rights institutions;
- Reviewing police or camp security incident records or logbooks;
- Questionnaires to communities;
- Information collected directly from protection interventions, such as Legal Advice Clinics or Women's Protection Centres; or
- Regular meetings among humanitarian agencies and with local actors.
- Review and analysis of reports and documentation by other parties, such as situation reports, protection reports, sub agreement monitoring reports and press reports

While the context and operational purpose will determine how the monitoring is conducted, **protection monitors in all situations** are required to:

- **Collect background information:** Monitors must have a good understanding of the social, political, cultural and economic context, including issues such as the root causes of the displacement, political actors, ethnic tensions, and the role of non-State actors (*see also Part III.1*).📖

- **Develop contacts and networks; establish a presence in the community:** Monitors must establish a network of contacts and sources of information. These will generally include members of the displaced and host communities, government officials at various levels, journalists, civil society groups, parliamentarians, and international actors. Such contacts provide both background and case-specific information; they also play a key role in advocacy and follow-up action. Networks of contacts established by other clusters/sectoral groups can also be used and expanded.

- **Collect and document testimonies and complaints:** Information-gathering requires pursuing all credible leads regarding protection concerns, including individual incidents. Monitors should be available and ready to move at any time to receive information, preferably directly from a victim or a witness. The safety of victims and witnesses and of staff should be a key consideration when doing so, particularly immediately after an incident, when tension and risks might still be high. An **Annex on interviewing victims or witness of violations** is attached to this chapter.

- **Identify and prioritize issues to pursue:** Monitors should analyze each reported violation by identifying whether it fits within the mandate of the organization or the interagency approach, and by breaking down the reported violation into its component rights and duties. Depending on the situation and the field capacity, not all issues can be pursued.

- **Verify information concerning an alleged violation:** Monitors are rarely direct witnesses to serious violations; they usually learn of such incidents from victims or other witnesses. Monitoring thus requires techniques for collecting accurate and precise indirect information. Monitors must verify information received, regardless of whether it is from an interview with a victim, a witness statement, the media, or other sources. Monitors should verify the substance of the information with other relevant and trusted actors (preferably more than one), witnesses, organizations or associations that have knowledge of the matter, including by collecting relevant documentation, such as medical reports.

3. Who monitors protection?

Protection monitoring can be undertaken by different groups of actors, or by just one main actor. When monitoring is undertaken by several actors with a range of protection and non-protection expertise, it should be coordinated by one single actor with the required expertise. Having staff from various agencies and organizations involved in monitoring can enhance the coverage and quantity of information collected and increase the number of sources of data.

In order to avoid duplication of efforts and inappropriate sharing of confidential data, monitoring activities should be conducted through an *agreed inter-agency framework that includes clear identification of roles and division of labour based on mandate and expertise.*

Protection monitoring should be coordinated by **actors and staff with specific protection and technical expertise** to ensure appropriate quality control, methodological consistency, and normative and ethical rigour. Agencies with specialized monitoring staff include OHCHR, UNHCR, UNICEF, human rights components of UN peace missions, situation-specific mandates given by UN Security Council resolutions, and ICRC. Amnesty International, Human

Rights Watch and several other NGOs are also specialized in protection-monitoring activities. National human rights institutions also monitor, document and react to rights violations.

National staff are very valuable resources in protection monitoring. They are likely to have more information, local language skills and a deeper understanding of the background and impact of the internal displacement crisis. Monitors and their agencies must, however, remain aware that real or perceived cultural, religious and other affinities of national staff may encourage or, conversely, constrain victims and witnesses from reporting incidents. National staff or their families are also exposed to potential risks of retribution, including from within their own communities.

The ideal protection monitoring presence is thus a mix of national and international staff. **Sensitive demarches with national interlocutors** should be undertaken by international staff when they might expose national colleagues to greater risk.

> *Protection monitoring can be greatly enhanced by including **non-specialized individuals and agencies**, such as shelter NGOs, water engineers, logistics staff, as sources of information, but their involvement should normally be **limited** to gathering information at **the community or area level.***
>
> *Where **individual victims or witnesses** come to the attention of such monitors, the role of the non specialists would generally be restricted to ensuring that the initial report is channelled to **appropriate specialists** for full interview and any relevant follow up. This division of labour is necessary to ensure that victims are not asked to recount painful experiences repeatedly, to preserve the confidentiality of the information, and to ensure that any legal advice given is accurate and appropriate.*

4. Reporting and other follow-up activities

4.1. Reporting

Reporting is an essential element of the monitoring function. While detailed guidance on reporting cannot be provided in this Handbook, there are some general principles that apply to any reporting methodology and to any individual report. Reporting in the context of protection monitoring must be **accurate, objective** and **precise; prompt** and **action-oriented**; and should include information on initial response(s) and recommendations for further responses by the organization or through an inter-agency approach. A distinction is normally made between **internal** and **external** reporting:

- ■ **Internal reports:**
  - ● **Periodic reports** (situation reports) document a situation, the work accomplished and plans;
  - ● **Emergency reports** alert managers of the need for action, likely on an *ad hoc* basis; they include basic facts and recommendations;
  - ● **Interview reports/questionnaires** record the results of an interview and specify the reliability of the source; and
  - ● **Incident reports** provide an overview of all information collected about an incident.
- ■ **External reports:**
  - ● Reports **addressed to the government** as a means of working with the government to improve its protection of IDPs;
  - ● Reports **shared within the wider humanitarian community**, the United Nations (the UN Country Team, the Protection Cluster, the Security Council, the Human Rights Council, treaty mechanisms, or country/thematic *rapporteurs*) and other relevant actors,

such as the diplomatic community. The reports can help shape policy and programming activities by other actors; and

- **Public reports** used as a general public-information and advocacy tool.

Because external reports are generally compiled on the basis of several internal reports, it is crucial that the internal reports provide detailed information, use consistent terminology and adopt consistent approaches to information so that the officer who prepares the external report can rely on the facts gathered, and can draw useful general conclusions regarding trends in the evolving human rights situation. External reports should not include confidential information on victims and sources.

4.2. Other follow-up activities

Protection monitors must often balance monitoring and reporting activities with efforts to follow up on specific human rights violations. **As a general rule, protection monitors should take immediate action on gross human rights violations affecting the physical safety of individuals or groups.** This means either referring the case to specialized agencies, or civil society groups, reporting the case immediately to senior management, or intervening with the national authorities to find a solution.

Standard operating and referral procedures for such actions should be established at the inter-agency level in each field operation. (*See also Parts IV and V* of this Handbook for detailed guidance for addressing specific human rights violations identified in the course of monitoring activities and humanitarian interventions).

References

- A significant portion of the material in this chapter is adapted from *The OHCHR Training Manual on Human Rights Monitoring*, Professional Training Series No. 7, OHCHR/United Nations, New York and Geneva, 2001. At **http://www.ohchr.org/english/about/publications/training.htm**
- *Enhancing UNHCR's Capacity to Monitor the Protection, Rights and Well-Being of Refugees: Main Report*, Kelley, N., Sandison, P. and Lawry-White, S., UNHCR/EPAU, Geneva, June 2004.
- *Implementing the Collaborative Response to Situations of Internal Displacement: Guidance for United Nations Humanitarian and/or Resident Coordinators and Country Teams*, IASC, Geneva Sept 2004.
- *Operational Protection in Camps and Settlements: A Reference Guide to Good Practices in the Protection of Refugees and Other Persons of Concern*, UNHCR/DIPS/SOSS, Geneva, 2006. "Protection Monitoring."
- *Policy Paper Series No. 2: Protection of Internally Displaced Persons*, IASC, United Nations, New York, 2000

Annex I
Interviewing victims and witnesses

The challenge of interviewing in protection monitoring is to *respect the dignity of the interviewee while remaining an objective, neutral and non-judgmental recorder of significant data.*

Interviewing victims and witnesses of violations is a **complex and delicate activity** that should only be carried out by appropriately trained protection staff.

Protection monitors should consider:

1. whom to interview;

2. how to initiate an interview;

3. who should conduct the interview;

4. how to determine the language in which the interview should be conducted;

5. who should translate;

6. where the interview should take place, in order to protect the witness;

7. how the interview should be recorded so that the information is both objectively documented and protected;

8. how to handle cultural differences, such as notions of time, place and truth, that might inhibit communication;

9. how to interview without creating unrealistic expectations regarding access to justice, to humanitarian assistance, to resettlement, etc.; and

10. how to respond appropriately, whether directly or by referral to other specialist agencies, when the interviewee needs immediate attention.

All monitors need to:

- develop a rapport with the interviewee,
- explain the interview process and the mandate of the organization or of the inter-agency approach,
- discuss the ground rules for the interview,
- talk about how the witness might be protected (without creating false expectations) after the interview,
- anticipate how the information will be used, and
- encourage the witness to tell his/her story truthfully in his/her own words before asking specific questions.

In all cases, seek the written consent of interviewees before attributing to them the information provided. Monitors must be trained to identify and respond appropriately to the particular needs and traits of some categories of interviewees, including victims of torture, women, children, and persons with disabilities. Monitors will also need to be in a position to assess the credibility of the witness or the victim in order to ensure that the information collected is reliable.

When establishing protection monitoring system(s) for an IDP situation, the coordinating or lead agency should establish standard operating procedures, backed up by training to determine when interviews should be conducted by specialists. It should also develop that specialist capacity appropriately.

Humanitarian Access and Presence

1. Humanitarian access

Gaining access to internally displaced populations is essential to identifying and ultimately responding to their protection and assistance needs. **Humanitarian access** should be understood both from the perspective of the affected population having access to protection and assistance, as well as the humanitarian actors having access to those requiring assistance and protection.

There are often multiple and varied constraints on access. These may be related to the operating environment, e.g. difficult terrain, absence of roads and airstrips, ongoing armed conflict; or constraints may be a result of deliberate efforts to restrict humanitarian activities or witnessing functions. The latter may take the form of, for instance, excessive bureaucracy to grant access to humanitarian organizations to certain populations or areas; deliberate attacks on humanitarian personnel; or not acknowledging the existence of humanitarian needs by part of the population.

Gaining humanitarian access may need a **strategic combination of measures** to address the various constraints. In armed conflict situations, **humanitarian negotiations** may be a critical element in a strategy to ensure sound conditions for an effective protection presence and for sustainable assistance and protection activities (*see box below*).

Formal negotiations for humanitarian access usually take place between the country team, led by the Humanitarian Coordinator, or the Resident Coordinator in the absence of the latter, and the government or non-State actors.

Occasionally, specialized agencies with responsibility for a particular beneficiary group/sector might also engage in more detailed negotiations relating to their specific mandates.

Negotiating access with non-State actors proves particularly challenging if they have complex and unpredictable structures, or lack knowledge of basic humanitarian principles. Negotiating with non-State actors may also trigger a variety of ethical or moral dilemmas as well as suspicion by other parties.[1]

"The overall purpose of **humanitarian negotiations** is to ensure the impartial protection of, and the provision of assistance to, civilians affected by armed conflict and other people rendered *hors de combat*, as stipulated by international humanitarian law, human rights law and refugee law. Humanitarian negotiations are conducted:

- **by humanitarian actors**, such as members of appropriately mandated and impartial organizations like UN agencies, NGOs or the International Committee of the Red Cross (ICRC);
- **for humanitarian objectives**, including humanitarian access, protection, assessment and assistance, as set out in international humanitarian law;
- **in countries affected by armed conflict**, either of an international or non international character; and
- **with the parties to the conflict**, that is, those with power and responsibility for the conduct of war, for the humane treatment of civilians and those *hors de combat* and for the distribution of assistance."

Excerpt from *Humanitarian Negotiation: A handbook for securing access, assistance and protection for civilians in armed conflict*, p.19 (see under resources below).

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[1] The potential political or security implications connected with establishing a dialogue with a party to a conflict should be considered when negotiating with both State and non-State actors. See *Humanitarian Negotiations with Armed Groups: A Manual for Practitioners*, United Nations, New York, 2006, p. 10.

The implementation of access agreements often requires contact and further negotiations with a myriad of actors, both bound and not bound by these access agreements. Consequently, staff working at the country and regional/field levels need to develop sound negotiating skills and a good understanding of issues related to humanitarian access and presence (*see Part II.2*). 📖

The following table provides basic guidance for humanitarian negotiations <u>on access</u> and should be read in connection with the Negotiation Section in Part II of this Handbook. It could be useful to **discuss this table within the inter-agency team and national interlocutors at the local level to ensure a shared understanding**.

Negotiating Access	

Be prepared for access negotiations	Develop a negotiating strategy and, at a minimum:
	● Conduct a thorough situation analysis, understanding both your own, as well as your negotiating partner's position <u>and</u> interests, particularly *vis-à-vis* the civilian population, activities of humanitarian organisations, the parties to the conflict, and the potential delivery of humanitarian supplies and resources.
	● Identify which actors (both State and non-State) have authority to grant access as well as who among them has the authority to negotiate or to act as intermediary.
	● Develop a coordinated approach with humanitarian partners to identify:
	  – who among humanitarian actors should lead the negotiations or act as intermediary;
	  – constraints on access;
	  – key objectives;
	  – bottom line for the negotiation; and
	  – non-negotiable parameters (see below).

Agree with partners on "non-negotiable parameters"	● Ensure that all humanitarian partners agree on a series of non-negotiable parameters. These should include: core humanitarian principles (*see Part I.1.5*); 📖 the prohibition of payment in exchange for access; the ability to conduct independent assessments, monitoring and evaluating aid distribution; respect for basic organizational policy principles; and rules on armed personnel. ● Approach negotiations with a set of previously-agreed working principles regarding humanitarian access, such as the sustainability of access.
Carefully gauge and state the purpose of access	● Highlight the importance of access as a precondition for humanitarian action; emphasize the need to meet the humanitarian needs of a population, rather than gaining access to a particular territory. ● Emphasize the centrality of upholding humanitarian principles (humanity, impartiality, and neutrality) as the basis for gaining access (*see Part I.1.5*). 📖 ● Be cautious of potential attempts by counterparts to incorporate political and security issues within humanitarian negotiations. These matters should be referred to those with authority to negotiate on such issues. ● Especially if there is a risk that access will be denied altogether, present the objectives of access in a balanced way during the negotiations. Access and presence gained for the purpose of baseline needs assessment or emergency assistance can provide a vital starting point for protection work.[2]
Negotiations do not confer recognition	● Maintain transparency with all parties to ensure that all understand that access negotiations are of a strictly humanitarian character and do not in any way confer recognition upon the group or its aims.

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[2] Negotiating access primarily for the purposes of protection work can be a sensitive issue in new crises where there has been no time for building confidence between humanitarian actors and national authorities.

Prioritize safety aspects	• Emphasize safe access during the negotiations, including the safety of cargo, agency staff, partners and affected populations.
Include key logistical aspects in the negotiations	• Ensure that negotiations include key logistical aspects associated with access, that is, the details of how access will actually work, such as the frequency of convoys, the duration of humanitarian presence. • Consider liaison arrangements that ensure free passage through checkpoints to reach the intended beneficiaries. • Seek formal clarity on how parties communicate agreed access procedures within their respective organizations.

2. Humanitarian presence and its role as a protection tool

Establishing a presence **in situations of internal displacement** is essential for conducting an effective humanitarian operation and implementing a successful protection strategy.

The term "humanitarian presence" refers to the actual deployment of humanitarian agencies in a given location to assist and protect populations in the midst of a humanitarian crisis. Generally, a field presence may be **a deterrent to potential abusers** in the following ways:[3]

- Humanitarian actors can bear witness to events and expose perpetrators to internal sanctions, prosecution, and moral or political judgments.
- A field presence can provide the space to put into effect rules and systems protecting IDP and other affected populations.
- A field presence restricts the political space available to perpetrators by increasing the cost of abusive actions and limiting options. For example, potential perpetrators might be concerned about their superior's reaction, damage to their political reputation and post-conflict prospects, or the loss of benefits gained from international collaboration.
- Independent of each agency's mandate, a humanitarian presence may have psychological value. Affected populations often feel reassured when representatives of the international community can witness their situation and report on it.

Note: While in all these situations humanitarian presence can play an important protection role, **presence alone is not sufficient**. If not planned and implemented strategically on the basis of a common vision of protection by all humanitarian partners, their presence may have little or no impact on the protection of affected communities; rather, it may place these communities at greater risk. In some cases, it may even become an excuse for political inaction and embolden perpetrators.

3. Key considerations for maintaining a protective presence

Depending on the situation and the mandate of the specific agency, humanitarian presence may have the objective of accompanying populations at risk; monitoring and reporting human rights situations; or contributing to the protection and assistance of IDPs and other affected populations.

The following table suggests key considerations to maximize the protective impact of humanitarian presence. It also aims to assist in avoiding undesired effects of humanitarian presence that may place local communities and civilians in general at greater risk.

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[3] See, Mahony, Liam, *Proactive Presence: Field Strategies for civilian protection*, Henry Dunant Centre for Humanitarian Dialogue, Geneva, 2006.

A protective and Strategic Presence

Common assessment, planning and coordination *(see Part III.1)*	• All humanitarian partners must have a shared vision of how the core principles of humanitarian action – humanity, neutrality, and impartiality – will be applied to the specific operation. Ensure that all staff is aware and understands the practical implications of such shared vision (*see Part I.1*). • All humanitarian partners in the operation (both protection and non-protection mandated agencies) should agree on basic parameters to ensure a protective presence. This is essential to maximize the level of influence on relevant parties, guard against potential manipulation of individual agencies by the various parties, and maximize the protection impact of relief interventions. This implies: – To agree on key objectives for the humanitarian presence in the country; – To reach a shared understanding of protection gaps (*see Part III.1 and 2*); – To agree upon a strategy to address identified protection gaps, coordinating leadership and different responsibilities for protection (*see Part III.2*); – To ensure that all staff is aware of the different activities and the potential risks associated with the strategy in light of the political and security situation; – To ensure the training of all humanitarian staff on the core humanitarian principles and the fundamentals of protection work (*see Part I.1*); – To take into consideration the potential risks and sensitivities linked to different staff members' ethnic, religious, linguistic or perceived affiliations. This is particularly important when presence through national staff *only* is allowed.
Activities during presence	• In implementing their activities, all humanitarian actors should ensure that IDPs and the other affected populations are aware of their presence, mandate and/or objectives. Agency-specific visibility signs on clothes, vehicles and office facilities may enable persons of concern to easily identify and have access to humanitarian and protection mandated agencies. • When interacting with IDPs and other affected populations, avoid creating a false sense of safety associated with an international presence. In certain situations, this may place vulnerable populations at greater risk. For example, populations may erroneously opt to remain in areas with an international presence instead of moving elsewhere or even seeking asylum in a neighbouring country. • When sharing humanitarian action plans and protection strategies with affected populations, be realistic and transparent as to what can be achieved. If humanitarian presence does not render the expected results, it might generate disappointment among IDPs and other affected populations. This can add to their difficulties in regaining hope and overcoming the trauma resulting from their personal experiences during conflict (*see Part IV.6*). • Be aware of the possibility of placing particular individuals at risk by being seen interacting with them. If interacting with specific individuals seems unavoidable in order to prevent a major human rights violation from taking place or to improve the protection of part of the affected populations, ensure that the relevant individuals are aware of: – the potential risks resulting from interacting with humanitarian partners. – that the discussions or testimony will not render them any material or financial benefits; – the interaction is voluntary and individuals are clearly given the choice to decline it (*see Part IV.1*); and – the purpose of the humanitarian presence and its intended impact on the community.

Part IV – 2

Impact analysis *(see Part III.3)* 📖	• Programme evaluations should analyze the impact of the humanitarian presence. In particular, they should assess whether:

> • Programme evaluations should analyze the impact of the humanitarian presence. In particular, they should assess whether:
>   – Presence is reduced to a "witnessing" function of serious and systematic human rights violations, which might provide a sense of impunity and increase risks to the victims, witnesses, humanitarian workers and affected populations in general;
>   – Presence puts individuals or affected communities at risk;
>   – Presence unduly prolongs displacement by pursuing protracted encampment policies and concentrating assistance in areas away from those where IDPs can find durable solutions.
> • In any of the above cases, humanitarian actors need to take determined action to avert such undesired effects of their presence. This may imply:
>   – Revising operating modalities to address negative impacts. This may be the case when humanitarian assistance to IDPs creates situations of discrimination or tension vis-à-vis other affected populations; or when expanding humanitarian support to all affected populations can ensure that IDPs can leave camps or sites and integrate with the rest of the population without draining local resources.
>   – In certain extreme circumstances, it may be necessary for humanitarian actors to withdraw to allow for political action. This may be the case where an international humanitarian presence has repeatedly failed to curb systematic violence and abuse.

Resources

- *Humanitarian Negotiation: A handbook for securing access, assistance and protection for civilians in armed conflict,* Mancini-Griffoli and Andre Picot, Centre for Humanitarian Dialogue, Geneva 2004.

- *Proactive Presence: Field Strategies for Civilian Protection*, Mahoney, L., Centre for Humanitarian Dialogue, Geneva, 2006.

- *Humanitarian Negotiations with Armed Groups: A Manual for Practitioners,* United Nations, New York, 2006.

- *Protect or Neglect? Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons,* an evaluation by Simon Bagshaw and Diane Paul, the Brookings Institution-SAIS Project on Internal Displacement and the United Nations, OCHA-IDD, November 2004.

- *Protection: An ALNAP Guide for Humanitarian Agencies,* Slim, H., and Bonwick, A., ALNAP, Overseas Development Institute, London, 2005.

Useful Websites

- Centre for Humanitarian Dialogue: **www.hdcentre.org**
- Programme on Negotiation, Harvard Law School: **www.pon.harvard.edu**
- United Nations Children Fund (UNICEF): **www.unicef.org**
- Reliefweb (OCHA): **www.reliefweb.int**
- Overseas Development Institute: **www.odi.org.uk**

Guidance Note 3

Advocacy

1. Advocacy and its protection value

Practiced by most stakeholders in humanitarian crises, advocacy is a set of activities aimed to promote change to bring policy, practice or law in compliance with international standards. In situations of internal displacement, advocacy is a vital tool to influence decision makers and stakeholders to adopt practices and policies that ensure the protection of internally displaced persons.

Advocacy is a central building block of most comprehensive protection strategies. If strategically combined with other protection activities, such as information dissemination, monitoring or negotiation, it can greatly contribute to transform underlying systems and structures that affect IDPs.

2. Key considerations for an advocacy strategy to improve protection

Most of the work of developing an advocacy strategy takes place before taking public action on the issue. An **effective advocacy strategy**[1] **includes:**

- Determining the objectives of advocacy;
- Identifying the best target groups to address and focal points within these groups; and
- Determining the modalities and the tactics for the advocacy activities.

2.1 Objectives

- Set **realistic** and **clear objectives**. This will require breaking apart a specific protection objective into a set of sub-objectives to be achieved through different and complementary mechanisms. For instance:
  - To define the desired outcome, it is essential to **become thoroughly familiar with the issue of concern,** including legal, policy and other issues related to the protection risks at hand. *Protection monitoring* can be very useful to identify protection trends and patterns, which may inform advocacy activities and contribute to measure the impact of advocacy efforts on the lives of those concerned *(see Part IV.1)*; 📖
  - When facing a particular protection risk, such as lack of access to public services because IDPs lack documentation, one should try to figure out **what is the expected change**. Too often we focus our advocacy efforts on protection concerns without promoting the best solution. A good understanding of the local legal and justice system, including the *traditional justice system* where it exists, is important to advocate for effective solutions to situations of inequality or conflict *(see Part V.10)*. 📖
  - **IDPs' real-life experiences** will be central to determine both the nature of the problem and the potential solution(s). **Describing the problem** and asking different members of the communities to come up with possible solutions is a good way to build a larger constituency to support advocacy efforts. Therefore, while continuing to document and discuss the relevant protection concerns, it is important to **involve others in finding creative solutions to the problem**.

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- **Other variables, such as sex, ethnicity, socio-economic class, or disability** may also influence discrimination, violence or other protection risks experienced by IDPs**.** It is thus necessary to analyze the specific risks and needs of particular individuals or groups and build them into the formulation of the advocacy objectives.
- **Two organizational goals** should always be part of the advocacy strategy:
  - **Increasing community participation:** Reach out to individuals or groups, including IDPs and members of other affected populations, who are not actively advocating for the same objectives but who would have an interest in the issue. Give them an opportunity to work on something they care about *(see Part IV.10)*. 📖
  - **Promoting an inter-agency approach to the advocacy strategy:** Promote the participation of other protection-mandated organizations as well as those in other clusters/sectors who have shared concerns. Civil society groups and national institutions should also be involved to the greatest extent possible.
- Try to reach **agreement about potential areas of compromise and *non-negotiable* issues**. Those involved must be willing to abandon advocacy activities if the only way to achieve part of the plan is to compromise on the non-negotiable issues. Otherwise, if advocacy activities take off without a clear vision of the desired outcomes, there is a risk of achieving undesirable solutions, making existing problems worse, or creating new ones for the IDPs or the other affected population (*see Part II* on team work and negotiations). 📖

2.2 Advocacy targets

- An advocacy strategy for protection should target **stakeholders who have or can have influence on the protection concerns of IDPs or other affected populations with the aim of bringing about a change**. Different target groups can be:
  - **National decision and policy makers**, such as national authorities from the executive, legislative and judicial branches, community leaders, both official and de-facto, non-State actors, rebel and paramilitary groups;
  - **Local actors and institutions that might play a key role in achieving the intended objective,** for example, if the objective is eliminating discrimination in accessing public services, such as health or education, key actors will be doctors, nurses, school masters or teachers;
  - **Individuals or groups who might have an interest in the issue at stake and who would join and strengthen existing advocacy efforts**, such as IDPs and members of other affected communities, local civil-society groups, the business sector and the media. As discussed above, much of the early part of an advocacy strategy involves building community support for the issues at stake; and
  - **The international community**, which may include foreign governments with regional and/or domestic influence (advocacy activities are usually conducted via their embassies in the country, consulates or other offices, such as government development agencies), regional and international courts, relevant human rights bodies and mechanisms, humanitarian organizations, such as the United Nations, and NGOs.
- **Determine who has the power to make the desired decision** and understand how that person **relates to other people in the community's power structure**. If there are various decision-makers, discuss the relationship among them with your partners, as well as your and their history of contact with them. This will help identify who, among advocacy partners, is the best placed to address each interlocutor.
- **Identify particular authorities or institutions that might be closer to your views or objectives.** Governments or authority structures are not homogeneous, and it is helpful to develop a relationship with a broad range of actors who could eventually support the relevant advocacy goals, either by influencing key decision-makers from within their own institutions or by providing useful advice on how to influence change.

2.3 Key approaches to advocacy for protection purposes

a. *Formal versus informal advocacy*

- *Informal advocacy activities* take place all the time in humanitarian crises in the form of **talks** and **discussions** among key stakeholders. Even though it might not be formally acknowledged, humanitarian workers, particularly those with a protection mandate, members of the affected populations and local authorities spend most of their time advocating with their respective interlocutors. Each discussion, even at the most informal level, can have an impact on other stakeholders. Given the political sensitivity of IDP protection advocacy work, the potential effect of all positions and activities undertaken, even at the informal level, must be carefully considered at all times.

- *Formal advocacy activities*, which can be carried out through **position statements, analytical documents or letters to the authorities, humanitarian organizations and community leaders**, help ensure accuracy in the wording of advocacy messages, thereby countering rumours; they can also have a multiplying effect, since they can be widely disseminated among other stakeholders.

b. *Soft versus hard advocacy*

- *"Soft" advocacy activities*, such as **awareness-raising, training activities and quiet diplomacy**, are usually the preferred option *to persuade* stakeholders to introduce change or expand the use of good practices for the protection of IDPs. It can also be useful *to mobilize* other individuals or groups in support of advocacy efforts for a specific cause. Such activities are usually preferred in long-term advocacy strategies and for situations that require social change. When there are serious protection risks, the sole use of soft advocacy activities is insufficient.

- *"Hard" advocacy,* consisting of stronger persuasion methods such as **public reports, press releases, personal testimonies and denunciation letters, even if confidential,** should be used when a stronger approach is required. It can be effective in *denouncing* corruption, discrimination or harmful treatment of IDPs and the other affected populations.

  The use of hard advocacy should be determined on a case-by-case basis. It could disrupt dialogue with key stakeholders, prompt a denial of humanitarian access to vital areas, or heighten the risks to the affected populations or humanitarian staff. The decision should thus be carefully weighed against the urgency and seriousness of the protection concerns. If it is determined that hard advocacy should be used, do so in a timely manner, before the situation becomes too grave or the damage done is irreparable.

c. *Quiet versus public interventions*

- *Quiet advocacy*, such as **quiet diplomacy for the transfer of land to displaced persons, or confidential letters denouncing discrimination against individuals**, can allow authorities and other relevant stakeholders to take corrective action and "save face"; they can also help maintain frank but discreet communication with both sides in a conflict. Humanitarian actors must preserve impartiality and neutrality to ensure continued dialogue, access and open channels of cooperation.[2] At times, this may prevent them from making public statements on protection concerns. Perceived silence from the humanitarian community may discourage local advocacy groups from undertaking their own advocacy efforts, as they might feel isolated and therefore at greater risk.[3] At the same time, the perception that specific humanitarian actors might not be raising protection concerns with the relevant stakeholder risks undermining the trust of the local population, who may cease to regard humanitarian actors as impartial.

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[2] Proponents of this view hold that a protection advocacy role is more the function of the media and human rights NGOs, such as Amnesty International or Human Rights Watch. See discussion in: *Protect or Neglect? Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons*, an evaluation by Simon Bagshaw and Diane Paul, The Brookings Institution-SAIS Project on Internal Displacement and the United Nations, OCHA-IDD, November 2004, p. 40.

[3] *Ibid*., p. 42.

- **Public advocacy**, if used carefully, can be effective in improving the protection of IDPs. It includes a wide range of **"soft" public advocacy activities** that can enhance protection for IDPs, **such as public-awareness campaigns on human rights and sensitization of communities to IDP returns**. They can be instrumental in raising the profile of communities at risk of displacement or human rights violations, promoting awareness of the consequences of displacement and the rights of IDPs, and encouraging the involvement of civil society, and the commitment of the international community to address such issues.

2.4 Key considerations for the implementation of an advocacy strategy[4]

In selecting the right approach to deliver advocacy messages, it is important to refer to and apply attitudes and skills presented in Part II of this Handbook. In addition, we should:

- **Watch for potential risks to persons of concern and humanitarian staff**. Because internal displacement usually unfolds in the midst of tension, violence and volatility, it is important to assess the potential consequences of the different approaches. In the case of individual advocacy initiatives, it is vital to ensure victim safety, maintain confidentiality and respect the wishes of the victim regarding advocacy action on his/her behalf. It is essential to elicit feedback from persons of concern about the proposed advocacy actions.
- **Calculate the timing to intervene in light of the expected impact.** Reversing a finalized decision is always far more challenging and unlikely to happen in the short term. Try to launch advocacy campaigns to influence the decision-makers before a final decision has been made.
- **Identify agencies or groups in other communities or countries that have undertaken a similar advocacy strategy**. A large number of operational partners and civil-society groups can provide valuable information about their experiences to strengthen the advocacy strategy. Some of them might also be instrumental in influencing the government response.
- **Build community support in the early part of the strategy.** Plan to concentrate efforts on direct contact with individuals and small groups at the beginning of the strategy to inform and reinforce the overall advocacy campaign from the outset. This will also leave time for more substantive activities during the later stages of the strategy.
- **Do not assume that the other interlocutors are knowledgeable about the issues.** Be aware that the target audience will probably not have the same in-depth understanding of the issue at hand as the humanitarian actors. Given that, formulate advocacy tools, documents and messages that enable the target audience to understand the protection issue at hand. If necessary, develop an information plan about the problem or concern that will explain the desired outcome, address possible objections to change, and identify potential sources of support (*see Part IV.6*). 📖
- **Understand what each interlocutor can or cannot do for the relevant issues** you pursue through advocacy. Avoid overwhelming your target interlocutors with requests that are beyond their control or area of influence. Mobilize them to take concrete actions and maintain motivation and commitment.
- **Formulate effective advocacy messages.** Such messages have two parts: an appeal on the merits ("this issue is important because…") and an appeal to self-interest ("… if you allow access to this group…tension in this area will decrease and you will be able to focus more on developmental projects").
- **Involve the media as appropriate.** It is often useful to manage a flexible approach with the media, gradually increasing its involvement, as the team decides to go more public on the issue. This will help to keep control of public focus on the specific issue, thereby managing potential risks. Contact well-known reporters or editors whom the organization or partners think might be objectively interested in the issue, and keep them up-to-date on basic developments so that they can step in at the key moments.

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[4]   Many of these points have been adapted from *Women's Human Rights Step by Step*, Women Law and Development International and Human Rights Watch Women's Rights Project, 1997.

- **Always follow up on advocacy meetings.** Send a letter to the relevant interlocutor summarizing the key advocacy messages transmitted during the meeting and any decisions taken. Debrief your organization/cluster/working group immediately after advocacy meetings and be transparent about this with your interlocutors. Depending on confidentiality requirements and the sensitivity of the protection concerns at hand, debriefings can be public or remain confidential.
- **Review the advocacy strategy during implementation and adjust it as necessary.** In doing so, review the initial objectives of the advocacy strategy and check their practicality and validity against the present situation. Seek feedback from relevant stakeholders, including affected communities, partner agencies, the media, and public and national authorities, as appropriate (*see Part III.3*). 📖

3. Challenges in advocating for the protection of IDPs

Internal displacement situations often present difficulties for advocacy, particularly when there are protection issues at stake.

- **Security concerns** have an increasingly important impact on protection advocacy strategies. At the international level, concern for the security of staff members on the ground can affect the ability of organizations to raise protection concerns publicly. This presents a potential dilemma, since the failure to address human rights issues can, in turn, undermine the effectiveness of humanitarian programmes.

- Advocacy activities targeting influential States are often crucial for increasing diplomatic pressure on concerned governments to address protection issues. Potentially influential countries might share, in principle, a common position with the humanitarian community, yet **strong commercial or geo-political ties** with the concerned State can make it difficult for them to intervene when required.

- For some actors, it can be extremely challenging to balance **broad interventions**, such as a political role in conflict-resolution in a given country or between different States, **with single advocacy actions**, such as publicly intervening or advocating in relation to an individual human rights situation. It may be a strategic decision in some situations to use soft and low-key advocacy so as not to disrupt wider efforts to resolve the conflict.

- **When advocacy fails:** when advocacy "does not produce the desired outcome,"[5] the international community might be faced with difficult decisions, such as whether to continue maintaining a presence in the country or to tie continued humanitarian assistance to real improvement in the protection of IDPs *(see Parts IV.2 and IV.7).* 📖

📚 ## Resources

- *Guide to International Human Rights Mechanisms for Internally Displaced Persons and their Advocates*, Fisher, D., The Brookings Institution-University of Bern Project on Internal Displacement, June 2006.
- *Humanitarian Negotiations with Armed Groups: A Manual for Practitioners,* United Nations, New York, 2006.
- *Proactive Presence: Field Strategies for Civilian Protection*, Mahoney, L., Centre for Humanitarian Dialogue, Geneva, 2006.
- *Protect or Neglect? Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons*, an evaluation by Simon Bagshaw and Diane Paul, The Brookings Institution-SAIS Project on Internal Displacement and the United Nations, OCHA-IDD, November 2004.
- *Protection: An ALNAP Guide for Humanitarian Agencies,* Slim, H., and Bonwick, A., ALNAP, Overseas Development Institute, London, 2005.
- *Protection of Internally Displaced Persons*, Policy Paper Series, No. 2, OCHA/IASC, United Nations, New York, 2000.

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[5] *Protect or Neglect*, op. cit., p. 56.

Guidance Note 4

Capacity-building

1. A definition

Too often, capacity-building tends to be equated with training. Certainly, training is a means to this end; but capacity-building is much more. It entails:

> The creation of an enabling environment, with appropriate policy and legal frameworks, institutional development, including community participation (of women in particular), human-resources development and strengthening of managerial systems.

Specifically, this requires efforts in three main areas:

- **equipping individuals and communities** with the understanding, skills and access to information, knowledge and training that enables them to perform effectively.
- developing effective **management structures, processes and procedures** within organizations and for managing relationships among different organizations and partners.
- putting in place **institutional, legal and regulatory frameworks** to enable organizations, institutions and agencies at all levels and in all sectors (public, private, and community) to enhance their capacities.

Capacity-building therefore is not a single activity or an end in itself. It is a long-term, continual process aimed at reinforcing human, institutional and community performance, skills, knowledge and attitudes **on a sustainable basis**.[2]

2. Why capacity-building is important for the protection of IDPs

Protection of internally displaced persons and all other persons within their own countries is a *national responsibility*. In many humanitarian crises, however, the authorities lack adequate capacity or even readiness to adequately fulfill their duty to protect. Building or rebuilding national and local authorities' protection capacity is essential, both for an effective response to and recovery from existing humanitarian crises and for preventing future crises.

Capacity-building must be a core element of any protection strategy, including in situations of internal displacement.

> *"…simply strengthening the skills of the government does not necessarily create an accountable government. In partnering with government agencies, it is essential that humanitarian agencies do not ignore partnership opportunities with national organizations. A strong civil society provides an important check on government power."*
>
> Brooke Allen, Time to Reassess Capacity Building Partnerships, FMR, No. 28, 2007, p. 4.

Capacity-building must extend beyond the government. Supporting the development of a **vibrant civil society**, including local human rights and humanitarian NGOs, community-based organizations and an independent media, is just as important. Indeed, this will complement and reinforce efforts to enhance the protection capacity of the authorities.

Supporting the **capacities of IDPs and other affected persons** is absolutely critical. It is an integral element of enabling IDPs and other affected populations to exercise and claim their

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[1] This definition for *capacity building* has been taken on board by a broad range of humanitarian and development actors. It was adopted at the UNDP Symposium *A Strategy for Water Sector Capacity Building*, Delft, 3-5 June, 1991, IHE/UNDP, Delft/New York.

[2] *Practical Guide to Capacity-building as a Feature of UNHCR's Humanitarian Programmes*, UNHCR, 1999.

rights; it contributes to operationalize a rights- and community-based approach, which is fundamental to effective protection (*see Part I.1 and Part IV.10*). 📖

3. Building and strengthening national capacity to address internal displacement

In general, capacity-building activities in situations of internal displacement should aim to promote and support an effective national protection response to internal displacement. At a minimum, this means a response that conforms to international standards and addresses the protection risks faced by IDPs. The specific activities should target the three main levels highlighted at the beginning of this note, namely, the individual, managerial and institutional levels.

3.1 The capacity of national authorities

The *Framework for National Responsibility*[3] identifies 12 steps that governments can take to address material displacement (*see also Part I.1*). 📖 Using this *Framework* as a guide, the matrix below provides some ideas for **activities to build and strengthen the protection capacities of the government and public institutions** in the 12 areas.

The 12 steps	Suggested capacity-building activities

1. Prevention of arbitrary displacement *(see Part V.1)* 📖	• Engage in a constructive dialogue with government officials, including security forces, and other relevant actors, as appropriate, in order to raise awareness on and prevent conditions and activities that may lead to arbitrary displacement.
	• Ensure governments and other authorities are aware of the basic guarantees and conditions to be met in situations of displacement, including by:
	  – Disseminating information on the application of international human rights and international humanitarian law standards;
	  – Providing training on applicable standards and measures for mitigating the adverse effects of displacement, including the importance of maintaining family unity in emergency situations; and
	  – Providing advice on contingency planning and on the procurement, storage and delivery of emergency assistance.
	• Support the development or strengthening of early-warning mechanisms (often put in place by local NGOs and community networks) that alert populations under threat to imminent risk, and establish effective channels for communicating this information so early protective responses can be initiated.

2. Raise national awareness of the problem *(see Part IV.10)* 📖	• Facilitate dissemination of information about the protection concerns of IDPs and other affected communities, particularly among all relevant branches of government. • Support the efforts of IDP representatives, including women, minorities, and youth, and other affected populations to advocate for their rights, while taking into account any security risks that may arise. • Support community-mobilization activities aimed at building awareness and momentum among national stakeholders, encouraging all actors to help achieve commonly agreed objectives to enhance the protection of IDPs and other affected populations.

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[3] *Addressing Internal Displacement: A Framework for National Responsibility,* The Brookings Institution-University of Bern Project on Internal Displacement, May 2005.

The 12 steps	Suggested capacity-building activities (cont.)
3. Data collection	• Consider including government officials in inter-agency participatory assessments to raise awareness of the protection risks and capacities of IDPs and other affected populations (*see Part III.1*). 📖 • Provide technical support for efforts to gain an understanding of trends and protection concerns, such as through IDP profiling, in camps and in non-camp and urban settings, where displacement often is less visible (*see Part IV.8*). 📖 • Raise awareness of the need to disaggregate data by age, sex and other indicators essential for addressing the specific needs of different groups of IDPs. • Insist upon and, as necessary, offer technical support on data management and protection to ensure privacy, confidentiality and safety of individuals and communities during and following data collection. • Monitor to ensure that data collected is not used in a discriminatory manner or for unlawful purposes.
4. Training on the rights of IDPs	• Support training on the rights of IDPs, as summarized in the *Guiding Principles on Internal Displacement*. • Promote "training of trainers" events to maximize a "multiplier effect." • Provide training for government officials, at the national, regional and local levels, including the military, police and camp administrators, other relevant authorities, such as non-State actors who also have protection responsibilities under international law, and staff of national human rights institutions, parliamentarians, civil society and IDP communities. • Consider bringing diverse actors together for a joint training session, which can help foster cooperation among them. • Tailor training to address identified gaps in knowledge or skills, such as to provide more in-depth discussion of particular protection issues, and consider discussing possible response strategies. • Facilitate the translation, into local languages, and dissemination of training materials on IDP protection, including the *Guiding Principles*. • Promote contact among government officials, civil society, and IDP representatives from other countries to exchange knowledge on best practices and lessons learned.
5. A national legal framework for upholding the rights of IDPs	• Encourage and support efforts by the government and civil society, such as lawyers' associations, to review the compatibility of national legislation with the *Guiding Principles on Internal Displacement* and with international human rights and international humanitarian law, offering technical assistance as required. • Support the assessment of IDPs' ability to access their rights and subsequent efforts to promote the adoption of legal and procedural safeguards or amendments to overcome any legal barriers. Bring this information to the attention of the Government (*see Part V.10*). 📖 • Support clinics that provide legal assistance and information on the rights of IDPs and ensure their sustainability (*see Part IV.5*). 📖
6. A national policy or plan of action	• Facilitate open and constructive consultations between affected communities and the authorities to define the actions that need to be taken through a national policy or plan of action. • Share the results of participatory assessments and protection-risk analysis with the authorities to help inform national policy and programmes. • Support government efforts to develop a national policy to address internal displacement. • Advocate for international support for the implementation of a national policy and plans of action that would enhance the protection of IDPs.

7. Institutional focal point on IDPs	• Advocate for the designation of an institutional focal point responsible for coordinating the national response to internal displacement. • Cooperate with the IDP institutional focal point and support its efforts through technical and material assistance, as appropriate. • Encourage meaningful dialogue and partnership between this office and IDPs and with civil society working with the displaced.
8. A role for national human rights institutions	• Encourage national human rights institutions to integrate protection issues relating to internal displacement into their work. • Raise awareness among the staff of national human rights institutions of the particular protection concerns that can arise during displacement. • Provide technical and material support, as appropriate, to these institutions to monitor, report and follow-up on rights violations.
9. Participation of IDPs in decision-making *(see Part VI.10)* 📖	• Encourage and support the formation of IDP associations, including IDP women's associations, to strengthen IDPs' own efforts to address their concerns and advocate for their rights. • Where feasible, include national and local authorities in the discussion with IDPs and other affected communities about the results of participatory assessment exercises, so that all can jointly decide on the best activities to address protection gaps. • Foster humanitarian space for dialogue among the authorities, IDPs and civil society organizations.
10. Support durable solutions *(see Part VI.)* 📖	• Raise awareness among State institutions of the need to promote the self-reliance of IDPs and other affected populations as early as possible. • Avoid creating parallel assistance or support structures. Ensure, instead, that humanitarian efforts are, or subsequently can be, integrated into national assistance programmes. • Assess the socio-economic integration of IDPs and possible discrimination, advocating for and supporting efforts by the authorities to address any such concerns. • Undertake protection assessments in areas of return or resettlement to identify risks and assist the national authorities in establishing protection mechanisms, particularly related to the rule of law, and ensuring that return or resettlement is voluntary and is done in safety and with dignity. • Advocate and offer technical assistance, as needed, for the establishment of mechanisms for property restitution, compensation or other forms of reparation. • Promote sharing of best practices with other countries in post-conflict situations. • Coordinate with national and local authorities, other humanitarian actors, both local and international, and donors in formulating a strategy for disengagement of humanitarian actors and a smooth and timely transition from humanitarian to development assistance.
11. Resource mobilization	• Advocate for and support government efforts to allocate adequate national resources to address internal displacement. • Share inter-agency assessments and planning documents, to the extent possible, to assist with national planning and budgeting. • Support governments that demonstrate efforts to protect IDPs in mobilizing resources, through donor relations and fundraising. • Make use of staff secondment schemes to deploy specialized humanitarian and development expertise to government institutions.

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12. International cooperation when national capacity is insufficient	• Assist the authorities in assessing national capacity to protect internally displaced persons through sharing of baseline data, identified trends and other relevant information.
	• Offer support to the authorities to address gaps in the response. Such support can come in the form of technical assistance (such as deployment of staff with required expertise), material support (such as information technology, or vehicles to reach and assist IDPs in remote areas) or financial grants.
	• Some general guidelines:
	– Such support should be granted within the framework of a broader protection strategy to fill identified gaps and address priorities.
	– The simultaneous provision of training activities or technical support can help strengthen the effectiveness of this assistance.
	– Care must be taken to ensure that the actors and institutions whose capacities are being reinforced are committed to using these capacities to enhance the protection of rights. It is essential to develop a monitoring system to assess the effectiveness and protection impact of these efforts.
	– Support should be provided in the context of more comprehensive, community-wide efforts, so as to avoid discriminating against other affected communities and thereby creating inequalities and tensions.

3.2 The protection capacities of IDPs and affected communities

From the outset and throughout all of the stages of a displacement crisis, humanitarian efforts need to build upon and reinforce the existing capacities of IDPs and other affected communities (*see Part IV.10*). 📖

Even where humanitarian agencies have no alternative but to implement an activity directly, it is essential to empower the community as well. This is not only the most effective way of ensuring the long-term sustainability of such activities; it is also fundamental to community-based and rights-based approaches to protection.

Some tips for capacity-building activities with IDPs and affected communities

- Train community members in the use of participatory methods and ensure age, gender and diversity balance among participants.
- Work with the community to identify the different capacities and skills of the members and agree on the areas on which training and other capacity building opportunities are needed.
- Listen to and build on the creative ideas of different age groups on how to disseminate information on key protection concerns and foster their leadership skills.
- Build bridges between formal civil society groups and members of displaced and other affected communities to support advocacy campaigns on key protection concerns.
- Ensure that all segments of the affected population benefit from training and capacity building opportunities. If a particular group is found to be excluded, determine why and work with communities to address the issue.
- Assist community leaders in informing all members about their responsibilities as duty bearers and rights holders. Raise awareness of values, such as inclusiveness and respect for all, gender and diversity awareness, and the rights of children and older persons.
- Identify appropriately skilled partners to deliver training and ensure that they transmit values according to rights and community based approaches.
- Follow up on how training participants are applying the skills acquired and whether they are training others.
- Discuss with persons in charge of managing community projects whether they require particular support or training. Promote transparent accounting mechanisms.

3.3. The protection capacities of civil society, including national NGOs

While IDPs and other affected populations are part of civil society, it is beneficial for IDPs to work with organized civil society groups. Partnerships with local NGOs or institutions devoted to the promotion and defense of human rights are particularly valuable. These groups, especially those that have been operational for some time, tend to have detailed knowledge of the protection situation and of the dynamics of the conflict and its root causes. They can also often identify potential entry points and opportunities for protection advocacy with national institutions and authorities.

Local NGOs, especially those engaged in humanitarian action, tend to have much greater and more regular access and contact with IDP communities and other affected populations than do international agencies. This generally gives them a better sense of the communities' concerns.

Beyond human rights and humanitarian NGOs, there are often many other civil society bodies that can help promote protection and respect for the rights of the IDPs and other affected populations. Such groups might include, for instance, journalists, trade unions, groups of researchers, student unions, professional associations, such as bar associations and other lawyers' groups, medical associations, social workers, and ethnic or faith-based associations. These actors often have a significant presence and constituencies throughout the country and can be instrumental in raising awareness and influencing public policies.

The aim should be to engage with as **broad and diverse a spectrum of civil society groups as possible**. Having the benefit of a range of views and perspectives helps to deepen our knowledge of the situation, ensure that information is shared, thus improving its reliability, and help safeguard against bias in our assessments or in the perception of our work.

Some tips for capacity-building activities with civil society groups and national NGOs

- Undertake a thorough assessment of existing civil society groups and NGOs to focus on partnerships with those whose activities can have an impact on the protection of IDPs and affected populations. Focus on their capacities and analyze the impact of their past activities.

- Provide material and financial resources to civil society groups advocating for IDP protection to support specific protection activities as well as their own institutional capacity. Promote the sustainability of their efforts and enhance coordination among different groups.

- Identify key resource persons at the local, national and international levels who can provide specialized training to civil society groups in thematic areas. Any training activity should be defined jointly with civil society groups to ensure that it builds on their existing knowledge and capacities and addresses gaps and priority concerns. Such training might include programmes to:

  - address particular protection concerns, such as sexual and gender based violence, child recruitment, property rights;
  - develop skills for specific protection activities, such as human rights monitoring and reporting, advocacy, ensuring that national legislation and policies conform with international standards; or
  - enhance skills essential to the organization's work, such as mobilizing volunteers, fundraising, and managing budgets.

- Support networks of civil society groups within the country, in the region, and with international human rights institutions and NGOs.

- Promote constructive dialogue and a sense of partnership between civil society groups and government institutions, particularly with the government focal point on IDPs, the police, lawmakers and national human rights institutions.

- Promote an understanding of the humanitarian character of NGOs' work with the aim of enhancing their safety when undertaking humanitarian and human rights work. Monitor whether human rights defenders and civil society groups can exercise the right to freedom of expression and association, and can undertake their work without risk. Follow up with the authorities in the case of any violations.

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Resources

- *Addressing Internal Displacement: A Framework for National Responsibility*, The Brookings Institution-University of Bern Project on Internal Displacement, 2005:
  http://www.brookings.edu/fp/projects/idp/20050401_nrframework.htm

- *Enhancing Southern Capacity: Rhetoric and Reality*, Forced Migration Review, No. 28:
  www.fmreview.org

- *Evaluation of UNHCR's Role in Strengthening National NGOs*, UNHCR, EPAU/2001/01, 2001.

- *National Human Rights Institutions and Internally Displaced Persons: Illustrated by the Sri Lankan Experience*, The Brookings Institution-SAIS Project on Internal Displacement, 2002:
  www.brookings.edu/fp/projects/idp/idp.htm

Training resources

- **IDP Training** materials developed by the Norwegian Refugee Council's Internal Displacement Monitoring Centre and OHCHR: **http://www.internal-displacement.org/**

- **Annual Course on the Law of Internal Displacement**, organized by the office of the UN Secretary-General's Representative on the human rights of IDPs, at the International Institute of Humanitarian Law, San Remo, Italy (target groups include civilian and military national authorities): **http://www.iihl.org**

- **Essentials of Migration Management for Policy Makers and Practitioners: Course Manual**, International Organization for Migration, 2004 (includes a module on internal displacement).

- **Compendium of Course Curricula on Internal Displacement**, compiled by The Brookings Project on Internal Displacement, 2002: **http://www.brookings.edu/fp/projects/idp/resources/syllabi.htm**

Guidance Note 5

Legal assistance

1. Legal assistance in the context of internal displacement

As internally displaced persons seek remedies to address rights violations, they may need assistance to understand local laws and procedures, to choose and access appropriate mechanisms, or to obtain legal counsel and representation. Legal information and advice can be particularly important to IDPs unfamiliar with the law in the region to which they have been displaced, who have lost or lack the necessary documentation to access remedies, or who do not have sufficient financial resources to pursue the enforcement of their rights. In such circumstances, legal assistance programmes can play a crucial role to support IDPs in accessing public services, humanitarian assistance programmes or the justice system itself (*see Part V.10*). 📖

Legal assistance programmes can also contribute to building a protection environment conducive to finding durable solutions. For example, by resolving property disputes, IDPs may be able to return to their area of origin *(see Part VI)*. 📖

In general, when designing legal assistance programmes, it may be useful to pursue a local remedy under alternative dispute mechanisms, if these exist. Confidentiality and informed consent should form the basis of all programmes.

2. Key types of legal assistance programmes for IDPs

2.1. Legal Information Programmes

Legal information programmes seek to familiarize IDPs with existing formal legal systems (regulations, laws and customs regulating civil/administrative, criminal and human rights matters), particularly as they relate to their displacement (*see Part IV.6)*. 📖

Through legal information programmes, one may:

- Set up legal information offices or mobile clinics in displaced communities;
- Facilitate communication between IDP communities to overcome legal barriers, particularly if one community has had prior success;
- Publish reports on issues relating to the rights of IDPs;
- Create and support information networks of national partners, including public officials, institutions, lawyers, NGOs, and community elders to ensure understanding of their duties vis-à-vis IDPs;
- Collect and distribute information on precedent-setting cases, new procedures, state programmes specifically benefiting IDPs, etc.; and
- Conduct mass information campaigns using radio, TV, press, newsletters, posters, or leaflets to distribute important information to displaced communities.

2.2. Legal Counselling

Legal counselling programmes seek to advise IDPs on their legal options to address a specific rights violation or to claim a legal entitlement. Such programmes can provide individual

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[1] This chapter is largely based on and takes excerpts from the Handbook on Information, Counselling, Legal Assistance (ICLA), Norwegian Refugee Council, 2004 edition.

counselling through mobile units or in permanent centres. While some programmes specifically target services to relevant minority or sub-groups with specific needs within the IDP population, in some circumstances, broader meetings with IDP and host community populations may be appropriate to address certain legal issues. The primary functions of a legal counsellor would be to:

- Provide individual advice to displaced persons by listening to the situation, explaining the situation in legal terms, and discussing potential legal mechanisms to address the problem;
- Explain potential benefits and risks associated with various options, and provide guidance about the best method to address challenges;
- Clarify incorrect information that may be circulating in the community.

2.3. Legal Aid Programmes

Legal aid programmes provide direct support to IDPs to overcome legal obstacles, access entitlements, obtain redress for rights violations and resolve disputes through appropriate channels. When providing legal assistance, one may:

- Act as legal counsel for the displaced person/s in relevant administrative procedures. Administrative procedures are commonly used to address cases involving human rights, property restitution or land tenure rights, documentation required for citizenship or identity documentation, or social benefits such as employment or pension rights.
- File legal complaints with courts and provide in-court representation through staff or outside counsel. Legal representation may be particularly useful in cases of neglect, deliberate obstruction of justice, or unlawful actions such as arbitrary arrest or detention.
- Exercise power of attorney or accompany client/s to gather documents from public offices or documentation centres in the area of displacement or in the IDP's area of origin.
- Prepare and file "test cases" in domestic, regional and international courts and human rights bodies[2] on behalf of IDP clients (*see also Part I.2*). 📖
- Assist clients with the submission of cases, representation and mediation in 'informal', 'traditional' or 'tribal' justice mechanisms.

2.4. Related activities

2.4.1 Capacity Building activities can: (*see Part IV.4*) 📖

- Strengthen the knowledge of national and local governmental actors about their obligation to respect, protect and fulfill the rights of IDPs in a manner consistent with international law.
- Provide technical assistance and advice on legislation, implementation regulations and procedures.
- Give financial support to start legal/administrative proceedings (i.e. legal services, administrative fees, expenses or 'incentives' that may be necessary to broaden legal aid programs to IDPs).
- Strengthen local organizations' capacity and skills to assist IDPs and promote respect for their human rights.

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[2] This includes taking cases to international courts such as the European Court of Human Rights in Strasbourg, international treaty bodies such as the United Nations Human Rights Council in Geneva, or UN committees guarding treaties like Minority Rights, Elimination of all Racial Discrimination and the Committee on Economic and Social Rights.

2.4.2 Advocacy (*see Part IV.3*) 📖

Based on understanding of individual cases, advocacy campaigns can be launched for the protection of particular rights of the displaced. Experience has shown that specific and actual case-based advocacy programmes have greater impact and stronger credibility. Given the sensitivity of many IDP rights-related issues, advocacy campaigns should be discussed, agreed upon and supported throughout the relevant organization.

3. Key considerations for effective legal assistance programmes

Assessing the feasibility and sustainability of a project	A legal assistance programme is generally considered **feasible** if: • Personnel and financial resources are available. • The security situation allows the relevant organization to operate in reasonable security. • The organization has access to the affected population/target groups, noting that if access is limited, mobile units and other alternatives can be considered. • If the activities have a reasonable chance of improving the situation of the target group. The project is **sustainable** if: • Once the relevant organization departs, there is local capacity to continue providing the same kind of service, if needed. • The project has built-in knowledge and skill transfer mechanisms to local communities, government authorities and the staff members themselves.

Strategically combining different types of legal assistance projects	• Establish credibility and acceptance before taking on individual case work. As the situation improves and possibilities for seeking legal remedies develop, the project can initiate concrete legal actions to solve legal problems of individuals.
	• Determine the right mix and type of information, counselling and assistance activities. This is a challenging balancing act. In particular, organizations must choose between:
	  – Providing more individual counselling versus disseminating information to groups;
	  – Providing legal assistance to many people versus prioritizing a test case for the courts; or
	  – Concentrating on an "easy" issue where a solution is likely (e.g. obtaining documents) versus systemic issues which take longer to change (e.g. discrimination in the courts).
	• The choice for one or another type of programme will depend on the potential positive impact on IDPs of particular activities. Generally, legal aid programmes should combine information and counselling, as both are integral to successful legal interventions.
	• In conflict and immediate post-conflict situations, legal assistance activities often target a large number of clients and focus on providing general information in the absence of legal and civil infrastructure to pursue individual cases.
	• If individual cases become repetitive, this may indicate a systemic problem with a particular law or institution; in such cases, information and advocacy campaigns may be useful (*see Parts IV.3 and IV.6).*
	• If solutions to individual claims are achieved, legal information and training programmes can contribute to enable broader groups also benefit from the same solution or strategy to address the problem.

	• In some situations it may be more appropriate to seek a remedy within an alternative dispute mechanism as opposed to formal legal mechanisms. As long as such remedies are in accordance with international human rights law and principles, they can be applied either as an interim measure, or in a manner that complements the existing official system (*see Part V.9*). 📖
Coordination with other programmes and actors	• All agencies involved in protection, assistance and legal aid activities should work in a collaborative and concerted way to minimize overlap and to fill gaps. For example, if return becomes a durable solution for a large number of IDPs, information and counselling on land tenure, compensation or restitution could be key components in a shelter program. • IDPs and other actors' perceptions of the credibility of organizations providing legal assistance should also be monitored. Staff involved in legal aid projects should clearly set realistic expectations by stating how their organization can and cannot assist internally displaced persons.
Managing information	• Protecting the confidentiality of personal information and obtaining informed consent to share such information is essential to build trust and confidence and to ensure that affected populations are not put at risk. • Information used in legal aid projects must be reliable and accurate, which means that it must be verified and updated. This can be particularly difficult during conflict or in post-conflict situations, when things change quickly and transparency is often lacking. • While electronic recordkeeping, such as databases, can support assessment, monitoring and analysis, it is essential that all mechanisms safeguard confidentiality. Such information should also be cross-checked whenever possible, and evaluated in light of its source. • A system to refer potential clients or issues to specialized organizations should be established, both on a case-by-case basis and thematically. • A thematic compilation of good practices and relevant jurisprudence can also strengthen legal advice actions. • *Standard operating procedures* should be developed and disseminated to ensure access to legal redress or/and specialized legal assistance for different protection risks (i.e. for land, housing and property restitution cases; SGBV; documentation procedures, etc.).
Staffing the projects	• Recruiting local staff contributes to the sustainability of programmes, the development of local capacities, and a greater understanding of the local legal system. • When hiring local lawyers one should seek to avoid weakening state institutions by depleting local capacity. • Where appropriate, strike a balance between recruiting newly graduated lawyers and experienced local lawyers: while experienced lawyers may bring credibility and legitimacy to the project and facilitate dialogue with key actors, it is also important to expose a new generation of lawyers to the principles of human rights law to carry with them throughout their professional life. • Where possible, hiring practices should also aim to an appropriate ethnic and gender balance among national staff, taking into account political, cultural and any other possible sensitivities in the country or region. ▸▸

Developing soft skills (*see Part II.*) 📖	• Noting that many IDPs and affected populations seeking advice may have been traumatized by a conflict situation, all staff members need to develop basic knowledge of the symptoms of trauma, as well as general counselling techniques.

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• Legal aid workers should also be equipped to deal with the personal stress that can result from being exposed to accounts of rights violations and trauma.

• All staff in legal assistance programmes should be aware of the limitations of their competencies when it comes to an IDP's need for professional psychological and medical counselling.

• Some basic tips:
  – Never turn anyone away. If approached by someone outside the target group, politely redirect the person to other organizations that may be of assistance.
  – Focus on key issues with clear and simple questions.
  – Be prepared and always answer questions accurately, even if it requires follow-up or research.
  – Provide comprehensive information, encouraging clients to ask follow-up questions. Many may not be aware of the information they need to know.
  – If needed, spread discussions over several meetings. It is not necessary to bring everything up in the first consultation.
  – Try to reach IDP sub-groups at high risk or those most in need of information and counselling.
  – Do not attempt to be *superhuman*. Even counsellors are allowed to admit that an issue is difficult to handle. If your organization does not have the capacity to answer a specific issue, contact a network colleague for advice, ensuring the query does not compromise confidentiality.

Resources

■ *Information, Counselling, Legal Assistance (ICLA),* Norwegian Refugee Council, 2004 edition.

■ "*National Human Rights Institutions and Internally Displaced Persons: Illustrated by the Sri Lankan Experience*" Brookings Institution-SAIS Project on Internal Displacement, (by Gomez, Mario), July 2002.

■ "*Housing and Property Restitution for Refugees and Displaced Persons, Implementing the Pinheiro Principles*", FAO, IDMC, OCHA, OHCHR, UN-HABITAT, UNHCR, 2007.

■ *"Property restitution in practice: The Norwegian Refugee Council's experiences",* (by NRC, Ingunn Sofie Aursnes, and Conor Foley), April 2005.

■ "*Implementation of the 1998 UN Guiding Principles on Internal Displacement in Domestic Law and Policy: Study on the Recovery of Personal Documentation*", NRC, (by Conor Foley, Paul Nesse, Barbara McCallin), 28 February 2007; to appear in a forthcoming joint publication on domestic laws and policies on internal displacement by the Brookings Institution-University of Bern Project on Internal Displacement and the American Society of International Law.

Useful websites:

■ Norwegian Refugee Council (NRC): **www.nrc.no**

■ Internal Displacement Monitoring Centre (IDMC): **www.internal-displacement.org**

■ Brookings Institution SAIS Project on Internal Displacement: **www.brookings.edu**

■ United Nations High Commissioner for Refugees (UNHCR): **www.unhcr.org**

■ Reliefweb (OCHA): **www.reliefweb.int**

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Guidance Note 6

Disseminating information

1. The protection value of access to information

The right to seek, receive and impart information is a basic human right. It also has considerable protection value. Access to accurate, reliable and timely information helps individuals and communities to make sound decisions, develop sustainable survival strategies, and seek a durable solution to displacement. It also helps to safeguard against manipulation and abuse.

Displaced individuals and communities often lack or have limited access to timely and accurate information. Ensuring their right to information and, in some cases, providing relevant information, can support the efforts and strengthen the capacity of individuals and communities to protect themselves.

Ensuring access to and/or providing information in situations of internal displacement can be challenging, in particular where displacement has been motivated by political factors. Such efforts must be undertaken with care in order to avoid creating tensions or placing individuals and communities or humanitarian actors at risk.

2. Possible means for disseminating information

Information can be conveyed and exchanged through a variety of means. The choice will depend on a number of factors, such as the nature of the information, the source, the target audience and the socio-economic and cultural environment.

2.1. Among IDPs and other affected communities

- Individual counselling, household visits
- Group meetings; support groups; group counselling; information, awareness-raising, sensitization campaigns
- Community representatives and other multipliers, such as community associations/centres, churches, health staff, humanitarian assistance delivery sites
- Programme-related activities, including education (parents meetings and classroom dissemination) and health care (waiting rooms, vaccination campaigns)
- Family tracing and messaging services, such as established by ICRC
- Media: radio/TV/newspapers, public broadcasts
- Cultural and artistic performances
- Posters, leaflets and newsletters
- Audio tapes, videos or films

2.2. With governments and other institutional partners

- Bilateral and multilateral meetings and briefings
- Standard reporting mechanisms, such as situation reports
- Contingency planning, programmes and agendas
- Workshops and seminars
- Humanitarian hubs for humanitarian information-exchanges and networking

- Web dissemination, such as OCHA website of compiled reports; Reliefweb; virtual communities of practice, databases, maps
- Networks of national partners
- Networks and regular venues for local and international agencies and other actors
- Official media, including radio, TV, newspapers
- Specialized/targeted newsletters

3. Key activities

Disseminating information for use as a protection tool will entail[1]:

- Determining what concrete information is needed by different stakeholders and for which purposes;
- Selecting the appropriate timing and dissemination channels for the different stakeholders; and
- Avoiding doing harm through information-dissemination activities.

Annex 1 contains a checklist with useful questions to ask when developing an effective and protection-oriented strategy to disseminate information.

How we can protect through accessing and disseminating information	
3.1 Information that protects	
Preventing or mitigating the effects of arbitrary displacement	• Facilitate sharing of knowledge and information on the dynamics of conflict and the security situation in relevant areas, including on the presence of mines. It may help groups and individuals without regular access to such information save their lives by fleeing elsewhere or taking other protection measures. • Keep in mind that information related to security, in particular if related to military operations, such as movements of troops, can be extremely sensitive and it should be handled with extreme caution (*see Part II on military-civilian coord*). 📖 • Encourage the government to share information with the civilian population about its relocation plans, and other decisions that affect them. This will allow the population to adapt their own protection strategies. In these cases: – Support information-sharing between the authorities and the population by initiating meetings between them, if required. – If a party is unwilling to share vital information with the population, raise this issue with the highest local or central political authority, as determined by the Country Team. – Take into account possible implications of such situations on staff safety. • Inform IDPs and other affected communities about the duty of national authorities to protect and assist them without any discrimination. • Disseminate information about the location of transit centres or points of delivery of humanitarian assistance to avoid dangerous secondary displacements and enable prompt access to relief. • Ensure that IDPs and other affected populations understand their right to seek asylum abroad.
Improving protection and enjoyment of rights during displacement	• Dispel rumours by providing objective and accurate information and, if possible, access to reliable sources of information. • Discuss and plan with affected communities, information campaigns on protection risks that may affect particular individuals or groups. This can facilitate the timely adoption of specific measures to prevent such risks and to access relief and redress mechanisms quickly when such risks arise. For example: ▸▸

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	– **Women, girls and boys at risk of sexual exploitation, forced prostitution, or abuse:** the community should be informed of the equal rights of women and girls to access national and international protection and assistance efforts; the fact that humanitarian assistance is provided free of charge; equal rights to participation; the methods used by trafficking networks; and national institutions responsible for the care and protection of victims of trafficking and exploitation and for preventing and responding to such abuses; – **Men, children, adolescents at risk of forced recruitment or forced labour:** the community should be informed of organizations or national institutions mandated to protect against forced recruitment or forced labour, the existing legal framework, and legal aid projects focusing on this issue. ● Provide information on the availability of legal aid projects or information centres, and on existing procedures for issuing replacement identity documents, procedures for land, housing and property restitution, and support for family reunification. ● Raise the profile of national and international assistance and distribution programmes and eligibility criteria for housing, food, water, sanitation, medical care, education and work opportunities or commercial activity in local markets.
Facilitating or promoting durable solutions *(see Part VI)* 📖	● Ensure that all internally displaced persons are aware of the principle of voluntary return and the right to settle in another part of the country. ● Provide information on the situation in areas of return/settlement elsewhere, including security, availability of assistance, availability of food, housing, water, work, pension and social benefits, health and education, the state of infrastructure, the condition of housing, and land and property ownership and use. ● Assess and inform the displaced populations of conditions of travel along transit routes (the presence of mines, water sources and medical centres) to the areas of return or resettlement. ● Disseminate information among affected populations on the right to vote, participate in community/public/government affairs, and freedom of association, religion, thought and conscience – all without being subject to discrimination.
3.2 Avoiding harm	
Averting misinformation	● Assess the accuracy and reliability of information received. This may require research, analysis and cross-checking of information from various sources. ● Remain aware of politicized media or interlocutors, particularly in conflict situations.
Managing sensitive information	● Before sharing sensitive information with communities at risk or local authorities, always undertake a thorough appraisal of the potential impact of your action on the protection of individuals or groups among the civilian population and humanitarian staff. ● Only share sensitive information if it helps protect persons of concern. No risk should be taken that could expose individuals. ● Build in adequate procedural and substantive safeguards, particularly with regard to confidential data and protection of sources, when developing information-gathering and -sharing methods.
Avoiding concentration of information	● Ensure that information reaches persons of different ages, sexes and interests. Even though it could seem more expeditious to rely on a few persons or structures in the community to transmit information, such as IDP leaders, adults, men, seek a diversity of multipliers. ▸▸

	• Spend substantial time in communities of concern in order to have access to different groups and individuals, broaden possibilities of dissemination, and identify further information needs.
	• Make efforts to reach remote or dispersed IDPs and affected communities, including IDPs in urban settings or living in areas that are inaccessible to humanitarian workers.
	• The timing and location chosen for disseminating information must be reconciled with family and work obligations, and with access to transportation.
	• Adapt the content and modalities of information to individuals of different ages, sexes and backgrounds and any group with specific needs. These can be individuals with physical conditions that limit their mobility as well as children, minority groups, and single-headed households. For example:
	  – **Women IDPs (often including teenage girls):** Not only should women have access to information on an equal basis as men, but they might also require specific types of information, such as information relating to mine action; rather than focusing only on the main roads, which might be most useful for male IDPs, focus also on the areas where women collect firewood, grow crops, fetch water, and wash clothes.
	  – **Children and youth** must be kept informed, (through their relatives, communities, teachers or others), on decisions that may affect them or are made on their behalf. In particular, they must be consulted and informed about alternative living arrangements and tracing activities available to them. It is essential to adapt the method of dissemination to the age, gender and backgrounds of children so that they understand key messages (*see Part II.3*).

Socio-cultural awareness	• Ensure that the location or method chosen for disseminating information does not stigmatize or otherwise deter persons from accessing the information:
	  – Information regarding domestic violence may be disseminated discreetly at medical clinics, day-care centres, and training events.
	  – Information and assistance for HIV/AIDS patients and survivors of gender-based violence is best provided in a manner and place where persons are not afraid of being identified. Mobile information and counselling clinics are often useful.
	  – Messages should be worded in culturally appropriate terms. Be aware of the potential misunderstandings caused by "word-by-word" translations.
	• Remain aware of how the specific age, sex and political, ethnic or religious affiliations of national colleagues, interpreters or local partners can influence the receptivity of IDPs to the information provided.

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Resources

■ *Humanitarian Disasters and Information Rights: Legal and Ethical Standards on Freedom of Expression in the Context of Disaster Response*, Article 19, 2005. **www.article19.org**

■ *Operational Protection in Camps and Settlements: A Reference Guide of Good Practices in the Protection of Refugees and Other Persons of Concern*. UNHCR, 2006 (Chapter 4 on Information Dissemination). **www.refworld.org**

■ *Left to their Own Devices: The Impact of Informal Informational and Communication Networks on Security in Tanzanian Refugee Camps*, A.R. West and L.W. Wambugu, Article 19, 2003. **www.article19.org**

Annex 1
Checklist for Information Dissemination

- What information is needed by IDPs and other affected populations at this stage?
- What will be the protection impact of this information?
- Who should transmit this information to them? Is it the task of humanitarian actors, or should you encourage and support local authorities to do so? Will this choice affect the target audience's perception of neutrality and impartiality of humanitarian actors?
- How will IDPs and other affected communities help design the dissemination strategy?
- How will NGOs and other partners be involved to ensure clear and consistent messages and to avoid overlap of efforts and resources?
- Which channels will be used to disseminate the information? Are they the most appropriate to ensure the safety and avoid stigmatization of the targeted audience?
- How will the dissemination of information be made sustainable and not remain a one-off exercise?
- How will the strategy ensure that the information reaches those with specific needs or those most marginalized within the IDP community?
- How will the illiterate be informed?
- Is the information being shared reliable?
- Is it culturally appropriate?
- Are the messages delivered in a respectful, unequivocal and non-patronizing manner?
- Can the audience provide feedback to those disseminating the information?
- What media sources will be engaged: radio, print, posters, megaphones, teachers, community leaders?
- How will the host community be engaged? Would it be helpful to conduct an information campaign to raise awareness of the challenges and risks faced by IDPs?

Guidance Note 7

Humanitarian Assistance

1. The protection value of humanitarian assistance

Generally, humanitarian assistance consists of providing relief services or commodities either directly or indirectly via the supply of advice or resources through a local authority or partner organization.[1]

Humanitarian assistance has a wide **protection capacity** as its aim is to address the urgent needs of the target populations, thereby improving their human rights situation. Yet, if the planning and delivery of humanitarian assistance are not guided by protection objectives and basic principles, the safety and dignity of civilian populations can be put at serious risk and the humanitarian character of assistance can be undermined. **Conscientiously planning and delivering humanitarian assistance through a *protection lens*[2]** can greatly expand its protection capacity.

Humanitarian assistance can also be a determining factor in the **search for durable solutions**. For example, adequate and timely humanitarian assistance during displacement can help displaced persons regain the ability to develop sustainable livelihoods and thereby prepare them for reaching earlier solutions. A well-balanced assistance programme can also avoid dangerous secondary displacements to unsafe locations and contribute to the development of conditions for return or relocation (*see Part VI on Durable Solutions).* 📖

National governments are responsible for the protection and assistance of internally displaced persons. Humanitarian actors should therefore try to avoid acting as substitutes for national authorities. While life-sustaining essentials should always be provided if the State is not doing so, humanitarian agencies must orient longer-term interventions towards reinforcing the capacity and the responsibility of national authorities to assist the population on their territory. This includes advocating that national policies, public services and targeted assistance programmes adequately respond to protection needs.

Humanitarian actors should also ensure that assistance ultimately strengthens the ability of internally displaced and other affected communities to realize their rights and of civil society groups to support them to that end (*see Parts IV.4 and IV.10).* 📖

2. Key protection considerations on humanitarian assistance

2.1 Core Humanitarian Principles[4]: *Humanity, Impartiality, Independence*

Humanitarian assistance must be provided in accordance with the principles of humanity, impartiality and independence[5] (*see Part I.1*). 📖 In simple terms, this means that:[6]

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[1]   Adapted from *A Guide for Humanitarian Agencies*, Slim, H., and Bonwick, A., August 2005.

[2]   See section II of this Chapter.

[3]   References to humanitarian assistance in this Guidance Note include those life-sustaining essentials that States and humanitarian actors provide to displaced populations, such as clothes, bedding materials, cooking items, etc. The overall protection considerations on humanitarian assistance contained in this Chapter, however, also apply to the provision of shelter, water and sanitation as well as food distribution, all of which are also dealt with in more detail in other chapters of the Handbook.

[4]   See Guiding Principle 24.1. The Guiding Principles are reproduced in Annex 1 at the end of this Handbook.

[5]   GA Resolution 46/182, 19 December 1991, Strengthening of the coordination of humanitarian emergency assistance of the United Nations.

[6]   See also *ICRC neutrality and neutrality in humanitarian assistance*, Denise Plattner, International Review of the Red Cross.

- Humanitarian assistance must be provided to prevent and alleviate human suffering, to protect life and health and to ensure respect for the human being.
- The criteria for distribution of humanitarian assistance must not be based on nationality, race, religion, or political point of view. It must be based on need alone.
- Humanitarian agencies must formulate and implement their own policies independently of government policies or actions.

Even if these principles are sometimes difficult to apply, especially in rapidly changing situations, they are unambiguous. Their application ensures the integrity of relief operations and it contributes to safeguard the safety of the assisted populations and of humanitarian staff.

These principles should guide a continued assessment of the potential consequences of humanitarian action which, at times, may lead to the conclusion that assistance should NOT be provided. This may be the case in situations in which humanitarian access might be denied in one location while strategically permitted in another, leading to a worsening of inter-communal tension or discrimination; reductions in food rations to an IDP settlement used to force relocation or premature return; pressure to establish assistance points in certain strategic locations to reclaim control over a territory use IDPs as human shields, or to control population movements for other political or military purposes in violation of the rights of IDPs.

The application of the principles of humanity and impartiality will also make it necessary for humanitarian actors to carefully consider if and when an assistance project initially planned for internally displaced persons needs to be substantially expanded to other groups or to the civilian population as a whole.

2.2 Balanced Interventions

Protection and assistance activities by the different humanitarian partners should all be part of one coordinated strategy. All humanitarian partners must have a common commitment so that both humanitarian assistance and generic protection interventions, (such as monitoring and reporting or following up on human rights violations), can take place at the same time without undermining each other.

This can be particularly necessary, for instance, in situations where public denunciation or advocacy reports, become necessary at one point to raise awareness about grave and systematic human rights violations against a particular group or the population as a whole. In such cases, it is essential that ALL humanitarian partners, UN and NGOs, agree on a common advocacy approach and operational strategy. The fact that open denunciation may put at risk humanitarian assistance or access altogether requires a solid unanimous approach from the country team, otherwise threatening the safety of staff and the integrity of humanitarian interventions *(see also Part IV.2* on humanitarian access and presence*)*. 📖

A balanced approach also requires all humanitarian actors to orient their programmes towards the achievement of durable solutions. From the beginning of an emergency and through the implementation of their programmes, they should work in coordination and partnership with development and early recovery partners.

2.3 Security

Humanitarian interventions could inadvertently aggravate or create risks for the target population and/or surrounding communities. The presence of humanitarian actors, the location of warehouses with food and non-food items as well as the chosen assistance modalities can increase the risk to affected communities, for example by drawing unwanted attention to assisted communities from armed groups or agents of persecution.

Armed actors may systematically infiltrate and use civilian IDP settings as a convenient base to supplement their rations, putting civilians at great risk. Constant monitoring activities in this regard are therefore indispensable (*see Part II.3*). 📖

2.4 Integrity and accountability

Humanitarian assistance programmes need to be accompanied by scrupulous monitoring systems to identify and prevent corruption in aid-distribution systems and avoid a spiral of extortion rendering IDPs defenceless. All efforts should be made to prevent the diversion of assistance to combatants during conflict. Humanitarian personnel taking part in assistance activities must be well aware of the practical implications of the core humanitarian principles as well as of their respective codes of conduct and the consequences of breaching them.

3. Ensuring a protective approach to planning and delivering humanitarian assistance

To maximize the potential protection value and benefits of humanitarian assistance, it is vital to ensure that **protection concerns are mainstreamed** into the planning and programming cycle of any humanitarian assistance programme. The following matrix suggests ways in which we can accomplish that:

3.1. Assessing needs for assistance with a protection perspective (*see Part III.1*) 📖

- Ensure that non-protection staff taking part in assessments is adequately trained on the protection implications, the risks as well as the protection potential of humanitarian assistance.
- Try to reach, a shared perspective of key protection gaps and objectives with all protection and non-protection partners. To this end, *joint* situational assessments are useful to identify the full spectrum of protection concerns affecting persons of concern.
- At the peak of emergencies, ensure that rapid assessments are systematically undertaken from a gender, age and diversity perspective and that they include some degree of participatory inquiry, even if limited. This will help set up an adequate procurement and delivery process during the initial planning stages of assistance programmes, to respond to the needs of women, men, girls and boys of different ages, sex and circumstances.
- Do not make assumptions about family size or structure. In emergencies, families are not always made up of two parents with several children. Often, households are headed by one parent or a grandparent with children and cousins. Ensure that members of the new family unit are not put at additional risk by not receiving adequate assistance.
- Through participatory assessment during the post-emergency phase try to understand community dynamics and other relevant factors, such as gender roles, traditional practices, discriminatory laws or customs, and common patterns of abuse that may affect the delivery of assistance to some individuals or groups. This will ensure that humanitarian assistance reaches those in the community who are not as visible to the humanitarian agencies.
- Establish any assistance needs that are specific to the cultural and daily practices in affected communities, such as cooking practices and fuel sources before the displacement; type of clothes that women and men used to wear, including any specific clothing items essential for their daily needs; hygiene products used or needed; and how were single-headed households surviving or accessing non-food items before.
- Establish whether there are smaller groups or families remaining **outside camps or settlements**, or those who are not able to flee as far as camps, such as older persons. Ensure that they also receive humanitarian assistance on a continued basis.

3.2. Planning and delivering assistance with a protection perspective *(see Part III.2)* 📖

- **Integrate lessons learned:** before deciding on specific assistance modalities, seek lessons-learned about humanitarian assistance programmes in other operations with comparable protection risks and patterns of displacement.
- **Promote dignified settlement opportunities:** assistance delivery programmes should avoid creating a pull factor towards encampment if other viable alternatives exist, such as staying with host families.
- **Carefully consider the root causes of conflict:** ensure that the analysis of the root causes of conflict is integrated in the definition of assistance priorities and modalities, to prevent unnecessary tension and to foster coexistence through the delivery of assistance. (For instance, if unequal access to water for cultivation was among the root causes of conflict, humanitarian actors should prioritize access to water in communities receiving displaced populations).
- **Strengthen national responsibility**: make every effort to develop assistance programmes that strengthen existing local and national services or policies, particularly with a view to durable solutions. For instance:
  - Design nutritional centres, schools and sanitation services that can be integrated in the national system, as soon as the State is ready to assume its responsibility.
  - If the issuance of personal documentation is required to facilitate distribution and prevent abuse, avoid developing a parallel documentation system to that of the State. Rather, support, directly or through partnerships with specialized agencies, the ability of the State to provide affected populations with identity documents. Apart from facilitating the relevant distributions, this may also facilitate accessing other rights (*see Part V.2).* 📖
- **Avoid dependency on assistance**: plans for assistance delivery should promote a balance between assistance and livelihoods through coordination between protection and early-recovery agencies. Such cooperation should also serve to improve the conditions in areas of return or settlement. For instance, procurement and delivery of assistance can be oriented towards promoting local products and supporting local employment. Vocational training on traditional and new crafts using local materials, will allow for the sustainable manufacture of goods and to get access to local markets.
- **Build on the community's self-protection strategies:** older persons are often crucial interlocutors to understand these strategies, due to their understanding of the existing threats and their knowledge of the community. Such situations could be:
  - In some cases, being identified as IDPs or being spotted receiving humanitarian assistance can put displaced persons in life-threatening situations. This can be the case of displaced individuals or groups in areas where they constitute an ethnic minority and where there is a lack of governance or effective security apparatus (such as areas in Somalia or in Iraq). Special distribution systems of basic subsistence items must be developed on the basis of thorough consultation and joint planning with the community. Such systems usually involve complex and lengthy distribution procedures, yet they can save lives.
  - Some displaced communities may need to limit their movements to avoid security risks and assistance should be planned to help them avoiding such risks. For example, if members of a displaced community risk being attacked by collecting firewood in remote areas, humanitarian assistance programmes should prioritize the provision of energy-saving cooking stoves or alternative fuels to reduce the need for such movements.
  - In some cases, provision of cash grants could trigger attacks against particular segments of the population which may be perceived as vulnerable or defenceless, such as older persons, widows, etc.
  - Conversely, a project for clothes distribution that prioritizes families with special needs can improve the situation of separated children in foster care, as it may broaden opportunities for monitoring the situation of children, identify further needs, and establish referral mechanisms for identified children with additional needs.

- **Take into consideration culture and climate:** ensure that assistance distributed (clothes, bedding materials, cooking items) is appropriate to cultural practices and climatic conditions. Ensure that it is sufficient in quantity and that it enables safe practices. To the extent possible ensure that existing local practices are taken into account.

- **Be identifiable and accessible**: humanitarian partners should be easily identifiable through visibility signs and regular presence during distribution exercises. Their offices should be accessible to local authorities, IDP leaders and individuals wishing to discuss assistance-related matters.

- **Ensure that assistance does not divide the community**: objective criteria for assistance based on specific needs should be set together with representatives of the community and broadly disseminated. Discuss with those parts of the community, including the other affected communities, who may feel negatively affected and explain the principles of humanity and impartiality of humanitarian assistance in clear and unambiguous terms. It is vital to promote cohesion within the community so that it retains its ability to develop common protection strategies.

- **Build on the key role of women in their families**: work with other partners and the community to ensure that they acknowledge the key role of women in the health and well-being of their families. Ensure that all support that role by ensuring women's equitable access to assistance. Such access will be ensured by women receiving the commodities directly or together with their partners or other relatives.

- **Take into account specific needs**: ensure that assistance programmes organized around distribution points or areas, also foresee alternative arrangements to reach persons who may not be able to attend, such as:
  - Older persons and persons with disabilities, who may not be mobile at all.
  - Women taking care of many dependants on their own who may have restricted mobility and little time for participation in community affairs, including general distributions.
  - Women and adolescents who may fear attending meetings or distributions on their own for security reasons, including gender-based violence from members of their own or surrounding communities, or from armed elements.

- **Avoid exposing the community to attacks:** the type and amount of assistance provided on each occasion may attract attacks by armed actors. Infrequent distributions of large quantities of assistance are more likely to draw attacks than providing smaller quantities at more frequent intervals. Leaving vehicles and other equipment at settlements or sites over night or during longer periods can also expose the community to insecurity.

- **Ensure that all members of the community are well informed:** make sure that both women and men know well in advance the quantity / variety of items they should receive, as well as the how the distribution method is supposed to work. Ensure that they are continuously informed on any changes in the system or the quantities of assistance. Use public information and notice information boards clearly indicating entitlements to non-food items and distribution sites, day and time. Take into account different levels of literacy in selecting methods for information dissemination (*see Part IV.6*).

- **Plan for orderly and safe distributions:** in cases of large-scale distribution, work with the community to designate crowd controllers who can monitor queues, and provide a separate queue for persons and groups with specific needs (such as those not able to stand in line for various reasons, e.g. older persons, pregnant women or persons with disabilities). Clearly designate the person at each site who will be responsible for security decisions, for ordering evacuation and/or abandonment of supplies. That person should be known to all staff and be visible.

- **Deal quickly and fairly with cases of cheating and disorder:** tackling corruption can put staff and the relevant organization at risk. Ensure that staff responsible for control and management is experienced and qualified. Ensure transparency and accountability in contracting and recruitment of staff for distribution of assistance.

- **Support durable solutions:** where the general conditions of return are given and displaced persons have started to return or expressed their willingness to do so, assistance delivery points should be close to areas of origin to facilitate voluntary return and reintegration of the displaced communities. The same should apply to relocations.

3.3. Evaluating and monitoring the protection impact *(see Part III.3)* 📖

- Work with all partners for the adoption of concrete measures to avoid abusive distribution systems, such as warehouse monitoring and post-distribution household surveys.
- Ensure that monitoring of assistance distribution is done both by agency staff and representatives of the affected communities.
- Enable beneficiaries to transmit their concerns and suggestions regarding the quality of assistance or its modalities. Hold regular discussions with community members on the distribution mechanisms and make modifications wherever feasible. Irregularities in the distribution cycle undermine the confidence of the affected community and increase the need to circumvent the system.
- Work together with humanitarian actors in the different sectors to ensure that their programme evaluation and monitoring activities measure not only performance levels, that is, the quantities of material distributed, but also their protection impact, such as:
  - The ability of such programmes to promote dignity and self-reliance of persons of concern and the community or whether they are reinforcing dependency and risk prolonging displacement.
  - The different impact of assistance on persons of different ages, sex and backgrounds, particularly those who are less visible or unrepresented, including in terms of equality, non-discrimination, appropriateness to cover their specific needs and any changes required.
  - Whether targeted assistance related to sensitive issues inadvertently identifies and places individuals at risk of stigmatization or physical harm, such as targeted assistance to HIV-AIDS patients or GBV survivors.[7]
  - Any other undesired effect, either on those receiving assistance, their relatives, surrounding populations or the relationship between different communities.
- Set up suggestion and complaint-boxes along the areas of displacement. Conduct regular random visits to households and displacement sites to get first-hand information about the impact of assistance should be conducted regularly.
- Ensure that ongoing evaluations of humanitarian assistance programmes develop and use 'protection impact' indicators linked to the objectives set by the Protection Cluster/Sector.

Resources

- *Beyond Firewood: Fuel Alternatives and Protection Strategies for Displaced Women and Girls,* Women's Commission for Refugee Women and Children, March 2006.
- *Making Protection a Priority: Integrating Protection and Humanitarian Assistance*, paper from Inter Action's Protection Working Group, April 2004.
- *Commodity Distribution,* UNHCR Division of Operational Support, June 1997.
- *Different Needs – Equal Opportunities, Gender and Non-Food Items in Emergencies,* IASC Gender Handbook.
- *Humanitarian Charter and Minimum Standards in Disaster Response*, Chapter 4, Minimum Standards in Shelter, Settlement and Non-Food Items, by Sphere Project, 2004.
- Camp Management Toolkit, Norwegian Refugee Council Camp Management Project, Oslo, 2004.
- *Growing the Sheltering Tree: Protecting Rights Through Humanitarian Action*, Inter-Agency Standing Committee, Geneva, 2002.
- *Protection: An ALNAP Guide for Humanitarian Agencies,* Slim, H., and Bonwick, A., Overseas Development Institute, London, 2005.

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[7] "Gender-based Violence in Colombia: WFP Field Study" (23 April-6 May 2006), WFP draft report, p. 16.

Guidance Note 8

Profiling Internally Displaced Persons

1. What is profiling?

Profiling internally displaced persons is a collaborative process whereby data on individuals or groups who have been internally displaced is collected, with the purpose of informing advocacy on their behalf, improving protection and assistance interventions and, ultimately, finding a durable solution to displacement.

> For more comprehensive guidance on profiling see '**Guidance on Profiling of Internally Displaced Persons**' (forthcoming 2008).

The level of detail gathered through profiling will vary depending on the context. At a minimum, core data includes the number of IDPs disaggregated by age and sex,[1] and their location(s). But IDP profiling is not just about numbers. Additional information may include, but is not limited to: cause(s) of displacement; patterns of displacement; protection concerns; key humanitarian needs; and possible solutions for the group or individual.

Profiling may overlap with but is different from **needs assessment**, which is intended to gather and analyze a wide variety of data in order to get a **comprehensive overview of humanitarian needs and protection concerns** (*see Part III.1*). 📖 Profiling is primarily intended to identify the number and location of IDPs among other population groups, although information about urgent needs can be gathered as well. Profiling and needs assessments are different but complementary exercises that can be carried out in tandem, if appropriate and desired.

Internally displaced persons are entitled to the same rights as other citizens or habitual residents of their country. Profiling should not result in the creation of a real or perceived "IDP status". Such misperceptions may place IDPs at risk, contribute to discrimination and stigma, and exacerbate community tensions. It may also give the impression that IDPs are being singled-out for preferential treatment or create incentives for others to present themselves as displaced in order to access assistance or services.

> **Profiling or registration?**
>
> **Registration is one of several profiling methodologies.** It involves the gathering and recording of detailed personal data with the aim of identifying the person at a later time, for instance to facilitate the delivery of assistance and protection.
>
> Registration is not necessarily required, and sometimes not even desirable, in IDP contexts: rather the benefits of registration depend on factors such as the actual need for detailed data, the role of the government, and the period during which the information will remain valid. Where registration is needed, efforts must be made to seek informed consent for the collection, registration and use of data.
>
> Appropriate data protection mechanisms must be put in place to safeguard confidentiality and protect those registered from potential protection risks, including violence, discrimination or stigma.

2. Main Methodologies

IDP profiling is based on sound data collection. As IDP situations can vary widely, they will not all require, or even allow for, the same scope or type of data collection. Data-collection methods must be conceptually sound as well as practical and well-documented. They should facilitate the tracking of displaced persons and obtain realistic, commonly agreed estimates of their numbers and profiles.

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[1] These might only be best estimates in many cases, especially in sudden emergencies or where IDPs are located in areas difficult to access. Estimates might be from primary or secondary sources and will need to be verified later with more systematic methodologies.

The chart below gives an overview of the most practical and widely used methodologies, including both quantitative (numerical) and qualitative (non-numerical) methods. Quantitative methods are based on statistical designs, are comparable to one another, and are often complemented with qualitative methods. Note that most methods require some kind of *triangulation*, that is, comparison of data on the same situation, yet gathered through different methodologies.

Methodology	Description
1. Desk review	A desk review involves the assessment and analysis of existing data from all available sources, both locally and internationally. It provides important background information and helps to assess what further data is needed. It can include review of various types of data, such as statistics, reports, evaluations, news reports, governmental registers (e.g. tracking births, deaths, marriages, residence, voting, census), information provided by civil society organizations and so forth. The IDMC database on internal displacement, covering over 50 countries, can be a useful source as well (*see* **www.internal-displacement.org**).
Quantitative Methods – These methods collect (mainly) numerical data on the whole population or part of it, although results can often be extrapolated to the whole population.	
2. Rapid population estimates	Such methods are suitable for estimating the numbers and basic characteristics of a population in a short period of time, such as during ongoing movement. Although ground access is generally needed for accurate estimates, some estimates can be made without such access. Rapid population estimates are most useful when applied to a well defined geographic area. Key methods include: ● **Area survey using aerial/satellite imaging –** Used to gain a broad picture of an ongoing movement, to estimate numbers, or see what people are fleeing from and where they are moving to. Useful when the need for information is urgent and access is limited. ● **Flow monitoring –** People are counted when passing a given point (crossroads, bridges, mountain passes, etc.). Can be comprehensive, i.e. taking place continuously, or based on spot checks (counting at the same location at certain times of the day or week). Useful for estimating numbers during mass movement (e.g. during an exodus or return). ● **Dwelling count –** Counts the number of huts/houses/tents in a given area to obtain an estimate of the number of the people in that area. Can be combined with a survey to obtain additional information on the residents. ● **Head count –** Counts the number of people settled in a given area. This method is labour intensive in comparison to a dwelling count. ● **Dwelling/Head count using sampling methods –** With the help of sampling methods,[2] counts a subset of dwellings or of the population and extrapolates the results to estimate the overall population figure.
3. Surveys	● Surveys involve the collection of data on a sample or part of the general population and generalizing the results. They can be used at both the household and the individual level. They are useful when the population and ground conditions are stable, allowing for the collection of additional information. ● Surveys can be used to identify IDPs within a larger population group or to identify individuals and groups with specific needs within the IDP population. In this case, a cross-section of the whole population would be interviewed to compare differences in socio-economic status or exposure to risks between IDPs and the local population. ▸▸

[2] **Sampling** is the process of selecting a representative portion ("sample") out of the total ("sample universe"). It can drastically reduce the cost of the exercise in terms of time and human and other resources, while preserving the accuracy of the data to the maximum extent possible. In addition, profiling can be done using primary sources (data that agencies collect themselves) or secondary sources (data that comes from the reports of others) or, for best results, a combination of both.

Methodology	Description
4. Registration	• The primary goal of registration is to establish the identity of persons through detailed data-collection at the individual or household level. The level of detail and use of data will differ among humanitarian organizations, depending on the purpose of registration. For example, registration for the purpose of delivering assistance generally requires less detail than registration relating to specific protection interventions. • Registration often takes place in a phased approach, first at the family/household level and then at the individual level. In most cases, registration data will have to be regularly updated (continuous registration). *Note! Informed consent must be sought for collection, registration and use of data. The purpose of registration must be explained to all concerned prior to taking place. Also note that registration interviews are not "status determination" interviews: IDPs have the same rights and entitlements as other citizens and residents in their country and do not need to "apply" or "be granted" a special status to receive protection and/or assistance.*
5. Population census	Usually conducted by national governments every ten years. A census covers the entire population of a country and, in addition to individual data, gathers a set of relevant socio-economic data. Humanitarian actors can support a census and, for instance, request that data relating to IDPs is also collected to improve protection and assistance interventions.
Qualitative Methods – Involve the collection of (mainly) non-numerical data and are not based on statistical concepts. They complement quantitative methods and are particularly useful for *triangulating* and interpreting results.	
6. Interviews	• **Focus group discussions –** These are structured discussions, using the same set of questions, with different groups within the population. It involves separate discussions with women and men, of different ages, and diverse backgrounds (ethnicity, language, religion, with disability, etc). They are helpful to gain a better understanding of people, their concerns and capacities, and help ensure that the information collected represents the views of all the different groups within the society (*see Part III.1*). 📖 • **Key informant interviews –** Key informant interviews are usually conducted with a small number of pre-selected individuals, who may hold relevant information. Interviews should include both men and women of different ages and diverse backgrounds, as with focus group discussions.

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Caution! The safety of displaced individuals, families and communities must be a primary consideration at all times. The rights to privacy and confidentiality must be respected and informed consent is to be sought for the collection, registration and use of information. This requires that the purpose of profiling and intended use of information is clearly defined and explained prior to it taking place. Adequate mechanisms for data protection and confidentiality must also be put in place.

3. Key protection considerations on profiling

Regardless of the methodology chosen certain common protection standards must be taken into account and applied.

1. Support the role of national authorities	The primary responsibility for providing protection and assistance to displaced persons and other affected communities lies with the national authorities (*see Part I.1*). 📖 Creating parallel structures and information systems may not be sustainable, thus, where possible national structures should be supported. This is all the more important where humanitarian actors have limited access to displaced populations. Different considerations may however apply in cases where the authorities are unable or unwilling to provide protection and assistance, or where the information collected might put the displaced community at risk. • Assess national data gathering systems and, where possible, work with and support such systems rather than creating a parallel system.
2. Ensure IDP/host community participation[3]	Both the displaced and the host community (men and women of different ages and diverse backgrounds) should be consulted in order to ensure that their views or concerns are accurately reflected. Failing to do so may undermine the accuracy of the profiling and have adverse effects for displaced individuals and communities (*see Part III.1*). 📖 • When possible, ensure the participation of men and women of different ages and diverse background in all phases of the profiling exercise (planning, implementation, and analysis). • Experience has shown that IDP self-profiling can yield very useful data. It may also provide opportunities to identify community-based protection mechanisms in need of support and gaps to be filled. • Consider in advance how the profiling will be perceived by the IDP community, the local community, local authorities and other actors and take action to minimize the risk of tension, discrimination or stigma arising against the IDP community.
3. Reach common objectives with partners	Different partners may enter the profiling exercise having different requirements, objectives and divergent plans for follow-up. • Ensure that all partners agree on the purpose of the profiling and that it will result in improved protection and/or assistance of the relevant population. • Be inclusive; try to incorporate the expertise of other sectors/clusters in profiling exercises and share the results with relevant humanitarian partners.
4. Respect privacy and seek informed consent	Some IDPs may prefer to remain anonymous and not be identified as being displaced, either for reasons of privacy or because of fear of discrimination, stigma or various forms of violence, including forced evictions or arrest and detention. • Always seek informed consent from individuals on the collection, registration and use of data. This requires that the purpose of profiling and intended use of information is clearly defined and explained prior to it taking place. • Assess what impact the profiling exercise may have on IDPs and their communities prior to it taking place. Where IDPs either oppose the exercise or their safety and security may be put at risk, profiling may need to be limited to secondary data-analysis.

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[3] Usually, profiling targets IDPs, as their situation is unknown and data on host communities is normally available on official records. However, appropriate profiling can also target surrounding communities to get a better appraisal of the IDP situation as well as an updated overview of the situation of the communities.

5. Protect confidentiality	Profiling and other information gathering often involves collection and management of sensitive and confidential information. Inadequate data security and data-protection measures can both violate people's right to privacy and place them at risk. The safety and best interests of internally displaced persons must be a paramount consideration at all times. ● Ensure that confidentiality guidelines are adopted and implemented, and that confidentiality of data is secured at all times.
6. "Profile" your team members	Teams undertaking profiling may need to gather data from individuals of different age, sex and background, who may have suffered as a result of conflict, displacement and human rights abuses. ● Detailed interviewing of victims/survivors of human rights abuses should **never** be undertaken by those undertaking profiling. Interviewing requires skills, a solid understanding of protection, and knowledge of available referral and response mechanisms. It should only be undertaken by trained staff. ● Ensure that profiling teams include individuals of different ages, sexes and ethnic, religious, linguistic and other backgrounds to facilitate outreach and counter possible mistrust, fear or perceptions of partiality.
7. Keep in mind 'invisible' IDPs	While some IDPs may seek safety in camps, settlements or public areas and buildings where they can easily be identified, many others may seek shelter with friends, family members or 'host families' in urban or rural areas. They may thus be difficult to locate or distinguish from the resident population. Certain individuals or groups, such as women, children, older persons and persons with disabilities, often remain 'hidden' or lack freedom of movement. As a result they are sometimes neglected or ignored by humanitarian programmes. ● Ensure that profiling exercises do not ignore certain IDP groups, such as those living with host families or in rural areas, or certain individuals, such as women, children, older persons or persons with disabilities. ● Household surveys can be useful in such circumstances as they enable collection of more detailed information, including not only IDPs but also host families. ● Information indicating an increase in numbers of people living in certain areas or accessing certain services can also be useful.
8. Ensure data is gathered according to age and sex	Disaggregation of data according to age and sex is necessary to be able to assess the specific situation or needs of men and women of different age groups. ● Make an effort to obtain information specific to men, women, girls and boys to minimize the possibility of overlooking specific needs related to age and sex.
9. Formulate specific mechanisms for IDPs on the move	Population movements during displacement can change continuously and it can be difficult to distinguish between those who are still on the move, those who have settled temporarily, and those who are moving back and forth between their homes and hiding places or camps. ● In addition to other methodologies, it can be helpful to form a dedicated "population movement committee," as is the practice in eastern DRC and Somalia. Such committees, which include participation by local authorities, NGOs and civil society, try to obtain regular data on new IDP movements.
10. Coping with pressures related to numbers	Profiling may bring to light that previously known numbers were under-estimated or, in some cases, over-estimated. There may be political or financial pressure to either limit or inflate numbers. Numbers may also be used or misused for political or other purposes. ● Such pressures are best overcome if all involved ensure that profiling exercises are methodologically sound and undertaken in a collaborative and inclusive way.

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Resources

- *Guidance on Profiling of Internally Displaced Persons* (endorsed by the IASC Protection Cluster in July 2007, forthcoming 2008) will be available at **www.humanitarianreform.org**
- *Improving IDP Data: Prerequisite for More Effective Protection*, by E. Rasmussen, in Forced Migration Review, December 2006, p.16-17 **www.fmreview.org**
- *Handbook on Registration*, UNHCR, 2003 **www.refworld.org**

Useful websites

- Internal Displacement Monitoring Centre **www.internal-displacement.org**

Humanitarian Evacuations

1. Protecting civilians during evacuations

Humanitarian evacuations usually take place in situations of natural disaster. In situations of armed conflict however, humanitarian evacuations are strictly a measure of last resort.

Civilians in conflict situations may find themselves caught between, or even targets of, the fighting parties. While some may be able to flee from insecure areas using their own means, others, including those already displaced, may be unable to reach an area of relative safety. Humanitarian evacuations often have serious security, ethical, political and logistical implications. **Humanitarian actors, in cooperation with States, have *exceptionally* resorted to emergency evacuations or transfers in utterly extreme circumstances, when there was no other way to provide urgent assistance or protection to respond to severe threats to life and security.**

> **Bosnia-Herzegovina 1992-93:**
>
> *... Political insistence on the right to stay should not in practice prevent people in danger from seeking safety. In many areas, remaining minorities wanted only one thing to leave, and to be helped to leave. This created a serious dilemma for UNHCR and ICRC. While the organizations wanted to avoid becoming part of the conflict objective of ethnic relocations, they also recognized that assisting people to leave was often the only way to save lives. As High Commissioner Sadako Ogata put it, "if you take these people you are an accomplice to ethnic cleansing. If you don't, you are an accomplice to murder."*

Experience has shown that poorly planned or executed humanitarian evacuations may result in a failure to protect and a significant loss of life.

Planning humanitarian evacuations requires careful consideration of the potential negative impact on the human rights of evacuees and individuals in other affected communities. These rights include the right to seek safety within and outside of one's borders; to be protected from ethnic cleansing and arbitrary displacement; and the freedom to choose one's place of residence.[1] Humanitarian evacuations can also undermine the core humanitarian principles underlying humanitarian action — humanity, impartiality and neutrality —.

1.1 Different scenarios

Scenarios in which humanitarian actors have provided direct assistance or support to relevant authorities include:

- **Relocation** of populations from endangered areas, such as camps, conflict or disaster areas, to another part of the country; justified for reasons of public security, health or safety, and other risks to life, including the presence of armed elements and health risks caused by overpopulation.

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[1] See Part I.1

- **Humanitarian Evacuation** of the wounded, sick and other civilians, including IDPs, trapped by armed conflict (traditionally carried out by the ICRC and national Red Cross and Red Crescent Societies).
- **International Humanitarian Transfer or Evacuation Programmes** of individuals or groups of persons at particular risk of imminent attack or serious human rights violations into another country.[2]

In conflict situations, it is part of the ICRC's core mandate and traditional role to negotiate with parties to the conflict for the safe evacuation or transfer of the wounded, the sick and civilians, including IDPs, trapped in conflict. UN agencies and other international organizations, such as IOM, may also be involved in large-scale humanitarian evacuations and transfers in disaster and conflict situations.[3]

> In the context of natural disasters, States and the humanitarian actors assisting them should first and foremost seek to **protect on site**, by all measures necessary, affected individuals and communities facing a serious risk for the life, physical integrity or health. However, where **such measures would be insufficient**, they reflect how endangered persons should be allowed and assisted to leave the danger zone and, to the extent that they cannot do so on their own, **endangered persons should be evacuated from the danger zone by using all available means.**
>
> *IASC Operational Guidelines on Human Rights and Natural Disasters ("IASC Guidelines")*

2. Key protection considerations

The context in which transfers and relocations can take place may vary significantly. A detailed situation analysis, including the motivations of the main actors, is necessary in each case to determine to what extent assistance might make humanitarian actors accomplices to human rights violations (i.e., by helping to consolidate the displacement) and to what extent immediate assistance is needed as a life-saving measure for the affected populations. An in-depth, even if fast, assessment of all factors having a potential impact on the transfer and relocation will also be critical to ensure that the diplomatic, protection, relief, security and logistics machinery that may need to be put in place, stands up to the challenges of the operation.

The operational experience gained to date highlights the need for humanitarian actors to respect a number of common standards.

Coordinated assessments and analysis *(see Part III.1)*	In planning evacuations, transfers and relocations, diplomatic advocacy efforts with national and international actors are critical to: • Organize with national and international partners effective information-sharing mechanisms. • Develop a joint analysis of risks and gaps. Individual actors' analysis of the situation may be influenced by their mandates, interests and capacities and they might promote different approaches or priorities as a result. To strengthen the emergency response, it will be vital to ensure that such joint analysis is done at the earliest stages.

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[2] Humanitarian Transfer Programmes (HTP) and Humanitarian Evacuation Programmes (HEP) consist of assistance and protection measures undertaken by humanitarian actors and cooperating States to move people to safety, in neighbouring countries within a "region" (HTP) and outside the "region" (HEP), respectively. These programmes are different from existing Refugee Resettlement programmes, which mainly deal with individually recognized refugees and with clearly defined refugee groups in a country of asylum, and are undertaken annually by States independently of other States and humanitarian actors, although in coordination with them, according to their own criteria for humanitarian programmes.

[3] Much of this experience has been gained in situations where refugees or asylum-seekers have been in imminent danger in a first country of asylum. In some of these cases, endangered persons were moved away from areas under attack to safer areas within the country (for example, Sierra Leonean and Liberian refugees relocated from Guinea's border areas in 2001) and in other cases, they were moved to safety in third countries (for example, Kosovo refugees in Macedonia in 1999, Uzbek asylum-seekers in Kyrgyzstan in 2005).

Key protection considerations (cont)	
	• Discuss with all stakeholders, as appropriate, including with the local communities, the best way to ensure protection before, during and after the evacuation. Consideration should be given to every possible scenario, including what can go wrong during the evacuation, to minimize the risks to the life and integrity of civilians. • Ensure that all operational partners are aware of and agree on who should be included in programmes, destinations, transportation and reception conditions.
Selection of relocation site and/or host communities *(see Parts V.8 and IV.6)* 📖	• Consult with relevant authorities and partners within coordination structures to identify a relocation site and/or host community. Where possible, include IDPs and members of surrounding and host communities in the selection and planning process. • Ensure that site viability assessments include core protection and self-reliance considerations, including: distance from areas of conflict or presence of armed actors; access to social services; basic infrastructure; livelihood activities; proximity to other communities; and any aspects that could create potential protection risks to the evacuees.[4] • Hold discussions with representatives of the host community and individuals of different ages, sex and backgrounds to ascertain whether the host community accepts the settlement of the evacuees. • Discuss and negotiate with relevant authorities: – Concrete and effective measures to ensure safety and security at the new location; – National protection mechanisms and the commitment to activate them as required; and – Humanitarian access and protection monitoring.
Freedom of movement and information *(see Parts V.13 and IV.12)* 📖	• Establish appropriate monitoring and community mobilization mechanisms to ensure that the evacuation of individuals is based on their voluntary decision informed by an understanding of the consequences of evacuation, transfer or relocation. This includes the choice not to return to or settle in any place where their life, safety, liberty and/or health may be at further risk.[5] If feasible, planning should allow members of the IDP community to visit the new site (*see Part V.1*). 📖 • Work with relevant local authorities, parties to the conflict, humanitarian agencies, and community leaders to ensure that the evacuees be allowed to move and settle in other parts of the country as they wish, both during and after evacuation or relocation. • Discuss with relevant authorities, agencies, and representatives of the affected communities how the different agencies can help disseminate information to all segments of the affected communities. Information should address the reasons for evacuation, anticipated procedures and timeframes, destinations, and the potential consequences of choosing to move or to stay. • Identify any restrictions on freedom of movement and settlement through human rights/protection monitoring in the new locations during and after evacuation movements (*see Part IV.1*).[6] 📖

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[4] For example, in some cases, crossing areas of a different ethnic composition or walking long distances to schools, food or water-supply points may expose displaced persons to physical attacks, as well as gender-based and other forms of violence.

[5] The IASC Guidelines guard against becoming involved in involuntary evacuations, transfers and relocations. "Unless it is necessary for the protection of affected persons against very serious and imminent threats to their lives, their physical integrity or health, evacuations against their will, or prohibitions against their return, should not be supported by organizations providing protection and assistance to persons affected by natural disasters, even if they have been ordered by the competent authorities."

[6] Such restrictions should only be limited to those provided by law, and are necessary to protect national security, the safety and security of affected populations, public order, public health or the rights and freedoms of others.

Negotiations for safe access and passage *(see Part IV.2)* 📖	Obtaining reliable guarantees from the parties to the conflict to permit safe evacuation of civilians across the frontlines is a challenge, particularly where the parties to the conflict are using civilians as pawns.[7] Even small-scale attempts to evacuate civilians sometimes require arduous negotiations before the warring parties allow the evacuees to leave. • Safeguarding the core humanitarian principles of humanity, impartiality and neutrality during negotiations for safe access and passage, will require solid coordination among all humanitarian actors. • To ensure that all actors speak with one voice, one agency should be assigned to lead the negotiations on behalf of the country team. • Humanitarian actors should undertake contingency planning for eventual breaches of agreements on safe access and passage by parties to the conflict. Meticulous forward planning will be critical to minimize potential loss of life and any other risks to the civilian population and humanitarian staff.
Logistics for ensuring safety and dignity	Implementing evacuation and relocation operations requires complex logistical coordination in areas of origin, transit and destination, among relevant UN agencies, international humanitarian organizations, national/local authorities and civil society actors, and in some cases, third States. • Take concrete measures to ensure that the transfer will be done in safety and with dignity, including with regard to persons with specific needs, such as persons with disabilities, older persons, pregnant women, and separated/unaccompanied children. • Ensure that health care, food and shelter are provided during transit and in the destination areas. • Raise the awareness of donor countries of the complexity of existing challenges in a timely manner, to ensure that there is sufficient financial support from the outset to boost operational capacity and meet the protection goals of the evacuation.
Land, housing and property *(see Part V.11)* 📖	• Advocate with national authorities and with the parties to the conflict to ensure that they assume their responsibility for safeguarding property, homes and common assets left behind. These should be protected against destruction and arbitrary and illegal appropriation, occupation or use. • Assist communities in safeguarding land, housing and property-registration documentation. If security conditions allow, help them undertake an *ad hoc* emergency property assessment or an informal certification system before or immediately after evacuation, where no official records exist. If necessary, advocate for national authorities to legally recognize the property left behind and to issue appropriate certifications.[8]
Family unity *(see Part V.9)* 📖	Under no circumstances should families be separated as a result of relocation or evacuation movements, particularly if children are involved. • Take practical steps to prevent separation of children from their families (i.e. encourage parents to teach their children their full names and addresses of destination; give parents light ropes to tie around their wrists and those of their children; provide parents with identity tags to attach to their children's clothes or around their necks or wrists and rehearse with them on how and at what point to put them on their children).[9] ▸▸

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[7] For example in 1993, large-scale evacuation convoys carrying several thousand desperate civilians from Srebrenica were the target of shelling and sniping that killed over 50 people and wounded many others.

[8] See "Implementing the Pinheiro Principles," Interagency Handbook on Housing and Property Restitution for Refugees and Displaced Persons, March 2007.

[9] For detailed guidance, particularly on preventing family separation of babies and small children, see *The lost ones*; *Emergency care and family tracing for separated children from birth to five years*; Child Protection Programme Division, UNICEF, April 2007.

	• Assist adult family members wishing to remain together to prevent separation from each other.
Establishment of selection criteria for evacuation	• A careful "pros" and "cons" evaluation of selection criteria for evacuation is required. Informed consent by the community on the final selection criterion is also essential. • Establish organized systems with specialized agencies to target and prioritize cases according to vulnerability and special protection needs. In particular, consider detainees, persons with medical needs, families with young babies, pregnant women with children, unaccompanied minors, women-at-risk, and the elderly. • Ensure transparency, fairness and consistence in the application of selection criteria for evacuation procedures. This is vital to minimize confusion, tensions and the perception that the selection process is unfair. • Avoid, and advocate strongly against, the establishment of rapid-processing systems, which frequently function on a "first come, first served" basis. While this is often the easier option in large-scale evacuations, such systems do not allow for the priority processing of persons or groups with especially urgent protection needs.
Protection monitoring and advocacy *(see Parts IV.1 and 3)* 📖	• Establish enhanced monitoring and presence in both the new relocation site, and the area of origin, where individuals who stayed behind may be subject to increased persecution and grave human rights violations. • Ensure that individuals who chose to remain close to their homes, such as older persons whose relatives were evacuated, have access to ongoing support and assistance. Such situations should be referred to the relevant national institutions or local support networks and, if relevant, to humanitarian and human rights-mandated agencies. • Humanitarian actors should maintain a dialogue with relevant authorities to develop necessary measures to secure the new location, to avoid possible protection risks, to activate national protection mechanisms, and to maintain international presence and protection monitoring.

Part IV – 9

3. Key Challenges

Designing and implementing evacuation, transfer or relocation movements can involve formidable challenges. In particular, the following considerations should be analyzed through an inter-agency approach.

3.1 Erosion of the principle of asylum

Depending on the context, assisting in the relocation or evacuation of civilians within a country in conflict might have the effect of eroding the principle of access to asylum outside the country, at least temporarily. The right to seek asylum should remain an option for all individuals or groups both before and after a relocation or evacuation movement. Steps should be taken to provide information on this alternative both to the civilian population and parties to the conflict. The fact that asylum-seekers may have been internally displaced, even if due to a humanitarian evacuation, should not negatively affect their claim for asylum.

3.2 Patterns of arbitrary displacement and targeted human rights violations

In some circumstances, humanitarian assistance during an evacuation or relocation of civilians might not be especially controversial, particularly if the situation is not politically charged such as in a natural disaster context. However, when the population movement is part of a forced displacement policy or a deliberate strategy in an internal armed conflict, such as ethnic cleansing, humanitarian actors will face serious moral and political dilemmas.[10] Humanitarian actors should try to avoid becoming involved in involuntary evacuations, transfers and relocations unless it is necessary for the protection of affected persons against very serious and imminent threats to their lives, their physical integrity or health (*see Part V.1*).[11] 📖

Resources

- *Protecting Persons Affected by Natural Disasters: IASC Operational Guidelines on Human Rights and Natural Disasters*, IASC, June 2006.
- *Evacuation of Children from Conflict Areas: Considerations and Guidelines*, UNICEF and UNHCR, Geneva, 1992.
- "UNHCR and ICRC in the former Yugoslavia: Bosnia-Herzegovina," by Young, K., International Review of the Red Cross, Vol. 83, No. 843, September 2001.
- *Strengthening Protection in War: A Search for Professional Standards*, summary of discussions among human rights and humanitarian organizations, edited by Sylvie Giossi Caverzasio, 2001.

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[10] Even situations where natural causes are responsible for the displacement can be manipulated after the fact to pursue political or other objectives that violate the rights of internally displaced persons. For this reason, it is important to have a clear situation analysis before assisting with populations transfers.

[11] Quoted from *Protecting Persons Affected by Natural Disaster: IASC Operational Guidelines*.

Guidance Note 10

Community Mobilization

1. Why community mobilization is important for IDPs

During displacement, traditional support mechanisms within a community, such as extended families, friends, neighbours or other social networks, are often disrupted. For displaced persons, this adds to the conflict-related trauma they experience, and contributes to reducing their self-esteem and sense of control over their lives. As a result, it is difficult for communities to overcome protection risks inherent to displacement.

Community mobilization aims to restore feelings of self-worth and responsibility among the affected population. Ultimately, it should empower communities to develop their own protection responses and enjoy their rights, and find solutions. Wherever necessary, the international community should support this process. Communities will mobilize themselves when they have trust and confidence in a process and when they see benefits emerging from it.

> Community mobilization involves:
> - working with the community and its leaders;
> - understanding the dynamics and structures within the community; and
> - building on the capacities and strengths of its members in order to find solutions to identified concerns.

Other affected populations, such as host families and residents in surrounding areas, may be concerned that the presence of IDPs will lead to increased military activity or conflict-related violence, or be a drain on already limited natural resources. Community-mobilization activities need to encourage a dialogue between IDPs and surrounding populations to develop joint activities, based on common goals and interests, thereby fostering peaceful coexistence and helping to rebuild communities. These kinds of activities should be carried out at all stages of the displacement cycle, from initial movement to return or settlement in a new location.

2. Key activities to mobilize communities

Before embarking on community-mobilization activities, national and international staff should receive training. The training should provide guidance on necessary attitudes, skills and techniques and give an orientation on national or regional cultural practices and sensitivities. The findings of the situational analysis are a good basis on which to build *(see Part III.1).* 📖

> Always remember that community members have first hand knowledge about the issues they face. Our role should be to stimulate and support ideas and activities, not to impose them.

The following activities should be adapted to each specific situation and do not need to be undertaken in a chronological order.

2.1. Community mapping of management structures

> Understanding existing structures and ground rules within communities will guide humanitarian workers on how to establish a well functioning partnership with the community and help identify issues to address.

- Observe the composition of communities and their leaders. Note their age, gender, ethnicity, religion and political affiliation. Assess if these are the regular leaders, whether they are respected or whether there are others.
- Jointly with the community, map the structures, coping mechanisms and support systems. Identify whom the community turns to when it faces a problem and whom they count on to organize the response.
- Work with the community to identify the strengths and skills of its members, agree on gaps and capacity-building needs.
- Find out the level of participation of women, children, particularly adolescents, and groups with specific needs, including minority groups.
- Invest time and effort in understanding how structures and mechanisms, including traditional justice systems, deal with taboos and individual rights. Discuss issues with leaders to understand why certain groups or individuals are excluded, if any.
- Give feedback on the mapping to the community to validate our findings and cross-check their own perceptions.

2.2. Community-based representation

While it is essential to work with communities through their representative committees, or to support the establishment of new ones, we should remain aware that committees will always develop their own internal dynamics. They might tend to serve the interests of only one part of the community. In addition, a committee elected at the start of an operation might not be so popular or representative of the community ten years later. All committees need to be monitored by the community members and have fair and transparent election processes.

- Regardless of their attitude, never antagonize existing community leaders as this might jeopardize our access to communities or their participation in planned activities. Instead, find way to work with them, seek their support for non-sensitive activities, such as the creation of sports clubs or older persons' groups, to build confidence and gradually expand the dialogue.
- Work with leaders and community members from all backgrounds to identify ways to disseminate information to *everyone* in the community.
- Analyze the ground rules for interaction with all the leaders and committees: how representative they are, who attends meetings, who speaks and who *dares* to question statements.
- Initiate discussions with groups that are neglected or marginalized and seek their views on how they see their integration within the community.
- Identify and highlight community values that support inclusive approaches to show that these are not "alien" concepts but already existing in traditional values.
- Note who in the community can influence traditional leaders and is open to change. Build their leadership and negotiating skills and support them in persuading leaders of the benefits of sub-committees, sub-area representatives, or the inclusion of new members in the existing leadership.
- If this fails or takes time, community mobilization can still take place by involving current leaders in activities and gradually developing a network of "focal points" in the community to create a broader representative base.
- As and when dialogue has reached sufficient maturity, and when IDPs are likely to remain in place for some time, initiate discussions or workshops with the community on governance, including representative and time-limited leadership, and on human rights and gender equality.
- Depending on the receptivity to the subject, determine the right time to encourage volunteers to organize fair elections and invite observers. Support the community in monitoring the process to ensure transparency and prevent intimidation.
- Avoid creating committees for the sake of committees. Work with people to agree on clear goals and ensure that the traditional leaders support the initiative.
- Take into account the constantly changing composition of the community in situations of continued displacement and encourage communities to revalidate the composition of their leadership regularly to reflect these changes.

2.3. Supporting community-based protection responses and solutions

Normally, communities and individuals develop mechanisms to respond to most of the protection issues they face. It is therefore essential to identify these mechanisms and build on them to ensure that they are inclusive and incorporate human rights. It is also important to identify groups that might not be given full attention by the community and might have specific protection problems.

- Work with community members and representatives to learn how the community responds to protection risks facing various groups, such as older persons, different ethnic groups, youths, and persons with mental and physical disabilities. Participatory assessments are a useful way to do so (*see Part III.1*). 📖 Involve those members of the community in analyzing root causes of the risks, and whether these come from within or outside the community.

- Provide support in tackling both internal and external threats through targeted training:
  - Work with community leaders to inform all members about their responsibilities as duty-bearers and as right holders. For example, train special focal points within the population to disseminate information on rights and obligations.
  - Build the capacity of the community to handle procedures for civil documentation, land titling, and compensation. To do so, develop the expertise of selected focal points who will assist their peers and make related information accessible to the public.
  - Encourage direct meetings among the IDP community and external stakeholders involved in mitigating protection risks of durable solutions, including local authorities, police, registrars, and host communities.

- Provide guidance to community members on documenting existing good practices and participatory methods[1] and on how to collect, verify and analyze information on specific protection issues to determine a course of action.[2]

- Keep an open dialogue and agree with the community on the mechanisms that will be established to address identified protection concerns and ensure follow-up and monitoring.

- Generate debates on durable solutions envisaged by the displaced communities. Ensure that all members have access to objective and accurate information on the various options available *(see Parts IV.6 and VI).* 📖

- Provide regular feedback on agencies' interventions, progress and difficulties.

2.4. Working with the community on sensitive issues

A number of protection issues will be highly sensitive within the community as they relate to security, taboos, cultural beliefs, and financial interests. Such issues require caution and should be tackled by experienced staff.

- On the occasion of routine activities and meetings, regularly present and explain the position of humanitarian agencies on human rights and international legal standards.
- Avoid appearing judgmental about community practices; show respect and be culturally sensitive.
- Identify individuals within the community who are open to new ideas, especially among leaders, and explore ways of beginning a constructive dialogue.
- Ensure privacy in meetings of a sensitive nature to enable concerned individuals to speak freely.
- Focus on the reasons behind the issue/practice and discuss this with the community in addition to the consequences and effects of such practices.
- Work with the community to identify small areas for change, such as alternative practices that uphold values or address concerns without violating rights.
- Engage men in issues relating to empowerment and equality of women. Use focus groups to discuss issues such as masculinity or gender-based violence.
- Working with community leaders, organize mass-information campaigns, awareness-raising activities, training, theatre activities with groups of men, women, boys and girls of different age and backgrounds.

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[1]   Provide examples from other locations and facilitate go-and-see visits, when appropriate.

[2]   Leave information at the end of any meeting, workshop, etc., so that it can be reviewed and further discussed.

- Involve host communities in these discussions and activities, particularly when they face similar problems or when issues create tensions between the two communities.

2.5. Supporting community action plans and teams

When the community has shown full ownership of the protection-response strategy, it is time to draw up a community action plan, based on the analysis of rights, the prioritization of protection risks and solutions, and the identified needs *(see Part III.1)*. 📖

- Ensure that the interests of the different groups, including minority groups and host communities, have been represented, and that children have been consulted in an appropriate manner.[3] If the level of participation remains insufficient, discuss what arrangements will be made to address the outstanding issues or go back to some of the activities under "supporting community-based protection responses and solutions."
- Help the community to articulate its own action plan with clear timeframes, methodologies, division of roles, and needs for assistance to achieve their chosen solution.
- Support flexible and efficient responses through the creation of small **action teams** composed of volunteers and developed around important issues, such as children's rights, the environment, and men's group on HIV/AIDS.
- Use the action teams to emphasize the contributions of each segment of the population, including older persons in charge of day care, literacy and cultural activities, to combat marginalization.
- On sensitive issues, define broader scope for the action team, such as an "education team" to review more general issues but also monitor drop-out rates, recruitment or GBV risks.
- Facilitate joint planning and actions between IDPs or former IDPs and their surrounding communities to facilitate integration and foster good relations. These could include organizing a documentation exercise to issue identity cards for all communities in the area or set up a joint vocational training centre or a reforestation project.
- Use representative committees and action teams established during displacement as key catalysts to rebuild communities in return or new settlement areas.
- Support self-reliance strategies as essential for all affected communities to regain stability and confidence in the future *(see Part V.16)*. 📖

2.6. Facilitating discussions (For more advice, *see Annex to this Guidance Note*): 📖

Different methods are appropriate in different contexts.
- Focus groups are useful for exploring group responses to a topic of common concern, but may be inappropriate for sensitive topics, such as GBV.
- Semi-structured discussions or discussions at an individual or household level are appropriate for obtaining more personal, detailed information and analyzing problems that will not easily emerge in a group discussion.
- Using different methods at different times will elicit various perspectives on protection risks and provide an opportunity to cross-check the reliability of the information and confirm an understanding of the situation.

2.7. Community-based monitoring and evaluation

The community should directly monitor the impact of activities implemented by themselves and by humanitarian agencies on their behalf. This will reinforce their sense of ownership and confidence over achieved results. It will also help quickly identify and address problems in implementation that otherwise might create tensions.
- Work with leaders to agree on effective monitoring systems by the community and develop an inter-agency monitoring system in addition.

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[3]   See Annex on communicating with children.

- Continuously monitor and identify emerging protection needs and concerns. Prioritize and incorporate the required response in the overall plan of action.
- Undertake regular participatory evaluations using focus groups and other methods. Keep evaluation tools simple and ensure participation of all groups.
- Build on previously agreed plans and findings of participatory assessments to note progress and identify weaknesses.
- Agree with the community on the adjustments or remedial measures needed to address weaknesses and fill gaps and jointly assess the impact of such measures over time.
- Discuss attitudinal changes among teams or sub-groups within communities on the basis of their level of initiative over a period of time, autonomy, and assertiveness in interventions.
- Ensure that all staff wears individual identification so that their attitudes and quality of services can be monitored and evaluated by persons of concern.
- Follow up and share outcomes of evaluations with the community. Document learning and achievements and ensure it is shared among all agencies.

3. Challenges

Community mobilization is a long-term process. It takes time, skills and resources for humanitarian agencies to build a strong working relationship with IDPs. IDPs are often scattered over large areas and can easily become "invisible" in the care of host families or in urban settings. The humanitarian community needs to commit itself, from the beginning of an operation, to engage in a partnership with persons of concern and to ensure that they participate in activities that affect their lives.

Affected communities do not necessarily know the difference between one agency and another. While respecting each other's mandate, coordination among the different agencies in order to "speak with one voice" and to decide on key principles for how to engage with the community, is essential. Agencies referring to different leadership structures or setting up parallel channels risk undermining the work of partners and creating confusion within the community. Agencies should use and build on community groups and action teams established through community-mobilization programmes to benefit from their understanding of key protection issues and reinforce their legitimacy.

In highly politicized and volatile situations, IDPs may be reluctant to be identified as "community leaders," as this might expose them to security risks. Action teams represent a more informal and less sensitive approach for members of the community to act on their community's behalf.

Resources

- *A community-based Approach in UNHCR Operations*, Provisional Release, UNHCR 2007
- *Participation by Affected Populations in Humanitarian Action: Practitioners' Handbook*, Active Learning Network for Accountability and Performance in Humanitarian Action, 2003.
- *Tools for Community Participation: A Manual for Training Trainers in Participatory Techniques*, L. Srinivasan PROWWESS, UNDP, New York, 1990.
- "Reinforcing a Community Development Approach," UNHCR, EC/51/SC/CRP.6, 15 February 2001.

Useful Websites

- Food and Agriculture Organization of the United Nations: **www.fao.org/Participation**
- United Nations Children Fund (UNICEF): **www.unicef.org**
- United Nations Development Fund for Women (UNIFEM): **www.unifem.org**
- United Nations High Commissioner for Refugees (UNHCR): **www.unhcr.org**
- United Nations Population Fund (UNFPA): **www.unfpa.org**
- Women's Commission: **www.womenscomission.org**

Part IV – 10

Annex: Discussing the issue

Communicating with adults:

- Meet with women, men, boys and girls from different ages and backgrounds in order to allow them to freely express themselves and to ensure that protection risks specific to a certain age and/or gender group become visible.

- Inform the group in advance that you would like to talk to them and ask for a suitable time to ensure that they do not have to take time away from household tasks or income-generating activities. Be on time!

- Ensure that the leaders in the community are aware that the meeting is taking place.

- Make sure that you have enough time for the meeting and that you are assembling in a private area so that individuals feel relaxed and can express their concerns without worrying that others are listening.

- If, in a focus group, a person raises a sensitive issue, it is often best to follow-up separately in a one-to-one setting with that person.

- During the discussion:
  - Introduce yourself and explain why their participation is important, that participating is voluntary, what will happen with the information, the importance of confidentiality, and how the participants will receive feedback afterwards;
  - At the beginning of the meeting, introduce themes that are neutral and of common concern as a way to start the discussion;
  - Ask open questions such as how, what, where, why as much as possible, especially to clarify or confirm understanding. Do not judge people who speak: accept what they say;
  - Avoid using leading statements and questions;
  - Avoid dominating the discussion; ask simple questions and only one question at a time;
  - Ensure that everybody in the group get a chance to talk. Be sensitive to cultural norms so that nobody feels rushed or excluded. Be aware of persons dominating within the group; and
  - Steer the group towards analyzing the causes of the risks, the skills they have at their disposal to resolve their problems, and the role of the community in developing solutions.

Communicating with children:[4]

Children and young people should always be included in participatory assessments. Girls and boys have needs and abilities that are significantly different from those of adults. It is essential to ensure that each child is participating in the assessment voluntarily and that parents have given permission for younger children to participate. Communicating with children has some particular requirements, including:

- Try to be at ease with children, engaging with them in whatever style of communication suits the individual, such as by sitting on the ground, through play, going for a walk, and tolerating expressions of distress and/or aggression;

- Use simple language and concepts appropriate to the children's age, stage of development, and culture;

- Accept that children who have had distressing experiences might find it extremely difficult to trust an unfamiliar adult. It might take time and patience before a child has enough trust to communicate openly;

- Understand that children might view their situation in distinctly different ways from adults: children might fantasize, invent explanations for unfamiliar or frightening events, express themselves in symbolic ways, or emphasize issues that might seem unimportant to adults;

- Be sensitive to gender, culture, ethics, and the power relations between adults and children; and

- Encourage the involvement of colleagues/partner staff who are familiar with working with children in a participatory way.

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[4] The following list is taken from UNHCR's *Tool for Participatory Assessment*, 2006, page 34.

Mental Health and Psychosocial Support

1. The importance of psychosocial support in an IDP context

Being displaced can have severe adverse effects on the physical, social, emotional and spiritual well-being of a person. Exposure to violence or disaster, loss of or separation from family members and friends, deterioration in living conditions, the inability to provide for one's self and family, and lack of access to services, can all have immediate and long-term consequences for individuals, families and communities, including post-traumatic stress disorders, psychosomatic illness, depression, anxiety and even violence.[1]

Protection strategies should therefore include interventions to protect and promote mental health and psychosocial well-being. Because these types of interventions focus on highly sensitive issues, they must be conducted in a socially and culturally appropriate way and take into account the age, gender and diverse backgrounds of all members of the communities. Interventions should promote resilience among populations and be based on human rights principles, as well as on the principles of participation and "Do-No-Harm" (*see Part I.1.5*). 📖

2. What is psychosocial support?

The IASC Task Force on Mental Health and Psychosocial Support in Emergency Settings has developed Guidelines published in 2007. This chapter is largely based on these inter-agency guidelines, which should be referred to for more detailed interventions.[2]
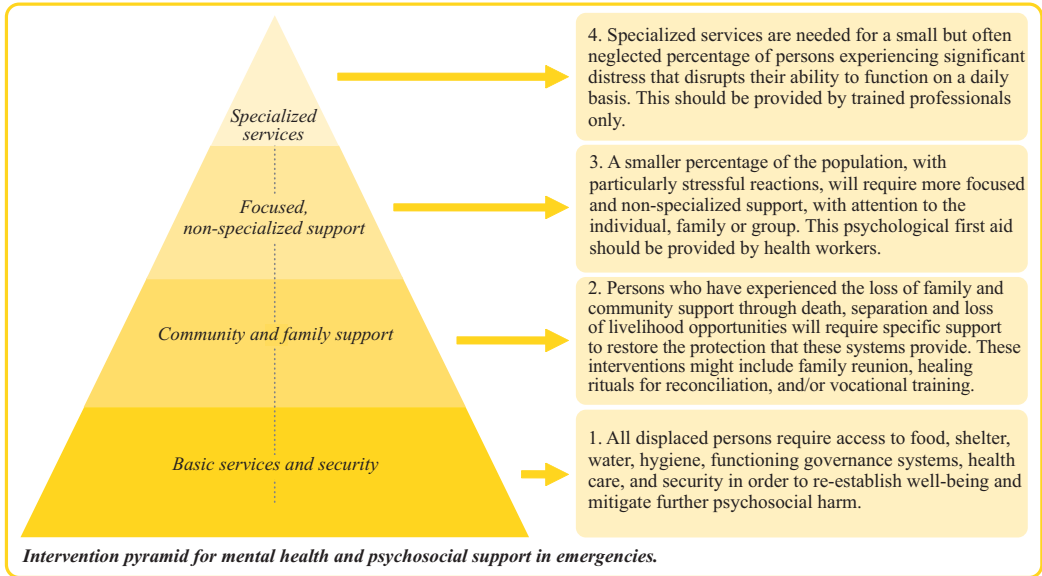
The IASC Guidelines define mental health and psychosocial support as two complementary approaches covering "any type of local or outside support that aims to protect or promote psychosocial well-being and prevent or treat mental disorder." The word "psychosocial" captures the interrelation between psychology (individual thinking, emotions, feelings and behaviour) and the social world or environment in which we evolve (culture, traditions, spirituality, interpersonal relationships in the family or community, and life tasks, such as school or work).

The Guidelines also clarify that mental health and psychosocial support require various levels of interventions, ranging from broad programmes on basic services and security issues, to community and family support interventions and increasingly focused and specialized mental health services. It is therefore necessary to distinguish between interventions that benefit the population at large (non-specialized services) from those interventions that require specialized expertise.

All humanitarian actors are expected to contribute to non-specialized responses and to ensure that coordinated referral and response mechanisms are put in place when more specialized interventions are required (please refer to the pyramid and table below). Coordination among actors is crucial to ensure broad and effective prevention and response mechanisms.

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[1]   In some cases, such factors might contribute to a change in behaviour, including increased substance abuse, aggression and higher levels of sexual and domestic violence.

[2]   The IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings, 2007.

4. Specialized services are needed for a small but often neglected percentage of persons experiencing significant distress that disrupts their ability to function on a daily basis. This should be provided by trained professionals only.

3. A smaller percentage of the population, with particularly stressful reactions, will require more focused and non-specialized support, with attention to the individual, family or group. This psychological first aid should be provided by health workers.

2. Persons who have experienced the loss of family and community support through death, separation and loss of livelihood opportunities will require specific support to restore the protection that these systems provide. These interventions might include family reunion, healing rituals for reconciliation, and/or vocational training.

1. All displaced persons require access to food, shelter, water, hygiene, functioning governance systems, health care, and security in order to re-establish well-being and mitigate further psychosocial harm.

Specialized services

Focused, non-specialized support

Community and family support

Basic services and security

Intervention pyramid for mental health and psychosocial support in emergencies.

3. Key considerations: psychosocial support in situations of internal displacement

The State has the primary responsibility for ensuring the psychosocial well-being of the population on its territory, and for providing specialized services through mental health structures. In times of armed conflict, generalized violence or natural disaster, it might not have the capacity to handle additional needs and might require temporary assistance from the international community.

Strategies to protect and promote the psychosocial well-being of internally displaced and other affected populations, should mobilize existing care systems and capacities within the community to promote the restoration of a sense of normality. The re-establishment of family and community life and the protection from further harm are central to that end.

3.1 General	• Ensure that assessments, including in emergencies, always include a component on mental health needs and available resources among the displaced and other affected populations, looking at: – Existing sources of psychosocial and mental health support, whether in the formal health system or within supportive community structures; – Current capacities and activities of organizations on the ground with regard to psychosocial support and mental health; – Programming needs and strengths, including functionality of referral systems across sectors; – No assessment should attempt "diagnosis" unless with qualified personnel (clinical psychologists, psychiatrists or metical staff). • Coordinate with specialized partners to ensure that assessments should foresee "fast track" systems for the referral of persons identified as having specific needs or being at heightened risk.[3] Persons with pre-existing mental illnesses should be immediately prioritized for rapid response *(see Part III.1).* 📖 • Coordinate with the primary health-care providers, both governmental and NGO-run, to ensure equal access to mental health-care services to all communities and individuals *(see Part V.15).* 📖

[3] UNHCR, Draft document, June 2007, Heightened Risk Identification Tool.

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	• Advocate for integrated, specialized, community-based psychosocial support in ongoing programming, emergency preparedness and contingency planning. • Ensure that mental health and psychosocial support concerns are part of the relevant clusters/sectoral agendas. Solicit the Health Cluster/Working Group as well as the protection cluster/working group to provide basic orientation on psychosocial and mental health to non-specialized humanitarian actors *(see Part I.3).* 📖 • To prevent further harm, ensure that information on these programmes is formulated in a culturally sensitive manner and in an appropriate language. Verify that *Standard Operating Procedures* for referrals are in place and that agencies respect confidentiality safeguards.
3.2 Basic services and security	• Coordinate with all sectoral programmes to ensure access to basic services (health, education, food, water, shelter, livelihood support) by all displaced persons, regardless of age, gender, language, religion or other background criteria. In what way basic services are provided will highly impact the well-being of persons of concern *(see Part IV.7).* 📖 • Involve all members of the community in needs assessments, design of activities and actual responses across sectors. Encourage their feedback and monitoring of all programmes and open channels of communication so that they can express their concerns, emerging needs or proposed community initiatives *(see Part III.3).* 📖 • Organize focus group discussions and other consultations on security issues; encourage the community's initiatives to secure its self-protection, and provide support when required. When appropriate, promote a dialogue between local law-enforcement authorities and the affected communities in this regard. Advocate with appropriate authorities for the establishment of security measures requested by the community *(see Part V.3).* 📖

3.3 Strengthen community and family support
(see Part IV.10)
	• Assess the social dynamics within the IDP community in order to identify the existing support structures and build on them. The participation of local staff in such initiatives can be of great support.
	• Disseminate information about support mechanisms and activities within the community.
	• Ensure that psychosocial initiatives:
	  – Help communities understand that they are experiencing normal reactions to abnormal situations;
	  – Reduce the impact of stress; and
	  – Include communication and problem-solving skills training for affected communities so that they can seek and obtain concrete help.
	• Identify cases of family separation and initiate immediate registration and family tracing to ensure early reunification *(see Part V.9).* 📖
	• Identify persons at risk in institutional settings, including orphanages, older persons' homes, mental health institutions and prisons or detention centres. Provide for their protection and, when appropriate, alternative community-based care.
	• Facilitate appropriate cultural, spiritual and religious healing practices, and other community self-help activities.
	• Establish or improve access to safe and supportive formal and non-formal educational opportunities for girls and boys, including for disadvantaged or traditionally marginalized groups, and expand capacities for psychosocial support within formal and non-formal educational settings.

	• Encourage the reestablishment of normal cultural and religious events and activities in order to support social networks and recreational activities for girls and boys. • Involve adults and adolescents in concrete, useful activities, such as constructing/ organizing shelter, organizing family tracing, distributing food, teaching children, or providing vocational training and livelihood-support activities. • Advocate for and support the development of community-based skills development programmes to promote self-reliance and adequate livelihoods for persons who have lost their traditional families and community-support networks.
3.4 Focused non-specialized support	• Arrange training activities with health specialists on psychological first-aid interventions for local primary health-care workers. • Raise awareness on substance abuse. All humanitarian staff, including local staff, should be able to contribute to overall sensitization in this area. • Promote the availability of appropriate psychological, legal, social, economic, educational and medical support to survivors of human rights violations and encourage their participation in family and community activities. • Ensure that interventions in mental health and psychosocial support empower women and girls as well as individuals or groups with specific needs, including older persons; enable them to play an active role in organizing their lives, attaining self-sufficiency and reducing dependency. Such interventions should incorporate follow-up during and after local integration, return or settlement in another area.
3.5 Specialized services	• Conduct a thorough assessment, with the community and relevant specialists, of the mental health impact of the displacement. Review the status of pre-existing mental health and related disorders in the community and pre-existing services and their current status. • Identify supportive community structures that might assist in identifying, referring and supporting persons needing specialized services. • Work with specialists to ensure that non-specialized humanitarian actors are sensitized and trained to identify and refer mental health cases to specialized programming. • Broaden the availability of specialized mental health care through general and community-based mental health services. • Advocate for and assist in the re-establishment or creation of support and services when they do not exist. • Build on linkages among agencies, protection and health clusters or working groups and national health authorities to promote further training and capacity-building of local mental health professionals when required.

4. Challenges

■ Lack of mental health structures in certain locations may undermine the effectiveness of the response. Advocacy with the central government should be used to address this problem, when necessary.

■ Lack of specialized personnel in government services or in the aid community may result in non-specialized staff undertaking activities for which they have not been trained. In these cases, the Global Health and Protection Clusters should organize the secondment of expertise to the operation.

■ Lack of understanding of, and respect for, local cultural norms and practices by humanitarian workers may cause harm if responses are inappropriate or if through setting up of external support mechanisms local capacities are undermined.

References

■ *IASC Guidelines on Mental Health and Psycho-social Support in Emergencies*, IASC, February 2007.

■ *The 'TOT': A Global Approach for the Training of Trainers for Psycho-social and Mental Health Interventions in Countries Affected by War, Violence and Natural Disasters*, by Baron, N., in *Intervention: International Journal of Mental Health, Psycho-social Work and Counselling in Areas of Armed Conflict*, No. 4, 2006 **http://www.interventionjournal.com/index1.html**

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Guidance Note 12

Coordination and Management of camps and other collective settings

1. The protection value of coordination and management of collective settings

Collective shelter, especially where accommodating large numbers of people, can pose challenges to the well-being and dignity of displaced persons. Nonetheless, when alternative accommodation is not available, camps or other collective accommodation such as settlements or shelters must be established.

Appropriate coordination and management of camps and collective settings can alleviate many of the difficulties faced by IDPs and provide a link between displaced persons and humanitarian actors – fostering accountability at the camp and inter-camp levels.

Well-managed camps and camp-like settings can strengthen physical, legal and material protection, and security. They also facilitate access to humanitarian assistance, including food, clean water, life-sustaining commodities, medical services and education.[1]

> *If undertaken with a protection perspective and in close partnership with protection actors, camp management and coordination can ensure that displaced individuals enjoy their human rights as well as fair and equal access to the available humanitarian services.*

2. Key responsibilities for camp co-ordination, management and administration

Appropriate coordination and management of camps and collective accommodations is primarily a responsibility of national authorities. In practice, states often welcome humanitarian actors who support them, through building capacity to ensure the protection and assistance of displaced populations. International agencies, NGOs and others should fill existing gaps only when a State lacks the capacity or the willingness to do so.

Camp coordination involves overseeing the humanitarian response in or between several camps or settlements; camp management takes place *at the camp level*. Both functions can be performed by the national authorities and humanitarian actors, although in the latter case, national authorities must acknowledge their overall responsibility.

Where country operations have adopted the IASC cluster approach, and if agreed with national authorities, responsibility for camp or site coordination rests with a designated lead agency (*see Part I.3*). 📖 At the global level, UNHCR is the lead agency for camp coordination and management in situations of armed conflict and IOM provides the same leadership in natural disasters.

2.1 Camp coordination

Coordination of camps and camp-like settings involves bringing together relevant humanitarian actors to ensure that activities are complementary and to support IDPs in realizing their basic rights. It includes:

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[1]   This chapter does not deal with accommodation provided by host families.

- Coordinating with national authorities on development and support of national or regional plans for establishment and management of camps and other collective accommodations.

- Ensuring that the roles and responsibilities of each actor are well understood by other humanitarian actors as well as by displaced persons and surrounding populations.

- Negotiating humanitarian access to camps and other settings.

- Monitoring implementation of internationally accepted standards.

- Promoting linkages between humanitarian activities in camps and national public services, such as education, health, public works, etc. with a view to ensure their sustainability and to extend their benefits to the different communities.

- Supporting humanitarian actors through:
  - Designating camp management agencies after consultation;
  - Improving information management by systematic collection, analysis and dissemination of baseline data on displaced populations, humanitarian services and their providers, as well as identification of humanitarian gaps; and
  - Supervising partners through monitoring and evaluating the protection impact of services provided.

2.2 Camp management

Camp management includes those activities in a *single* camp or other setting related to:

- Coordination of humanitarian services and assistance.
- Establishing and supporting IDP governance structures that represent the diversity of the displaced population.
- Promoting community mobilization and participation in all aspects related to living in collective accommodation.
- Monitoring and advocating safe and non-discriminatory access to facilities and services by all camp residents.

This function requires regular presence in the camp to perform the following tasks:

- Creating opportunities for information exchange between humanitarian actors and the displaced community in the camp, the host community and national authorities.

- Establishing mechanisms for regular discussion with internally displaced persons of different ages, gender and backgrounds, to fully understand their needs and concerns as well as existing gender roles, resource sharing, ownership and decision-making practices.

- Establishing regular coordination mechanisms at the camp level including meetings and information sharing channels.

- Ensuring, through ongoing monitoring and reporting, the adequate maintenance of site infrastructure and the agreed delivery of services by all partners.

- Gathering and sharing with relevant humanitarian actors baseline data on the internally displaced persons (using a commonly agreed format).[2]

2.3 Camp administration

Camp administration involves the functions of governments and national civilian authorities related to supervising activities in camps, including:

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[2] This does not include protection-related information, which should be primarily gathered by the main protection organization working in the camp or setting and treated with the highest degrees of confidentiality.

- Providing security, ensuring maintenance of law and order and the civilian character of displaced persons' camps.
- Designating, opening and closing camps and other settings.
- Securing land and occupancy rights for camps, and resolving disputes arising from the appropriation of land in order to prevent claims against IDPs or agencies working in the camps.
- Issuing civil documentation, permits and licenses (birth certificates, ID cards, travel permits, etc.) to citizens hosted in camps.
- Preventing eviction, relocation or any further displacement of those living in the camp before they can return home or are offered other residence that conforms to international standards.
- Facilitating camp access for humanitarian actors including timely provision of any required documentation.

3. Key considerations for the creation of a protective environment in camps and camp-like settings

All humanitarian actors working in camps and similar settings must promote protection for the camp residents and surrounding communities. Protection concerns must be taken into account in addressing the following issues:

3.1 Site planning and setting up of camps/sites *(see Part V.13)* 📖	• Selecting, opening and closing camps and other sites is the responsibility of national authorities. Camp coordination and management agencies should advocate for the selection of areas located at a safe distance from violence and which are sustainable (i.e. accessible to local services, markets, possibilities for sustainable livelihoods, etc.). • National authorities should secure land and occupancy rights for camps and other sites, resolving any disputes arising from the appropriation of land. • Families should have individual accommodation, to the extent possible. This helps in mitigating the risk of exploitation and abuse, particularly for single women and unaccompanied and separated children. • IDP camps and other sites should be designed with the participation of the displaced community, taking into account protection aspects of location, layout and design of services. Considerations should include: – Size of the camp/setting; – Family plot layout; – Safe access to services, including sanitation facilities — in particular for women and girls — schools, camp/site management offices, markets and community centers; – Security lighting; and – Establishment of child-friendly spaces. • National authorities should allow freedom of movement outside and beyond the surroundings of camps and other sites. Humanitarian actors should ensure that their interventions do not hamper the freedom of movement of the IDPs (i.e. avoiding construction of closed sites, unsafe locations, etc). Under certain conditions, restrictions on the freedom of movement are permissible if they are provided for by law and are necessary to protect certain other rights (*see Part V.8*). 📖 ▸▸

3.2 Coordination between all partners *(see Part I.2)* 📖	• All humanitarian actors involved in a camp or other setting should work together to ensure that humanitarian programmes fit within the overall national IDP framework or policy (if the state and/or the coordinating agency has developed one). • All humanitarian actors should have a shared vision and a good understanding of the protection concerns in different camps and camp-like settings. This will avoid interventions that increase protection gaps or pose additional risks. • Interaction should take place between those responsible for different sectors and protection mandated partners, who often need to intervene on the basis of concrete activities by other sectors (i.e. addressing SGBV issues in relation to distribution of assistance) • Promoting a general understanding of the role and capacities of protection mandated agencies helps to build confidence between these agencies, IDPs, and national authorities.
3.3 Community mobilization *(see Part IV.10)* 📖	• Using governance structures or community leaders, all humanitarian actors should systematically involve the IDP community in the planning, implementation and delivery of services. • All humanitarian actors should develop an in-depth knowledge and understanding of the community living in the camp or site. This includes becoming aware of- and using their capacities for the planning and implementation of activities and services in the camp. Camp managers should assess capacity-building needs within the community and ensure that they are adequately tackled with community leaders and all humanitarian actors. • All different groups of IDPs should be represented in governance structures. Camp managers should provide leadership training and support to camp governance structures. If necessary, camp managers should establish IDP governance structures. • Camp managers and other humanitarian partners should support women, adolescent girls and boys to strengthen their leadership capacities and facilitate their meaningful participation in decision making instances in the community.
3.4 Information management *(see Parts IV.6 and IV.8)* 📖	• All humanitarian actors should agree on *common standards* for gathering, analyzing and disseminating baseline data, at least in the context of their broader assessment and planning exercises. • In addition, all actors should agree on a c*ommon referral system* and *procedures* for addressing protection cases. • Specific *protection* data (i.e. individual reports on human rights violations, cases of abuse, fraud, etc), should be gathered and managed by protection mandated agencies only, preferably one agency who acts as the protection focal point for the camp/site. – Gathering of protection data must *only* take place, however, when *response capacity* is in place and when an explanation can be given to camp residents as to how this information will be used *(see Part IV.1)*. 📖 – The lead protection agency should ensure the confidentiality of such data as well as referral of cases to specialized protection agencies and adequate follow up through case management systems. – The main protection organizations should share relevant data with other protection organizations to avoid collection of the same data by other protection actors in the same camps and camp-like settings. – Information on the overall protection trends and any data that could have implications on the management of the camps/settings will be shared by the Protection agency under strict confidentiality with the camp/site manager and vice-versa.

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	• The camp/site manager will ensure that information gathered is analysed and shared: – With the camp coordinator/lead agency for consolidation and dissemination to actors at inter-camp / site level – OCHA, Humanitarian Coordinator, local authorities, cluster / sector leads; – With the IDP community governance structures but also with the wider camp population through mass information channels to secure equal access of information by women, men, boys and girls resident in the camp.
3.5 Humanitarian assistance *(see Part IV. 7)* 📖	• Registration and documentation systems in camps and other sites should ensure smooth assistance distribution using coupons or ration cards, rather than specific IDP personal documents, which could lead to stigmatization of displaced persons. • Planning and implementation of assistance distribution should include protection considerations, including equal access by all IDPs, the IDP situation vis-à-vis surrounding communities and the eventual need of the latter for humanitarian assistance *(see Part IV.7).* 📖 • All protection mandated agencies, service providers and IDPs should agree on *standard operating procedures* to manage fair and efficient assistance distribution. • All assistance and services provided should promote self-reliance, in order to avoid longer-term dependency on aid and to the earlier achievement of durable solutions. • Camp managers should monitor the delivery and use of assistance to ensure that camp residents have non-discriminatory access to facilities and services. • Camp managers should establish and publicize a system for complaints regarding access to humanitarian assistance.
3.6 Security *(see Part V.3)* 📖	• National authorities have the responsibility to ensure the safety and security of internally displaced persons. • Authorities may lack the capacity or the willingness to provide satedy and security for IDP camps and other sites. In situations of armed conflict, this is aggravated by continuing violence and the collapse of institutions and infrastructure. Particularly in such cases, humanitarian actors should be clear to all camp residents as to their inability to provide security and their lack of mandate to do so. • Camp management agencies can support and negotiate with authorities to increase police security services in camps and to provide police training (including female officers). • Community based initiatives should be encouraged to communicate information through radio, theatre or printed media providing objective security information and advice. • Camp managers should support the development of community policing programmes. Such programmes should ensure participation of women and should include training in basic principles of law enforcement, be adequately supervised, monitored and equipped *(see Part V.3).* 📖
3.7 Presence of armed actors/groups in humanitarian settings *(see Part V.3)* 📖	• All agencies' staff should be trained to monitor and report on the presence of armed actors/groups in humanitarian settings. • Camp management should work with security staff to establish early warning and preparedness mechanisms which identify and respond to potential security threats, including armed conflict and the infiltration of armed actors into camps and other sites. ▸▸

- Camp managers should consult regularly with camp residents, including camp leaders and security committees, on security issues and discuss measures they feel can contribute to improved security; this should contribute to give IDPs a sense of shared responsibility for their own security.
- Preventative security measures can reduce opportunities for attacks on camps or infiltration by armed elements. Such preventive measures may include:
  - Establishment and training of IDP camp security committees;
  - Information and communication campaigns or other activities to sensitize the community of the negative impact of militarization; and
  - Locating camps away from areas of active conflict or continuing instability.
- Camp management, in coordination with protection agencies, should notify authorities immediately should armed elements enter camp locations.

3.8 Preventing forced recruitment
(see Part V.5)
📖

- Camp management agencies play a central role in monitoring and reporting incidents of forced or attempted recruitment, especially of children, from camps. Such information should be shared under strict confidentiality with protection mandated agencies.
- Situational analysis should identify groups or persons at risk of recruitment by armed forces or armed groups, and should assess possible agents of recruitment and tactics used.
- Community awareness and community-based efforts can help to prevent recruitment. Equally important, are provision of adequate levels of assistance and fair distribution mechanisms.
- Programmes which promote family livelihood activities, vocational training, recreational activities, and health care for all children, including girls, can reduce children's vulnerability to recruitment. Camp management agencies should encourage development of such activities.
- Because schools can be recruiting grounds for armed elements, special measures should be taken to protect and monitor schools. Educational opportunities, including for girls, should be reinforced.
- Individual registration and documentation of children, especially unaccompanied or separated children, are important protection tools and can help to prevent the recruitment of children. Registration data can help to ensure that any recruitment in the camp or in the schools is detected early, allowing for preventative measures to be taken.
- Camp management should pay special attention to children associated with armed groups, as they are at particular risk of re-recruitment.[3]

3.9 Access to justice
(see also Part V.9)
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- All humanitarian actors and camp residents should be aware of the applicability of the national legal system. In some cases, camp/site residents may bring with them traditional or non-formal justice or dispute settlement mechanisms. Such systems may also be developed in camps when there is limited or no access to national justice systems.
  - Serious crimes, such as murder, rape, assault, child abuse or exploitation should *always* be handled through the national justice system.

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[3] The expression *child associated with armed forces or armed groups* refers to any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes; *The Paris Principles: Principles and Guidelines on Children Associated with Armed Forces or Armed Groups*, February 2007.

	– Alternative or traditional justice systems are often useful to settle petty crimes and juvenile justice issues. Camp management and protection actors working in camps and camp-like settings should develop an understanding of such systems. They should establish a dialogue with the relevant leadership of such systems to ensure that they fully respect human rights standards. • Camp management agencies and other humanitarian actors do not have authority to deal with crimes committed by or against IDPs. However, they do have a responsibility to advocate for non-discriminatory access by camp residents to the national justice system. • If access to courts is hampered by the remoteness of camp or site locations, humanitarian actors can support local authorities by providing them with transportation, fuel, or creating mobile national courts to visit the relevant areas on a regular basis. • The camp or site management and protection mandated agencies should advise residents about law enforcement mechanisms applicable to them and how to access them. Specialised partners (i.e. mobile legal clinics) can be brought in if required (*see Part IV.5*). 📖
3.10 Durable Solutions *(see Part VI)* 📖	• Camp administrators (local authorities), are responsible for issuing civil documentation, permits and licenses (birth certificates, ID cards, travel permits, etc.) which enable IDPs to enjoy basic rights, and to access a durable solution to their situation of displacement. Humanitarian actors should support the efforts of local authorities in this field. • All humanitarian activities in camps should promote self-reliance and sustainable livelihoods. This focus should be built into all assessment and planning processes. The ability of potential service providers to orient their interventions in practice towards these goals should be part of the core selection criteria. • When the majority of IDPs in a site has found a durable solution, closure strategies should be developed jointly with IDPs and national authorities. Such strategies need to ensure that the protection concerns of the remaining camp or site residents are taken into account. • Camp management should make particular efforts to find durable solutions for persons with specific protection needs.

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Useful websites

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- Humanitarian Reform: **www.humanitarianreform.org**
- The Camp Management Project: **www.flyktninghjelpen.no**
- United Nations High Commisioner for Refugees, (UNHCR): **www.unhcr.or**g
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