

Chapter 3

The international institutional framework



Key message

Providing protection and assistance to internally displaced persons is first and foremost the responsibility of the State and its institutions. The international community also has an important role to play, in particular when the national authorities lack the capacity, or are unwilling, to ensure an effective response to a humanitarian crisis. This requires a well coordinated effort by a range of human rights, humanitarian, developmental, political and other actors. This chapter gives an overview of the collaborative response and the cluster approach, which guide humanitarian action at the global and country level.

1. A Collaborative Response

Internal displacement and humanitarian crises often occur in complex emergencies, characterized by a partial or even complete breakdown of State authority, including the capacity, and in some cases willingness, to ensure the protection of civilians. Responding to such crises typically requires a multi-dimensional response – humanitarian, human rights, development, security, political – and the combined efforts of an array of actors at both the national and international levels.

For the international community, the scale of such crises and the scope of human suffering call for a wide-ranging humanitarian response that lies beyond the mandate or capacity of any single agency or organization. In fact, a great number of international humanitarian, human rights and development actors, from both within and outside of the UN system, undertake activities in support of IDPs and other civilians at risk. It is a joint, or collaborative, effort that requires coordination.

The **Emergency Relief Coordinator (ERC)**, who is also the UN Under-Secretary-General for Humanitarian Affairs, is responsible for ensuring inter-agency coordination of humanitarian action, both in complex emergencies and in natural disasters. A core function of the ERC is to ensure that all humanitarian issues are effectively addressed. The ERC advocates for protection and assistance, mobilizes political and financial support for humanitarian action, provides briefings to the Security Council, and engages in dialogue with governments, humanitarian agencies, and other relevant actors.

The **Inter-agency Standing Committee (IASC)**, which is chaired by the ERC, is the principal inter-agency forum for coordination and decision-making on issues of humanitarian action. It brings together a broad range of UN and other international humanitarian, human rights and development actors.¹ The IASC develops humanitarian policies and tools, advocates for the respect of humanitarian principles, agrees on a division of responsibility for various humanitarian actions, and works to bridge any identified gaps in the overall response.

¹ Participants in the IASC include UN humanitarian, human rights and development agencies, the International Organisation for Migration (IOM), three consortia of major international NGOs, the UN Representative of the Secretary-General on the Human Rights of Internally Displaced Persons and, as observers, the Red Cross Red Crescent Movement represented by the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (IFRC).

IASC policies and tools relevant to IDP protection include:

- Protection of Internally Displaced Persons, Policy Paper (1999)
- Implementing the Collaborative Response to Situations of Internal Displacement: Guidance for United Nations Humanitarian and/or Resident Coordinators and Country Teams (2004)
- Growing the Sheltering Tree: Protecting Rights Through Humanitarian Action (2002)
- Gender Handbook for Humanitarian Action (2007)
- Operational Guidelines on Human Rights and Natural Disasters (2006) and Manual (2007)
- Guidelines on Mental Health and Psycho social Support in Emergency Settings (2007)

The publications are available in various languages at: www.humanitarianinfo.org/iasc/content/default.asp

The collaborative response is about working as a team. It draws upon the different mandates, expertise and operational capacities of the wide range of humanitarian, human rights and development actors, pooling their efforts to ensure a comprehensive and predictable response.²

In practice, however, this has been easier said than done. At times, there has been no clear delineation of responsibilities, coordination among the different actors has been inconsistent, and critical gaps have resulted, particularly regarding protection of IDPs.³ In order to bridge those gaps the IASC agreed to a comprehensive reform of the humanitarian response system in 2005, including strengthening the collaborative response through what is called the “cluster approach.”

2. The Cluster Approach

The cluster approach⁴ aims to ensure greater leadership and accountability in key sectors where gaps in humanitarian response have been identified, and to enhance partnerships among humanitarian, human rights and development actors, including the UN, NGOs and other organizations. The cluster approach also aims to address repeated calls for a more predictable, effective and accountable inter-agency response to ensuring protection and assistance for internally displaced persons.

The collaborative response and the cluster approach, through which that response is applied, operate at two levels: the global (headquarters) level and the country-level.⁵

2.1 Global Clusters and Sectors of the Humanitarian Response

Protection is one of the several “clusters,” or areas of humanitarian activity, that were identified as being in critical need of a strengthened coordination and response (see Table 1).

Each cluster/sector is led by an international agency or organization with particular expertise in the area. This agency is accountable to the Emergency Relief Coordinator (ERC) for ensuring predictable and effective inter-agency preparedness and response within the particular cluster or sector of activity.

In addition, the cluster lead is responsible for chairing and coordinating the work of the relevant global cluster working group, which

The clusters complement a number of pre existing “sectors” of humanitarian activity, such as food and refugees, for which clear leadership and accountability already existed and thus did not require a new coordination arrangement. Indeed, a **cluster essentially is a sector group**. The objectives are the same: filling gaps and ensuring adequate preparedness and response in a particular area of humanitarian activity.

² See also *Implementing the Collaborative Response to Situations of Internal Displacement*, IASC, Sept 2004.

³ See e.g. *Protect or Neglect* (Brookings-SAIS Project on Internal Displacement and OCHA, 2004) and the *Humanitarian Response Review*, OCHA, 2005.

⁴ For more information, see *Guidance Note on the Using the Cluster Approach to Strengthen Humanitarian Response* (IASC, Nov 2006).

⁵ The cluster approach is applied in all new major humanitarian emergencies, including disasters, and, as needed, in existing complex emergencies.

brings together all those international humanitarian, human rights and development actors that are engaged in the specific area of activity. The cluster working groups are responsible for:

- **Standard- and policy-setting** through the consolidation, dissemination and development of standards and policies, and identification of best practices;
- **Building response capacity**, in particular through training at the local, national, regional and international levels, establishing and maintaining surge capacity and standby rosters, and establishing and maintaining material stockpiles; and
- **Providing operational support**, including through timely assessments of needs for human, financial and institutional response capacity; emergency preparedness and long-term planning; securing access to appropriate technical expertise; advocacy; resource mobilization and pooling; and ensuring complementarity of efforts through enhanced partnerships.

Table 1: Overview of global clusters and sectors

	Area of activity	Lead agency	
CLUSTERS			
<i>Cross-cutting areas</i>	Protection	<ul style="list-style-type: none"> • IDPs (<i>from conflict</i>) 	UNHCR
		<ul style="list-style-type: none"> • Civilians affected by conflict (other than IDPs) • Disaster situations 	UNHCR / OHCHR / UNICEF ⁶
	Camp coordination and management	<ul style="list-style-type: none"> • IDPs (<i>from conflict</i>) 	UNHCR
		<ul style="list-style-type: none"> • Disaster situations 	IOM
	Early recovery		UNDP
<i>Technical areas</i>	Emergency shelter	<ul style="list-style-type: none"> • IDPs (<i>from conflict</i>) 	UNHCR
		<ul style="list-style-type: none"> • Disaster situations 	IFRC ⁷
	Health		WHO
	Water, sanitation and hygiene		UNICEF
	Nutrition		UNICEF
	Education		UNICEF / Save the Children
	Agriculture		FAO
<i>Common service areas</i>	Logistics		WFP
	Emergency telecommunications		OCHA / UNICEF / WFP
SECTORS			
	Food		WFP
	Refugees		UNHCR

⁶ UNHCR is the lead of the global Protection Cluster. In disaster situations or in complex emergencies without significant displacement, the three specialized UN protection agencies at the country level – UNHCR, OHCHR and UNICEF – will consult and, under the leadership of the HC/RC, agree which among them will assume the lead for protection. See below for further information on applying the cluster approach at the country level.

⁷ IFRC acts as a “convenor” rather than “lead” of the cluster for emergency shelter in disasters. In this capacity, it is committed to providing leadership, consolidating best practices, mapping capacity and gaps, and leading a coordinated response. However, IFRC does not accept obligations beyond those defined in its own Constitutions and policies; it is independent from and not accountable to the UN system.

Human rights, age, gender and diversity, HIV/AIDS and the environment are cross-cutting issues to be mainstreamed into the work of each cluster/sector and of each agency or organization. Focal points provide guidance and support for such efforts. Specifically:

Table 2: Cross-cutting Issues

	Focal point
Human rights	IASC Reference Group on Human Rights in Humanitarian Action ⁸ (led by OHCHR)
Age, gender and diversity	IASC Sub-Working Group on Gender and Humanitarian Action (led by UNFPA)
HIV/AIDS	Inter-agency Task-Team on HIV/AIDS (led by UNAIDS)
Environment	UN Environment Programme (UNEP)

2.1.1 The Protection Cluster

The Global Protection Cluster Working Group (PCWG) is the main forum at the global level for coordinating all protection activities in humanitarian action. Chaired by UNHCR as global protection cluster lead, the PCWG's members include UN humanitarian, human rights and development agencies as well as non-governmental and other international organizations active in protection.⁹

The role of the PCWG is to lead standard- and policy-setting relating to protection, identify and disseminate good practices, and support the development of strengthened protection capacity.¹⁰

The PCWG also can provide, within the limits of its capacity, operational field support to humanitarian country teams, in both cluster and non cluster countries, by:

- Undertaking **support missions** to assist country teams in identifying protection gaps and developing strategies for response;
- Providing guidance and support for mainstreaming **human rights, age, gender, diversity, and HIV/AIDS**;
- Supporting **advocacy** on protection;
- Providing **technical support and policy advice** on protection issues;
- **Strengthening the protection capacity** of humanitarian actors and other stakeholders, including, national and local authorities, and affected populations, through training programmes;
- Supporting efforts to **address identified protection concerns** in a given country; and
- Supporting **resource mobilization** for protection activities.

Since protection is such a wide-ranging activity, the PCWG has subdivided its work into a number of specific areas of responsibility, each led by a focal point agency.

⁸ This Reference Group, which pre-dates the cluster approach, works closely with the Global Protection Cluster in supporting the integration of protection and human rights into all areas of humanitarian activity.

⁹ For further information on the participants and work of the PCWG, see <http://www.humanitarianreform.org/>

¹⁰ See *Mission Statement and Terms of Reference for the Protection Cluster Working Group*, March 2007.

Table 3: Particular Areas of Protection Activity

Area of Responsibility under the Global Protection Cluster	Focal Point(s)
Rule of law and justice	UNDP / OHCHR
Prevention of and response to gender-based violence	UNFPA / UNICEF
Protection of children	UNICEF
Protection of other persons/groups with specific needs	UNHCR
Prevention of and response to threats to physical safety and other human rights violations	OHCHR / UNHCR
Mine action	UNMAS
Land, housing and property rights	UN HABITAT
Promotion and facilitation of solutions	UNDP
Logistics and information management support for the cluster	UNHCR

Protection is not only the concern of the protection cluster; it is also a cross-cutting issue that should be integrated into the work of *all* aspects of humanitarian response. All humanitarian actors share a responsibility for ensuring that their activities do not lead to or perpetuate discrimination, abuse, violence, neglect or exploitation; they should promote and respect human rights and enhance protection. The Protection Cluster exercises a “*droit de regard*” in this respect, meaning it has a role in ensuring that protection is integrated into the work of other clusters and sectors.

The Global Protection Cluster can assist other cluster/sectors in mainstreaming protection in their activities by:

- Encouraging other cluster/sectors to establish **focal points for protection**;
- Offering **technical expertise and advice** to other clusters/sectors, individual agencies, organizations and governmental counterparts;
- Supporting and participating in **joint assessments** and analyses, development of joint strategies, monitoring exercises and evaluations;
- Providing or supporting **training** on protection and human rights, with a special focus on internal displacement;
- Participating in the **meetings of other clusters/sectors** and inviting their representatives to participate in the meetings of the protection cluster, as appropriate;
- Convening **joint meetings or workshops** among different clusters/sectors on themes of common concern; and
- Maintaining a **regular dialogue** and sharing information on issues of common concern.

2.2 Country-level Coordination

It is the responsibility of the UN Humanitarian Coordinator (HC) to ensure coordination of humanitarian action, including protection and assistance to IDPs, in complex emergencies at the country level. The HC is appointed by the ERC, in consultation with the IASC. In a number of cases, the UN Resident Coordinator (RC), who is the most senior UN official in the country, is also designated the HC. In countries affected by displacement, but where an HC has not been appointed, the RC is responsible for ensuring an effective international response to internal displacement.

The responsibilities of the Humanitarian Coordinator include:

- ensuring that any protection gaps are addressed;
- promoting respect for human rights and humanitarian law and for the *Guiding Principles on Internal Displacement*;
- advocating with the national authorities and other actors for respect for humanitarian principles, including unimpeded access to affected populations;
- promoting gender mainstreaming and women's rights at the policy, planning and implementation levels; and
- mobilizing resources for the humanitarian response.¹¹

In carrying out these responsibilities, the HC and/or RC should act in full consultation with organisations on the ground, including NGOs and the International Red Cross and Red Crescent Movement. Generally, an inter-agency Humanitarian Country Team is created to assemble these actors and facilitate consultation and coordination among them.

The Country Team, under the leadership of the HC/RC, and in consultation with relevant partners, will decide upon specific coordination arrangements to be put in place at the country level, including whether in the given situation the collaborative response would be strengthened by adopting the cluster approach.¹²

To enhance predictability and accountability, coordination structures at the field level should mirror those in place at the global level. This principle should be applied flexibly, however, depending upon the situation on the ground and taking into account the mandate, expertise and capacities of the organizations that are operating in the country or region concerned. In some cases, a particular cluster or sectoral group may not be necessary (for example, an Emergency Telecommunications or Logistics Cluster might not be required beyond the early stages of major new emergencies), or it might be appropriate for certain sectors to be merged (such as Health with Nutrition, or Food with Agriculture). For early recovery, the global-level cluster recommends that, rather than establishing a country-level cluster, early recovery planning should be integrated into the work of all field-level clusters/sectors, supported by the creation of an ad hoc "early recovery network," when necessary.¹³

2.2.1 Role and Responsibilities of Country-level Cluster Leads

In addition to its normal agency responsibilities, each cluster/sector lead agency is accountable to the HC/RC, at the field level, for ensuring effective and timely assessment and response in the particular area of activity. These responsibilities include:¹⁴

- Ensuring effective inter-agency coordination, including through: chairing and coordinating the work of the cluster; joint needs-assessments and analyses; contingency planning and preparedness; planning and strategy development; ensuring compliance with relevant international law, policies and

Cluster coordinators

Effective coordination requires an investment of time and experienced staff with solid leadership and managerial skills.

The cluster lead agency has a responsibility to deploy personnel with the necessary seniority, skills and technical expertise to perform the role of a cluster coordinator.

Many of the skills needed, particularly leadership, consensus building and diplomacy are discussed in Part VI.

¹¹ See *Revised Terms of Reference for the Humanitarian Coordinator* (IASC, Dec. 2003).

¹² Regardless of whether the cluster approach is formally adopted in a given country operation, it is recommended that the basic principles of the cluster approach, particularly the delineation of clusters/sectors, designation of an accountable lead agency, and the principle of partnership, are implemented to the extent possible. Country teams that do not apply the cluster approach should be guided by *Implementing the Collaborative Response to Situations of Internal Displacement: Guidance for United Nations Humanitarian and/or Resident Coordinators and Country Teams* (IASC, 2004).

¹³ See *Guidance Note on Using the Cluster Approach*, Nov. 2006.

¹⁴ *Generic terms of reference for sector/cluster leads at the country level*, IASC, 24 Nov 2006. See Annex 1 to this chapter.

standards; monitoring and reporting; advocacy; mobilizing resources; and supporting training and other capacity-building efforts;

- Coordinating with national and local authorities, state institutions, local civil society and other relevant actors, including displaced and other affected communities;
- Ensuring that participatory and community-based approaches are used in all needs assessments, analyses, planning, monitoring and response;
- Ensuring that cross-cutting issues, such as age, gender and diversity, human rights, HIV/AIDS and the environment, are integrated and mainstreamed in all activities. This must include gender-sensitive programming that ensures that the needs, contributions and capacities of women and girls, as well as those of men and boys, are addressed;
- Acting as both a **“first point of call”** for the HC and **“provider of last resort”** for the particular area of humanitarian activity. The lead agency is not expected to carry out all required activities in a cluster. However, where critical gaps exist, it is responsible for filling such gaps, provided that access, security and resources allow. If such constraints impede a response, the lead agency must work with the HC and relevant partners to mobilize resources, continue advocacy efforts and attempt to fill the gap to the extent possible.¹⁵

The cluster lead should also plan for and ensure a timely and effective transition from emergency relief to longer-term recovery and development, including by putting in place early recovery strategies and procedures for a gradual phasing out and seamless handover of activities.

The clusters are forums that bring together the various relevant humanitarian actors on the basis of an equal partnership. Participation in each cluster is based on each agency’s or organization’s mandate, expertise and operational capacity in the area of activity concerned. Participating agencies are expected to be responsive and active partners in all aspects of the response in the area of humanitarian activity concerned, including during assessments, development of strategies, implementation of joint projects and programmes, resource mobilization, and monitoring and evaluation.¹⁶

Any concerns about the way in which a lead or focal point agency carries out its responsibilities can be discussed within the cluster or brought to the attention of the HC/RC, who can recommend alternative arrangements if necessary. Should gaps still remain, the ERC can raise these concerns at the global level in the IASC.

2.2.2 Protection: A Key Area for Country-level Coordination

Experience has shown that an effective, collaborative country-level response to protection concerns, regardless of whether or not the cluster approach is applied, can best be ensured by identifying a protection focal point and by establishing a protection cluster or working group to ensure effective inter-agency coordination on protection issues.

→ Step 1: Identifying a Protection Focal Point / Lead Agency

In complex emergencies, such as during conflict, UNHCR should assume primary responsibility for the protection of internally displaced and other affected populations,¹⁷ in keeping with its role as lead agency for the global protection cluster.¹⁸

¹⁵ See *Guidance Note on Using the Cluster Approach*, Nov. 2006.

¹⁶ It might be valuable for the purpose of sharing information to enable certain agencies or organizations that are not formally participating in the cluster to participate as observers. ICRC and IFRC do this in the protection cluster.

¹⁷ The PCWG has defined the term “affected populations,” as it relates to internally displaced persons, to include host communities where IDPs are living, host communities in areas of return of IDPs, and persons or communities at risk of displacement if their protection problems are not addressed.

¹⁸ UNHCR’s role in any particular situation is subject to the agency’s criteria for operational involvement, including consent of the State and the agency’s ability to operate without undue political or military influence. UNHCR assumes the role of protection-cluster lead only after it has determined that doing so will not undermine the right to asylum or the protection of refugees, that is, that its work as lead agency will not interfere with UNHCR’s mandated responsibilities. In such cases, the protection-mandated agencies (UNHCR, OHCHR and UNICEF), in consultation with the HC/RC, agree upon alternative arrangements.

In other situations, such as complex emergencies without significant displacement or in situations relating to natural or human-made disasters, the protection-mandated agencies (OHCHR, UNHCR and UNICEF) and the HC/RC will decide together which agency is best placed to assume the lead role for protection. In the event that none of them can assume the lead, all relevant stakeholders are expected to contribute to the HC/RC's capacity to coordinate the protection response.

The Country Team should decide the extent to which the various focal points for particular protection areas, such as mine action or durable solutions, that have been established at the global level should be replicated at the field level. The decision will be based on the context, including an assessment of protection risks and gaps, which may change over time, as well as the presence, expertise and operational capacity of the different focal-point agencies.

→ Step 2: Establishing a Protection Working Group

Establishing a protection working group can be essential for ensuring that protection receives focused attention and is effectively addressed in the collaborative humanitarian response. Regardless of the particular format for such a group, including whether it is formally designated as a cluster, protection working groups should aim to bridge gaps, build partnerships, and improve the protection response through increased accountability, predictability and effectiveness.



IN OUR WORK: Specific areas of activity for a Protection Working Group might include:

- Carrying out joint needs-assessments and analyses using a participatory approach;
- Forging consensus on common priorities for response;
- Developing joint protection strategies and plans of action;
- Mapping operational capacity, agreeing on geographic areas of responsibility when appropriate, identifying gaps and mobilizing resources;
- Adapting and applying inter-agency tools to support operational responses;
- Raising awareness of the human rights situation and protection concerns;
- Advocating with relevant stakeholders, such as parties to a conflict, State authorities, UN bodies and donors;
- Measuring the protection impact of the inter-agency response; and
- Linking up with the Global Protection Cluster, as appropriate, regarding protection activities, impact, best practices, and challenges, to inform the global response and prompt efforts at the country level.

In general, a PWG should be established at least at the national level, tasked with overseeing and coordinating the country-wide protection response. In emergency situations that span across/over large geographical areas or where protection concerns differ significantly from one part of the country to another, it might be wise to establish PWGs at the provincial or local level as well. Close coordination between the national PWG and any regional/local level PWGs is essential.

- On the establishment and basic modalities of a Protection Working Group, see the Checklist in Annex 2 of this chapter.
- For specific guidance on facilitating the effective functioning of a PWG, see the Chapter on Facilitating Protection Coordination Meetings in Part II of this Handbook.

The national-level PWG should be chaired by the protection lead agency for the country. Ideally, this would also be the case for provincial or local PWGs. However, if the lead agency is not present in the area, this role can be delegated to other agencies or organizations, including NGOs, that are present and have the required expertise and operational capacity. In acute protection crises, coordinating and supporting the work of the country-level PWG might require a full-time staff with the necessary seniority, skills and expertise.

PWGs should bring together all relevant international human rights, humanitarian and developmental actors. Participation will vary in different contexts, depending on which protection actors are present and active on the ground. The nature of participation might vary, with some actors choosing to serve as observers.

In situations where peacekeeping or peace-support missions are present, particularly when they have a mandate to protect civilians,¹⁹ it can be useful to involve them in the PWG as observers. At the very least, the PWG should liaise closely with them.

In some cases, it might be appropriate and, indeed, beneficial for the national and regional or local authorities to participate (see box below).

National authorities and protection working groups

National authorities bear primary responsibility for the protection of all persons within their jurisdiction. In order to address root causes of protection concerns and ensure the sustainability of our protection efforts, it is important to engage national authorities and work to strengthen their capacity to fulfill their protection responsibilities.

To what extent and how should government officials be included in the work of the PWG?


This is a key question. The answer will depend on the context. In some cases, the participation of government representatives has proven beneficial to protection efforts, for instance in facilitating the PWG's access to populations. In other situations, such as when the government is involved in human rights violations, this would clearly not work; indeed, it might deter group members from discussing protection concerns or make them fear retaliation for doing so.

Defining an appropriate relationship between the national authorities and the PWG requires reflection and discussion among PWG members.

Depending on the context, the PWG can consider several steps in developing its relationship and working methods with national authorities:

- Encouraging the **national human rights commission**, where one exists, to participate in the work of the PWG. National human rights commissions are bodies officially established and recognized by the government, with varying degrees of independence and with membership that might include leading members of civil society. These bodies can play a valuable protection role and be an important partner and link for protection actors. In addition, national and local human rights NGOs should be actively involved in the work of the PWG when appropriate;
- **Informing** the national and regional/local authorities about the establishment of the PWG and encouraging them to regard it as a resource to support an enhanced national protection response;
- Offering **technical advice** and support to national and local authorities on protection initiatives, for instance in training national/local authorities or in the development of national laws and policies to enhance protection;
- **Exchanging information** about the PWG's activities and protection concerns in meetings with the national authorities and other relevant actors;
- Establishing a **regular forum**, such as a protection liaison group, to facilitate dialogue and cooperation;
- Inviting relevant authorities to attend and participate in **specific meetings** on particular protection issues of concern; and
- Considering inviting the relevant authorities to **regularly attend and potentially even to co-chair** the PWG, when the authorities are willing to participate and contribute constructively to the process.

¹⁹ Increasingly, international and regional peacekeeping, peace-building and peace-support missions are being mandated to protect civilians. The specific activities such missions may undertake in this regard depends on the context, particularly on the formal mandate of the mission and the capacities put at the disposal of the mission. Some activities include: ensuring the civilian character of IDP and refugee camps; undertaking patrols in communities at risk; and intervening directly with parties to the conflict when the security of civilians is threatened. In a number of cases, human rights officers and child-rights specialists are deployed to these missions to monitor and report on human rights concerns. Such missions also often include a civilian police component to help restore law and order.

In all cases, the PWG must ensure the confidentiality of information and maintain independence, neutrality, and impartiality in its work. Doing so is critical to the safety of internally displaced persons and other affected populations and to the security of humanitarian personnel, particularly national staff. A primary concern should be the protection of witnesses and other affected persons (see Part I.1.5). 

2.3 Joint funding mechanisms

During complex emergencies, the HC/RC oversees an annual **consolidated appeals process** (CAP). This entails formulating a common humanitarian action plan (CHAP): a joint strategy analyzing the political, social and security situation of the particular country or crisis; projecting short-term and long-term humanitarian needs; assessing the capacities of the agencies involved in addressing these needs; and proposing a common set of objectives, actions and indicators for success. A Consolidated Appeal then sets out the specific projects and resources required to meet these objectives. Together, these documents serve as the primary tool to mobilize resources at the field level, although agencies and organizations can also apply for bilateral funding. A shorter Flash Appeal can also be prepared to enable more rapid resource-mobilization and response.

In addition, grants and/or loans are available from the **Central Emergency Response Fund** (CERF) to support activities to respond to rapid onset or under-funded emergencies. Managed by the ERC, the CERF is intended to complement existing funding mechanisms by providing seed funds to jump-start critical operations and fund life-saving programmes that are not yet funded.

All appeals, as well as funding needs and contributions, can be accessed online through the Financial Tracking Service (FTS), hosted by OCHA, at <http://ocha.unog.ch/fts2>.



IN OUR WORK: The common funding mechanisms can be important channels to mobilize resources for our efforts to enhance protection. We should, for instance:

- Be familiar with the Consolidated Appeals Process (CAP) and work with partners to ensure timely submission of protection programmes and projects for inclusion in the CAP;
- Work with other clusters/sectors to identify and develop projects that directly or indirectly contribute to enhanced protection, and assist them in mainstreaming protection concerns into their project submissions to the CAP;
- Consider, if working in a rapidly evolving or under-funded emergency, whether certain projects could qualify for funding from the CERF; and
- Explore the possibility of seeking funding from the private sector.

2.4 Protection staffing and standby arrangements

Protection efforts require an adequate number of skilled, knowledgeable and experienced staff with a strong protection background. Several stand-by arrangements provide “surge” protection capacity, deploying personnel at short notice for temporary assignments with UN agencies of 3 to 11 months. This includes the International Rescue Committee’s Surge Project, the Danish Refugee Council (DRC), the Norwegian Refugee Council (NRC), Save the Children (Denmark, Sweden, Norway), and Austcare.

The Protection Capacity Project (ProCap) consists of a core team of Senior Protection Officers on permanent rotation to the field, deployed on a short-term basis (2-9 months) to support and strengthen the strategic and operational response of the Humanitarian Country Team and/or individual protection agencies. Further information about ProCap and other protection stand-by arrangements visit <http://ocha.unog.ch/ProCap/Online>.



References and Tools

General Collaborative Response

- *Human Rights Guidance Note for Humanitarian Coordinators*, IASC, June 2006.
- *Humanitarian Response Review*, OCHA, 2005.
- *Implementing the Collaborative Response to Situations of Internal Displacement: Guidance for United Nations Humanitarian and/or Resident Coordinators and Country Teams*, IASC, Sept. 2004.
- *Protect or Neglect: Toward a More Effective United Nations Approach to the Protection of Internally Displaced Persons*, OCHA/Brookings-SAIS Project on Internal Displacement, 2004.
- *Protection of Internally Displaced Persons*, IASC Policy Paper, 1999.
- *Revised terms of reference for the Humanitarian Coordinator*, IASC, 2003.

Cluster Approach

- *Generic Terms of Reference for Sector/Cluster Leads at the Country Level*, IASC, Nov. 2006.
- *Guidance Note on the Using the Cluster Approach to Strengthen Humanitarian Response*, IASC, 2006. Also available in Arabic and French.
- *Operational Guidance on Designating Sector/Cluster Leads in Major New Emergencies, and Operational Guidance on Designating Sector/Cluster Leads in Ongoing Emergencies*, IASC, May 2007.
- *Protection Cluster Working Group Mission statement and Terms of Reference*, 2007.
- *Questions and Answers on the Cluster Approach and Cluster Implementation Issues*, OCHA, 2006.

The above publications and other information is available at www.humanitarianreform.org



Useful websites

- Global Protection Cluster Working Group: www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=79
- Humanitarian Reform: www.humanitarianreform.org
- Inter-Agency Standing Committee: www.humanitarianinfo.org/iasc/content/default.asp
- Humanitarian Appeal: www.humanitarianappeal.net
- Central Emergency Response Fund: <http://ochaonline2.un.org/Default.aspx?tabid=8770>
- Financial Tracking Service (FTS): <http://ocha.unog.ch/fts2>
- Protection Standby Capacity Project (ProCap): <http://ocha.unog.ch/ProCapOnline>

ANNEX 1

Generic Terms of Reference for Sector/Cluster Leads at the Country Level IASC, November 2006

The Cluster Approach operates at two levels. At the global level, the aim is to strengthen system-wide preparedness and technical capacity to respond to humanitarian emergencies by designating global Cluster Leads and ensuring that there is predictable leadership and accountability in all the main sectors or areas of activity. At the country level, the aim is to ensure a more coherent and effective response by mobilizing groups of agencies, organizations and NGOs to respond in a strategic manner across all key sectors or areas of activity, each sector having a clearly designated lead, as agreed by the Humanitarian Coordinator and the Humanitarian Country Team (to enhance predictability, where possible, this should be in keeping with the lead agency arrangements at the global level).

The Humanitarian Coordinator, with the support of OCHA, retains responsibility for ensuring the adequacy, coherence and effectiveness of the overall humanitarian response and is accountable to the Emergency Relief Coordinator.

Sector/cluster leads at the country level are accountable to the Humanitarian Coordinator for facilitating a process at the sectoral level aimed at ensuring:

Inclusion of key humanitarian partners

- Ensure inclusion of key humanitarian partners for the sector, respecting their respective mandates and programme priorities.

Establishment and maintenance of appropriate humanitarian coordination mechanisms

- Ensure appropriate coordination with all humanitarian partners, including national and international NGOs, the International Red Cross/Red Crescent Movement, IOM and other international organizations, through the establishment/maintenance of appropriate sectoral coordination mechanisms, including working groups at the national and, if necessary, local levels;
- Secure commitments from humanitarian partners in responding to needs and filling gaps, ensuring an appropriate distribution of responsibilities within the sectoral group, with clearly defined focal points for specific issues where necessary;
- Ensure the complementarity of different humanitarian actors' actions;
- Promote emergency-response actions while at the same time considering the need for early recovery planning and prevention and risk-reduction concerns;
- Ensure effective links with other sectoral groups;
- Ensure that sectoral coordination mechanisms are adapted over time to reflect the capacities of local actors and the engagement of development partners; and
- Represent the interests of the sectoral group in discussions with the Humanitarian Coordinator and other stakeholders on prioritization, resource mobilization and advocacy.

Coordination with national/local authorities, State institutions, local civil society and other relevant actors

- Ensure that humanitarian responses build on local capacities; and
- Ensure appropriate links with national and local authorities, State institutions, local civil society and other relevant actors, such as peacekeeping forces, and ensure appropriate coordination and information exchange with them.

Participatory and community-based approaches

- Ensure utilization of participatory and community-based approaches in sectoral needs assessment, analysis, planning, monitoring and response.

Attention to priority cross-cutting issues

- Ensure integration of agreed priority cross-cutting issues, such as age, diversity, environment, gender, HIV/AIDS and human rights, into sectoral needs assessment, analysis, planning,

monitoring and response; contribute to the development of appropriate strategies to address these issues; ensure gender-sensitive programming and promote gender equality; ensure that the needs, contributions and capacities of women and girls, as well as men and boys, are addressed.

Needs assessment and analysis

- Ensure effective and coherent sectoral needs-assessment and analysis, involving all relevant partners.

Emergency preparedness

- Ensure adequate contingency planning and preparedness for new emergencies.

Planning and strategy development

Ensure predictable action within the sectoral group for:

- Identifying gaps;
- Developing/updating agreed response strategies and action plans for the sector and ensuring that these are adequately reflected in overall country strategies, such as the Common Humanitarian Action Plan (CHAP);
- Drawing lessons learned from past activities and revising strategies accordingly; and
- Developing an exit, or transition, strategy for the sectoral group.

Application of standards

- Ensure that sectoral group participants are aware of relevant policy guidelines, technical standards and relevant commitments that the government has undertaken under international human rights law; and
- Ensure that responses are in line with existing policy guidance, technical standards, and relevant government human rights legal obligations.

Monitoring and reporting

- Ensure adequate monitoring mechanisms are in place to review the impact of the sectoral working group and progress against implementation plans; and
- Ensure adequate reporting and effective sharing of information, with OCHA support, with due regard for age and sex disaggregation.

Advocacy and resource mobilization

- Identify core advocacy concerns, including resource requirements, and develop messages for broader advocacy initiatives by the HC and other actors; and
- Advocate for donors to provide funding for humanitarian actors to carry out priority activities in the sector concerned, while at the same time encouraging sectoral group participants to mobilize resources for their activities through their usual channels.

Training and capacity-building

- Promote/support training of staff and capacity-building of humanitarian partners; and
- Support efforts to strengthen the capacity of the national authorities and civil society.

Provision of assistance or services as a last resort

- As agreed by the IASC Principals, sector leads are responsible for acting as the provider of last resort (subject to access, security and availability of funding) to meet agreed priority needs and will be supported by the HC and the ERC in their resource-mobilization efforts in this regard.
- This concept is to be applied in an appropriate and realistic manner for cross-cutting issues such as protection, early recovery and camp coordination.

Humanitarian actors who participate in the development of common humanitarian action plans are expected to be active partners in assessing needs, developing strategies and plans for the sector, and implementing agreed priority activities. Provisions should also be made in sectoral groups for those humanitarian actors who may wish to participate as observers, mainly for information-sharing purposes.

ANNEX 2

Checklist: Establishing a Protection Working Group

Establishing an inter-agency forum where protection issues are regularly discussed can be critical for ensuring that these concerns are addressed effectively, comprehensively and in a coordinated protection response. In any given situation, the specific shape that such a protection working group takes will depend upon an assessment of the context, taking into account any other protection coordination forums at the local, national or international level that already exist. When setting up such a forum, it is essential to consult with the Humanitarian Coordination and Country Team.

Initial Phase: Establishing a Protection Working Group

- **Identify and assess any existing protection coordination arrangements and structures**, international and national, ensuring that any protection working group that is to be established complements and coordinates with these mechanisms.
- **Identify all relevant partners.** These should include all human rights, humanitarian and development actors that form part of the UN and broader international inter-agency country team. It might also include national partners, both government and NGOs (see below on Participation and the Box above on the relationship between national authorities and protection working groups).
- **Convene** all relevant stakeholders within the country team to discuss and come to agreement on the following issues:
 - **Terms of reference:** These should be based on the generic terms of reference for cluster/sector leads at country level (see Annex 1), adapted to the particular context and the common priorities of key protection actors. While information-sharing might be among the aims, the role of the PWG must not be limited to this, but be **strategic and action-oriented, focused on ensuring a coordinated and comprehensive protection response.**
 - **Chairing arrangements:** Various chairing arrangements are possible. Preferably, the cluster lead agency for protection will chair or at least co-chair with a partner agency/NGO. It might be decided to rotate responsibility for chairing periodically among the different participating agencies. However, overall responsibility and accountability for the work of the PWG rests with the lead agency.
 - **Coordination arrangements:** These should mirror arrangements adopted at the global level, taking into account the local context and existing operational capacities. The establishment of task-forces, sub-working groups or focal points on specific issues might facilitate the work of the group. It is important to consider whether a country-level PWG will suffice or will whether regional/local PWGs also be required and, if so, to ensure that these different levels of PWGs coordinate effectively with one another.
 - **Participation:** The PWG should be a broad-based inclusive forum for protection actors. All international agencies and NGOs that are engaged in protection should be invited, whether as participating agencies or as observers. The PWG should discuss and decide upon the participation of local NGOs/civil society and how the PWG will relate to national/local and other authorities.
 - **Meeting arrangements:** How often the PWG will meet and who will take responsibility for convening meetings, drafting the agenda, recording meeting notes and action points for follow-up must be clearly agreed upon. It will usually be most practical for the lead agency and chair of the PWG to assume these functions.

Ongoing:

- **Meet regularly;** at least monthly; in emergency contexts, meeting more frequently, even weekly, might be advisable; set clear agendas.
- Ensure that the discussion goes beyond information-sharing and is **action-oriented**, resulting in agreed action-points, with clearly defined responsibilities and time-frame for implementation.

- **Follow up** on agreed action points, revisiting these at subsequent meetings, particularly if implementation is outstanding.
- Maintain regular contact and close **cooperation and coordination with any other PWGs** established in the country, such as between the national PWG and any regional/local PWGs), sharing information on protection activities and concerns and developing, as appropriate, joint response strategies. Support and assistance may be sought from the global-level PWG as needed.
- Ensure that the work of the PWG is in line with international **standards, laws, policies and good practice**, including the humanitarian principles of independence and impartiality, and that adequate safeguards are put in place to maintain the confidentiality of protection information that could put individuals at risk.
- Ensure that **cross-cutting issues**, including age, gender and diversity, HIV/AIDS, the environment and early recovery issues, are mainstreamed into the work of the PWG and into the activities of individual partners.