

Notes

¹ “People of concern” is used throughout this manual to refer to asylum-seekers, refugees, returnees, stateless persons and internally displaced persons.

² “Reinforcing a Community Development Approach,” UNHCR, EC/51/SC/CRP.6, 15 February 2001.

³ “Towards Community-based Solutions: Evaluation of UNHCR’s Community Services Function,” EPAU/UNHCR, Casa Consulting, Geneva, 2002.

⁴ The UNHCR Age, Gender and Diversity Mainstreaming Strategy builds on a rights- and community-based approach, as it is fundamental to analyzing community dynamics and promoting the rights of women, the rights of children and the rights of groups who have traditionally been marginalized. The strategy includes the formation of multifunctional teams, regular participatory assessments, analysis of the findings as a basis for protection and programme planning, targeted action to empower and protect discriminated groups and an accountability framework. Age, gender and diversity mainstreaming is UNHCR’s Seventh Global Strategic Objective (2008–2009). This requires that the organisation’s work systematically incorporates an analysis of the impact of any policy or intervention on the rights of women, girls, boys and men of diverse ages and backgrounds to ensure their protection.

⁵ See *Sexual and Gender-based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response*, UNHCR, May 2003. This definition of protection was derived from the Third Workshop on Protection, Background Paper, International Committee of the Red Cross, 7 January 1999, which states, “The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e., human rights law, international humanitarian law, refugee law).”

⁶ “Age” relates to children, adolescents or youths, and older persons, and helps one consider how risks and needs change according to where people are in their life cycle. “Gender” refers to the roles assigned to girls and boys, women and men in any given society and how these influence and determine their status and access to and control over resources, power and decision-making. “Diversity” refers to differences among people that can lead to discrimination, such as disability or impairment, ethnic or religious background, etc. UNHCR refers to all three, since some groups might be overlooked otherwise.

⁷ “The concept of resilience is founded on the observation that under traumatic or otherwise adverse circumstances, some people cope relatively well while others fail to do so ... When applied to people, it describes the capacity of the person to ‘bounce back.’” Community Mobilization, Action for the Rights of Children (ARC) Resource Pack, January 2001, p. 11.

⁸ The term “actors” is understood to include the community.

⁹ “Community-based Protection in Somalia: A Study to Examine the Role of Protection in Community Mobilization,” IDP working group, Nairobi, Kenya, November 2006, p. 38.

¹⁰ Adapted from the *Handbook on the Protection of Internally Displaced Persons*, Global Protection Cluster Working Group, 2007, Ch. 1 on “The Foundations of Protection” (provisional release).

¹¹ The concept of a rights-based approach has featured prominently on the international agenda and in inter-agency dialogues since the UN Secretary-General, in the 1997 UN Programme for Reform, called on all agencies of the United Nations to integrate human rights into their activities within the framework of their respective mandates.

¹² Adapted from J. Theis, “Promoting Rights-based Approaches” and *Child Rights Programming: A Handbook for Save the Children Alliance Members*, 2002. The Handbook clarifies that one of the key differences between the two approaches is that a rights-based approach implies accountability. It explains that “many rights have developed from needs, but a rights-based approach adds legal and moral obligations. Equally, in a rights-based approach, the holders of rights are encouraged and empowered to claim their rights. This means they are not seen as objects of charity (as they are in a needs-based approach), but rather as those who are claiming their legal entitlements,” page 22.

¹³ Many would argue that it is sufficient to refer simply to a rights-based approach. However, within UNHCR there is a need to emphasize both a rights- and a community-based approach until there is a better understanding of the concept. In practice, it strengthens the links between protection and community-services staff.

¹⁴ UNHCR’s Executive Committee Conclusion 107 (LVIII) on Children at Risk, para. (b).x, 2007.

¹⁵ For more information on participation and participatory methods, see <http://www.fao.org/Participation>

¹⁶ The UNHCR Regional Office in South Africa organized participatory consultations with children throughout the region to contribute to the UN Study on Violence against Children. The methodology was developed specifically to promote maximum participation by children and is outlined in the report *Refugee and Returnee Children in Southern Africa: Perception and Experiences of Violence*, UNHCR, June 2005.

¹⁷ Art. 21, Universal Declaration of Human Rights; Art. 25, International Covenant on Civil and Political Rights; Arts. 7, 8, 14, Convention on the Elimination of All Forms of Discrimination against Women; and Arts. 12, 13, 14, 15 and 17, Convention on the Rights of the Child.

¹⁸ Adapted from L. Veneklasen, V. Miller, C. Clark and M. Reilly, *Rights-based Approaches and Beyond: Challenges of Linking Rights and Participation*, IDS Working Paper 235, Institute of Development Studies, Brighton, December 2004.

¹⁹ The Johari Window is a useful tool for community self-evaluation on participation and to analyze problems. Explanations of these tools can be found in L. Srinivasan, *Tools for Community Participation: A Manual for Training Trainers in Participatory Techniques*, PROWESS, UNDP, New York, 1990.

²⁰ Adapted from L. Veneklasen et al., 2004.

²¹ For more information on working with men and masculinities, see www.womenscommission.org and articles by Michael Kaufman, who also supported the organization of the White Ribbon Campaign.

²² Some of these challenges are analyzed in M. Walkup, "Policy Dysfunction in Humanitarian Organizations: The Role of Coping Strategies, Institutional and Organizational Culture," in *Journal of Refugee Studies*, Vol. 10, No.1., 1997.

²³ These definitions of transparency and accountability were developed through an initiative known as the Global Accountability Project (GAP), as discussed in M. Blagescu, L. de Las Casas, and R. Lloyd, *Pathways to Accountability: The GAP Framework*, One World Trust, London, 2005. Available at www.oneworldtrust.org. For practical tips related to accountability see "The Good Enough Guide: Impact Measurement and Accountability in Emergencies," published by OXFAM GB for the Emergency Capacity Building Project, 2007.

²⁴ B. Dalle, "Transparency and Its Significance for Enhancing Accountability at UNHCR," August, 2006.

²⁵ See "The Human Rights-based Approach to Development Cooperation: Towards a Common Understanding Among the United Nations Agencies," Annex II in *Frequently Asked Questions on Human Rights-based Approaches to Development Cooperation*, Office of the United Nations High Commissioner for Human Rights, Geneva, 2006.

²⁶ M. Pallis, "The Operation of UNHCR's Accountability Mechanisms," Institute for International Law and Justice Working Paper 2005/12, Global Administrative Law Series, 2005, p. 2.

²⁷ "Accountability Framework for Age, Gender and Diversity Mainstreaming," IOM/036-FOM/038/2007, UNHCR, Geneva, 2007.

²⁸ *Framework for Durable Solutions for Refugees and Persons of Concern*, UNHCR, Geneva, 2003, p. .

²⁹ *Handbook for Self-reliance*, UNHCR, Geneva, August 2005.

³⁰ See *Strengthening Protection Capacities Framework*, UNHCR, 2006.

³¹ "Guidance on the Use of Standardized Specific Needs Codes," IOM/028/FOM/030, UNHCR, 2007. This IOM/FOM provides guidance on which persons fall within the different specific needs categories. While a person might have a specific need, this person might not be at immediate risk; for example, a child with a disability may be well protected and cared for by his/her family. Likewise, not all persons at heightened risk fall within the categories of specific needs. An individual at heightened risk is a person whose past and/or present circumstances indicate that he/she is likely to face a serious protection problem in the immediate future if there is no appropriate intervention to protect the person. Persons at heightened risk should be regularly monitored through a confidential, individual case-management system as outlined in Section 3.2.7. UNHCR is developing a *Heightened Risk Identification Tool* to help staff and partners identify and monitor such individuals (see Annex 4 provided in the accompanying CD-ROM).

³² See steps 1 and 2 of *The UNHCR Tool for Participatory Assessment in Operations*, UNHCR, 2006.

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³² Executive Committee of the High Commissioner's Programme Conclusion No. 105 (LVII) on women and girls at risk, 2006.

³³ For more information see "How to Implement the Standards," a toolkit for child protection, Keeping Children Safe Coalition, Save the Children, 2006, p. 18.

³⁴ A multifunctional team approach is explained in section 4.4 of this manual.

³⁵ *Handbook on the Protection of Internally Displaced Persons*, Global Protection Cluster Working Group, 2007.

³⁶ *The UNHCR Tool for Participatory Assessment in Operations*, UNHCR, 2006.

³⁷ *Participation by Affected Populations in Humanitarian Action: Practitioners' Handbook*, Active Learning Network for Accountability and Performance in Humanitarian Action, 2003.

³⁸ *Participatory Planning in UNHCR: A Practical Guide*, UNHCR, January 2002.

³⁹ For example, the situation in eastern Chad has evolved from an emergency influx in 2004 to a stable refugee situation in 2005 to an emerging internal and cross-border conflict in 2006–2007. While these changes make it difficult to support community structures, those structures become all the more important for delivering protection, particularly when humanitarian agencies are required to evacuate suddenly.

⁴⁰ Before initiating an intervention with a community, and depending on the context, it can be helpful to assist community members in determining their readiness to take action. SARAR is one method for doing this, as it focuses on reviewing five attributes that are considered critically important for achieving full participation: self-esteem, associative strength, resourcefulness, action planning and responsibility for follow-through. For further information, see www.worldbank.org

⁴¹ In Bangladesh, not only did obviously corrupt structures control the community, with adverse consequences, but less visible structures sometimes prevented people from freely participating in different activities. When community structures are identified and mapped out, and internal politics are understood, the participation of the broader community can be facilitated more effectively.

⁴² The challenge of establishing contact with the community is explored in section 3.1.3.

⁴³ For example, UNHCR's guidelines on the protection of women and children; UNHCR's Five Priorities for Children (2001); UNHCR's Five Commitments to Women (2001). By sharing this information, communities will be able to better understand why UNHCR promotes the rights of children, women's participation and gender equality.

⁴⁴ UN Security Council Resolution 1325 (2000) on women, peace and security; UN Security Council Resolution 1612 (2005) on children in armed conflict.

⁴⁵ See www.savethechildren.net/arc (Action for the Rights of Children, Save the Children, OHCHR, UNHCR, UNICEF, October 2002) for practical ideas on how to work with children. See also UNHCR's intranet site under Community Development, Gender Equality and Children.

⁴⁶ M.B. Anderson, A. Howarth and C. Overholt, *A Framework for People-oriented Planning in Refugee Situations, Taking Account of Women, Men and Children: A Practical Planning Tool for Refugee Workers*, UNHCR, Geneva, December 1992.

⁴⁷ M.B. Anderson and L. Rienner, *Do No Harm: How Aid Can Support Peace – or War*, Boulder, Colorado, February 1999.

⁴⁸ The research undertaken by the Centre for Refugee Research at the University of New South Wales and other partners was important in the advocacy leading up to the 2006 Executive Committee Conclusion No. 105 (LVII) on women and girls at risk. The Conclusion outlines a series of measures to be undertaken to improve the identification and prevention of protection risks and the follow-up provided to those at heightened risk. This was followed by Executive Committee Conclusion No. 107 (LVIII), in 2007, on children at risk.

⁴⁹ See *Refugee Consultations, Bangladesh*, the Victorian Foundation for Survivors of Torture, the Centre for Refugee Research at the University of New South Wales, UNHCR, 2007.

⁵⁰ UNHCR Executive Committee Conclusion No. 105 (LVII), 2006.

⁵¹ For further guidance on women and girls at risk, see Chapter 3: Identification, Prevention and Response to Risks Faced by Women and Girls, in the *Handbook on the Protection of Women and Girls*, UNHCR, 2008.

⁵² See Annex 4 in the CD-ROM for a draft version of the Heightened Risk Identification Tool, which includes guidance on how to use it.

⁵³ *The UNHCR Individual Heightened Risk Identification Tool* builds on a version developed by the Centre for Refugee Research at the University of New South Wales for Women at Risk. In early 2007, UNHCR worked with the University of New South Wales and the Victorian Foundation for Survivors of Torture to broaden the scope of the methodology to identify a wide range of individuals at risk.

⁵⁴ UN Security Council Resolution 1612(2005) on children and armed conflict.

⁵⁵ Summary Note, *UNHCR's Strategy and Activities Concerning Refugee Children*, UNHCR, 2005.

⁵⁶ www.savethechildren.net/arc, above note 41.

⁵⁷ *Sexual and Gender-based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response*, UNHCR, Geneva, May 2003.

⁵⁸ Adapted from "Addressing Cultural Relativism in Relation to Gender Equality and Women's Rights: An Approach by CIDA," in *Gender Training Kit on Refugee Protection*, UNHCR, Geneva, 2002, pp. 175–80.

⁵⁹ See Annex 2 for suggestions on participatory methods.

⁶⁰ UNESCO and UNHCR have developed a peace education programme for communities and teachers that focuses on life skills and conflict-resolution. If you are interested in the programme, contact the UNHCR Section for Community Development, Gender Equality and Children, Division of International Protection Services, Geneva.

⁶¹ "Secretary-General's Bulletin: Special Measures for Protection from Sexual Exploitation and Sexual Abuse," IOM/FOM/77/2003. Tools and guidelines for field-level implementation of the Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse, Director of Human Resources Management, UNHCR, 9 December 2004.

⁶² See Annex 4 in the CD-ROM for a draft version of *The UNHCR Individual Heightened Risk Identification Tool*.

⁶³ For resource material on, for example, conflict-resolution and ethnic and cultural differences, see *Inter-agency Peace Education Programme: Analytical Review of Selected Peace Education Materials*, UNHCR/ UNESCO, 2005.

⁶⁴ For a recent example on the importance of maintaining the right attitudes when providing protection, see "Report on Girls' Schooling in Dadaab," CARE, Kenya, July 2007.

⁶⁵ *UNHCR Code of Conduct*, June 2004.

⁶⁶ *Ibid.* principle 1: 4.

⁶⁷ "Meeting the Rights and Protection Needs of Children: An Independent Evaluation of the Impact of UNHCR's Activities," May 2002; "UNHCR Policy on Refugee Women and Guidelines on their Protection: An Assessment of Ten Years of Implementation," May 2002; and "The Community Services Function in UNHCR: An Independent Evaluation," March 2003.

⁶⁸ For more information on the multifunctional team, see *The UNHCR Tool for Participatory Assessment in Operations*, UNHCR, 2006, p. 7.

⁶⁹ Multifunctional teams should also be familiar with the Accountability Framework for Age, Gender and Diversity Mainstreaming, IOM/036/FOM/038/2007, which is included in Annex 1 under Policies.

⁷⁰ The evaluation contained in *UNHCR's Response to the Tsunami Emergency in Indonesia and Sri Lanka* recommended that: "UNHCR should commit to a genuine community-led approach and take measures to ensure that this commitment is turned into operational reality. This means changing the mindset from that of looking for community participation in UNHCR projects, to one of looking for effective UNHCR participation in community projects. Adopting a community-led approach is consistent with the core principles of humanitarian action, is at least as quick and cost-effective as other, more top-down, technocratic approaches, and has many other benefits." UNHCR, December 2004 – November 2006, p. 36.

⁷¹ For further guidance, see Section 11, "Emergency Management, Initial Participatory Assessment," in the *Handbook for Emergencies*, third edition, UNHCR, February 2007.

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⁷² UNHCR's Confidentiality Guidelines (IOM/71/FOM/68/2001) established regulations on sharing information about individual refugees with third parties. Not only must the sharing of information serve the execution of our mandate, but we must also ensure that the information shared is not subsequently used for other purposes than those for which it was shared.

⁷³ See *Sexual and Gender-based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response*, UNHCR, May 2003, and the *Inter-agency Guidelines for Gender-based Violence Interventions in Humanitarian Settings*, Inter-agency Standing Committee, September 2005.

⁷⁴ The UNHCR office in New Dehli, India, established a Women's Protection Clinic in the community in follow up to consultations with women which raised numerous protection problems. Additional information is available in the Handbook on the Protection of Women and Girls, UNHCR, 2008.

⁷⁵ UN Security Council Resolution 1325 on Women, Peace and Security calls upon all stakeholders to promote the participation of women in peace negotiations.

⁷⁶ *Handbook for Repatriation and Reintegration Activities*, UNHCR, Geneva, May 2004.

⁷⁷ Support for minority returns by means of bus lines across boundaries proved invaluable in areas such as Kosovo and Bosnia and Herzegovina.

⁷⁸ IDP protection policy paper, DIPS, UNHCR, 2007.

⁷⁹ <http://www.humanitarianreform.org/humanitarianreform/Default.aspx?tabid=79>



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