

# Minimum Inter-Agency Standards for Protection Mainstreaming





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# Introduction

The Minimum Standards for Protection Mainstreaming are a set of international standards designed to provide practical assistance to humanitarian actors to mainstream protection in the assessment, design, implementation, monitoring and evaluation of humanitarian programmes, projects and activities. All humanitarian actors are expected to mainstream protection in their humanitarian assistance activities as a component of a broader commitment to quality and accountability in humanitarian response.<sup>1</sup>

Protection mainstreaming refers to incorporating protection principles in humanitarian response.

The Sphere Humanitarian Charter clearly establishes that both protection and assistance are ‘critical pillars’ of humanitarian action. The Sphere Protection Principles build on the Charter, by identifying four principles that underpin humanitarian action and contain the core elements of protection in humanitarian response.<sup>2</sup> These principles are:

1. *‘Avoid exposing people to further harm as a result of your actions’*
2. *‘Ensure people’s access to impartial assistance – in proportion to need and without discrimination’*
3. *‘Protect people from physical and psychological harm arising from violence and coercion’*
4. *‘Assist people to claim their rights, access available remedies and recover from the effects of abuse’<sup>3</sup>*

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<sup>1</sup> The Sphere Project, Humanitarian Charter and Minimum Standards in Humanitarian Response, 2011, 4.

<sup>2</sup> Ibid, 6.

<sup>3</sup> Ibid, 29.

The Minimum Standards for Protection Mainstreaming provide agencies with concrete guidance on how to operationalise these four protection principles through a set of minimum standards, key actions, indicators and guidance notes for humanitarian actors.

## Mainstreaming Protection in Humanitarian Response: *An ethical obligation*

Effective protection of disaster-affected populations is increasingly viewed as a central concern of agency practice in humanitarian response. Reflection on a number of contexts in the 1990s (such as Rwanda, Bosnia and Iraq) revealed humanitarian responses inadequately addressed protection concerns. Consequently it is no longer considered acceptable for humanitarian actors to focus on material needs without considering the safety, dignity and rights of individuals, groups, and disaster-affected populations. Primary responsibility for assistance and protection lies with states, which have legal obligations to protect, promote and fulfil the human rights of all persons within their territory, in accordance with the standards set out in national law, international humanitarian law (IHL), international human rights law (IHRL), and refugee law. Other actors, such as armed actors, have legal protection responsibilities under IHL. Some humanitarian actors have special mandates to protect, such as the International Committee of the Red Cross (ICRC) and the United Nations High Commissioner for Refugees (UNHCR). Some humanitarian actors including Non-Governmental Organisations (NGOs) employ protection officers and advisors and implement specialist protection programmes, such as prevention and response to Gender-Based Violence (GBV), child protection programmes, or legal assistance programmes.

Not all humanitarian agencies are expected to implement protection programmes, or have the necessary staff and skills to do so. **However, all humanitarian actors have an ethical responsibility to incorporate protection principles into their humanitarian response programmes.** Humanitarian actors frequently encounter situations where

disaster-affected populations face specific protection risks and where states and other responsible authorities are either unwilling or unable to fulfil their protection responsibilities. While assessment, analysis and response to specific protection risks is best undertaken by trained protection or human rights actors, all humanitarian actors must be able, at a minimum, to minimise harm, implement their activities in as safe and dignified a manner as possible, and promote safety for disaster-affected populations. Humanitarian actors must also be able to recognise protection issues and support affected individuals and populations to access appropriate care and support, recover from abuse, claim their rights and access available remedies. This tool helps humanitarian actors achieve this minimum requirement in a practical, easy-to-understand-and-implement format. It is based on one year of development and peer review and three subsequent years of field-testing evidence gathered across seven different country contexts.

## **Why use the Minimum Standards for Protection Mainstreaming?**

Evidence from the field continues to suggest that despite protection being a ‘cross-cutting theme’, or an issue that agencies should be mainstreaming across their humanitarian programmes, staff continue to struggle to understand what this means in practice. Much of the global and agency headquarters-level discussion regarding protection mainstreaming involves conceptual discussions about principles. Until development of this tool, there was little practical assistance to help field staff quickly understand priorities, responsibilities and key actions. Field-testing of the Minimum Standards for Protection Mainstreaming confirmed the need for a specific tool, accompanied by basic training, guiding staff in how to mainstream protection in practice.



## When should the Minimum Standards for Protection Mainstreaming be used?

The tool has been designed for use in humanitarian response including:

- Rapid onset, slow onset and protracted emergencies
- Armed conflict and natural disaster settings
- Working with displaced and host communities
- Early recovery and transition settings<sup>4</sup>
- Across geographical areas including urban and rural settings

This tool does not provide minimum standards for protection work and is not a technical guide to protection work. Agency staff wanting to understand fundamental protection concepts, principles and frameworks for designing and implementing protection-focused programming should consult *Protection: An ALNAP Guide for Humanitarian Agencies*,<sup>5</sup> *Handbook for the Protection of Internally Displaced Persons*,<sup>6</sup> and other key protection resources highlighted in the reference list at the end of this tool. For minimum standards for protection work, consult the ICRC *Professional Standards for Protection Work Carried out by Humanitarian and Human Rights Actors in Conflict and Other Situations of Violence*.<sup>7</sup>

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<sup>4</sup> While primarily designed for humanitarian contexts, the core standards in particular may also be relevant in more stable development contexts.

<sup>5</sup> Hugo Slim and Andrew Bonwick, *Protection: An ALNAP Guide for Humanitarian Agencies*, Overseas Development Institute, 2005.

<sup>6</sup> Global Protection Cluster Working Group, *Handbook for the Protection of Internally Displaced Persons* (Provisional Release), UNHCR, 2007.

<sup>7</sup> <http://www.icrc.org/eng/resources/documents/publication/p0999.htm>

## Format

Each chapter consists of standards, key actions, key indicators and guidance notes for each of the standards. The format is as follows:

- An introduction that outlines the relevant key legal principles, industry standards and indicators (such as Sphere or HAP standards)
- Standards, key action points, key indicators and guidance notes
- Appendices containing additional information to supplement the standards, such as sample assessment templates and key references

The minimum standards, key actions, key indicators and guidance notes are arranged as follows:

### Minimum Standards

**This tool provides minimum standards that articulate the minimum level of performance to be reached and maintained in order to mainstream protection into humanitarian responses including programmes, advocacy and management. The standards are qualitative and designed to be applicable across diverse humanitarian contexts.**

**Core Standards:** The core standards are minimum standards that must be adhered to by agency staff in all humanitarian programmes. They contain the fundamental standards of agency practice required to ensure protection principles are implemented and the safety of disaster-affected populations is prioritised. When the common standards are met, agencies will be able to demonstrate that they:

1. Prioritise the safety of disaster-affected populations
2. Promote dignity, inclusive participation and diversity within disaster-affected populations
3. Support disaster-affected populations to claim their rights
4. Prioritise those individuals and groups most vulnerable to the effects of conflict and disaster
5. Respond safely and ethically to incidences of international humanitarian law violations and human rights abuses in conformity with agency mandate and recognised good practice

**Sector Standards:** The sector standards are to be implemented alongside the core standards and provide minimum standards for mainstreaming protection into five sectors: Water, Sanitation and Hygiene (WASH), Food and Non-Food Items, Livelihoods, Shelter and Settlement, Health and Education.

#### **Key Actions:**

Key Actions suggest practical ways to achieve the standards but are not intended to be measurable.

#### **Key Indicators:**

These are 'signals' that determine whether or not minimum standards have been attained, and can be monitored to measure progress towards achieving the standards.

#### **Guidance Notes:**

These should be read alongside the standards, key actions and indicators. They provide additional information to assist in identifying specific issues and suggested activities that need to be considered in application of the standards and indicators.

### Alerts(!):

The 'alert' symbol, represented by a red exclamation mark, has been placed next to selected indicators. This symbol alerts agencies to the likelihood that a protection officer or other person who has been specially trained, or another agency with a specific protection mandate or expertise, may be best placed to undertake the suggested action. This reflects the reality that while protection mainstreaming is the responsibility of sector staff, generalist humanitarian staff and managers, agencies may need to quickly access protection expertise when they are alerted to protection issues, to ensure situations and issues are assessed and managed safely.

## How to use the Minimum Inter-Agency Standards for Protection Mainstreaming

The tool can be used at all stages of the programme or project cycle:

Assessment: The tool can be used to guide programme managers and sector staff conducting rapid and comprehensive situational assessments on ways to incorporate protection into general and sector assessments and overall context analysis. In particular, the safety of disaster-affected populations is emphasised. Where safety concerns exist, staff may need to access protection staff or agencies to undertake a more in-depth assessment of protection risks.

Design: There are two main elements to consider when mainstreaming protection into design: proactive protection mainstreaming and reactive protection mainstreaming. Proactive mainstreaming means staff design their programmes, projects and activities with a protection 'lens', intentionally addressing safety, dignity, inclusive participation, diversity, rights and vulnerability in the way that activities are designed. Reactive mainstreaming means responding appropriately to incidences of

human rights abuses, in particular, by reviewing the design of activities to determine whether any changes need to be made to improve safety and reduce vulnerability. The design of advocacy strategies and activities also needs to have a protection 'lens', in particular, by analysing and mitigating the potential risks that could occur as a result of agency advocacy.

Implement and monitor: Relevant key indicators can be incorporated into monitoring frameworks (including logical frameworks) and used as a basis for monitoring the extent to which programmes and projects are mainstreaming protection. Compliance of a programme or project with the standards can be monitored using the key indicators to determine achievement, and progress towards achieving the standards.

Evaluate: The minimum standards provide a benchmark that the extent to which any sector programme or project has incorporated protection can be measured against. If baseline data has been collected, a direct comparison between the situation before and after programme interventions can be made. Qualitative research with disaster-affected populations around their perceptions of safety, dignity and agency practice will provide some indication of the impact of incorporating protection into sector programmes or projects.

## History: Where do the Minimum Inter-Agency Standards for Protection Mainstreaming come from and how do they ‘fit’ with other initiatives?

In 2006, World Vision Australia recognised that while protection was a cross-cutting theme in Sphere and staff were trained in and implementing Sphere standards and indicators, protection issues were still not being adequately identified or responded to by general and sector humanitarian staff. It also acknowledged that humanitarian assistance programmes, projects and activities could do more to strengthen the way they promoted safety for disaster-affected populations.

World Vision funded a six-month study to review existing humanitarian standards and other technical guidance for humanitarian settings that contained protection as a cross-cutting theme. The underlying assumption behind this process was that as a cross-cutting theme, protection has been embedded in standards and indicators for many years and these references could therefore be extracted and logically combined to develop a set of standards that relate specifically to protection mainstreaming. Accountability tools that have already been endorsed by the humanitarian community were analysed and it was therefore assumed that the broader humanitarian community had also implicitly endorsed the protection components of these tools. Accordingly, the content of this tool intentionally draws significantly on existing accountability tools including the Sphere Project *Humanitarian Charter and Minimum Standards in Humanitarian Response*, the *Humanitarian Accountability Partnership (HAP) Principles of Accountability*, the *INEE Minimum Standards for Education in Emergencies*, the *Red Cross Code of Conduct* and the *Good Enough Guide*. Other sector-specific resources were utilised such as the *IASC Guidelines for Gender-based Violence Interventions in Humanitarian Settings* and *Standards and Indicators in UNHCR Operations*.

This review was then supplemented by a Global Peer Review Feedback process in 2007 and an inter-agency technical drafting workshop, leading to publication of the draft tool in 2008: *Minimum Agency Standards for Incorporating Protection into Humanitarian Response*. The tool was then field-tested across seven contexts: Kenya, Timor-Leste, Somalia, North Sudan, South Sudan, Sri Lanka and Burma. Subsequent initiatives have further informed the development of the standards, including the Sphere Protection Principles (2011), the ICRC Professional Standards for Protection Work (2009), and work undertaken by the Global Protection Cluster Protection Mainstreaming Taskforce (2008 onwards).

The 2012 revision of this tool is based on:

- One year of development and peer review
- Three years of field-testing and evaluations, and the experiences and learning of the many protection staff, sector staff and managers who participated in the field-testing. Some locations involved multiple agencies in the field-testing process, including CARE Australia, Caritas Australia, Oxfam Australia and World Vision Australia.
- Learning and exchange with relevant initiatives including the Sphere Protection Principles (2011), the ICRC Professional Standards for Protection Work (2009) and work undertaken by the Global Protection Cluster Protection Mainstreaming Taskforce (2008 onwards).





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# Section I

## Minimum Standards for Mainstreaming Protection in Humanitarian Response (Core Standards)



# Section I

## Minimum Standards for Mainstreaming Protection in Humanitarian Response (Core Standards)<sup>8</sup>

The core standards detailed in Section I are critical to all sectors in all humanitarian response programmes. These should be read and implemented alongside the sector standards. Compliance with both core standards and sector standards are necessary to fully integrate protection principles and promote safety in humanitarian response programmes.

### International legal instruments

International Humanitarian Law (IHL):	The four Geneva Conventions of 1949 and Additional Protocols of 1977 govern the treatment of combatants and civilians during times of international and internal armed conflict.
International Human Rights Law (IHRL):	IHRL contains the fundamental rights of all human beings that must be protected at all times of peace, armed conflict and disasters.
International Refugee law (IRL):	The Refugee Convention of 1951 outlines the rights applicable to refugees and asylum seekers. <sup>9</sup>

<sup>8</sup> These core standards and indicators have significant contributions from The Sphere Project Humanitarian Charter and Minimum Standards in Humanitarian Response, Humanitarian Accountability Partnership (HAP) Principles of Accountability, INEE Minimum Standards for Education in Emergencies, The Code of Conduct for the Red Cross Red Crescent Movement and NGOs in Disaster Relief and The Good Enough Guide.

All rights contained within IHL, IHRL and IRL are derived from the inherent dignity of the human person and are relevant to protection. Some of the key legal rights include the:

- *right to life*
- *right to liberty and security of person*
- *prohibition of torture, slavery, cruel, inhuman or degrading treatment or punishment*
- *right to be free from discrimination*
- *right to freedom of movement*

### **Relevant industry standards**

The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief (1994)

Principles of Conduct 1-10

Sphere Minimum Standards in Humanitarian Response (2011)

Core Standard 1: People-centred humanitarian response

Core Standard 3: Assessment

Core Standard 4: Design and response

Protection Principle 1: Avoid exposing people to further harm as a result of your action

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<sup>9</sup> The Guiding Principles on Internal Displacement (guiding principles 1998) provide non-binding principles for the protection of internally displaced persons (IDPs).

Protection Principle 2: Ensure people's access to impartial assistance in proportion to need and without discrimination

Protection Principle 3: Protect people from physical and psychological harm arising from violence and coercion

Protection Principle 4: Assist people to claim their rights, access available remedies and recover from effects of abuse.

HAP Standard (2010)

Benchmark 3: Sharing information

Benchmark 4: Participation

Benchmark 5: Handling complaints

## Core Standard 1

### Agencies prioritise the safety of disaster-affected populations.

#### Key Actions:

- ✓ Include questions about safety in all assessments.
- ✓ Respond to any threats to safety through adjusting programming, reporting, referral, or collaboration with specialist protection agencies.
- ✓ Conduct regular risk assessments.
- ✓ In conflict settings complete a 'Do No Harm/Local Capacities for Peace' assessment.
- ✓ Monitor the safety of all programme, project and activity sites, including access to and from those sites.
- ✓ Ensure all staff and agency affiliates understand and sign a Code of Conduct and Child Protection Policy.
- ✓ Make the Code of Conduct and Child Protection Policy available to disaster-affected populations in a language and format that can be understood.
- ✓ Establish safe and confidential procedures for receiving, managing and responding to any feedback or complaints.
- ✓ Strengthen positive family and community coping mechanisms/self-help strategies.

#### Key Indicators:

- A. Questions regarding the safety of individuals, groups and disaster-affected populations are included in the initial rapid assessment (see Guidance Note 1).
- B. Any immediate threats to safety are the first issues addressed by humanitarian programming and advocacy (see Guidance Note 2). !

- C. Agencies undertake initial and regular risk assessments to analyse the potential harm that may result from humanitarian assistance and protection activities (see Guidance Note 3).
- D. In conflict settings, agencies analyse the impact of humanitarian assistance on conflict (see Guidance Note 4). !
- E. Agencies avoid any programme or project activities that assessments determine may expose affected populations to further risks, increase threats to safety or exacerbate conflict (see Guidance Note 5).
- F. Agencies assess and monitor the safety of all programme, project and activity sites, and whether individuals, groups and affected populations feel safe accessing those sites, including walking to and from them. Agencies adapt the design and implementation of activities or advocate to relevant authorities if necessary, to reduce risks and promote safety (see Guidance Note 6). !
- G. Agencies have a Code of Conduct applicable to international and national staff, staff hired from disaster-affected populations, volunteers, consultants, visitors and other agency affiliates that includes prohibition of Sexual Exploitation and Abuse (SEA). The Code of Conduct is translated into the local language and made available to the disaster-affected population in an appropriate format. All staff have been trained in and agree to abide by the Code of Conduct, and agencies have safe and confidential mechanisms in place to receive, manage and respond to any allegations of a breach of the Code of Conduct (see Guidance Note 7).
- H. Agencies that work directly or indirectly with people under the age of 18 have a written Child Protection Policy that staff are trained in and agree to abide by. The Child Protection Policy is translated into the local language and made available to the disaster-affected population in an appropriate format.

Agencies have safe and confidential mechanisms in place to receive and manage any allegations of a breach of the Child Protection Policy (see Guidance Note 8).

- I. Agencies recognise and where possible strengthen positive family and community coping strategies and protection mechanisms (see Guidance Note 9).

### Guidance Notes:

1. An initial rapid assessment should cover issues such as:
  - presence of armed actors
  - presence or absence of police or military actors and whether they are perceived as a 'protective' force
  - any violence or imminent threat of violence
  - any reports of gender-based violence
  - any constraints on freedom of movement (including forced movement, forced eviction, detention, arbitrary arrest or roadblocks)
  - any signs of damage to civilian infrastructure
  - forced recruitment of either adults or children into armed groups
  - presence of mines or unexploded ordinances
  - risk of natural disaster (e.g. flooding in displacement camps)
  - presence of separated and unaccompanied children

These issues should be assessed through a combination of observations and questions, including asking men, women, girls and boys separately whether they feel safe in their current location (perception of safety). Individuals or groups within the disaster-affected population experiencing vulnerability factors such as severe discrimination may have different perceptions of safety



than the general population and may also need to be consulted separately (see Core Standard 4 for further details).

2. If safety issues exist, or the affected population feels their life, liberty or safety is threatened, agencies must prioritise prevention and strengthen safety as a priority. This may involve direct programming interventions, or reporting, referral and collaboration with specialist staff (such as protection officers) or with other agencies that have specific expertise to address these issues. Communicate safety concerns to the Protection Cluster if it has been activated, or other specialist and mandated agencies such as United Nations High Commissioner for Refugees (UNHCR), United Nations Children’s Fund (UNICEF), Office of the High Commissioner for Human Rights (OHCHR), or International Committee of the Red Cross (ICRC).
3. Agencies need to consider the potential harm that might occur as a result of their humanitarian assistance activities, whether intended or unintended. Risks may be to affected populations, to staff, to other agencies, or to other actors. A risk assessment needs to include identification of potential consequences of either action or inaction, the likelihood of that risk occurring, the severity of the consequences, and a plan for mitigating any risks. Where possible and relevant, agencies should undertake the risk assessment together with affected populations and then document the findings and any mitigation plans as a record of the process and decision.
4. A ‘Do No Harm’ (DNH)/‘Local Capacities for Peace’ (LCP) assessment<sup>10</sup> should be completed to understand how programmes, projects and activities might affect inter-group relations and inter-group conflict. The DNH framework helps

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<sup>10</sup> Mary B Anderson, *Do No Harm: How Aid can Support Peace – or War* (1999); World Vision International, *Facilitation Manual for Community-based LCP Assessment*, (2006). Also see Do No Harm Handbook <http://www.cdainc.com/dnh/docs/DoNoHarmHandbook.pdf>

agencies to better understand local context, and to determine the impact or potential impact of activities on either the divisions or connections within affected populations. Managers should consider training their staff in DNH analysis prior to the onset of emergencies, or access specialist staff trained in DNH to lead an assessment.

5. Where risk assessments highlight potential negative impacts of project or programme activities, a mitigation plan should be developed with the affected population detailing changes to project or programme design to avert negative impacts. Changes may only be required at the activity level, but where necessary, an entire project or programme may be suspended if it is having an immediate negative impact on the affected population's safety or if it is exacerbating tensions between groups in the population.
6. All programme, project and activity sites should be assessed by relevant sector staff for safety on a regular basis as the security situation can change rapidly and the level of risk can increase or decrease over time. Facilities, programmes and services should be located in safe areas with good visibility and lighting, especially at night. Provide torches and batteries to households if no other lighting is available and if it does not put the beneficiaries in any danger. Encourage people to organise to walk in groups, particularly women and children. Consider the presence of armed actors, liberal access to alcohol and a large presence of men when assessing the safety of any proposed activity locations. If there is any indication that individuals, groups or affected populations do not feel safe, agency staff should discuss whether they can make changes to the design of the activity to improve safety and reduce risk (such as changing the time of day of distributions), whether the project site needs to be changed completely (to a safer location), or whether the situation needs referral and communication with or reporting to other entities. Referral

could be internal, to a protection officer to conduct a protection assessment, to external agencies (such as the Protection Cluster), or to other entities such as police or other state authorities (where these have been assessed as a safe, protective and effective option).

7. Agency Codes of Conduct should at a minimum include the six prohibited behaviours identified in the Secretary General's Bulletin on *Special Measures for Protection from Sexual Exploitation and Abuse*<sup>11</sup> in order to protect vulnerable populations, especially women and children.
8. The Child Protection Policy at a minimum should cover:
  - clear indication that children under age cannot be recruited and screening processes for all personnel (including volunteers) who will be working with children;
  - a documented child protection complaints management procedure;
  - regular provision of child protection training;
  - a child protection Code of Conduct that must be signed by all personnel;
  - a provision in all employment contracts that the organisation has the right to dismiss or transfer to other duties personnel who breach the child protection Code of Conduct; and
  - provision for policy review every five years, or earlier if warranted.<sup>12</sup>

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<sup>11</sup> Secretary-General's Bulletin, *Special Measures for Protection from Sexual Exploitation and Abuse*, 9 October 2003, ST/SGB/2003/13, available at <http://www.unhcr.org/405ac6614.html>. Accessed on 24 November 2011.

<sup>12</sup> AusAID Child Protection Policy and Sample Child Protection Policy [http://www.ausaid.gov.au/publications/pdf/child\\_protection.pdf](http://www.ausaid.gov.au/publications/pdf/child_protection.pdf)

9. This involves understanding the ways in which individuals, groups and populations try to protect themselves and ensuring that agency activities don't undermine positive self-protection efforts. For example, agencies should never replicate or replace community groups or early warning mechanisms that are functioning and effective. Analysis of self-protection mechanisms may be best undertaken with trained protection officers, as part of a broader protection assessment.

## Core Standard 2

**Agencies promote dignity, inclusive participation and diversity within disaster-affected populations.**

### Key Actions:

- ✓ Analyse context and disaggregate data at a minimum by age and sex.
- ✓ Assess and monitor access to humanitarian assistance, protection and information for the disaster-affected population as a whole and address any denial of access.
- ✓ Assess and monitor access to humanitarian assistance, protection and information for diverse groups within the disaster-affected population and address any denial of access.
- ✓ Include representatives of diverse groups in participatory processes.
- ✓ Define targeting criteria with the disaster-affected population and communicate any differences in distribution or services clearly.
- ✓ Obtain informed consent, including parental consent prior to engaging with children.
- ✓ Implement safe and confidential feedback and response mechanisms.

### Key Indicators:

- A. The demographic, cultural, political, social, economic, religious, security, legal and environmental context is understood and respected (see Guidance Note 1). !
- B. Data is disaggregated by age and sex, even if this is only an estimate.
- C. Agencies assess and monitor access to humanitarian assistance, protection and information for the affected population as a whole and address any

denial of access (see Guidance Note 2).

- D. Agencies assess and monitor access to humanitarian assistance, protection and information for diverse groups within the affected population and address any denial of access (see Guidance Note 3).
- E. Agencies include individuals and representatives of diverse groups in participatory processes such as assessments, project planning, decision-making forums and committees, and identify and remove barriers that prevent full and effective participation by all (see Guidance Note 4).
- F. Targeting criteria are clearly defined and widely disseminated in a language and format that can be easily understood. Clear justification is provided to affected populations for any targeting of assistance to specific individuals or groups.
- G. Agencies obtain informed consent before gathering and using information, including obtaining parental consent prior to consulting with children (see Guidance Note 5).
- H. Agencies implement safe and confidential feedback and response mechanisms (see Guidance Note 6).

#### Guidance Notes:

1. Context and changes in context can increase the impact of conflict and disaster on specific individuals and groups within a disaster-affected population. Agencies should analyse context and identify any inequalities that make certain individuals or groups more at risk. Analysis should include:
  - **Demographic context** ensuring that data is disaggregated by age and sex. Without disaggregating data by, at a minimum, age and sex, agencies cannot provide impartial assistance based on need. Analysis of the different needs of men, women, boys and girls, and the different needs of infants, children, adolescents, adults and older adults should

inform humanitarian assistance and protection priorities ('who needs what, when and why?').<sup>13</sup> At the beginning of a large-scale rapid-onset emergency it may only be possible to provide an estimate of the number of men, women, boys and girls and their age groups and follow up with gathering more accurate disaggregated data as soon as time and resources permit.

- **Cultural context**
- **Political context** including the capacity and willingness of the state to respond to protection concerns and assistance needs, and how this may be changing over time.
- **Social and economic context**
- **Religious context** including any spiritual needs, such as safe spaces for worship and other faith-related practices and ceremonies including burials and weddings or annual celebrations, and any faith-related food or hygiene requirements.
- **Legal context**, especially applicable legal frameworks such as International Humanitarian Law or domestic laws regulating disaster response and collection of personal data.
- **Environmental context**

Some of this analysis may require the assistance of technical specialists such as security officers (in relation to security analysis) or protection officers (to assist in correct analysis of the legal context).

2. Disaster-affected populations have a right to protection and assistance. Restrictions on access to assistance may be intentional (deliberate deprivation, neglect or discrimination) or they may occur as a result of

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<sup>13</sup> Dyan Mazurana, Prisca Benelli, Human Gupta and Peter Walker, *Sex and Age Matter*, (2011), available at <https://wikis.uit.tufts.edu/confluence/display/FIC/Sex+and+Age+Matter>. Accessed on 25 November 2011.

conflict-related activity, including roadblocks. Humanitarian principles and relevant laws uphold the right to access to humanitarian assistance and agencies should always address restrictions or attempts to restrict access. This may be best addressed jointly in consortium with other humanitarian actors. Internally Displaced Persons (IDPs) are entitled to the same rights as the rest of the population and should not be discriminated against as a result of their displacement. Consult the *Guiding Principles on Internal Displacement*<sup>14</sup> and the *IASC Framework on Durable Solutions for IDPs*.<sup>15</sup>

3. Diverse groups to be considered include: men, women, boys, girls, people of certain ages (particularly children, adolescents and the elderly), people with physical, mental or intellectual disabilities, people living in institutions, people living with HIV, chronic illness or other health risks, ethnic, political or religious minorities, people of different social, economic or national status or origin, and any other individuals or groups who may be marginalised or excluded, or experience discrimination not relating to their needs. Agencies must take proactive action to ensure individuals, groups and disaster-affected populations have equitable access to assistance, protection and information. The unique situation and needs of some individuals and groups may require agencies to undertake special measures such as translating information, making it available in a format that is easily understood (such as pictorial), or spending extra time with certain individuals or households to ensure they understand their entitlements and how to access them.
4. Barriers to full participation may be structural, attitudinal or relate to language or communication. Agencies need to intentionally seek out

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<sup>14</sup> *Guiding Principles on Internal Displacement* (U.N.Doc.E/CN.4/1998/53/Add2(1988). See [http://brookings.edu/projects/idp/gp\\_page.aspx](http://brookings.edu/projects/idp/gp_page.aspx). Accessed on 25 November 2011.

<sup>15</sup> [http://www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx). Accessed on 25 November 2011.



minority or marginalised individuals or groups who may be ‘invisible’ because they are not participating in programme or project assessments or activities. They may be difficult to locate because of stigma or discrimination, or because of a lack of freedom of movement. Household surveys can be a good way to map people with different or particular needs; however they can also miss marginalised people such as those living in institutions, domestic workers or displaced people not living in camps or collective centres, so other methodologies are also required. Utilising local volunteers such as teachers or nurses as outreach workers to go into communities, displacement or disaster-affected areas and ‘find’ people can assist in locating those at risk. Sudden increases in population in certain areas or accessing particular services may indicate the presence of displaced persons in an urban context.

5. Gaining informed consent prior to gathering or using data is a basic ethical requirement for all agencies. At a minimum a data collector should communicate:
  - who they are, the agency they represent and its mandate;
  - the purpose of collecting data and how it will be collected and used;
  - any possible risks or benefits of participating;
  - confidentiality and how it will be maintained during and after data collection;
  - that participation in the process is voluntary, there are no right or wrong answers, people do not have to answer a particular question if they choose not to, and can stop providing information at any time;
  - how long the data collection process will take; and
  - contact information so participants can contact the data collector.

Where feasible, data collectors should return and discuss the findings and analysis with participants as verification.<sup>16</sup> Informed consent should be gained from parents or caregivers prior to consulting children under 18.

Consent does not need to be in writing, but should cover all these elements.

6. Individuals, groups and disaster-affected populations should have access to a safe and confidential complaints and response mechanism. This provides a formal way to understand the perspectives of affected populations and ensure that people's opinions and issues can be heard and incorporated into humanitarian response programmes. It can also increase transparency, discourage corruption, theft and abuse, and improve the quality and efficiency of programmes.<sup>17</sup> Different types of mechanisms can be set up, such as community help desks or suggestion boxes, depending on how the community would like to provide feedback.

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<sup>16</sup> This Guidance Note has been adapted from: ICRC, *Professional Standards for Protection Work Carried out by Humanitarian and Human Rights Actors in Conflict and Other Situations of Violence*, (2009), 64.

<sup>17</sup> World Vision International, *Complaint and Response Mechanisms: Resource Guide (Food Programme Management Group)*, First Edition, (2009), available at <http://www.hcinternational.org/tusaidie.org/assets/Food%20Resource%20Guide.pdf>. Accessed on

<sup>25</sup> November 2011. Also see HAP International, *Case Studies and Tools*, available at: <http://onerresponse.info/Disasters/Haiti/Quality%20and%20Accountability/publicdocuments/Case%20Studies%20and%20Tools%20-%20from%20HAP%20members%20worldwide%20V2.pdf>. Accessed on 25 November 2011.

### Core Standard 3

#### Agencies support disaster-affected populations to claim their rights.

##### Key Actions:

- ✓ Inform people of their rights to protection, assistance and available remedies.
- ✓ Assess capacity and willingness of the state to provide assistance and protection.
- ✓ Ensure staff are aware of, and adhere to, agency policies or procedures for if, when and how to conduct advocacy.
- ✓ Inform people of their entitlements to humanitarian agency assistance and protection programmes.
- ✓ Promote durable solutions to displacement.

##### Key Indicators:

- A. Disaster-affected populations are informed of their rights to protection and assistance and available remedies (see Guidance Note 1).
- B. The capacity and willingness of the state and other authorities to provide assistance and protection has been assessed, and support provided to them to fulfil this responsibility where safe and feasible to do so (see Guidance Note 2). !
- C. Policy and procedures clearly identify whether, when and how an agency conducts advocacy (see Guidance Note 3). !
- D. Disaster-affected populations are informed of their entitlements provided through humanitarian agency assistance and protection programmes (see Guidance Note 4).

- E. Agencies have promoted and supported durable solutions to displacement based on international law and principles (see Guidance Note 5).

**Guidance Notes:**

1. Disaster-affected populations should understand that the government and other relevant authorities hold responsibility for ensuring their rights are protected, respected and fulfilled and agencies should inform people of their entitlements. This could involve, for example, making Internally Displaced Persons (IDPs) and local authorities aware of the rights contained in the *Guiding Principles on Internal Displacement*. Agencies may need to support disaster-affected populations to access the necessary documentation (such as birth certificates or land titles) to access the services they are entitled to, or assist people to claim their rights, either through agency programmes, or referral to other agencies, services and legal systems. Also see Core Standard 5: Responding to Human Rights Abuses.
2. Protection officers may be best placed to assess the capacity and willingness of the government to provide assistance to and protect disaster-affected populations as part of a broader protection assessment. In situations where the government and other authorities are willing and able to provide assistance and protection, agencies should support this responsibility and not undermine or duplicate government efforts. Where the government and other authorities are willing but lack capacity, agencies should design their activities in a complementary way that strengthens local capacity and responsibility. In some cases, governments and authorities may not be willing or able to provide assistance or protect disaster-affected populations and agencies may need to substitute their responsibility and provide assistance on a temporary basis. Agencies can rarely, if ever, provide actual

protection for populations at risk, but may choose to advocate for strengthened protection. See Guidance Note 3.

3. Most humanitarian actors are involved in engaging the responsibilities of authorities at some point during implementation of humanitarian assistance and protection activities. Some agencies call this 'advocacy' and have dedicated staff working on local and/or regional and international advocacy strategies on specific issues. It includes any activity designed to promote changes to policies, practices, laws or regulations and therefore may be part of the day-to-day work of sector staff and general humanitarian actors. Agencies should ensure their staff members clearly understand whether or not their agency mandate and strategy allows for advocacy, and if so, in which situations.

Advocacy can take many forms, and does not always require public advocacy. Agencies should select appropriate modes of action that are most likely to bring about the desired change, whether public, private, formal or informal, after completing a risk analysis of the potential consequences of each option. *Protection: An ALNAP Guide for Humanitarian Agencies* provides a helpful discussion on different modes of humanitarian advocacy.<sup>18</sup> Messages should be consistent, whether they are given at the local, national, regional or international level.

Having clear objectives (what change in policy, law or practice you seek), targets (whose policy, law or practice do you want to change or who can you best influence to achieve this change), and being transparent about how accurate and credible the information is that you are communicating are all

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<sup>18</sup> Hugo Slim and Andrew Bonwick, *Protection: An ALNAP Guide for Humanitarian Agencies*, (2005). Available at <http://www.alnap.org/resources/guides/protection.aspx>. Accessed on 5 December 2011.

important aspects of good advocacy strategies, along with including indicators of success.

Agencies should identify and consider opportunities for maximising leverage by advocating through joint initiatives or consortiums. Safe advocacy frequently requires specialist skills and knowledge, and staff may need to consult with or refer to trained advocacy staff or protection officers. This is especially relevant if engaging in advocacy on issues relevant to children.<sup>19</sup>

4. Agencies should provide clear, regular and updated information to disaster-affected populations about their programmes, projects and activities and people's entitlements to those programmes in a variety of mediums (such as notices and meetings) that everyone can understand. See Core Standard 2: Dignity.
5. The needs and rights of disaster-affected populations do not automatically disappear when conflict or disaster end. The *IASC Framework for Durable Solutions for IDPs* explains that working towards durable solutions is a 'gradual long-term process' that is only achieved when IDPs 'no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement.' It is therefore relevant to all sectors. This framework is based on legal entitlements, and provides a useful rights-based framework for agencies planning transition and early recovery programming.<sup>20</sup>

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<sup>19</sup> Global Protection Cluster Child Protection Working Group, *Minimum Standards for Child Protection in Emergency Response* (draft 2, October 2011).

<sup>20</sup> Interagency Standing Committee, *Framework on Durable Solutions for Internally Displaced Persons* (2009), available at [http://www.brookings.edu/reports/2010/04\\_durable\\_solutions.aspx](http://www.brookings.edu/reports/2010/04_durable_solutions.aspx). Accessed on 25 November 2011.

## Core Standard 4

**Agencies prioritise those individuals and groups most vulnerable to the effects of conflict or disaster.**

### Key Actions:

- ✓ Carry out analysis of context-specific factors that make individuals or groups vulnerable.
- ✓ Make changes to project facilities or activities to include individuals and groups identified as particularly vulnerable in context.
- ✓ Provide child friendly programmes and facilities.
- ✓ Seek advice from child protection specialists where child protection issues arise in programmes.
- ✓ Address gender discrimination and gender inequality in humanitarian response activities.
- ✓ Seek advice from gender-based violence specialists where gender-based violence issues arise in programmes.

### Key Indicators:

- A. Agencies take into consideration the various types of vulnerabilities related to deprivation, discrimination, abusive or exploitative relationships and how they affect individuals and groups as part of the context analysis (see Guidance Note 1).
- B. Agencies adopt special considerations in the design and implementation of programmes, projects and activities for individuals and groups identified as particularly vulnerable to the effects of conflict or disaster (see Guidance Note 2).

- C. Agencies recognise that child protection issues are always present in disaster-affected populations, and at a minimum, provide humanitarian assistance, protection and information in a protective, child-friendly manner (see Guidance Note 3).<sup>21</sup>
- D. Agencies recognise that gender-based violence issues are always present in disaster-affected populations, and at a minimum, address gender discrimination and gender inequality in humanitarian response activities (see Guidance Note 4).

### Guidance Notes:

1. Vulnerability factors are situations or features that result in an individual or group being more affected by conflict or disaster, more at risk, or less able to access assistance, protection and information. Agencies should assess the presence of vulnerability factors rather than assuming that particular categories of person are inherently vulnerable. For example, a person with a physical disability may or may not be more vulnerable than the general disaster-affected population. If they face social exclusion and discrimination, then they may well be more vulnerable and less able to access assistance. If people with disabilities are included in humanitarian programmes and activities are designed with their particular needs in mind (see Core Standard 2: Dignity) then they are less likely to be vulnerable. However inclusion and vulnerability are two different things. Vulnerability factors (severe deprivation, serious discrimination, abusive or exploitive relationships, high levels of distress and unsafe or negative coping mechanisms) can change over time and therefore affect different people and groups at different

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<sup>21</sup> See Global Protection Cluster Child Protection Working Group, *Minimum Standards for Child Protection in Emergency Response* (draft 2, October 2011).



times. They therefore need to be assessed and monitored throughout the duration of humanitarian response activities.

2. The unique situation and needs of some individuals and groups may require agencies to adopt special considerations in programme design and implementation. These may relate to how information is communicated and received, who is targeted for assistance, or who is prioritised to receive assistance first. The design of physical structures (such as buildings, water facilities and latrines) may also need to be adapted or changed to ensure safe and dignified access for all. Special human rights protection exists for some categories of persons such as children, people with disabilities, and migrant workers and their children.<sup>22</sup>
3. Among other rights, children have the right to protection from violence, abuse, neglect and exploitation. While not all agencies will choose to implement specialist child protection programmes (such as those responding to family separation or children associated with armed groups, or establishing child-friendly spaces), all information, assistance and protection activities should be protective and child-friendly. This requires agencies to understand the evolving capacity of the child, and recognise and respect their capacities, both to ensure children are not exposed to risks or responsibilities that are harmful, and to maximise participation in a manner that is appropriate to age and development.
4. Agencies should identify ways to strengthen gender equality in their humanitarian response, ensuring that protection, assistance and information reach and meet the needs of all the population equally and that the rights of men, women, boys and girls are protected. Addressing the agency's gender

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<sup>22</sup> For a list of human rights issues by theme see <http://www.ohchr.org/EN/Issues/Pages/ListOfIssues.aspx>. Accessed on 25 November 2011.

balance between male and female human resources/staff strengthens the likelihood agencies will effectively communicate with both men and women affected by disaster, and that staff will analyse and respond to the different needs of men, women, boys and girls. While not all agencies will choose to implement targeted actions in response to gender analysis, all agencies should, at a minimum, mainstream gender in their humanitarian response programmes. Throughout assessment, design, implementation, monitoring and evaluation, agencies should consider how men, women, boys and girls are differently affected by the disaster, pre-existing and changing power dynamics and gender roles between men and women, including access to and control over resources, and the different constraints and risks faced by men, women, boys and girls relative to one another.<sup>23</sup>

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<sup>23</sup> See generally IASC, *Gender Handbook in Humanitarian Action*, (2006). Available at [http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-subsidi-tf\\_gender-genderh](http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-subsidi-tf_gender-genderh). Accessed on 5 December 2011.

## Core Standard 5

**Agencies respond safely and ethically to incidents of human rights abuses in conformity with their mandate and recognised good practice.**

### Key Actions:

- ✓ Document procedures for staff to follow if they witness or hear about human rights abuses or violations of international humanitarian law (IHL).
- ✓ Only engage in systematic monitoring and reporting IHL or human rights violations if your agency has a special mandate, and/or specially trained human rights or protection monitors.
- ✓ Document, disseminate and regularly update referral pathways for medical, legal and psychosocial services.
- ✓ Manage sensitive data safely.
- ✓ When incidents occur, review programme, project or activity implementation to strengthen safety and reduce exposure to harm.

### Key Indicators:

- A. Agencies have a standardised and documented policy, process or Standard Operating Procedures guiding staff in how to respond if they witness or hear about incidents of human rights abuses (see Guidance Note 1).
- B. Policies, processes or Standard Operating Procedures cover, at a minimum, the responsibilities of agency staff to provide care and support to affected individuals, internal incident reporting within the agency, when to refer affected persons to external agencies providing specialist protection services, if and when to report the incident to external agencies, and confidentiality and informed consent requirements prior to referring or reporting incidents (see Guidance Note 2).

- C. Only those agencies with special mandates or trained human rights or protection monitors engage in systematic monitoring and reporting of human rights violations (see Guidance Note 3).
- D. Agencies document, disseminate and regularly update referral pathways and contact details for specialist protection services to agency staff and affected populations in an appropriate language and format (see Guidance Note 4).
- E. Sensitive data is managed safely in accordance with international standards (see Guidance Note 5). !
- F. Agencies review humanitarian programming priorities, design and implementation to determine whether any changes need to be made to improve safety and reduce exposure to harm (see Guidance Note 6).

#### Guidance Notes:

1. All agencies should have documented procedures guiding staff in how to respond if they witness or hear about human rights abuses. This should include any child protection incidents<sup>24</sup>, any allegations of Sexual Exploitation and Abuse (SEA) by staff, contractors, volunteers, visitors or other agency affiliates, and also any other incidents of human rights abuses affecting individuals, groups or affected populations, regardless of who the alleged perpetrator is.
2. Each agency should develop its own policies, processes, or Standard Operating Procedures for how staff should respond to incidents of human rights abuses, depending on their mandate and a realistic assessment of internal capacity and capability. Different procedures may have to be developed for incidents where the alleged perpetrator is a staff member or

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<sup>24</sup> For further information on responding to child protection concerns see Global Protection Cluster Child Protection Working Group, *Minimum Standards for Child Protection in Emergency Response* (draft 2, October 2011).

otherwise affiliated with the agency (such as allegations of SEA where the agency needs to verify and investigate the incident). This may also apply for incidents where the alleged perpetrator is not associated with the agency (such as sexual violence occurring within a disaster-affected population where the agency does not have the same level of responsibility to verify or investigate the incident). A sample Standard Operating Procedure for agencies without protection or human rights monitoring expertise is provided in Annex 2 with suggested procedures for responding to human rights abuses where the alleged perpetrator is not a staff member or otherwise associated with the agency. Human rights abuses may come to the attention of agency staff through witnessing/field observations, through being told informally about abuses during field visits, through structured participatory processes such as assessments or evaluation, through interaction with other agencies or partners, or through community-based complaints and response mechanisms. Policies, processes and Standard Operating Procedures should apply regardless of how the information is received by the agency.

3. The humanitarian principle of 'Do No Harm' must remain central to all agency responses to allegations or incidents of abuse. Agencies that do not have a special mandate or trained human rights monitors or protection staff trained in incident or individual level protection monitoring should not attempt to investigate or document abuses.
4. Agencies should document referral pathways and contact details for specialist medical, legal and psychosocial services, ensuring this information is regularly updated and made available to all staff. It is usually easiest if this responsibility is allocated to a specified staff member/focal point as contact details and services frequently change, especially in large-scale disasters. If

activated, the Protection Cluster should be able to provide this information, or agencies may need to refer incidents to the Protection Cluster in the absence of a documented referral mechanism. If feasible, the names and contact details of service providers should be translated into the local language and posted on information boards in affected communities or displacement camps so that affected individuals and groups can access local services directly.

5. Sensitive data needs to be managed safely, in accordance with agreed standards outlined in the *Professional Standards for Protection Work Carried Out by Humanitarian and Human Rights Actors in Armed Conflict and Other Situations of Violence* – see Chapter 5: Managing Sensitive Data.<sup>25</sup> Even agencies that do not engage in specialist human rights or protection monitoring need to adopt safe procedures for when staff witness or hear about abuses. In particular, agencies should ensure affected individuals and groups provide informed consent prior to referring cases to other agencies, and that they have fully considered any potential risks and consequences of reporting abuse to authorities or other agencies prior to doing so. Non-specialist agencies may choose to monitor trends and patterns of abuse in their programme areas (as opposed to monitoring individual incidents) as a component of routine context analysis; however this is usually best undertaken by trained protection actors.
6. Whenever agencies become aware of incidents of violation of IHL or human rights abuses they should review their programming priorities and the

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<sup>25</sup> ICRC, *Professional Standards for Protection Work Carried Out by Humanitarian and Human Rights Actors in Armed Conflict and Other Situations of Violence* (2009). Available at <http://www.icrc.org/eng/resources/documents/publication/p0999.htm>. Accessed on 27 November 2011.

location, design and implementation of activities to determine whether there is anything that can be done to improve safety or reduce people's exposure to abuse and harm. This is best done in conjunction with affected populations. Examples of what an agency might need to change or do differently include reviewing the location of a project, the time of day of distributions, advocacy to local police to increase presence in certain areas or at certain times (where the affected population believes the police are a protective presence), sensitisation on particular rights issues (such as women's rights or discouraging sexual exploitation and abuse), or dialogue with relevant authorities.





# Section II

## Minimum Standards for Mainstreaming Protection into Water Supply, Sanitation and Hygiene Promotion Programmes



# Section II

## Minimum Standards for Mainstreaming Protection into Water Supply, Sanitation and Hygiene Promotion Programmes

### Key legal principles

*The right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.*<sup>26</sup>

CRC Art 24 (2):	Provision of clean drinking water.
CEDAW Art 14 (2):	Adequate living conditions particularly in relation to sanitation and water supply.
Guiding Principle 18:	Competent authorities shall provide internally displaced persons with, and ensure safe access to, potable water.
National law:	The right to water may also be incorporated in national legislation and standards, and it is the responsibility of the agency sector staff to acquaint themselves with relevant national law. It is State responsibility to ensure the right to water, both in terms of the <i>availability</i> and <i>quality</i> of water. It is also State responsibility to ensure that water and sanitation facilities are <i>accessible</i> to everyone without discrimination of any kind. Where governments are unable or unwilling to fulfil this responsibility, agency advocacy should refer to the relevant international and national legislation.

<sup>26</sup> General Comment No 15 “The right to water”, Committee on Economic, Social and Cultural Rights, 2002, Art 2.

## **Relevant industry standards and indicators**

Sphere Standards (2011)

WASH Standard 1: WASH programme design and implementation

Hygiene Promotion Standard 1: Hygiene Promotion Implementation

Hygiene Promotion Standard 2: Identification and Use of Hygiene Items

Water Supply Standard 1: Access and Water Quantity

Water Supply Standard 3: Water Facilities

Excreta Disposal Standard 2: Appropriate and Adequate Toilet Facilities

UNHCR Standards and Indicators Report – Refugee Camp/Settlement

Water indicators 42, 43 & 44

Sanitation indicators 47-51

## Standard 1

**Agencies promote equitable access to Water, Sanitation and Hygiene programmes and facilities.**

### Key Actions:

- ✓ Identify local authorities responsible for WASH programmes and strengthen and support their role where possible.
- ✓ Assess whether inequitable access to water and/or sanitation facilities is causing tension or conflict.
- ✓ Make sure that the beneficiaries are aware of their rights to equitable and safe water.
- ✓ Monitor whether any individuals or groups control WASH facilities and/or discriminate against certain individuals or groups gaining access to facilities or hygiene promotion programmes.
- ✓ Include representatives of different groups in participatory processes and committees.
- ✓ Support provision of WASH facilities for all infrastructure, including learning or meeting sites and health centres.

### Key Indicators:

- A. Responsible government authorities are identified and their role to ensure access to water and sanitation facilities is supported whenever possible (see Guidance Note 1).
- B. Access to WASH facilities has been assessed to determine if it is a cause or contributing factor to local conflicts (see Guidance Note 2). !
- C. Situations where individuals or groups exercise discrimination over access to WASH facilities have been identified and responded to.

- D. Representatives from diverse groups have been included in the planning, implementation, monitoring and evaluation of WASH programmes and facilities (see Guidance Note 3).
- E. Water and sanitation facilities are located in a safe location where all members of the community can access them (see Guidance Note 4).
- F. Agencies have advocated for, and supported the provision of adequate and safe WASH facilities at learning or meeting sites, health centres, and other forms of infrastructure (see Guidance Note 5).

### Guidance Notes:

1. States are the main duty-bearers of disaster-affected populations' right to water and sanitation, and where possible, WASH programmes should support authorities to fulfil these responsibilities. All agencies should engage with the existing WASH platforms to ensure coordination with other actors. While emergency WASH activities may focus on life-saving interventions, longer-term WASH activities should ensure all technologies and approaches are compatible with national standards and contribute to longer-term sustainable development addressing risk reduction.
2. Access to WASH facilities, in particular access to water, can be a strong contributing factor to local conflicts. Agencies must assess and analyse any existing tensions or conflict over water access within disaster-affected populations (including between displaced persons and host communities) and ensure that agency actions reduce, rather than increase those tensions. Agencies may choose to conduct a Do No Harm (DNH)/Local Capacities for Peace (LCP) assessment implemented by trained staff to ensure WASH programmes are implemented in a conflict-sensitive manner. The assessment should also include the affordability of water in every context where water supply is not free of charge.

3. Community groups, especially WASH committees should be diverse and gender-balanced. Community ownership of water and sanitation facilities is preferred as it is likely to lead to better community maintenance and contribution. However, WASH programmes that encourage community ownership must take into account the representation and needs of all members of the community. Agencies should establish systems to monitor if any groups are being denied access as a result of discrimination, and if it occurs, mechanisms should be established to remedy the situation. Such mechanisms may involve dialogue with community groups, or sometimes establishing additional facilities or services.
4. Even if a sufficient quantity of water is available to meet minimum needs according to total number of persons, additional measures may be needed to ensure that access is equitable for all individuals and groups. For example, additional water points may need to be established for different ethnic/social groupings within a community if they feel unable to access the water and sanitation facilities in another area. If water is being trucked, pumped or rationed, it is necessary to ensure that the water distribution time and duration are planned jointly with the community, according to women's and men's convenience and cultural habits and limited to daylight hours. This necessarily includes consultation with the group that is responsible for water collection, and discussions about the ways and community initiatives to address barriers to accessing WASH services.
5. Water and sanitation facilities should be available within or in close proximity to learning environments, meeting points and health facilities as these are utilised by large numbers, especially the most vulnerable. Agencies should consider not engaging in building any infrastructure unless simultaneously providing WASH facilities, either directly, or through a partner.

## Standard 2

Agencies prioritise safety and dignity in Water, Sanitation and Hygiene programmes.

### Key Actions:

- ✓ Prioritise safety when choosing WASH facilities locations, ensuring good visibility.
- ✓ Provide lighting for all WASH facilities, or torches for each household.
- ✓ Provide adequate explanation on how to use WASH facilities.
- ✓ Provide separate lockable toilets and washing facilities for men, women, girls and boys, or alternatively separate lockable household facilities.
- ✓ Consult widely, and with diverse groups, on the design and location of WASH facilities and adapt facilities to cater for unique needs.
- ✓ Ensure all facilities and sites are child-safe.
- ✓ Ensure cleaning chemicals are stored safely.

### Key Indicators:

- A. The location of water distribution points, toilets and bathing areas takes into account the safety of users, with good visibility of the surrounding area where possible (see Guidance Note 1).
- B. Separate lockable toilets and cubicles for washing are provided for men and women, boys and girls. They are situated in well-lit and visible areas (see Guidance Note 2).
- C. Toilets and washing facilities are designed and sited with safety and ease of access as primary considerations (see Guidance Note 3).



- D. Representatives of diverse groups are consulted on the design and location of the toilet and washing facilities and any safety and access concerns they may have (see Guidance Note 4).
- E. Pit latrines and wells have been constructed considering child safety in respect to access to latrine and pit (see Guidance Note 5).
- F. Where cleaning chemicals are provided they are kept in a safe location, clearly labelled in the local language and in pictorial form as poisonous. The community knows what to do if they are ingested.

#### Guidance Notes:

1. The water distribution point should be safe in respect of reducing the risk of physical and sexual attacks. In practical terms this means increased visibility and proximity to housing and communal areas. As a guide no household should be more than 500 metres from a water point. Programmes should also support community mechanisms for protection, such as gathering water in groups.
2. In some situations, depending on resources available, it may be more appropriate to provide household toilets in preference to communal facilities.
3. Inappropriate sites for toilets may make women and children, especially girls, more vulnerable to attack, especially during the night, and ways must be found to ensure that women feel, and are, safe using the toilets provided. Where possible, communal toilets should be provided with lighting or families provided with torches, and they should be relatively close to dwellings. As a guide no household should be more than 50 metres from a toilet.
4. The number, location, design, safety, appropriateness and convenience of facilities should be decided in consultation with the users, particularly

women, adolescent girls and any people with disabilities. The security needs of children have to be taken into consideration as well.

5. Children can fall into, and drown in, pit latrines and wells. There should be a proper cover for the pit latrine that cannot be moved by young children and doors that can be shut properly from the outside after use. Wells and water tanks should always be covered when not in use. Children should also be made aware of the potential dangers of playing near water sources.

### Standard 3

**The unique needs of diverse groups are considered in Water, Sanitation and Hygiene programmes.**

#### Key Actions:

- ✓ Make adaptations such as ramps and railings to WASH facilities so that all individuals and groups can access and use facilities in safety and dignity.
- ✓ Provide appropriate hygiene materials to individuals and groups with unique needs.
- ✓ Provide private space for women and girls to clean, dry and dispose of sanitary materials.
- ✓ Set up a complaints and response mechanism.

#### Key Indicators:

- A. Water and sanitation facilities are designed so that they can be used by all individuals and groups including men, women, girls and boys, people of all ages, especially children and the elderly, and people with unique needs such as physical disabilities (see Guidance Note 1).
- B. There is adequate space for women and girls to be able to clean, dry and dispose of sanitary materials with privacy and dignity.
- C. Facilities are designed considering the space and adaptations required for people with disabilities to wash with privacy and dignity.
- D. Agencies consider the provision of additional items essential for ensuring personal hygiene, dignity and wellbeing, including sanitary materials for women and girls (see Guidance Note 2).
- E. There is a mechanism for individuals or groups to raise concerns about the water and sanitation facilities (see Core Standard 2).

## Guidance Notes:

1. Water pumps and wells may need to be designed to accommodate people with unique needs, for example located at an appropriate height from the ground, without large steps to access the source. Some hand pumps and water carrying containers may need to be designed and adapted for use by people with chronic illness, elderly people and people with disabilities. When distributing containers for water collection, ensure the size and weight of containers do not pose a risk to children. However agencies should minimise the expectation that children will be involved in water collection and avoid distributing 'special' containers for children. Where it is not possible to make all toilets accessible to all groups, special toilets need to be constructed or provided for children, the elderly and people with disabilities, e.g. potties, toilets with lower seats or hand rails, longer chain flushes, wider doors, or lower locks.
2. Individuals or groups may have specific hygiene needs that will require different hygiene items or quantities of hygiene items. Individuals with health needs such as incontinence or diarrhoea might require increased quantities of hygiene items. Women and girls should receive appropriate material for menstruation. The number of menstruating women can be estimated at 25% of the total population. While the rule of thumb of 25% of the total population can provide an estimation of the number of menstruating women, an understanding of the range of age and gender of the community needs to be ascertained as early as possible through consultation with the community and registration records, if any. It is important that these materials are appropriate and discreet and that women are involved in making decisions about what is needed. In situations where distributions take place without consultations to avoid delay, the following

can be used as a guide for sanitary packs, with changes made after consultations with women and girls. A basic sanitary pack for one person for six months includes: 2 square metres of absorbent cloth per 6 months OR 12 disposable sanitary towels per month; 3 underpants; 250 grams of soap per month (in addition to other soap distributed); and one bucket.



# Section III

## Minimum Standards for Mainstreaming Protection into Food and Non-Food Item Programmes





## Section III

### Minimum Standards for Mainstreaming Protection into Food and Non-food Item Programmes

#### Key legal principles

*The right to food and the right to be free from hunger.*

UDHR Art 25: Right to adequate standard of living, including food.

ICESCR Art 11: Right of everyone to be free from hunger.

CRC Art 24: Right to the provision of adequate nutritious foods.

Customary IHL Rule 54: Prohibition of attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population.

Customary IHL Rule 55: Prohibits the use of starvation of the civilian population as a method of warfare.

National law: The right to food and non-food items may also be incorporated in national legislation and standards, and it is the responsibility of the agency sector staff to acquaint themselves with relevant national law. It is State responsibility to achieve progressively the full realisation of right to food. This includes active steps to ensure that all groups are able to *access* food without discrimination and that the food is of adequate *quantity and nutritional quality*. Where governments are unable or unwilling to fulfil this responsibility, agency advocacy should refer to the relevant international and national legislation.

## **Relevant industry standards and indicators**

Sphere Standards (2011)

Food security and nutrition assessment Standard 1: Food security

Food security standard 1: General food security

Food security – food transfer standard 1: General nutrition requirements

Food security – food transfer standard 2 – Appropriateness and acceptability

Food security – food transfer standard 5: Targeting and distribution

Non-food items standard 1: Individual, general household and shelter support items

Non-food items standard 2: Clothing and bedding

UNHCR Standards and Indicators Report – Refugee Camp/Settlement

Food and nutrition indicators 28, 29 & 30

## Standard 1

**Food and non-food item (NFI) targeting and distribution are equitable, non-discriminatory, appropriate and based on assessed need.**

### Key Actions:

- ✓ Identify local authorities responsible for food and NFI programming and strengthen and support their role where possible.
- ✓ Distribute equal amounts of food and NFI unless justified on basis of unique needs and clearly communicated to all.
- ✓ Display food and NFI entitlements clearly at distribution points in relevant language and pictorial form.
- ✓ Set up a complaints and response mechanism.

### Key Indicators:

- A. Government agencies responsible for ensuring access to food and non-food items are identified and supported by agencies engaged in food and NFI programming.
- B. No beneficiary selection criteria or limitation of access to food and NFI are based on religious, political, racial, ethnic or social grouping (see Guidance Note 1).
- C. Equal amounts of food and NFI are distributed to all recipients unless differences are justified on the basis of need alone (see Guidance Note 2).
- D. Disaster-affected populations are consulted during the assessment or programme design on the acceptability, familiarity and appropriateness of food and NFI and results are factored into programme decisions on the choice of commodities (see Guidance Note 3).

- E. Distribution rations are clearly displayed in a language and medium that is understandable to recipients.
- F. A complaints mechanism is in place for recipients to feed back on concerns.
- G. Food and NFI are never distributed with, or associated with, any political or religious items or packaging.

#### **Guidance Notes:**

1. Any discrimination in targeting or distribution that affects either the whole population or a segment of population needs to be identified and addressed. This may include deliberate starvation of the population, destruction of livelihoods and/or parties deliberately denying a particular social group access to food and NFI. In addition, any opportunities for food aid and NFI to be used to fuel further conflict or to further disadvantage a particular social group are identified and action is taken to minimise or negate the negative impact.
2. Any difference in food and NFI received on the basis of need, or other criteria, should be clearly communicated to, and understood by, the recipients. In certain circumstances it may be necessary to provide food and NFI to local leaders and administration in order to access the community in need. Decisions on how to deal with these demands and how to ensure transparency by local leaders and administration should be taken in consultation with the community.
3. The food and NFI distributed should be familiar to the recipients and consistent with their religious and cultural traditions, including any food taboos for pregnant and breastfeeding women. Fuel should be distributed in a safe manner and if recipients are unfamiliar with the fuel that is being distributed they must receive clear instructions to avoid accidents and burnings.

## Standard 2

**Agencies prioritise safety and dignity prior to, during and after food and NFI distributions.**

### Key Actions:

- ✓ Assess the safety of distribution points including routes to and from.
- ✓ Monitor safety of distribution points and access routes on an on-going basis.
- ✓ Organise food and NFI distributions at the safest time of the day ensuring enough daylight for travel.
- ✓ Provide information on protection from sexual exploitation and abuse.
- ✓ Ensure all staff and others involved in the distribution have been made fully aware of and signed a zero tolerance policy on sexual exploitation and abuse.
- ✓ Rotate distribution teams regularly and have a balance of male and female staff.
- ✓ Keep recipient data confidential.
- ✓ Ask whether people felt safe prior to, during and after distributions in post distribution monitoring.

### Key Indicators:

- A. Distribution points are located in a safe area, with appropriate security if required (see Guidance Note 1). !
- B. Actions have been taken to make the routes to and from the distribution points safe and accessible (see Guidance Note 2).
- C. Clear information is provided on the fact that women and girls do not have to provide services or favours in exchange for receiving food rations or NFI (see Guidance Note 3).

- D. Measures are in place to prevent, monitor and respond to intimidation, coercion, violence and sexual exploitation associated with food and NFI distributions (see Guidance Notes 1, 2 and 4).
- E. Personal data and lists of recipients are strictly restricted to concerned actors and kept safe from unintended use.
- F. Distribution teams are managed to reduce risk of exploitation by staff or undetected protection issues (see Guidance Note 5).

#### **Guidance Notes:**

1. Food and non-food items are valuable commodities and their distribution can create security risks, including both the risk of diversion and the potential for violence. When commodities are in short supply, tensions can run high when deliveries are made. Vulnerable individuals and groups may be unable to obtain their entitlement, or may have it taken from them by force. The risks must be assessed in advance and steps taken to minimise them. These should include adequate supervision of distributions and guarding of distribution points, including the involvement of local police where appropriate. If necessary, highly vulnerable beneficiaries travelling home with resources should be provided with escorts or protection for the route home. Measures to prevent, monitor and respond to gender-based violence or sexual exploitation associated with distributions may also be necessary, and relevant considerations may include avoiding distribution points located near large numbers of men, particularly areas where there is liberal access to alcohol, or where armed persons are in the vicinity. Food security and distribution staff may choose to access the expertise of protection staff to undertake a more in-depth assessment of protection

issues relating to food distributions in contexts where safety issues are of concern.

2. Roads to and from the distribution point should be clearly marked, accessible and frequently used by other members of the community. The beneficiaries should be encouraged to travel in groups in order to reduce their vulnerability to attacks, both when they are reaching the food distribution point and when they are collecting firewood for cooking.
3. Sexual activity cannot be requested in exchange for humanitarian assistance and aid workers must not be party to any such forms of exchange. A zero tolerance policy for sexual exploitation and other forms of abuse of power by aid workers or those collaborating in the provision of food aid and NFI (including community volunteers) should be adopted along with agency policies and procedures for reporting suspected abuses.
4. Other measures that might be considered include: 'safe spaces' for women at distribution points; safe areas for children waiting for their parents during lengthy distribution processes; separate times for women to collect food and NFI at distribution points; placement of female staff or 'guardians' (with vests and whistles) to oversee offloading, registration, distribution and post-distribution; establishment of a community-based security plan for the distribution sites and departure roads in collaboration with the community. Safe and confidential complaints and response mechanisms should also be in place to respond to any reported incidents of intimidation, violence and sexual exploitation (that have been committed by community members and/or staff).

5. The gender balance of distribution teams should be considered to ensure that there are enough women available as a contact point for women in the community. In addition it may be advisable to rotate distribution teams so that no one team constantly visits the same community/settlement. This will reduce the potential for exploitation by staff, as well as providing a greater opportunity for protection issues to be picked up by a broader range of staff with different expertise.



### Standard 3

The unique needs of diverse groups are considered in food programmes.

#### Key Actions:

- ✓ Register women and child-headed households in their own names.
- ✓ Distribute food and NFI first to individuals and groups with specific needs such as pregnant and breastfeeding women, the elderly, child-headed households, persons with disabilities.
- ✓ When food and NFI are distributed to target specific individuals or groups, check the food and NFI were received and met their needs during post distribution monitoring.

#### Key Indicators:

- A. Individuals and groups with specific needs participate equally and meaningfully on registration and distribution committees.
- B. Distribution points are set up considering locations and times that are accessible to groups with specific needs (see Guidance Note 1).
- C. Priority distribution is given to individuals and groups with specific needs (see Guidance Note 2).
- D. The specific needs of individuals and groups are considered in food and non-food item distributions (see Guidance Note 3).
- E. Women and child-headed households are registered in their own name.
- F. The nutrition and short-term hunger needs of learners are considered in designing the appropriate food aid programming responses (see Guidance Note 4).

- G. Food and NFI are distributed directly to women or unaccompanied minors if there is a risk that commodities may be diverted for other purposes, such as being sold on the market or provided to armed groups etc.

#### **Guidance Notes:**

1. Various constraints including capacity to work, workload at home, responsibilities for caring for small children, the chronically ill or disabled, and restricted physical access may limit participation of women, people with disabilities and older people in committees or being able to reach distribution points. In addition, long walks and many hours of queuing will further restrict participation. Overcoming these constraints involves identifying activities that are within the capacity of these groups or setting up appropriate support structures. Support structures may include help to collect the food and NFI and help to prepare the food. Timing of distributions should consider when women and other groups are able to travel, and ideally able to travel in groups to distribution points.
2. Individuals and groups with specific needs may need extra time to collect food and NFI and to walk home safely while it is still daylight.
3. Those individuals most at risk should have additional clothing and bedding to meet their needs. This includes people with incontinence problems, people with chronic illness, pregnant and lactating women, older people and people with impaired mobility.
4. Nutritional and short-term hunger needs should be addressed through school feeding programmes or other food security programmes outside the learning environment. If school feeding programmes are implemented, they should follow recognised guidelines used by other agencies, e.g. the World Food Programme.

# Section IV

## Minimum Standards for Incorporating Protection into Livelihoods Programmes



# Section IV

## Minimum Agency Standards for incorporating Protection into Livelihoods Programmes

### Key legal principles

*People affected by humanitarian crisis have the right to seek, implement and defend sustainable and appropriate livelihoods.*

ICESCR Art 6:	Right of everyone to gain his/her living by work which he/she freely chooses or accepts.
ICESCR Arts 7 & 8:	Right to just and favourable conditions of work, including the right to form or join trade unions.
ICCPR Art 8:	No one shall be required to perform forced or compulsory labour.
ICCPR Art 22:	Right to freedom of association with others, including the right to form and join trade unions for the protection of his/her interests.
CEDAW Art 11:	Right of women to protection of health and safety at work, including the safeguarding of the function of reproduction.
CEDAW Art 6:	Suppression of all forms of trafficking in women and exploitation or prostitution of women.
CRC Art 32:	Children have the right to protection from economic exploitation.
Refugee Convention Art 17:	Right to engage in wage earning employment.

Guiding Principle 9:	Protection against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.
Guiding Principle 22:	Right of IDPs to non-discrimination in seeking employment and participating in economic activities.
ILO Minimum Age Convention (No. 138):	Effective abolition of child labour and progressive increase in the minimum age for admission to employment.
ILO Worst Forms of Child Labour Convention (No.182):	Prohibition and elimination of the worst forms of child labour.
National law:	The right to sustainable livelihoods may also be incorporated in national legislation and standards, including labour law, property law and/or constitutional law. It is the responsibility of the agency sector staff to acquaint themselves with relevant national law. It is the responsibility of the State to ensure progressive realisation of just and fair conditions of work and adequate social security. Where governments are unable or unwilling to fulfil this responsibility, agency advocacy should refer to the relevant international and national legislation.

## **Relevant industry standards and indicators**

Sphere Standards (2011)

Food security and nutrition assessment Standard 1: Food security

Food security Standard 1: General food security

Food security cash voucher and transfers Standard 1: Access to available goods and services

Food security livelihood Standard 1: Primary production

Food security livelihood Standard 2: Income and employment

Food security livelihood Standard 3: Access to markets

UNHCR Standards and Indicators Report – Refugee Camp/Settlement

Agricultural production and income generation indicators 65-67

UNHCR Standards and Indicators Report – Returnee area

Employment and economic wellbeing indicators 27-29

## Standard 1

### Agencies promote equitable access to livelihood opportunities and resources.

#### Key Actions:

- ✓ Identify local authorities responsible for ensuring access to livelihoods and strengthen and support their role where possible.
- ✓ Ensure all agency employment practices are non-discriminatory.
- ✓ Include men, women and representatives of diverse groups in livelihood programmes.
- ✓ Support locally appropriate child care mechanisms that allow women to participate in livelihood programmes.
- ✓ Provide alternative livelihood programming options for groups that may not be able to take part programmes requiring physical activity.

#### Key Indicators:

- A. Government agencies responsible for ensuring access to livelihoods are identified and supported by agencies engaged in livelihood programmes.
- B. Agencies provide equitable access to livelihood programmes (see Guidance Note 1).
- C. Livelihoods programming protects and supports household caring responsibilities (see Guidance Note 2).
- D. Women are involved in analysis of discrimination in the gendered division of labour, and programmes work to create equitable and culturally appropriate livelihoods opportunities (see Guidance Note 3).
- E. Programmes promote safe access to market goods and services for producers, consumers and traders (see Guidance Note 4).



- F. Agency livelihood programmes do not undermine local livelihoods, local markets or labour supply.
- G. Provisions are made for the support of the livelihoods of community members unable to participate in projects (see Guidance Note 6).

#### Guidance Notes:

1. Agencies and local businesses with discriminatory employment practices contribute to marginalisation of particular groups such as refugees, ethnic or racial groups and either men or women. Therefore, agencies should not only ensure equitable access to livelihoods programmes and agency employment opportunities, but should also encourage partners, businesses, government departments and international organisations to adopt equitable employment practices. Agencies must be able to demonstrate equitable employment practices. In addition, they should make provisions for specific employees, such as mothers, through the provision of breastfeeding facilities, childcare and maternity leave.
2. Agencies should analyse women's reproductive labour burden, and its effect on access to livelihoods programs. This analysis must be incorporated into project development. Participation in livelihood opportunities should not undermine childcare or other caring responsibilities. Programmes may need to consider employing care providers, providing care facilities or supporting community care mechanisms.
3. Women's access to non-traditional professions, such as carpentry, plumbing or accountancy, can contribute to overcoming gender-based discrimination. However in some contexts, participation in such professions may be counter-productive if it undermines women's dignity, social standing or other relevant factors. Women must be able to determine the most

appropriate form of their own emancipation. Programmes should ensure that both men and women have access to traditional or non-traditional professions in a form that contributes to the elimination of gender-based discrimination, as the disaster-affected populations themselves define it.

4. Access to markets may be influenced by economic factors such as purchasing power, market prices and availability. However, the political and security environment, as well as cultural and religious considerations, may also restrict access for certain groups. Agencies must understand the restrictions on access and support activities and projects that increase access for all groups. This may include participation in growers' collectives and associations or membership of trade unions to protect labour rights.
5. This requires a clear understanding of existing livelihoods options and assets, and how these can be supported rather than undermined by introduced livelihoods programmes. Considerations must include the needs of nomadic and pastoralist populations and their access to traditional lands, as well as IDP and refugee population needs without negatively interfering with local and traditional livelihoods.
6. People living with disabilities, people living with HIV, older people, children, women with caring responsibilities and others must be able to benefit from livelihoods projects even if they are physically unable to participate.

## Standard 2

### Agencies prioritise safety and dignity in livelihoods programmes.

#### Key Actions:

- ✓ Assess the safety of livelihoods practices and locations.
- ✓ Monitor safety of livelihoods practices and locations on an on-going basis.
- ✓ Change the type of livelihood programme activity or the location if there are threats to safety related to the programme.
- ✓ Support a diverse range of livelihoods options for conflict-affected populations.
- ✓ Provide information about the risks of unsafe livelihood practices and analyse possible alternatives.
- ✓ Monitor and respond to unsafe livelihood practices and take action to minimise risk.
- ✓ Prohibit and have zero tolerance for sexual exploitation and abuse.

#### Key Indicators:

- A. Disaster affected populations are involved in analysis of the safety risks and threats associated with livelihoods practice (see Guidance Note 1). !
- B. Mechanisms and practices to increase safety at work and in transit are developed and utilised by agency personnel and disaster-affected populations (see Guidance Note 2).
- C. Proposed locations for livelihoods projects are considered in terms of the threat of physical attacks, threats to safety such as mined areas, or environmentally unsuitable areas such as contaminated or polluted areas, steep hills, subsiding land areas and areas prone to flooding (see Guidance Note 3).

- D. Secure procedures are developed for the transport and storage of produce (see Guidance Note 4).
- E. The diversity of livelihood options is increased in conflict settings (see Guidance Note 5).
- F. Agencies support collective livelihoods projects that increase the resilience and safety of whole communities (see Guidance Note 6).
- G. Agencies monitor instances of unsafe livelihood practices and prioritise provision of alternatives for these groups (see Guidance Note 7).
- H. Livelihoods programmes take steps to minimise risk associated with unsafe livelihood practices (see Guidance Note 8).
- I. Livelihood strategies promote family unity (see Guidance Note 9).
- J. Clear policy guidelines and procedures are provided to humanitarian personnel prohibiting sexual exploitation of services from employees or from others to whom they have a duty of care where such a 'transaction' might be perceived as a condition of continued employment (see Guidance Note 10).

### **Guidance Notes:**

1. Threats to safety may result from violence, threat of violence or theft affecting individuals, groups and livelihood assets; restricted freedom of movement (such as checkpoints, curfews, forced displacement or return); arbitrary detention; the presence of landmines in agricultural fields and roads and local markets. Such threats can affect livelihood options, access to land and markets, and access to migration and employment opportunities. Research suggests strong links between threats to livelihoods and protection

- risks in conflict settings.<sup>27</sup> Livelihoods staff may choose to access the expertise of protection staff to assess protection risks and consider opportunities for stronger collaboration or joint protection and livelihoods assessments and programming.
2. Populations must be safe from violence at the hands of warring parties, other armed groups and even other community members, both in the place of work and in transit. Agency practice to increase safety in the work environment should include practical procedures such as briefings, first aid kits, fire alarms and protective clothing where necessary. This should include measures to minimise the risk of HIV exposure. Practical procedures for increasing safety in transit include: securing safe routes to work, ensuring routes are well lit; provision of torches; early warning systems that may utilise bells, whistles, radios or other devices; and security norms such as travelling in groups or avoiding travel after dark. Particular attention must be paid to women and girls and others at risk of sexual assault. Adequate information should be provided to ensure all members of the disaster-affected population are aware of emergency procedures and can access early warning mechanisms.
  3. A risk and vulnerability assessment should be conducted that includes actual or potential security threats. In addition, risks posed by natural hazards such as earthquakes, volcanic activity, landslides, flooding or high winds in any given location should also be assessed. Highly vulnerable areas should be avoided whenever possible.

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<sup>27</sup> See for example Susanne Jaspers and SORCHA O'Callaghan, *Challenging Choices: Protection and Livelihoods in Conflict. Case Studies from Darfur, Chechnya, Sri Lanka and the Occupied Palestinian Territories* (2010). Available at <http://www.odi.org.uk/resources/docs/6008.pdf>. Accessed on 11 January 2012.

4. People may come under greater risk of attack by looters or parties to the conflict during the transport and storage of harvests and other produce. In some cases, even the material used for storage might expose the beneficiaries to risk of being looted. Agency practice may include identification of safe areas and routes, and provision of secure storage areas.
5. People often adopt livelihood strategies in conflict settings that involve significant risks to their safety. Research suggests the lowest protection risks are associated with situations where people have the greatest choice in livelihood options. Therefore, the objective of livelihoods programming in conflict settings may be best aimed at increasing the number and type of livelihoods options rather than seeking sustainable livelihoods, which are appropriate in more stable contexts.<sup>28</sup>
6. Collective livelihoods practice can also contribute to safety. Rural community economies are intimately linked with social networks, intra-community governance structures, cultural practices and social cohesion. Therefore agency practice that strengthens whole-of-community livelihoods also strengthens a community's capacity to collectively enjoy a range of civil, social, cultural and economic rights. The capacity to collectively organise livelihoods projects can also strengthen social organisation, thus contributing to the maintenance of the social fabric and to resilience. Increased resilience can contribute to preventing internal displacement in some cases. In situations where IDP communities are in camps or resettlement areas, whole-of-community livelihoods projects can contribute to the reconstruction of social fabric, thus mitigating some of the effects of displacement.

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<sup>28</sup> Susanne Jaspers and SORCHA O'Callaghan, *Challenging Choices: Protection and Livelihoods in Conflict. Case Studies from Darfur, Chechnya, Sri Lanka and the Occupied Palestinian Territories* (2010), 31. Available at <http://www.odi.org.uk/resources/docs/6008.pdf>. Accessed on at 11 January 2012.

7. Unsafe livelihoods practices may include: child labour, commercial sex work, recruitment to armed forces, bonded labour and risky movement to collect firewood or access markets. These practices may be harmful in themselves, or may increase a person's vulnerability. Sex workers may be vulnerable to exploitation or abuse by combatants, armed peacekeepers, or humanitarian personnel. People engaging in looting, theft or other criminal activity may be increasingly marginalised and less able to access services. Young men recruited into militia are at high risk of death or injury in combat. In the case of displacement, provision of income-generation support immediately following displacement will help to restore human dignity and help people avoid illegal or unsafe livelihood strategies.
8. As many unsafe livelihood practices may be crucial, last-resort sources of income, the aim of agencies may be to reduce the risk associated with them rather than eliminate them altogether.
9. Programmes should avoid livelihood strategies that involve parents travelling for long periods of time away from family, or that may place children at risk of being sent away for work.
10. Women and children may be at risk of sexual exploitation and coercion by armed forces, peacekeeping forces and humanitarian personnel through the provision of domestic services (cooking, cleaning etc.), where sexual services may be implied as a condition of continued employment. This is related to Standard 2 on Protection in food aid and NFI programmes, prohibiting humanitarian personnel from receiving sexual services in return for food.

### Standard 3

**The unique needs of individuals and groups are considered in livelihoods programmes.**

#### Key Actions:

- ✓ Design livelihood programmes to ensure options for, and participation of, diverse groups.
- ✓ Identify any individuals or groups affected by loss or theft of personal documentation preventing them from having access to, or ownership of, land, livelihood assets or services.
- ✓ Assist people to secure or replace documentation to demonstrate their entitlements either directly or through referral to appropriate agencies
- ✓ Monitor and address any exploitative child labour.

#### Key Indicators:

- A. Agencies understand the cultural and political context and factors presenting obstacles to participation in livelihood programmes (see Guidance Note 1). !
- B. Mechanisms are designed to ensure the participation of diverse groups in livelihood programmes including the elderly, women, children, people with disabilities, refugees and internally displaced persons (IDPs) and people engaging in harmful livelihoods practices.
- C. People at risk of displacement are prioritised for livelihoods programmes (see Guidance Note 2).
- D. Differentiated livelihood support strategies are employed by agencies to address the specific needs of groups that face particular protection risks (see Guidance Note 3).



- E. Agencies monitor and respond to any exploitative child labour (see Guidance Note 4). !
- F. Agencies monitor and respond to exploitation of groups and/or individuals (such as women and child-headed households) that rely on men/other groups to help with livelihoods projects.

#### Guidance Notes:

1. Agencies must be aware of obstacles to individuals and groups preventing them from accessing livelihoods. Groups that may be at particular risk of exclusion include: women in pregnancy and childbirth, women- and child-headed households, people with chronic illnesses or disabilities, older people, those who are marginalised on the basis of ethnicity or other factors, unemployed young men who are at high risk of recruitment to militia, or IDPs who may not have documentation. Agencies may be able to directly assist people to secure and replace documentation and access dispute and justice mechanisms, or may need to refer people to protection staff or other agencies, such as those specialising in provision of legal services.
2. Displacement constitutes one of the gravest threats to livelihood security, particularly among rural communities, indigenous groups and others with a special attachment to the land. The provision of livelihoods programmes to communities at risk of displacement can contribute to stabilising their occupation of land and means of livelihoods, thus minimising the risk of displacement. Conversely, offering livelihoods programmes only to communities of IDPs in the process of resettlement can trigger displacement as people move towards areas where programmes are offered.
3. Persons with disabilities, including those with disabilities resulting from

trauma and/or conflict-related injuries, may require specific support to identify suitable employment opportunities. Single-heads-of-households may require additional support to access self-reliance activities through community-based day-care centres where they can leave their children while they go to work. Youth (above 18 years old) formerly associated with armed groups may require dedicated support for their reintegration into civilian life. Ethnic minorities may be exposed to increased levels of discrimination in accessing livelihood opportunities. An agency livelihoods programme should reflect consideration of the different groups and support differentiated livelihood strategies. In conflict settings, also see Standard 2, Guidance Notes 1 and 5.

4. Humanitarian responses may, in various ways, contribute to exacerbating child labour in an emergency (e.g. the use of children in reconstruction work). It may be necessary to get the support of trained child protection staff to set up appropriate monitoring and response systems for child labour. Appropriate responses may include targeting vulnerable families in livelihoods programmes with the aim of eradicating such practices and avoiding child exploitation in the first place. Where child exploitation is known to occur, refer cases of children performing work that may be hazardous or harmful to their development and growth to specialised organisations so that they can be immediately removed from dangerous environments (see Child Protection Standards).<sup>29</sup>

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<sup>29</sup> Global Protection Cluster Child Protection Working Group, *Minimum Standards for Child Protection in Emergency Response* (draft 2, October 2011).

# Section V

## Minimum Standards for Mainstreaming Protection into Shelter and Settlement Programmes



# Section V

## Minimum Standards for Mainstreaming Protection into Shelter and Settlement Programmes

### Key legal principles

*The right to a basic standard of living that includes adequate housing.*

UDHR Art 25: Right to an adequate standard of living including adequate food, clothing and housing.

ICESCR Art 11: Right to an adequate standard of living including adequate food, clothing and housing, and to continuous improvement of living conditions.

CRC Art 27: Right to adequate standard of living including provision of housing.

Guiding Principle 18: Right to adequate standard of living including safe access to basic shelter and housing.

Principles on Housing and Property Restitution for Refugees and Displaced Persons<sup>30</sup>

Principles 2 & 8: Right to adequate housing and the responsibility of the State in this regard.

<sup>30</sup> Also known as the Pinheiro Principles.

## National law:

The right to shelter may also be incorporated in national legislation and standards, and it is the responsibility of the agency sector staff to acquaint themselves with relevant national law. It is State responsibility to achieve progressively the full realisation of right to shelter. Where governments are unable or unwilling to fulfil this responsibility, agency advocacy should refer to the relevant international and national legislation.

### **Relevant industry standards and indicators**

Sphere Standards (2011)

Shelter and Settlement standard 1: Strategic planning

Shelter and Settlement standard 2: Settlement planning

Shelter and Settlement standard 3: Covered living space

Shelter and Settlement standard 4: Construction

UNHCR Standards and Indicators

Shelter and Physical planning indicators 52, 53 & 54

## Standard 1

**Agencies promote equitable access to shelter and settlement programmes.**

### Key Actions:

- ✓ Identify local authorities responsible for shelter provision and strengthen and support their role where possible.
- ✓ Assess whether access to shelter is causing tension or conflict.
- ✓ Monitor whether any individuals or groups control shelter materials and/or discriminate against certain individuals or groups gaining access.
- ✓ Treat displaced persons equitably, whether they are living in host-family arrangements, collective centres, are self-settled in urban or rural locations, are self-settled in camps, or are living in planned camps.
- ✓ Treat owners, tenants, the landless, informal dwellers and secondary occupants equitably even if return, resettlement and reintegration options are different for different groups.
- ✓ Prioritise people and groups on the basis of need – do not prioritise certain groups because their solutions are easier to achieve.
- ✓ Recognise the joint ownership rights of both male and female heads of household.
- ✓ Provide information about people's entitlements and where and how they can access remedies, resolve disputes or apply for compensation – by referring to relevant authorities, legal services, or other agencies specialising in housing, land and property rights.
- ✓ Provide both women and men with the same benefits for their input and their work in construction: e.g. if work is paid, ensure that both women's and men's work is paid and is equal.

### Key Indicators:

- A. Government agencies responsible for ensuring access to shelter and property rights are identified and supported by agencies engaged in shelter programmes.
- B. Access to shelter has been assessed to determine if it is a cause or contributing factor to local conflicts (see Guidance Note 1). !
- C. Shelter and settlement programmes treat all affected populations equitably and prioritise assistance on the basis of need (see Guidance Note 2).
- D. Information about entitlements and how to access remedies, resolve disputes or apply for compensation is provided.

### Guidance Notes:

- 1. Access to shelter can be a strong contributing factor to local conflicts. Agencies must assess and analyse any existing tensions or conflict over shelter within disaster-affected populations and ensure that agency actions reduce, rather than increase those tensions. Agencies may choose to conduct a Do No Harm (DNH)/Local Capacities for Peace (LCP) assessment implemented by trained staff to ensure shelter programmes are implemented in a conflict-sensitive manner.
- 2. Agencies should avoid prioritising certain individuals and groups such as landowners over other individuals and groups without ownership rights or documentation. All people have the right to housing, including tenants, informal settlers, and secondary occupiers. Agencies should avoid assisting only those groups perceived to have 'easier' solutions and should instead work to find solutions for all affected populations.



## Standard 2

**Agencies prioritise safety and dignity in the design and management of shelter and settlement programmes.**

### Key Actions:

- ✓ Ask disaster-affected populations, including diverse groups, to help identify safe locations for shelters and settlements.
- ✓ Ensure settlements have good visibility and lighting and adequate security at night.
- ✓ Ensure essential services can be safely accessed from the shelter and settlement locations.
- ✓ Monitor safety of affected populations on an ongoing basis and make changes to the design of the shelter programme or advocate with local authorities for improved safety.
- ✓ Train and practice fire procedures and emergency evacuations with affected populations.
- ✓ Ensure adequate safe spaces for children to play and for community groups to meet where family members can watch them from the shelter to avoid children playing in remote locations.
- ✓ Ensure the site location facilitates safe access to communal services (e.g. health facilities, food distribution and water points, schools, etc.).

### Key Indicators:

- A. Disaster-affected populations participate in decisions regarding site location and shelter design.
- B. The proposed locations for shelter are considered in terms of the threat of

physical attacks, threats to safety such as mined areas, or environmentally unsuitable areas such as steep hills, subsiding land areas and areas prone to flooding (see Guidance Note 1). !

- C. Shelter has been designed and built with adequate escape routes in the case of emergency evacuation, and disaster-affected populations have received information and training on fire safety and evacuation procedures.
- D. Essential services and materials can be easily and safely accessed from the shelter and settlement locations (see Guidance note 2).
- E. The privacy and dignity of separate households is considered in the shelter design and development (see Guidance Note 3).
- F. Safe recreational space is available for children in compliance with established standards.<sup>31</sup>
- G. Security provisions are made within shelter settlements especially at night (see Guidance Note 4). !
- H. In displacement contexts the structured design of the camp reduces vulnerability to sexual and gender-based violence (see Guidance Note 5) (see also Water, Sanitation and Hygiene Standard 2).
- I. The location of the shelter considers the necessity of access for humanitarian services at all times of year (see Guidance Note 6).

### Guidance Notes:

1. A risk and vulnerability assessment should be conducted that includes actual or potential security threats. In addition, risks posed by natural hazards such as earthquakes, volcanic activity, landslides, flooding or high winds in any given location should also be assessed. Highly vulnerable areas should be

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<sup>31</sup> 'World Vision Standards: 'Protecting Children in Emergencies' and 'UNICEF Guidelines for Child Friendly Spaces' (CFS), 2008.

avoided whenever possible. If significant risks of violence, coercion or exploitation exist, shelter staff should consider referring to protection staff to undertake a more in-depth assessment and analysis of protection issues.

2. The location of shelter must ensure easy and safe access to Water, Sanitation and Hygiene services (including rubbish collection points); fuel services; and social facilities including health care, schools, places of worship, and employment or livelihood opportunities. Where communities are responsible for collecting building materials themselves, such as timber and roofing materials from the local area, the agency should identify safe areas that these materials can be collected from. This may require policing of an area and/or limiting material collection to certain times of day. Displaced persons sheltered in community or host family contexts rather than camps and settlements must not be disadvantaged in terms of their access to agency services.
3. Within individual households, opportunities for internal subdivision should be provided such as for women and children. The following measures can be used to ensure adequate personal privacy and safety in mass shelters: the grouping of related families or social groups such as unaccompanied women; well-planned access routes through the building or structure; and materials to screen personal and household space. Where tents are distributed, larger families should have two tents or larger tents. Family unity and respect for cultural considerations should also be considered in the house size and layout of construction.
4. The security provisions should be discussed with the community, and in particular diverse groups. It may require that lighting be provided for all walkways and roads, or that all families are provided with torches/flashlights and whistles. Shelter staff may choose to refer to protection staff to

undertake a more in-depth assessment and/or ongoing monitoring of protection issues present at shelter sites, and to determine whether community security initiatives such as community watch patrols can be safely supported or encouraged.

5. The structural design of camps themselves can lead to increased risk of gender-based violence when latrines and water taps are situated far from dwellings. Women and girls have been assaulted and raped when visiting latrines and collecting water. Shower areas must be secure. Communal bathrooms should be well lit and male and female facilities should be adequately separated. See Water, Sanitation and Hygiene Standard 2.
6. Ensure that individual plot/shelter allocation does not compromise protection. For example, a separate location for single female shelters may in some cases provide protection while in other cases it may expose women and girls to harm. Assess the risks depending on the context.
7. Access to the settlement, the condition of the local road infrastructure and proximity to airstrips, railroads or ports for the supply of relief assistance should be assessed, taking into account seasonal constraints, hazards and security risks. For mass shelters and temporary planned or self-settled camps, the site itself and any primary storage and food distribution points should be accessible by heavy trucks from an all-weather road. Other facilities should be accessible by light vehicle.

### Standard 3

**The unique needs of diverse groups are considered in shelter programmes.**

#### Key Actions:

- ✓ Recognise and protect women's rights to housing, land and property and prevent discrimination.
- ✓ Design or adapt all buildings and infrastructure so that all people can access them, especially older persons and people with physical disabilities. Where necessary, make individual changes to household shelters, or build all shelters to be universally accessible.
- ✓ Avoid and monitor any exploitative labour, especially child labour on construction sites.
- ✓ Ensure shelter quality is consistent across diverse groups and where possible, between different agencies, by coordinating through the shelter cluster.

#### Key Indicators:

- A. Agencies consider the needs of different ethnic, racial, national or social groups in shelter allocation, ensuring that the quality of shelter is equitable across all groups (see Guidance Note 1).
- B. If required for safety, there are separate living areas available to groups such as single women, people with disabilities and unaccompanied children, and these areas are protected from targeting of abuse or violence (see Guidance Note 2).
- C. Shelter is designed with access for all, including elderly and people with disabilities (see Guidance Note 3).
- D. Support is provided to diverse groups that are not traditionally involved in

construction activities but may be interested in participating in shelter programmes (see Guidance Note 4).

- E. Agencies monitor and respond to exploitation of groups and/or individuals (such as women and child-headed households) that rely on men/other groups to help with shelter construction or shelter allocation (See Guidance Note 5).
- F. Agencies monitor and respond to any exploitative child labour in site preparation and shelter construction.

### Guidance Notes:

1. It may be that different ethnic, racial or national groups may choose to locate together in certain areas of the camp or settlement area causing geographical divisions. If these divisions have been developed in agreement with the community and there is no significant difference in the quality of the shelter or services provided to the different groups, this is acceptable.
2. Considerations to ensure that separate living areas for groups such as women, people with disabilities and children are 'safe' include: safe central location within the residential area such as near families; lighting of entry point to the building; higher windows that cannot be looked into; lockable doors; and water and sanitation facilities in close proximity. All decisions on design of the shelter should be taken in consultation with the relevant group.
3. Avoid steps or changes of level close to exits and provide handrails for all stairways and ramps. Allocate space on the ground floor, adjacent to exits or along access routes for occupants with walking or vision difficulties. All occupants of the building should be within an agreed reasonable distance of a minimum of two exits, providing a choice in the direction in the case of a fire, and these exits should be clearly visible.

4. Provide basic training in construction to interested diverse groups so that they can equally participate in the process. Diverse groups may be interested in clay wall making or brick making and training can be provided in these areas.
5. Agencies need to be aware that both members of the humanitarian aid community and the disaster-affected population may use resources, such as cash or materials associated with shelter, to sexually exploit women and children. A zero tolerance policy must be enforced for staff engaged in using their relative power over the shelter resources and allocation to obtain sexual or other favours. A monitoring system to identify when other community members may be sexually exploitative must be in place.

## Standard 4

**Agencies respect and support disaster-affected populations to claim housing, land and property rights and achieve durable solutions to displacement.**

### Key Actions:

- ✓ Disseminate the Guiding Principles on Internal Displacement<sup>32</sup> and implement programmes that support displaced people's rights.
- ✓ Obtain permission before using or building on any land or property, in writing where possible.
- ✓ Assist people to secure or replace documentation such as birth certificates, marriage certificates, death certificates, passports, land title, or other property documentation.
- ✓ Understand local formal and informal rights to ownership and inheritance.
- ✓ Avoid any shelter or settlement activities that involve forced relocation or return.
- ✓ Avoid being complicit in disaster-affected populations returning or moving to any location where their life, liberty, health or safety may be at risk.
- ✓ Ensure return, resettlement and reintegration occurs voluntarily, in safety and with dignity.
- ✓ Involve disaster-affected populations in the planning and management of their return, resettlement and reintegration.
- ✓ Support and assist displaced persons until such time as they are no longer disadvantaged as a result of their displacement.
- ✓ Include and respond to the needs of local/host populations where their needs are comparable to displaced people's needs.

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<sup>32</sup> *Guiding Principles on Internal Displacement*, U.N. Doc. E/CN.4/1998/53/Add2 (1998). Available at <http://ochanet.unocha.org/p/Documents/GuidingPrinciplesDispl.pdf>. Accessed on 11 January 2012.



### Key Indicators:

- A. Shelter and settlement programmes assess and address the housing, land and property rights of disaster-affected populations, referring to specialist agencies where necessary (see Guidance Note 1). !
- B. Agencies establish to the best of their ability land and property ownership and/or use rights for any sites prior to agency use for shelter or other programming. Agencies obtain permission to use land or property as necessary (see Guidance Note 2).
- C. Affected populations are assisted to secure or replace documentation (see Guidance Note 3). !
- D. Disaster-affected populations are fully involved in the planning and management of their return, resettlement and/or relocation (see Guidance Note 4).
- E. Shelter and settlement programmes promote and work towards achieving durable solutions to displacement (see Guidance Note 5).

### Guidance Notes:

1. At a minimum, all agencies involved in shelter and settlement programmes should identify ownership and inheritance of land and property, and identify those who hold formal, customary, informal or understood land and property use rights. The land or property rights of diverse groups should also be identified and supported. A programming and/or advocacy role will be especially relevant for women, children and people with disabilities when the head of the household has died or cannot be contacted. In addition, ensuring the property and inheritance rights of women, child-headed households and households affected by HIV are particularly important. Agencies may need to access protection staff with knowledge, skills and

experience in housing, land and property rights, or partner with or refer to other agencies with specialist skills.

2. Land and building ownership and usage is especially difficult where records have not been kept or where conflict may have affected possession. In spite of this, agencies should ensure that they respect property rights in the use of sites for their own programming. Agencies should establish the ownership of the site or building(s) through community groups or local authorities if functioning. The holders of formal or customary use rights need to be contacted and a formal arrangement entered into between the agency and the site/building owner.
3. People generally have rights whether they hold relevant documentation or not. However, people frequently cannot access or prove their entitlements without documentation. Agencies should support people to access relevant documentation that will assist them to claim their rights including birth, marriage and death certificates, land or property ownership or title, or passports. Support may include advocacy to ensure that the government issues title deeds and documentation to rightful owners in a timely manner. Every effort should be made to issue female and child-headed households with documentation in their own right, and issue joint ownership to male and female-headed households. Agencies may need to access protection staff with knowledge, skills and experience in documentation rights, or partner with or refer to other agencies with specialist skills.
4. Internally Displaced Persons have the right to fully participate in the planning and management of their return. This is one of the best ways to ensure that solutions are voluntary, and carried out safely and with dignity.
5. Achieving durable solutions to displacement is not the same thing as finding permanent housing solutions. Shelter and settlement programmes should

work with other sectors to achieve durable solutions, as outlined in the Guiding Principles on Internal Displacement and the *IASC Framework on Durable Solutions for Internally Displaced Persons*.<sup>33</sup> A durable solution is when a displaced person no longer has any specific protection or assistance needs relating to their displacement, and involves enjoying the following, without discrimination:

- a. Long term safety, security and freedom of movement
- b. An adequate standard of living, including at a minimum access to adequate food, water, housing, health care and basic education (available, accessible, acceptable, adaptable)
- c. Access to employment and livelihoods
- d. Access to effective mechanisms that restore their housing, land and property or provide them with compensation
- e. Access to and replacement of personal and other documentation
- f. Voluntary reunification with family members separated during displacement
- g. Participation in public affairs at all levels on an equal basis with the resident population
- h. Effective remedies for displacement-related violations, including access to justice, reparations and information about the causes of violations

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<sup>33</sup> IASC *Durable Solutions Framework for Internally Displaced Persons*, April 2012, <http://ochanet.unocha.org/p/Documents/IASC%20Framework%20DS%20for%20IDPs.pdf> at 21 January 2012.



# Section VI

## Minimum Standards for Mainstreaming Protection into Health Programmes



# Section VI

## Minimum Standards for Mainstreaming Protection into Health Programmes

### Key legal principles

*Everyone has the right to quality preventive and curative physical and mental health care.*<sup>34</sup>

UDHR Art 25:	Right to standard of living adequate for the health and well being of individual and family.
ICESCR Art 12:	Right to the enjoyment of the highest attainable standard of physical and mental health.
CRC Art 24:	Right of the child to the enjoyment of the highest attainable standard of health.
CEDAW Arts 12 & 14:	Eliminate discrimination against women in the field of health care and provide equal access to adequate health care facilities.
IHL GC IV Arts 16-23:	Protection to the sick and wounded, health workers and other humanitarian personnel, hospitals, medical equipment, medical units and transportation in international armed conflict.
Guiding Principle 18:	Safe access to essential medical services.

<sup>34</sup> Adapted from Interagency Standing Committee Global Health Cluster “Health Cluster Guide”, 2009, World Health Organisation, p 9.

## National law:

The right to health may also be incorporated in national legislation and standards, and it is the responsibility of the agency sector staff to acquaint themselves with relevant national law. It is State responsibility to provide equal access to timely and appropriate health care. The term health incorporates physical, mental and reproductive health. The right to the highest attainable standard of health also includes the underlying determinates of health such as access to food, shelter, safe water and sanitation.

### Relevant industry standards and indicators

Sphere Standards (2011)<sup>35</sup>

Health systems standard 1: Health service delivery

Health systems standard 5: Health information management

IASC Guidelines on Mental Health and Psychosocial Support in Emergency Settings

Action sheet 3.1 – Apply a human rights framework through mental health and psychosocial support

Action sheet 3.2 – Identify, monitor, prevent and respond to protection threats and failures through social protection

Action sheet 3.3 – Identify, monitor, prevent and respond to protection threats and abuses through legal protection

UNHCR Standards and Indicators

Health Indicator 33

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<sup>35</sup> The Sphere Standards 2011 provide specific guidance on Essential Health Services – control of communicable diseases and child health. Although those standards refer to specific health activities rather than protection mainstreaming, they can be relevant for protection activities guidance.



## Standard 1

### Agencies promote equitable access to health care systems and facilities.

#### Key Actions:

- ✓ Identify local authorities responsible for health services and strengthen and support their role where possible.
- ✓ Assess whether access to health services is causing tension or conflict.
- ✓ Ensure that the health services are respectful and inclusive of relevant cultural and religious groups.
- ✓ Conduct a Do No Harm (DNH) or Local Capacities for Peace (LCP) assessment.

#### Key Indicators:

- A. Responsible government authorities are identified and their role to ensure access to health care systems and facilities is supported whenever possible (see Guidance Note 1).
- B. Agency health service delivery is based on need, is inclusive and non-discriminatory.
- C. The health services provided are respectful of the cultural and religious background of the population (see Guidance Note 2).
- D. Whenever possible, the composition of health staff reflects the gender, ethnic and linguistic balance of the beneficiary population (see Guidance Note 3).
- E. Appropriate legal and civil status documents relevant to birth, death and other health related matters are issued equally to everyone without discrimination (see Guidance Note 4). !

- F. Access to health facilities has been assessed to determine if it is a cause or contributing factor to local conflicts (see Guidance Note 5). !

### Guidance Notes:

1. States are the main duty-bearers of disaster-affected populations' right to health care, and where possible, health programmes should support authorities to fulfil these responsibilities. All agencies should engage with the health cluster to ensure coordination with other actors. While emergency health activities may focus on life-saving interventions, longer-term health activities should ensure that approaches are compatible with national standards and contribute to longer-term sustainable development.
2. Agencies are aware of the cultural and religious background of the beneficiary community and provide health services accordingly. Whenever required, spaces for female and male beneficiaries must be separated, elderly must have adequate spaces and care, and people with special needs must be adequately accommodated. Wherever adequate, spaces for worship and prayer must be provided, in accordance with local religious practices.
3. Agencies are encouraged to provide same sex care for beneficiaries, whenever possible. Ethnicity and language spoken should be taken into consideration when setting up health care teams, whenever this is feasible.
4. If the agency is involved in provision of health services they should monitor whether the local authorities provide adequate documentation of deaths and births. This is particularly important in situations of displacement or segregation, where beneficiaries might fail to receive appropriate legal documents. Non-mandated agencies cannot issue any form of documentation to state birth or death of individuals, but they can work with the affected population and mandated protection actors to advocate on this

issue. This activity might require a specific knowledge of the local legal systems and it is advisable to seek the advice of a protection specialist.

5. Access to health facilities can be a strong contributing factor to local conflicts. Agencies must assess and analyse any existing tensions or conflict over health access within disaster-affected populations (including between displaced persons and host communities) and ensure that agency actions reduce, rather than increase those tensions. Agencies may choose to conduct a Do No Harm (DNH)/Local Capacities for Peace (LCP) assessment implemented by trained staff to ensure health programmes are implemented in a conflict-sensitive manner.

## Standard 2

Agencies prioritise safety, dignity and rights in health care programmes.

### Key Actions:

- ✓ Ensure health services are delivered in safe locations.
- ✓ Involve communities in the decision about the location of health facilities.
- ✓ Ensure privacy, confidentiality and informed consent are maintained.
- ✓ Provide separate lockable toilet facilities for females and males at health facilities.
- ✓ Train health staff to identify and respond to traditional harmful practices.
- ✓ Ensure all staff sign and adhere to a Code of Conduct that includes a 'whistle blower' policy.

### Key Indicators:

- A. The proposed locations for health services are considered in terms of the threat of physical attacks, threats to safety such as mined areas, or environmentally unsuitable areas such as steep hills, subsiding land areas and areas prone to flooding (see Guidance Note 1). !
- B. Local beneficiaries and communities have been involved in choosing the location of health facilities.  
Prevention, care and treatment services are provided in an environment that promotes privacy, confidentiality and informed consent.
- C. Separate lockable toilets and cubicles for washing are provided for men and women, boys and girls at health facilities.

- D. Harmful traditional practices that affect the health of men, women, boys and girls should be prevented, adequately addressed and whenever possible eliminated (see Guidance Note 2). !
- E. Agencies have a Code of Conduct for their health staff, which is accessible to the beneficiaries and adequately translated into local languages if needed (see Guidance Note 3).
- F. Whenever possible, dead bodies are disposed in accordance to the culture, religion and tradition of the beneficiary population (see Guidance Note 4).

#### Guidance Notes:

1. A risk and vulnerability assessment should be conducted that includes actual or potential security threats. In addition, risks posed by natural hazards such as earthquakes, volcanic activity, landslides, flooding or high winds in any given location should also be assessed. Highly vulnerable areas should be avoided whenever possible. If significant risks of violence, coercion or exploitation exist, health staff should consider referring to protection staff to undertake a more in-depth assessment and analysis of protection issues.
2. Harmful traditional practices may involve physical harm to the person (female and male genital mutilation, traditional scarification, religious sacrifices, forced abortion) or psychological harm (forced marriage, initiation rites). Some harmful traditional practices can be deeply rooted in the culture of the beneficiary communities, and any intervention to eliminate the practice must be culturally sensitive and respect the principle of 'Do No Harm'. Where possible alternatives to harmful practices need to be found within the communities.
3. Policies are in place and enforced to prevent and respond to any breach of the Code of Conduct including cases of sexual harassment and abuse

perpetrated by staff members. 'Whistle blower' guidelines are available to both staff and beneficiaries, ensuring that adequate mechanisms are in place to report any cases of staff misconduct.

4. Social customs for dealing with the remains of dead bodies should be respected, including the release of bodies by authorities within the timeframe dictated by the family's religion where possible. Where traditional practice might contribute to the spread of diseases or propagate infections, agencies must take the necessary steps to protect the health of the population, providing a clear explanation for deviation from traditional practice. It is advisable to involve local leaders and religious authorities to help negotiate with local communities regarding the practices for dealing with the remains of dead bodies.

### Standard 3

**The unique needs of individuals and groups are considered in health care programs.**

#### Key Actions:

- ✓ Design health facilities to address the needs of diverse groups, e.g. provide ramp access, railings and toilet facilities that can be used by all groups.
- ✓ Employ female health staff members with skills and experience working with women.
- ✓ Employ health staff members with skills and experience working with children.
- ✓ Promote access to HIV and AIDS health care.

#### Key Indicators:

- A. The health services and facilities are designed taking into account the needs of diverse groups (see Guidance Note 1).
- B. The particular needs of women and girls are considered in health programs (see Guidance Note 2).
- C. Staff members who have knowledge and skills relevant to working with children are available at the health facility or can be contacted immediately (see Guidance Note 3).
- D. Access to safe, confidential and appropriate HIV and AIDS prevention, care and treatment services is promoted (see Guidance Note 4).

#### Guidance Notes:

1. Health facilities are provided with ramps, adequate entrances, doors and rails for people with physical disabilities. Adequate spaces are provided for female beneficiaries, the elderly and people with special needs. Toilets or

latrines are provided with disability friendly features, they are suitable for children to use whenever possible, and they are separated for male and female users.

2. The different health needs of the female population must be considered. Pregnant and breastfeeding women should be provided with adequate waiting spaces and appropriately screened breastfeeding spaces. During emergency response, female sanitary materials and adequate underwear should be provided. Washing spaces for women and girls should be appropriately screened. Where appropriate, specific hours or days are set aside for consultations for women and children only, which may encourage more women to obtain health services.
3. Trained staff members need to be involved in identifying specific health needs for children as well as responding appropriately to cases of orphan or unaccompanied children. All unaccompanied minors should be referred to a protection agency to facilitate family tracing and reunification with the family or caregivers.
4. Agencies should promote the right to access HIV and AIDS information, education and health care. Mandatory testing for HIV should never be supported, and any health interventions must be voluntary, and based on informed consent. As with all people, those living with HIV have a right to private, confidential, respectful and appropriate prevention, care and treatment. However people living with HIV may need additional support to counter discrimination and stigma, such as through general awareness-raising activities and psychosocial support.



## Standard 4

**Health staff respond appropriately to individuals or groups that are survivors of physical, sexual or psychological violence, torture or other human rights abuses.**

### Key Actions:

- ✓ Put in place guidelines and mechanisms for monitoring and reporting instances of abuse and exploitation in line with best practice.
- ✓ Set up referral networks for services required in response to instances of abuse and exploitation in line with best practice.
- ✓ Set up data protection systems.

### Key Indicators:

- A. Appropriate guidelines and mechanisms for the monitoring and reporting of instances of abuse and exploitation are in place (see Guidance Note 1).
- B. There are steps in place to protect medical records at all times, including during emergencies, from falling into the hands of potential/existing perpetrators.
- C. Agency staff members are able to refer patients to, or directly provide, appropriate health care services and gender-sensitive counselling for people who have experienced physical, sexual or psychological violence (see Guidance Note 2 and 3).
- D. Agency staff members are able to refer individuals to psychosocial and legal support if available for victims/survivors, witnesses, and people who wish to report violations or seek legal redress (see Guidance Note 3).
- E. Agencies take steps to ensure that the treatment of individuals who are victims of physical and/or sexual violence, torture or other human rights abuses are dealt with as quickly as possible (see Guidance Note 4).

- F. Child survivors of human rights violations are treated by adequately trained staff or referred to specialised agencies (see Guidance Note 5). !

**Guidance Notes:**

1. Health staff need to be aware of the mechanisms for reporting instances of abuse but under no circumstances is the provision of medical assistance linked to or conditional upon the survivor/victim providing information, laying formal charges, providing testimony or undertaking any legal or other grievance procedures. Any reporting mechanism specifically includes the confidentiality of medical records and data, including HIV status. Staff members never share patient information with anyone not directly involved in the patient's care without the patient's permission. Data that relates to trauma caused by torture or other human rights violations must be treated with the utmost care. Consideration may be given to passing on this information to the appropriate actors or institutions, if the individual gives their informed consent. Steps should also be taken to limit the obvious association of patients with specific medical conditions as a result of room allocations, visible equipment or procedures.
2. Appropriate health care services should include access to service to respond to gender-based violence (GBV), treatment for sexually transmitted infections (STIs) and post-exposure prophylaxis for HIV (PEP). Staff members who are not adequately trained should never provide trauma counselling and psychosocial services; where medical staff are unable to provide the necessary care, referral systems should be in place. Staff and beneficiaries should be informed about the referral pathways. The pathway should indicate the procedures, the names of the focal points, and adequate regulations in terms of confidentiality and informed consent. Staff members trained on the procedure and those involved in the referral process have

adequate professional background and experience.

3. Counselling and psychological support is provided to victims of abuses of human rights; especially survivors and witnesses of rape, domestic violence, sexual exploitation, genital mutilation, survivors of torture or other inhuman treatments, as well as people trafficked for forced labour, child soldiers and those suffering from post traumatic stress. Whenever the agency is not equipped to provide such services, they should refer the beneficiaries to appropriate structures.
4. Long delays in receiving medical attention may significantly exacerbate the pain and trauma for victims/survivors of abuse. Victims/survivors may also have serious concerns about being identified at a health facility and therefore their waiting time should be minimised and the provision of a safe and separate waiting area is critical. The responders must have clear knowledge of how to respond to such cases, with special attention to GBV.
5. Child health and early childhood development experts should be made available for children victims of abuse.



# Section VII

## Minimum Standards for Mainstreaming Protection into Education Programmes



# Section VII

## Minimum Standards for Mainstreaming Protection into Education Programmes

### Key legal principles

*Everyone has the right to education. Education shall be free and compulsory, at least in the elementary and fundamental stages.*<sup>36</sup>

UDHR Article 26:	Everyone has the right to education.
CRC Articles 28 and 29:	Right of the child to education. Primary education is compulsory and free to all.
ICESCR Articles 13 and 14:	Right of everyone to education. Primary education shall be compulsory and available free to all. Secondary education shall be made available and accessible to all.
Guiding Principle 23:	Every human being has the right to education.
IHL GC IV Art 50:	Occupying power shall facilitate proper working of all institutions devoted to the care and education of children.
IHL GC IV Art 51 & 52:	Prohibits direct or indiscriminate attacks or reprisals against civilian property including schools, playgrounds and other educational facilities.

<sup>36</sup> Adapted from Universal Declaration of Human rights, art. 26 (1).

APII Geneva Convention (1977) and Rome Statute of the International Criminal Court (1998): These treaties protect civilians (if not involved in military activity) and civilian objects including education buildings. They specifically require the education of children to be maintained during non-international conflicts and occupation and educational provision for separated, orphaned and evacuated children and internees.<sup>37</sup>

Refugee Conv (1951) and Protocol (1967) Art 22: Same treatment for refugees as for nationals regarding access to elementary education, and treatment as favourable as possible for other types of education.<sup>38</sup>

National law: The right to education may also be incorporated in national legislation and standards, and it is the responsibility of the agency sector staff to acquaint themselves with relevant national law. It is State responsibility to ensure access to education in safe learning environments during times of peace and conflict.

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<sup>37</sup> See Global Education Cluster “Education Cluster Coordinator Handbook”, 2010, p. 72

<sup>38</sup> Ibid



## **Relevant industry standards and indicators**

INEE<sup>39</sup> Access and Learning Environment

Standard 1

Standard 2

Standard 3

INEE Teachers and Other Education Personnel

Standard 2

INEE Education Policy

Standard 1

UNHCR Standards and Indicators Education

Indicators 56-59 and 64

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<sup>39</sup> INEE, “Minimum Standards for Education”, 2<sup>nd</sup> edition 2010.

## Standard 1

### Agencies promote equitable access to education programs.

#### Key Actions:

- ✓ Locate education facilities near to shelter and settlements facilities.
- ✓ Monitor and respond to any form of discrimination in access to education facilities.
- ✓ Identify and respond to any barriers to individuals and groups being able to access education facilities.
- ✓ Employ staff that represent the cultural, linguistic, ethnic and religious diversity of the community.

#### Key Indicators:

- A. Responsible government authorities are identified and their role supported if possible.
- B. Temporary, semi-permanent and permanent learning structures are located in areas easily accessible to the beneficiaries and relatively close to their dwelling.
- C. No individual is denied access to an agency education or learning opportunity as a result of discrimination (see Guidance Notes 1 and 2).
- D. Education programmes consider a range of formal and non-formal learning opportunities for the disaster-affected population to fulfil their fundamental education need (see Guidance Note 3).
- E. The composition of education staff should reflect the gender, ethnic and linguistic balance of the beneficiary population (see Guidance Note 4).
- F. Staff are adequately trained in responding to instances of discrimination that could arise among learners (see Guidance Note 5).

## Guidance Notes:

1. Age limits should not be enforced for disaster-affected children and youth, and second-chance enrolment for drop-outs should be encouraged. However, the potential safety issues of combining much older children with young children in education facilities should be managed through proper supervision and where appropriate separate classrooms and/or play areas. Special efforts should be made to target and involve the most marginalised and learners such as young mothers, pregnant girls, children with disabilities and child ex-combatants.
2. Agencies should work with the relevant government authorities to promote flexible documentation requirements for accessing educational and vocational opportunities. Disaster-affected populations may not have documents such as certificates of citizenship, birth or age certificates, identity papers, school reports, etc., and alternative documentation or proof should be acceptable. Agencies should also encourage flexibility regarding school uniform and other material requirements in a disaster context.
3. Education opportunities supported by agencies should at the minimum include early childhood and primary education. Secondary education, higher education, life skills, peace education, vocational training, non-formal education (including literacy and numeracy) and accelerated learning opportunities might be supported, where appropriate and feasible.<sup>40</sup>
4. Agencies should promote proportional representation of gender and ethnic background in teaching staff.
5. Education activities that increase the capacity of communities to take over additional jobs, resources or supplies might create tension with neighbour communities or within the same beneficiary group. Agencies should evaluate

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<sup>40</sup> Universal Declaration of Human Rights, art. 26 (1)

the consequences of such activities with the support of specialised protection staff through adequate risk analysis based on the Do No Harm principles. Education programmes can potentially increase the cohesion of the communities and support overcoming divisions and conflicts: with the support of adequately trained protection and/or peace building experts, agencies can contribute to increase the wellbeing of the beneficiaries.

## Standard 2

**Agencies prioritise safety and dignity in education programmes.**

### Key Actions:

- ✓ Ask the community to assist in the location of learning facilities.
- ✓ Ensure learning facilities are in a safe place and continuously monitor safety of surrounding areas.
- ✓ Provide safety features in the learning facilities such as evacuation exits and first aid kits.
- ✓ Ensure staff sign and adhere to codes of conduct and child protection policies.
- ✓ Put in place reporting procedures for safety issues and breaches of Code of Conduct or Child Protection Policy.

### Key Indicators:

- A. Temporary, semi-permanent and permanent schools and other learning environments are located in close proximity to the populations they serve (see Guidance Note 1).
- B. Temporary, semi-permanent and permanent learning structures are free from hazards, adequately maintained and they provide safe space for learners (see Guidance Note 2).
- C. Agencies have considered the security of access routes to the learning environment for all learners, especially for girls (see Guidance Note 3).
- D. The community is involved in decisions concerning the location of the learning environment, and in establishing systems and policies to ensure

- that learners are safe and secure (see Guidance Note 4).
- E. Visible boundaries and clear signs mark the learning site.
  - F. All learning facilities are provided with emergency exits, health and safety equipment and staff and children are trained on safety procedures (see Guidance Note 5).
  - G. All staff members have signed and adhere to a Code of Conduct and Child Protection Policy. These documents are made available to students and parents in an appropriate language. Where appropriate, the codes of conduct or messages on the same are displayed in public places (see Guidance Note 6).
  - H. Reporting mechanisms are in place for students and staff to raise safety issues and breaches of the Code of Conduct or Child Protection Policy. Students and staff are aware of the reporting mechanisms and can easily access them (see Guidance Note 7).
  - I. Frequent checks and monitoring systems are in place to identify and respond to any staff breaches of codes of conduct (see Guidance Note 8). !

### Guidance Notes:

1. Proximity should be defined according to local/national standards, taking account of any security problems or other safety concerns. Where distances are considerable, subsidiary ('satellite' or 'feeder') classes should be encouraged at sites nearer to the homes of those unable to travel any distance, such as younger children or adolescent girls.
2. The initial assessment of where to locate learning facilities (either for construction or for existing buildings) must pay attention to natural and man-made hazards. That should include proximity to roadblocks or military posts, presence of landmines, crossfire locations, and presence of

paramilitary group settlements. The structure of the building must be safe, adequately equipped and maintained. Internal and external lighting is provided, doors are lockable from the inside, windows are adequately maintained, and furniture is adequate in terms of size, number of pieces and quality. Sanitary facilities must be provided including toilets with lockable doors and good lighting. Spaces for leisure should be provided, possibly with playground equipment. Leisure spaces must be safe, maintained to an acceptable standard, clean and adequate in terms of size. Relevant personnel should supervise learners, especially children, during recreation. If recreational spaces are in the open, adequate fencing and gates should be in place.

3. Students, especially minorities and girls, often become targets for abuse, violence, recruitment or abduction when going to and from school. The State has the obligation to ensure security, including sufficient and good-quality policing around school premises. The access routes to learning facilities should be free from hazards and constantly monitored. Measures to enhance safety of learners travelling to and from school include: adult escorts, encouraging students to travel in groups, and provision of torches/flashlights and whistles for each student.
4. Whenever possible, the community should be involved in the decision making process about location, learning programs, maintenance, patrolling and protection of the learning facilities. Where appropriate and feasible, education committees in the beneficiary communities can be encouraged.<sup>41</sup>
5. Education facilities should be provided with first aid kits, fire extinguishers and emergency exits clearly indicated and not locked from the outside. Staff

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<sup>41</sup> INEE, "Minimum Standard for Education", Foundational Standards, Standard 1, p. 22 (2010).

and beneficiaries must be adequately trained for emergency situations, including basic first aid and instruction in case of evacuation.

6. Child protection policies apply to all persons that come into contact with children including volunteers and visitors. The managers of the education facilities must not allow visitors inside facilities without appropriate checking, which must include a liability declaration/disclaimer signed by the visitor. Temporary staff, visitors and any other person introduced in the facility must receive basic child protection training, must sign the existing policies and be informed of measures to prevent and respond to breaches of agency policy. Temporary staff, visitors and any other person introduced in the facility must be accompanied by permanent staff at all times. Learners should never be left alone with visitors nor should be allowed to exit the learning facilities without the permission of their supervisors.
7. Staff, students and their families are aware of the reporting mechanisms in the event of a safety concern or breach of the Code of Conduct or Child Protection Policy. Specific procedures should be in place to provide means to report violations, investigate allegations and provide remedial action. Adequate data protection systems need to be in place to ensure that the persons involved in incidents are not exposed to further harm. Education staff members should be trained in basic psychosocial support to victims of abuse and/or are able to refer to more appropriate service providers if required.
8. Agencies should proactively monitor the behaviour of educators and care givers, and investigate any allegations or suspicions with the support of qualified protection staff (possibly specialized in child protection). Cases of grooming for exploitation, sexual harassment or verbal abuse should be



adequately prevented and responded in a timely manner, and the remedial action should aim at establishing a safe environment for learners.

9. Arrangements should be established between the education programmes and responders in cases of abuse such as the probation officers and police. Children and staff should be aware of their role in responding to cases.

### Standard 3

The unique needs of diverse groups of learners are considered in education programmes.

#### Key Actions:

- ✓ Adapt the learning facilities for diverse user groups, for example provide ramps or railings and separate toilet facilities for boys and girls.
- ✓ Review all educational materials to ensure they respect all relevant religious, cultural and social groups.
- ✓ Provide separate learning areas for boys and girls if appropriate.
- ✓ Ensure learners can access psychosocial support in conflict or natural disaster contexts.

#### Key Indicators:

- A. The education services and facilities are designed taking into account the needs of diverse groups (see Guidance Note 1).
- B. Curricula and instructional materials developed or supported by agencies are gender-sensitive, recognise diversity and promote respect for learners (see Guidance Note 2).
- C. Education programs are gender sensitive (see Guidance Note 3).
- D. Education is based on inclusiveness: agencies contribute to overcome barriers to education and provide possibilities of education diversified for people with different needs (see Guidance Note 4).!
- E. Adequate psychosocial support is provided for learners (see Guidance Note 5).

- F. Education facilities should be provided with disability-friendly features and separate restrooms for female and male users (see Guidance Note 6).
- G. Education operators are adequately trained in child protection (see Guidance Note 7).

#### Guidance Notes:

1. Diversity should be considered in the design and implementation of educational activities at all stages of an emergency, in particular inclusion of learners and teachers/facilitators from diverse backgrounds. Aspects to consider in encouraging diversity may include, among others, language, gender, culture, nationality, ethnicity, religion, learning capacity, impairments and/or disabilities, and multi-level and multi-age instruction. Considerations might include: provision of access ramps, adequate entrances, doors and rails for people with physical disabilities; provision of toilets or latrines with disability-friendly features; and provision of toilets separated for male and female users. Where relevant, school schedules could be developed to accommodate groups including nomadic groups and learners that are involved in agricultural activities at certain times of the year.
2. Education material should be respectful of all beliefs, ethnicities and cultural backgrounds, and must aim at preventing discrimination and promote respect for all learners.<sup>42</sup> No teaching materials should encourage divisions and violence in the community, for example, through the glorification of war. Education materials should include coverage of safety for children and appropriate reporting and referral mechanisms. Where emergency

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<sup>42</sup> INEE, “Minimum Standard for Education”, Teaching and Learning Standard 1, p. 77 (2010).

education kits are distributed, e.g. 'school-in-a-box' ensure that they are gender sensitive and responsive to boys' and girls' needs.

3. Where single-sex classes are preferred, provide separate classrooms/locations or timings for girls and boys.
4. Education opportunities must be provided considering the diverse needs of different beneficiaries. Participation of people with mental and/or physical disabilities must be supported and encouraged, and programs must be adequately adapted to their needs.<sup>43</sup> The support of a disability specialist or protection officers who are specialised in inclusiveness might be helpful. Other groups that might experience barriers to participation include pregnant girls or women, nomadic groups, former child soldiers, children involved in harmful practices, single mothers or child-headed householders, or people with chronic illnesses. Agencies should put in place systems to include these groups, providing when necessary home-based education or alternative education systems.
5. Psychosocial support for learners in need should be provided, either directly by the agency or through other service providers. In emergency situations, learners might experience distress caused by family loss, trauma, displacement or episodes of violence. Adequate support should be provided, such as counselling and/or therapies.
6. The learning facilities should be supplied with ramps for people with physical impairment, as well as adequate doors, sitting spaces and toilets. If possible and if required, separate toilets/latrines should be provided for female and male learners, with clear indication and security measures such as locks, as appropriate.

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<sup>43</sup> Extensive guidance on inclusiveness of people with disabilities is provided in S. Coe et al., "Travelling Together", World Vision, 2011.

7. Teachers must be adequately informed and trained in learners' wellbeing with particular attention to child protection and promoting psychosocial wellbeing.



# Lessons Learned:

From field-testing the  
Minimum Standards for  
Protection Mainstreaming





# Lessons learned from field-testing the Minimum Standards for Protection Mainstreaming

## The field-testing process

The *Minimum Inter-Agency Standards for Protection Mainstreaming* were field-tested in seven contexts from 2008-2011, enabled by funding from AusAID and World Vision Australia (2008-2009) in Timor-Leste and Kenya, and DfID and World Vision UK (2008-2012) in Somalia, Sudan, South Sudan, Sri Lanka and Myanmar/Burma.

Field-testing was a structured process to support agencies to strengthen capacity in protection mainstreaming through building staff knowledge and capability in implementing protection principles and promoting safety, dignity and rights in humanitarian programming. Evidence of improved protection mainstreaming was demonstrated through achieving and maintaining alignment between agencies' humanitarian practice with the standards and indicators. The field-testing process had three components:

- 1. Baseline data collection:** Key informant interviews, document review, field observations and focus group discussions
  - a. Assessing current staff knowledge and understanding of protection
  - b. Measuring the current policy and practice of an agency for alignment with the standards
  - c. Analysing community perceptions of an agency's humanitarian activities and their impact on community safety and dignity.

## 2. Staff training, development of Mainstreaming Action Plans (MAPs) and implementation:

- a. Protection officers facilitated training in protection mainstreaming, targeting core field-facing staff including programming staff, sector staff, Design, Monitoring and Evaluation (DME) staff and managers. A training manual has been developed, field-tested and is available to accompany the *Minimum Inter-Agency Standards for Protection Mainstreaming*. Protection staff were encouraged to also present a short one-hour training and introduction to protection mainstreaming for senior managers, including presentation of baseline data findings.
- b. Each agency reviewed the results of their baseline data to identify areas where current policy and practice did not align with the standards. Mainstreaming Action Plans (MAPs) were then developed, outlining what action would be taken by the agency to achieve alignment with the standards and indicators, who was responsible, and a timeframe for completion. Below, is a short example of a MAP:

### Sample MAP from Agency X – EXAMPLE ONLY

Standard	Core Standard 1: Agencies prioritise the safety of disaster-affected populations
Indicator/s	<b>Indicator G:</b> Agencies have a Code of Conduct applicable to international and national staff, staff hired from disaster-affected populations, volunteers, consultants, visitors and other agency affiliates that includes prohibition of Sexual Exploitation and Abuse (SEA). The Code of Conduct is translated into the local language and made available to the disaster-affected population in an appropriate format. All staff have been trained in and agree to abide by the Code of Conduct, and agencies have safe and confidential

	mechanisms in place to receive, manage and respond to any allegations of a breach of the Code of Conduct.				
<b>Baseline Findings</b>	Staff sign a Code of Conduct on commencement of employment but had not received training. During interviews, 80% of staff could not describe the Code of Conduct content, and could not describe three behaviours prohibited under the Protection from Sexual Exploitation and Abuse (PSEA) component of the Code of Conduct. The Code of Conduct is not translated and the agency has no formal complaints and response mechanisms for community members to provide feedback.				
<b>Planned activity to achieve alignment with the standard and indicators</b>	<b>Start Date</b>	<b>End Date</b>	<b>Responsible Person</b>	<b>Resources Required</b>	<b>Cost Estimate and Cost Centre</b>
<b>Two hour Code of Conduct Training, including PSEA for all staff</b>	01.02.10	30.06.10	Human Resources Manager	Technical input into content of training by Protection Officer; Training Room; PPT and projector; Flip Chart and pens for group work	5 trainings @ \$50 per training = \$250 Technical input from protection officer = in kind. Cost Centre: Human Resources
<b>Translation of Code of Conduct into local language</b>	01.02.10	01.03.10	Human Resources Manager	Translator	4 hours @ \$30 per hour = \$120 Cost Centre: Human Resources
<b>Development of pictorial version of Code of Conduct</b>	01.02.10	01.03.10	Communications Officer	Paper; Pens; Lamination of final product	200 copies @ \$2 per copy = \$400 In-kind input from Communications Officer Cost Centre: Communications
<b>Establishment of Community-Based Feedback and Response Mechanism in line with the Good Enough Guide Tool 12 (2007)</b>	01.02.10	01.05.10	Humanitarian Accountability Focal Point	Notice boards, lockable suggestion box, focus group discussions with communities to choose response mechanism...	Absorbed into existing work of humanitarian accountability team.

				etc	
<b>Dissemination of Code of Conduct to communities including how to provide safe and confidential feedback to the agency</b>	01.05.10	Ongoing	All field-facing staff – monitored by Humanitarian Accountability focal point	As above	N/A
<b>Standard</b>	<b>Food Programming Standard 2: Agencies prioritise safety and dignity prior to, during and after food distributions</b>				
<b>Indicator/s</b>	Indicator B: Actions have been taken to make the routes to and from the food distribution points safe and accessible.				
<b>Baseline Findings</b>	While the agency met Indicator A (Distribution Points located in a safe area with appropriate security if required) they had only assessed safety in relation to the distribution point itself, and not the routes to and from. Focus groups with community representatives revealed that the route home is not always safe, with reports of some food programming beneficiaries being attacked and having their food rations stolen, especially women and children from child-headed households.				
<b>Planned activity to achieve alignment with the standard and indicators</b>	<b>Start Date</b>	<b>End Date</b>	<b>Responsible Person</b>	<b>Resources Required</b>	<b>Cost Estimate</b>
Referral to protection officer for more in-depth protection assessment in food programming area.	20.09.10	10.10.10	Food Programming Manager to refer to Protection Officer	Protection Officer/team	Nil – in-kind time from protection team
Review protection assessment findings with security and programming	10.10.10	12.10.10	Protection Officer; Security Officer; Food Programming Manager; Operations	N/A	N/A

staff to decide if food distribution point needs to be changed.			Manager		
Discussion with local police regarding increasing presence on main routes to and from the distribution point on distribution days.	12.10.10	20.10.10	Protection Officer, Security Manager and Advocacy Officer	N/A	N/A
Revise Routine Post-Distribution Monitoring Form to include questions about safety on the way to and from distributions – to help monitor safety.	12.10.10	20.10.10	Protection Officer; Food Programming Manager; DME Specialist	Reprinting PDM forms once revised	\$100 for reprinting

### 3. End-line data collection and evaluation

- a. After 12 to 18 months implementation of the MAPs, end-line data was collected using the same tools as the baseline survey. Agencies measured change in their staff's knowledge and understanding of protection, and agency alignment with the standards and indicators, demonstrating whether or not protection mainstreaming had improved.
- b. In some field-testing contexts, an external evaluation collected data on the perceived utility of the tool, feasibility of

implementing the standards and cost implications of the implementation model.

Further information regarding the first phase of the field-testing process in Kenya and Timor-Leste can be found in:

Louise Searle and Kate Sutton, "Standards to Incorporate Protection into Humanitarian Work: Do they Work?" (2010), 46 *Humanitarian Exchange Magazine*, 13.

Available at

<http://www.odihpn.org/humanitarian-exchange-magazine/issue-46/standards-to-incorporate-protection-into-humanitarian-response-do-they-work>. Accessed on 13 February 2012.

## **Key lessons from implementation**

### **1. The role of 'humanitarian space' and context in the effectiveness of protection mainstreaming efforts**

Humanitarian access during field-testing was a challenge in five of the seven contexts chosen for field-testing. In some contexts changing security and access disrupted mainstreaming efforts and sometimes restrictions on access meant activities originally planned in the MAPs could not be completed. In other contexts, staff were not always able to interact directly with affected populations, decreasing the ability of the agency to engage fully in understanding the extent to which protection mainstreaming efforts and changes to agency practice were effective in promoting safety, dignity and rights. In at least two contexts the concept of 'protection' was politically sensitive and staff needed to judiciously choose how to convey key protection mainstreaming messages to authorities, to affected populations and to other staff. In some contexts, grounding protection mainstreaming in ideas of safety and dignity and the

agency's efforts to improve accountability to affected populations were more beneficial and effective than adopting an explicit rights-based approach.

## **2. The role of protection staff in the effectiveness of protection mainstreaming efforts**

While the *Minimum Inter-Agency Standards for Protection Mainstreaming* are primarily designed for implementation by general humanitarian staff, sector staff, Design, Monitoring and Evaluation (DME) staff and their managers, the field-testing process found that effective protection mainstreaming required the dedicated leadership of a trained protection officer, at least initially. A protection officer was employed in each of the seven field-testing locations to be responsible for:

- Sensitising senior managers to the concept and purpose of protection mainstreaming, and demonstrating how mainstreaming protection helps to fulfil the principle of Do No Harm and achieve quality, accountable programming.
- Training field-facing staff in protection mainstreaming, including basic concepts, the content of the standards and indicators, how to conduct a baseline analysis, how a particular project (for example a WASH project) measures up against the standards, and how to develop a Mainstreaming Action Plan for monitoring alignment with the standards and indicators, and making changes to project design and implementation in order to meet the standards.
- Assisting DME staff to include and monitor protection mainstreaming indicators in programme and project monitoring systems, including

project log frames.

### **3. Protection mainstreaming as a strategic decision: the importance of organisational commitment and senior management support for effective protection mainstreaming**

The field-testing process highlighted the importance of each agency having an organisational commitment to protection mainstreaming, especially the support of senior management. This proved to be the single most important factor guiding the extent to which protection mainstreaming was successfully achieved in each agency. This was particularly important in relation to the Core Standards, which frequently demanded organisation-wide changes to policies and practice. For example, achieving Core Standard 5: 'Agencies respond safely and ethically to incidences of international humanitarian law violations and human rights abuses in conformity with their mandate and recognised good practice' generally resulted in agencies developing country office-wide, and in the case of Timor-Leste, inter-agency, Standard Operating Procedures for all staff to follow if they witnessed or heard about allegations of abuse. In Kenya, World Vision formed a cross-functional working group to respond to the baseline findings and make necessary changes in policy and practice to meet the Core Standards. This was a temporary group made up from diverse sectors and functions, including representatives from human resources and protection, as well as the humanitarian response manager, the development programming manager, the peace-building advisor, the child protection specialist, communications staff, and the quality advisor responsible for Design, Monitoring and Evaluation across all programmes. Collectively, this working group proved highly effective in making necessary changes to a range of documents and processes including the staff Code of Conduct, Standard Operating Procedures for Responding to Abuses, and



programme level documents such as inclusion of basic protection-related questions in rapid and general assessments.

During the field-testing process, protection officers who had the full confidence and support of senior management were more effective in facilitating changes to policy and practice than those who did not. An absence of decision-making power by protection staff hindered their ability to effect change in certain sectors, especially where management did not clearly and regularly articulate their expectation that progress towards alignment with the strategy was required.

#### **4. Understanding the ‘protection mainstreaming – protection integration – stand-alone protection work continuum’, and ensuring safe practice**

In practice, the differences between protection mainstreaming, protection integration and protection-focused programming and advocacy are not always clear. During the field-testing process, World Vision articulated these differences, building on earlier work by the Humanitarian Policy Group’s Sorcha O’Callaghan and Sara Pantuliano<sup>44</sup>:

<b>Characteristics</b>	<b>Protection Mainstreaming (‘cross-cutting theme’)</b>	<b>Protection Work (‘sector’ – includes protection integration and stand-alone protection work)</b>
<b>Definition</b>	Incorporating protection principles and promoting safety in humanitarian, development and advocacy programmes	Preventing and responding to violence, or threat of violence, coercion and exploitation, any deliberate deprivation, neglect or discrimination, and supporting

<sup>44</sup> Sorcha O’Callaghan and Sara Pantuliano, ‘Protective Action: Incorporating Civilian Protection into Humanitarian Response’, 2007, *HPG Report 26*, 21. Available at <http://www.odi.org.uk/resources/docs/1640.pdf>. Accessed on 13 February 2012.

		people to enjoy their rights in safety, and with dignity.
<b>Applicable Contexts</b>	All	Conflict, disaster, displacement (including protracted displacement), famine and fragile contexts
<b>Applicable Programmes</b>	All humanitarian, development and advocacy programmes and activities	Large-scale emergencies and fragile contexts
<b>Log Frame Elements</b>	Protection mainstreaming indicators (e.g. separate lockable toilets for men and women) included in sector (e.g. WASH) log frames with sector (e.g. WASH) goals and outcomes	<p>Protection integration: protection objectives or outcomes included in an integrated programme (e.g. GBV prevention outcomes in a livelihoods programme). Also includes protection indicators.</p> <p>Stand-alone protection work: protection included in the goal, outcomes, indicators and activities.</p>
<b>Core Approach</b>	Prioritising safety, promoting dignity, inclusive participation and diversity, assisting people to claim their rights, prioritising those most vulnerable to the effects of disaster, responding safely and ethically to any incidences of human rights abuses.	Rights-based, community-based, focusing on the most vulnerable and protection issues with the greatest humanitarian consequences, based on localised assessment and analysis of risk, encompassing responsive, remedial and environment-building action, giving equal attention to programming and advocacy, complements and coordinates with other protection actors.
<b>Main Elements</b>	<p>Protection Principles:</p> <ol style="list-style-type: none"> <li>1. Avoid causing harm as a result of your actions</li> <li>2. Ensure people's access to</li> </ol>	Context analysis, localised assessment of risk, design and implementation of protection activities, protection monitoring

	<p>impartial assistance</p> <ol style="list-style-type: none"> <li>3. Protect people from physical and psychological harm as a result of your actions</li> <li>4. Assist with rights claims, access to remedies and recovery from abuse</li> </ol> <p>Promoting Safety:</p> <ol style="list-style-type: none"> <li>1. Risk assessments prior to commencing a new programme, project or activity and throughout implementation</li> <li>2. Implement the Minimum Standards for Protection Mainstreaming</li> </ol>	(focusing on community-level trends and patterns), mapping protection service providers, referral, disseminating human rights law and the Guiding Principles on Internal Displacement, prevention and response to GBV (as part of a multi-sector integrated programme).
<b>Responsible Person/s</b>	All field-facing staff including general and sector staff, programming staff, advocacy staff, Design, Monitoring and Evaluation staff and their managers.	Trained and suitably qualified protection staff
<b>Main Tools</b>	<ul style="list-style-type: none"> <li>• Minimum Standards for Protection Mainstreaming</li> <li>• Sphere Humanitarian Charter and Minimum Standards in Humanitarian Response</li> </ul>	<ul style="list-style-type: none"> <li>• ICRC Professional Standards for Protection Work</li> </ul>
<b>Required Training</b>	<p>1 day training on protection mainstreaming</p> <p>1 hour introduction for managers</p>	<p>ProCap training or equivalent; training/experience in GBV programming</p> <p>Postgraduate degree in international law/humanitarian law or human rights law (preferred)</p>

<b>Required Funding</b>	Should not require dedicated funding as activities should be integrated into relevant sector budget. However, agency may need to dedicate funding for protection mainstreaming including training for staff and for making necessary changes to project implementation to achieve alignment with the standards and indicators.	Requires dedicated funding either as a stand-alone programme or project, or for an integrated programme or project.
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However, despite articulation of these boundaries, what begins as a mainstreaming function may quickly require the expertise of trained protection staff. For example, a protection mainstreaming indicator requires Food Transfer teams to include assessment questions about whether or not people feel safe walking to and from food distribution points. However, if the results of that assessment reveal significant risks to Food Transfer beneficiaries, then it is advisable to refer this situation to a protection officer, who may need to undertake a more in-depth protection analysis of the situation, including analysis of specific threats, vulnerabilities and capacities, and to then work with the Food Transfers team to improve safety in their programme design and implementation. Part of the responsibility of staff involved in protection mainstreaming is to recognise the boundaries of safe practice and refer situations and specific protection risks to trained protection staff. The alerts developed in the 2012 version of the *Minimum Standards for Protection Mainstreaming* tool reflect this learning and are designed to prompt staff into making such referrals.

## **5. The importance of mapping specialist protection agencies and medical, legal and psychosocial services for effective protection mainstreaming**

The field-testing process found that agencies that make a concerted and strategic effort to more effectively mainstream protection into their humanitarian programmes inevitably recognise a greater number of protection risks and detect a greater number of protection issues in their area of operation. This appears to be a natural by-product of training staff to analyse safety, dignity and rights, even if there is no intention or attempt to build capacity in more protection-specific functions such as protection risk analysis and case management of allegations of abuse. Therefore, it is essential that agencies intending to engage in protection mainstreaming allocate resources to ensure that mapping of specialist protection agencies and relevant medical, legal and psychosocial services is completed and regularly updated, and referral mechanisms are in place and functioning. This is not an easy or quick task, and may require significant investment by the agency in personnel and time to achieve it. However for agencies that also employ protection staff, this is likely to be undertaken as part of normal protection activities.

## **6. Effective protection mainstreaming requires specific tools and training**

The field-testing process confirmed that field staff needed practical guidance in how to translate protection principles into relevant actions ‘on the ground’. The combination of the Minimum Standards for Protection Mainstreaming, especially the indicators, the Mainstreaming Action Plans (MAPs) and accompanying training were identified as the most useful elements of the process. In response to field-testing findings, a list of key actions are now included in the 2012 edition.

## **7. The impact of the Minimum Standards on field operators**

One of the main concerns during the field testing process was measuring and observing the impact that strengthened protection mainstreaming had on affected populations and the actions of field staff. One of the most significant changes was in the practice, but also the attitude of field staff. In particular, field staff reported changes in their attitude towards affected populations after spending time examining the concept of dignity during training, how dignity might be realised in practice, and through implementation of the standards and indicators. Promoting dignity as a core component of humanitarian practice was made more tangible for staff by having concrete and practical key actions to undertake and by having dignity, inclusion and diversity as a standard against which agencies now measured their practice and reported against. Many staff reported during the end-line data collection that they were now much more aware of possible protection threats that could affect the dignity of the beneficiaries, in particular towards individuals and groups traditionally excluded from humanitarian activities, such as people with disabilities. The introduction of the protection mainstreaming standards also prompted new levels of inter-sector cooperation, communication and collaboration within and between agencies, albeit, not fully consistent or straightforward. However it has clearly raised whole-of-agency awareness of what protection principles mean in practice and how agencies can improve the quality of aid delivery by addressing safety, dignity and respect of human rights in a more structured and framed manner.

## **8. The Minimum Standards really are ‘minimum’**

In some agencies and contexts, protection mainstreaming was seen as a ‘luxury add-on’ to humanitarian assistance work, despite its status as a cross-cutting theme. During the field-testing process, perceptions of staff changed as their

knowledge grew and their confidence in implementing and monitoring the standards and indicators strengthened. By the end of the process, many staff reported they now understood protection mainstreaming as a basic and essential element of humanitarian work. Likewise, affected populations in each of the contexts reported a difference in humanitarian assistance delivery, highlighting a more 'compassionate' attitude by agencies, feeling more comfortable with receiving aid as it was delivered in a more dignified manner, receiving more information and being included more in agency processes, and in some cases, feeling a greater sense of 'protection' as a result.





# Annex I:

## Sample Questions for Mainstreaming Protection into Rapid General and Sector Assessments



# Annex 1:

## Sample Questions for Mainstreaming Protection into Rapid General and Sector Assessments

### General

**Prior to commencing this assessment, review the questions and check they are relevant and appropriate to your context. In particular, consider whether or not it is safe to directly ask people questions relating to armed actors. It is advisable to discuss this with other staff such as a protection specialist or your manager and make a joint decision.**

1A: Observations (write down what you see and hear. Write comments in the box as well as ticking boxes).	
Which natural hazards can you observe in the area or have been reported?	Flooding of rivers/canals/seaside <input type="checkbox"/> Seismic area <input type="checkbox"/> Severely damaged roads <input type="checkbox"/> others (explain) <input type="checkbox"/>
Which hazards can you observe in the settlement of the village/beneficiary community?	Damaged/perilous dwelling/structures <input type="checkbox"/> Position/number of latrines (explain) <input type="checkbox"/> Poor sanitation <input type="checkbox"/> Lack of water tanks/sources <input type="checkbox"/> Lack of protection structures (fences, gates, etc) <input type="checkbox"/> others (explain) <input type="checkbox"/>
Are there any signs of armed actors here, or nearby where affected people are located?	Police <input type="checkbox"/> Military <input type="checkbox"/> International Peacekeepers <input type="checkbox"/> Militia <input type="checkbox"/> Armed Gangs <input type="checkbox"/> Other <input type="checkbox"/> Inside camp/area of displacement <input type="checkbox"/> Nearby <input type="checkbox"/> Any threatening or intimidating behaviour by armed groups? Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there any signs of damage to civilian infrastructure such as schools, health clinics or administrative buildings?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there any constraints on people's freedom of movement?	Roadblocks <input type="checkbox"/> Forced encampment <input type="checkbox"/> Physical Infrastructure damage e.g. roads <input type="checkbox"/> Curfew <input type="checkbox"/> Mines or other Unexploded Ordinances <input type="checkbox"/> Other <input type="checkbox"/>
Are there any signs of people being forcibly moved or evicted from here?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there any signs of separated and unaccompanied children, child-headed households, children in institutions (orphanages, youth detention or boarding schools), or children under 2 years with no mother here?	Separated and Unaccompanied Children <input type="checkbox"/> Child-Headed Households <input type="checkbox"/> Children in Institutions <input type="checkbox"/> Children under 2 years with no mother <input type="checkbox"/> Single adolescent girls <input type="checkbox"/>

Is there any system for identifying and registering separated and unaccompanied children?	Yes <input type="checkbox"/> No <input type="checkbox"/>
The next four questions are for you to observe what people are doing generally, and what occupies their time. For example, are people working or playing? Are they busy or not? Are they isolated or interacting with each other? Are people eating, cooking or drinking alcohol? Are there any segments of the population that are not visible?	
What do you see female population doing?	
What do you see male population doing?	
Are children playing together? If not, why not?	
Are there any segments of the population who are conspicuously absent from general areas?	Women and girls <input type="checkbox"/> Men and boys <input type="checkbox"/> Elderly <input type="checkbox"/> People with physical disabilities <input type="checkbox"/> People with mental illness <input type="checkbox"/> People who are sick or wounded <input type="checkbox"/>
<b>1B: Questions (ask a key informant or community groups these questions. Write comments in the box as well as ticking yes or no).</b>	
Do people feel safe here? If not, why not?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do women and girls feel safe here? If not, why not? (you will need to ask women and girls this question)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Who are the people or institutions here that help to keep people safe?	Parents <input type="checkbox"/> Teachers <input type="checkbox"/> Community Leaders <input type="checkbox"/> Community Groups <input type="checkbox"/> (specify which group: _____ Police <input type="checkbox"/> Social Workers <input type="checkbox"/> <input type="checkbox"/> Religious organisation <input type="checkbox"/> Other <input type="checkbox"/> (specify): _____
<p>Are there any armed actors here, or nearby? (You need to ask this question as well as using your own observations as armed actors are sometimes only present at times when humanitarian and development actors are not visible).</p> <p>Remember to discuss with your team and decide whether it is advisable or safe to ask this question PRIOR to the assessment. If you think there may be a risk of harm to staff, affected populations or any other people as a result of asking these questions, then omit them from the assessment.</p>	Police <input type="checkbox"/> Military <input type="checkbox"/> International Peacekeepers <input type="checkbox"/> Militia <input type="checkbox"/> Armed Gangs <input type="checkbox"/> Other <input type="checkbox"/> No <input type="checkbox"/>
	<p>If Yes, are armed actors:</p> <p>Inside camp/area of displacement? <input type="checkbox"/></p> <p>Nearby? <input type="checkbox"/></p>
	Do people feel threatened or intimidated by armed actors? Yes <input type="checkbox"/> No <input type="checkbox"/>
Have you heard any reports of any of the following occurring here?	Separated and unaccompanied children <input type="checkbox"/> Attacks on civilians <input type="checkbox"/> Civilian property taken/ attacked by armed groups <input type="checkbox"/> Forced recruitment of children or adults into armed groups <input type="checkbox"/> People being forcibly

	evicted <input type="checkbox"/> Physical Violence <input type="checkbox"/> An increase in Sexual Violence, Abuse or Exploitation <input type="checkbox"/> Abductions, Kidnappings, Arrests or Disappearances <input type="checkbox"/> Forced labour <input type="checkbox"/> Trafficking of women and children <input type="checkbox"/> An increase in Domestic Violence <input type="checkbox"/> Discrimination or other problems for one particular group here <input type="checkbox"/> Landmines or other unexploded ordinances <input type="checkbox"/>
Have you heard any reports of any separated and unaccompanied children, child-headed households, children in institutions (orphanages, youth detention or boarding schools) here or children under 2 years with no mother here?	Separated and Unaccompanied Children <input type="checkbox"/> Child-Headed Households <input type="checkbox"/> Children in Institutions <input type="checkbox"/> Children under 2 years with no mother <input type="checkbox"/>
Are you or others aware of any tensions between people and groups here?	Between different groups of displaced people <input type="checkbox"/> Between host and displaced people <input type="checkbox"/> Other <input type="checkbox"/>
Is there anyone who is sick, wounded, elderly or disabled here, and is there possibility of immediate assistance?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there anything that immediately threatens your survival, or survival of people here?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there any existing patrolling group/child protection group/women's group or similar? How do they operate?	

## 1. Sector Programmes – assessment

2A: Questions (ask a key informant or community groups these questions. Write comments in the box as well as ticking yes or no).	
Is the proposed programme, project or activity location in a safe area for all people? Why/why not? <i>Remember to ask a selection of people from diverse groups including males, females, children, the elderly, people from different ethnic and social backgrounds, people with disabilities, and any other people who risk being excluded.</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do women and girls feel safe when they walk to and from the programme, project or activity location?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Do men and boys report different or similar issues of safety when they walk to and from the programme/project location?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there any reasons why implementing a programme, project or activity in this area might be unsafe or cause harm to individuals or groups in this area?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Are there any reasons why some individuals or groups might not be able to access the programme, project or activity due to discrimination or exclusion? If so, who?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Which individuals and groups need to be involved in designing this programme, project or activity to ensure that programmes and services are accessible to all people? <i>Remember to ask a selection of people from diverse groups including males, females, children, the elderly, people from different ethnic and social backgrounds, people with disabilities, and any other people who risk being excluded.</i>	

## 2. Triggers for Referral to Trained Protection Staff or Agency:

<p>Were any safety concerns raised during the assessment? If yes, consider referring to a trained Protection Officer or focal point so they can safely implement a more in-depth assessment of protection issues and help you to improve safety in the design and implementation of your sector programme, project or activity.</p> <p>Any allegations of human rights abuses should be immediately referred to a trained Protection Officer and/or external agencies – see Sample Standard Operating Procedures for Responding to Abuses in this appendix.</p> <p>Remember – even if your sector and agency decides not to implement a programme, project or activity in this area after completing an assessment, you still need to refer any safety concerns or protection issues you have identified to the Protection Cluster or another agency.</p>	
Safety/Protection Issues Identified:	<p>Referred to:</p> <p>Name:</p> <p>Position:</p> <p>Agency:</p> <p>Contact Details:</p>

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# Annex 2:

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## Sample SOP for Responding to Allegations or Incidents of Human Rights Abuses

Sample SOP for Responding to Allegations or Incidents of Human Rights Abuses





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