

# Minimum Agency Standards for Incorporating Protection into Humanitarian Response

Field Testing Version



## Acknowledgements

These Minimum Agency Standards for Incorporating Protection into Humanitarian Response were developed by an inter-agency group, comprising authors from: Caritas Australia, CARE Australia, Oxfam Australia and World Vision Australia.

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## Minimum Agency Standards for Incorporating Protection into Humanitarian Response:

### Introduction

***Protection in humanitarian response focuses on the safety and dignity of disaster-affected populations. Protection is defined as 'all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law, i.e. human rights law, international humanitarian law and refugee law'.<sup>1</sup>***

### Protection in Humanitarian Response

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, Kosovo and Iraq) revealed the international community's relief response inadequately addressed protection concerns and consequently it is no longer considered reasonable for humanitarian agencies to focus on material needs without considering the safety, dignity and rights of individuals and communities.

Primary responsibility for 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, and refugee law. Some agencies have special mandates to protect such as the International Committee of the Red Cross (ICRC) and the United Nations High Commissioner for Refugees (UNHCR).

However, all operational humanitarian agencies frequently encounter situations where disaster-affected populations face protection risks caused by violence, coercion, and deliberate deprivation, and where states are either unwilling or unable to fulfil their protection responsibilities. It is therefore important that agencies are equipped to effectively analyse protection risks and respond appropriately to threats and abuses.

Policies and procedures must be developed to govern reporting of threats and abuses to specialist protection agencies, and referral pathways must be established to ensure individuals and groups exposed to harm receive appropriate legal, medical and psychosocial care. Agencies with suitably qualified staff may also respond by engaging in protection-focused programming and advocacy in response to specific protection risks such as sexual violence.

In addition to responding, reporting and referring, **agencies can also take concrete steps to incorporate protection into sector response programmes** such as food distribution and water and sanitation. This can be achieved through designing and adapting agency activities to improve safety by reducing vulnerability to threats, and increasing the capacity of disaster-affected populations to protect themselves.

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<sup>1</sup> Inter-agency Standing Committee, (1999), *Protection of Internally Displaced Persons: Inter-Agency Standing Committee Policy Paper*, New York, December, p4.

## Purpose

This tool has been designed to assist protection staff, sector staff, programme staff and managers to effectively incorporate protection analysis and response into the assessment, design, monitoring and evaluation of sector programmes and projects.

## Minimum Agency Standards

The Minimum Agency Standards for Incorporating Protection into Humanitarian Response tool is a set of minimum standards, key indicators and guidance notes in seven sections:

- Minimum agency standards for incorporating protection into all sector response programmes (common standards)
- Minimum agency standards for incorporating protection into six sector programmes (Water and Sanitation, Food Aid and distribution of Non-Food Items, Livelihoods, Shelter, Health and Education).

The format is modelled on the Sphere Project *Humanitarian Charter and Minimum Standards in Disaster Response* and its content draws significantly from existing accountability tools including the Sphere Project *Humanitarian Charter and Minimum Standards in Disaster 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*.

The tool is based on an assumption 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. Accountability tools that have already been endorsed by the humanitarian community were analysed and it was therefore assumed that the protection components of these tools had also implicitly been endorsed.

In 2007, the tool was circulated for global peer-review, and was substantially re-drafted based on inter-agency feedback. Key changes include mainstreaming of child protection and gender issues throughout the tool, a focus on 'agency standards' rather than 'protection standards', linking agency standards to rights and responsibilities under international law<sup>2</sup>, strengthening the common standards by establishing new standards and indicators for advocacy, reporting and referring, and the inclusion of a new section incorporating protection into livelihoods programming.<sup>3</sup>

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<sup>2</sup> Only key legal standards have been identified. The *Handbook for the Protection of Internally Displaced Persons* provides a comprehensive list of international legal standards pertaining to each sector.

<sup>3</sup> The inclusion of standards for incorporating protection into livelihoods programmes represents a departure from the methodology used to develop standards for other sectors (lifting standards from existing accountability tools). No standards for livelihood programming currently exist, and so this section has been developed by Oxfam Australia based on field experience in mainstreaming protection.

In 2008 and 2009, the tool will be field-tested by an inter-agency group, initially comprising Caritas Australia, CARE Australia, Oxfam Australia and World Vision Australia, and their partner field offices.

### **Why use the Minimum Agency Standards?**

Ensuring that protection considerations are incorporated into all humanitarian response programmes demonstrates agency commitment to the safety and dignity of disaster-affected populations. Assessing and monitoring progress towards meeting the minimum agency standards is a practical way to improve the quality and accountability of sector programmes by ensuring that protection risks are identified and responded to appropriately. The minimum agency standards and indicators provide sector staff with an easy reference tool to quickly identify the protection components of accountability tools to which they are already committed (such as Sphere) and substantial guidance on how to incorporate protection into their sector responsibilities.

### **When to use the Minimum Agency Standards**

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

- Rapid onset, slow onset, and chronic emergencies
- Armed conflict and natural disaster settings
- Working with displaced and host communities
- Across geographical areas including urban and rural settings.

### **Who should use the Minimum Agency Standards?**

The tool is designed for use by agency protection staff, sector staff, programme staff and managers to incorporate protection into humanitarian response programmes. To effectively utilise the tool, staff require:

- A basic knowledge of humanitarian protection including definitions, the international legal framework, identifying who is responsible for protection, how to identify and analyse protection risks, threats, vulnerabilities and capacities
- A basic knowledge of the programme cycle including assessment, design, implementation, monitoring and evaluation
- An introduction to protection mainstreaming
- Training in how to apply and monitor implementation of the standards and indicators
- Knowledge of and adherence to agency policies and procedures for reporting and referring protection issues
- Flexibility, funding and management support to adapt sector programmes to meet the standards where assessment and monitoring reveal they are not currently being met.

### **How to use the Minimum Agency Standards**

This tool is not a comprehensive guide to protection. 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>4</sup> *Handbook for the Protection of Internally Displaced Persons*,<sup>5</sup> and other key protection resources highlighted in the reference list at the end of this tool.

This tool is concerned with incorporating protection into sector programmes and provides *minimum standards* that articulate the minimum level of performance to be reached and maintained in order to incorporate protection into humanitarian sector responses including programmes, advocacy and management. The standards are qualitative and designed to be applicable across diverse humanitarian contexts. The *key indicators* are „signals’ that determine whether or not minimum standards have been attained, and can be monitored to measure progress towards achieving the standards. The *guidance notes* should be read alongside the standards and indicators, and 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.

### Common standards

The minimum agency standards for incorporating protection into all sector programmes (common standards and indicators) contain standards that must be adhered to by agency staff in addition to the sector-specific standards and indicators found in the tool. They contain the fundamental standards of agency practice required to ensure protection risks are adequately analysed, and threats and abuses are responded to safely and appropriately. When the common standards are met, agencies will be able to demonstrate that they:

1. Prioritise the safety and dignity of disaster-affected populations
2. Include analysis of protection risks in context analysis
3. Provide humanitarian assistance and services equitably and impartially based on assessment of need and vulnerability
4. Engage disaster-affected populations as informed partners in responding to protection concerns
5. Recognise the State as the primary actor for protection
6. Reflect the rights, needs and capacities of vulnerable groups in all stages of agency response
7. Have policies and procedures in place to govern advocacy responses to protection concerns
8. Respond appropriately to incidences of human rights abuses in conformity with agency mandate and recognised good practice.

### Sector-specific standards

Staff can utilise the minimum agency standards for incorporating protection into their relevant sector programme in conjunction with the common standards. Each section conforms to the following format:

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<sup>4</sup> Hugo Slim and Andrew Bonwick, Protection: An ALNAP Guide for Humanitarian Agencies, Overseas Development Institute, 2005.

<sup>5</sup> Global Protection Cluster Working Group, Handbook for the Protection of Internally Displaced Persons (Provisional Release), UNHCR, 2007.

- Identification of key legal principles relating to the sector
- Identification of relevant industry standards and indicators
- A bullet point summary of key protection concerns
- Minimum agency standards
- Key indicators
- Guidance notes for implementation
- An agency checklist of questions for sector staff to review and confirm they have responded appropriately.

The tool can be utilised 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 assessment and analysis into overall humanitarian response (for example see the indicators relating to Common Standard 2: Incorporating protection analysis into context analysis). Protection information must be gathered, managed and used with care to ensure agencies do not place disaster-affected populations at greater risk.

Design: Assessment findings identifying protection risks should feed directly into (i) the design or adaptation of agency sector programmes to incorporate protection considerations, (ii) the design of protection-focused programmes where agencies have suitably qualified staff and resources, (iii) the design of advocacy strategies that conform to Common Standard 7, (iv) reporting protection information and referring individuals and groups to specialist protection agencies in accordance with Common Standard 8.

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. Staff trained in application of the tool will be able to design or re-design sector programmes to meet the minimum standards.

Evaluate: The minimum standards provide a benchmark against which the extent to which any sector programme or project has incorporated protection can be measured. 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.

### **Do you have feedback on the Minimum Agency Standards?**

This version of the tool has been drafted for field-testing in 2008-2009. It will undergo another revision when field-testing results reveal the extent to which the tool is effective including its clarity, feasibility, whether it is measurable (can each standard be met?), and whether it adds value to humanitarian response (to agencies and disaster-affected populations). If you would like to provide feedback on this version, please contact the inter-agency field-testing point person at [protection@worldvision.com.au](mailto:protection@worldvision.com.au).

## Section I

### Minimum Agency Standards for incorporating protection into all sector response programmes<sup>6</sup>

The common standards detailed in Section I are critical to all sector interventions. These should be read and implemented alongside the sector standards. Compliance with both common and sector standards are necessary to fully integrate protection considerations into humanitarian response programmes. It is assumed that the common standards are being applied and therefore they are not repeated in the sector specific sections.

#### 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.
Refugee law:	The Refugee Convention of 1951 outlines the rights applicable to refugees and asylum seekers. The Guiding Principles on Internal Displacement (guiding principles) provide non-binding principles for the protection of internally displaced persons (IDPs).

All rights contained within IHL, IHRL and Refugee Law 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*
- *the right to liberty and security of person*
- *prohibition of torture, slavery, cruel, inhuman or degrading treatment or punishment*
- *the right to be free from discrimination*
- *the right to freedom of religion, thought and conscience*

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<sup>6</sup> These common protection standards and indicators have significant contributions from the 'Humanitarian Charter and Minimum Standards in Disaster Response' The SPHERE project, Humanitarian Accountability Partnership (HAP) Principles of Accountability, INEE Minimum Standards for Education in Emergencies, Red Cross Code of Conduct and The Good Enough Guide.

## Relevant Industry Standards

Red Cross Code of Conduct

Principles of Conduct 1-10

Sphere Standards

Common Standard 1: Participation

Common Standard 2: Initial assessment

Common Standard 3: Response

Common Standard 4: Targeting

HAP Standard

Benchmark 2: Information publicly available to disaster-affected populations

Benchmark 3: Beneficiary participation in programme decisions and informed consent

Benchmark 5: Establish and implement complaints-handling procedures that are effective, accessible and safe for disaster-affected populations

## Common Standard 1

**Agencies prioritise the safety and dignity of disaster-affected populations.**

Key Indicators:

- A. Safety and security of the individual and community is included in the initial rapid assessment and covers issues such as identification of threats of violence, any forms of coercion and denial of subsistence or basic human rights.
- B. Any immediate threats to safety and security are the first issues addressed by humanitarian programming and advocacy (see Guidance Note 1).
- C. Any immediate threats to safety that are identified are communicated with urgency to the responsible government agency, relevant UN body, and/or other protection actors (see Guidance Note 2).
- D. In displacement contexts agencies report, and where possible respond to, any forcible return or movement of refugees and/or IDPs to any place where their life, safety and/or liberty would be at risk.
- E. No agency contributes in any way to increasing the threats to safety and dignity of the individuals or communities (see Guidance Note 3).
- F. Agencies have a code of conduct applicable to all staff that has been translated into the local language and made available to the disaster-affected population. All staff have been trained in and agree to abide by the code of conduct.
- G. All agencies that work directly or indirectly with people under the age of 18 have a written child protection policy (see Guidance note 4).

#### Guidance Notes:

1. These threats may include arbitrary arrest and detention, torture, degrading or inhuman treatment or punishment, physical attacks, maiming or killing of individuals or groups, or use of civilians as a shield for military objects. If these threats exist agencies must prioritise prevention and improved safety as a basis for response. This may involve direct programming interventions, reporting or referral and collaboration with agencies that have specific expertise to address the threats.
2. All identified protection threats should be communicated to the government as the duty-bearer unless there is reason to believe that the government may be involved either directly or indirectly in the protection threat, or that reporting may put individuals or communities at greater risk. The responsible UN body may vary in different emergencies; however, in circumstances of displacement UNHCR or UNICEF are normally the lead for the protection cluster. OHCHR should also be informed if they have a presence. Other protection actors may include regional or national bodies such as the AU.
3. A „Do No Harm’/„Local Capacities for Peace’ assessment<sup>7</sup> should be completed to ensure that the planned projects do not expose the communities or individuals to secondary protection threats or have unintended consequences such as exacerbating existing divisions in the community or between neighbouring communities.
4. The child protection policy should be translated and distributed widely. All staff or other representatives are required to comply with the policy. The policy needs to cover child protection in the different types of work undertaken: humanitarian programming, advocacy and work with partners. The policy should also clearly describe the agency’s understanding and definitions of abuse.

#### Common Standard 2

Humanitarian response programmes are based on a comprehensive analysis of the context that includes analysis of protection risks.

#### Key Indicators:

- A. The needs assessment is underpinned by analysis of the rights of those directly and indirectly affected, as defined by international law (see Guidance Note 1).
- B. The demographic, cultural and religious context is understood and respected (see Guidance Note 2).
- C. An analysis of context includes an examination of current protection risks and root causes of protection risks such as those causing displacement; where possible programming and advocacy should target both.
- D. The assessment analyses existing and potential threats to children using a structured protection risk assessment of threats, vulnerabilities and capacities (see Guidance Note 3).
- E. The assessment indicates the number of internally displaced persons and refugees and their situation (see Guidance Note 4).

<sup>7</sup> „Do No Harm: How Aid can Support Peace – or War’ Mary.B.Anderson, 1999; „Facilitation Manual for Community-based LCP Assessment’ World Vision, 2006

- F. An actor map provides an overview of the key political and legal actors in the local and national context. This includes the significant administrative institutions and individuals that have responsibility for the protection of the population (see Guidance Note 5).
- G. Existing community protection capacities and strategies are identified (see Guidance Note 6).
- H. Protection strategies and programmes by UN agencies and other NGOs have been researched and strategies are adopted that complement existing work (see Guidance Note 7).

Guidance Notes:

1. A review identifies relevant international and regional legal instruments which the country has ratified, as well as the relevant national legislation. Of particular importance are the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), International Covenant on Social, Economic and Cultural Rights (ICESCR), Convention on Rights of the Child (CRC), Convention on Elimination of Discrimination Against Women (CEDAW), Convention Relating to the Status of Refugees, Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT), Convention on the Rights of Persons with Disabilities, Rome Statute of the International Criminal Court, and the Guiding Principles for Internal Displacement. Gathering information on community by-laws and/or codes of conduct that govern behaviour in communities is also important. An understanding of the legal context will be crucial in understanding what advocacy options are likely to be available and most effective.
2. The assessment and analysis of the context should take account of total population; male: female ratio; number of children (absolute and percentage); a breakdown of vulnerable groups (unaccompanied minors, single female headed households, people living with HIV, people with disabilities, elderly, injured, separated children, child-headed households, HIV-infected children, ethnic, religious or racial minorities).
3. An assessment must consider all aspects of the situation that may affect the health and safety of all vulnerable groups and in particular children. The assessment should include a list or table of risks (a „risk matrix’), which should document for different gender, age groups and vulnerable groups the risks associated with factors such as natural disasters and environmental hazards; land mines or unexploded ordnance; safety of buildings or other infrastructure; child protection and security threats; threats to mental and physical health; and sexual and gender-based violence. It should also document children involved in exploitative labour; children living and working on the streets; children associated with fighting forces; children in detention and in institutions; children using drugs, alcohol and other substances; and pregnant children and child mothers.
4. Assessment of the situation of refugees and IDPs should include their location, living conditions, relations with surrounding communities and access to basic services.
5. An actor map will help to identify who is responsible for protection of communities, and which other influential stakeholders could be involved. The extent to which protection actors are sufficiently fulfilling their responsibility to protect and the potential role of influential stakeholders will affect agency protection strategies. If protection actors are unwilling to provide protection then your strategy may be one of advocacy through persuasion and mobilisation in

partnership with other stakeholders. If the actors are willing but unable, the strategy may focus more on capacity building and support activities.

6. Protection programming should seek to support and strengthen positive community-led protection capacities and strategies wherever possible. A participatory technique is recommended to elicit this detailed type of information from the community (The UNHCR Tool for Participatory Assessment in Operations is a good tool for this).
7. Complementary programming. Normally a UN agency will take the lead on protection and it is important to establish contact with that agency early on in operations. Find out what other agencies are doing and make sure that planned protection integration in sector programmes will support and not undermine the work of other agencies. Investigate opportunities for joint agency assessments and response.

### Common Standard 3

Humanitarian assistance and services are provided equitably and impartially, based on the vulnerability and needs of individuals and groups affected by disaster<sup>8</sup>.

#### Key Indicators:

- A. Agencies consult representatives of all groups in the community during the assessment (see Guidance Note 1).
- B. Delivery of aid is based on the needs identified in the assessment (see Guidance Note 2).
- C. Targeting criteria are clearly defined and widely disseminated. Clear justification is provided to the disaster-affected population, and where appropriate neighbouring communities, for any targeting of aid to a specific group.

#### Guidance Notes:

1. Dignity may be unintentionally undermined, and the needs of specific groups overlooked, as a result of improper targeting criteria and mechanisms. To ensure disaster-affected populations are properly consulted and in agreement with the needs assessment and targeting decisions, the consultation process should include a representative group of women and men, boys and girls, parents, elderly, people with disabilities, and people from vulnerable groups. If necessary specific groups may be consulted separately to ensure that their opinions are heard and taken into account. Child protection policies and standards must be adhered to when consulting children, for example in obtaining parental consent.
2. In certain circumstances aid agencies may be requested to provide aid to authorities or other stakeholders of influence in order to access populations in need. Decisions regarding whether or not to provide this aid will be context-specific and should be taken in consultation with the disaster-affected population, other aid agencies and the UN. Any decision, particularly those that deviate from humanitarian principles, should not further expose disaster-

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<sup>8</sup> Sphere „Common Standard 4: Targeting’ p.35

affected populations to greater risks and must consider the sustainability of such action including impact on agency perception and practice.

#### Common Standard 4

Disaster-affected populations are intentionally engaged as informed partners in responding to protection concerns.

#### Key Indicators:

- A. Communities and key stakeholders are involved in assessing; prioritising and planning protection activities in sector programmes (see Guidance Note 1).
- B. Communities and key stakeholders are involved in the design; implementation; monitoring and evaluation stages of protection activities (see Guidance Note 1).
- C. Communities have access to a safe and confidential mechanism to file reports, complaints, queries or comments about programmes in the field and are given information about the process (see Guidance Note 2).
- D. Mechanisms are designed to ensure that vulnerable groups including the elderly, women, children and people with disabilities participate (see Guidance Note 3).
- E. Information on rights and responsibilities relevant to the agency programme is accessible and made available in a language or medium which reaches all economic, social, political, ethnic and language groups, including those who do not read or write (see Guidance Note 4).
- F. Agencies take steps to make communities (including children) aware of potential threats and risks, including those posed by humanitarian workers, traffickers, child abusers and institutions.

#### Guidance Notes:

- 1. The community has valuable knowledge and insight into protection threats: what or who the threat is, and when or where they occur. Therefore disaster-affected populations should be involved in the prioritising and planning of protection activities, as well as the implementation monitoring and evaluation of the programme. It is critical that the process includes the most vulnerable (often the victims of protection threats) – women, children, elderly, people with disabilities, people living with HIV and minority groups in the community - although the approach used for their participation should consider issues of confidentiality and cultural norms. Key stakeholders may include religious institutions, national associations, and professional associations that have the capacity to contribute to addressing protection concerns.
- 2. Feedback mechanisms can be established in a number of ways. A strong monitoring system may include focus group discussions or semi structured interviews with targeted and representative informants to obtain feedback, considering also the necessity of individual and confidential mechanisms. Feedback mechanisms can include an appropriate complaints system. A complaints box may be located in the community where individuals or groups can anonymously post concerns or complaints, or where the community is largely illiterate a confidential complaints desk may be more appropriate. Whatever mechanism is established the following components are essential: -

All members of the disaster-affected population must be given information about how to complain and that it is their right to do so. The complaints process must be accessible and fair. Procedures for gathering, tracking and responding to the complaints must be clear and transparent. People must be given a response to complaints and the organisation must learn from complaints and adapt programmes according to the complaints received.<sup>9</sup> Community members, including children, must understand mechanisms for reporting abuse by humanitarian aid workers or others in the community.

3. Participation of vulnerable groups may necessitate changing consultation locations or timings to ensure that all groups are able to attend. In some circumstances, and if culturally appropriate, house visits may need to be made to ensure representation especially for individuals that lack mobility for cultural, security or physical reasons. It may also be necessary to ascertain the views of all groups through individual confidential methodologies, in which individuals do not have to discuss their protection concerns in a public forum.
4. In societies with low literacy levels additional media may need to be utilised for communication such as film, drama and pictures. Often these forms of media are effective regardless of the literacy levels. Consideration should be given to people with hearing and sight impairment, and appropriate communication mediums provided e.g. audio messaging.

### Common Standard 5

Agencies recognise the State as the primary actor responsible for protection.

#### Key Indicators:

- A. The capacity and willingness of the State to provide effective protection to citizens, and other persons in its jurisdiction (asylum seekers, stateless persons and third country nationals) is assessed and relevant gaps are identified (see Guidance Note 1).
- B. Agencies take opportunities to support the protection role of the government through capacity building at all levels of government where appropriate.
- C. Proposals and sector projects reflect strong linkages with relevant and appropriate government structures to address protection concerns.

#### Guidance Notes:

1. States are the primary actors responsible for the protection of civilians. If they are adequately providing this protection then little external support is required. If protection is not being provided by the State it is important to assess why protection is not being provided. If the State is unwilling to provide protection then agency strategy may be one of advocacy through persuasion and mobilisation in partnership with other stakeholders. If the State is willing but unable to provide protection, the strategy may focus more on capacity building and support activities such as training.

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<sup>9</sup> For further guidance refer to Tool 12 of the „Good Enough Guide‘,2007, pg. 49 and Benchmark 5 of the „HAP Standard in Humanitarian Accountability and Quality Management‘, 2007

## Common Standard 6

The rights, needs and capacities of vulnerable groups are reflected in all stages of agency response.

### Key Indicators:

- A. Agencies recognise that women, children, older persons, persons with disabilities, people living with HIV and ethnic and religious minorities may be more exposed to protection risks and may experience them differently. Agencies reflect this understanding in their programme design and implementation (see Guidance Note 1).
- B. Agencies promote the active participation of vulnerable groups in all leadership structures, decision-making and representational committees (see Guidance Note 2).
- C. Programmes are designed to ensure equal access to resources and information for all groups (see Guidance Note 3).
- D. Agencies are aware of women, children and persons with disabilities that are vulnerable to sexual and gender-based violence and ensure that their programmes minimise risks for these groups (see Guidance Note 4).
- E. Agencies design structural interventions in camp settings to minimise protection risks for vulnerable groups (see Guidance Note 5).

### Guidance Notes:

1. Agencies should not limit their understanding of vulnerability only to the listed groups, but should be aware that any group may be increasingly vulnerable as a result of displacement, material deprivation, religious, ethnic or political affiliation. Similarly not all listed groups are inherently vulnerable but may have greater exposure to protection risks. **Children** may experience specific vulnerabilities as a result of their special requirements and evolving capacities to protect themselves. Particular issues during a disaster may include: malnutrition; abduction and recruitment into fighting forces; violence including sexual violence; and a lack of opportunity to participate in decision-making. **Older people** are vulnerable to isolation during a disaster and may be deprived of their family and community support structures. The situation may be exacerbated by existing vulnerabilities in terms of chronic health or mobility issues. **Persons with disabilities** may also be deprived of their family and support structures and are disadvantaged by environments that are not conducive to their access and participation. **Women** may be particularly vulnerable to sexual abuse and violence if they are displaced, unaccompanied, single-female headed households, pregnant or breastfeeding. **Persons living with HIV** have specific material, medical and nutritional needs that must be catered for, the possibility of discrimination and exclusion must also be considered. Programme design and implementation should reflect these specific issues through documentation of vulnerable groups' rights, needs and capacities. Design adaptations to reduce vulnerability and support capacities should be clearly articulated in programme documentation and reflected in practice.
2. Community committees and leadership structures are often the main mechanisms for disaster-affected populations to provide input on issues

regarding assessments, planning, distribution of relief items or food, monitoring and evaluations. It is critical that all vulnerable groups are proportionally represented on these committees, for example, if a community population is 80% girls and women then the community committees should be made up of 80% women and girls. However, even when vulnerable groups participate in committees and leadership structures, discriminatory attitudes often continue to marginalise their role. They may be provided with few opportunities to speak and their input may not be listened to or taken seriously. This must be monitored by agencies and appropriate interventions made if the role of vulnerable groups needs to be supported and enhanced.

3. Vulnerable groups may face physical, cultural and social barriers in accessing services and support that they are entitled to. Agencies need to identify these barriers and contribute to diminishing them. Agencies should also be providing clear information to vulnerable groups regarding their right to assistance and the means for them to access it.
4. Sexual and gender based violence (SGBV) includes physical, sexual, emotional and psychological violence and harmful traditional practices. Sexual violence includes battering, rape or attempted rape, sexual abuse, sexual exploitation, sexual harassment and intimidation, trafficking and forced prostitution and sexual violence as a weapon of war. Agency staff should seek to obtain information on: type(s) and extent of SGBV; high risk areas in the setting (where sexual violence occurs); factors in the setting that place women, children and persons with disabilities at higher risk of harm; and individuals that are particularly vulnerable to being targeted. If agency staff are not trained to safely and competently obtain this information from the population they should gather secondary information from mandated agencies.
5. The structural design of the camps can lead to discrimination in access, violence and SGBV. For example, when latrines and water points are located far from dwellings, women and girls are more vulnerable to assault and rape. Relevant considerations include proximity of facilities, security and lighting for water and sanitation facilities, and separation of male and female facilities (also see Section II, Standard 2).

### Common Standard 7

Agencies have policies and procedures to govern advocacy responses to protection concerns.

#### Key Indicators:

- A. Agency policy and procedures clearly identify when an agency will adopt an advocacy approach to responding to protection concerns (see Guidance Note 1).
- B. Agencies that lack the skills and capacity to respond appropriately to protection information take responsibility for sharing that information with skilled or mandated agencies/actors where informed consent has been obtained from the witness or victim/survivor (see Guidance Note 2).
- C. Opportunities to maximise advocacy leverage through the formation of a consortium of agencies concerned about the same protection issues will be explored and pursued where appropriate (see Guidance Note 3).

- D. Agencies prioritise the protection of sources of information – both staff and community sources – and always work on the principle of informed consent regarding statements that are made for the purposes of advocacy.
- E. The accuracy and credibility of information is verified, ensuring advocacy is based on real violations and threats.
- F. Agency staff identify opportunities for advocating on issues related to safe and equitable access to sector services and facilities.

Guidance Notes:

1. Guidance should be provided regarding appropriate levels of advocacy and appropriate advocacy approaches in different circumstances. Advocacy can take place at different levels: local, regional, national and international. Different approaches can be adopted including: persuasion, mobilisation and denunciation.
2. Appropriate agencies or actors to share information with may include: mandated agencies (UNHCR/UNHCHR/ICRC); field and global level protection cluster; national human rights institutions; human rights groups; special rapporteurs; and other human rights bodies.
3. Agencies may be able to work together where they have common concerns and agreement on the level and approach of advocacy.

**Common Standard 8**

**Agencies respond appropriately to incidences of human rights abuses in conformity with their mandate and recognised good practice.**

Key Indicators:

- A. Policy and processes are in place to guide agency response to threats or abuses witnessed or heard about during work (see Guidance Note 1).
- B. Agency staff have clear guidance on what to do when a child protection incident or concern arises (see Guidance Note 2).
- C. All agency staff have received training on the agency policy and processes and they are clear on the limits and capacities of the agency's ability to respond (see Guidance Note 3).
- D. Agency staff know about, and access, the appropriate agency and service providers to refer cases to when the case falls outside the mandate and capacity of the agency (see Guidance Note 4).
- E. The principle of „Do No Harm’ is central to all agency response to threats and abuses and recognises that action or inaction should not jeopardise the safety of survivors, witnesses or other individuals staff come into contact with (see Guidance Note 5).
- F. Confidentiality of information is respected by all agencies that have access to sensitive information relevant to protection issues (see Guidance Note 6).
- G. Steps are taken to find out the views of disaster-affected populations and vulnerable groups on policies and procedures and how they are working.

#### Guidance Notes:

1. Response can focus on agency intervention or referral, or a combination of both. Processes may include representations to the authorities; referral to a specific protection or UN agency; assisting the individual in accessing information and services; and documenting and recording the incident. Each agency will take a different approach to dealing with witnessed abuses in line with their mandate and policy which should be clearly based on a realistic assessment of their mandate and capacity.
2. The guidance should be available to everyone including children, parents, staff and consultants. All guidance is consistent with international standards and good practice in the protection of children. There should be a person identified in the organisation who has clearly defined responsibilities for child protection.
3. Agencies that do not have staff trained in monitoring human rights violations or established monitoring systems in place should clearly communicate that staff are not expected to be involved in systematic monitoring and reporting of violations of IHRL and IHL and should therefore not conduct witness interviews, verification or independent reporting. However, it is essential agencies identify ways to alert appropriate agencies of threats and violations that they become aware of.
4. A clear referral system should be in place so the victim/survivor can access the most appropriate legal and medical help as soon as possible. This includes ensuring that any survivor or witness that chooses to report a violation has relevant information on the implications of reporting violations so they can disclose information with informed consent. This will require all agencies to have the contact details and referral mechanisms to the relevant government, UN, human rights and medical agencies in the area, and a clear understanding of what information needs to be communicated in what timeframe.
5. Where there is a conflict between the need to obtain information and the safety of any individual, the safety of the individual is the paramount consideration.
6. Any staff working with witnesses or survivors/victims of violations should assure them that the information s/he is communicating will be treated as strictly confidential, and this commitment must be upheld. Information should only be passed on to other agencies or actors if informed consent is obtained. Special measures should be taken by any agency that stores confidential documentation to keep it safe. Use of coded language and passwords as well as keeping documents that identify a person separate from facts about those persons are important measures.

## **Agency Checklist for Incorporating Protection into all Sector Programmes**

- √ Which government body and other actors are responsible for protection activities?
- √ What steps have been taken by your agency to work with the responsible government authority?
- √ Has your agency carried out a thorough analysis of the protection context including an actor map of the relevant actors and their influence?
- √ Have protection risks been considered in all stages of the programme/project cycle?
- √ Have steps been taken to ensure the participation of all groups of the disaster-affected population at all stages of the programme/project cycle?
- √ Have programmes been designed to include and support vulnerable groups?
- √ Has your agency established a safe and confidential complaints mechanism?
- √ Does your agency have a code of conduct and child protection policy that all staff are aware of and have signed?
- √ Does your agency have policies and systems to manage protection information and advocacy on protection issues? Are all staff aware of them and using them?
- √ Does your agency have a policy on how to respond to witnessed human rights abuses? Are all staff aware of the policy and using it?

## Section II

### Minimum Agency Standards for incorporating Protection into Water and Sanitation Programmes

#### Key Legal Principles

*The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses<sup>10</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.

#### Relevant Industry Standards and Indicators

##### Sphere Standards

Hygiene promotion standard 1: programme design and implementation

Water supply standard 1: access and water quantity

Water supply standard 3: water use facilities and goods

Excreta disposal standard 1: access to and number of toilets

Excreta disposal standard 2: design, construction and use of toilets

##### UNHCR Standards and Indicators Report – Refugee Camp/Settlement

Water indicators 42, 43 & 44

Sanitation indicators 47-51

<sup>10</sup> General Comment No 15 “The right to water”, Committee on Economic, Social and Cultural Rights, 2002, Art 2.

## Key protection concerns

- Equitable access to water and sanitation facilities
- Safety for disaster-affected populations using water and sanitation facilities
- The needs of vulnerable groups

### Standard 1

Water and sanitation programmes provide disaster-affected populations with equitable access to water and sanitation facilities.

#### Key Indicators:

- A. Responsible government authorities are identified and their role to ensure access to water and sanitation facilities is supported whenever possible.
- B. Agencies monitor and respond to situations where community groups exercise discrimination over access to water and sanitation facilities (see Guidance Note 1).
- C. Programmes involve representatives from different parts of the disaster-affected population in monitoring water and sanitation inputs.
- D. Water and sanitation facilities are located in a safe location where all members of the community can access them (see Guidance Note 2).
- E. Agencies advocate for, and support the provision of, adequate and safe water and sanitation facilities at learning or meeting sites and health centres (see Guidance Note 3).

#### Guidance Notes:

1. Community groups 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, water and sanitation projects that encourage community ownership must take into account the representation and needs of all members of the community. Systems must be set up 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.
2. 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 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 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.

3. 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.

## Standard 2

Agencies prioritise safety and dignity in water and sanitation programmes.

### Key Indicators:

- A. The location of water pumps and wells takes into consideration the safety of location, 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 should be 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. The community, and in particular women, children and vulnerable groups, have been 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 sources should be safe in respect of reducing the risk of physical and sexual attacks that can take place. In practical terms this means increased visibility and proximity to housing and communal areas. As a guide no household should be over 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 over 50 metres from a toilet.
4. The numbers, 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.
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 specific water and sanitation needs of vulnerable groups are considered in water and sanitation programmes.

#### Key Indicators:

- A. Women, elderly, people with disabilities and other vulnerable groups are represented on any water and/or sanitation committees.
- B. Water and sanitation facilities are designed so that they can be used by all including children, elderly and people with disabilities (see Guidance Note 1).
- C. There is adequate space for women to be able to clean, dry and dispose of sanitary materials with privacy and dignity.
- D. Facilities are designed considering the space and adaptations required for people with disabilities to wash with privacy and dignity.
- E. There is a mechanism for individuals or groups to raise concerns about the water and sanitation facilities (see also Common Standard 4).

#### Guidance Notes:

1. Water pumps and wells may need to be designed to accommodate the needs of vulnerable groups, for example located at an appropriate height from the ground and 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 living with HIV, elderly, people with disabilities and children. Where it is not possible to make all toilets acceptable to all groups, special toilets need to be constructed or provided for children, elderly and people with disabilities e.g. potties, toilets with lower seats or hand rails, or longer chain flushes.

## **Agency Checklist for Incorporating Protection into Water and Sanitation Programmes**

- √ Which government body and other actors are responsible for water and sanitation activities?
- √ What steps have been taken by your agency to work with the responsible government authority?
- √ Are water and sanitation facilities designed and adapted considering the safety of users?
- √ Have disaster-affected populations been consulted on the safety of water and sanitation facilities?
- √ Are water and sanitation facilities designed and adapted to ensure that vulnerable groups can access and use them?
- √ Is there a mechanism for individuals or groups to raise concerns about the water and sanitation facilities?

## Section III

### Minimum Agency Standards Incorporating Protection into Food Aid 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 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 <i>quantity and nutritional quality</i> . 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

Food aid planning standard 2 – appropriateness and acceptability

Food aid management standard 3 – distribution

Non-food items standard 1 – clothing and bedding

Non-food items standard 2 – personal hygiene

UNHCR Standards and Indicators Report – Refugee Camp/Settlement

Food and nutrition indicators 28, 29 & 30

## Key protection concerns

- Equitable access to food and non-food items
- Safety for disaster-affected populations prior to, during and after distributions
- The needs of vulnerable groups
- Deliberate starvation or deprivation of disaster-affected population

### Standard 1

The method of food and non-food item (NFI) distribution is responsive, transparent, equitable and appropriate to local conditions<sup>11</sup>.

#### Key Indicators:

- A. No beneficiary selection criteria are based on religious, political, racial, ethnic or social grouping.
- B. Agencies distribute equal amounts of food aid and non-food items to all recipients unless differences are justified on the basis of need alone (see Guidance Note 1).
- C. Disaster-affected populations are consulted during the assessment or programme design on the acceptability, familiarity and appropriateness of food and non-food items, and results are factored into programme decisions on the choice of commodities (see Guidance Note 2).
- D. Distribution rations are clearly displayed in a language and medium that is understandable to recipients.
- E. A complaints mechanism is in place for recipients to feed back on concerns.
- F. Food aid and NFI are never distributed with, or associated with, any political or religious items or packaging.
- G. Distribution teams are managed to reduce risk of exploitation by staff or undetected protection issues (see Guidance Note 3).

#### Guidance Notes:

1. Any difference in food and non-food items 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.
2. 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

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<sup>11</sup> „Humanitarian Charter and Minimum Standards in Disaster Response’ The Sphere project, 2004, Food Aid Management Standard 3: distribution p.168

recipients are unfamiliar with the fuel that is being distributed they must receive clear instructions to avoid accidents and burnings.

3. 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 2

Agencies prioritise safety and dignity prior to, during and after food and non-food item (NFI) distributions.

### Key Indicators:

- A. Agencies locate distribution points in a safe area, with appropriate policing if required (see Guidance Note 1).
- B. Actions have been taken to make the routes to and from the food 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 non-food items (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 distribution (see Guidance Note 1, 2 and 4).
- E. Personal data and lists of recipients are strictly restricted to concerned actors and kept safe from unintended use.

### Guidance Notes:

1. Food and other 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 are 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 nearby the presence of large numbers of men, particularly those where there is liberal access to alcohol, or where armed persons are in the vicinity.
2. Roads to and from the distribution point should be clearly marked, accessible and frequently used by other members of the community.

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 provision of food aid 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 food 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. Confidential complaints 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).

### Standard 3

The requirements of vulnerable groups are considered in food and non-food item distributions.

#### Key Indicators:

- A. Vulnerable groups participate equally and meaningfully on registration and distribution committees in compliance with Common Standard 6 (see Guidance Note 1).
- B. Distribution points are set up considering locations and times that are accessible to vulnerable groups (see Guidance Note 1).
- C. The special requirements for vulnerable groups are considered in NFI distributions (see Guidance Note 2).
- D. Agencies consider the provision of additional items essential for ensuring personal hygiene, dignity and well-being, including sanitary materials for women and girls (see Guidance Note 3).
- E. Women are able to be registered in their own name.
- F. Female and child-headed households and other vulnerable groups are registered in food distribution lists.
- G. The nutrition and short-term hunger needs of learners are considered in designing the appropriate food aid programming responses (see Guidance Note 4).
- H. Food monitors check that the food is reaching the vulnerable groups.
- I. Food is distributed directly to women or unaccompanied minors if there is a risk that food 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 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. Travel to distribution points should be no more than 10 km according to Sphere standards.

2. Additional changes of clothing should be provided where possible to people with incontinence problems, people living with HIV and associated diarrhoea, pregnant and breastfeeding women, older people, people with disabilities and others with impaired mobility. Infants and children are more prone to heat loss than adults due to their ratio of body surface area to mass, and may require additional blankets, etc. to maintain appropriate levels of thermal comfort. Older people, the ill or infirm, individuals with HIV, and those with reduced mobility may also require particular attention, such as the provision of mattresses or raised beds.
3. Women and girls should receive appropriate material for menstruation. The number of menstruating women can be estimated at 25% of the total population. 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.
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.

#### Standard 4

Agencies involved in food aid distribution identify, and contribute to, addressing protection issues related to the occurrence of food insecurity.

#### Key Indicators:

- A. If agencies are aware of parties involved in deliberate starvation of the population or destruction of livelihood in contravention of international law this information is managed in compliance with Common Standard 7.
- B. If agencies are aware of parties deliberately denying a particular social group access to food, this information is managed in compliance with Common Standard 7.
- C. Any opportunities for food aid 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 (see Guidance Note 1).

- D. Advocacy mechanisms to address these root causes of food insecurity are utilised alongside the delivery of food aid to affected populations (see Guidance Note 2).

Guidance Notes:

1. Careful monitoring must take place to ensure that the food is not used to fuel conflict, such as food being diverted to supply military groups or being sold to fund arms procurement. In addition, food should not increase the vulnerability of ethnic, racial or gender groups, for example, if these groups are more vulnerable to being attacked as a result of having food or other resources that have been distributed. A „Do No Harm’ analysis is a good way to make sure that the food and resources distributed do not feed into and fuel ongoing conflicts.
2. Agencies should engage in advocacy in compliance with Common Standard 7.

### **Agency Checklist for Incorporating Protection into Food Aid and NFI Programmes**

- √ Which government body and other actors are responsible for provision of food and non-food items?
- √ What steps have been taken by your agency to work with the responsible government authority?
- √ Does your agency provide guidance to staff on how to respond to deliberate deprivation of food and other non-food items essential to life with dignity?
- √ Are disaster-affected populations consulted at all stages of the food and NFI programmes?
- √ Is there a complaints mechanism for recipients to feed back on concerns related to the programme?
- √ Is there a system for addressing concerns raised?
- √ Have adaptations been made to ensure the access and safety of vulnerable groups to food and NFI programmes?
- √ Are measures in place to prevent and respond to safety concerns, including any intimidation, violence and sexual exploitation associated with distributions?

## 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

Food assessment and analysis standard 1: food security

Food security standard 1: general food security

Food security standard 3: income and employment

Food security standard 4: access to markets

### Red Cross Code of Conduct

Principle of conduct 8

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

## Key protection concerns

- Equitable access to livelihoods opportunities and resources
- Safe livelihood practices and strategies
- Self determination of livelihood practices and protection mechanisms
- Increased resilience

## Standard 1

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

### Key Indicators:

- A. Agencies provide equitable access to livelihood programmes and advocate for equitable access to all employment opportunities in compliance with Common Standard 7 (see Guidance Note 1).
- B. Livelihoods programming protects and supports household caring responsibilities (see Guidance Note 2).
- C. 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).
- D. Programmes promote safe access to market goods and services for producers, consumers and traders (see Guidance Note 4).

- E. Programmes support equal access to natural and productive resources and assets that assist in the development, sustainability or rebuilding of livelihoods. (see Guidance Note 5).
- F. 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. Therefore, agencies should not only ensure equitable access to livelihoods programmes and agency employment opportunities, but should also encourage 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, child care, 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 child care 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 they undermine 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.
5. This requires a clear understanding of what natural and productive resources and assets need to be accessed and by whom. This must include consideration of the needs of nomadic and pastoralist populations and their access to traditional lands. Any identified barriers to access should be a basis for advocacy (in compliance with Common Standard 7) and alternative programming options.
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

Safety aspects of livelihoods practice are a fundamental concern to agencies.

### Key Indicators:

- A. Disaster affected populations are involved in analysis of 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. Agencies identify advocacy pathways to respond to threats incurred in the exercise of livelihoods protection in compliance with Common Standard 7 and respond to human rights abuses in compliance with Common Standard 8.

### Guidance Notes:

1. Threats to safety may result from restricted freedom of movement for economic purposes, arbitrary detention, the presence of landmines in agricultural fields and roads and local markets.
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. Education should be carried out 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.
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. Agency practice may include identification of safe areas and routes, and provision of secure storage areas.

### Standard 3

The needs of vulnerable groups are central to livelihoods programmes.

#### Key Indicators:

- A. Agencies understand the cultural and political context and factors contributing to vulnerability in compliance with Common Standard 2 (see Guidance Note 1).
- B. Mechanisms are designed to ensure the participation of vulnerable groups including the elderly, women, children, people with disabilities and people engaging in harmful livelihoods practices (see Common Standard 4).
- 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. Obstacles to access to livelihoods may be well understood for such vulnerable groups as women in pregnancy and childbirth, women- and child-headed households, people with chronic illnesses or disabilities, older people and those who are marginalised on the basis of ethnicity or other factors. However, other groups may be vulnerable in particular contexts, such as unemployed young men who are at high risk of recruitment to militia, or IDPs who may not have documentation.
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.

4. Appropriate responses 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 in compliance with Common Standard 8, so that they can be immediately removed from dangerous environments.

#### Standard 4

**Agency livelihoods programmes increase resilience of individuals and communities to protection threats.**

#### Key Indicators:

- A. Agencies conduct analysis in conjunction with disaster-affected populations to determine individual and collective resilience, in compliance with Common Standard 2.
- B. Disaster-affected populations participate at all stages of livelihoods programme development, in compliance with Common Standard 4 (see Guidance Note 1).
- C. Agencies advocate for livelihoods projects that promote peaceful coexistence, reconciliation and conflict prevention, such as setting up projects that benefit both displaced communities and local communities (see Guidance Note 2).
- D. Agencies explicitly recognise the link between self determination of livelihoods practices and resilience, and incorporate this principle into its programmes. (See Guidance Note 3).
- E. Agency practice prioritises collective livelihoods projects over those that benefit individuals in order to increase resilience of whole communities (see Guidance Note 4).
- F. Agencies provide support to individual and collective initiatives that seek to protect livelihoods (See Guidance Note 5).
- G. In the event of increased risk to communities or individuals as a result of their protection of livelihoods, agencies will explore appropriate methods of advocacy in compliance with Common Standard 7, and respond to human rights abuses in compliance with Common Standard 8 (See Guidance Note 6).

#### Guidance Notes:

1. The population in question should direct both the form and content of livelihoods programmes to the greatest possible extent, in recognition of the inseparability of self determination and participation.
2. „Doing no harm’ in the context of sustainable livelihoods may include: ensuring that local livelihoods, local markets or labour supply are not undermined; ensuring that a dependency on aid is not created; ensuring that livelihood programmes for IDPs/refugees will not negatively interfere with the local and traditional livelihoods; and, avoiding negative environmental impacts of programmes.
3. Self determination of livelihoods refers to the right of communities and individuals to freely choose their own livelihoods. This may relate to their choice

of traditional/indigenous livelihood practices over large-scale production. It is intrinsically linked to dignity.

4. Collective livelihoods practice can also contribute to safety. As rural community economies are intimately linked with social networks, intra-community governance structures, cultural practices and social cohesion, 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 their resilience. Increased resilience can contribute to preventing internal displacement in some cases. In situations of IDP communities in camps or resettlement, whole-of-community livelihoods projects can contribute to the reconstruction of social fabric, thus mitigating some of the effects of displacement.
5. Defence of livelihoods may include participation in growers' collectives and associations or membership of trade unions to protect labour rights. It could also be understood as the acquisition of land title which inhibits the threat of appropriation of lands by external parties, and facilitates the return of IDPs to lands once conditions become favourable. Programmes that encourage farmers to cultivate cash crops can result in reduced resilience of communities to withstand threats if they do not have the means of subsistence (e.g. if conflict threatens the exchange value of the cash crop, if there are economic blockades by parties to the conflict). Livelihoods programmes should ensure that at least minimum levels of subsistence food crops are planted.
6. Defence of livelihoods entails exercise of civil and political rights, such as membership of trade unions and other forms of organising to advocate for labour rights. This can result in persons becoming targeted with violence, particularly in contexts of repression of political and civil rights, and/or when significant economic interests are involved (e.g. farmers opposing mining projects that cause environmental damage). Agency practice should seek to support the exercise of these rights, and avoid advising people to reduce their activism, or otherwise condition ongoing support on a reduction of activism. In the case of securing land title, this could also involve people advocating for legislative reform (land reform, constitutional recognition of indigenous land rights etc). Agency support could include capacity building in legal processes or advocacy, as appropriate to the context.

## Standard 5

Agency practice and livelihoods programmes reduce reliance on unsafe livelihoods practices.

### Key Indicators:

- A. Agencies monitor instances of unsafe livelihood practices and respond in compliance with Common Standard 8. Practices may include: child labour, commercial sex work, recruitment to armed forces, bonded labour and risky movement to collect firewood or access markets (see Guidance Note 1).
- B. Groups at risk of unsafe livelihoods practices are identified and agencies prioritise provision of alternatives for these groups (see Guidance Note 2).
- C. Agencies provide information about the risks of unsafe livelihoods practices.

- D. Livelihoods programmes take steps to minimise risk associated with unsafe livelihood practices (see Guidance Note 3).
- E. Livelihood strategies promote family unity (see Guidance Note 4).
- F. 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 5).

Guidance Notes:

1. Unsafe livelihoods practices are those which place people at increased risk, such as sex work, recruitment to militia, illegal criminal activity or child labour. 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.
2. 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.
3. 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.
4. 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.
5. 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.

## **Agency Checklist for Integrating Protection into Livelihoods Programmes**

- √ Which government body and other actors are responsible for livelihoods programming?
- √ What steps have been taken by your agency to work with the responsible government authority?
- √ Are livelihoods programmes designed and adapted considering the equitable access of users?
- √ Are livelihoods programmes designed and adapted considering the safety of users?
- √ Have disaster-affected populations been consulted on the safety of livelihoods programmes?
- √ Are livelihoods programmes designed and adapted to ensure that vulnerable groups can access and use them?
- √ Are livelihoods programmes designed to increase resilience of individuals and communities?
- √ Is there a mechanism for individuals or groups to raise concerns about livelihoods programmes?
- √ Is your agency aware of the national laws regarding land title, particularly those relating to indigenous communities and other specific ethnicities?
- √ Is your agency aware of, and adhering to, national labour laws?

## Section V

### Minimum Agency Standards for incorporating Protection into Shelter Programmes<sup>12</sup>

#### Key Legal Principles

*The right to basic standards of living which 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>13</sup>	
Principles 2 & 8:	Right to adequate housing and the responsibility of the State in this regard.
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

Shelter and Settlement standard 1: Strategic Planning

Shelter and Settlement standard 2: Physical Planning

<sup>12</sup> These protection standards and indicators for shelter programmes have significant contributions from the 'Humanitarian Charter and Minimum Standards in Disaster Response' The Sphere project and 'Protection in Practice: A Guidebook for Incorporating Protection into Humanitarian Operations', InterAction Protection Working group

<sup>13</sup> Also known as the Pinheiro Principles

Shelter and Settlement standard 3: Covered living space  
Shelter and Settlement standard 4: Design

UNHCR Standards and Indicators  
Shelter and Physical planning indicators 52, 53 & 54

### Key protection concerns

- Disaster-affected populations are sheltered in safety and dignity
- Easy and safe access to essential services from shelter location
- Equitable access to shelter

### Standard 1

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

#### Key Indicators:

- A. Responsible government authorities are identified and their role supported if possible.
- B. Disaster-affected populations participate in decisions regarding site location and shelter design.
- C. 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).
- D. 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.
- E. The privacy and dignity of separate households is considered in the shelter design and development (see Guidance Note 2).
- F. Family unity and respect for cultural considerations is ensured in the house size and layout of construction.
- G. Safe recreational space is available for children in compliance with established standards<sup>14</sup>.
- H. Security provisions are made within shelter settlements especially at night (see Guidance Note 3).
- I. In displacement contexts the structured design of the camp reduces vulnerability to sexual and gender-based violence (see Guidance Note 4) (see also Water and Sanitation standard 2).

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<sup>14</sup> „World Vision Standards: Protecting Children in Emergencies’ and „UNICEF Guidelines for Child Friendly Spaces’ (CFS), 2008

- J. Where communities are responsible for collecting building materials themselves, agencies have taken steps to ensure that the location of materials and routes to and from materials are safe (see Guidance Note 5).
- K. Support is provided to women that are interested in participating in construction activities (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 avoided whenever possible.
2. 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.
3. The security provisions should be discussed with the community, and in particular vulnerable groups. It may require that lighting be provided for all walkways and roads, or that all families are provided with torches/flashlights and whistles. Where possible community security initiatives should be supported, for example trained community watch patrols that include men and women.
4. The structural design of camps themselves can lead to 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.
5. Where communities collect timber and roofing materials from the local area, the agency should identify areas that these materials can be collected from, which are safe. This may require policing of an area and/or limiting material collection to certain times of day.
6. Provide basic training in construction to interested women so that they can equally participate in the process. Women may be interested in clay wall making or brick making and training can be provided in these areas. The same is true for men if women have traditionally been in charge of building.

**Standard 2**

**Shelter programmes prioritise easy and safe access to essential services.**

Key Indicators:

- A. The location of shelter considers ease and safety of access to water and sanitation services (including rubbish collection points); fuel services; and social facilities including health care, schools, places of worship, and employment or livelihood opportunities.

- B. The location of the shelter considers the necessity of access for humanitarian services at all times of year (see Guidance Note 1).
- C. Displaced persons sheltered in community contexts rather than camp contexts are not disadvantaged in terms of their access to agency services.

Guidance Notes:

1. 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 specific needs of vulnerable groups are reflected in shelter programmes.

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. 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 4).
- E. 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 the decisions on the 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 hand rails for all stairways and ramps. Allocate space on the ground floor, adjacent to exits or

along access routes for occupants with walking or visibility 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. 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 are aware of, respect and promote property rights in the event of a natural disaster or complex humanitarian emergency.

#### Key Indicators:

- A. Government agencies responsible for ensuring property rights are upheld should be identified by agencies engaged in shelter programmes. Agencies engage advocacy where appropriate to ensure that title deeds and documentation are issued by the government to rightful owners in a timely manner.
- 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 1).
- C. The property and land rights of vulnerable individuals and groups are researched and if possible active steps are taken to support these groups and to advocate on their behalf in compliance with Common Standard 7 (see Guidance Note 2).

#### Guidance Notes:

1. 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.
2. The land or property rights of vulnerable groups should be identified and supported. This includes formal or customary rights of inheritance, particularly following a disaster in which the holder of the rights or title may have died or been displaced. 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.

## **Agency Checklist for Incorporating Protection into Shelter Programmes**

- √ Which government body and other actors are responsible for shelter activities?
- √ What steps have been taken by your agency to work with the responsible government authority?
- √ Have shelter sites been selected to minimise safety concerns?
- √ Have shelter structures been designed and adapted to minimise safety concerns?
- √ Does the chosen shelter location facilitate easy and safe access to necessary services and facilities? If not, what steps have been taken by the agency to minimise risks associated with accessing services and facilities?
- √ Have adaptations been made to shelter programmes to address the needs of vulnerable groups?
- √ Is your agency aware of the national and local property laws? Have these been respected in agency practice?

## Section VI

### Minimum Agency Standards for Incorporating Protection into Health Programmes (Physical, Mental and Social Aspects of Health)

#### Key Legal Principles

*Everyone has the right to the highest attainable standard of physical and mental health*

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.
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. 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

Health Systems and Infrastructure standard 1 – prioritising health services  
Health Systems and Infrastructure standard 6 – health information systems

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

### Key protection concerns

- Safe and equitable access to health facilities and services
- Health services for victims/survivors of human rights abuses
- Respect for religious and cultural practices in health care

### Standard 1

**Health programmes provide disaster-affected populations with safe and equitable access to health facilities and services.**

#### Key Indicators:

- A. Agency health service delivery is based on need, is inclusive and non-discriminatory.
- B. Health care facilities are strategically located so that they are easily and safely accessible for all disaster-affected populations and vulnerable groups in compliance with Common Standard 6 (see Guidance Note 1).
- C. The gender/ethnic balance of staff at health facilities is appropriate to meet the needs of the population (see Guidance Note 2).
- D. Appropriate legal and civil status documents relevant to birth, death and other health related matters are issued equally to everyone without any discrimination (see Guidance Note 3).

#### Guidance Notes:

1. In practice, the location, staffing and systems of the health services should be organised to ensure optimal access and coverage for all. Vulnerable groups should be consulted on the design of the health facilities to ensure that their particular needs are addressed. Where user fees are charged, arrangements

should be made to ensure that those unable to afford the fees still have timely and ready access e.g. fee waivers, vouchers, etc.

2. It is ideal to have a ratio of gender among health workers that is comparative to the gender ratio of the resident population. The same principle applies for ethnicity. In difficult contexts every effort must be made to ensure a maximum number of female and minority ethnic health workers are available as this will significantly increase the access of women or people from minority groups to health services. Minority language groups may also have to be catered for through the provision of translators. Agencies should ensure equal pay and opportunities for women and men in health programmes.
3. Where children are moved from one health facility to another, agencies should ensure that their documentation travels with them and that a family member travels with the child.

## Standard 2

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

### Key Indicators:

- A. Appropriate mechanisms for the monitoring and reporting of instances of abuse and exploitation of civilians are established in compliance with Common Standard 8 (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. There is a code of conduct in place for employed medical staff.
- D. Fundamental rights of the disaster-affected population are a core component of staff training on codes of conduct (see Guidance Note 1 and 2).
- E. Trained staffs are able to refer patients to, or directly provide, appropriate health care services and gender-sensitive counselling for people who have experienced rape, domestic violence, sexual exploitation, forced marriage, forced prostitution, female genital mutilation, trafficking and abduction, as well as for those suffering from psychological trauma from atrocities that they have been involved in or witnessed (see Guidance Note 3).
- F. Staff that have knowledge and skills relevant to working with children are available at the health facility or can be contacted immediately.
- G. Agencies take steps to ensure that the treatment of individuals that 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).
- H. Agency staff know how 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.

### Guidance Notes:

1. Health staff are 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 complies with Common Standard 8 and 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 the room allocations, visible equipment or procedures.

2. Staff must respect at all times the right of survivors to confidentiality and to informed consent, including the right to refuse treatment.
3. Appropriate health care services should include access to treatment for STIs and post-exposure prophylaxis for HIV (PEP). Trauma counselling and psychosocial services should never be provided by staff that are not adequately trained; where medical staff are unable to provide the necessary care, referral systems should be in place. Where none of the appropriate services are available agencies should advocate for their establishment in compliance with Common Standard 7.
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.

### Standard 3

**Health services respect the cultural and religious context to the extent that this does not undermine other fundamental human rights.**

#### Key Indicators:

- A. Responsible government authorities are identified and programmes are designed to support existing structures and health providers where possible (see Guidance Note 1).
- B. Accessibility and appropriateness of the health facilities for women, boys and girls is maximised in the cultural and religious context (see Guidance Note 2).
- C. Cultural and protection considerations are taken into account in the layout and systems of health centres (see Guidance Note 3).
- D. Harmful traditional practices that affect the health of men, women, children and youth should be avoided and where appropriate addressed for elimination. Those practices that are helpful for healing should be researched, encouraged and respected by agency programmes (see Guidance Note 4).
- E. Dead bodies are managed in accordance with the culture and traditions of the people and community, and families are supported to carry out appropriate rites (see Guidance Note 5).

## Guidance Notes:

1. In all cases the Ministry of Health, or other relevant government body, should take the lead in health programmes. If the government ministry lacks the capacity, a United Nations agency will generally take responsibility as lead health authority. Other agencies should provide a supporting and capacity-building role. If possible, this role can also involve advocacy and specific advice to states on bringing relevant national legislation, policies and programmes in line with international standards and on enhancing compliance by government bodies.
2. The following amendments to health facilities may be considered to encourage women, boys and girls to use them: provision of separate rooms for consultation with women, female medical staff are available for consultations with women, and waiting rooms are divided where required for men and women.
3. 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. Segregation of men and women in waiting areas should be considered when health centres are constructed, and the privacy of patients must be protected from public by screens or partitions.
4. Harmful traditional practices may include female genital mutilation, scarification, and uvulectomy procedures among others. Any intervention to eliminate traditional practices must be culturally sensitive and respect the principle of „Do No Harm’. If ceremonies are required for initiation into man- or woman- hood the principle of ceremonies should be supported and alternatives to the harmful practices be found. Intervention needs to take place at multiple levels – parents, families, and community and religious leaders as well as health professionals.
5. Social customs for dealing with the remains of the dead should be respected, including the release of bodies by authorities within the timeframe dictated by the family’s religion where possible. Where customs vary, separate areas should be available for each social group to exercise their own traditions with dignity. The affected community should also have access to materials to meet the needs for culturally acceptable funeral rites.

### **Agency Checklist for Incorporating Protection into Health Programmes**

- √ Which government body and other actors are responsible for health activities?
- √ What steps have been taken by your agency to work with the responsible government authority?
- √ Have medical programmes been designed to maximise accessibility?
- √ Have agencies consulted the disaster-affected population, and vulnerable groups in particular, at all stages of the project cycle?
- √ Have all agency medical staff signed a code of conduct and do staff respect its principles?
- √ Are agency medical staff able to respond appropriately to victims of human rights abuses?
- √ Are medical services and structures designed to maximise safety and confidentiality?

## Section VII

### Minimum Agency Standards for Incorporating Protection into Education Programmes<sup>15</sup>

#### Legal Principles

*The right to education without discrimination; primary education is compulsory education and free for all.*

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.
Geneva Convention IV Article 50:	Occupying power shall facilitate proper working of all institutions devoted to the care and education of children.
API Geneva Convention 51 & 52:	Prohibits direct or indiscriminate attacks or reprisals against civilian property including schools, playgrounds and other educational facilities.
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. Where governments are unable or unwilling to fulfil this responsibility, agency advocacy should refer to the relevant international and national legislation.

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<sup>15</sup> These standards, indicators and guidance notes are taken directly from the INEE 'Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction' with minimal additions

## Relevant Industry Standards and Indicators

INEE Access and Learning Environment Standard 1  
INEE Access and Learning Environment Standard 2  
INEE Access and Learning Environment Standard 3  
INEE Teachers and Other Education Personnel Standard 2  
INEE Education Policy and Coordination Standard 1

UNHCR Standards and Indicators  
Education Indicators 56-59 and 64

## Key protection concerns

- Equal access to education facilities
- Safety of children and learners in the learning environment
- Physical accessibility and safety of the school structure

## Standard 1

Education programmes provide disaster-affected populations with equitable access to learning facilities.

### Key Indicators:

- A. Responsible government authorities are identified and their role supported if possible.
- B. No individual is denied access to an agency education and learning opportunity as a result of discrimination (see Guidance Notes 1 and 2).
- C. Agencies identify barriers to accessing educational and vocational opportunities e.g. documentation and need for school uniforms or materials. Where appropriate, agencies design responses to overcome barriers (see Guidance Note 3).
- D. Education programmes consider a range of formal and non-formal learning opportunities for the disaster-affected population to fulfil their education need (see Guidance Note 4).
- E. Through training and sensitisation, communities are involved in ensuring the rights of all members to a quality and relevant education (see Guidance Note 5).
- F. Curricula and instructional materials developed or supported by agencies are gender-sensitive, recognise diversity and promote respect for learners (see Guidance Note 6).
- G. Where single-sex classes are preferred, provide separate classrooms/locations or timings for girls and boys.

#### 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 vulnerable learners such as young mothers, pregnant girls, children with disabilities and child ex-combatants.
2. 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, gender, culture, nationality, ethnicity, religion, learning capacity, impairments and/or disabilities, and multi-level and multi-age instruction. Agencies should promote proportional representation of gender and ethnic background in teaching staff. School schedules should be developed to accommodate groups including nomadic groups and learners that are involved in agricultural activities at certain times of the year.
3. 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.
4. Education opportunities supported by agencies should include early childhood, primary and secondary education, higher education, life skills, peace education, vocational training, non-formal education (including literacy and numeracy) and accelerated learning opportunities, where appropriate.
5. Disaster-affected populations, including children, should be actively involved in education processes. This can help address communication gaps, mobilise additional resources, address security concerns and promote participation among marginalised groups.
6. 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 education kits are distributed e.g. “school-in-a-box” ensure that they are gender sensitive and responsive to boys’ and girls’ needs.

## Standard 2

Agencies consider the security of learning environments and promote the protection and mental and emotional well-being of learners.

### Key Indicators:

- A. Schools and other learning environments are located in close proximity to the populations they serve (see Guidance Notes 1 and 2).
- B. Agencies have considered the security of access routes to the learning environment for all learners, especially for girls (see Guidance Note 3).
- C. The learning environment is checked and monitored for dangers that may cause harm to learners (see Guidance Note 4).
- D. The learning site is marked by visible boundaries and clear signs as appropriate.
- E. 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.
- F. Learners are provided with advice and support on keeping themselves safe.
- G. Reporting mechanisms are in place for students to raise safety issues if required.
- H. Levels of harassment experienced by women, boys and girls are monitored and mechanisms put in place to prevent it (see Guidance Note 5).

### 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 (or „satellite’ or ‚feeder’) classes should be encouraged on sites nearer to the homes of those unable to travel any distance, such as younger children or adolescent girls.
2. If the usual education premises are not available or are insecure, then alternative sites should be selected which are safe and secure. Schools should be considered zones of peace and should not be used as temporary shelters by security forces, nor should military or arms be allowed on the school premises.
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. Measures to enhance safety of learners travelling to and from school include: adult escorts; and provision of torches/flashlights and whistles for each student.
4. Learners and teachers should be protected from dangers that may harm them, including but not limited to: natural hazards, arms, ammunition, landmines, unexploded ordnance, armed personnel, crossfire locations, political and military threats and recruitment.
5. Referral and reporting mechanisms are in place and learners are aware of the mechanisms. When and where possible, women should be present on educational premises to reassure female learners.
- 6.

### Standard 3

Agencies ensure that teachers are adequately trained and supported to provide a protective environment for learners.

#### Key Indicators:

- A. Agencies work with the communities to develop and implement a Code of Conduct for teachers and educational personnel that addresses sexual harassment, abuse and exploitation (see Guidance Note 1).
- B. There are learning opportunities for staff to develop and maintain the necessary attitudes, skills and knowledge to keep children and older learners safe.
- C. Teachers and other education personnel employed by agencies are provided with the skills to give psychosocial support to promote learners' well-being.

#### Guidance Notes:

1. All staff should be trained in Code of Conduct covering appropriate interaction with learners and prohibition on sexual exploitation and abuse. Code of Conduct should include a prohibition on corporal punishment. Children should be aware of the Code of Conduct and how to report any cases of exploitation and abuse.

### Standard 4

Education facilities are designed to promote the physical well-being of all learners

#### Key Indicators:

- A. Learning structure and site are designed considering accessibility to all, regardless of ability or inability (see Guidance Note 1).
- B. The physical structure used for the learning site is appropriate for the situation and includes adequate space for classes and administration, recreation and sanitation facilities (see Guidance Note 2).
- C. Disaster-affected populations, including children, participate in the design, construction and maintenance of the learning environment (see Guidance Note 3).
- D. Adequate sanitation facilities are provided, taking account of age, gender and access for persons with disabilities (see Guidance Note 4).
- E. Adequate quantities of drinking water and water for personal hygiene are available at the learning site (see Guidance Note 5).
- F. Fire and emergency exits are available in all learning facilities. They are clearly marked and not locked. (Guidance Note 6).
- G. Every learning environment is equipped with a first aid kit and trained staff members in first aid.

### Guidance Notes:

1. There should be access routes for all children who may require ramps and/or railings up steps. Wider doors and hallways should be considered in all new construction of educational facilities.
2. Appropriateness of the physical structure should take into account its long-term use (post-emergency), the available budget, community involvement and whether it can be maintained by local authorities and/or the local community at a reasonable cost. The structure may be temporary, semi-permanent, permanent, an extension or mobile. If playground equipment is available, it must be well-maintained and someone must specifically check it regularly and report any damage to a designated person.
3. Maintenance of the learning environment should include facilities (latrines, hand washing stands, water points etc) and furniture (desks, chairs, blackboards, cabinets etc).
4. Learning environments should have separate toilets for men/boys and women/girls and adequate privacy. Sanitary facilities and materials should be made available for women/girls. Toilets for people with disabilities should be available in all educational facilities.
5. Water should be available within or in close proximity to the learning environment as per local/international standards.
6. Children have training on emergency evacuation procedures.

### Agency Checklist for Incorporating Protection into Education Programmes

- √ Which government body and other actors are responsible for education activities?
- √ What steps have been taken by your agency to work with the responsible government authority?
- √ Have education programmes been designed to maximise accessibility for all the disaster-affected population?
- √ Have decisions on the location, structure and environment of education facilities and services considered the safety and security of learners?
- √ Are mechanisms in place to monitor and respond to safety concerns in the learning environment, especially concerning the abuse and exploitation of learners?
- √ Has the disaster-affected population, especially children, been consulted at every stage of the project/programme cycle?

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## Annexes

### Annex I: Glossary

**Access:** Access is the unrestricted opportunity to contribute to and utilise public facilities or services. „Unrestricted opportunity’ means there are no practical, financial, physical, security-related, structural, institutional or socio-cultural obstacles.

**Accountability:** Accountability is the means by which power is used responsibly. Humanitarian accountability involves taking account of, and accounting to disaster survivors.

**Actor map:** An actor map is a diagrammatic representation of all the stakeholders involved in a specified programme, issue or geographic space, and the linkages between them.

**Coercive family planning practices:** Coercive family planning practices are laws and policies that prescribe the number of children parents can have and/or provide for enforcement measures (such as forced abortion and forced sterilisation) or sanctions to promote compliance with such laws or policies, or punish individuals for breaching them.

**Discrimination:** Discrimination refers, but is not limited, to obstacles imposed because of poverty, gender, age, nationality, race, ethnicity, religion, language, culture, political affiliation, sexual orientation, socio-economic background, geographic location or special education needs.

**Gender-focused programmes:** Gender-focused programmes encompass a number of different humanitarian interventions where gender-related outcomes are specified at the goal or objective level.

**Harmful traditional practices:** Harmful traditional practices are those which inflict pain and „disfigurement’ such as scarifying, branding, tattooing and genital mutilation.

**Internally Displaced Persons:** Internally Displaced Persons are those persons forced or obliged to flee from their homes, “... in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalised violence, violations of human rights or natural or man-made disasters, and who have not crossed an internationally recognised State border.”

**Mandated agencies:** Mandated agencies are those agencies that have been assigned a specific protection role by a recognised international body or legal instrument, for example, UNHCR or ICRC.

**Livelihood:** Livelihood refers to the capabilities, assets and strategies that people use to make a living, i.e. to secure food and income through a variety of economic activities.

**Non-governmental organisations:** Non-governmental organisations refer to organisations, both national and international, which are constituted separately from the government of the country in which they are founded.

**Participation:** Participation refers both to the processes and activities that allow members of an affected population to be heard, empowering them to be part of decision-making processes and enabling them to take direct action on protection issues.

**Protection:** Protection is all activities aimed at ensuring full respect for the individual in accordance with the letter and the spirit of the relevant bodies of law, i.e. human rights law, international humanitarian law and refugee law. Human rights and humanitarian organisations must conduct these activities in an impartial manner and not on the basis of race, national or ethnic origin, language or gender.

**Refoulement:** Refoulement is the removal of a person to a territory where s/he would be at risk of being persecuted, or of being moved to another territory where s/he would face persecution. Refoulement constitutes a violation of the principle of non-refoulement and is therefore a breach of refugee and customary international law.

**Refugee:** A refugee is “any person who ... owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, owing to such fear, or unwilling to avail himself to the protection of that country”.

**Sexual and gender-based violence:** Sexual and gender-based violence is violence that is directed against a person on the basis of gender or sex. It includes acts that

inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.

**Special education needs:** Special education needs refers to learners with social and cultural disadvantages (including social, religious and economic discrimination) as well as those with specific disabilities (including cognitive, physical and emotional deficits).

**Uvulectomy:** Uvulectomy is the procedure to remove the flesh from the soft palate at the back of the mouth.

**Vulnerable groups:** Vulnerable groups refer to socio-economic groupings in a community that may be especially vulnerable to protection violations. This includes but is not limited to: women (including unaccompanied, pregnant, lactating, single female-headed households), children (including orphans, unaccompanied), people with disabilities, people living with HIV/AIDS, and the elderly.

## Annex 2: Acronyms

AP: Additional Protocol

CAT: Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CRC: Convention on the Rights of the Child

GBV: Gender-based violence

Guiding Principles: Guiding Principles on Internal Displacement

ICESCR: International Covenant on Economic, Social and Cultural Rights

ICRC: International Committee of the Red Cross

IDP: Internally displaced person

IHL: International Humanitarian Law

NFI: Non-food items

NGO: Non-governmental organisation

OHCHR: Office of the High Commissioner for Human Rights

SGBV: Sexual and gender-based violence

UN: United Nations

UDHR: Universal Declaration of Human Rights

UNHCR: United Nations High Commissioner for Refugees

UNICEF: United Nations Children's Fund

WVI: World Vision International



