Independent review of the implementation of the IASC Protection Policy

Jane Cocking, Gemma Davies, Nicholas Finney, Damian Lilly, Jamie McGoldrick and Alexandra Spencer

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Executive summary

Introduction

In 2016, the Inter-Agency Standing Committee (IASC) adopted a Protection Policy to reaffirm the importance of protection in humanitarian action and emphasise its significance as a collective responsibility of all humanitarian actors. Building on the adoption of the IASC Principals' Statement on the Centrality of Protection, the IASC Protection Policy emphasised two critical departures to how protection had been approached within the humanitarian sector until that point. First, it aimed to elevate protection to a system-wide responsibility, rather than just a concern of the protection cluster. This required making the shift from protection solely as a sectoral activity to a collective responsibility of the entire humanitarian system. Second, it framed protection as an outcome that humanitarian actors should seek to achieve in terms of reducing risks to violence, coercion and deliberate deprivation (herein referred to as reducing risks) of affected populations, rather than just an activity to be undertaken. This required a shift in how risks are analysed and how interventions are designed to address them.

Six years after the adoption of the Protection Policy, the IASC Principals commissioned this review to assess implementation of the Policy in a range of humanitarian crises. Using a systems-thinking approach, the review sought not only to identify the critical issues that had impacted the implementation of the Policy, but also to increase understanding of the key enablers of and barriers to progress. It also aimed to identify practices that had brought about change, and whether the right incentive structures and behaviours were being displayed to bring about change.

Findings

Six years after the IASC Protection Policy was adopted, the review found that partial progress has been made towards its implementation. However, the ambition and intent of the Policy have not been met, and there is still a significant gap between policy and practice. While there has been significant effort and investment in approaches to support implementation, they have been incoherent, inadequate and ineffective. Collective action by humanitarian actors to ensure protection is at the core of humanitarian action has not been achieved, and the aims of the Policy have not been fulfilled. For the following reasons, humanitarian actors have failed populations at risk.

Vision, commitment, culture and leadership for protection

Humanitarian actors and others who are contributing to reducing risks must share a clear vision and common understanding of what is to be achieved. A culture that encourages them to take action to reduce risks to people affected by crises is essential if protection is to be prioritised.

Protection as an outcome is a complex concept and is not well understood or owned within the humanitarian sector. The IASC definition provides a starting point for humanitarian actors. However, it requires a simple explanation of what falls within and outside its scope with respect to humanitarian action. There is little clear, practical direction on how to translate the vision of the Policy into concrete action; a lack of clarity on roles and responsibilities, including how these interact with those of states as primary duty-bearers; and no means of ensuring accountability. Protection is interpreted differently across the humanitarian sector and has not been a collective priority for IASC leaders. The direction has therefore not been set for ensuring protection is at the core of humanitarian action. Although some organisations have demonstrated their commitment by developing policies and practices to explain what it means for their work, the majority have not.

The humanitarian sector needs to build an inclusive culture to reorient humanitarian action towards reducing risks and supporting people's safety and security. This requires a shift in mindset and an operating environment in which protection is valued and prioritised. Stronger, collective, strategic leadership on protection issues is required across the humanitarian sector. Leaders and institutions need to be incentivised and to motivate others to give priority to protection as an objective and an outcome central to the purpose of humanitarian action. This requires working in a culture which encourages them to address protection issues, and rewards them when they do, even when well-intentioned actions fail. They need to be held accountable and to hold their staff to account on this objective. At present, the direction and tone have not been set for ensuring protection is at the core of humanitarian action.

Enabling delivery of the Policy

Delivering the vision of the Protection Policy requires strong coordination and planning, the means to measure progress and sufficient capability and capacity.

While some progress has been made, there was no coordinated effort to support implementation of the Policy. Efforts that were undertaken were ad hoc and did not bring about systemic change or accountability to ensure protection is prioritised across the humanitarian response, and to focus on reducing risks.

Protection coordination structures have become overly complex and fragmented. An integrated protection approach to crisis-affected populations has been lacking. The focus on protection as a technical sector responsibility has undermined progress towards protection as a system-wide responsibility. There is too much attention on process. Approaches to protection remain predominantly focused on outputs related to responding to needs, rather than outcomes and impact focused on reducing risks. This is a key barrier to implementation of the Protection Policy.

There have been investments in strategic planning, for example through the development of Humanitarian Country Team (HCT) protection strategies and the Humanitarian Programme Cycle (HPC). However, these tools have not had the desired effect of increasing accountability and elevating protection from a technical sector to a system-wide responsibility, as envisaged by the Protection Policy (Figure 1). As such, there has been no systemic change. Nor have these investments enhanced accountability. Capacity to deliver the Protection Policy has been insufficient. However, it is also questionable whether humanitarian actors are using available capacities effectively, and the extent to which they utilise the range of actions to address risks to affected populations.

Figure 1   Proposed balance between protection as a technical sector and a system-wide responsibility
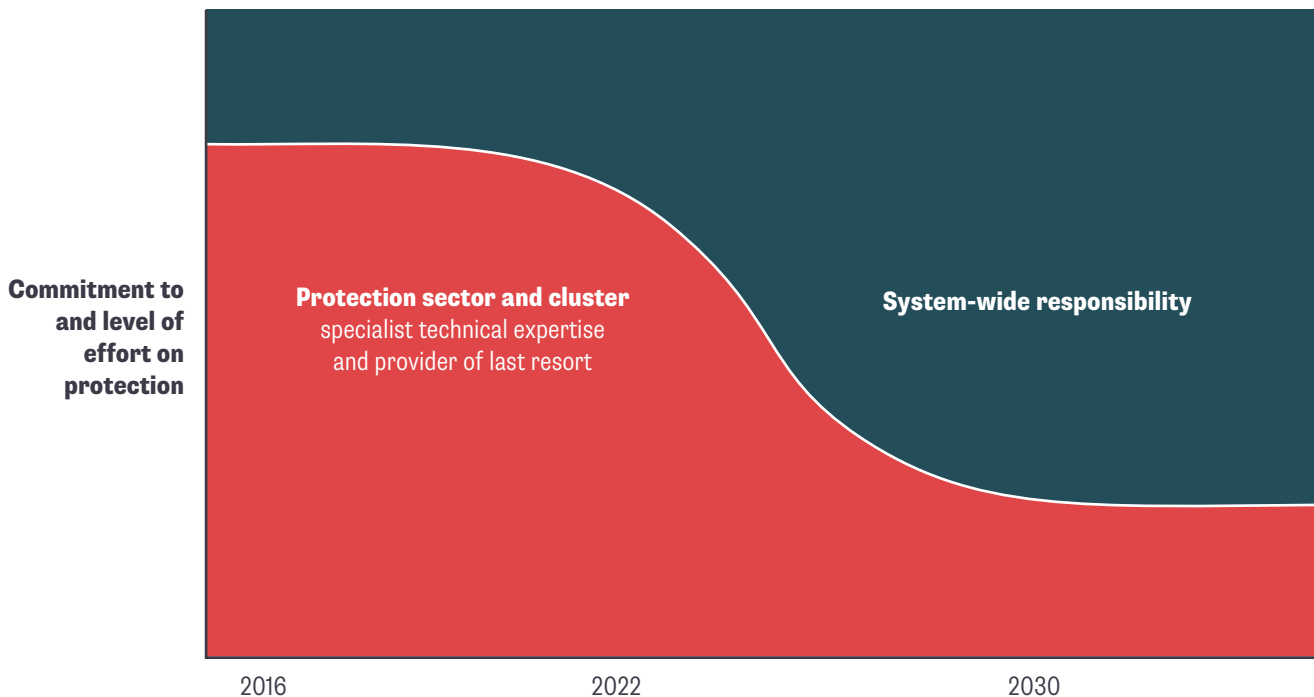
Leadership arrangements and coordination structures established to address protection require radical simplification to focus on outcomes and reduce risks of crisis-affected populations, rather than sustaining inward-looking processes.

Collective responsibility for protection within and beyond the humanitarian system

Protection challenges are multifaceted and cannot be resolved by humanitarian actors alone. Building mutual understanding and collective responsibility with actors that work within and alongside the humanitarian system is key to reducing risks (Figure 2).

Figure 2   IASC Protection Policy vision for collective approaches to reduce risks

Human rights, development and peace actors

Humanitarian actors

Communities affected by protection risks

making protection central to humanitarian action by:

working with humanitarian actors to share information and consulting each other on proposed actions

conceptual clarity robust leadership collective responsibility simplified architecture protection as an outcome inclusive approaches

Local and national non-governmental actors (L/NAs)[1] and national and local government are key protection actors. Since the Policy was launched, minimal actions have been taken to better recognise the roles of L/NAs and to maximise synergies and complementarities among all stakeholders. Collaboration on protection between L/NAs and international humanitarian actors is not yet being optimised. This is an opportunity missed, but not necessarily lost. L/NAs need to be engaged as core and equal partners in protection.

As part of the implementation of the Policy, some limited steps were taken to mobilise development, peace and human rights actors. The United Nations Office of the High Commissioner for Human Rights (OHCHR) is formally part of the humanitarian system and is often engaged in protection at a country level. However, integration of the wider human rights community with the humanitarian system is limited. There is limited evidence that this has led to coherent approaches to protection. Institutional cultures on all sides remain a barrier to collaborative approaches. There needs to be more focus on making collaboration the norm, rather than the exception. Consideration of how to better overcome institutional and cultural barriers is crucial to achieve this.

Conclusions

1. There remains a lack of **conceptual clarity** and clear practical direction on how to translate the ambition of collective approaches towards reducing risks into practical action. It is not clear what fits within and outside the scope of protection in humanitarian action. A reopening of the existing definition of protection or additional guidance is not required. But clarity, and practical direction setting out what is required of all humanitarian actors, is urgently needed.

2. There is a lack of commitment to and prioritisation of protection across the humanitarian sector. This is compounded by the lack of **robust leadership and accountability** across the humanitarian system to ensure protection is at the core of humanitarian responses. There needs to be a reaffirmation of the importance of protection in humanitarian action, with clear roles and responsibilities agreed within the humanitarian community at all levels for both protection and non-protection specialist organisations. Leaders and institutions need to be incentivised, supported and held to account, and they need to motivate others to ensure collective approaches to reducing risks. Significant engagement and support are required from donors and Member States to make this happen.

3. Conceiving of protection solely as a technical sector responsibility is counter-productive. Protection has not shifted to a system-wide **collective responsibility** central to humanitarian action as originally intended by the Protection Policy. Solutions need to be found to enable a cross-institutional approach to reducing risks. Protection should sit at the strategic level in addition to the technical sector, enabled by predictable, long-term, specialist support to humanitarian leadership and across the humanitarian system.

4. A **simplified architecture** is required for leading and coordinating protection in the humanitarian system. The current set-up is overly complex and fragmented and should be radically simplified and

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1   For the purposes of this report, the term L/NAs is taken to refer to non-governmental entities only and does not include national governments or local authorities.

streamlined. Solutions should be found to ensuring strategic system-wide technical advisory support on protection to humanitarian leadership. The current set-up of the protection cluster and the Areas of Responsibility (AoRs) is not fit for purpose. The emphasis, within the protection cluster and its AoRs, on specific technical aspects of protection – which are driven by the mandates of specific agencies – has been at the expense of building collective approaches as a system-wide responsibility. Significant donor engagement and support is required to incentivise such reforms.

5. Protection is still not conceived as an outcome that humanitarian actors can collectively address, but as a set of activities that they undertake. Measuring the results of humanitarian action based on needs has undermined an assessment of the outcomes and impact of protection action focused on reducing risks. In the absence of a cultural shift towards viewing **protection as an outcome** rather than an activity, good practices have not been institutionalised across the humanitarian system. This requires institutional and cultural change.

6. There is a need for more **inclusive approaches** with a range of actors within, alongside and beyond the humanitarian system to engender greater collective action in support of protection. There have been minimal efforts to engage local actors, while collaboration with human rights actors could be strengthened and more done to mobilise actors beyond the humanitarian system, including development and peace actors. A normative change is needed that builds trust, respect and open dialogue and enhances synergies for addressing risks.

Recommendations

The following recommendations set out the changes necessary to reaffirm protection as a central goal of humanitarian action and as a system-wide responsibility for all humanitarian actors. Their successful implementation is premised on sufficient political will and adequate resources within the IASC and the wider humanitarian community to take action. Unless clear steps are taken to address the conclusions of this report, future reviews risk finding a similar lack of progress to protect people at risk of violence, coercion and deliberate deprivation.

Ownership and participation from across the humanitarian sector are essential if these recommendations are to be implemented effectively. It is the responsibility of those leading each action to ensure that all relevant actors, particularly those at a national and local level, are fully engaged. The proposed actions need to be disseminated, socialised and institutionalised significantly more widely and inclusively.

The recommendations are targeted to where accountability for their implementation lies. However, it will be necessary to ensure that specific actions are taken by a diverse set of groups, including Operational Policy and Advocacy Group (OPAG), Emergency Directors Group (EDG) and others in order to implement them. To ensure that the recommendations lead to meaningful action it is proposed that the ERC establish a temporary strategic level, diverse implementation group of representatives of IASC agencies, NGOs and donors from across the humanitarian and protection sector to establish timebound actions and assign responsibilities for taking forward the recommendations.

Recommendation 1: Conceptual clarity

Ensure distinction between protection as a system-wide strategic goal and protection as a technical sector designed to contribute to the strategic goal.

- **The implementation group convened by the Emergency Relief Coordinator (ERC)** should develop a succinct, operationally focused overview of what protection as an outcome entails for all humanitarian actors and how they can contribute to this strategic goal. This should be accompanied by a clearly defined, multi-year, resourced and monitored plan to encourage system-wide dissemination and adoption.

Recommendation 2: Robust leadership and accountability

Ensure stronger institutional and individual leadership to address acute protection challenges.

- **The ERC**, supported by the **IASC Principals**, should take concerted action to support institutional risk-taking when it is in the best interests of affected populations. The IASC Principals should collectively agree approaches to strengthen their advocacy on protection, by considering a range of actions balancing the risk of taking strong positions on protection against the risk of doing nothing. This requires sustained engagement with and support from Member States.
- **The ERC** should lead the development of an accountability mechanism that sets out clear roles and responsibilities for protection, both as a system-wide strategic responsibility and as a technical sector. The accountability mechanism should be disseminated widely and supported by a light-touch review process.
- **The ERC** and **IASC Principals** should hold **Humanitarian Coordinators (HCs)** and country-based **Heads of Agencies** to account by requiring them to demonstrate what collective actions have been taken to promote protection in accordance with the accountability mechanism. They should institute an independent support mechanism for HCs on protection issues. **HCs** and **Heads of Agencies** should adopt higher risk thresholds to address protection challenges. **Senior leaders within the humanitarian system** should support them in this by giving them the institutional and political support they need to increase risk. This approach should be adopted by leaders of all humanitarian agencies and organisations.
- **Member States** should provide political backing at global and national levels to support humanitarian leadership to adopt robust approaches to protection. **Donors** should align their polices and better coordinate their approaches to protection to ensure their fundingis coherent and incentivises the prioritisation of protection. They should measure success in terms of the reduction and prevention of risks to affected populations. A starting point could be a review under the Good Humanitarian Donorship (GHD) initiative to identify current practice and gaps.

Recommendation 3: Collective responsibility

Commit to protection as a collective responsibility.

- **IASC Principals** and the **leaders of all humanitarian organisations** should demonstrate their commitment to protection by integrating it into their organisational policies, strategies, priorities and work plans, with clear actions specified and monitored. System-wide individual 'champions' on protection should be appointed to promote this approach and take forward this agenda.
- **The ERC** and **IASC Principals** should clarify arrangements to ensure dedicated, permanent, specialist support is needed for protection as a system-wide responsibility in support of HCs, HCTs and non-protection-mandated agencies in the humanitarian system. This function should sit outside and separate to the protection cluster.
- **IASC Principals** should stop requiring **HCTs** to produce HCT Protection Strategies, which have been costly, time-consuming and ineffective. Instead, a maximum 2–3 system-wide protection priorities should be agreed, and actions to address these should be embedded into HCT work plans and compact, as well as Humanitarian Response Plans.
- **The UN Office for the Coordination of Humanitarian Affairs (OCHA)** and **Norwegian Refugee Council (NRC)** should build on and phase out the Protection Standby Capacity Project (ProCap), by transitioning and transferring its expertise and resources to strengthen predictable, long-term, specialist protection support to HCs and HCTs. **Donors** should provide funding to support such long-term sustained support.

Recommendation 4: Simplified architecture

Simplify and streamline the protection architecture to ensure more coherence while maintaining technical specialist support and coordination.

- **IASC Principals** and the **United Nations High Commissioner for Refugees (UNHCR)** should oversee the reform of the **protection cluster** to ensure that, at both global and country levels, it:
  - focuses on providing information-sharing, technical support and coordination within the sector rather than system-wide support on protection
  - promotes an integrated approach to protection by co-locating and/or strengthening a joint approach between the protection cluster and the AoRs
  - reduces its core functions to focus on operational technical support and coordination rather than on other tasks
  - strengthens its outreach and support to local organisations and communities.
- **Donors** should promote and fund reforms to the protection architecture and hold **IASC Agencies** to account for the delivery of this simplified architecture.

Recommendation 5: Protection as an outcome

Ensure protection action focuses on reducing risks, and establish monitoring approaches to measure this reduction. Embed good practice.

- **All humanitarian actors** should be encouraged and supported to design their humanitarian responses based on a comprehensive assessment of risks of violence, coercion and deliberate deprivation rather than on responding to needs. **OCHA** should use the upcoming revision of the HPC to provide guidance on this, learning from approaches set out in InterAction's Results-Based Evaluation Framework for the Prevention of Gender-Based Violence.
- **IASC Principals** should ensure that indicators and benchmarks that measure the implementation of the Protection Policy are focused on risk reduction as agreed in consultation with a diverse range of humanitarian actors and linked to the accountability mechanism.
- The **Global Protection Cluster (GPC)'s** current annual Centrality of Protection Review Report should be transitioned into an IASC product that provides consolidated monitoring in line with the accountability mechanism.

Recommendation 6: Inclusive approaches

Effect fundamental behaviour change and build trust to normalise collective ways of working between the international humanitarian community, local and national actors, and amongst humanitarian, human rights, development and peacebuilding actors.

- **International, national and local humanitarian actors** should build on and invest in community and area-based approaches to protection. This requires putting people's capacities and priorities at the centre of the response, working in partnership with communities and building on existing government structures where possible.
- **IASC Principals** should strengthen dialogue with their counterparts in development, human rights and peacebuilding agencies to clarify how collective approaches to protection should be addressed. Steps should be taken to ensure a normative change.
- **The UN Secretary-General** should ensure the forthcoming UN Agenda for Protection brings strategic coherence to, and strengthens collaboration amongst, humanitarian, human rights, development and peace actors on protection. This should address lessons learnt from previous such efforts and embrace the involvement and important roles of a broad range of actors outside the UN, drawing from context-specific experiences to drive approaches.

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