

Protection Principles

Protection is concerned with the safety, dignity and rights of people affected by disaster or armed conflict. It is central to all humanitarian action because it helps people avoid or recover from violence, coercion and deliberate deprivation.

The Humanitarian Charter summarises some of the fundamental rights related to humanitarian response and the principles of humanitarian action. It includes the right to protection and security.

The state has primary responsibility for protecting people affected by a crisis. However, when the state is unable or unwilling to act, all humanitarian actors have a role to play, engaging collectively to achieve meaningful protection outcomes for the affected population.

This chapter describes three protection principles that should inform all humanitarian responses. The protection principles apply to all humanitarian actors and to all stages of humanitarian action--from preparedness through response and recovery.

These principles also connect protection, the Humanitarian Charter, the Core Humanitarian Standard and the sectoral Minimum Standards. All of these elements combine to reinforce the right to life with dignity and the right to humanitarian assistance and the right to protection.

Understanding protection

The most widely accepted definition describes protection as:

“... all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (that is, International Human Rights Law (IHRL), International Humanitarian Law, International Refugee law (IRL)).”

--Inter-Agency Standing Committee (IASC)

Protection work requires engaging with affected people during all phases of a humanitarian response to understand risks, threats, capacities and how people take steps and make choices to protect themselves.

To bring a protection lens into their work, humanitarian actors need to:

- understand the context and take steps to prevent, mitigate, or end potential and actual risks;
- be sensitive to people’s age and gender;
- consider diversity within the affected population; and
- respect the ability of people to make decisions about their own situation and recovery.

Specialist protection activities includes educating duty bearers and rights holders:

- Duty bearers - those with a recognised obligation and responsibility so they understand, respect, protect and fulfil the rights of affected people under international law; and
- Rights holders - affected people so they know their rights and how to exercise them.

Three protection principles

- 1. Prevent:** Enhance the safety, dignity and rights of affected people, and avoid exposing people to further harm;
- 2. Respond:** Reduce the impact of physical and psychological harm that arises from violence, coercion, deliberate deprivation and other threats; and
- 3. Remedy:** Assist people to claim their rights and access appropriate remedies.

These three principles may be inter-dependent and carried out at the same time. The principles promote the right to dignity in three ways:

- mainstreaming protection risks, activities and related information across all humanitarian programmes;
- integrating specific protection objectives into assistance projects; and
- promoting specific and/or specialised protection activities that address specific protection risks and violations.

Protection mainstreaming across humanitarian programmes

Protection mainstreaming refers to the process of building protection principles into all aspects of humanitarian response. It requires humanitarian organisations to address protection threats and opportunities by considering:

- who is at risk, from what, whom and why;
- what vulnerabilities and capacities do people have relative to the threats, and how can programmes be adapted in response to these; and
- how and where to refer people for specialist support in preventing or recovering from violence and exploitation.

Integrating protection into sectoral responses

Protection integration involves incorporating specific protection objectives into sectoral responses, such as nutrition or shelter. It requires humanitarian actors to set specific, measurable protection objectives for their response. Doing so prompts different actors to work individually and together as part of a multi-sector humanitarian response. It therefore makes protection a central consideration.

Specific or specialised protection activities

Organisations and practitioners with protection expertise provide specialised activities and services that address specific threats, violations and risks. Specific protection programmes should fulfil the Sphere protection principles, *and* meet the Professional Standards for Protection Work (ICRC, 2017). Guidance also exists for child protection, gender-based violence, mental health and other specialised areas. Details of these and other relevant resources are provided at the end of this chapter.

Advocacy

Advocacy links the three protection principles and the three types of activities. Where threats to the affected population come from deliberate decisions, actions or policies, humanitarian or human rights organisations can advocate for changes to those behaviours or policies.

Successful advocacy may include persuasion, as well as more explicit denunciation approaches. In all cases advocacy depends on reliable evidence, understanding the stakeholders in the situation, and a thorough analysis of context. It requires an environment that encourages respect for the rights of all people in accordance with international law. Evidence such as witness statements, population profiles, and images that allow people to be identified may be highly sensitive, and can put people at risk. They should be treated with care. See Protection Principle 1 below.

Protection Principles

Protection Principle 1: Prevent

Enhance the safety, dignity, and rights of affected people, and avoid exposing people to further harm.

Humanitarian response takes place in dynamic, volatile, and insecure environments. Those working in humanitarian action need to:

- understand the context;
- identify and understand protection issues, including the role and ability of primary duty bearers; and
- take appropriate steps to reduce overall risk to affected people.

In practice, this means actively working to decrease threats, reduce vulnerability to risk, and enhance capacities that prevent exposure to risks. Effective communication, analysis and accountability are central to this principle.

This principle complements and is key to fulfilling Core Humanitarian Standard Commitment 3: Communities and people affected by crisis are not negatively affected and are more prepared, resilient and less at-risk as a result of humanitarian action.

What else do I need to know?

Understanding the context

- Understand how people try to protect themselves, their families and their communities from harm. Design activities that support, and do not undermine, this capacity for self-protection.
- Work with the affected people to do regular protection risk analyses of the context. The following checklist is useful—any practitioner can use it and adapt it to the situation,
 - ✓ What are the protection risks (threats, vulnerabilities and capacities)?
 - ✓ Who are the at-risk groups? What are their specific protection concerns? For example, based on race, caste, class, gender, age or sexuality.
 - ✓ What are local communities doing to protect themselves? How can they increase engagement? How can humanitarian organisations support and not undermine these efforts?
 - ✓ Do the affected people’s own activities result in negative consequences to their protection? For example, by early marriage, risky migration or engaging in transactional sex. Is there a way to change their actions?
 - ✓ Do programme activities have unintended negative consequences? For example, on the environment or community power dynamics? Is there a way to mitigate those consequences?
 - ✓ Are activities validating or giving legitimacy to the policies and practices that cause the problem? For example, do activities strengthen the position of armed groups or other actors by recognising their authority to grant title deeds?
 - ✓ Does the legislation/policy of the context or specific activities discriminate or create the perception of discrimination against any group? For example, criminalisation of same sex relationships?

- ✓ Does protecting and promoting the rights of such groups have an impact on relationships within and beyond the community?
- ✓ What are the biggest obstacles preventing at-risk groups from participating or accessing services? For example, illiteracy, disability, age. What enables their participation and access? For example, information products in braille.

Programme design, activities and risks

- Design programme activities that consider findings from the risk analysis. Actively look for ways to minimise threats and vulnerabilities. Examples include communicating GPS coordinates (for hospitals and clinics where safe to do so in a conflict situation), or providing information during epidemics to reduce the spread of rumours. Support people's own efforts to stay safe and reduce exposure to risk.
- Work with different parts of the affected population, specific at-risk groups, and the organisations they trust. This helps understand how best to provide assistance, and any positive or negative consequences. For example, health workers should understand that children may not be able to express themselves in an easily understandable way.
- Provide assistance in the safest possible environment. Consider the risks that some groups may face. For example, do not ask people to travel through dangerous areas to receive assistance.
- Coordinate with government authorities and specialised organisations on the removal of landmines and unexploded ordnance. (See below for mine action guidelines – reference pending)
- Help people find safe options for meeting their subsistence needs. This may include how people access water, firewood or fuel without exposing them to additional hazards or risks. Consider specific risks to older people, women, children, persons with disabilities, and members of marginalised groups.
- Take all reasonable steps to protect affected people from physical and sexual assault. Also consider that groups with multiple vulnerabilities, such as women and girls with disabilities, may be more at risk than others. (See Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action)
- Design activities that keep girls and boys safe by, for example protecting against or preventing child recruitment or abduction or separation from family. (See below for Minimum Standards for Child Protection in Humanitarian Action.)
- Provide children with access to safe environments in the context of the programme or activities. Give special consideration to the needs of at-risk children, such as separated and unaccompanied children, child-headed households, adolescent girls and boys, children with disabilities and chronic illnesses, and young parents.

Access

- When the relevant authorities are unable to help people with their basic needs, they should not deny access to impartial humanitarian organisations. Such denial may violate international law, particularly in situations of armed conflict. Advocate for the right of affected people to access humanitarian assistance.

- Monitor people’s access to assistance to understand the barriers (What is preventing people from getting assistance?) and the enablers (What is helping people meet their basic needs?).

Barriers to access	
Type of barrier	Examples
Physical	Landmines Blockades Inaccessible terrain Inaccessible buildings or services
Financial	Cost of travel to distribution points
Social	Discrimination against women and girls, older persons, people with disabilities and others on the basis of sexual orientation or gender identity
Communication	Providing information in only one format or in inaccessible formats
Security	Checkpoints that discriminate between categories of affected people or unduly hinder access to assistance

When monitoring access to assistance, pay careful attention to at-risk groups and take steps to prevent stigmatisation. Consider whether equal access is enabled by:

- ensuring there are safe spaces for at-risk groups, such as child-friendly spaces at training events for parents;
- providing information and complaints mechanisms in accessible formats;
- adapting structures, such as schools and health clinics, to make them physically accessible to all; and
- targeting outreach towards at-risk groups who tend to be “hidden”, e.g. by ensuring female recipients of cash distribution are registered in their own name.

Monitoring and managing information

- Review programme activities regularly, including any unintended negative consequences. Consider, for example:
 - are any activities undermining the rights of others?
 - is providing assistance in a privately-owned location excluding some people?
 - are activities preventing the return of land to its lawful owners?

- When collecting sensitive data, treat it in a manner consistent with internationally accepted legal, ethical, and technical standards of privacy and data protection. Be sure to respect confidentiality and obtain informed consent.
- When interviewing persons with disabilities, pay specific attention to confidentiality and privacy. Where appropriate, provide privacy from their family or caregiver. Support the right of persons with disabilities to make their own informed choices. Such support may include the use of alternative communication or sign language interpretation.
- When collecting sensitive data from or about children, enable them and their parents/caregivers to give informed consent
- Apply the correct process for children and adults (see Chapter 6 of the Professional Standards for Protection Work)

Protection Principle 2: Respond

Reduce the impact of physical and psychological harm arising from violence, coercion, deliberate deprivation and other threats.

Humanitarian practitioners actively respond to protection issues by:

- dealing with sources of threats;
- helping people avoid threats; and
- supporting people's own efforts to stay safe.
- referring victims of violence, coercion or deliberate deprivation to relevant support services.

What else do I need to know?

- Support family, community and individual mechanisms of protection, mental health and psychosocial support. Examples may include:
 - identifying, activating and strengthening local resources that support psychosocial well-being, including supporting women's and youth groups
 - providing appropriate care for separated children;
 - organising family tracing and reunification processes for separated families;
 - keeping families together, including non-traditional families;
 - enabling people from a village or support network to live in the same area;
 - supporting positive coping mechanisms such as culturally appropriate burials, religious ceremonies and practices; and
 - organising structured, supportive educational activities for children through non-formal means (eg child friendly spaces).
- Help people affected by violence and other people in acute need of services to gain access to referral services. Consider their needs, types of support and efforts they are making themselves. This may include:
 - supporting survivors of physical and sexual assault to access health care, psychosocial and other services, and community psychosocial supports that are sensitive to their age, gender, disability and other relevant factors;

- ensuring that responses to physical and sexual assault include staff collaborating from both protection and health; and
- supporting women's and girls' access to services for intimate partner violence, effects of child marriage or complications from female genital cutting.

Information and reporting

- Understand and follow the mechanisms for reporting violations of human rights and safe sharing of relevant information (see also Protection Principle 1).
- Security and law enforcement agencies, police, military and peacekeeping forces play an important role in ensuring the physical security of people. When safe to do so, alert political, law enforcement or military actors to violations of human rights.

Protection Principle 3: Remedy

Assist people to claim their rights and access appropriate remedies.

Humanitarian actors help affected people claim their rights through information and documentation, and by facilitating access to appropriate remedies.

What else do I need to know?

Activities - Education and information

- Educate affected people about what they are entitled to receive in any programme activity, distribution, or service. Ways to do this include:
 - providing information about their return and resettlement options;
 - setting up mechanisms for obtaining feedback so that assistance meets people's needs;
 - alerting relevant organisations to harmful effects or protection issues;
 - providing information in languages, formats and ways that people can access and understand; and
 - engaging women, girls, boys and men in developing and testing messages.
- Be aware that organisations providing legal aid should inform affected people of their rights under the laws and regulations of the country.
- Consult with people, including those most excluded and/or at risk, about programme decisions, information provided and what additional information they would like to receive.

Activities - documentation and referrals

- Lost documentation can be a barrier to accessing a full range of entitlements. Assist people in securing documentation or replacing lost documents. Refer them to agencies that can provide or replace these documents. Regardless of the documentation they possess, people generally have some rights.
- Assist those who choose legal remedies with safe access to justice mechanisms. Effective referrals require a good understanding of the agencies that provide legal

support. People have the right to seek legal and other redress from the government and relevant authorities for violations of their rights, including the right to restitution of property or compensation for its loss. Take care, however, not to promote access to justice in situations where the judicial process might cause further harm to victims.

Activities - advocacy

- Land access and ownership can be major points of contention. Encourage authorities and communities to work together to resolve issues relating to access or ownership of land.
- Consider collective advocacy for the rights of people affected by crisis. Such advocacy may include influencing or changing the behaviour of a person or organisation that poses a threat, for example by exposing attacks on warehouses, the looting of food stores, or the bombing of markets. It may also include supporting people's own efforts to stay safe and reduce exposure to risk.

References and Further Reading

General protection: Background and tools

Global Protection Cluster Protection Mainstreaming Training & Sector-Specific Guidance
<http://www.globalprotectioncluster.org/en/areas-of-responsibility/protection-mainstreaming.html>

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IASC (2016), Protection, and Accountability to Affected Populations in the HRP (EDG Preliminary Guidance Note)

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Slim, H, and Bonwick, A (2005), Protection – an ALNAP guide for humanitarian agencies. ODI. London. www.alnap.org/initiatives/protection.aspx

Action Aid (2009), Safety with Dignity: A field manual for integrating community-based protection across humanitarian programs
http://www.actionaid.org/sites/files/actionaid/safety_with_dignity_actionaid_2009.pdf

Cash-Based Interventions

UNHCR and partners (2015), Guide for Protection in Cash-Based Interventions. Geneva.
<http://www.cashlearning.org/resources/library/800-guide-for-protection-in-cash-based->

[interventions?keywords=®ion=all&country=all&year=all&organisation=all§or=all&modality=all&language=all&payment_method=all&document_type=all&searched=1](#)

CPWG Minimum Standards for Child Protection

Alliance for Child Protection in Humanitarian Action (2012), Minimum Standards for Child Protection in Humanitarian Action. <http://www.refworld.org/docid/5211dc124.html>.

Disability Inclusion

Handicap International (2008), Toolkit on Protection of Persons with Disabilities.

UNHCR (2011), Need to Know Guidance on working with persons with disabilities in forced displacement. Geneva. <http://www.unhcr.org/4ec3c81c9.pdf>

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Gender-based violence

IASC. (2015), Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience, and aiding recovery. <http://gbvguidelines.org/en/home/>

Housing, land, and property rights

Principles on Housing and Property Restitution for Refugees and Displaced Persons. E/CN.4/SUB.2/RES/2005/21. “Pinheiro Principles.”

http://ap.ohchr.org/documents/alldocs.aspx?doc_id=11644

Internally displaced persons

Global Protection Cluster (2010), Handbook for the Protection of Internally Displaced Persons. www.unhcr.org/refworld/docid/4790cbc02.html

IASC (2010), Framework on Durable Solutions for Internally Displaced Persons. www.brookings.edu/reports/2010/0305_internal_displacement.aspx

Mental health and psychosocial support

UNHCR. Community-based protection and mental health and psychosocial support, 2017 <http://www.refworld.org/docid/593ab6add.html>

IASC (2007), IASC Guidelines on Mental Health and Psychosocial Support.

www.humanitarianinfo.org/iasc/pageloder.aspx?page=content-products-default

Mine action

The International Mine Action Standards: www.mineactionstandards.org/imas.htm#english

Older people

HelpAge International Age and Disability Capacity Programme (ADCAP) Minimum standards for age and disability inclusion in humanitarian action. <http://www.helpage.org/what-we-do/emergencies/adcap-age-and-disability-capacity-building-programme/>