Protection in practice: hypotheses and core research questions

Despite the rapid recent growth in protection-related activities and the increasing prominence of the rhetoric of protection in agencies' communications, the role of humanitarian actors in this field is still under-analysed. The proliferation of protection-related initiatives in Dar Fur most especially offers the potential to start distilling useful lessons to better inform agencies' practice in this new and fast evolving area. The research will follow up on some of the particular lines of enquiry identified by the other HPG studies on civilian protection. It will consider the mandates and expertise of humanitarian agencies and other actors and their protection programming in relation to risk in specific contexts. It will analyse trends in protection programming and the relationship between activities undertaken by international humanitarian agencies and those by national and local actors. In this context, the study will seek to clarify the interface between relief assistance and protection and highlight strategies to address aspects of a crisis that cannot be tackled by the provision of relief assistance alone.

The study will be centred on the following research questions:

1) Understanding protection in specific contexts

  A. *Insecurity and vulnerability context*
       i.   How are proximate and structural causes of insecurity analysed?
       ii.   What indicators of civilian insecurity do agencies use and how do they gauge the severity of a crisis?
       iii. How are the factors that perpetuate political violence analysed, especially in relation to the impact they have on the civilian population?
       iv.   How are 'vulnerability' and 'risk' understood in relation to civilian security and how are they analysed?
       v.   To what extent are affected people's perceptions of their own security analysed by agencies and used to inform responses? How effective are responses in supporting or complementing the protection activities of local populations?

  B. *Sources of protection in humanitarian law*
       i.   What is the level of compliance of belligerents and security forces with relevant international and national laws and norms, with particular regard to recognition of and respect for the 'protected status' of civilians and of specific groups like refugees, Internally Displaced Persons (IDPs) and children?
       ii.   How are breaches of national legislation, International Humanitarian Law (IHL) in the conduct of hostilities and abuse of fundamental human rights assessed?
       iii. What indicators are used to distinguish the legitimate business of national security and preservation of law and order from violent repression and abuse of power?
       iv.   What are the key factors determining compliance with IHL? What incentives apply? Is it possible to generalise?
       v.   What is the level of knowledge and active use of IHL amongst humanitarian actors?

C. *Protection actors (national/international)*
    i.   What are the main determinants of effective local or national level protection from governing authorities?
    ii.   What triggers international action to protect civilians?
    iii.   Who are the main international actors engaged in protection initiatives?
    iv.   What is the relationship between international and national (including church groups) protection actors?

2) Developing appropriate responses

A. *Shared protection concepts and indicators*
    v.   What forms of 'protection (security) assessments' are undertaken and how adequate are they to the task?
    vi.   On what analytical models are agencies' protection assessments built? How are 'protection' and 'security' construed by different actors? What is the range of different concepts of protection (humanitarian, human rights, political, etc.) and how are they related?
    vii.   Is there an identifiable common core to humanitarian protection models?

B. *Protection objectives and outcomes*
    viii.   Are protection objectives clearly defined by humanitarian agencies? How?
    ix.   How are protection outcomes defined by agencies? How do agencies identify what needs to happen for people to lead safer, more dignified lives and realise their wider social and economic rights?
    x.   How do desired changes identified by agencies relate to threats? Are stated protection outcomes realistic?

C. *Protection and humanitarian assistance*
    xi.   What is the relationship between assistance and protection (and related programme strategies) in the specific contexts under review?
    xii.   How do protection concerns and analysis inform decisions about whether and how to provide assistance?
    xiii.   What is the balance between protection initiatives and assistance interventions in given contexts? Is protection integrated into assistance strategies? Are protection activities undertaken in parallel to assistance programming or are they promoted at the expense of humanitarian assistance? Is it possible to identify general trends?
    xiv.   How is advocacy used to further protection objectives? What is the impact, if any, of advocacy programming on the delivery of assistance in these contexts?

D. *Capacity dilemmas*
    xv.   What organisational policies and guidelines shape agency protection responses? What external sources are referred to in shaping agency policy?
    xvi.   What capacity have agencies invested in and deployed to work specifically on protection?
    xvii.   Where protection officers or advisors have been employed, what has been the rationale and what terms of reference have they worked to? How was the skills-set needed for the job defined?
    xviii.   To what degree are protection strategies and activities the domain of international staff within humanitarian agencies? Are they supported

and/or undertaken by national staff and if so, what risk mitigation strategies are undertaken by agencies?

      xix.   Has donor funding for protection programming been timely, adequate and consistent with amounts requested? What have the main limitations been? How have agencies responded and adapted to these limitations? What has been the ratio between protection and assistance funding for specific contexts?

  E. Operational context

      xx.   How have political and operational constraints impacted on the capacity of agencies to enact effective protection strategies?

      xxi.   How have agencies dealt with these challenges?

  F. Institutional roles and responsibilities

      xxii.   What agency (if any) has taken the lead role in protection in specific contexts? How has this related to the roles of the mandated agencies?

      xxiii.   Has the protection agenda been divided into a range of sub-agendas, each with particular institutional roles?

      xxiv.   Is the role of the formally mandated agencies changing? How and why? What is the relationship between these (evolving) roles and those of the 'non-mandated' agencies?

      xxv.   How have 'non mandated' agencies understood their protection role in specific contexts?

      xxvi.   Where protection working groups or other formal or informal coordination activities have been established, what has been the stated purpose and how have they functioned? Have they resulted in better-coordinated strategies? What success have they achieved?

      xxvii.   What has been the practical interface between humanitarian agencies and other protection actors, e.g. human rights groups and mandated forces? In broad terms, what have been the relative strengths, weaknesses and comparative advantages of the various actors?

3) Lessons learned: effectiveness and appropriateness of external protection mechanisms and strategies

  A. Success and failure of protection work

      xxviii.   Is there a body of protection strategies and knowledge amongst humanitarian actors and how effectively is this drawn upon in a given context?

      xxix.   Are general trends in protection responses to given contexts and threats starting to emerge?

      xxx.   How do agencies judge the success of their interventions? What kind of indicators (beyond process indicators) have they used?

      xxxi.   Are there recognisable successes and lessons that can be distilled to inform future protection responses?

  B. Best practice principles and indicators

      xxxii.   By what criteria should the effectiveness of protection initiatives be judged? Does short-term security outweigh medium and longer-term security or vice versa?

      xxxiii.   What are the factors that determine effective intervention? Can common limiting factors be identified?

xxxiv. Judged by humanitarian criteria, which means of protection can be said to be appropriate and which not? Can negative short-term protection consequences be justified by appeal to longer-term benefits?

xxxv. To what extent can and should humanitarian actors be held to account for protection (security) outcomes? What is the nature and limits of responsibility of different actors?

Research methodology

The research questions will be tested through a review and analysis of relevant literature and documentation, interviews, workshop discussion and selected field studies. The study will start with a desk review of published work and agency material on humanitarian protection which will be complemented by a series of consultations with key agencies, research institutions and government departments aimed at reviewing and analysing current practice in humanitarian protection. The practice review will not aim to be comprehensive and cover the whole range of protection initiatives in crisis areas, but to identify key features of past and current practice in specific contexts of violent conflict, analyse the nature and rationale of protection-related activities and strategies and consider how their impact should be judged in order to draw lessons and offer recommendations for future programming.

The consultation phase will involve interviewing staff from key agency and government departments, including:

- DPA, DPKO (including UNMIS), IOM, OCHA, UNHCR, UNICEF, UNHCHR, WFP;
- The ICRC and other members of the Red Cross/Red Crescent movement;
- International NGOs: CARE, IRC, MSF, Norwegian Refugee Council, Oxfam, SC-UK;
- INGO co-ordinating bodies (SCHR, InterAction and ICVA);
- Local organisations, especially church networks;
- International human rights agencies (Amnesty International, Human Rights Watch);
- Governmental and inter-governmental bodies: CIDA, Danida, DFID, Dutch MFA, ECHO, EU, JICA, Norwegian MFA, UK FCO, USAID and non-DAC donors as possible;
- African Union (including AMIS);
- Academic institutions and think tanks concerned with humanitarian and protection issues (CHD, ICG, IPPR).

The desk review and the consultations will help develop a more detailed research framework for in-depth field analysis in three case study countries aimed at reviewing the nature and effectiveness of protection-related activities and mechanisms in specific contexts. The case studies will be selected amongst those contexts where there has been a significant amount of protective initiatives which can provide useful learning for future programming. Provisional choices include Dar Fur (Sudan), northern Uganda and Colombia. The study will be conducted in consultation with OCHA, UNHCR, UNICEF and the ICRC. It is hoped to establish an institutional collaboration with OCHA in all the three case study countries. A close partnership has already been established at the HQ level with OCHA's Inter-Agency Internal Displacement Division (IDD). Collaboration will also be sought with leading

operational Ingo's, provisionally including IRC and Oxfam. Each field study will involve both an HPG researcher and an external consultant or agency secondee.

The research will also review relevant policy and training initiatives, including the IASC Sub-Working Group on Human Rights and Humanitarian Action, the UNHCR and OCHA protection training programmes and the field-testing of the ALNAP booklet on Humanitarian Protection.

The preliminary findings of the desk and field studies will be presented and discussed in late 2006 at a workshop involving key stakeholders to discuss the outcomes of the research and to elicit further analysis, prior to writing up the findings as an HPG Report in early 2007. Workshop participants will include policy-makers in humanitarian agencies and donor bodies charged with establishing organisational policy and funding parameters in this field as well as those concerned with the design and implementation of protection-related programmes. The workshop will also involve key staff working in other areas of international policy, including policy-makers and advisors in foreign ministries and defence departments whose concerns relate to this agenda.

The main output of the project will be an HPG Report that provides a review of the state of the art in the field of humanitarian protection as it is currently reflected in practice. The report will aim to draw some generic conclusions about 'what works' in different contexts, to explore the scope and limits of agencies' protection role in those contexts and to make recommendations for future practice. An advisory group will be established which will peer review the report draft. The Report will be accompanied by a Briefing Paper summarising the key findings of the literature review and the background interviews as well as a Briefing Paper on each of the case studies. The Report will be launched in the UK and disseminated through a series of meetings with key agencies and donors in London, Geneva, New York and other venues as appropriate.