

WFP AND HUMANITARIAN PROTECTION



Informal Consultation on the Protection Policy

31 October 2011

World Food Programme
Rome, Italy

BACKGROUND

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FOOD ASSISTANCE WITH SAFETY AND DIGNITY

Executive Summary

The increasingly complex political and security environments since the end of the Cold War have prompted the international community to find ways to reduce the suffering of civilians. In accordance with international law, States have the primary responsibility to protect all the people within their jurisdictions. States also agreed to the 2005 General Assembly resolution on the responsibility-to-protect doctrine.

Within the United Nations and the larger humanitarian and development communities, there has also been more discussion on protection, given the serious ramifications of human rights and protection gaps on the outcomes of the various agencies' mandates and work. In the context of humanitarian reform and subsequent adoption of the cluster approach, a wider pool of humanitarian actors – including WFP – has come together to work towards a more coherent response to protection concerns of affected people in conflicts and natural disasters. Since 2005 WFP has been developing its capacity to understand and address protection concerns within the context of its mandate and operations.

This policy document puts forward what humanitarian protection means for WFP and directions for a sustainable engagement leading to safer and more dignified assistance and presence. It complements existing United Nations efforts on the human rights-based approach to programming, which:

- brings the importance of human rights standards and principles to the centre of development action;
- recognizes human beings as right-holders and establishes obligations for duty bearers (the States);
- focuses on discriminated and marginalized groups; and
- aims for progressive achievement of all human rights – including the right to food.

This draft policy is based on five principles:

- a. States bear primary responsibility of the State to ensure the protection of all people within its jurisdiction and WFP will work with governments to seek solutions for safe and dignified food assistance programming.
- b. WFP's first accountability is to crisis-affected, food insecure people who are the primary actors in their own survival and protection.
- c. Food assistance activities will be based on sound context and risk analysis, and how WFP's interventions will seek to close those gaps.
- d. WFP's food assistance processes will be pursued in accordance with the humanitarian principles and international law.
- e. The way WFP food assistance is provided will aim to contribute to the protection of conflict- and disaster-affected populations and, at the very least, will not expose people to further harm.

The draft policy paper sets out WFP's immediate and longer-term protection agenda based on the following policy directions:

- investing in institutional capacity for context and risk analysis;
- incorporating protection concerns into programme tools;
- integrating protection objectives into the design and implementation of food assistance programmes;
- developing staff's capacity to understand protection concerns and formulate appropriate and principles-based responses;
- establishing informed and accountable partnerships; and
- establishing clear guidance and systems for managing protection-related information.

INCORPORATING PROTECTION CONCERNS INTO PROGRAMME TOOLS; POLICY OBJECTIVES AND OVERARCHING PRINCIPLES

1. WFP has a responsibility to take all the steps it can to support the protection of people in humanitarian emergencies, especially – but not only – women, children and marginalized and disenfranchised groups. In modest ways, its presence and activities can make a difference on the ground.
2. This document proposes that by making humanitarian protection an integral element of its work, WFP can contribute to improvements in the quality, effectiveness and durability of the impact of its food assistance on people whose rights – including their right to food – are threatened by violations and abuses of international law in conflict situations and disasters.
3. The draft document provides a framework and policy direction for increasing WFP’s awareness of the rights and protection situation of the people it assists. Better understanding of the context of WFP operations and the possible impact of assistance on safety and dignity of WFP beneficiaries leads to more effective assistance, and helps preserve the humanitarian character of WFP.
4. This paper is based on five principles:
 - a) WFP recognizes the primary responsibility of the State to ensure the protection of all people within its jurisdiction, and will work with governments to seek solutions for safe and dignified food assistance programming.
 - b) WFP’s chief accountability is to crisis-affected, food-insecure people, who are the primary actors in their own survival and protection. WFP will therefore seek ways of empowering these people, increasing the space for them to ensure their own protection.
 - c) Food assistance activities will be based on context and risk analysis, including an understanding of how protection gaps contribute to food insecurity and hunger, and vice versa, and how WFP’s interventions will seek to close those gaps.
 - d) WFP’s food assistance processes – including negotiations for humanitarian access, advocacy, partnerships and delivery mechanisms – will be pursued in accordance with humanitarian principles and international law.
 - e) WFP food assistance will be provided in ways that aim to contribute to the protection of conflict- and disaster-affected populations and, at the very least, do not expose people to further harm.
5. This document draws on findings and experience from several years of implementing the WFP pilot Protection Project, managed by the Humanitarian Policy and Transitions Service. It is also based on

consultation and learning from the experience of other United Nations agencies, International Committee of the Red Cross (ICRC), non-governmental organizations (NGOs) and government counterparts. A series of international consultations with experts and partners,¹ and consistent engagement as a member of the global protection cluster since 2006 have provided additional guidance to the Protection Project.

THE MEANING OF PROTECTION AND ITS SIGNIFICANCE IN WFP'S WORK

6. Humanitarian protection involves humanitarian agencies doing what they can to help promote, respect and fulfil human rights – in accordance with international law – within the context of their work. It also means ensuring that agencies find ways of minimizing the negative impacts of their assistance, to avoid increasing the harm or risk to already vulnerable populations in conflict or natural disaster settings.
7. The concept of humanitarian protection is broadly captured in the definition agreed during an ICRC-led process in 1999² and subsequently adopted by the Inter-Agency Standing Committee (IASC), which includes United Nations agencies, NGOs, the Red Cross movement and the International Organization for Migration. According to this definition:

The concept of protection encompasses 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, international humanitarian law and refugee law.

*Human rights and humanitarian organizations must conduct these activities in an impartial manner (not on the basis of race, national, ethnic origin or gender).*³
8. Various pragmatic definitions of protection that are more applicable to humanitarian assistance agencies have also been formulated, such as the widely-accepted Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP)⁴ approach, which emphasizes securing the physical safety and preserving the dignity of conflict- and disaster-affected people.⁵

¹ Seminar on Humanitarian Protection in the Context of Food Assistance, Rome, 22 September 2011; and Seminar on Humanitarian Assistance in Conflict and Complex Emergencies, Rome, 24–25 June 2011.

² Giossi Caverzasio, S., ed. 2001. *Strengthening Protection in War: A Search for Professional Standards*. Geneva, ICRC. p. 19.

³ IASC. 1999. *Protection of Internally Displaced Persons – Inter-Agency Standing Committee Policy Paper*. (December 1999).

⁴ ALNAP is dedicated to improving humanitarian performance through increased learning and accountability, with membership drawn from donors, NGOs, the Red Cross/Crescent, the United Nations, independent consultants and academics.

⁵ Slim, H. and Bonwick, A. 2005. *Protection: An ALNAP Guide for Humanitarian Agencies*. Oxford, UK, Oxfam House. pp. 31–35.

9. The protection activities undertaken by humanitarian agencies vary. They can be: i) responsive, by preventing or stopping violations or abuses of rights that are already happening; ii) remedial, by ensuring a remedy to violations, including through access to justice and reparation; or iii) environment-building, by promoting respect for rights and the rule of law.⁶
10. Agencies that are not protection-mandated, such as WFP, contribute to promoting protection by: i) providing basic material needs to people suffering from the humanitarian consequences of displacement, violence, etc; ii) advocating with relevant authorities to facilitate people's access to basic services and livelihoods; and iii) ensuring that the assistance they provide does not exacerbate the risks to which people are already exposed. This means that agencies must have an informed understanding of the protection problems facing beneficiaries, to ensure that food assistance objectives do not compromise people's safety and dignity and – to the extent possible – to address underlying causes where hunger contributes to protection gaps, or vice versa.
11. Drawing from global conceptual debates, WFP has adopted a practical definition centred around assistance: protection means designing and carrying out food and livelihood assistance activities that do not increase the protection risks faced by crisis-affected populations receiving that assistance. Rather, food assistance should contribute to the safety, dignity and integrity of vulnerable people.
12. The inclusion of safety, dignity and integrity in WFP's definition of protection captures the fundamental guiding principle of a humanitarian agency – humanity – and ensures that the whole individual, and not just his or her basic material needs, is considered to the extent possible.
13. WFP's protection approach also recognizes that the rights violations or deprivations that contribute to food insecurity and hunger can diminish the effectiveness of, or even render meaningless, WFP's food assistance. In coordination with governments, cooperating partners and field-based protection clusters, WFP seeks to empower vulnerable, food-insecure people by supporting their existing capacities to protect themselves.
14. This policy approach complements existing United Nations efforts on the human rights- based approach to programming, which brings the importance of human rights standards and principles to the centre of development action; recognizes human beings as right-holders and establishes obligations for duty bearers (the States); focuses on discriminated and marginalized groups; and aims for progressive

⁶ This is referred to as the “egg model”, a framework for thinking strategically about the different spheres of action in which protection needs to be addressed. *Ibid.*, pp. 42–43.

achievement of all human rights – including the right to food. This policy recognizes that people’s food security and nutrition can be undermined if their right to adequate access to food is not fulfilled, respected and protected by duty bearers, and that WFP has a role to play in supporting States and their peoples to a progressive realization of this right, as specified by the 2004 Voluntary Guidelines on the Progressive Realization of the Right to Food.

GLOBAL POLICY DISCOURSE AND ARCHITECTURE

15. Over the past decade, assistance agencies have been exploring ways of understanding and mitigating the protection problems faced by beneficiary communities, and contributing to better humanitarian outcomes in increasingly complex humanitarian environments characterized by the prevalence of protection gaps. For these agencies, promoting an overall protective environment for crisis-affected people can improve the delivery and utilization of humanitarian assistance. Assuring the safety from harm and respecting the dignity and integrity of affected individuals while seeking to meet their basic needs has thus become a central element of assistance agencies’ discussions on their roles and responsibilities in the provision of assistance and protection.
16. The State bears the primary responsibility for protecting the people within its jurisdiction, in accordance with international law – particularly international human rights law, international humanitarian law, international refugee law and the Guiding Principles on Internal Displacement.⁷
17. States have also conferred specific protection mandates on a number of international humanitarian and human rights organizations, including ICRC, the Office of the United Nations High Commissioner for Human Rights (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR) and United Nations Children’s Fund (UNICEF). In addition, humanitarian organizations without a formal protection mandate have a responsibility not to ignore the basic protection needs of affected populations and to work with states and other relevant actors to ensure their protection.
18. The establishment of the global protection cluster in 2005, as part of the United Nations humanitarian reform process was an acknowledgement of the need to ensure a more predictable and accountable approach to protection in humanitarian action. It was also a call for tighter collaboration among agencies and for the inclusion of a wider pool of actors, beyond the legally mandated agencies, to maximize the impact of

⁷Office for the Coordination of Humanitarian Affairs (OCHA). Second edition September 2004. New York. Available at <http://www.idpguidingprinciples.org/>

humanitarian actors on the protection of those affected by conflicts and disasters. The humanitarian reform also recognized the responsibility of cluster working groups and cluster leads were given the responsibility for ensuring that the protection concerns related to their respective clusters are addressed, including by ensuring that cluster activities do not lead to or perpetuate discrimination, abuse, violence, neglect or exploitation. WFP serves as the lead for the logistics cluster and the emergency telecommunications cluster, and is co-lead for the agriculture and food security cluster.

19. The critical role of all humanitarian agencies in protection is reaffirmed in the 2009 ICRC Professional Standards for Protection Work⁸ and the inclusion of protection principles in the Sphere Standards.⁹
20. In the chapter on food security and nutrition, the Sphere Standards highlight the rights of people to be free from hunger, and recognize that while states have the primary duty with respect to rights, the “humanitarian agencies have a responsibility to work with the disaster-affected populations in a way that is consistent with these rights.”¹⁰

WFP’S INTERNAL REFLECTIONS AND POLICY DEVELOPMENT

21. WFP has been reflecting on the mutually reinforcing linkages between food assistance and people’s rights, including the right to food and protection, taking into account the evolving global discourse and architecture on protection and the cluster framework.
22. In 2004, the Board endorsed the humanitarian principles of humanity, impartiality and neutrality for WFP, and seven other standards for humanitarian action.¹¹ The principles constitute a normative and moral obligation for humanitarian agencies and their staff. The objective of humanitarian principles is to ensure more positive humanitarian outcomes and, at a minimum, to prevent assistance from causing further harm to affected populations.
23. Following approval of the humanitarian principles in 2005, WFP’s Policy Division launched the WFP Protection Project, whose main objective was to put the humanitarian principles into operation in order to contribute to the protection of beneficiary communities.

⁸ ICRC. 2009. *Professional Standards for Protection Work Carried Out by Humanitarian and Human Rights Workers in Armed Conflict and other Situations of Violence*. Geneva.

⁹ The Sphere Project. 2011. *Humanitarian Charter and Minimum Standards in Humanitarian Response*. UK. See chapter on Minimum Standards on Food Security and Nutrition.

¹⁰ *Ibid.*, p. 143.

¹¹ “Humanitarian Principles” (WFP/EB.A/200/5-C). Available at www.wfp.org/eb

24. The Protection Project began with a series of field studies and consultations that examined what humanitarian protection meant for WFP; the impact of protection problems on WFP's food assistance mandate; the extent to which WFP was already contributing to the United Nations' overall commitment to protecting civilians; the scope for improving food assistance outcomes by focusing on protection; and the required skill sets. Since its inception, the Protection Project has developed the analytical capacity of its staff and partners to understand the protection concerns of beneficiary communities, the linkages between these and food insecurity, and how they can be addressed in the context of food assistance.

Box 1. WFP's training and workshops on protection involve:

- *The meaning of protection:* helping staff to understand the concept and how it relates to assistance.
- *International law:* demonstrating the relevance of international treaties for humanitarian assistance.
- *Humanitarian principles:* exploring the sources of humanitarian agencies' moral obligation to make appropriate decisions when faced with ethical dilemmas. The principles include WFP's protective obligation to prevent sexual exploitation and abuse (SEA).
- *Context analysis and response planning:* facilitating techniques for mapping and analysing protection issues and their linkages to food insecurity, and identifying the actors concerned with, and solutions to, protection concerns.
- *The do-no-harm approach:* reviewing current practices to ensure that WFP assistance does not cause harm to beneficiaries or members of the community.
- *Humanitarian negotiations:* coaching staff on the tools and techniques of effective negotiations.

25. Complementing the Protection Project, WFP's Performance and Accountability Management Division has made significant efforts to develop staff capacity in assessing the contextual, programmatic and institutional risks WFP faces when implementing its activities. These risks have implications for WFP's ability to reach beneficiaries, and for the safety of beneficiaries and staff (see paragraph 33 and Figure 1).
26. WFP underscored its unequivocal commitment to the protection of women in its 2009 revised gender policy, which makes protecting women and girls from gender-based violence a programmatic priority.¹² With UNHCR and the Women's Refugee Commission, WFP co-chairs the IASC Task Force on Safe Access to Firewood and Alternative Energy in Humanitarian Settings (SAFE). Its engagement in SAFE stimulated global analysis of the protection challenges associated with the collection of fuel

¹² "WFP Gender Policy: Promoting Gender Equality and the Empowerment of Women in Addressing Food and Nutrition Challenges" (WFP/EB./2009/5-A/Rev.1). Available at www.wfp.org/eb

for cooking – activities that are closely related to WFP’s core mandate. Since 2010, WFP has implemented the SAFE initiative in Haiti, Sri Lanka, the Sudan (Darfur) and Uganda, and is expanding to Chad, the Democratic Republic of the Congo (DRC), Ethiopia and Kenya. WFP’s overall goal is to reach 6 million people through the SAFE initiative.

Box 2. Reducing women’s exposure to violence through SAFE

In Darfur (the Sudan), throughout 2006 an estimated 200 women a month were raped or killed while collecting firewood for cooking their food rations or generating income, and women beneficiaries of WFP in Dadaab and Kakuma refugee camps in Kenya and Darfur continue to report cases of abuse when they collect firewood outside the camps. WFP supports women through safe access to fuel, including by providing them with fuel-efficient stoves or implementing livelihood activities that help reduce the frequency of firewood collection, and therefore women’s exposure to violence.

27. The 2010 WFP Anti-Fraud and Anti-Corruption Policy, and the WFP Executive Director’s Circular – reinforcing the United Nations Secretary-General’s Bulletin on Prevention of Sexual Exploitation and Abuse – provide the policy basis for ensuring that protection threats to beneficiaries do not emanate from WFP staff themselves or from cooperating partners.¹³

SUSTAINABLE ENGAGEMENT IN PROTECTION: MAIN POLICY DIRECTIONS

28. WFP’s presence, and activities associated with that presence – such as negotiations for access to restricted areas for humanitarian purposes, registration of beneficiaries in displacement situations, and emphasis on women’s safe access to assistance and participation – all contribute to protection. However, lessons learned from the WFP Protection Project suggest there is need to equip staff with: i) better awareness of the rights of populations and the ethical framework for humanitarian assistance, and of the possible negative impact of WFP assistance on beneficiaries and their communities; ii) better skills for analysing communities’ protection concerns and vulnerabilities, and their indigenous, self-protection strategies; and iii) guidance that translates this protection lens into practical and appropriate responses.
29. WFP has developed considerable in-house expertise in and capacity for humanitarian protection, and has been able to respond to the demands of staff from many countries.¹⁴ Sustainable and enhanced engagement in

¹³“WFP Anti-Fraud and Anti-Corruption Policy” (WFP/EB.2/2010/4-C/1); Secretary-General’s Bulletin ST/SGB/2003/13. (9 October 2003).

¹⁴ The Protection Project has covered Afghanistan, Bolivia (Plurinational State of), Burundi, Chad, the Central African Republic, Colombia, Côte d’Ivoire, DRC, Ecuador, Ethiopia, Guinea, Haiti, Kenya, Liberia, Mali, Myanmar, Nepal, the Occupied Palestinian Territory, Pakistan, the Philippines, Sierra Leone, Sri Lanka, the Sudan, Uganda and the United Republic of Tanzania.

protection now requires the full integration of lessons learned and best practices for protection into WFP's food assistance activities, including as a core element of its programme support to field operations.

30. WFP's immediate and longer-term protection agenda is based on six main policy directions:
- i) investing in institutional capacity for context and risk analysis;
 - ii) incorporating protection concerns into programme tools;
 - iii) integrating protection objectives into the design and implementation of food assistance programmes;
 - iv) developing staff's capacity to understand protection concerns and formulate appropriate and principles-based responses;
 - v) establishing informed and accountable partnerships;
 - vi) establishing clear guidance and systems for managing protection-related information.

A. Investing in Institutional Capacity for Context and Risk Analysis

31. WFP needs to enhance its capacity for consistent and thorough context analysis, complementing its existing expertise in qualitative food security and vulnerability analysis and mapping (VAM), and drawing on and contributing to analysis by protection-mandated agencies, the protection cluster at the field and global levels, similar fora, and bilateral and inter-agency coordinating mechanisms.
32. For WFP, context analysis requires bringing together its wealth of expertise and perspectives on food security analysis, programme design and implementation, policy, logistics and security. A deep field presence provides WFP with insights into the dynamics of local communities and power relations, allowing it to develop a good understanding of the various elements in its humanitarian environment, and the possible ramifications of these for the protection of local populations. Such elements include:
- emerging issues and tensions – including specific protection threats and vulnerabilities faced by local communities – and how they create barriers to food access, availability and utilization, and therefore to food security;
 - power dynamics and decision-making patterns and structures of relevant groups, and how these affect the protection and rights of vulnerable people, including women, children and marginalized groups;
 - local communities' coping mechanisms and self-protection strategies;
 - armed groups' and local communities' perceptions of WFP, and the linkage between security and safety of staff and of beneficiaries;

- possible impacts of assistance, including risks to staff, partners, beneficiaries, access and WFP's overall reputation, and corresponding risk-mitigation measures.

Box 3. Analysing context and protection concerns in food distributions

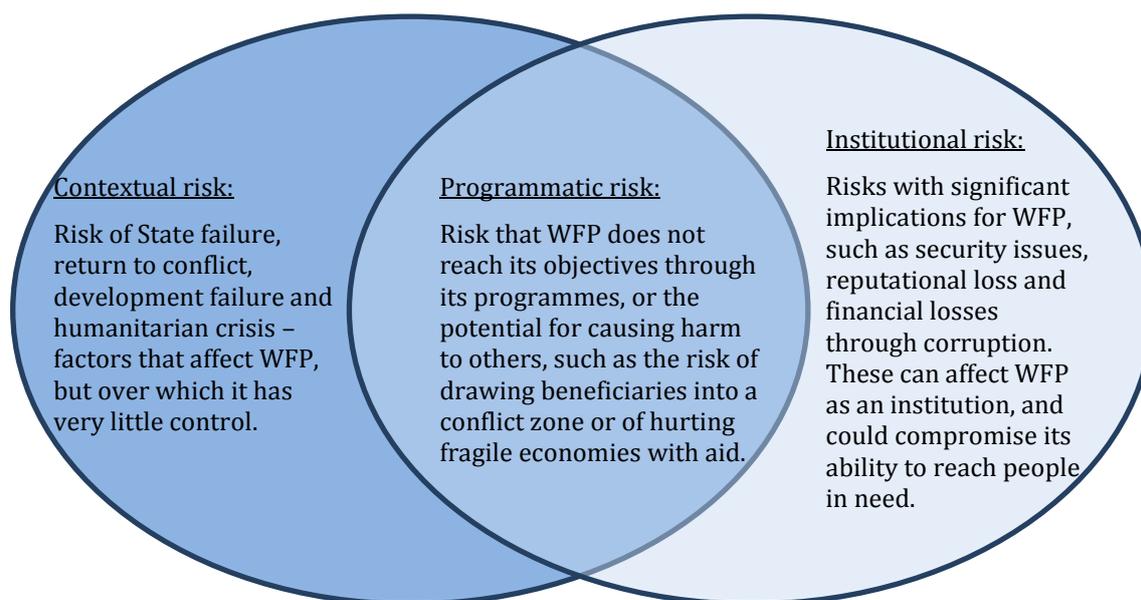
In 2008, reports of food grabbing and stealing, stampedes and assaults at food distribution sites in Karamoja (Uganda) prompted WFP to conduct analysis. Prior to 2007, WFP's engagement in the region was limited to responding to recurring natural disasters. Along with many other national and international agencies, WFP viewed Karamoja as a confusing area of complex local dynamics. The 2008 assessment shed light on the protection concerns of different ethnic groups, and the immediate and longer-term risks that food distributions posed to beneficiary and non-beneficiary communities. It enabled WFP to respond swiftly to violence and insecurity at food distribution points, and to introduce new modalities for food distributions under the 2009 emergency operation. These included recruitment of international NGOs as cooperating partners; greater reliance on local staff that had links to the community and local language skills; a region-wide registration and verification process; more sensitive targeting, ration size and distribution modalities at distribution sites; and better terms for coordinating with local leaders, the military and the police regarding their roles in food distributions. These changes resulted in safer, more transparent and better organized food distributions. Mistrust in communities and among local leaders also declined.¹⁵

33. Context analysis is a requisite for understanding the various risks that WFP faces, especially in fragile states: risks arising from the operational environment, from the implementation of programmes, and from institutional factors (Figure 1).¹⁶ All of these affect WFP's capacity to feed vulnerable and marginalized populations and contribute to their protection. Understanding risks helps WFP to make realistic assessments of prevention and mitigation measures for reducing possible harm to beneficiaries, staff and WFP itself.

¹⁵ Michels, A. and Pattugalan, G. 2009. *Protection in WFP Operations: Analysis of Activities in Karamoja, Uganda*. WFP, Rome.

¹⁶ Overseas Development Institute. 2011. *Aid Risks in Fragile and Transitional Contexts: Improving Donor Behaviour*. Available at www.oecd.org/dac/incaf; Ministry of Foreign Affairs of Denmark (DANIDA). 2010. *Risks and Results Management in Development Cooperation: Towards a Common Approach*. Copenhagen.

Figure 1: WFP's contextual, programmatic and institutional risks



B. Incorporating Protection Concerns into Programme Tools

34. The integration of protection considerations or indicators into programming allows more systematic tracking and measurement of protection risks and their linkages to food insecurity and food assistance implementation. Analysis derived from programme tools, such as assessments or post-distribution monitoring, corroborates, complements and updates in-depth context analysis.
35. The mainstreaming of protection in assessment and VAM tools¹⁷ helps to identify linkages between food insecurity and the protection risks, vulnerabilities and negative coping strategies or capacities of affected populations. It enhances food security assessments by examining social, cultural and political elements of the context, giving WFP deeper insight into the causes of food insecurity and how to address it.
36. Programme design techniques informed by the protection concerns of affected populations facilitate the selection of food assistance modalities that are safe and appropriate.

¹⁷ Examples of these tools include emergency food security assessments, comprehensive food security and vulnerability assessments, the food security monitoring system, and joint assessment missions.

Box 4. Making programmatic choices through a protection lens

- In most circumstances, making women the primary recipients of food assistance and promoting them as the collectors of relief support empowers them. However, WFP studies on sexual and gender-based violence suggest that without a good grasp of women's protection concerns, gender dynamics and the overall context of food assistance, such a programme choice may endanger women's safety, particularly where women are targets for assault and rape, or they may inadvertently shift power balances and create tension in the domestic sphere.
- Cash programmes are a logical choice in a functioning market. Recent reviews of cash programming report that women recipients feel more dignified and empowered when receiving cash than when receiving food. However, there is need for careful consideration of decision-making patterns and structures at the household and community levels, and analysis of security factors, so that those positive outcomes of cash are not undermined by other protection concerns.

37. Viewing WFP activities through a protection lens also alerts WFP to possible risks associated with the choice of targeting tools. It could reveal that some vulnerable populations excluded from assistance may be pushed into adopting negative coping mechanisms. Technical approaches to targeting can determine the food security levels of specific communities efficiently, but they do not always consider whether targeting methods might be creating tensions between recipient and non-recipient communities, or be attracting people to locations where assistance is provided.
38. Periodic reviews of possible risks associated with the delivery and collection of food assistance, through on-site and post-distribution monitoring, assure safe and dignified programme implementation modalities.
39. Inclusion of protection indicators and benchmarks in evaluation tools enhances understanding of whether WFP's assistance contributes to broader protection outcomes over time. Tracking protection-related indicators helps identify how assistance may be having positive or negative impacts on people's protection, and helps shape future food assistance interventions.
40. Regarding WFP's overall readiness to respond to sudden-onset emergencies, there is also need to ensure that protection concerns are accounted for in risk assessments, as a fundamental component of emergency preparedness and contingency planning.

C. Integrating Protection Objectives into the Design and Implementation of Food Assistance Programmes

41. Food assistance programmes can help reduce protection risks. Protection risks are a function not only of abuses or violations of rights – or threats – but also of the vulnerability of certain individuals or groups and their capacities for dealing with these threats. In many instances, the most

food-insecure people are those whose rights, including the right to access to adequate food, are infringed. They are more vulnerable and have insufficient or even no coping mechanisms.

42. At the same time, the provision of food assistance to certain vulnerable groups – such as women, internally displaced persons or refugees – can give rise to protection risks and challenges. These groups may face serious risk and harm as a result of food assistance activities that do not take protection concerns into account. In some situations, authorities, community leaders and other groups in power may discriminate or manipulate food assistance mechanisms to force the return of displaced persons in a manner that does not respect the dignity, safety and interests of beneficiary populations.

Box 5. Supporting survivors of sexual violence in DRC

In eastern DRC, where systematic sexual violence is one of the atrocities suffered by the civilian population, three-quarters of the 45,000 women participating in food-for-work activities and the 2,500 in food for training are survivors of sexual violence. Empowerment activities using food assistance are supporting these survivors' reinsertion into society.

43. WFP is obliged to uphold humanitarian principles and to comply with relevant international law, the Guiding Principles on Internal Displacement, and the Sphere Standards. WFP must also take protection objectives into account in the design and implementation of assistance programmes, as exemplified by its SAFE initiative, which aims to lessen the frequency of women's exposure to violence when collecting firewood, or its food-for-work activities in Eastern DRC, which seek to support the survivors of sexual violence.
44. To incorporate a principled approach, a rights perspective and protection objectives into programme design and implementation, WFP needs to bear in mind the following themes:¹⁸
- *Context, risks and local coping strategies.* Do WFP food assistance activities take into account the possible protection threats faced by affected populations, the sources of vulnerability beyond food insecurity, and people's coping mechanisms and other capacities?
 - *Negative impact of assistance.* WFP activities should not increase threats to people. Assistance should not become – even unintentionally – complicit in the denial of rights. Activities should not inadvertently empower the positions of armed groups, or undermine people's efforts to protect themselves. They should not lead to or exacerbate tensions within and between communities.

¹⁸ Sphere Project. 2011. *Humanitarian Charter and Humanitarian Response*, pp. 25–46, 139 –238.

- *Non-discrimination.* WFP activities should not discriminate against any group, or risk being perceived as doing so. They should promote and help protect the rights of people who have historically been marginalized or discriminated against.
- *Appropriate and safe food package.* Prior to implementation, WFP should note the types of food assistance that make people more vulnerable to specific protection problems such as attacks, sexual abuse and looting, and should explore alternative forms of food assistance with communities.
- *Safe environment for assistance.* WFP must ensure that the environment in which food assistance is provided is safe for the people concerned – for example, people in need should not be forced to travel to or pass through dangerous areas to obtain assistance – and that mechanisms to prevent and address exploitive and abusive behaviour are in place.
- *Transparency and accountability.* WFP must present its objectives transparently, to beneficiaries and non-beneficiary communities as well as to its government and NGO partners. Beneficiaries must be properly informed of their entitlements, and channels for communicating complaints and feedback must be available.

Box 6. Mainstreaming protection in country operations

Since 2006, WFP in Myanmar has progressively mainstreamed protection into its work and ensured that all staff and partners are trained on protection. A guidance checklist has been developed, and protection concerns are reviewed annually in consultative workshops. The result is a cadre of well-informed personnel who take protection into account in their programmatic decisions. For instance, before implementing food-for-work activities in the northeastern regions of Wa and Kokang, WFP seeks agreements and land certifications from local authorities, to guarantee that eviction does not deny local communities their right to benefit from WFP-supported land development and rehabilitation projects. When faced with broader protection issues, staff are more aware of how and under what circumstances to bring these issues to the United Nations country team or specialized agencies, for follow-up or advocacy support.

D. Developing Staff’s Capacity to Understand Protection Concerns and Formulate Responses Based on Humanitarian Principles

45. Adopting a protection lens for WFP programmes and presence requires developing the capacity of staff and cooperating partners. At the front line of emergencies, WFP staff and partners are witnesses to many risks to the safety and dignity of people living in such circumstances. However, they are not always sufficiently equipped with the knowledge, skills and tools needed to analyse and deal with these risks.
46. Programme, logistics and security staff, in particular, need adequate training in the analysis of WFP operational contexts and risk assessment,

and in managing and processing protection-related information to improve WFP programming.

47. Humanitarian personnel are important protection actors, regardless of their individual functions. The messages they convey, implicitly or explicitly, and their behaviour can have positive or negative impacts on the protection of people's rights, and on the trust of communities and other interlocutors. All staff must therefore be sensitized to the sources of people's rights and the obligations of states to provide, respect and protect these rights, as well as to the United Nations' code of conduct and WFP's principles of humanitarian action, which define their ethical behaviour.
48. Staff and managers at various levels conduct different types of advocacy, and must be provided with proper training on humanitarian advocacy and negotiations so they can communicate appropriate messages based on principles and the spirit of international law.

Box 7. Protection and food assistance in emergencies: the case of Haiti

Following the January 2010 earthquake in Haiti, preventing violence during food distribution was a major protection concern for WFP. Given the centrality of food assistance to survival, and the violent environment, WFP's protection concerns had to be addressed immediately. Before large-scale food distributions were rolled out, WFP food monitors and volunteers – many of whom had been newly recruited to help deal with the scale of the disaster – were given a crash course on principles and strategies for safe and dignified food distributions by experienced WFP protection officers already on the ground. WFP aimed both to respond to the immediate threats directly linked to food distributions and to undertake its activities in ways that helped restore the dignity of affected people as soon as possible.

The Haiti response demonstrates how to safeguard protection while helping to mitigate new threats as they arise. Most staff had received protection training in November 2009 and some staff had protection expertise, which enabled rapid recognition of protection threats during WFP's immediate food assistance response following the earthquake. Staff were also familiar with the particular protection threats in the communities where food assistance is directed. In addition, for the first time in an emergency, WFP sent protection expertise to the field as part of its surge response. Having additional dedicated protection officers on the ground allowed WFP to analyse protection threats related to food insecurity and to ensure that a protection lens guided all food assistance activities, from the first distributions, to assessments and project design.¹⁹

49. WFP has developed an array of training materials to help staff and cooperating partners understand protection and integrate it into food assistance operations. Since 2005, more than 2,000 staff and partners have received training in response to demand from country offices. To standardize knowledge and skills across WFP, a corporate approach to the training and sensitization of staff at all levels is necessary. Various aspects of protection can be tailored to and integrated into other training activities for all levels of managers and staff, such as emergency response training.

¹⁹ “Annual Performance Report 2010” (WFP/EB.A/2011/2), pp. 21–22.

E. Establishing Informed and Accountable Partnerships

50. WFP relies on NGO, United Nations and government partners for implementation of its food assistance programmes. The effectiveness of WFP assistance therefore depends largely on the capacity of these partners, including their capacity to carry out protection-sensitive, safe and accountable programming. It is therefore imperative that while WFP builds the protection knowledge and competencies of its own personnel, a similar approach is pursued for its cooperating partners.
51. Some of WFP's large NGO partners have already adopted organizational policies on protection,²⁰ while others are seeking ways to integrate protection into their specific mandates. Regardless of the extent to which cooperating partners have adopted a protection approach, WFP should ensure that they are sensitized to the principles and norms that underpin the protection of beneficiary communities. WFP must have clear agreements with partners on measures for preventing and mitigating the negative impacts of food assistance, and on accountability in implementing these measures.

Box 8. Pakistan: Accountability to Beneficiaries

Learning from experience of several large-scale emergencies in Pakistan, in Islamabad in December 2010, WFP launched a feedback mechanism to receive and respond to beneficiary concerns regarding WFP processes. This is proving to be an effective means of ensuring accountability to beneficiaries and of helping WFP and cooperating partners to improve the quality of food assistance programmes.

Beneficiaries register their concerns regarding targeting and registration, distribution, staff conduct, security, and accountability for WFP resources. Reports are analysed and categorized according to severity, type and location. Allegations of misappropriation or serious misconduct are shared immediately with the country director and referred to the relevant area office, which – in consultation with the cooperating partner(s) concerned – must inform the country office within 10 days of any action taken to address the reported issue. Investigation findings and the actions taken are recorded in the country office database. The feedback mechanism is apparently seen to be accessible and trustworthy, but most of its users are men. Many Pakistani women are reluctant to call in if they think a man might answer, so WFP now reassures women that they can choose to address a woman phone operator.

52. In situations where WFP programmes are managed remotely because of high insecurity, such as in Afghanistan and Somalia, where programme assistance teams and community development councils are used, it is essential that the partners and subcontractors involved in assessing, implementing and monitoring WFP programmes are made aware of humanitarian principles, protection from sexual exploitation and

²⁰ World Vision International, the International Committee of the Red Cross, the Norwegian Refugee Council (NRC), Danish Refugee Council (DRC), Oxfam.

abuse (PSEA) and the links between food assistance and protection of beneficiary communities.

53. Good practices in engaging partners in the development of knowledge and skills are already being implemented in some country offices, with support from the Protection Project. These good practices include participation of NGO and government partners in training related to protection; inclusion of PSEA and protection clauses in field-level agreements (FLAs); and development of a protection checklist for use by WFP and partners. These practices should be accompanied by periodic reviews of FLAs and partners' compliance with their commitment to protection, and must be agreed and institutionalized more systematically among the full range of WFP partners.
54. WFP's engagement in protection needs to extend to its inter-agency responsibilities and leadership under the cluster system. This means ensuring that protection is mainstreamed into activities of the agriculture and food security cluster, which WFP co-leads with the Food and Agriculture Organization of the United Nations (FAO), and the logistics cluster and emergency telecommunications cluster, led by WFP. At the very least, the interventions of these clusters should be informed by analysis of protection concerns on the ground and must not pose additional risk to affected populations.

Establishing Clear Guidance and Systems for Managing Protection-Related Information

55. Staff in the field witness and handle protection-related information in their daily work. Information about violations and abuses is often deemed sensitive because of the additional risks it may create for the victims or informants and for their relations and communities, or because it can harm WFP's relations with various interlocutors, including government and non-governmental entities. In accordance with the protection principles under the Sphere Standards, all agencies should therefore have clear policies and procedures for guiding staff who become aware of or witness abuses and violations and for ensuring the confidentiality of related information. Staff should also be briefed on appropriate reporting procedures for the incidents they witness or the allegations they hear about.²¹

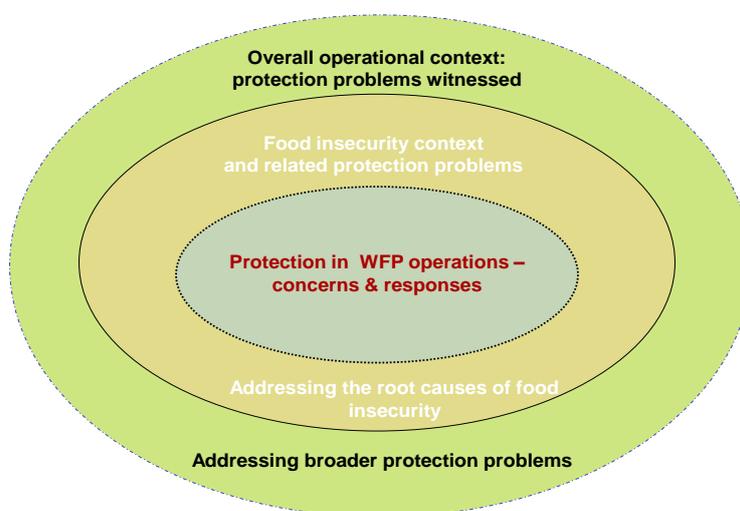
²¹ Sphere Standards. 2011, p. 35.

56. There are United Nations-wide referral systems in some locations. WFP staff and partners must be made aware of such systems, and there should be agreed procedures for referring information to agencies mandated to deal with specific protection concerns. Within WFP and in its relations with cooperating partners, staff are directed to report information to the country director/representative, to ensure confidentiality.
57. Humanitarian access is essential to WFP's ability to reach vulnerable populations in complex and often remote environments affected by conflict. In these situations, WFP should continuously collect and share information on abuses and violations, and assess and consider these in terms of the possible reaction of government and relevant authorities, the consequences on WFP's security of access, and the safety of staff and populations concerned. Changes in the situation should be reviewed periodically.

BOUNDARIES OF ENGAGEMENT: WFP'S RESPONSIBILITIES AND LIMITATIONS REGARDING PROTECTION

58. Alleviating hunger and helping people achieve their right to food are themselves protective practices, particularly in crises. However, in some situations, the delivery of food assistance without consideration of people's overall protection concerns is inadequate. Listening to beneficiaries and understanding their protection concerns allows WFP to promote beneficiaries' safety, dignity and integrity. As a leading United Nations humanitarian actor, WFP is committed to understanding the dynamics of its presence and assistance, and the ramifications of these for the protection of conflict- and disaster-affected populations, particularly beneficiary communities.
59. Figure 2 illustrates a model of engagement that situates an approach to protection within WFP's mandate and overall operational context, and defines the boundaries of WFP's role in relation to that mandate and context.

Figure 2. WFP Concentric Circles Model of Engagement



60. *The inner circle – protection issues within WFP delivery activities.* This circle refers to food assistance activities carried out by WFP and partners – general or targeted distributions, education, nutrition, food-/cash-for-work programmes, etc. – and confirms that the protection of beneficiaries of these activities is a direct responsibility of WFP. WFP-assisted activities must not perpetuate risks or create more harm for beneficiary communities.
61. The inner circle requires at the very least that distribution sites are safe for beneficiaries; adequate facilities such as toilets and shade are available to protect people’s well-being and dignity; and activities are organized to minimize waiting time and take into account the distances beneficiaries have to travel. This circle calls for measures to prevent and protect beneficiaries from SEA by WFP staff or partners, or from discrimination and stigmatization because of WFP support, such as for people living with HIV. The application of WFP’s humanitarian principles – such as participation, impartiality and neutrality – should ensure better targeting, avoid contributing to intra- and/or intercommunal tensions, and minimize the risks of inadvertently associating WFP with actors in a conflict.
62. *The middle circle – protection concerns causing and resulting from food insecurity.* This circle refers to food-related protection concerns and protection gaps that contribute to food insecurity. By recognizing and attempting to address these broader hunger-related protection issues – through a combination of food assistance, partnerships and strategic advocacy and dialogue with concerned authorities and groups – WFP helps ensure that its presence provides meaningful support to hungry people and that its intervention modalities are well-designed for addressing and rectifying the underlying causes of hunger. Physical

assault and rape of women while collecting firewood to cook WFP's rations and augment household incomes are well-documented forms of gender-based violence that are closely linked to food insecurity. Other protection gaps – such as policies that obstruct farmers' access to land or markets, policies and practices that discriminate against certain ethnic groups, or extortion and other forms of illegal taxation on property and livelihood sources – contribute to or cause the food insecurity that has called for a WFP intervention.

63. *The outer circle – protection issues that are not related to hunger, but that arise where WFP is present as the United Nations front-line hunger agency.* WFP is often the largest, and sometimes the only, United Nations presence in remote regions of conflict- and crisis-affected countries. WFP staff and partners witness protection problems that may be unrelated to food insecurity but that pose dilemmas to staff, who are bound by the United Nations Charter and committed to promoting the Universal Declaration of Human Rights. When authorities are incapable of addressing abuses, or when they themselves are suspected perpetrators, reporting abuses and rights violations can put WFP staff and their families at risk, and may also put beneficiaries at risk. This circle thus highlights the importance of having a corporate policy and system for reporting, managing and sharing protection-related information within WFP and with protection-mandated agencies (see paragraphs 55–57).
64. Even where WFP is the only United Nations presence, it does not seek to be a substitute for protection-mandated actors. In these circumstances, WFP staff in the field report to the country director/representative, who can advocate within the United Nations country team and the United Nations humanitarian system for an inter-agency response in which protection-mandated agencies take the lead in implementing protection activities.

POLICY IMPLEMENTATION MODALITIES AND CORPORATE IMPLICATIONS

65. This policy paper argues that WFP's ethical humanitarian character will be better preserved, and its food assistance outcomes enhanced, through a commitment to analysing and addressing the protection dimensions of its operations. Table 1 provides an indication of the typical protection support requirements for various types of operational setting, and the WFP staff involved. The source of this support will vary, but the protection dimensions of WFP operations will be considered and addressed as described in this paper, in each of these humanitarian settings.

66. WFP has already trained a cadre of staff trainers on protection, who can be deployed to various operations. Staff around the world have received training on protection and, in conjunction with protection focal points at country offices, can provide some – or sometimes all – of the programme support required. WFP staff protection trainers can also be deployed on temporary assignments to provide expert protection technical support in the short or longer term.
67. More in-depth expert technical support on protection issues can be provided directly from WFP Headquarters expertise, currently based in the Humanitarian Policy and Transitions Service, or through external consultants. Stand-by partners – such as the Protection Standby Capacity Project (PROCAP), which is currently providing two full-time protection advisers to WFP field operations in DRC and Asia, the Register of Engineers for Disaster Relief (REDR) and the Norwegian Refugee Council (NRC) – are a largely untapped source of support. Costs for protection-related support will be included with other direct operational costs and direct support costs of future operations, which may be supplemented by a Headquarters-managed trust fund for protection in WFP operations.
68. To ensure implementation of a future protection policy, a small WFP Headquarters protection team will be charged with coordinating and delivering required programme support, including building and maintaining a cadre of in-house trainers; coordinating training/facilitation workshops for field staff and partners; maintaining a roster of internal, external and stand-by partner personnel for potential deployment; ensuring coordination with the global protection cluster and field-level protection clusters; and advising WFP management and country offices on protection-related advocacy. Some of these coordination and programme support functions may be relocated to regional bureaux as staff capacity grows.

| TABLE 1: MINIMUM REQUIRED PROGRAMME SUPPORT FOR PROTECTION | | | | |
|--|----------------------------------|----------------------------|--|---|
| Type of support | Sudden-onset emergencies* | Complex emergencies | Protracted crises and transitions | Headquarters and regional bureau staff |
| A. TRAINING FOR WFP STAFF AND PARTNERS | | | | |
| 1. Basic training on humanitarian principles and safe distribution | X | X | X | X |
| 2. Standard three-day training and workshop facilitation | | X | X | |
| 3. Specialized training for managers and staff* | X | X | X | X |
| B. SPECIALIST TECHNICAL SUPPORT FOR FIELD PROGRAMMING | | | | |
| 1. Context and protection analysis for project formulation or adjustments | | | | |
| • Rapid assessment | X | | | |
| • In-depth context analysis | | X | X | |
| 2. Support to integration of protection into country operations, including assessment and VAM, design, and monitoring and evaluation | | X | X | X |
| 3. Design of community-based reporting and feedback mechanisms | X | X | X | |
| 4. Development of country-level work plans and strategies for protection and gender | | X | X | |
| C. SURGE CAPACITY FOR MANAGEMENT AND COORDINATION IN THE FIELD | | | | |
| 1. Training-of-trainers to support training delivery, staff preparedness and deployment | | | | X |
| 2. Deployment of protection experts to field operations | | | | |
| • Full-time, long-term: at least 12 months from stand-by partners or WFP in-house experts | | X | X | |
| • Medium-term: 3–6 months from stand-by partners or WFP in-house experts | X | | | |
| D. INTER-AGENCY COORDINATION | | | | |
| 1. Participation in inter-agency protection and gender-based violence mapping exercises led by the protection cluster | X | X | | X |
| 2. Participation on inter-agency referral systems on protection and prevention of gender-based violence and SEA | X | X | X | |
| 3. Mainstreaming of protection in WFP-led clusters | | X | | X |

* Training courses may include humanitarian principles, international law, humanitarian negotiations, prevention of gender-based violence and SEA, and the do-no-harm approach. They are offered on the basis of staff needs in particular operational settings.

MEASURING PROTECTION POLICY OUTCOMES

69. Measuring protection outcomes in the field is difficult; sometimes it depends on trying to prove counterfactuals, such as: If WFP had not taken

precautions at a distribution, incidents of violence would have occurred. Nevertheless, there are ways in which WFP will be able to measure implementation of the protection policy at both the global and field level.

70. This document makes the case that all staff involved in WFP's humanitarian activities should have a basic understanding of its ethical and legal framework. Progress towards this objective is measurable.
71. The countries where protection threats are a major concern are generally known. The extent to which protection analysis informs assessments, project documents, project budgets, etc., and the types of programme support provided in these countries (Table 1) are all indicators of the policy's adoption.
72. Finally, the implementation approach outlined in this paper emphasizes field-driven protection action plans, each of which can adopt the indicators most suitable for the situation-specific protection threats that WFP is trying to address.

ACRONYMS USED IN THE DOCUMENT

| | |
|--------|---|
| ALNAP | Active Learning Network for Accountability and Performance in Humanitarian Action |
| DRC | Democratic Republic of the Congo |
| FAO | Food and Agriculture Organization of the United Nations |
| FLA | field-level agreement |
| IASC | Inter-Agency Standing Committee |
| ICRC | International Committee of the Red Cross |
| NGO | non-governmental organization |
| NRC | Norwegian Refugee Council |
| OCHA | Office for the Coordination of Humanitarian Affairs |
| OHCHR | Office of the United Nations High Commissioner for Human Rights |
| PSEA | protection from sexual exploitation and abuse |
| SAFE | Safe Access to Firewood and Alternative Energy in Humanitarian Settings |
| SEA | sexual exploitation and abuse |
| UNHCR | Office of the United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children’s Fund |
| VAM | vulnerability analysis and mapping |