

**Background paper for the first informal consultation on
the updated protection policy**



Informal consultation

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**World Food Programme
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This paper outlines the formulation process, strategic direction and key issues for informal consultations on WFP's updated protection policy for the Board's consideration and discussion. It is not a draft of the updated policy.

1. Overview of the formulation process

1. In developing an updated protection policy WFP is following a two-track process, first presenting a policy outline for the Executive Board's consideration at its 2019 second regular session and then submitting the updated protection policy itself for adoption by the Board at its 2020 second regular session. This will ensure the active participation of and early guidance from the Executive Board. The consultations will serve to build solid ownership of protection within WFP and to make the policy resonate with field and operational staff. The main stakeholders of the process are affected populations, beneficiaries and communities, WFP Member States, local authorities, civil society, community-based organizations, WFP's partners, inter-agency coordination mechanisms, WFP staff from headquarters, all the six regions as well as from different country offices, sub-offices and area offices.
2. A protection policy checklist in annex I gives an overview of the outputs of the consultations and workstreams per key issue. An overview of the two-track process is set out in annex II.
3. WFP has decided to develop the updated policy from a "field first" perspective. As part of a "deep-field approach", staff from country offices operating in differing environments, including WFP staff and partners working on the frontlines and confronted in their day-to-day work with protection concerns, have been identified to provide their context-specific perspectives.
4. WFP is responding to the findings and recommendations of the 2018 independent evaluation of its current humanitarian protection policy,¹ building on the results, analysis and surveys of the evaluation process. The policy checklist in annex I includes the main points of the evaluation to ensure that they are taken into consideration. WFP has developed a 2019–2021 strategy for protection and accountability to affected populations (AAP) in order to respond to the recommendations of the evaluation immediately at the implementation level. Lessons learned from the strategy will feed into the policy and vice-versa.

2. Strategic direction of WFP's updated protection policy

5. With the updated protection policy, WFP will affirm its strong institutional commitment to make protection core to the implementation of its programmes. The updated policy will:
 - a) build on the achievements of the current humanitarian protection policy,²
 - b) acknowledge protection as a crucial component of its corporate risk management at headquarters, regional and country level;
 - c) consolidate and step up WFP's efforts to mainstream protection as a mandatory standard systematically and consistently throughout its operations while integrating protection where possible;

¹ DARA. 2018. "Evaluation of the WFP Humanitarian Protection Policy: Report number: OEV/2016/015".

² "WFP Humanitarian Protection Policy" (WFP/EB.1/2012/5-B/Rev.1).

- d) enable WFP to put its commitment to protection into practice;
 - e) adapt WFP's roles and responsibilities to recent global developments and increased demands to respond to protection needs and human rights abuses in an increasingly complex environment, ensuring that WFP responds appropriately, professionally and effectively to the challenges in often protracted humanitarian and development operations.
6. The updated protection policy will build on the following elements of the current humanitarian protection policy:
- WFP's work is anchored in the international human rights and protection framework and related policy processes.³ Human rights and protection constitute a system-wide core responsibility of the United Nations system, including WFP.
 - States bear the primary responsibility for protecting the people within their jurisdictions, in accordance with international law – particularly international human rights law, international humanitarian law and international refugee law – and the Guiding Principles on Internal Displacement.⁴
 - WFP's value added in respect of protection lies in linking protection to its operational mandate to eradicate hunger and promote food security. Food assistance is a powerful tool for protecting and enforcing rights and keeping people safe and maintaining their dignity and reducing negative coping strategies of affected populations. Providing food security is a crucial element of action to achieve protection outcomes.

3. Issues for consultation and the update of the policy

3.1 Scope and application

7. **Scope and vision:** The updated protection policy will focus on protection and AAP and will establish linkages to and synergies with other policies and strategies that are relevant to risks to populations and are linked in areas such as conflict sensitivity, the humanitarian–development–peace nexus, WFP's role in peacebuilding in transition settings, WFP's approach to access, gender, protection from sexual exploitation and abuse and WFP's security risk management approach.
8. WFP will use the consultation process as an opportunity for its key units in the field and headquarters to agree on a coherent overall vision for protection mainstreaming and integration to guide the implementation of the updated protection policy.
9. **Application:** The updated policy will apply in all contexts where WFP is operating, including conflicts, natural disasters and development settings, as does the current policy. The human rights-based approach in programming shares with protection the core principles of non-discrimination, equality, participation, accountability and the rule of law. The consultations will provide the opportunity for the presentation of details on WFP's role in the various contexts and the specific application modalities, as well as on the differences and similarities between a human-rights-based approach and a protection approach. The consultations will look into how WFP can support country-led efforts to achieve

³ See overview of the human rights and protection framework in annex I.

⁴ <http://www.internal-displacement.org/publications/ocha-guiding-principles-on-internal-displacement>.

sustainable development and peace and prosperity for all under the 2030 Agenda for Sustainable Development, with a strong commitment to leaving no one behind.

3.2 WFP's definition of protection

10. In its current protection policy WFP has adopted the Inter-Agency Standing Committee (IASC) definition of protection, along with its own practical interpretation of the definition, in accordance with its mandate and expertise: *"Protection means designing and carrying out food and livelihood assistance activities that do not increase the protection risks faced by the crisis-affected populations receiving assistance. Rather, food assistance should contribute to the safety, dignity and integrity of vulnerable people."*
11. WFP's interpretation was criticized in the independent evaluation for being too narrow and assistance-focused and not taking into consideration broader protection risks.
12. The consultations will address the criticisms and expand the definition to encompass a more people centred approach. They will also allow the examination of the implications of WFP's large operational footprint and presence and the essence and strategic value of protection for WFP in a manner that is easily understood by everyone.⁵ The consultations will also include affected populations' understanding of protection, in line with the "centrality of protection" approach, which calls for thinking about protection from the perspective of those who need it.

3.3 WFP is committed to the centrality of protection

13. In 2013 WFP committed to the centrality of protection in all its humanitarian action when it joined a statement on the subject issued by the IASC principals.⁶ The statement affirms that the protection of all affected and at-risk individuals and communities must inform humanitarian decision making and response and indicates that beyond protection mandated agencies all humanitarians have the responsibility to protect affected or at-risk individuals and communities before, during and after a crisis strikes. The principles embodied in the statement were in 2016 set out in an IASC policy.⁷

WFP's protection approach: mainstreaming and integration⁸

14. In line with the centrality of protection approach, protection has already become a central part of many WFP operations. With its strategy on protection and AAP for 2019–2021, WFP is systematically integrating protection, focusing on nine priority countries and enhancing protection and AAP in a targeted manner.
15. With the updated protection policy WFP will step up its efforts and will establish protection mainstreaming as a mandatory standard and core responsibility throughout WFP operations, considering protection mainstreaming to be an imperative for professional risk management and safe programming. In addition, WFP will continue to implement protection integration when possible and will draw on experience with the

⁵ See *Independent Whole of System Review of Protection in the Context of Humanitarian Action*. https://reliefweb.int/sites/reliefweb.int/files/resources/final_whole_of_system_report.pdf.

⁶ Inter-Agency Standing Committee. 2013. *Statement: The Centrality of Protection in Humanitarian Action*. https://interagencystandingcommittee.org/sites/default/files/the_centrality_of_protection_in_humanitarian_action_english.pdf; IASC. 2016.

⁷ IASC. Policy on Protection in Humanitarian Action: 2016. https://interagencystandingcommittee.org/system/files/iasc_policy_on_protection_in_humanitarian_action.pdf. See also, International Organization for Migration. 2016. *Guidance Note on how to mainstream protection across IOM crisis response*. https://www.iom.int/sites/default/files/our_work/DOE/humanitarian_emergencies/mainstream/IN-232-How-to-mainstream-protection-in-IOM-crisis-response.pdf.

⁸ See annex I for definitions.

implementation of the current protection strategy to establish criteria for protection integration. As outlined in the current policy, WFP does not engage in standalone protection programming.

16. The consultations will anchor WFP's approach within the centrality of protection approach and identify the key implications for WFP of its responsibility for the centrality of protection.

Working as a team in protection

17. Implementing the centrality of protection approach is very much a joint effort, and enhanced inter-agency engagement is needed to achieve collective outcomes. The consultations will include discussion of:
 - Identification of joint approaches and synergies in the implementation of the centrality of protection approach;
 - Strengthening of WFP's role at the country level as a member of the humanitarian country team contributing to country protection strategies and joint protection initiatives and advocacy;
 - Strengthening and clarifying WFP's role in the protection cluster;
 - Strengthening the mainstreaming of protection in the food, logistics and emergency telecommunications clusters;
 - Strengthening partnerships with governments and national and local actors;
 - Identifying with WFP's cooperating partners collaboration avenues, guidance and needed support; and
 - Strengthened peer-to-peer learning with the wider protection community, including NGOs, local actors, the International Committee of the Red Cross and others.

3.4 WFP's roles, responsibilities and boundaries for engagement in protection

Complementarity and partnerships with other actors – mutual responsibilities

18. Factors that affect the protection of affected persons are often multifaceted, going beyond the capacity of one actor;⁹ WFP's role in protection is strongly complementary to and dependent on its protection mandated partners, for instance in the case of protection referrals.
19. WFP has developed a concentric circles model, which it uses to map out its role in protection in various operational settings, depending on whether protection issues are related to its operations and food insecurity or whether they are identified in a broader context. The independent evaluation of the current protection policy and initial consultations identified a need to provide more clarity on WFP's roles and responsibilities in protection so that all WFP staff have a clear understanding of WFP's role in global protection efforts.
20. Consultations and workstreams will map out WFP's and its protection partners' core corporate responsibilities and adapt the concentric circles model as necessary. The consultations will address the question of whether WFP should engage in protection advocacy or protection negotiations and the extent to which humanitarian access negotiations can address protection concerns and establish clear guidance for staff.

⁹ IASC. Policy on Protection in Humanitarian Action: 2016.
https://interagencystandingcommittee.org/system/files/iasc_policy_on_protection_in_humanitarian_action.pdf.

3.5 Context-specific approach

21. The context in which WFP operates is a crucial factor in defining its role in protection and its protection approach. Every country is different. Field consultations, starting in four regions and countries,¹⁰ will inform the policy on WFP's roles and responsibilities in each of the different types of response in which it engages.
22. WFP has identified the following four main response types:
 - a) relief response to armed conflict – either international or non-international, involving life-saving activities, integrated missions, shrinking humanitarian space and access issues;
 - b) response to natural disasters, in which a natural hazard combines with poverty and social vulnerability to render people materially, personally and socially at extreme risk;
 - c) protracted crisis, involving a transition or partially weakened government; and
 - d) development settings and unified governance structure.

3.6 Areas of particular attention

Leaving no one behind and strengthening inclusion

23. The world's poorest and those disadvantaged because of gender, age, disability or ethnicity are often bypassed and threatened with being left irrevocably behind. The imperative of leaving no one behind of the 2030 Agenda and its Sustainable Development Goals recognizes this gap.
24. Inclusion of vulnerable groups is a key component of WFP's approach to protection, which incorporates a focus on groups that are discriminated against and marginalized. A critical group for inclusion is persons with disabilities, who are particularly exposed to targeted violence, exploitation and abuse, including sexual and gender-based violence.
25. The current policy does not give specific consideration to persons with disabilities. The updated policy will recognize the need to give particular attention to this population as a critical group for inclusion under the Agenda for Humanity and fully commits WFP to strengthening the inclusion of food -insecure people with disabilities in its programmes.
26. The consultations will include a focus on the inclusion of persons with disabilities from the protection perspective and identify how commitment to this critical group can be reflected in the most powerful way in the updated policy, taking into consideration new global developments such as the United Nations system-wide policy and accountability framework for strengthening the mainstreaming of the rights of persons with disabilities and the IASC disability guidelines.

Protection risks involving gender-based violence

27. WFP recognizes gender-based violence (GBV), including sexual abuse and exploitation committed by aid personnel against affected populations, as a serious and life-threatening protection and gender issue. WFP is strongly committed – as part of the concerted efforts of protection-mandated actors – to preventing and responding to gender-based violence and to not creating, exacerbating or contributing to gender inequality or discrimination and to taking actions to minimize the risk of GBV through its programmes and interventions. The updated protection policy will be linked with the global efforts in the GVB area of responsibility and will establish links with gender and PSEA workstreams.

¹⁰ Bangladesh, the Democratic Republic of the Congo, the Syrian Arab Republic and El Salvador.

Personal data protection and privacy

28. An important shift since the approval of WFP's current protection policy is the increasing trend to cash-based transfers and digitalization, which are potentially increasing risks and harm for affected populations. WFP embraces digitalization and recognizes that it presents unique opportunities. WFP also acknowledges that new challenges arise with regard to the collection, analysis, aggregation and sharing of data.¹¹ Safeguarding the personal data of individuals, particularly in challenging circumstances such as armed conflict and other humanitarian emergencies is an essential aspect of protecting people's lives and their physical and mental integrity and dignity. It is thus a matter of fundamental importance.¹²
29. WFP is aware of the importance of developing appropriate data protection standards and putting them into effect. As a result, WFP in 2016 adopted a guide to personal data protection¹³ that establishes principles and operational standards for the protection of beneficiaries' personal data in WFP's programming. Operationalization of personal data protection standards, including the integration of personal impact assessments is a preliminary requirement for large-scale or sensitive data processing initiatives and an essential part of WFP's approach to mainstreaming and integrating protection.
30. The updated protection policy will be adapted to the newest developments and challenges of digitalization and provide clarity and guidance on how to safeguard the personal data of individuals. Consultations will focus on developing a principled digitalization process aimed at the development of a new approach to personal data protection focused on the individual (data subject), their rights and respect for their ownership and right to control of their data.

3.7 Requirements for implementation – accountability framework

31. While solid gains have been achieved in WFP's current implementation, the challenge remains to mainstream and integrate protection systematically and consistently throughout WFP – as highlighted by the independent evaluation. Hence, an important part of the consultations will be to agree on what WFP must do to put its protection commitment into practice and to translate the protection vision and concepts into operational language and integrate it into corporate processes such as country strategic plans. A key piece will be to establish an accountability framework.
32. The consultations process will use a theory of change model to identify an objective and a limited, quantifiable and realistic number of outcomes and indicators to achieve meaningful change at headquarters, the regional bureaux and country offices.

¹¹ United Nations Office for the Coordination of Humanitarian Affairs. 2016. *Building data responsibility into humanitarian action*. https://www.unocha.org/sites/dms/Documents/TB18_Data%20Responsibility_Online.pdf.

¹² International Committee of the Red Cross. 2017. *Handbook on Data Protection in Humanitarian Action*. https://shop.icrc.org/handbook-on-data-protection-in-humanitarian-action.html?__store=default&_ga=2.236281921.1100275274.1561626261-402313943.1561382803.

¹³ WFP. 2016. *WFP Guide to Personal Protection and Privacy*. <https://docs.wfp.org/api/documents/e8d24e70cc11448383495caca154cb97/download/>.

33. In addition, the following elements will be further developed during the consultations:
- Establishment of an effective organizational and accountability structure, including:
 - An accountability framework for headquarters, regional bureaux and country offices, including boundaries beyond which WFP is not responsible, links with the United Nations framework for security risk management and clear roles and responsibilities of WFP staff that are taken into account in the regular assessment of their performance; and
 - integration into risk management.
 - Leadership, making protection central to WFP decision making.
 - WFP's capacity to implement with cooperating partners and its financial and personnel implications.
 - Effective integration of protection into WFP strategic instruments, country strategies, programme design, standard operating procedures (SOPs), and field-level agreements, including limitations on the capture of protection information with instruments for vulnerability analysis and mapping.
 - Improved management of data.
 - Monitoring and evaluation.
 - Operational requirements for protection mainstreaming and integration at headquarters, regional bureaux and country offices.

Acronyms used in the document

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| AAP | accountability to affected populations |
| GBV | gender-based violence |
| IASC | Inter-Agency Standing Committee |
| PSEA | Protection from Sexual Exploitation and Abuse |
| SDGs | Sustainable Development Goals |