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## **POLICY ISSUES**

### **Agenda item 5**

*For approval*



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## **WFP HUMANITARIAN PROTECTION POLICY**

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## NOTE TO THE EXECUTIVE BOARD

**This document is submitted to the Executive Board for approval**

The Secretariat invites members of the Board who may have questions of a technical nature with regard to this document to contact the WFP staff focal points indicated below, preferably well in advance of the Board's meeting.

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## EXECUTIVE SUMMARY

Increasingly complex political and security environments since the end of the Cold War have prompted the international community to find ways of reducing the suffering of civilians. In accordance with international law, States have the primary responsibility to protect all the people within their jurisdictions. The United Nations agencies also have a role to play in advocating humanitarian principles as they seek to promote the protection of the crisis-affected populations as stipulated under international law.

There is also more discussion on protection within the United Nations and the wider humanitarian and development communities. In the context of humanitarian reform and subsequent adoption of the cluster approach, a larger pool of humanitarian actors – including WFP – are working together towards a more coherent response to the protection concerns of people affected by conflicts and natural disasters. In line with this, 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 outlines what humanitarian protection means for WFP, and proposes directions for sustainable engagement aimed at making WFP's presence safer and its assistance safer and more dignified. It complements United Nations efforts on the human rights-based approach to programming, which:

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

The policy is based on five principles:

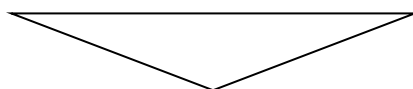
- i) WFP recognizes the State's primary responsibility to protect all the people within its jurisdiction, and will work with governments to seek solutions for safe and dignified food assistance programming.
- ii) WFP's chief accountability is to crisis-affected, food-insecure people, who are the primary actors in their own survival and protection. WFP will therefore seek ways of empowering these people and increasing the space for them to ensure their own protection.
- iii) 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 can help close these gaps.
- iv) 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.

- v) WFP food assistance will be provided in ways that aim to support the protection of conflict- and disaster-affected populations and, at the very least, will not expose people to further harm.

This policy paper sets out WFP's immediate and longer-term agendas for promoting humanitarian protection, 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.

## DRAFT DECISION\*



The Board approves “WFP Humanitarian Protection Policy” (WFP/EB.1/2012/5-B/Rev.1).

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\* This is a draft decision. For the final decision adopted by the Board, please refer to the Decisions and Recommendations document issued at the end of the session.

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## POLICY OBJECTIVES AND OVERARCHING PRINCIPLES

1. WFP has a responsibility to do all 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.
2. This policy document proposes that by making humanitarian protection an integral element of its work in conflict situations and disasters, WFP can help improve the quality, effectiveness and durability of food assistance’s impact on people whose rights – enshrined in international law and including the right to food – are threatened by violations and abuses.
3. The document provides a framework and policy direction for increasing WFP’s awareness and consideration of the rights and protection situations of the people it assists. Better understanding of the context of WFP operations, and acknowledgement of the positive and negative impacts of assistance on the safety and dignity of WFP beneficiaries lead to more effective assistance, and help preserve WFP’s humanitarian character.
4. This policy document is based on five principles:
  - i) WFP recognizes the State’s primary responsibility to protect all the people within its jurisdiction, and will work with governments to seek solutions for safe and dignified food assistance programming.
  - ii) WFP’s chief accountability is to crisis-affected, food-insecure people, who are the primary actors in their own survival and protection. WFP will seek ways of empowering these people and increasing the space for them to ensure their own protection.
  - iii) 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 can help close these gaps.
  - iv) 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.
  - v) WFP food assistance will be provided in ways that aim to support the protection of conflict- and disaster-affected populations, and will 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 learning from the experience of other United Nations agencies, the International Committee of the Red Cross (ICRC), non-governmental organizations (NGOs) and government counterparts. International consultations with experts and partners,<sup>1</sup> and consistent engagement as a member of the global protection cluster since 2006 have provided additional guidance to the Protection Project.

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<sup>1</sup> Seminar on Humanitarian Protection in the Context of Food Assistance, Rome, 22 September 2010; and Seminar on Humanitarian Assistance in Conflict and Complex Emergencies, Rome, 24–25 June 2009.

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

6. Humanitarian protection involves humanitarian agencies doing all they can to ensure that human rights are respected – in accordance with international law – within their work. Agencies should seek to minimize 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 1999<sup>2</sup> and subsequently adopted by the Inter-Agency Standing Committee (IASC), which includes United Nations agencies, the Red Cross and Red Crescent movement, NGOs 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).*<sup>3</sup>
8. Pragmatic definitions of protection that are more applicable to humanitarian assistance agencies have also been formulated. These include the widely accepted Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP)<sup>4</sup> approach, which emphasizes securing the physical safety and preserving the dignity of conflict- and disaster-affected people.<sup>5</sup>
9. The protection activities undertaken by humanitarian agencies can be: i) responsive, by preventing or stopping violations or abuses of rights; ii) remedial, by ensuring that violations are rectified, including through access to justice and reparation; or iii) environment-building, by promoting respect for rights and the rule of law.<sup>6</sup>
10. Agencies that do not have a protection mandate, such as WFP, promote protection by: i) providing basic material needs to people suffering from the humanitarian consequences of displacement, violence, etc.; ii) advocating with authorities to facilitate people's access to basic services and livelihoods, based on humanitarian principles and the spirit of international law; and iii) ensuring that the assistance they provide does not exacerbate the risks to which people are already exposed. For WFP, this means having an informed

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

<sup>3</sup> IASC. 1999. *Protection of Internally Displaced Persons – Inter-Agency Standing Committee Policy Paper*. New York.

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

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

<sup>6</sup> This is referred to as the “egg model”, a framework for thinking strategically about the different spheres of action where protection must be addressed. Footnote 5, pp. 42–43.

understanding of the protection problems facing beneficiaries, to ensure that food assistance does not exacerbate these, 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 on assistance: 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.
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.
13. WFP's protection approach also recognizes that rights violations or abuses that contribute to food insecurity and hunger can diminish the effectiveness of WFP's food assistance, or even render it meaningless. Coordinating with State entities, cooperating partners and field-based protection clusters, WFP seeks to empower vulnerable, food-insecure people by supporting their existing capacities to protect themselves.
14. WFP's approach complements United Nations efforts on the human rights-based approach to programming, which emphasizes the importance of human rights standards and principles in development action; recognizes human beings as right-holders, and establishes obligations for duty bearers – States; focuses on discriminated and marginalized groups; and aims for progressive 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 access to adequate food is not fulfilled, respected and protected by duty bearers, and that WFP has a role in supporting States and their peoples in the realization of this right, as specified by the 2004 Voluntary Guidelines on the Progressive Realization of the Right to Food.<sup>7</sup>

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## GLOBAL POLICY DISCOURSE AND ARCHITECTURE

15. Over the past decade, many assistance agencies have been exploring ways of understanding and mitigating the protection problems faced by beneficiary communities and of improving humanitarian outcomes in increasingly complex humanitarian environments. Promoting an overall protective environment, and safeguarding the safety, dignity and integrity of crisis-affected individuals while seeking to meet their basic needs have thus become central elements of agencies' roles and responsibilities.
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 and international refugee law – and the Guiding Principles on Internal Displacement.<sup>8</sup>

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<sup>7</sup> The full title of the document is Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security.

<sup>8</sup> Office for the Coordination of Humanitarian Affairs (OCHA). 2004. *Guiding Principles on Internal Displacement*, second edition. New York. Available at [www.idpguidingprinciples.org/](http://www.idpguidingprinciples.org/)

17. States have conferred specific protection mandates on several international humanitarian and human rights organizations, including ICRC, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund (UNICEF).
18. In 2005, establishment of the global protection cluster, as part of the United Nations humanitarian reform process, was a response to the need to ensure a more predictable and accountable approach to protection in humanitarian action, and a call for tighter collaboration among a wider pool of actors, including those organizations that do have formal protection mandates. The humanitarian reform also made cluster working groups and cluster leads responsible for ensuring that the protection concerns related to their work are taken into account and addressed to the extent possible. WFP serves as lead for the logistics cluster and the emergency telecommunications cluster, and is co-lead for the global food security cluster, with the Food and Agriculture Organization of the United Nations (FAO).
19. The important role of all humanitarian agencies in protection is reaffirmed in the 2009 ICRC Professional Standards for Protection Work<sup>9</sup> and the inclusion of protection principles in the Sphere Handbook,<sup>10</sup> whose chapter on food security and nutrition highlights people's rights to be free from hunger and recognizes that humanitarian agencies have a responsibility to work with disaster-affected populations in ways that are consistent with their rights.<sup>11</sup>

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## WFP'S INTERNAL REFLECTIONS AND POLICY DEVELOPMENT

20. Taking into account the evolving global discourse on and architecture for protection, and the cluster framework, WFP has been reflecting on the mutually reinforcing linkages between food assistance and people's rights and protection.
21. In 2004, the Board endorsed the humanitarian principles of humanity, impartiality and neutrality, and seven standards for WFP's humanitarian action.<sup>12</sup> These principles and standards constitute normative and moral obligation for WFP, other humanitarian agencies and their staff. Their objective is to ensure more positive humanitarian outcomes and, at a minimum, to prevent assistance from causing further harm to affected populations.
22. Following approval of the humanitarian principles and standards in 2005, WFP's Policy Division launched the WFP Protection Project, which operationalizes the principles and standards and uses them as the basis for defining WFP's role in and contribution to humanitarian protection.
23. The Protection Project began with a series of field studies and consultations that examined what humanitarian protection means 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 aid recipients and their communities; the scope for improving food assistance outcomes by adopting a protection

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<sup>9</sup> ICRC. 2009. *Professional Standards for Protection Work Carried Out by Humanitarian and Human Rights Actors in Armed Conflict and other Situations of Violence*. Geneva.

<sup>10</sup> The Sphere Project. 2011. *Humanitarian Charter and Minimum Standards in Humanitarian Response*. Rugby, UK. See chapter on Minimum Standards in Food Security and Nutrition.

<sup>11</sup> Sphere Handbook, p. 143.

<sup>12</sup> "Humanitarian Principles" (WFP/EB.A/2004/5-C). Available at [www.wfp.org/eb](http://www.wfp.org/eb)



lens; and the required skills. Since its inception, the project has developed the analytical capacity of WFP staff and partners, improving their grasp of the protection concerns of beneficiary communities, the linkages between these concerns and food insecurity, and how the concerns can be addressed in the context of food assistance.

#### **Box 1. WFP's training and workshops on protection**

WFP's protection training and workshops cover:

- *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*: demonstrating 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 other members of the community; and
- *humanitarian advocacy and negotiations*: explaining tools and techniques for effective humanitarian communication and negotiations.

24. Complementing the Protection Project, WFP's Performance and Accountability Management Division has developed staff capacity to assess the contextual, programmatic and institutional risks that WFP faces when implementing its activities. These include the protection risks arising from both the context of operations and programme implementation, and have implications for WFP's ability to reach beneficiaries and for the safety of beneficiaries and staff (see paragraph 32 and Figure 1). Risk analysis has become a standard component of WFP's emergency preparedness.
25. For WFP, gender issues and the protection of women are of particular concern. In 2009, WFP underscored its commitment to the protection of women in its revised gender policy, which makes prevention of gender-based violence a programme priority.<sup>13</sup> 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). This stimulated a global analysis of the protection challenges associated with collecting fuel for cooking, which is 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 SAFE.

<sup>13</sup> "WFP Gender Policy: Promoting Gender Equality and the Empowerment of Women in Addressing Food and Nutrition Challenges" (WFP/EB.1/2009/5-A/Rev.1). Available at [www.wfp.org/eb](http://www.wfp.org/eb)

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

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; women beneficiaries of WFP in Kenya and Darfur continue to report cases of abuse when they collect firewood outside Dadaab and Kakuma refugee camps. WFP supports women through safe access to fuel, including by providing fuel-efficient stoves and implementing livelihood activities that help reduce the frequency of firewood collection, and therefore women’s exposure to violence.

26. The 2010 WFP Anti-Fraud and Anti-Corruption Policy and the WFP Executive Director’s Circulars – which reinforce 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 or cooperating partners.<sup>14</sup>

## SUSTAINABLE ENGAGEMENT IN PROTECTION: MAIN POLICY

### DIRECTIONS

27. WFP’s presence and associated activities, 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 populations’ rights, the ethical framework for humanitarian assistance, and 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-protecting strategies; and iii) guidance in translating this protection lens into practical and appropriate responses.
28. In recent years, WFP has developed in-house expertise in and capacity for protection-related functions, allowing it to respond to the demands of staff from many countries.<sup>15</sup> Sustainable and enhanced engagement in protection now requires that lessons learned and best practices from the Protection Project be fully integrated into WFP’s normal activities, including as a core element of programme support to field operations.
29. WFP’s immediate and longer-term protection agendas are 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;

<sup>14</sup> “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).

<sup>15</sup> The Protection Project has covered Afghanistan, the Plurinational State of Bolivia, Burundi, Chad, 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.

- v) establishing informed and accountable partnerships; and
- vi) establishing clear guidance and systems for managing protection-related information.

### **Investing in Institutional Capacity for Context and Risk Analysis**

30. 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.
31. Within WFP, context analysis requires the bringing together of in-house 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 power relations and dynamics of local communities, giving it a good understanding of the various elements in its humanitarian environment and their possible ramifications for the protection of local populations and for gender relations. These elements include:
- emerging issues and tensions – including the protection threats and vulnerabilities faced by local communities and specific groups such as women and girls – and how these create barriers to food access, availability and utilization, and therefore to food security;
  - the power dynamics and decision-making patterns and structures of relevant groups, and how these affect the protection and rights of vulnerable people, and gender relations;
  - local communities' coping mechanisms and self-protecting strategies;
  - the perceptions that armed groups and local communities have of WFP, and the linkage between the security and safety of staff and of beneficiaries; and
  - the possible impact of assistance – including risks to staff, partners, beneficiaries, access and WFP's overall reputation – and corresponding risk-mitigation measures.

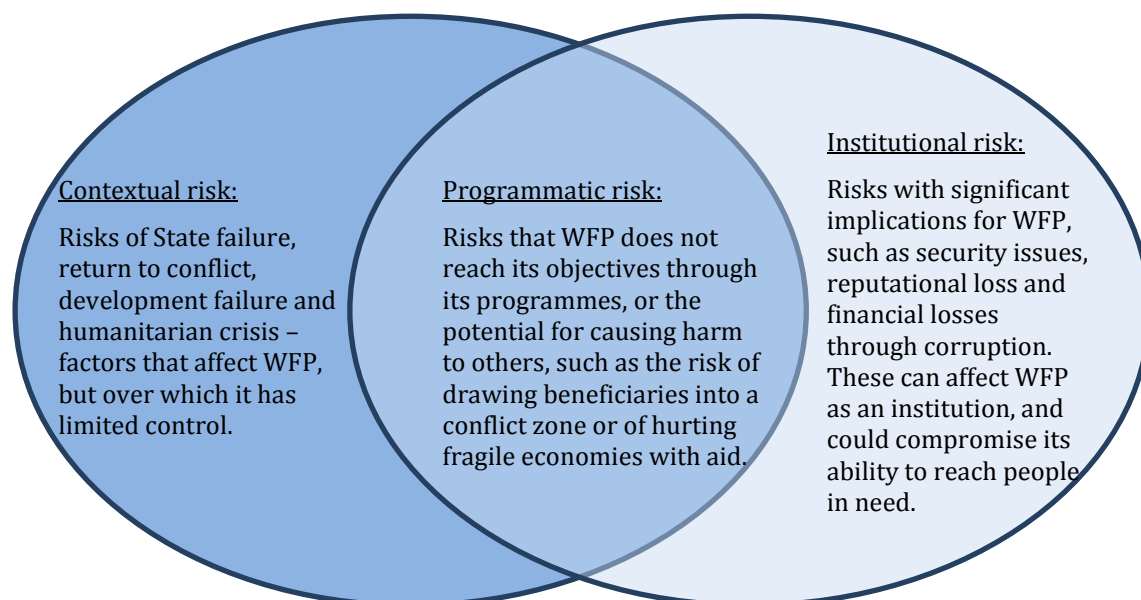
#### **Box 3. Analysing context and protection concerns in food distributions**

In 2008, reports of food grabbing and stealing, stampedes and assaults at food distribution sites in Karamoja (Uganda) prompted WFP to conduct a protection assessment. Prior to 2007, WFP's engagement in the region was limited to responding to recurring drought. Along with many other national and international agencies, WFP viewed Karamoja as an intricate and hostile web of inter-ethnic relations. A 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. These findings 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 additional international NGOs as cooperating partners; greater reliance on local staff with 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.<sup>16</sup>

<sup>16</sup> Michels, A. and Pattugalan, G. 2009. Protection in WFP Operations: Analysis of Activities in Karamoja, Uganda. Rome, WFP.

32. Context analysis is a requisite for understanding the various risks that WFP faces, especially in fragile states. These risks arise from the operational environment, the implementation of programmes, and institutional factors (Figure 1).<sup>17</sup> All of them affect WFP's capacity to feed vulnerable and marginalized populations and to contribute to their protection. Understanding risks helps WFP to design prevention and mitigation measures for reducing possible harm to beneficiaries, staff and WFP itself.

**Figure 1: WFP's Contextual, Programmatic and Institutional Risks**



### Incorporating Protection Concerns into Programme Tools

33. The integration of protection concerns and indicators into programming allows more systematic tracking and measurement of protection risks and their linkages with food insecurity and food assistance implementation. Analysis derived from such programme tools as assessments or post-distribution monitoring, further corroborates, complements and updates in-depth context analysis.
34. The mainstreaming of protection into assessment and VAM tools<sup>18</sup> helps to identify linkages between food insecurity and the protection risks, vulnerabilities and coping strategies and 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 these with partners.
35. Programme design that is informed by the protection concerns of affected populations facilitates the selection of food assistance modalities that are safe and culturally appropriate.

<sup>17</sup> Overseas Development Institute. 2011. *Aid Risks in Fragile and Transitional Contexts: Improving Donor Behaviour*. Available at [www.oecd.org/dac/incaf](http://www.oecd.org/dac/incaf); Ministry of Foreign Affairs of Denmark. 2010. *Risks and Results Management in Development Cooperation: Towards a Common Approach*. Copenhagen, Danish International Development Agency (DANIDA).

<sup>18</sup> Such as 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 and collectors of food assistance helps empower them. However, WFP studies on sexual and gender-based violence suggest that without a good analysis 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 they become targets for assault and rape, or it 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 these positive outcomes of cash are not undermined by other protection concerns.

36. 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.
37. 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.
38. 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 have positive or negative impacts on people's protection, and helps shape future food assistance interventions.
39. 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.

### **Integrating Protection Objectives into the Design and Implementation of Food Assistance Programmes**

40. To some extent, food assistance programmes can help reduce protection risks. Protection risks are a function of threats to the rights of affected individuals but also of their vulnerability and their capacities for dealing with those threats. The most food-insecure people are often 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.
41. At the same time, the provision of food assistance to certain vulnerable individuals or groups – such as women, internally displaced persons or refugees – may give rise to greater risks, if the protection concerns of these individuals and groups are not taken into account during assistance planning and design. For example, 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, or that is against the principles of international law.

42. When designing and implementing its field programmes, WFP is obliged to uphold humanitarian principles and to comply with relevant international law, the Guiding Principles on Internal Displacement, and the Sphere Standards. It can strengthen the role of its food assistance in upholding people's protection when programmes are designed with protection objectives in mind. Examples include the SAFE initiative, and food-for-work activities aimed at supporting survivors of sexual violence in eastern DRC.

**Box 5. Supporting survivors of sexual violence**

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

43. 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:<sup>19</sup>

- *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 impacts of assistance.* WFP activities should not increase the 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.
- *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.
- *An 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.
- *A 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.

<sup>19</sup> The Sphere Handbook, pp. 25–46, 139–238.



**Box 6. Mainstreaming protection into country operations**

Since 2006, WFP in Myanmar has progressively mainstreamed protection into its work and ensured that all staff and partners are trained in 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 programme 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.

**Developing Staff's Capacity to Understand Protection Concerns and Formulate Principles-Based Responses**

44. 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 threats 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.
45. Programme, logistics and security staff, in particular, need training in analysing WFP's operational contexts, assessing risk, and managing and processing protection-related information to improve WFP programming.
46. Humanitarian personnel are themselves important protection actors. 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 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 humanitarian principles.
47. Staff and managers at various levels conduct different types of advocacy, and must be provided with proper training in 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**

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 advisers 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 mitigating 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 was directed. In addition, for the first time in an emergency, WFP sent protection expertise to the field as part of its surge response. Through these protection advisers WFP was able 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.<sup>20</sup>

48. 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, about 2,500 staff and partners have received training. However, 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 incorporated into other training activities for managers and staff, such as emergency response training.

### **Establishing Informed and Accountable Partnerships**

49. WFP relies on NGO, United Nations and government partners for implementing 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.
50. ICRC and some of WFP's NGO partners adopted organizational policies on protection;<sup>21</sup> others are seeking ways to integrate protection into their specific mandates. Regardless of the extent to which they have adopted a protection approach, WFP should ensure that all its partners working directly in food assistance delivery are sensitized to the principles and norms that underpin the protection of beneficiary communities. With its partners, WFP must have clear agreements on measures to prevent and mitigate the negative impacts of food assistance, and on accountability in implementing these.

<sup>20</sup> "Annual Performance Report for 2010" (WFP/EB.A/2011/4), pp. 21–22.

<sup>21</sup> World Vision International, the Norwegian Refugee Council (NRC), the Danish Refugee Council and Oxfam.



### **Box 8. Accountability to beneficiaries**

Learning from experience of several large-scale emergencies in Pakistan, in Islamabad in December 2010, WFP launched a feedback mechanism for receiving and responding to beneficiaries' 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 ten 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 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.

51. In situations where WFP programmes are managed remotely because of high insecurity, it is essential that the partners and subcontractors involved in assessing, implementing and monitoring them – such as the programme assistance teams and community development councils in Afghanistan – are made aware of humanitarian principles, protection from sexual exploitation and abuse (PSEA) and the links between food assistance and the protection of beneficiary communities.
52. 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 United Nations agencies, NGOs, international organizations, community-based organizations 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.
53. WFP's engagement in protection needs to extend to its inter-agency responsibilities and leadership in the cluster system. This means ensuring that protection is mainstreamed into activities of the global food security, logistics and emergency telecommunications clusters. 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**

54. Staff in the field witness and handle protection-related information in their daily work. Thus, in accordance with the protection principles specified in the Sphere Standards, all agencies should 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 must be briefed on appropriate reporting procedures for the incidents they witness or

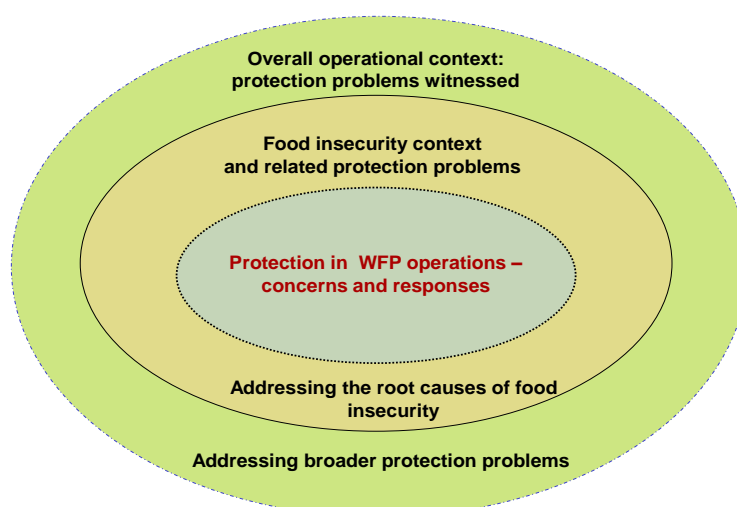
the allegations they hear about.<sup>22</sup> Information about violations and abuses is often sensitive because of the additional risks it may create for the victims or informants and their relations, or because it can harm WFP's relations with interlocutors, including government and non-governmental entities.

55. In locations where there are United Nations-wide referral systems, WFP staff and partners must be made aware of these systems. WFP and other United Nations agencies must be clear on the procedures for referrals to agencies mandated to deal with specific protection concerns. Staff of WFP and cooperating partners are directed to report information to the country director/representative, to ensure the proper channel of communication and the confidentiality of information.
56. In complex and often remote environments affected by conflict, the collection and sharing of information on abuses and violations must be periodically reviewed with regard to the needs of WFP operations, the possible reactions of government and relevant authorities, and the potential consequence on WFP's security of access and the safety of staff and beneficiary populations.

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

57. Alleviating hunger and helping people achieve their right to food are themselves protective practices, particularly in crises. WFP can contribute to protection by listening to beneficiaries, and understanding and taking into account their protection concerns.
58. Figure 2 illustrates the extent to which WFP can analyse and address protection concerns in relation to its mandate and the context of its operations. The model defines the boundaries of WFP's role in protection and what it can realistically achieve from the core of its work in humanitarian operations.

**Figure 2: WFP Concentric Circles Model of Engagement**



<sup>22</sup> The Sphere Handbook, p. 35.

59. *The inner circle – protection concerns 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 protection risks or create more harm for beneficiary communities.
60. 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 and standards of action – such as impartiality, neutrality and participation – should ensure better targeting, avoid contributing to intra- and/or inter-communal tensions, and minimize the risks of inadvertent association with parties in conflict.
61. *The middle circle – protection issues causing and resulting from food insecurity.* This circle refers to food-related protection concerns and protection gaps that contribute to the larger context of food insecurity. By recognizing and attempting to address these broader hunger-related protection issues – through a combination of food assistance, partnerships and principles-based advocacy and dialogue with concerned authorities and groups – WFP helps ensure that its presence provides meaningful support to hungry people and that its interventions address the underlying causes of hunger. For example, 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. With partners on the ground, WFP can lend its voice and presence to advocate for affected populations on these issues.
62. *The outer circle – protection issues that are not directly related to hunger, but that arise in broader operational contexts where WFP is present.* 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 threats to people’s protection that may be only indirectly related to food insecurity, but that pose humanitarian dilemmas to staff who are bound by the United Nations Charter and committed to promoting the Universal Declaration of Human Rights. However, reporting abuses and rights violations can put WFP staff and their families at risk, and may also put beneficiaries at risk. This circle highlights the importance of a corporate policy and system for reporting, managing and sharing protection-related information in WFP and with protection-mandated agencies (see paragraphs 54–56).
63. Even where WFP is the only United Nations presence in sudden or protracted emergencies, it does not seek to substitute the role of 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 led by protection-mandated agencies.

## POLICY IMPLEMENTATION MODALITIES AND CORPORATE IMPLICATIONS

64. This policy paper argues that WFP's ethical humanitarian character will be better preserved, and its food assistance outcomes improved through a commitment to analysing and addressing protection within and around its operations. The Table provides an indication of the typical programme support requirements for various types of operational setting, and the WFP staff involved. The source of this support varies, depending on the context and the skill sets and capacities required by staff in the field.
65. To ensure implementation of this policy, a small WFP Headquarters protection team will be charged with coordinating and delivering the 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 standby 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.
66. WFP has already trained a cadre of staff trainers on protection, who can be deployed to operations. Staff around the world have received training on protection and, in conjunction with protection focal points at country offices, can provide some of the programme support required, with support from the Headquarters team. WFP's protection trainers can also be deployed on temporary assignments to provide expert technical support for protection in the short or longer term.
67. 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, which is currently providing two full-time protection advisers to WFP field operations in DRC and Asia, the Register of Engineers for Disaster Relief, Irish Aid and NRC – are a largely untapped source of support.
68. Costs for protection-related support will be included in the other direct operational costs and direct support costs of future operations, which can be supplemented by a Headquarters-managed trust fund for protection in WFP operations.

<b>TABLE: MINIMUM REQUIRED PROGRAMME SUPPORT FOR PROTECTION</b>				
<b>Type of support</b>	<b>Sudden-onset emergencies*</b>	<b>Complex emergencies</b>	<b>Protracted crises and transitions</b>	<b>Headquarters and regional bureau staff</b>
<b>A. TRAINING FOR WFP STAFF AND PARTNERS</b>				
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>B. SPECIALIST TECHNICAL SUPPORT FOR FIELD PROGRAMMING</b>				
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	
<b>C. SURGE CAPACITY FOR MANAGEMENT AND COORDINATION IN THE FIELD</b>				
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 standby partners or WFP in-house experts		X	X	
• Medium-term: 3–6 months from standby partners or WFP in-house experts	X			
<b>D. INTER-AGENCY COORDINATION</b>				
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.

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## 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 site, 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 levels.
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) 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