***TERMS OF REFERENCE***

**Protection Cluster - Mozambique**

1. **Protection Cluster Justification in Mozambique**

The Protection Cluster was first established following the Idai Cyclone emergency in 2017. On 22 March 2019, an IASC System-Wide Scale-Up for Mozambique was activated, initially for three months, including activation of all 10 IASC clusters (i.e. from 22 March to 22 June 2019). In May 2019, the Mozambique HCT recommended that clusters remain active (with dedicated Coordinators & IM Capacity) for at least three months post-Scale-Up (i.e. until 22 September 2019). With humanitarian needs in Mozambique growing in the second half of 2019, including due to the escalating conflict in Cabo Delgado and residual needs linked to Cyclones Idai and Kenneth, the cluster system remained active in Mozambique.

**Protection Cluster Rationale & Leadership**

The Protection Cluster in Mozambique is led by the United Nations High Commissioner for Refugees (UNHCR). At the global level there are four global areas of responsibilities out of which the Protection Cluster in Mozambique has three: Child Protection (led by UNICEF), Gender Based Violence (led by UNFPA) and Housing, Land and Property (led by the Norwegian Refugee Council).

While recognizing that the Mozambican authorities have the primary responsibility to protect all individuals within their jurisdiction in accordance with international and national legal provisions, the Mozambican Protection Cluster aims at providing a coherent, coordinated, accountable, and comprehensive response to protection needs of the Mozambican people.

The Protection Cluster is comprised of United Nations Agency, national and international non-governmental organizations protection and human rights organizations that undertake preventive and responsive activities within the following definitional framework:

*“The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e., human rights law, international law, refugee law).*

The overarching objective that PC Members will strive towards is equal respect for the rights of individuals without discrimination and as provided for in national and international law. Consequently, protection is not limited to survival and physical protection but covers the full

range of rights, including civil and political rights.

1. **Protection Cluster underlying rationale**

At sector level, protection cluster should make it possible to prevent and respond to human rights violations and meet the protection needs of affected populations in a coordinated and predictable manner. By collecting and sharing information on protection risks and needs, and applying an integrated approach to assessment, monitoring and analysis, protection clusters can identify protection priorities that should guide the development and implementation of sectoral strategies.

At inter-agency level, the protection cluster is responsible of supporting the development of overarching multi-sector protection strategies in light of the 2016 IASC Policy on Protection in Humanitarian Action emphasizing the protection clusters fundamental role in providing sound protection analysis, promoting protection and guiding decision-making as well as the priorities of a humanitarian response.

Equally valuable is the technical guidance and advice that they can provide the Humanitarian Country Team (HCT), for example when it mainstreams protection in programmes or implements IASC commitments on Accountability to Affected Populations (AAP).

1. **Specific Functions of the Protection Cluster:**

The Protection Cluster is responsible for the following functions and key deliverables

* To support effective **coordination** of protection activities, and strive to avoid gaps and reduce duplication in the protection response
* To **identify** priority protection concerns, risks and needs, priority populations, and priority locations for the protection response in country
* To ensure that regular protection **assessments** are carried out in areas of operations with a special focus on vulnerable populations and groups with special protection needs including but not limited to women, girls, people living with disability, and older persons
* Ensure regular protection briefing to humanitarian leadership and other clusters to ensure that protection analysis guides the collective humanitarian response
* To develop appropriate and budgeted protection **response strategies** and plans of action clearly identifying roles and responsibilities of protection actors, as well as promoting **collective protection outcomes** through contributions to protection by other clusters and stakeholders – including through integrated programming and services
* To **monitor** the implementation of the Cluster strategy and action plan
* To **promote cluster standards** and **monitor the quality** of protection programs and services
* To undertake **capacity building** and sensitization of stakeholders, both cluster and other humanitarian partners, as well as national and local authorities
* To undertake collective **advocacy** efforts to support preventive, remedial and reparatory actions by the relevant stakeholders including the humanitarian leadership, national and local authorities in accordance with their obligations, as well as donors and the diplomatic community;
* To support coordinated **resource mobilization** initiatives for the Cluster and its operational partners in line with the Cluster strategic and emerging strategies
* To ensure **accountability to affected populations** and strong community engagement in protection programming
1. **Participation and Membership in the Mozambique Protection Cluster**

The Mozambique Protection Cluster is open to all UN agencies, international organizations, and national and international NGOs involved in ensuring the protection of vulnerable population. In particular, the Protection Cluster welcomes the participation of local NGOs and local responders in line with Grand Bargain Commitments. The Protection Cluster will be guided by the Principles of Partnership – namely Equality, Transparency, Result-oriented approach, Responsibility, and Complementarity as foundations for the functioning of the cluster. The predictability of the humanitarian response and the effectiveness of coordination mechanisms depend on the continued engagement of the members of Protection Clusters.

Representatives of national, regional and local authorities and other stakeholders, such as donors, can be invited to participate in the Protection Cluster meetings as agreed upon by members.

Membership of the Protection Cluster requires:

1. Implementation of or – including capacity-building, or awareness-raising or
2. Regular participation in bi-weekly cluster and/or ad-hoc meetings
3. Regular information-sharing as per the Protection Cluster information sharing protocol
4. Regular submission of information to the Protection Cluster 5W
5. Sharing responsibility for Protection Cluster activities, including assessing needs, developing plans, policies and guidelines
6. Respect and adhere to agreed principles, policies, priorities, and standards of the Global Protection Cluster (GPC) and Protection Cluster in Mozambique
7. Adherence to organizational Code of Conduct in line with the UN Code of Conduct, to the UN Secretary General guidelines on Protection from Sexual Exploitation and Abuse (PSEA), Child Safeguarding principle, and establishment of adequate Complaint & Feedback mechanisms (CFMs) to ensure accountability to affected populations (AAP) in accordance with the IASC Responsibility to Affected People Commitments and their operational framework. In addition, operational partners of the Protection Cluster should have a PSEA focal point identified to directly liaise with the Cabo Delgado PSEA Network
8. **Protection Cluster Coordination**

The Protection Cluster is coordinated by Protection Cluster coordinators at the National Level (based in Maputo) and covering Cabo Delgado Province (based in Pemba). The Protection Cluster in Mozambique also includes Protection Working Groups to ensure the coordination of protection activities in Sofala and in Nampula, which also covers Niassa and Zambezia.

The Protection Cluster is governed by a Strategic Advisory Group (SAG) ensuring collective and shared responsibilities for the well-functioning and strategic direction of the Protection Cluster. It includes the Cluster and AoR coordinators, co-coordinators, and representatives of the Protection Cluster’s operational partners, including UN Agencies, INGOs and NNGOs.

The Protection Cluster may also establish Technical Working Groups (TWG) to address specific technical issues of common interest. Currently, the Protection Cluster in Mozambique has established a TWG on People with Disabilities (PwD).

1. **Protection Cluster Meetings**

The Protection Cluster meets every two weeks, although extraordinary meetings may be called by the Protection Cluster coordinator.

Standing agenda points in the Protection Cluster meetings include:

* Review of 5W and protection funding data
* Update on HRP indicators
* Updates on Protection Analysis (key protection risks, populations of concern, priority areas, identification of gaps/duplication in field operations, emerging protection needs requiring rapid assessment, interventions, and funding, as well as related key issues requiring advocacy messages and campaigns). This will be done the Protection Cluster coordinator, with contributions from the coordinators in the sub-national clusters and PWGs in Cabo Delgado, Nampula, and Sofala
* Updates from AoRs
* Updates from the National PSEA Network
* Updates from the Technical Working Group on People with Disabilities (PwD) by the Working Group on PwD and UNICEF
* Any other business (AoB) such as information on the Humanitarian Program Cycle, humanitarian funding mechanisms, or requests from operational partners
1. **Review of the Terms of References**

The Terms of Reference may be reviewed on an annual basis or as requested by the majority (51%) of the members of the Protection Cluster.