Global Protection Cluster

CONFLICT SENSITIVITY AND THE CENTRALITY OF PROTECTION

Policy Brief

Mozambique. Displaced families in crisis-torn northern provinces
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1.   Introduction

Humanitarian assistance and protection interventions are planned and implemented according to humanitarian principles of humanity, neutrality, impartiality and operational independence—among them to address the consequences of violence and conflict by saving lives and protecting rights. As such, protection is central to an effective humanitarian response, requiring all humanitarian actors to consider protection concerns as part of their prevention and response activities. Thus, the centrality of protection in humanitarian action aims to achieve protection outcomes that result in the reduction of risks, threats, violations, vulnerabilities, or enhanced capacities of affected persons to deal with them[1] where humanitarian and protection actors have a fundamental responsibility to be conflict sensitive and "do no harm".

Conflict sensitivity is the capacity of an organisation to understand its operating context, understand the interaction between its interventions and the context, and act upon this understanding to avoid negative impacts and maximise positive impacts on conflict factors[2]. In fact, conflict sensitivity supports humanitarian objectives by helping humanitarian assistance avoid exacerbating conflict dynamics among affected populations.[3]

This policy brief outlines the Global Protection Cluster's vision of the principles upon which conflict sensitivity and protection are based. It also provides the foundation for the subsequent operationalisation of mainstreaming conflict sensitivity throughout its country operations (which will be developed in a GPC Operational Guidance Note on Mainstreaming Conflict Sensitivity).

2. Overview of Conflict Sensitivity

Conflict sensitivity is a set of processes that help to recognise the unintended ways humanitarian and development work can contribute to conflict. It involves understanding the conflict (through a conflict analysis), assessing how the response interacts with the conflict (through integrating conflict sensitivity in programming), and revising programming in light of this knowledge (through integrating conflict sensitivity in monitoring and evaluation).

A conflict sensitive approach involves gaining a sound understanding of the two-way interaction between activities and context and acting to minimize negative impacts and maximize positive impacts of interventions on conflict, within an organisation's given priorities and objectives.

Conflict sensitivity, therefore, is a lens to look at reality, a programme management instrument as well as a matter of personal attitude and behaviour. According to this definition, conflict sensitivity requires to take context as the starting point for planning an intervention, and to adapt all institutional and operational aspects of an organisation to this context. This includes, among other things, the manner in which we intervene, our working structures, and the principles, values and policies we apply.

Indeed, for humanitarian action in particular, humanitarian principles[4] are fundamentally linked to the values of conflict sensitivity and do no harm:

- **Humanity**: Human suffering must be addressed wherever it is found. The purpose of humanitarian action is to protect life and health and ensure respect for human beings;

- **Neutrality**: Humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature;

- **Impartiality**: Humanitarian action must be carried out on the basis of needs alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions;

- **Operational independence**: Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.

Conflict sensitivity has thus an important role in supporting humanitarian principles and ensuring that humanitarian assistance fulfils its humanitarian objectives.

These principles then drive a conflict-sensitive approach which builds upon an awareness of key conflict sensitivity risks – the tensions or divisions- that interventions should take into consideration as to not heighten further. They often capture power dynamics and relate to inequality, exclusion and marginalization of different groups due to characteristics such as religion, political affiliation, ethnicity, gender, disability and age. Such tensions highlight where social cohesion is fragile and can be causes of violent conflict. All societies have differing levels of social cohesion. In conflict-affected areas, tensions have escalated into open conflict, calling for extraordinary measures to halt violence and (re)build agreements between different parties.

A conflict-sensitive approach also includes a focus on the capacities and opportunities for strengthening social cohesion. Such opportunities can be things or factors that reduce tension between groups or people and that strengthen constructive collaboration and resilience. They can be schools; market places; policies that promote diversity in workplaces; the national soccer team playing against another country; or local agreements between farmers and agro-pastoralists over grazing rights and water management. Conflict sensitivity opportunities can be found in systems, institutions, attitudes, values, symbols and occasions that bridge divisions and tensions, thereby strengthening social cohesion and resilience[5].

3.   The Centrality of Protection and Conflict Sensitivity

The IASC Principles Statement on the Centrality of Protection indicates that: *"The United Nations "Rights Up Front" Plan of Action emphasises the imperative for the United Nations to protect people, wherever they may be, in accordance with their human rights and in a manner that prevents and responds to violations of international human rights and humanitarian law. This same imperative to protect people lies also at the heart of humanitarian action. Protection of all persons affected and at risk must inform humanitarian decision-making and response, including engagement with States and non-State parties to conflict. It must be central to our preparedness efforts, as part of immediate and life-saving activities, and throughout the duration of humanitarian response and beyond. In practical terms, this means identifying who is at risk, how and why at the very outset of a crisis and thereafter, taking into account the specific vulnerabilities that underlie these risks, including those experienced by men, women, girls and boys, and groups such as internally displaced persons, older persons, persons with disabilities, and persons belonging to sexual and other minorities".[6]*

However, in doing so, protection actors need to recognise their fundamental responsibility to be conflict sensitive and avoid exacerbating conflict dynamics and doing more harm to civilian populations.

This principle is also included in the ICRC's professional standards for protection work:

Protection actors must avoid harmful effects that could arise from their work: Poorly conceived or carelessly implemented protection activities can aggravate or even generate additional protection risks for vulnerable populations. Although it is often extremely difficult to anticipate the consequences of certain activities, or to determine when an action could result in harmful effects, it is nonetheless the ethical and legal obligation of protection actors to take measures to avoid such negative consequences. Such measures are essential during the analysis, design, implementation and monitoring of all protection activities. Protection actors must keep in mind that protection activities can inadvertently stigmatize individuals or communities who may be seen as providing sensitive information to monitoring bodies, or as supporting opposing parties. Such perceptions must be kept in mind by protection actors, who bear the responsibility of avoiding or mitigating such negative consequences of their activities[7].

Protection actors must contribute to the capacity of other actors to ensure that no harmful effects derive from their actions. Those involved in protection activities tend to have a comparative advantage when it comes to analysing potential protection risks. It is up to protection actors to encourage and inform the discussion of these concerns among non-protection experts, and to suggest measures they could take to reduce such protection risks. In some extreme cases, the mere presence of humanitarian actors can be manipulated by an authority in its strategy to continue violating fundamental rights. These critical protection dilemmas can even prompt humanitarian actors to contemplate withdrawal. Protection actors must therefore promote a more comprehensive approach to the protection dimensions of humanitarian crises, as part of their fundamental responsibility to "do no harm"[8].

4. Conflict Sensitive Protection Analysis

Both the centrality of protection and conflict sensitivity are thus essentially based on the analysis of the conflict context and the protection risks as the foundation for conflict sensitive protection interventions:

Protection Analysis consists of identifying protection risks, threats, violations, vulnerabilities and coping capacities of affected populations. A strong protection analysis should identify who is at risk, how and why. It should consist of a good assessment of the context and examine what is provoking or shaping the dynamics of the crisis and resulting in a protection situation. It should look into the factors that are triggering or will trigger threats or violations and the impact these have or will have on the affected population. The analysis should focus on persons or groups who are particularly vulnerable to the risks, threats or violations and examine why they are vulnerable to them. It should also assess the capacity of the affected persons or community to address the risks, threats or violations[9].

Protection analysis is thus a core function of national protection clusters with analytical conclusions meant to guide the development of strategies for reducing protection risks. Protection-specific situation analysis and the organisation of data and information provides an *"evidence-base for programming, advocacy and dialogue for the purpose of influencing behaviours and policies in support of a more favourable protection environment"*[10]

It is defined by the IASC as preparing needs assessments and analysis of gaps (across and within clusters, using information management tools as needed) to inform the setting of priorities, identifying and finding solutions for (emerging) gaps, obstacles, duplication and cross-cutting issues and formulating priorities on the basis of analysis[11]. Effective information management and data analysis at the global and field levels is essential for quality planning and programming in humanitarian operations as well as undertaking regular Protection analysis which is essential to all aspects of the work of the Cluster, not least coordination of services, strategic planning and advocacy Coordinated analysis will be regularly conducted across crisis affected areas to contextualize the protection crisis, identify protection risks and resulting needs and capacity, as well as gaps across and within Clusters to inform setting of priorities. The analysis will follow the Protection Analytical Framework (PAF)[12] together with the Protection Cluster information management and analysis tools, including the list of commonly agreed key protection indicators. Results of this analysis will eventually help formulating and updating priorities, for strategic as well as operational planning, to address priorities, response gaps and duplication with operational partners, and to brief Humanitarian Country Team (HCT) and Intercluster Coordination Group (ICCG) on these key priorities.

Conflict analysis helps establish an accurate understanding of the root causes, proximate causes, triggers, dynamics, and trends of conflict as well as stakeholders involved, impacts on the people and the operational environment. According to the UNSSC guidance on conflict analysis: conflict analysis should also include a context-specific analysis of gender issues and of the relationship between human rights issues and violent conflict. An up-to-date, evidence-based understanding of the conflict should underpin all decision making on UN engagement and programming, including in fragile and unstable environments with latent, as well as active conflict. It will help identify entry-points for engagement with local, national and international interlocutors, and provide a basis for informed strategies, programming, and advocacy. The absence of accurate conflict analysis could lead to missed opportunities to prevent violence or to poorly designed interventions that inadvertently trigger or exacerbate conflict.[13]

The UNHCR Toolkit on Humanitarian Protection in Armed Conflict specifically states that conflict and protection analyses are essential for humanitarian action: "A conflict analysis will always include mapping stakeholders and their relationships, together with actors' positions, interests, needs, sources of power, etc. Stakeholder mapping may include people, groups and entities that affect or are affected by the conflict, positively or negatively, directly or indirectly. Protection analysis involves identifying the main protection risks and needs of the affected population. Those needs include having action taken in response to violations of their rights and having their basic assistance needs met. This analysis should then feed into the operational planning of UNHCR and partners, especially preparedness and contingency planning for humanitarian emergencies. Finally, continuous conflict analysis is vital in the management and direction of an emergency operation as it evolves"[14].

WFP's Guidance Note on Conflict Analysis and Conflict Sensitivity Risk Assessment states that conflict *in-sensitivity* can lead to poorly designed interventions that fail to build on opportunities to contribute to peace or address the causes of conflict and can even inadvertently trigger or exacerbate tensions. The Guidance also emphases that as well as Conflict Sensitivity, "do no harm" has inspired innovation around issues like Humanitarian Protection, Gender Mainstreaming, Accountability to Affected Population (AAP) and staff security. Common ethical foundations mean that there is significant overlap in the types of contextual information that is relevant for several/all of these issues. WFP thus integrates conflict analysis as a basis for assessing conflict sensitivity risks and finding mitigation measures for interventions to ensure no harm is done[15].

UNICEF's Technical Note on Conflict Sensitivity mentions that children's rights and issues are essential to a conflict analysis. Social sectors under UNICEF's mandate, as well as child protection, are highly important for the analysis of root causes, and also need to feature appropriately in the development of strategies and priorities[16]. The emphasis is also put on including conflict analysis within protection analysis as a basis for conflict sensitivity.

The Global Protection Cluster thus considers **conflict sensitive protection analysis** to consist of mainstreaming conflict analysis principles, methodology and tools within protection analysis and mainstreaming it throughout the analysis exercises undertaken at national cluster level.

These include the Protection Analysis Updates (PAUs) developed by adapting the Protection Analysis Framework (PAF), its tools and the protection indicators based on conflict sensitivity, to the specificity of each crisis.

The analysis process will then inform a conflict sensitive shaping of the findings into evidences and strategies to produce the Humanitarian Needs Overview and contribute to the Humanitarian Response Plans and other HCT strategies and planning mechanisms[17].

Conflict sensitivity analysis then contributes towards making planned interventions more effective by giving them a more robust contextual grounding. A conflict sensitivity lens highlights risks and opportunities to help make the analysis of protection risks, the collective actions, including the specifics protection interventions, and the resulting recovery strategy more effective by being better adapted to the local context.

Resources

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Endnotes

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