

Global Protection Cluster (GPC) Guidance Note on Protection Cluster Co- Coordination

Background

The [IASC Cluster Coordination Reference Module](#) notes that “...Under the IASC Transformative Agenda, Cluster Lead Agencies were encouraged to consider developing a clearly defined, agreed and supported sharing of cluster leadership by NGOs wherever feasible.”

Notwithstanding the roles and responsibilities of the Cluster Lead Agency (CLA), which is ultimately responsible and accountable for the leadership of the Cluster, field Protection Cluster co-coordination arrangements with NGOs are a key pillar of collective and effective field coordination of a protection response. Co-coordination of Protection Clusters and Areas of Responsibilities (Gender-Based Violence, Child Protection, Mine Action, Housing, Land and Property) is a standard model of cluster coordination at country level.

Scope of this guidance

This guidance note contains the clauses of the Memorandum of Understanding on Co-coordination of the Protection Cluster template. Further explanation, examples, and best practices that relate to the clauses are included where relevant. As such this guidance sets out some essential principles and minimum expectations for the effective design of a co-coordination arrangement and ways of working at field level.

Table of Contents

- I Introduction3**
 - Definitions3
 - Rationale and purpose of setting up co-coordination3
 - Selecting a co-coordinating agency.....3
 - Memorandum of Understanding4
- II MoU: Operational Context (clause 1-6)5**
- III MoU: Timeframe (clause 7-9).....6**
- IV MoU: Principles of partnership and division of responsibilities (clause 10-13)6**
 - Principles of partnership (clause 10)6
 - Joint workplan (clause 11-13).....6
- V MoU: Representation of the cluster (clause 14-17)7**
- VI MoU: Decision-making and information sharing (clause 18-19)8**
- VII MoU: Accountability (clause 20-20).....8**
- VIII MoU: Staffing and reporting lines (clause 23-29).....9**
- IX MoU: Resource allocation (clause 30-33) 11**
- X MoU: Visibility (clause 34) 11**
- XI MoU: Security (clause 35-36) 12**
- XII MoU: Mechanisms on dispute mitigation and resolution (clause 37-39)..... 12**
- XIII Privileges and immunity (clause 40) 12**

I - INTRODUCTION

Definitions

As designated by the ERC in the letter of activation of clusters, the United Nations High Commissioner for Refugees (UNHCR) acts as the Cluster Lead Agency (CLA) for the Protection Cluster.

As such, the CLA takes overall responsibility for the leadership and coordination of the cluster and is responsible to ensure that the cluster is functioning at the highest standards in meeting its core functions. The CLA assumes associated responsibilities for the allocation of resources for the coordination of the cluster, including minimum required staffing i.e. protection cluster coordinator (hereafter: “the Coordinator”). The CLA is also the *provider of last resort* (POLR) and directly accountable to the Humanitarian Country Team (HCT).

The NGO, selected as the Protection Cluster co-coordinating agency to co-coordinate the Cluster, is referred to as “co-coordinating NGO” and the appointed staff is referred to as “the Co-coordinator”.¹ In line with Grand Bargain and IASC commitments on localization, wherever feasible, the co-coordinating agency of the protection cluster will be a national NGO.

Co-coordination is to be differentiated with co-leadership. “Co-leadership” arrangements between the CLA and national/local authorities only, may be adopted, and will mean that both the CLA and national/local authorities are overall responsible and accountable for the vision and governance of the Cluster, regardless of the chosen co-coordination arrangements. Indeed, Co-leadership arrangements do not preclude in any way the establishment of a co-coordination between the CLA and an NGO as a standard way of working of GPC field operations.

Rationale and purpose of setting up co-coordination

A well-managed cluster is a joint responsibility, irrespective of the leadership and coordination arrangements. It requires continued participation and active contributions by all cluster operational partners. This requires a participatory, inclusive, accountable approach to cluster governance that fosters mutual trust and collective ownership among operational partners and the coordination team. Co-coordination arrangements are generally recognised as contributing to such approach and leadership, and are therefore strongly recommended. Co-Coordination:

- Together with the Strategic Advisory Group (SAG)², where such a SAG is established, co-coordination is a key pillar of inclusive and transparent governance of the cluster
- Brings additional capacity, expertise and resources dedicated to cluster coordination and supports the fulfilment of the cluster core functions

¹ The GPC uses the terms “co-coordination” and does not use “co-facilitation” or “co-chair”.

² Under the IASC Transformative Agenda, IASC Principals agreed that “participation in clusters should be better defined and managed to enhance the ability of clusters to provide strategic direction, including, where appropriate, through the creation of small ‘Steering Committees’ or ‘Strategic Advisory Groups’ of key operational partners, complemented by separate forums or mechanisms to ensure broader information exchange for all cluster/sector partners. Often chaired by the Cluster Coordinator, SAGs develop and adjust a cluster’s strategic framework, priorities and work plan. (IASC Reference Module for Cluster Coordination at Country Level, 2015).

- Brings diversity in management and facilitation skills, style, and technical expertise within cluster coordination teams, as well as diversification of access to field locations, to operational partners, and to local authorities, leaders, and other stakeholders
- Brings greater representativity in the cluster, by ensuring that the perspective of NGOs is included in the coordination team and its decision-making structures.

Selecting a co-coordination agency

The GPC recommends that the process for selecting the co-coordinating NGO should be determined at country level. The selection process should be transparent and open to all operational partners fulfilling eligibility criteria. The selection requires Cluster Partners' endorsement. Renewal of the duration of a co-coordination arrangement also requires Cluster Partners' validation. The results of an election process or renewal should be communicated to the Global Protection Cluster.

The following criteria will be prioritised when selecting/electing a co-coordinating NGO³: operational and technical relevance in the emergency; capacity to provide appropriately experienced staff; commitment to contribute to coordination requirements consistently; demonstrated capacity to contribute strategically; complementarity with the CLA.

Should it be necessary to make a final decision between two or more partners who fulfil most eligibility criteria, the final decision should be guided by the capacity to provide appropriately experienced staff for the duration of the co-coordination arrangement. As such, a general process could involve the following:

1. With the approval from the CLA, cluster coordinator opens a call for expression of interest for co-coordination
2. All interested agencies apply by submitting a letter of interest signed and stamped by the head of agency
3. The coordinator undertakes an initial review of the letters of interest and identifies organisations that clearly fulfil or do not fulfil the agreed eligibility criteria
4. The full list (both of agencies that fulfil and do not fulfil the eligibility criteria) is presented to cluster members. Where a SAG exists, the SAG reviews applications and agrees on the list of agencies that fulfil the eligibility criteria. If there are multiple agencies eligible elections can be organized.
5. In elections, all cluster members as defined by the cluster ToR receive one vote. The agency with the highest number of votes will be selected for co-coordination

Memorandum of Understanding

The GPC strongly recommends that the CLA and the co-coordinating NGO should adopt a **Memorandum of Understanding** defining their common understanding of ways of working, mutual and respective roles and responsibilities, and contributions for both the CLA and co-coordinating NGO. The MoU should be adopted in line with the standards and minimum expectations and

³ Annex 2 provides a practical example of a tool that can be used for assessing and selecting a co-coordinating NGO.

recommendations defined by the GPC and highlighted in the GPC MoU Protection Cluster Template (Annex 1) and followed in this guidance. Senior leadership of both the CLA and Co-coordinating NGO should be actively involved in the development of the MoU, to ensure ownership and engagement throughout the duration of the co-coordination arrangement. Once the MoU has been agreed upon, senior leadership of the CLA and Co-coordinating NGO, as well as the cluster coordinator and co-coordinator, will discuss the MoU to ensure a common understanding among all parties. In the event of turnover in the coordinator positions, the MoU shall be shared and discussed with new cluster (co-)coordinators.

Negotiation of the MoU is essential to establish clarity on common expectations and a shared understanding of what the co-coordinating role entails, how the coordinators relate to one another, and to provide means for ongoing coordination and joint monitoring of the arrangement by each party.

Formalizing co-coordination arrangements increases accountability to each party as well as to organisations participating in the Protection cluster. The establishment of clearly articulated arrangements also enables adjustment and modification as needed over time. In light of the time required to work through all the below considerations, negotiate an MoU and secure resources, the GPC recommends to also establish co-coordination arrangements as part of contingency planning and preparedness efforts.

II – OPERATIONAL CONTEXT

1. The Protection Cluster (hereafter “the Cluster”) was activated by the Resident/Humanitarian Coordinator in [add country] in [add year] as approved by the IASC Principals, based on an initial assessment of the needs and after discussion with the Host Government and Cluster Lead Agencies. Its functioning is detailed in its Terms of Reference (ToR).

2. This memorandum of understanding (MoU) between [add CLA] and [add NGO] (hereafter “the parties to the MoU”) outlines the modalities of their co-coordination arrangement for the Cluster in [add country] at the national and sub-national level.

The GPC MoU Template does not include responsibilities for day-to-day coordination at sub-national level. Both parties can decide to include sub-national co-coordination as part of the MoU if relevant. If there is only a co-coordination partnership at national level, the co-coordinator still has the same roles as the coordinator in terms of engaging with the sub-national levels.

3. The MoU is guided by the principles established in the Global Protection Cluster (GPC) guidance note on protection cluster co-coordination (see Annex 1).

4. The MoU applies to all areas of operations and activities coordinated by the Cluster.

5. UNHCR is the Cluster Lead Agency (CLA) for the Protection Cluster in [add country]. The CLA is responsible for ensuring that the cluster is functioning at the highest standards in meeting its core functions. The CLA assumes responsibilities for the allocation of resources, for the coordination of the Cluster and as the *provider of last resort* (POLR).

6. The NGO [add NGO name] was selected through a transparent process by the Protection Cluster according to a set of criteria as NGO co-coordinating agency for two years and confirmed by the CLA on [add date] to support the coordination of the cluster and ensure NGO representation within the cluster’s coordination team.

III - TIMEFRAME

7. This MoU is applicable for two years starting from the date of signing/specific date.

In the interest of continuity, the MoU needs to be a minimum of two years. Once a co-coordinating agency takes on the responsibility, it takes time to set up a co-coordinating partnership, recruit staff, etc. The GPC is not recommending rotation of co-coordination partnerships before the end of a two-year period, except in situations where:

- *The co-coordinating NGO faces a risk due to holding the co-coordination position*
- *There is a lack of funding that would require a co-coordinating NGO to share the responsibilities. In this case specific tasks can be divided among other organizations, or rotation is done more frequently. These should however be last resort options.*

8. The process for renewal shall ideally start six (6) months prior to the end of the duration of the co-coordination arrangement.

9. If the co-coordinating NGO unilaterally decides to cease its responsibilities under the MoU before the end of the co-coordination arrangement, a notice period of at least six months shall be given to ensure a smooth transition with the new co-coordinating agency and avoid gaps in co-coordination.

IV- PRINCIPLES OF PARTNERSHIP AND DIVISION OF RESPONSIBILITIES

Principles of partnership

10. This MoU is to be implemented in accordance with the Principles of Partnership: equality, transparency, result-oriented approach, responsibility and complementarity.

*Co-coordination arrangements should not be viewed as simply involving the roles of two individuals but be approached as a **partnership of two organisations**. This partnership should be grounded in the [principles of partnership](#). Senior managers have an important role to set the tone and strategic direction of cluster work and of the co-coordinating direction.*

Joint workplan

11. The CLA Coordinator and NGO Co-coordinator are jointly responsible to ensure an effective, transparent, and coordinated approach to fulfilling the core functions of the Cluster as defined by the IASC and the GPC.

While the co-coordinating NGO is not directly accountable to the HCT unlike the CLA, when it comes to achieving the Protection Cluster objectives, both the coordinator and co-coordinator are responsible to

ensure a coherent, consistent, effective, and coordinated approach to fulfilling the core functions of the Protection Cluster.

12. The coordinator and co-coordinator shall agree on a joint workplan describing their roles and responsibilities, endorsed by the respective heads of agency and annexed to the MoU.

This joint workplan complements the MoU and highlights in more details the roles and responsibilities of the CLA and the co-coordinating NGO when it comes to the day-to-day division of tasks to ensure the effective functioning of the Cluster. Both the coordinator and co-coordinator are responsible for coming to an agreement on a joint work plan. In light of the intended benefits of co-coordination, it is essential to consider what the respective roles of each individual will be. This should take into account their respective strengths, the coordination demands, and protection concerns in a specific operational context. The added value of both the CLA and co-coordinating NGO in the co-coordination arrangement must be clearly understood by the coordinator and co-coordinator.

For example, one of the contributions of the co-coordinating NGO may be to bring a specialized/technical/programmatic focus to strengthen certain elements of cluster coordination or to strengthen the collective capacity of the cluster and/or individual members to address certain protection concerns through, for example, programmatic guidance and support. The co-coordinating NGO may also wish to utilize its resources to further strengthen civil society organizations' inclusion in the Cluster.

In short, the process of setting up a joint workplan is as follows:

- a) The coordinator and co-coordinator define the tasks and who is taking the lead for this task.*
- b) Regardless of who is the main responsible for the task, consultation and information sharing on all tasks is required (see following chapters below).*
- c) The respective direct supervisors (see section VIII) are to review the workplan to ensure equal division of tasks, endorse the workplan, and discuss progress.*

As per the above, the coordinator and co-coordinator may thus have identical job roles, act interchangeably with one another and make decisions jointly. In the interest of efficiency, however, it is more likely that each will share some roles and decision-making responsibilities while dividing others between them. Administrative tasks should not be the responsibility of the co-coordinator only but should rather be shared between both parties.

While division of responsibilities between the coordinator and co-coordinator will be important in the interest of efficiency, both parties will contribute to all aspects of the work of the Cluster.

13. Monitoring the performance of the Cluster is the joint responsibility of both parties with the support of the GPC.

While the CLA is ultimately accountable to the HCT, it is the responsibility of both parties to monitor the performance of the cluster. This should be done regularly through meetings with direct supervisors (see explanation on clause 12). Monitoring should also be done annually through the Cluster Coordination Performance Monitoring (CCPM), in accordance with GPC guidance, and with support of the GPC.

V- REPRESENTATION OF THE CLUSTER

14. The coordinator and co-coordinator commit to represent the interests and positions of the Cluster and of its national and international partners, including but not limited to that of their parent agency/organisation.
15. Both coordinator and co-coordinator represent the cluster. Whenever possible, any coordination meetings and cluster representation functions should be attended jointly – especially but not limited to the cluster and inter-cluster meetings. When joint participation is not possible or needed, the coordinators will agree on key objectives, positions, actions for these meetings, and will debrief on meetings outcomes.
16. In case of absence of the CLA Coordinator, the NGO Co-coordinator shall act as Officer in Charge (OiC) for the Cluster to ensure predictability and continuity of cluster coordination and leadership.

The Co-coordinator shall chair or attend any meeting that would have been normally chaired or attended by the Coordinator – unless she/he delegates this task to a member of the Protection Cluster coordination team. Notwithstanding internal reporting lines, the OiC shall manage the cluster coordination team during the absence of the coordinator. If the co-coordinator is on leave, he/she should also designate an OiC. The coordinator should be informed accordingly.

17. The CLA, as a permanent member of the HCT, commits to active participation and representation of the Protection Cluster at the HCT. Depending on the context, and upon HCT request, the Protection Cluster coordinator as well as co-coordinator may attend the HCT directly.

In preparation for HCT meetings, it is recommended for both coordinators to brief and debrief the UNHCR Representative – as well as the NGO Director if also sitting on HCT – before/after HCT meetings to ensure all are on same page, provide information needed for the meeting, validate Protection briefing to the HCT, and ensure coherence of action.

VI – DECISION-MAKING AND INFORMATION SHARING

18. The coordinator and co-coordinator commit to joint decision-making and information-sharing between them in all aspects of the cluster functions.

Mutual trust, collegiality and partnership are key elements of effective co-coordination. The coordinator or co-coordinator should not make decision pertaining to the cluster without consulting each other beforehand. When this is not possible, they should inform each other as soon as possible, and where necessary take any corrective actions.

*The CLA Coordinator and NGO Co-coordinator, and all other staff part of the Protection Cluster coordination team should have **regular team meetings** (highly recommend on weekly basis) to ensure information sharing, update, progress reporting, work plans, etc. The coordinator and co-coordinator will ensure the other is included in incoming and outgoing communication. All documents and information relevant to the cluster should be saved on a shared drive that is accessible to all cluster staff.*

The Protection Cluster at national level is responsible for all the operational areas included in the cluster activation letter. As such, the national Protection Cluster Coordinator and Co-coordinator have an overall joint responsibility for the coordination of the Protection Cluster across all operational areas of

*the Cluster. They coordinate and support the sub-national Clusters and facilitate the link between the different levels of coordination in the operation. The Coordinator and Co-coordinator can agree to share day-to-day coordination with sub-national level coordination hubs, or to delegate such responsibilities to other staff from the coordination team (see #12 above). Like any other communication, communication from the sub-national coordination hubs shall also be addressed to both Coordinator and Co-coordinator. The CLA and co-coordinating NGO will commit to **building the relationship** between the Coordinator and Co-coordinator and their **capacity**, notably through attendance of cluster coordination related trainings, meetings, or events organised by the Global Protection Cluster, affiliated AoRs, or any other inter-agency body. This includes sharing training opportunities with each other and attending trainings together when relevant.*

*When a CLA coordinator or NGO co-coordinator is leaving their post, they shall provide **a handover** to their line manager to be shared with their replacement. The handover should also be shared with the other coordinator.*

19. The coordinators commit to engage and share information with Cluster members on key decisions to ensure collective ownership. When not possible, the coordinator and co-coordinator will ensure to keep cluster operational partners, and, where it is established, the SAG, informed on key decisions and actions taken on behalf of the cluster.

Decision-making does not belong to the coordinator and co-coordinators who represent and speak on behalf of and in the interest of the protection cluster community. While daily obligations and short deadlines may require acting without prior consultation with the Cluster SAG, AoRs, or cluster members, it is essential to keep them informed on actions and positions taken by the coordinator and co-coordinator in their function on behalf of the cluster, and either obtain post factor approval, or take all corrective measures when necessary.

VII – ACCOUNTABILITY

20. While ultimately accountable to the affected populations they commit to serve, the parties to the MoU and their (co)coordinators are accountable to the Cluster operational partners for ensuring that the Cluster is functioning to the highest standards, for fulfilling the Cluster core functions, and for representing the interests of the whole Cluster and its operational partners.

The Coordinator and Co-coordinator commit to promoting and strengthening accountability to affected populations among cluster partners.

The Coordinator and Co-coordinator, represent the views of the Cluster as a whole, are accountable to the Cluster partners for ensuring that the Cluster is:

- *Functioning to the highest standards*
- *Implementing its role and responsibilities as per the IASC (6+1) core functions*
- *Representing the interests of the protection cluster and of its partners neutrally*

Both the CLA and Co-coordinating NGO will encourage participation of a broad range of stakeholders (including UN Agencies, international, national and (where possible) local NGOs, as well as relevant governmental entities where appropriate) in all cluster meetings, activities, and related mechanisms, such as the Strategic Advisory Group or any other technical working group.

21. In accordance with the IASC guidelines, the Country Representative of the CLA is ultimately accountable to the Humanitarian Coordinator on behalf of the Protection Cluster and its partners.

As the CLA is ultimately accountable to the HC, the cluster cannot defend a position that is not supported by the CLA. Reversely, the CLA cannot defend a position on behalf of the cluster without the cluster having endorsed such a position. It is recommended that the Coordinator seeks the sign off or guidance from the CLA Country (Deputy) Representative on particularly sensitive matters. These can be raised in regular meetings that take place between the Country (Deputy) Representative, coordinator, co-coordinator and NGO Country Director (if he/she sits on the HCT).

22. The CLA is also accountable to national authorities, as primary duty-bearers, and will ensure appropriate coordination with both national and local authorities.

VIII – STAFFING AND REPORTING LINES

23. The parties to the MoU are responsible for ensuring that staff with adequate experience and skills in coordination are in place and actively supported to carry out their roles and responsibilities.

24. The CLA is responsible for providing a dedicated Cluster Coordinator and a dedicated Information Management Officer (IMO) to support the cluster.

To the extent possible, the cluster coordinator will be recruited for a period not shorter than one year to ensure predictability and continuity of coordination.

25. The Co-Coordinating NGO is responsible for providing a dedicated Cluster Co-coordinator and, if possible and agreed by both parties, additional support staff such as a dedicated monitoring/analysis/advocacy/case management/referral pathway officer.

To the extent possible, the cluster co-coordinator will be recruited for a period not shorter than one year to ensure predictability and continuity of coordination.

26. While each partner is responsible for the recruitment of the staff dedicated to the Protection Cluster, they may consult each other during the process. The final decision on the recruitment remains the sole prerogative of the recruiting partner.

Both CLA and the co-coordinating NGO may reach out to the GPC for advice on the recruitment process, recommendations of appropriate profiles, review of CVs, written tests, and participation in interview panels.

27. The coordinator and co-coordinator report to their respective agency: the CLA Coordinator and other CLA staff report internally to the CLA, while the NGO Co-coordinator and other NGO staff dedicated to the Protection Cluster report internally to the NGO. Notwithstanding their internal reporting lines, the Protection Cluster coordination team will work together in a spirit of collaboration, mutual trust, respect, and partnership.

To avoid conflicts of interest and facilitate cluster progress monitoring, it is recommended that the coordinator reports to the Country (Deputy) Representative. Similarly, it is recommended that the co-coordinator reports to the Country Director.

The coordinator and co-coordinator are responsible for closely coordinating and agreeing on the responsibilities, work plans, and day-to-day management of all Protection Cluster support staff to ensure a cohesive and well-functioning coordination team.

28. If part-time or double-hatting staffing is relied upon by any of the parties, clear roles and responsibilities for that staff member will be agreed upon to avoid conflict of interest and ensure that their involvement in the cluster coordination is neutral and transparent.

29. The respective line managers of the CLA Coordinator and NGO Co-coordinator will meet jointly regularly to review and discuss the coordination arrangement, review progress of the workplan and adjust as needed, identify any capacity gaps, and address challenges arising.

Such regular meetings are essential to ensure that both line managers also develop a close and trusting working relationship to support effective coordination of the cluster. In many operations, such meetings only happen when tensions and conflicts are affecting working relationships and affect the effectiveness of the cluster. Line managers/heads of agencies are less likely to successfully find solution – or prevent tensions and conflicts – if they do not meet regularly.

IX – RESOURCE ALLOCATION

30. The parties to the MoU shall bear their own costs and expenses in connection with their respective staff and activities carried out under this MoU, unless otherwise expressly stipulated under any subsequent agreement.

31. Parties to the MoU are responsible to provide their respective staff with adequate resources, equipment, and transportation necessary for the execution of their roles and responsibilities.

32. Costs related to Cluster coordination should be included in the respective programming budgets of the CLA and the NGO. These costs should not be included in a partnership agreement between the CLA and the NGO.

The CLA should support the NGO in engaging donors to secure funds for the relevant co-ordination position(s). It should be noted that donors have proved to be very receptive to such joint endeavours for funding the co-ordination of the cluster. In addition to funding the position of the co-coordinator, the funding secured can also provide opportunities to raise funds for priority cluster activities to be undertaken by the coordination team. In principle, to avoid conflict of interests, the CLA should not fund the co-ordination. However, to prevent or mitigate gaps in co-ordination, the CLA can fund temporarily (3-6 months) the co-ordination of the cluster. This should be accompanied by efforts from the NGO – with the support of the CLA – to secure direct longer-term funding from other donors. In some countries, field cluster co-ordination has been also funded through the Country-based Pooled Fund/Humanitarian Funding (CBPF/CHF) mechanisms. These options should only be considered as a last resort.

33. If possible, the CLA will explore the possibility of providing working space in the CLA's offices to the NGO staff dedicated to the Protection Cluster to ensure improved collaboration with the CLA Cluster Coordinator and CLA staff.

Research on co-ordination highlights collocation of coordination staff and partners as a best practice contributing to better working relations, trust building, transparency, information sharing and collaboration resulting in more effective coordination of the cluster.

X – VISIBILITY

34. In addition to any other relevant logo, the parties to the MoU agree to use the Protection Cluster logo and visibility items for all reports, presentations, official communication, and other visibility materials in the exercise of their Cluster functions.

The cluster coordinator and co-coordinator perform their roles and responsibilities on behalf of all cluster members, not on behalf of an individual agency. As such, proper visibility should be used on any protection cluster product.

XI – SECURITY

35. Each party maintains responsibility for the security of its staff. The security protocol of the parties will apply to their respective staff for the implementation of their roles and responsibilities.

36. In case of emergency, the parties to the MoU will include each other's staff in evacuation plans.

XII – MECHANISMS ON DISPUTE MITIGATION AND RESOLUTION

37. In case of disagreement regarding the implementation of this MoU, the issue will be referred to the coordinator and co-coordinator's respective supervisors.

Disagreements relating to the cluster coordinator and co-coordinator's ways of working shall be put to the line managers who may discuss such issues during their regular meetings or ad hoc as needed.

38. As a last resort, the dispute should be taken to the parties' respective Country Representatives.

In operations where the CLA Country Representative and the NGO Country Director are not the line managers, the challenges may be escalated to this level.

39. If issues cannot be resolved at the country level, they will be escalated to the GPC.

The GPC is available to mediate should this be necessary.

XIII – PRIVILEGES AND IMMUNITIES

40. Nothing in or relating to an MoU shall be deemed a waiver, express or implied, of any of the privileges and immunities of the United Nations, including its subsidiary organs and /or of UNHCR (as a subsidiary organ of the United Nations).