



Global Protection Cluster
Coordinator Letter on
Protection Clusters'
Human Rights Engagement

Geneva, 31 January 2022

Dear Colleagues,

I am writing to you today to highlight the importance of and call for stronger human rights engagement for the protection clusters and its members.

Every day, we see across many of your operations how protection issues, you are trying to tackle, need humanitarian, human rights, development, peace and political actors to come together.

While this is not new to us, the current crisis we are facing combined with strong momentum created through the [Secretary General Call to Action for Human Rights](#) presents an opportunity for a stronger and more visible drive to ensure that: (i) Human rights defenders and actors use the protection cluster space to advance human rights work as per country specific context and (ii) Protection Clusters and their members use strategically human right systems and mechanisms to address protection issues.

Our IASC guiding definition of protection does place human rights at its centre: “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”.¹

This definition is further operationalised through the [IASC Policy on Protection in Humanitarian Action](#) that guide us explicitly to empower people to claim their rights, advocate on behalf of and with affected communities and strengthen the capacities and accountability of duty-bearers to meet their legal obligations.

My letter today, builds on several steps that Global Protection Cluster (GPC) has taken to step up our performance in human rights engagement:

- Establishment of the Human Rights Engagement Task Team that unites over 50 human rights and humanitarian experts in providing hands on support to over a dozen operations.
- Organisation of operational webinars on the use of human rights mechanisms.
- Roll out of a Protection Analysis Framework to be used by all operations that has human rights at its core.
- Conducting [research](#) on advocacy collaboration between human rights and humanitarian actors, and issuing a [paper](#) on how to effectively use human rights engagement to strengthen protection through law and policy.

¹ Protection of Internally Displaced Persons, Inter Agency Standing Committee Policy Paper, pg.4 December 1999, https://interagencystandingcommittee.org/system/files/legacy_files/FINALIDPPolicy.pdf See also, Giossi Caverzasio, Sylvie (2001) Strengthening Protection in War: a Search for Professional Standards. Geneva: ICRC, p 19. The definition was originally adopted by a 1999 Workshop of the International Committee of the Red Cross (ICRC) on Protection.

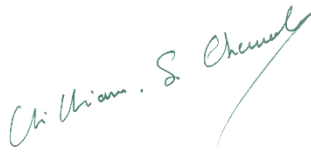
We encourage you, as protection leaders and conveners at the national and sub-national level, to make every effort to ensure that the protection of affected populations against human rights violations, international humanitarian law abuses remain at the centre of your respective strategies through the use of available policies, tools, and key partnerships.

We call on you to better partner with the variety of actors that could advance human rights work. The role of protection mandated agencies and the role of human rights focused national and local organizations and allies, is critical. OHCHR, including through its field presence and support to the UN human rights mechanisms, provides invaluable human rights expertise and support to humanitarian leadership in country. Independent human rights experts, including the Special Procedures mandates created by the Human Rights Council play an important role in addressing protection issues. There is also significant expertise within IASC organisations and other protection entities and NGOs.

The interface and engagement between Protection Clusters and these actors in the protection of human rights should be strengthened and explored. The human rights engagement conducted by the Cluster Lead Agencies or the leadership does not substitute and should not prevent the Protection Clusters members and coordinators to also exert all efforts on the steps listed in this letter.

I count on your efforts to contribute to this collective drive forward and I urge you to consider concrete steps that we propose in the list annexed to this letter.

Sincerely,

A handwritten signature in blue ink that reads "William S. Chemaly". The signature is written in a cursive style and is positioned above the printed name.

William S. Chemaly
Coordinator, Global Protection Cluster

Annex: Concrete Steps for Protection Clusters on Human Right Engagement

1- Participation of human rights actors in the Protection Cluster

- Ensure full and adequate representation of human rights issues in PC's agenda and presentations of human rights findings/recommendations during PC's meetings.
- Invite human rights actors to the PC, especially national/local actors as per relevant context.
- Consult human rights actors on inputs into protection cluster initiatives and processes (on confidential basis as required per context).
- Consider the inclusion of OHCHR field presence in the Strategic Advisory Group (SAG) of the PC as relevant and include OHCHR field presences or Human Rights Advisors in PC workshops as a key participant.

2- Monitoring, analysing and reporting with respect to affected persons' human rights in humanitarian crises, including the root causes of rights violations, that will inform and contextualise broader humanitarian strategies and responses²:

- Facilitate the contribution of human rights actors to the PC protection analysis, ensuring that a Leave No One Behind perspective is included as well focusing on the ability of vulnerable groups to fully claim and enjoy their human rights in a particular context.
- Ensure the rollout of the protection analytical framework (PAF) and the production of protection analytical updates, highlighting the human rights perspective.
- Ensure that a human rights perspective is properly integrated in the Humanitarian Programme Cycle related products such as Humanitarian Needs Overview (HNO) and Humanitarian Response Plan (HRP)³.
- As relevant per context, support, integrate, coordinate and/or accommodate the activities of human rights actors in the PC response framework including human rights documentation, monitoring, and reporting.
- Include OHCHR field presence or/ and Human Rights Advisors in drafting cluster specific needs assessments, HNO/HRP, and other HPC processes and products.

3- Data collection on human rights trends and sharing information

- Discuss with human rights actors how to harmonize/ crosscheck data collection and casualty tracking including resources required to engage in the PC to provide accurate data and information on human rights trends, patterns, etc.
- Adopt and implement a strategy for safely and regularly sharing information with relevant actors, while fully respecting principles of confidentiality. Risk mitigation measures should be put in place to preserve the safety and security of sources of information, particularly victims, witnesses and local civil society actors.

² The Global Protection Cluster Information Management Working Group has a dedicated workstream on human rights engagement and is available to support with field support as per needs identified

³ As an example, you may refer to the guidance note on Call to Action for Human Rights and Humanitarian Programme Cycle

4- Protection advocacy and engagement with human rights mechanisms should be done strategically and based on the particular context, in line with the do-no-harm imperative and the Humanitarian Principles of humanity, neutrality, impartiality and independence.⁴ This should be based, inter alia, on an analysis of international human rights and humanitarian law violations, the potential role that an advocacy strategy will have in mitigating violations and their harmful consequences, as well as the protection of humanitarian actors from possible retaliation

- Facilitate and promote collaboration on the provision of protection advice and support to the PC and HCT on legal frameworks (IHL&IHRL), informing and influencing protection advocacy strategies and action plans.
- Advocate for and support States in the development and implementation of their laws and policies for protection outcomes in collaboration with human rights actors; particularly in relation to the protection of internally displaced persons through the incorporation of the Guiding Principles on Internal Displacement (or the domestication of the African Union Kampala Convention as relevant) into national legislation.⁵
- Work strategically with human rights and protection actors to advance protection advocacy through different private and public channels at local, national and global levels and reflecting the different degrees of risk tolerance, operational presence and advocacy networks that each stakeholder has and ensuring the application of the humanitarian principles, on which access to affected populations in emergency settings is established and maintained.
- Provide regular briefings to HCTs or equivalent bodies jointly with OHCHR field presence or Human Rights Advisors, to inform and influence senior leadership level advocacy, strategies, and action plan towards strengthening human rights from a protection point of view.

5- Protection mainstreaming and protection integration

- Collaborate on mainstreaming protection/ human rights-based protection in humanitarian programming. PCs can promote the participation of local human rights actors to support protection mainstreaming activities as well as protection integrated programming with other clusters.
- Ensure human-rights focused programmes are a key part of protection programming including research, campaigns, education, and other relevant interventions are supported via pooled funds, the HRP and other shared protection funding mechanisms.
- Ensure that HRPs integrate human rights narrative, and as appropriate collaborate for the inclusion of strategic objective incorporating human rights language.
- Support projects that promote the work of human rights actors and include them in the Humanitarian Response Plans.

⁴ United Nations agencies are mandated to embrace all four of these principles. Commitment to the four humanitarian principles is expressed at institutional level by the majority of international humanitarian organizations. Furthermore, globally over 450 organizations are signatory to the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief, which includes a commitment to adhere to these humanitarian principles. Adherence to the Sphere Standards also requires application of the Humanitarian Principles as part of the Humanitarian Charter. The principle of impartiality relates specifically to protections under international humanitarian law (IHL). For further reference see, OCHA on Message: Humanitarian Principles (2012), https://www.unocha.org/sites/dms/Documents/OOM-humanitarianprinciples_eng_June12.pdf

⁵ GPC Task Team on Law and Policy can provide targeted support. More information can be found [here](#).