

## Integrating human rights in Protection Analysis: Minimum Requirements for Protection Clusters for Protection Analysis Updates and Humanitarian Needs Overviews

### Global Protection Cluster

#### June 2022

As reiterated in the UN Secretary-General's [Call to Action for Human Rights](#), a more robust human rights analysis should inform risk analysis and responses. This note from the Global Protection Cluster (GPC) sets out a list of human rights minimum requirements that National Protection Clusters (NPCs) should include in their protection analysis and the Humanitarian Needs Overview (HNO). NPCs should make sure that human rights analysis informs the intersectoral analysis, other sectors' narrative and in the protection section. This note will be accompanied by a guidance to support NPCs in implementing the minimum requirements and will include a list of tools and other materials that can guide NPCs in better integrating human rights in the protection analysis, HNO and HRP.

#### 1) **Active involvement of local and national human rights actors in all NPC's activities and processes:**

- a. NPCs should ensure that local and national human rights actors, as well as OHCHR, are core members of the Cluster, that they actively engage during the protection analysis and HNO process and that their views and priorities are included.

#### 2) **Stronger human rights-based protection analysis:**

- a. The Protection Analytical Framework (PAF) supports NPCs to carry out a legal analysis that helps identifying underlying root-causes driving or exacerbating protection risks, including how the existing legislation<sup>1</sup> (or gaps within it) may pose obstacles to the enjoyment of human rights of people affected by humanitarian crises. As part of the Protection analysis processes, NCP should identify and highlight key priority recommendations for legislative and policy change which would lead to a strengthened protection environment as part of their analysis.<sup>2</sup>
- b. NPCs should include in their analysis the findings of national and [international human rights mechanisms](#) and other relevant country-specific or thematic UNSG or Human Rights Council mandated reports.
- c. NPCs should always link the priority protection risks to violations of international human rights/humanitarian/refugee law. To facilitate this process, the GPC has included as part of the PAF indicators<sup>3</sup> a list of suggested human rights indicators which will help NPCs on the severity ranking and identification of priority protection risks.

#### 3) **[Leave no one behind](#) in humanitarian programming:**

- a. NPCs should ensure that the protection analysis reflects the needs and priorities of specific groups of affected populations. The intersection of different social, cultural and other factors – such as age, race, gender, ethnicity, minority, disability, religion or gender identity- and context-specific pre-existing vulnerabilities or inequalities can dramatically affect access to assistance and resources.
- b. NPCs should also identify the gaps of evidence and data on the identified particularly vulnerable population groups when information is not available, and collaborate with relevant stakeholders including human rights actors, to address this gap.

#### 4) **Engagement with international, regional and national human rights mechanisms and institutions, as appropriate:**

- a. NPCs should regularly engage with local human rights actors both in the process of developing PAUs and HNO, the drafting and their implementation. NPCs should avail themselves of the opportunity to engage with regional and international human rights mechanisms to raise awareness on human rights issues in their AoRs and advocate for a better implementation of human rights law, IHL and refugee law to strengthen the protection of affected populations.<sup>4</sup>

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<sup>1</sup> This includes analysis of the the human rights commitments of the State, and the accountability mechanisms or procedures in place to investigate, address, redress or prevent human rights violations.

<sup>2</sup> The GPC Law and Policy Task Team has finalized a Legal Aid Analysis Framework linked to the PAF which could help NPCs in their legal analysis. Please contact Martina Caterina for more info [caterina@unhcr.org](mailto:caterina@unhcr.org). The GPC Human Rights Engagement Task Team can also be contacted to provide support to NPCs in identifying legislative and policy gaps and barriers. For more info, please contact Roberta Serrentino at [serrenti@unhcr.org](mailto:serrenti@unhcr.org)

<sup>3</sup> The PAF indicators can be found at the bottom of this page <https://www.globalprotectioncluster.org/tools-and-guidance/hpc-guidance/>

<sup>4</sup> GPC Human Rights Engagement Task Team will advise NPCs on how to strategically use the human rights system and mechanisms to analyze humanitarian needs and address complex protection challenges.



**Resources:**

[https://www.globalprotectioncluster.org/assets/files/tools\\_and\\_guidance/protection-cluster-coordination-toolbox/gpc-edg-note-checklist-on-incorporating-protection-and-accountability-in-the-hpc.en.pdf](https://www.globalprotectioncluster.org/assets/files/tools_and_guidance/protection-cluster-coordination-toolbox/gpc-edg-note-checklist-on-incorporating-protection-and-accountability-in-the-hpc.en.pdf)