

Ethiopia Humanitarian Country Team (EHCT) Protection Strategy

01 August 2019 - 31 December 2020

I. Introduction

The members of the Ethiopia HCT¹, developed this protection strategy to provide a vision and foundation for a strategic approach, to ensure the centrality of protection throughout the humanitarian response.

While acknowledging the primary responsibility of the Government of Ethiopia (GoE) to protect the population within its territory, the EHCT also recognizes that “the HCT is ultimately accountable to the people in need².” The EHCT commits to demonstrating the necessary leadership to fulfil the shared responsibility to protect civilian populations and their fundamental rights, in close collaboration with relevant actors – in particular, development and peacebuilding actors. While the protection sector will provide technical support for the strategy, the strategy re-affirms that **all humanitarian actors, led by the EHCT, have roles to play in ensuring that protection³ is at the core of the response** and that all actions of the EHCT and its members are based on the humanitarian principles of humanity, neutrality, impartiality and independence.

Centrality of Protection in Humanitarian Action

“[P]rotection 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 lifesaving activities, and throughout the duration of humanitarian response and beyond.”

Principals of the Inter-Agency Standing Committee (IASC),
December 2013

II. Context

The impact of drought and flooding, regional border disputes, inter-communal conflict and ethnic tension have resulted in a complex humanitarian operational environment, which has seen substantial growth, reaching as many as 3.19 million⁴ Internally Displaced Persons (IDPs)⁵ and returnees in 2019. In April 2019, the GoE initiated the Federal Return Plan⁶ of conflict-affected IDPs. In some areas, the

¹ UN agencies, HRDG representative, HINGO representative; ICRC attends as an observer.

² IASC, Standard Terms of Reference for Humanitarian Country Teams, 2017.

³ According to the Inter-Agency Standing Committee (IASC) IDP Protection Policy, protection is defined as: “... 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. HR law, IHL, refugee law).” (1999).

⁴ Ethiopia Humanitarian Needs Overview 2019.

⁵ According to the Guiding Principles on Internal Displacement and the Kampala Convention, Internally Displaced Persons are “... persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”

⁶ Strategic Plan to Address Internal Displacement in Ethiopia, Prepared by Ministry of Peace and National Disaster Risk Management Commission, April 2019.

situation remains tense and conditions for voluntary, safe and dignified returns⁷ were not met prior to the implementation of the plan. In other places, the returns have been peaceful and investments are needed to help displacement-affected communities recover.

Ethiopia has an obligation to protect its citizens. State authorities cannot forcibly expose individuals to situations under which their basic human rights may be violated. Further, all Ethiopian nationals have the right to freedom of movement, as per Article 32 of the 1995 Constitution⁸. Return modalities adopted by the GoE should be improved. For example, assistance should not be discontinued in areas of displacement and IDP sites should not be dismantled as a means of leaving IDPs with no option other than to return.

The relatively peaceful transition of power and a host of reforms initiated by Prime Minister Abiy Ahmed have resulted in the opening of the political space with progress on key reform areas, such as the Civil Society Organizations (CSO) Proclamation⁹, the Refugee Proclamation¹⁰, electoral laws, judicial reform among others. In April 2019, the Ministry of Foreign Affairs, jointly with UNHCR and support from ICRC, held a consultative workshop on the Kampala Convention with the GoE and regional authorities in which the outcomes of the workshop were overwhelmingly positive. Political will for ratification and drafting of national legislation is present. Political reforms are expected to continue in the lead-up to the 2020 elections. However, a setback was the indefinite postponement of the national census, which was initially scheduled for April 2019.

In addition to more recent displacement due to conflict, a substantial number of persons find themselves in a protracted state of climate-affected displacement for the last three or more years with no durable solutions on the horizon. Many, especially in the Afar and Somali regions, are pastoralists, whose animals died, and who have no livelihood skills beyond animal husbandry. To address these issues, the humanitarian community is contributing to a Durable Solutions Initiative (DSI), which is currently under development by the GoE, the United Nations and other partners. Modelled after good practices, the DSI in Ethiopia seeks to provide a principled operational framework within which to work on durable solutions in the country.¹¹

To ensure that IDPs will be able to return, locally integrate or effectively relocate in a sustainable manner, the root causes of displacement need to be addressed. Particular attention should be given to women affected by displacement and conflict. In addition to IDP populations' engagement and active participation in decision-making, particular attention to women's participation in durable solutions decision making will help enhance not only their own safety and well-being, but the initiative as a whole.

III. Priority Strategic Objectives

For the period 2019-2020, the EHCT, under the leadership of the Resident Coordinator (RC) / Humanitarian Coordinator (HC), prioritizes four strategic objectives:

⁷ Guiding Principle 15 (d) emphasizes that internally displaced persons have the "right to be protected against forcible return to or resettlement in any place in which their life, safety, liberty or health would be at risk". This prohibition is echoed in Article 9 (2) (3) of the Kampala Convention, which Ethiopia has signed but not yet ratified.

⁸ 1995 Federal Democratic Republic of Ethiopia Constitution.

⁹ Organizations of Civil Societies Proclamation No. 1113/2019.

¹⁰ Refugees Proclamation No. 1110/2019.

¹¹ The overarching aim of the DSI is to ensure political ownership and leadership at the highest levels and linking the necessary humanitarian, development and peace actors to support durable solutions for IDPs.

1. Humanitarian assistance is extended to the most vulnerable persons, based on humanitarian needs, not status, in accordance with humanitarian principles and in a protection-sensitive manner.

The humanitarian community agrees that assistance should be provided to persons based on need and not status and should be in line with the humanitarian principles. Additionally, humanitarian assistance should be sensitive to the needs of affected host communities, conscious of the “do no harm” principle to avoid exacerbating stigma and tensions between communities. Humanitarian assistance should be delivered in a way that promotes gender equality by ensuring the participation and inclusion of women and adolescents. Community representatives, including women and adolescents, should participate in intervention planning and implementation.

In line with the above, joint targeting guidelines have been established by the EHCT, and members of the EHCT must insist the guidelines are followed, to identify persons in need regardless of status, in a location before proceeding with the provision of humanitarian assistance. In addition, all humanitarian actors must be accountable to the affected population and have an obligation to establish information dissemination, as well as feedback and complaints mechanisms, in line with human rights principles, including protection against sexual exploitation and abuse. Such mechanisms should be established or strengthened with inputs from the affected populations to promote acceptability, transparency and accessibility. Sexual exploitation and abuse (SEA) by humanitarian actors, constitutes a failure of the humanitarian response, in which the EHCT commits to a zero-tolerance approach.

The EHCT recognises that certain segments of the population are particularly susceptible to risks and as a result, EHCT members commit to conduct analysis based on context specific vulnerabilities and prioritization of the most critical protection concerns. Links should be established between protection and non-protection actors to ensure protection mainstreaming across sectors.

Annex 1 of this strategy outlines key protection concerns identified by the Ethiopia Protection Cluster.

2. Promote the rights of persons affected by displacement.

The humanitarian community should continue, in consultation with displacement-affected populations, to support the GoE, at all administrative levels¹² to advance protection, and legal, policy and practical solutions for displacement-affected people in line with humanitarian principles and internationally recognised guidelines and standards. The humanitarian community should also continue to support the GoE to ratify the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (referred to as the Kampala Convention¹³) by the first quarter of 2020, as well as develop national IDP policy and other relevant normative frameworks that would enhance the protection of people affected by internal displacement.

The GoE needs support and capacity development assistance to make available accountable, fair and transparent transitional justice and other legal support mechanisms, to hold perpetrators to account and address individual cases of conflict-driven internal displacement. This will entail increasing access to justice for women and minority groups. The EHCT will collaborate with the current Special

¹² Levels of government include: federal, regional, zonal, woreda and kebele; horizontal integration would include coordination across line ministries

¹³ <https://au.int/en/treaties/african-union-convention-protection-and-assistance-internally-displaced-persons-africa>

Rapporteurs¹⁴ on the Human Rights of IDPs and other high-level individuals in facilitating their missions to the country and ensuring an open dialogue with the GoE on key protection issues and opportunities for durable solutions.

The EHCT will prepare an advocacy strategy and action plan aimed at enhancing the protection of the rights of IDPs by the GoE and relevant regional, zonal, woreda and kebele authorities. In view of possible additional returns planned by the GoE, the EHCT will continue to advocate with the GoE to respect the principles of voluntariness, safety, dignity, participation, sharing of information, accountability to affected populations, the “do no harm” principle, as well as sustainability that have previously been overlooked in the return process.

3. Integrate the centrality of protection in the transition towards durable solutions.

In line with DSI, the EHCT should work with the GoE to ensure that a rights-based approach to durable solutions is promoted and that immediate humanitarian needs of communities in areas of return, relocation and local integration are addressed. Protection and peacebuilding are essential components of any DSI. Capacity development initiatives for local government service providers should be included in DSI to address the continued lack of basic and specialized protection services, including child protection and gender-based violence (GBV), that meet global standards of care.

Providing short-term assistance is essential to ensure displacement-affected communities are able to access their basic needs for a transitional period, until they can engage in a longer-term recovery process. In tandem, the EHCT commits to support the GoE and development partners to undertake participatory inclusive, gender-balanced planning and durable solutions, with all community members in areas impacted by return, recovery and local integration based durable solutions. These community-based plans can provide the basis for investments in the community by development partners, and the process will support peacebuilding efforts.

In addition to host community members, IDPs and returnees should be included in national, regional and local development programs that address livelihood, shelter, health, water and sanitation and education. The EHCT should work to advocate with the GoE to ensure that adequate budgetary allocations and administrative mechanisms are in place for prioritized social transfers (e.g. MoLSA social welfare benefits, HLP compensation, return grants), in order to facilitate access to durable solutions.

4. Ensure a Child and Gender-Sensitive Approach in the humanitarian response to improve services for women, men, girls and boys.

The lack of quality care, monitoring of the quality of service provision, and specialized response are especially concerning, as communities continue to be exposed to violence and experience stress and trauma due to displacement and conflict. Services and qualified personnel should be put in place in new emergency-affected locations or scaled-up and monitored in the current operational context. Priority services include psychosocial support, case management and referral services (notably on medical, legal, safety), interim care, family tracing and reunification of unaccompanied and separated children, support for survivors of GBV, including men and boys, and other forms of violence, provision of information, counselling, technical assistance and training with respect to Housing, Land and Property (HLP), legal identity documentation and human rights.

¹⁴ Special Rapporteur for the Human Rights of IDPs and Special Rapporteur on Refugees, Asylum-Seekers, IDPs and Migrants of the African Union

Reproductive health services are a priority. Women, adolescent girls and girls of reproductive age with specific needs will be supported with dignity kits and awareness raising on their right to access support. Health systems need to increase access to services, strengthen capacity, and improve response services for survivors. All humanitarian actors must take appropriate action(s) in their programming to avoid creating or exacerbating risks of GBV incidents, and actively contribute to reducing the existing risks.

The EHCT recognizes that Child Protection and GBV management includes capacity development of professionals (e.g. social services, health, education, and legal) better identification of survivors, referral pathways for those in need of medical or legal assistance, and safe spaces/shelters for survivors, including women and girls and men and boys. In addition, CP/GBV risks need to be mitigated across all sectors; frontline workers must be aware of the GBV Guiding Principles¹⁵ and CP Minimum Standards¹⁶ to provide safe and ethical referrals.

IV. Actions Required to Meet the Priority Objectives

The Ethiopia Protection Cluster (EPC), Child-Protection (CP) and Gender-Based Violence (GBV) Areas of Responsibility (CP/GBV AoR), the Housing, Land and Property Working Group (HLP WG) and the Site Management Support Working Group (SMS WG) have detailed the protection risks that need to be addressed at the operational level through the Cluster system and by protection mainstreaming and integrated programming. The EHCT, will focus on the four agreed strategic objectives and workplan activities, which are in line with initiatives undertaken by other coordination forums, including the Federal and Regional Durable Solutions Working Groups, the UN Team Durable Solutions Group, the PSEA Network, Access Initiatives, the Accountability to Affected Populations Working Group (AAP WG) and the Gender Working Group (GWG).

V. Monitoring

The EHCT Protection Strategy is not static, it will adapt to the evolving situation. The strategy requires the support of all actors, including senior leadership, to provide a regular and updated understanding and analysis of protection risks and violations, so the EHCT can address these and adapt the strategy accordingly. Discussions of this strategy, related progress, challenges and needed changes should be a standing item of the EHCT agenda. The Protection Cluster, together with OCHA and other parts of the humanitarian architecture, at field level and national level, will ensure regular briefings to the EHCT on progress and monitoring of the work plan. For the mid-year evaluation, the EHCT will commission an independent evaluation to assess progress and advise on course corrections to enhance progress on the objectives of this strategy. An EHCT Protection Strategy Monitoring Group may also be initiated to assist with the interagency review process.

Addis Ababa, Ethiopia

Endorsed 01 August 2019

¹⁵ IASC Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Settings: Reducing risk, promoting resilience and aiding recovery.

¹⁶ Minimum Standards for Child Protection in Humanitarian Action (CPMS)

Annex 1: Key Protection Concerns

The most acute protection concerns documented by the Ethiopia Protection Cluster are outlined below:

Lack of Access to Services: A substantial number of IDPs with protection-related vulnerabilities do not have access to adequate basic services, e.g. food, shelter, health care, sanitation, education, and social welfare services. This is a result of lack of resources as well as exclusion of services based on status. When people face conditions of extreme hardship, they turn to adverse coping mechanisms to survive, including child marriage, child labour, hazardous migration, transactional sex and neglect of persons with specific needs such as persons with disabilities, serious medical conditions, older persons without caregivers, and those affected by mental health and psychosocial distress.

Gender-Based Violence: GBV is exacerbated, both in frequency and severity, in a crisis and displacement. However, GBV and especially sexual violence, of both males and females, is grossly under-reported due to fears of retaliation by the perpetrator, stigmatisation by communities and family members as well as limited availability and confidence in response services. Humanitarian assistance should be delivered in a way that promotes age and gender equality by ensuring the participation and inclusion of women, adolescents and children.

Child Protection: Children separated from their families and caregivers, as well as those living in poverty, face risks of exposure to child labour, child trafficking, child marriage, psychosocial distress and school drop-out.

Safety and Security: Peace-building efforts at regional, local and community levels have led to improved safety and security conditions in parts of the country and therefore should be supported and expanded. However, there remains reports of insecurity, clashes and the presence of armed groups, and lack of accountability for perpetrators of violence are the main reason cited by IDPs in early 2019¹⁷ for not intending or wanting to return.

Involuntary Returns: In some areas, the situation remains tense and conditions for voluntary, safe and dignified returns were not met prior to the implementation of the Federal Return Plan¹⁸. As a result of involuntary returns, the continued movement of individuals from displacement locations to return areas and back again, exacerbates their vulnerability and dependency on humanitarian assistance.

Housing, Land and Property: Disputes over land and natural resources are often at the centre of conflict, including territorial acquisition and the resulting occupation of homes and land, driving displacement. When conflict ends, disputes over occupied property are a continued source of instability, preventing durable solutions for returning populations and threatening the success of potential peace agreements. Furthermore, individuals can struggle to assert their rights to restitution or compensation for their HLP, upon return or in relocation scenarios. HLP issues are relevant during all stages of displacement, and if not adequately addressed the potential for continued and increased conflicts over land will remain high.

¹⁷ Source: Protection monitoring reports, assessments as well as go and see visits.

¹⁸ Strategic Plan to Address Internal Displacement in Ethiopia, Prepared by Ministry of Peace and National Disaster Risk Management Commission, April 2019.

Lack of Civil Documentation: Lack of documentation leads to restrictions on freedom of movement and difficulties in accessing services. An initiative is needed to strengthen structures responsible for restitution or issuance of civil documentation such as birth, death, marriage, divorce, as well as kebele¹⁹ offices and GoE officials responsible for issuing national identity documents.

Psychosocial Distress and Trauma: Displacement-affected populations have indicated that displacement has caused them extreme stress and trauma. In addition to losing their homes, the displacement has increased their vulnerabilities through the sudden breakdown of family and community structures. Experiences of conflict and displacement are gendered, and there is a need for large-scale targeted psychosocial support programs, with strengthened referral pathways to specialised services to mitigate the psychosocial effects of displacement. The increased presence of armed forces and armed groups, depending on the ethnicity of the armed groups, has led to increased fear and re-traumatization of displacement-affected populations.

Humanitarian Access: Safe, rapid and unhindered access to people in need is a fundamental prerequisite for effective humanitarian action. In Ethiopia, the multiplicity of localized armed conflicts, concentrated along the regional borders and Western and Southern Oromia, access restrictions and bureaucratic impediments, is a major obstacle to the delivery of principled humanitarian assistance. Humanitarians are not a target, however, there is a risk for aid workers to suffer collateral damage or to be caught in cross fire as indirect threats.

Response Capacity: Few geographical locations have adequately trained and sufficient numbers of social workers, health professionals, or legal experts trained to respond to protection cases, in particular cases of gender-based violence (GBV) or child protection issues. Additionally, women's access to justice is not promoted. It is expected there will be additional internal displacement and a continued need for humanitarian assistance in Ethiopia. A strong coordination structure will fall short, if the response component is not adequate to address the needs identified through protection monitoring and assessments.

¹⁹ A kebele is the smallest administrative unit of Ethiopia, similar to a ward or a neighbourhood.