



## **National Protection Cluster - Yemen**

### **Terms of Reference**

### **August 2015**

#### **Strategic Statement**

The National Protection Cluster is a coordination mechanism of organizations implementing protection activities that aims to safeguard the respect for and protection of the rights of individuals affected by the current crisis in Yemen, with a particular emphasis on persons with specific needs. The National Protection Cluster assumes the responsibility of promoting the centrality of protection in the overall humanitarian response, which is essentially about placing the achievement of protection outcomes at the heart of our collective humanitarian engagement.

#### **Scope**

Yemen is going through an unprecedented security and humanitarian crisis. Given the ongoing conflict, the serious and widespread violations of humanitarian and human rights law, the absence of rule of law, and the massive gaps in accessing the most basic services, the vast majority of the population of Yemen has protection needs. Considering the overwhelming nature of humanitarian and protection needs, the remit of the National Protection Cluster will be to focus on identifying and responding to the protection needs of those most vulnerable, as a direct or indirect result of the conflict, including specifically internally displaced persons, returnees and host families.

#### **Core functions**

The above strategic direction shall be achieved through the pursuit of the following seven core functions of the National Protection Cluster:

- ✓ Ensure that the protection needs of affected populations are met through timely and coordinated action, with particular attention to those persons identified as having specific needs, based on a clear and consultative strategic framework;
- ✓ Ensure a deep understanding of the protection needs of affected populations, through assessments, monitoring and analysis, taking the perspectives of the communities themselves as the starting point;
- ✓ Ensure understanding and respect of protection policies and standards, both regarding all protection activities of Protection Cluster members, and through the mainstreaming of protection in the activities of the other clusters;

- ✓ Ensure a relevant and robust coordination mechanism, including information management, is established and maintained with Protection Cluster members, government counterparts and donors;
- ✓ Ensure that the HC and HCT are regularly informed and advised on critical protection issues and analysis to facilitate their strategic decision making and prioritization, as well as enable collective leadership in pursuing shared goals in relation to protection;
- ✓ Ensure the development of local capacity of both Government and non-Government partners in the delivery of protection to affected populations;
- ✓ Ensure monitoring and evaluation of the performance and impact of its members' activities by monitoring and reporting on activities and needs, measuring progress against the cluster strategy and recommending corrective action where necessary.

### **Guiding Principles**

The activities of the members of the National and sub-national Protection Clusters shall be guided by the following Guiding Principles:

- ✓ Respect the core humanitarian principles of humanity, neutrality, impartiality, independence, and do no harm.
- ✓ Place the perspective of the affected populations at the centre, requiring their meaningful participation in assessments, strategic design and evaluation.
- ✓ Ensure the integration of specific needs related to age, gender and diversity in all stages of protection activities and interventions.
- ✓ Establish accountability to affected populations through the creation of appropriate mechanisms by which affected populations can measure the quality of interventions, and address concerns and complaints.
- ✓ Support the Human Rights Up Front Initiative by actively recording, analyzing and reporting on serious and large-scale violations of human rights and humanitarian law and bring such violations to the attention of national authorities and appropriate UN bodies.
- ✓ Empower affected populations through the development of self-protection capacities and facilitating obtaining the knowledge, resources, and capacities necessary to claim their rights.

### **Objectives**

More specifically the Protection Cluster shall:

- ✓ Coordinate the assessment and analysis of main protection threats and identify the priority protection issues for action and intervention;
- ✓ Coordinate the protection activities, programmes and interventions of the protection Cluster members in accordance with a common strategy to specifically address priority issues and avoid overlap;
- ✓ Develop an Information Management Strategy incorporating the production of information products based on systematic data collection and regular dissemination;

- ✓ Advise the Humanitarian Coordinator and the Humanitarian Country Team on the most important protection issues and developments, and provide recommendations for corrective or mitigating measures, including advocacy;
- ✓ Develop policy on protection issues and provide guidance on protection standards with the aim of a coherent and consistent approach and understanding among the humanitarian community;
- ✓ Ensure the centrality of protection in humanitarian action, which translates into ensuring that the achievement of protection outcomes is the core of our collective humanitarian engagement;
- ✓ Ensure protection mainstreaming in all sectors, which engages humanitarian sectors to incorporate into their activities and programmes a protection perspective, and ways of working which are designed to facilitate the exercise of rights, and to further the safety and dignity of those affected by crisis;
- ✓ Oversee and support the development of coordinated and coherent programmes and action plans under the Humanitarian Project Cycle and advocate for adequate funding to support these activities;
- ✓ Provide support for the (re-)establishment and management of sub-national Protection Clusters when security conditions allow;
- ✓ Facilitate and coordinate initiatives aimed at building the protection of members of the Protection Cluster, national and local authorities, and civil society. This should include capacity building in preparedness and contingency planning.

## **Structure**

The Protection Cluster in Yemen is composed of the National Protection Cluster with two sub-Clusters: the Child Protection sub-Cluster and the SGBV sub-Cluster. The sub-Clusters report to the Protection Cluster. The same structure of Cluster and sub-cluster coordination existed at sub-national level, in Sa'ada, Hajjah, Amran and Aden, but were suspended due to security restrictions. Security permitting these sub-national clusters shall be reinstated. The Protection Cluster, depending on prevailing protection needs, may decide to establish additional sub-national structures (for instance in Taizz, Ibb and/or Al Dhale). The sub-national coordination structures report to the Cluster and sub-clusters at national level respectively, while the latter support the sub-national structures. The Protection Cluster is led by UNHCR, the Child Protection sub-Cluster is led by UNICEF and the SGBV sub-Cluster is led by UNFPA.

Assessments, analysis of and response to protection issues and priorities at sub-national level will be reported to the structures at national level in a timely fashion allowing for a comprehensive analysis of protection gaps and challenges informing policy and coordinated corrective action at national and sub-national level.

The Task Force on Population Movement (TFPM) is a technical working group of the Protection Cluster and reports to the National Protection Cluster Coordinator. It is co-led by IOM and UNHCR and its work is a vital component for the development and implementation of targeted protection action within the context of the Protection Cluster Strategy. The Early Recovery Cluster has prioritized Mine Action within the framework of the 2015 YHRP. This is an important activity with strong protection implications which will require close coordination between the two Clusters.

Membership of and collaboration within the Clusters and sub-Clusters is open to all organizations active in the response to the humanitarian situation in Yemen with a specific focus on protection activities. Members are expected to engage with the Protection Cluster actively and in good faith and to abide by directives of the Protection Cluster that are agreed by its members in a consultative and inclusive manner. In particular members are obliged to provide reports and updates on activities at established intervals in the required format. A failure to meet this obligation will be viewed as an indicator of non-active membership.

Leadership of the Protection Cluster is assigned to the National Protection Cluster Coordinator (PCC), who is responsible and accountable for the effective coordination, planning, strategy development of the activities of the Protection Cluster members. The PCC reports to the UNHCR Representative (as Protection Cluster Lead Agency).

The PCC represents the Protection Cluster in inter-cluster coordination mechanisms, at the HCT, and in other relevant fora. The PCC impartially represents the interests of the members of the Protection Cluster.