

JOINT ASSESSMENT MISSIONS – TECHNICAL GUIDANCE SHEET NO. 3 – PROTECTION

“Protection encompasses 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 (human rights, humanitarian and refugee law), without discrimination of any kind.”

Irrespective of their mandates, both UNHCR and WFP contribute to protection by designing and carrying out food security and nutrition activities that do not increase the protection risks faced by the crisis-affected populations receiving assistance, but contribute to the safety, dignity and integrity of vulnerable people.

Encompassing protection in a JAM means:

- Respecting protection principles in the assessment;
- Identifying the linkages between food security, nutrition, well-being and the rights of refugees; and
- Assessing how food security, well-being and refugee rights influence each other in order to inform an appropriate programming response.

Food security and nutrition responses recommended by the JAM should not lead to the violation of rights or ‘doing harm’ to refugees. In fact, they should go beyond “doing no harm” and actually improve refugees well-being.

Additionally, suggested food security and nutrition responses should be viewed through an Age, Gender and Diversity (AGD) lens (see note below) in order to identify potential protection gaps.

Note: Diversity refers to ethnic background, nationality, sexual orientation, gender identity, ability, health, social status, skill and other specific personal characteristics. While the age and gender dimensions are present in everyone, other characteristics vary from person to person. Age, gender and diversity differences must be recognized, understood and valued in each specific context and operation in order to ensure protection for all people.

This Technical Guidance Sheet (TGS) provides essential guidance to assess the interlinked relationships between food security, nutrition and protection during the JAM. It helps to identify protection issues that may trigger food insecurity, and also food security issues that may create protection risks. The guidance here is applicable to all settings of displacement: camps, settlements, urban and rural environments as well as host communities.

References to other materials are provided at the end of the document. Additional support is also available from the UNHCR and WFP regional offices, UNHCR HQ (Division of Programme Support and Management and the Division of International Protection), and WFP HQ VAM Unit.

3.1 FOOD SECURITY, NUTRITION AND PROTECTION

The relationship between food security, nutrition and protection of refugees is closely interlinked and looking at one in the absence of the other would provide an incomplete assessment. During displacement, the whole food security chain – production, procurement, preparation, allocation and consumption of food – may be disrupted and protection risks may be linked to any of these steps.⁵ Hunger causes and exacerbates existing protection risks. On the other hand people's access to food is affected by the protection risks they are confronted with. Vulnerability to food insecurity is therefore also often linked with vulnerability to protection risks. The most food insecure people are frequently the most vulnerable to family separation, gender-based violence, forced displacement, physical attack and many other protection risks. Thus, food and related assistance does not only save lives, it also has the potential to increase protection for refugees and reduce protection gaps. At the same time, the overall protection environment influences food security or the lack thereof.

Food insecurity might lead to the following protection gaps (this list is non-exhaustive):

Exploitation and abuse of power

- Engagement in survival sex, including the exchange of sex for food or the means to obtain it. This can be a particular risk for single mothers with children, child headed households, unaccompanied and separated children and adolescents, both girls and boys;
- Participation in hazardous and exploitative forms of labour in order to purchase food;
- Increased household tensions and domestic violence when not enough food is available;
- Unequal distribution of food within the household - in some contexts girls, children, women, older persons or persons with disabilities might receive less food than others; and
- Child labour and children being withdrawn from school to help provide food are greater risks for separated families.

5 Pejić, Jelena, The Right to Food in Situations of Armed Conflict: The Legal Framework, in IRRC, December 2001, Vol. 83, No. 844, pp. 1097-1109.

Provision of assistance might affect physical safety and food security

- Lack of access to information about the food distribution and entitlements limiting the capacity of the refugees to effectively address abuse of power by individuals involved in the distribution process, such as under-scooping (the process whereby recipients of food assistance receive less than they are entitled to in food distributions);
- Theft and looting – refugees may be at risk of theft and looting by armed groups after receiving food assistance;
- The location of distribution centres and the distance from places of residence may cause certain groups to be at risk, in particular those with mobility challenges; and
- Tension with host community – tensions between the host community and displaced populations may affect the food security and nutrition of the displaced population.

Protection gaps might increase food insecurity through (including but not limited to):

- Restrictions on movements – movement restrictions on refugees may limit their physical access to e.g. resources, markets, assistance or services thus decreasing ability to source food and meet nutritional needs;
- Restrictions on employment – employment restrictions may decrease refugees' ability to access food and meet their nutritional needs;
- Disruption of community cohesion – displacement often causes disruption of community structures and solidarity networks and often results in a decrease in coping mechanisms available to refugees to mitigate the impact of food insecurity; and
- Discrimination may also limit access to food and impact nutritional status. Groups often discriminated against include persons with disabilities; older persons; LGBTI⁶ individuals; survivors of Sexual and Gender-based Violence (SGBV) and HIV; persons engaged in survival sex; persons belonging to national, ethnic, religious and linguistic minorities; or indigenous groups. Particularly SGBV can cause additional problems beyond discrimination, such as physical and/or mental health problems that can constitute problems for people continuing with their livelihoods activities.

6 LGBTI stands for Lesbian, Gay, Bisexual, Transgender and Intersex persons.

3.2 RECOMMENDED GOOD PRACTICE TO ENSURE PROTECTION IS INTEGRATED IN A JAM

In a JAM, food security and nutrition issues should be viewed as both potential causes and consequences of protection gaps. To ensure that protection is integrated into the JAM, consider the following best practices.

- Include a protection officer as part of the JAM team. This is one way to ensure that protection is adequately considered in all aspects of the JAM;
- A protection analysis should be incorporated in all JAMs. A protection analysis should only be undertaken by a trained protection officer and is conducted by:
 - Analysing background protection information provided by UNHCR and its partners on the overall protection situation of the displaced population. This includes information from Focus and protection reports, and the report of the annual Participatory Assessment;
 - Speaking to the protection staff in the UNHCR and WFP offices to obtain specific information on protection and food security, and tips on how to approach these issues during primary data collection; and
 - Applying a participatory, AGD approach and speaking to refugees about protection gaps and food security.
- Identify relevant protection information for collection. JAM teams should identify and analyse the following information to enable solid protection analysis.
 - Protection gaps that may cause food insecurity;
 - Protection gaps that are caused by food and nutrition insecurity;
 - Protection gaps that are caused by the delivery of food and related assistance; and
 - Ways to increase the protective impact of food security and nutrition programming.
- Access relevant secondary information. Dedicated protection assessment will in most situations be absent, however assessments which contain protection information include, UNHCR's Annual Participatory Assessment, protection incident monitoring systems, heightened risk assessment tools and legal reviews;

- Ensure protection-related questions are incorporated into field visit checklists. Specific protection-related questions to consider for a JAM are outlined in the JAM Practical Guide, Chapter 4.8, 'Questions asked and information typically collected in a JAM'. Protection related questions are frequently of a sensitive nature and conversations with refugees regarding this should always be led by trained protection officers;
- Consider AGD⁷. It is important to identify groups with specific needs that may face difficulties in accessing or utilising food. To appropriately analyse this, sex, age and diversity disaggregated data are required. The following groups may require special consideration to determine their vulnerability, but vulnerability may also apply to other groups not mentioned here:
 - Children under 5;
 - Unaccompanied and separated children and adolescents;
 - Child brides and mothers;
 - Older men and women;
 - Pregnant and lactating women;
 - People with disabilities;
 - Persons engaged in survival sex;
 - New arrivals;
 - Persons with mental health and psychosocial needs;
 - LGBTI persons; and
 - Members of ethnic minorities and indigenous groups.
- Collect information on the surrounding communities as well as the refugees. A JAM may have to collect information about the surrounding communities as well, depending on the tensions that exist between them and the displaced population, to ensure that a comprehensive protection analysis is possible; and
- Identify immediate protection gaps, report and follow up. Ensure that all JAM team members are aware of whom to report protection issues to and the follow-up and

⁷ Through the systematic application of an Age, Gender and Diversity (AGD) approach in its operations worldwide, UNHCR seeks to ensure that all persons of concern enjoy their rights on equal footing and are able to participate fully in the decisions that affect their lives and the lives of their family members and communities. UN High Commissioner for Refugees, *Age, Gender and Diversity Policy*, 8 June 2011, available at: <http://www.unhcr.org/refworld/docid/4def34f6887.html>

feedback process (this information is useful to include in the JAM team training and preparation sessions before the field visit, **see JAM Practical Guide section 3.3.4, page 45** for more detail). Detected cases that need immediate response should be reported immediately. Urgent cases include those involving children, requiring medical care or legal assistance and counselling. Examples include cases of food-related sexual exploitation, abuse and corruption. Information should be reported to a protection focal point; contact details should be available in the local UNHCR and WFP offices. Always follow up to make sure the information reaches the appropriate person.

3.3 REFERENCE DOCUMENTS

AGE, GENDER AND DIVERSITY POLICY, UNHCR (JUNE 2011)

Through the systematic application of an Age, Gender and Diversity (AGD) approach in its operations worldwide, UNHCR seeks to ensure that all persons of concern enjoy their rights on an equal footing and are able to participate fully in the decisions that affect their lives and the lives of their family members and communities.

<http://www.unhcr.org/4e7757449.html>

UNHCR TOOL FOR PARTICIPATORY ASSESSMENT IN OPERATIONS, UNHCR (MAY 2006)

<http://www.unhcr.org/refworld/docid/462df4232.html>

WFP PROTECTION POLICY, WFP (FEBRUARY 2012)

<http://documents.wfp.org/stellent/groups/public/documents/eb/wfpdoc061670.pdf>

THE SPHERE HANDBOOK (2011)

The Sphere Handbook, Humanitarian Charter and Minimum Standards in Humanitarian Response, is one of the most widely known and internationally recognised sets of common principles and universal minimum standards in life-saving areas of humanitarian response. The new version has a specific chapter on Protection principles.

<http://www.sphereproject.org/handbook/>

UNHCR HANDBOOK FOR THE PROTECTION OF WOMEN AND GIRLS, UNHCR
(JANUARY 2008)

Women displaced by conflict or natural disaster adopt new strategies to provide for themselves and their families. These new strategies often place them at risk of gender-based violence. This guidance is based on promising practices on how to design safe economic programmes and livelihood activities.

<http://www.unhcr.org/refworld/docid/47cfc2962.html>

PREVENTING GENDER-BASED VIOLENCE, BUILDING LIVELIHOODS, WOMEN'S REFUGEE COMMISSION (DECEMBER 2011)

<http://www.womensrefugeecommission.org/search?q=preventing+gender+based+violence>

See also e-learning tool:

<http://www.womensrefugeecommission.org/elearning/portal/courses/2-preventing-gender-based-violence,-building-livelihoods>

ACTION AGAINST SEXUAL AND GENDER-BASED VIOLENCE: AN UPDATED STRATEGY, UNHCR (JUNE 2011)

<http://www.refworld.org/docid/4e01ffeb2.html>

A FRAMEWORK FOR THE PROTECTION OF CHILDREN, UNHCR (26 JUNE 2012)

<http://www.unhcr.org/refworld/docid/4fe875682.html>

WORKING WITH PERSONS WITH DISABILITIES IN FORCED DISPLACEMENT, UNHCR (2011)

<http://www.unhcr.org/refworld/docid/4e6072b22.html>

WORKING WITH LESBIAN, GAY, BISEXUAL, TRANSGENDER & INTERSEX PERSONS IN FORCED DISPLACEMENT, UNHCR (2011)

<http://www.unhcr.org/refworld/docid/4e6073972.html>

WORKING WITH NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES AND INDIGENOUS PEOPLES IN FORCED DISPLACEMENT, UNHCR (2011)

<http://www.unhcr.org/refworld/docid/4ee72a2a2.html>

WORKING WITH MEN AND BOY SURVIVORS OF SEXUAL AND GENDER-BASED VIOLENCE IN FORCED DISPLACEMENT, UNHCR (JULY 2012)

<http://www.unhcr.org/refworld/docid/5006aa262.html>