



National Protection Cluster - Ethiopia
Terms of Reference (TOR)
16 May 2019

I. Background

Ethiopia is a country that is annually affected by natural disaster in various parts of the country and from time to time is also affected by internal conflicts, both of which can result in the civilian population being at increased risk of vulnerability, displacement and insecurity.

In March 2007, a decision was made by the UN Humanitarian Coordinator to activate the cluster approach to ensure a more effective, coordinated, timely and accountable response to complex emergencies arising in Ethiopia. The Protection Cluster in Ethiopia was therefore launched alongside other humanitarian sectors. The Protection Cluster recognises that it has an important but challenging role to play in ensuring a common understanding of integration and mainstreaming of protection into other humanitarian sectors.

The primary responsibility for the protection of civilians in situations of natural disaster and/or internal conflict lies with the Government of Ethiopia. The role of protection agencies working in Ethiopia is according to humanitarian principles to support and enhance the Government's capacity firstly to ensure that protection issues do not arise in emergency situations and secondly to respond and mitigate the effect of any protection issues that do arise. To achieve this, the Protection Cluster prioritises a strong relationship with the Humanitarian Coordinator, the Humanitarian Country Team and the Government of Ethiopia.

The Protection Cluster also acknowledges that individuals and communities are important actors in their own protection and that all humanitarian agencies have a role to play in ensuring that positive coping mechanisms are supported and enhanced at grass roots levels.

II. Definition of Protection

The most globally acknowledged definition of protection and therefore the one that the Protection Cluster will use as the basis for its activities is the IASC definition:

“all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law (i.e. human rights law, international humanitarian law and refugee law)”.

In addition to international law, the Protection Cluster also recognises the importance of regional human rights laws as set out in African Union conventions, sub-regional declarations and the relevant national laws including the Constitution of Ethiopia.

III. Cluster Membership

Cluster meetings are open to all UN agencies, international NGOs, the ICRC and the IFRC with an interest in protection issues as participants or observers as agencies so wish. Any other interested



parties should contact the cluster chair, who will consult the participants and then revert to the interested party with a decision as promptly as possible.

The cluster chair should review membership on a regular basis (and in any event at least twice a year) and if appropriate make recommendations to the participants about inviting other interested parties to participate in meetings, either as members or guests.

IV. Working Principles

Members of the Protection Cluster will be respectful of each other's mandates and recognise that all members have different areas of expertise and operational capacities. Planning and strategizing shall be done in as transparent and sensitive a manner as possible, with due regard for principles of neutrality, impartiality and confidentiality and with the overall objective of building on members' individual strengths and developing complementarity.

V. Sub-Clusters and Sub-National Clusters

The Child Protection and Gender-Based Violence Sub-Cluster is led by UNICEF, UNFPA and MOWCYA. Sub-National Protection Clusters in the Somali and Gambella Regions are led by UNHCR in both Regions and co-chaired by the Bureau of Women, Children and Youth Affairs and the Disaster Prevention and Food Security Agency respectively.

Linkages and Coordination between the Protection Cluster and the CP/GBV Sub-Cluster

- The CP GBV Sub-Cluster is expected to collaborate on all Humanitarian Program Cycle processes in particular submission of regular reports as required to fulfil response monitoring obligations; input into protection advocacy (including but not limited to advocacy on adequate inclusion of protection issues in HPC processes); support protection analysis, mainstreaming, provision of protection advice and support to the HCT.
- The Protection Cluster will facilitate the development/implementation of a comprehensive protection strategy that acts as a guide to programming of humanitarian action, ensuring the centrality of protection; provide the overall coordination for protection (i.e. between the sub-clusters and the other areas of work); ensure full and adequate representation of all protection issues of sub-clusters in relevant fora, advocacy and processes.
- The Protection Cluster ensures CP/GBV Sub-Cluster has a standing agenda item on the Protection Cluster Meetings.
- The national Protection Cluster ensures that CP/GBV Sub-Cluster is represented in capacity development initiatives.

Linkages and Coordination between Protection Cluster and Sub-National Protection Clusters

- The national Protection Cluster will provide support and strategic direction to sub-national clusters, with sub-national clusters informing the formulation of that strategy.
- Regular information sharing between the national Protection Cluster and the sub-national Protection Cluster should be maintained.
- Sub-National Clusters need to provide input into protection advocacy (including but not limited to advocacy on adequate inclusion of protection issues in HPC processes); support



- protection analysis, mainstreaming, provision of protection advice specific to the locations which the sub-national Cluster represents.
- The national Protection Cluster ensures that sub-national Protection Clusters are included in capacity building training activities and workshops.

Linkages and Coordination between the Protection Cluster and Working Groups

- The national Protection Cluster will provide support and strategic direction to working groups, including the Site Management Support (SMS) Working Group and Housing, Land and Property (HLP) Working Group.
- Regular information sharing between the national Protection Cluster and the Working Groups should be maintained.
- The Working Groups need to provide input into protection advocacy, support protection analysis, mainstreaming, provision of protection advice specific to the locations which the Working Group represents.
- The national Protection Cluster ensures that Working Group members are included in capacity building training activities and workshops.

Representation

- The Protection Cluster can be represented by any one or any combination of the following: the protection cluster coordinator, the cluster lead agency, the sub-cluster coordinators, the cluster lead agencies of sub-clusters and sub-national Protection Cluster as agreed. Members of the Protection Cluster or Sub-Cluster may also, on agreement, represent the cluster in specific instances.

VI. Objectives of the Protection Cluster in Ethiopia

The IASC definition of protection is the foundation for all activities of the Protection Cluster. In pursuit of this, the Protection Cluster aims:

- To develop an understanding of protection in Ethiopia by providing awareness raising and training to all relevant actors, including the Government of Ethiopia, humanitarian agencies, civil society stakeholders and donor agencies;
- To identify protection issues and gaps in responses to complex emergencies arising in Ethiopia and to use that information to:
 - advocate with Government of Ethiopia and support it through capacity building initiatives aimed at preventing and addressing protection concerns;
 - coordinate agencies to respond to identified gaps;
 - enhance the ability of individuals and communities to develop positive self-protection mechanisms; and
 - advocate with and mobilise donors to fund protection initiatives
- To actively encourage and technically support other sectors of the humanitarian community (primarily through training, sharing good practices and standards and attending other cluster meetings) to mainstream protection into their activities with the objective of ensuring that



- all humanitarian activities systematically apply a human rights based approach and humanitarian principles in their response and have a positive impact on human security;
- To develop and periodically review a common protection strategy and work plan that prioritises protection needs and gaps and identifies response, remedial and environment building activities.

VII. Relationship with Other Coordinating Bodies

The Protection Cluster in Ethiopia aims to have a strong working relationship with the office of the Humanitarian Coordinator, the Humanitarian Country Team, other clusters and the Global Protection Working Group.

The Office of the Humanitarian Coordinator

The Humanitarian Coordinator has overall responsibility for ensuring that the cluster approach is fully implemented in Ethiopia and that all sectors are accountable. Protection is a sector that is particularly sensitive and the support that the Humanitarian Coordinator can lend to protection initiatives is crucial to the cluster achieving its objectives. The Protection Cluster therefore aims to keep the Humanitarian Coordinator regularly informed of trends and issues arising in the protection sector and where appropriate seek his/her good offices in relation to advocacy initiatives and constructive dialogue with national authorities and the diplomatic and donor communities.

The Ethiopian Humanitarian Country Team (EHCT)

Established in January 2008, the Ethiopian Humanitarian Country Team comprises the UN country team plus three international NGO representatives and one local NGO representative. The Protection Cluster considers its relationship with the EHCT to be very important in ensuring that it meets its objectives. The Protection Cluster aims to:

- report regularly to the EHCT on protection issues arising in the country and to provide information on protection issues accompanied by analysis and recommendations; and
- seek the support and guidance of the EHCT in advocating for protection issues with the Government of Ethiopia, the donor and diplomatic community

Other Clusters / Coordination Platform

The Protection Cluster in Ethiopia recognises that protection is not only a sector but also a cross-cutting issue that must be mainstreamed into other clusters and coordination platforms, such as the Inter-Cluster Coordination Group (ICCG) and the Durable Solutions Working Group. The Protection Cluster will therefore encourage the setting up of protection focal points in all other sectors and will from time to time attend other cluster meeting. The Protection Cluster will promote protection mainstreaming into all other sectors and share technical information and advice (such as protection standards and checklists) and offer training for all other sector members on protection challenges arising in the field and protection mainstreaming.

The Global Protection Cluster Working Group (Global PCWG)

The Global PCWG mission statement includes the following objective: “to support all protection coordination mechanisms and country teams in all complex emergencies, disasters and other such situations”. The Protection Cluster aims to work closely with the Global PCWG with the specific



objective of ensuring that the sharing of information, best practices and standards is a two-way relationship.

VIII. Administration

Chairing and venue of meetings

UNHCR will chair the cluster meetings. If UNHCR is not able to attend a meeting then UNHCR will arrange for another agency to chair. The meeting venue can rotate as agreed by cluster members.

Agendas, action points and minutes

UNHCR will draft meeting agendas and post-meeting action points and be responsible for circulating them to cluster members. Cluster members are expected to keep their own minutes of meetings.

Reporting and policy documents

Cluster members will regularly produce a protection report highlighting protection trends, identifying gaps, updating on progress in implementing the inter-agency work plan, outlining constraints and making recommendations. UNHCR will facilitate this process and the report will be confidential and shared with the Humanitarian Coordinator, the EHCT and cluster members that contribute to it.

With the support of cluster members, UNHCR will draft policy documents (such as the interagency strategy document and work plan) and other documents as requested and agreed by cluster members from time to time.

Meetings

Meetings will be held bi-weekly, with additional meetings being called on request.

Coordination of other clusters

UNOCHA shall be responsible for coordinating meetings between the Protection Cluster and other clusters and coordinating the protection focal points in other clusters.