



UNHCR
The UN Refugee Agency



LEARNING FROM EXPERIENCE TO ADVANCE GENDER EQUALITY

Promising practices in Asia

TABLE OF CONTENTS

INTRODUCTION	5
RATIONALE, METHODOLOGY, AND CONSTRAINTS.....	6
Rationale.....	6
Methodology.....	6
Constraints	6
CASE STUDIES.....	7
Access to land rights for women in Sri Lanka.....	8
SGBV coordination: links to government structures in Sri Lanka	16
Livelihoods and community-based protection in Malaysia.....	22
The IDP registration and national identification programme for internally displaced women and female-headed households in Pakistan	32
KEEP IN MIND THAT	38



This document is for general distribution. All rights reserved. Reproductions and translations are authorized, except for commercial purposes, provided the source is acknowledged.

©United Nations High Commissioner for Refugees
October 2017

Cover photo: Sri Lanka / Returned IDPs / Settling into normalcy these girls are on their way to a tuition class. Oddusudan, Mullaitivu district, North East Sri Lanka. ©UNHCR / D. Seneviratne / May 2010

Acronyms

AGD	Age, gender and diversity	KP	Khyber Pakhtunkhwa
CBI	Cash-based initiative	LAC	Legal Aid Commission of Sri Lanka
CBO	Community-based organization	LDO	Land Development Ordinance
CEDAW	Convention on the Elimination of all forms of Discrimination against Women	LGBTI	Lesbian, gay, bisexual, transgender/transsexual and intersexed
CERD	Center for Excellence in Rural Development	LSE	Local social enterprise
CLARA	Cohort livelihoods and risk analysis	LTTE	Liberation Tigers of Tamil Eelam
CRC	Convention on the Rights of the Child	MHH	Male headed household
CNIC	Computerized national identity card	NADRA	National Database and Registration Authority
FATA	Federally Administered Tribal Areas	NFIs	Non-Food Items
FDMA	FATA Disaster Management Authority	NGO	Non-governmental organization
FGD	Focus group discussion	NMD	Newly Merged Districts
FHH	Female-headed household	PoC	Person of concern
GBV	Gender-based violence	RSM	Rohingya Society Malaysia
GBVIMS	Gender-based violence information management system	RWDN	Rohingya Women Development Network
HH	Head of household	SFS	Safe from the Start
HLP	Housing, land, and property	SGBV	Sexual and gender-based violence
HNO	Humanitarian needs overview	SHG	Self help group
HRC	Human Rights Commission	SLO	State Land Ordinance
HRP	Humanitarian response plan	SOP	Standard operating procedure
ICMC	International Catholic Migration Commission	SPF	The Social Protection Fund
IDP	Internally displaced person	TOTs	Training of trainers
IEC	Information, education, and communication	UN	United Nations
INGO	International non-governmental organization	UNFPA	United Nations Population Fund
IOM	International Organization for Migration	UN WOMEN	The United Nations Entity for Gender Equality and the Empowerment of Women
JSAC	Jaffna Social Action Center	UNHCR	United Nations High Commissioner for Refugees
KI	Key informant	UNOPS	United Nations Office for Project Services
KIIs	Key informant interview	WASH	Water, sanitation and hygiene

INTRODUCTION

Gender equality is fundamental to the wellbeing and rights of all persons of concern, including refugees, returnees, stateless and internally displaced persons. To ensure gender equality and advance women's empowerment in its work, the United Nations High Commissioner for Refugees (UNHCR) has adopted a complementary two-pronged approach. This includes mainstreaming age, gender and diversity (AGD) into policies, programmes and practices as well as pursuing targeted actions to address the specific needs and concerns of women and girls.

Focusing on three UNHCR operations in Asia, this report contains in-depth information on promising practices on gender equality. The documented promising practices cover a wide range of issue areas, including livelihood generation, housing, land and property rights, provision of protection related documentation, community participation, community-based protection, sexual and gender based violence (SGBV), and coordination structures. The research, which was conducted in the second half of 2017, documents these practices and describes the steps taken to ensure that gender considerations remained central throughout - from design to implementation and evaluation. Special emphasis is placed on sustainability and consistency.

This report aims to provide information and inspiration to UNHCR colleagues, partners and other international and national organizations working together with refugees and internally displaced persons (IDPs).

What defines a promising practice?

A promising practice is a practice that works well in a specific context, produces positive impacts on the lives of individuals or communities, and has the potential to be replicated in other contexts. Promising practices are worth documenting and sharing because, if they are adapted and contextualized, they can transform lives and promote gender equality in a variety of different contexts.

The following criteria were used to identify promising practices in Asia:

1. RELEVANCE

The project successfully addressed the problem. Project activities were well chosen to reduce, mitigate, or transform the problem.

2. IMPACT

The project achieved its defined goals (objectives, outputs and outcomes) and promoted gender equality.

3. PARTICIPATION

The project was participatory. It involved a broad cross-section of women, men, girls and boys in decision-making throughout the project cycle. It included accountability mechanisms for feedback and complaints.

4. AGE, GENDER AND DIVERSITY (AGD)

The project took account of the needs, risks, priorities and capacities of persons of concern of different ages, genders and other forms of diversity, including persons with disabilities and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons. It ensured their participation and access.

5. SUSTAINABILITY

The project was able, or had the potential, to continue after external funds ceased. It was able to mobilize national resources and involve national partners. It had a clear exit strategy.

6. REPLICABILITY

The project had the potential to be scaled up or adapted and replicated in other contexts.

7. DURATION

The project or intervention had been implemented for at least one year, long enough to generate data and to detect change and impact.

RATIONALE, METHODOLOGY, AND CONSTRAINTS

Rationale

This report is developed in response to needs identified by UNHCR operations around the world to document and share promising practices on gender equality from the field. The 2016 UNHCR [Review of Gender Equality in Operations](#), which analysed interviews and survey responses from 73 UNHCR operations, cites a high demand from UNHCR operations to document and share existing work on gender equality.

This report also serves to promote the implementation of international, regional, United Nations (UN), and UNHCR policies related to gender equality, including [UNHCR's Policy on Age, Gender and Diversity](#) (2018).

Methodology

In mid-2017, UNHCR conducted a survey across the Asia Pacific region to identify potential promising practices in gender equality. The survey gathered 12 responses from 11 countries. With support from eight country offices,¹ the UNHCR Gender Equality Unit undertook a desk review and identified 94 potential promising practices. Based on a number of factors, which included accessibility, quality of information, and the ability to safely publish the research findings, four case studies were then selected, covering several thematic areas in three countries: Malaysia, Pakistan, and Sri Lanka. A consultant was then hired to carry out field and desk research, culminating in this report.

¹ Bangladesh, India, Iran, Malaysia, Nepal, Pakistan, Sri Lanka, and Thailand.

The three key areas for this research included a desk review, field research, and research analysis.

DESK REVIEW

Available documentation was gathered from country offices and reviewed.

FIELD RESEARCH

Semi-structured key informant interviews (KIIs) and focus group discussions (FGDs) were carried out for each context. The researcher explored interviewees' perceptions of the projects under study, their impact and value, their impact on gender equality, and the extent of community consultation.

ANALYSIS AND WRITING

The research findings, analysis and drafts from each country were reviewed and analysed by stakeholders including UNHCR's Gender Equality Unit/Division of International Protection, the Asia Bureau, and the country and regional offices.

Constraints

It was planned to make country visits to all three of the countries selected for research. For various reasons, however, formal visits were made only to Malaysia and Pakistan. It was not possible to travel to Sri Lanka. As a result, the research relied more heavily than expected on secondary reporting, and external literature reviews. This information was triangulated during the course of the key informant interviews with UNHCR staff, partner agencies, academics and thematic experts. Additional constraints arose due to the sensitivity of certain topics, which needed to be addressed cautiously with the purpose of prioritising the welfare of persons of concern and maintaining strong relations with Governments.



CASE STUDIES

SRI LANKA
MALAYSIA
PAKISTAN

ACCESS TO LAND RIGHTS FOR WOMEN IN SRI LANKA

POPULATION GROUP:

Sri Lankan Internally Displaced Persons (IDPs) and refugee returnees.

PROJECT OBJECTIVE:

To provide gender equitable and durable solutions for IDP and refugee returnees by assisting them to exercise their housing, land, and property rights.

IMPLEMENTING PARTNER:

Legal Aid Commission of Sri Lanka.

1. Project overview

Working with the Legal Aid Commission of Sri Lanka (LAC), UNHCR successfully assisted women and female-headed households (FHH) to obtain their land rights. The project combined awareness raising, legal representation and advice, mobile legal clinics, capacity building, transitional shelter support, and housing materials and rebuilding grants to further empower women.

2. Context and needs

During the 30 years of Sri Lanka's civil war, the Liberation Tigers of Tamil Eelam (LTTE) controlled large swathes of territory in the north of the country. After the war ended, settling land rights issues in northern Sri Lanka became a complex challenge.

- The Sri Lankan civil war began in 1983 and ended in May 2009, when the Government took back control over the entire island.
- At the height of the conflict over 500,000 families were displaced. It is estimated that 40,000 people were killed during the conflict.²
- Many of the displaced households were headed by women, because many husbands, fathers and brothers had left home to fight, were missing, or had been arrested or killed during the war. Female-headed households (FHH) faced specific protection risks during and after the conflict, and in the development phase that followed.³
- During and after the civil war, women were subject to significant amounts of violence. Women were used as human shields, experienced SGBV including rape, lacked access to food, and had to live in crowded and unsafe conditions in camps.
- FHH were categorized by the Sri Lankan government as 'landless vulnerable families'.⁴

² There is not an agreed death toll. The Sri Lankan government has said that around 20,000 died. In a 2011 press release, the UN Secretary General Ban Ki-Moon estimated that more than 40,000 had died.

³ For official statistics on displacement and resettlement, see: <https://bit.ly/2QFhrWk>.

⁴ Pathmanathan, C., *Post-War Land Disputes in Northern Province* (2017, Legal Aid Commission of Sri Lanka).

In 2009, communities began returning to their areas of origin. A UNHCR protection assessment in 2016 found that 43% of respondents had been displaced five or more times since the beginning of the conflict. Over 200,000 land right cases have been registered in northern Sri Lanka, many by FHH.⁵

MAIN GROUNDS FOR LAND RIGHTS CASES AFTER THE WAR

- Several individuals claim the right to the same parcel of land.
- Claimants lack proof of ownership.
- Land claims were never documented.
- The original documents have been lost or destroyed.
- Discriminatory legal frameworks.
- Encroachments caused boundary disputes.
- The Sri Lankan military occupied private land.⁶

Sri Lanka experienced a major political transition in 2015, following which the Government engaged more actively with the United Nations, development partners, donors, civil society organizations and local communities. They reached agreement on a range of outstanding issues specifically related to reconciliation, land, durable peace, and sustainable development.⁷ Simultaneously, with the support of UNHCR, over 3,500 IDPs were assisted to return to their areas of origin, including over 570 families who were provided transitional shelter while they constructed more permanent homes.⁸

With time, immediate humanitarian needs in areas of return have gradually been replaced by development needs. Initial concerns focused on safety and security; the main concerns are now livelihoods and income generation. Recognizing this, at the end of 2016, after 27 years working with IDPs in Sri Lanka, UNHCR disengaged from material assistance and community

projects for IDPs. It will continue to provide protection monitoring and cooperate with relevant organizations to ensure that IDPs have access to durable solutions.⁹

A number of surveys carried out by UNHCR, in 2013, 2015 and 2016, showed that FHH faced several specific obstacles when they submitted land claim applications to the Government:

- Many did not possess the documentation they required to demonstrate proof of ownership.
- Many needed cash assistance to pay for legal aid.
- Because widows could not make an official claim of death without a death certificate, many women reported that male spouses were missing when in fact they were dead.

Land is extremely important for women, and especially FHH, because many depend for their livelihood on agriculture. A 2016 study in Vavuniya District (Northern Province) found that more than 70 per cent of the population were involved in agriculture. About 90 per cent of rural women participated in agricultural activities (compared to 50 per cent in urban areas).¹⁰ As a result, access to land is critical to women's livelihoods.

⁵ This information was provided by local officials dealing with land issues. The officials do not collect sex-disaggregated data.

⁶ In at least 9,000 cases, families have claimed private land that is still occupied by the army.

⁷ UNHCR 2015 Year-End Report Operation: Sri Lanka. At: <https://bit.ly/2PHKhNB>.

⁸ Op. cit.

⁹ UNHCR Sri Lanka, *Tool Three: A protection assessment of Sri Lankan internally displaced persons who have returned and relocated* (2016).

¹⁰ *Ibid.*

HIGHLIGHTS FROM UNHCR'S PROTECTION ASSESSMENT OF RETURNING REFUGEES (2015).¹¹

- 53 per cent of respondents were female. 45 per cent were FHH.
- 74 per cent of respondents stated they had land. 18 per cent stated they had no documentation to support their claim to land.
- Of the 26 per cent who stated they did not have land, 59 per cent had applied for state-owned land. None had actually received land.
- 64 per cent of respondents stated that they currently did not live in their own house or shelter.

HIGHLIGHTS FROM UNHCR'S PROTECTION ASSESSMENT OF IDPS AND RETURNING IDPS (2016)¹²

- 78 per cent of women respondents felt safe in their place of residence. By comparison, in 2013 41 per cent of women had said that they did not feel safe staying at home without a male present.¹³
- Overall, 21 per cent of respondents (compared to 25 per cent in 2013) claimed they did not have access to land they owned.¹⁴
- Of those who claimed they did not have access to their land, 39 per cent were in Mullaitivu and 38 per cent in Trincomalee. The main reason that respondents gave for being unable to access their land was occupation by security forces.

¹¹ See UNHCR, *Sri Lankan Refugee Returnees in 2015* (2016), available here: <https://bit.ly/2D6Rf3X>

¹² UNHCR Sri Lanka, *Tool Three: A protection assessment of Sri Lankan internally displaced persons who have returned and relocated* (2016).

¹³ This response indicated that women felt unsafe to leave their villages to earn an income. In 2016, they seem to have felt that it was much safer than before to stay at home without the presence of a male family member.

¹⁴ Land occupied by the military and uncleared land continue to be major impediments to restoring land, property and housing rights.

3. Process and activities

To understand the project's design and activities, some background on the legal framework with regard to land issues is relevant. Sri Lanka's legal framework recognizes both private land and State land.

- Private land is owned by virtue of possessing deeds to the land concerned, under customary law (Thesawalamai, the law of tradition) or general law.
- Occupation of State land is granted or permitted by decision of several different government bodies. Land is classified under the State Land Ordinance (SLO), the Land Development Ordinance (LDO), or as Forest and other Reservation Land.¹⁵

In both cases, whether families or individuals own land privately or hold State land under permit or grant, the legal frameworks discriminate against women. Thesawalamai says that married women need the written consent of their husbands to dispose of land (a stipulation directly related to the dowry system), while annual LDO permits give preference to males in matters of inheritance.

PRIVATE LAND

Private land is land owned by individuals or private entities. Ownership is generally transferred by various forms of deed.

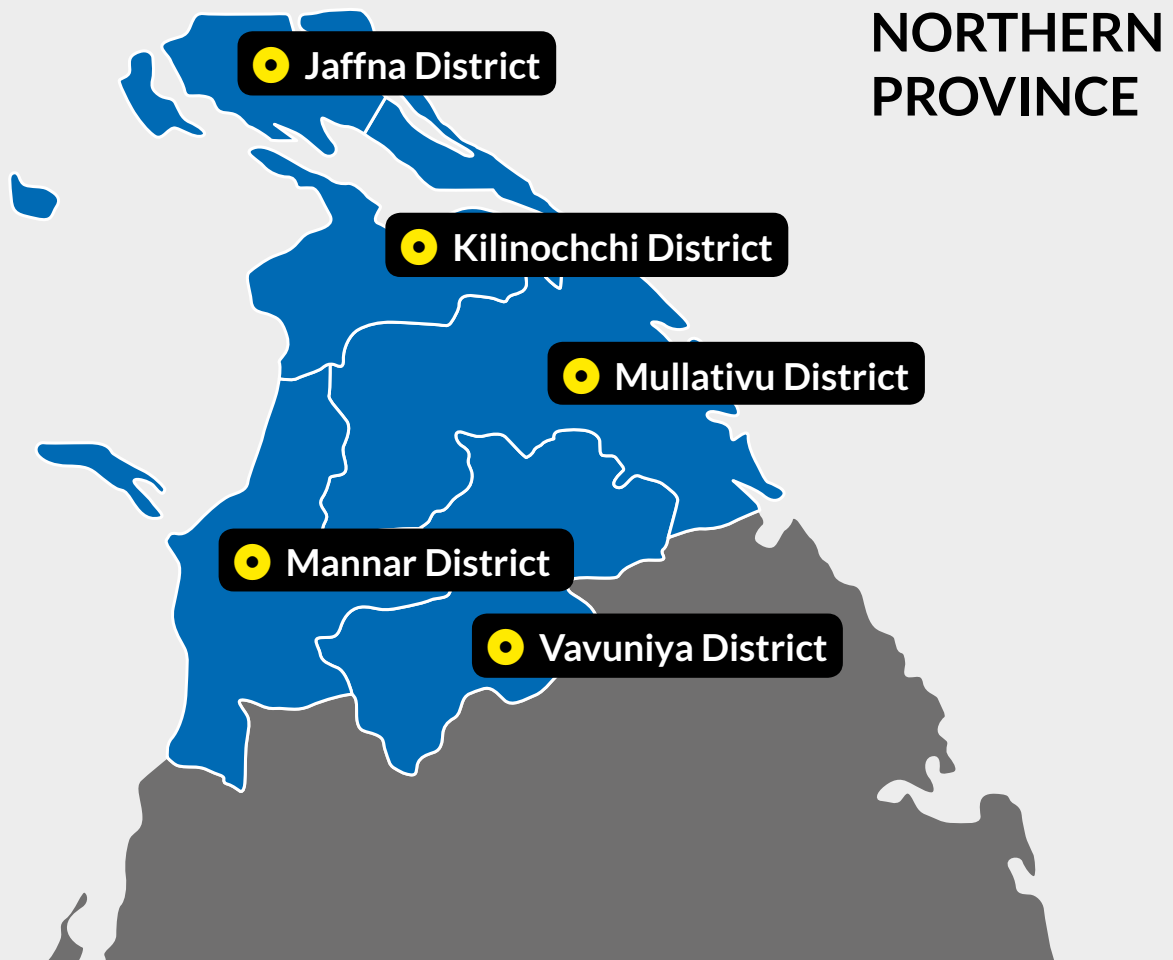
Acquired by purchase, inheritance, or donation.

STATE LAND

State land includes all land to which the State is lawfully entitled, which it may dispose of (together with attached buildings and all associated rights, interests and privileges). It includes land of various corporations and boards. Relevant government officials administer State land at national, provincial, district, and divisional level.

Acquired by permit, grant, or authority of the President.

¹⁵ The LDO regulates land that is given under permit or grant by the State. Under its provisions, a plot of State land passes to an individual under a grant or permit authorizing its occupation. If the conditions of the permit are fulfilled, and the permit holder occupies and fully develops the land to the satisfaction of the District Secretary, land permits are normally renewed on an annual basis for so long as the land is being used for its intended purpose. Holders are not permitted to dispose of any part of the land granted to them without prior approval of the District Secretary.



NORTHERN PROVINCE

Figure 1: Northern Province of Sri Lanka.

LAND CHALLENGES IN NORTHERN PROVINCE

- Grant lands are distributed by means of community discussion.
- Large areas of land in Northern Province are occupied by the military and it is unclear when this land will be released.
- Lands that are released seem to be released on an ad hoc basis.
- State land is particularly scarce in Jaffna.
- The 13th Amendment of the Sri Lankan Constitution, which called for the formation of a National Land Commission to formulate national policy with regard to the use of State land, was never enacted.
- Lack of documentation impedes the issue of land grants and permits.
- Some lawyers fraudulently draw up deed-like documents that have no status in law.
- Death certificates for those who have been killed or died during the war are difficult to obtain, and widows and families need them to make land claims.
- Some conflicts are with the Forestry Department which has a duty to protect reserved forest land.
- Mediation Boards are available to settle land disputes small enough to resolve at the local or community level; but bigger issues must go through courts, which are slow and expensive.

As a Democratic Socialist Republic, the Sri Lankan State provides healthcare, schooling, and State-owned land free of charge. In the 1950s, a ceiling on land ownership was instated; land was redistributed through land permits under the LDO (see Footnote 14). The Government has implemented many land schemes, including youth settlement schemes, some of which assisted women.

AGRICULTURE SCHEME LEAVES WOMEN DISPLACED FOR OVER 30 YEARS

In 1975, the Sri Lankan government started an agriculture scheme to promote food production. To qualify for land under this scheme, a woman was required to have studied agriculture at university. She was awarded land in place of a government job.

In the area in question, women grantees cleared, prepared, and worked the land for about 10 years. In most cases, they grew vegetables. When the war started in 1983, the LTTE took over the area and all the grantee women were forced to leave. When the war ended, the land was not returned to the women, but instead it was taken over by the Ministry of Defence.

The women have been displaced from their land for over 33 years and have been fighting to get their land back for the past 10 years. They still have all their original documentation.

Soon after the war ended, the women began writing letters to the authorities. They wrote to the District Secretary, military commanders, and ultimately to the Human Rights Commission. They were then referred to the Legal Aid Commission (LAC), which was asked to facilitate the issue. LAC says that it will continue to provide support until all the families have their land back.

Preparatory phase of the project: information gathering

A report by the Law and Society Trust in 2009 identified a number of problematic laws in Sri Lanka that prevented women from enjoying equal property rights.¹⁶

- *Tesawalamai*. Customary law applies to Tamil residents in Northern Province. Under this law, a married woman cannot dispose of property without the written consent of her husband. This is at odds with the general law, which allows women to own and dispose of property and enter freely into contracts.
- A number of laws violated gender equality before the present Constitution was enacted in 1978 and remain operative because Article 16(1) of the new Constitution states that earlier laws remain valid even if they are not consistent with fundamental rights affirmed by the Constitution.
- Land permits are circumvented by administrative practice. Eldest sons typically inherit land rather than surviving widows.
- Where there is no living spouse, the LDO (Third Schedule) states that title to land is to pass to a permit holder's family members, but males are generally given priority whenever there is more than one relative.
- The Functional Code or Handbook of the Land Commissioner's Department (Order 14383, c. 1985) imposes further restrictions on the right of surviving spouses. Contrary to the LDO, it grants a surviving spouse land rights only during her life, and denies her the right to sell the land.¹⁷
- The CEDAW Committee has recommended that national law should allow land to be passed down through male or female heirs. This reform has yet to occur in Sri Lanka.

Recognizing the complexity of the land issue, in October 2010 (while the cluster system was still operational) a taskforce was formed on housing, land and property under the IDP Protection Working Group. It documented the problems faced by IDPs and returnees in accessing their land, recognizing that ownership and access to land are key elements of any durable solution to displacement, in terms of both security and livelihoods.

In view of the problems that returning IDPs and refugees faced in recovering their land, and the particular problems faced by women and FHH, in 2013 UNHCR agreed to partner with the LAC of

¹⁶ Law & Society Trust, *Land and Property Rights of Women - Discriminatory Laws, Regulations and Administrative Practices* (2009), p. 7.

¹⁷ Permit or grant land can only be disposed of with the permission of the District Secretary.

Sri Lanka to assist all IDP and refugee returnees to access their land rights.

THE LEGAL AID COMMISSION AND UNHCR PROVIDE THE FOLLOWING SERVICES:

- Awareness raising programmes for the public.
- Legal representation in court.
- Legal counselling to help beneficiaries obtain the documentation they require to file land right claims.
- Training and capacity support to land officers at local level.
- Mobile land clinics.

The LAC was established by the Sri Lankan Legal Aid Law (Act No. 27 of 1978).¹⁸ Its mission is to provide legal aid to all 'deserving persons' in the country. The Commission operates across the country and has over 12 permanent legal offices. More than 1,000 panel lawyers from regional bar associations provide their services.

The figures clearly indicate the success of the partnership. According to the Provincial Land Commissioner of Northern Province, over 187,000 land disputes were resolved in 2015 and 2016. The government also indicated that in the last 4 years 95 per cent of land related issues have been resolved. Between 2013 and 2015, over 80,000 new LDO permits were issued in Northern Province.¹⁹

Nevertheless, refugees are still returning and 56,996 cases were still unresolved (as of June 2017).²⁰ In addition, the remaining cases are likely to include some of the most complex, due to the scarcity of land and military occupation. These issues are being addressed in the second phase of the partnership, which began in 2017.

PHASE 1:

Implementation from 2015 to 2016: expert legal guidance, capacity building, documenting cases

In the first phase of its partnership with UNHCR (2013 to 2016), LAC raised awareness, built capacity and developed a land matrix. The latter categorizes and catalogues different land types, the acreage of available land and the availability of land, and tracks pending cases by category. During Phase 1, LAC essentially identified and filled gaps. The government had taken a piecemeal approach to land claims, which left some communities landless, while others remained in welfare centres or without full access to livelihoods in their newly resettled communities. It is estimated that some 33,000 people still live in welfare centres while a further 100,000 remain in India and other countries.

Raising public awareness

Raising legal awareness is one of LAC's main services. It conducts legal awareness programmes and clinics for various groups and communities, with a particular focus on the most vulnerable (including women, children, older persons and people with disabilities). In addition, LAC conducts trainings for the public, police officers, and government officials.

In 2013, LAC's efforts to inform people of their rights to land and how to address correlated grievances commenced. It evaluated each session and analysed the trends that emerged. These results enabled LAC to address specific needs.

Legal representation in courts; legal advice

The LAC also provides legal representation in court. Court cases come to LAC in various ways, including: direct complaints by an individual; complaints referred by the Human Rights Commission (HRC); and complaints received by the Sri Lankan Supreme Court and referred to LAC.

LAC provides legal advice to all persons free of charge.

¹⁸ At: <https://bit.ly/2QFxa01>.

¹⁹ Pathmanathan, C., *Post-War Land Disputes in Northern Province* (2017, Legal Aid Commission of Sri Lanka).

²⁰ For additional information on resolved and pending issues see Pathmanathan, C., *Post-War Land Disputes in Northern Province* (2017, Legal Aid Commission of Sri Lanka).

Mobile land clinics

Because many clients could not travel easily to LAC offices, it developed mobile clinics, especially for FHH, who are further impeded from travelling by their care responsibilities. Bringing LAC clinics to the community was a critical step. It became possible to deal faster with outstanding land cases, capture trends, and identify the needs of people who had been displaced or had recently resettled.

Advocacy groups

Mobile clinics led to the development of community-driven advocacy groups. These groups facilitate meetings, which air and share the communities' concerns. Participants are nominated from within their communities and there is a 50:50 gender balance as well as a specific mix of age representation. The groups present all their concerns to LAC, and these range from land grievances and displacement to protection concerns and the environment.

Building capacity

LAC trains lawyers and Provincial Land Commission staff on how to manage complex legal cases. It also coordinates meetings for all the officials involved in land cases to share information about their roles and institutions. In effect, multiple layers of government make cases difficult to settle. This work is ongoing.

Transitional shelter support (UNHCR)

Once families are back on their lands, in coordination with the government UNHCR provides temporary shelters in Jaffna and Trincomalee for very vulnerable families whose homes have been destroyed. They need time to clear land, and money and supplies to rebuild their homes and start farming. In the interim, for a limited period, UNHCR provides temporary shelters, constructed in a participatory way, thereby meeting community needs and the needs of vulnerable groups.

Housing materials and grants to rebuild

In parallel, the government provided materials and resources to build more permanent structures. It is important to note that the grants families received under this programme were significantly lower than the cost of rebuilding. To manage, many families,

especially FHH without livelihood opportunities, borrowed to complete their homes. Some of the loans they took out were at predatory rates of interest, creating a new vulnerability for already vulnerable people.

In 2016, through LAC, and in coordination with relevant government departments, 103 community-level land cases were followed up, affecting more than 27,060 families. 7,400 individuals benefited from legal counselling sessions on land issues.²¹ Additional follow up has been done to understand the protection concerns of returned or displaced communities.

PHASE 2:

Implementation from 2017: expert legal guidance, capacity building, documenting cases

The second phase of the project began in 2017 and is ongoing. The partners are focusing on resolving the outstanding housing, land and property cases, which include the most difficult of cases. To address this issue, LAC and UNHCR have set up coordination fora at which everyone can share problems associated with pending cases. These community listening sessions also deal with other concerns, such as problems of documentation. The meetings raise awareness, take practical steps to deal with land cases and other issues, and also make the project and project staff accountable to the public they serve.

4. Partners and resources

The Sri Lankan Legal Aid Law (Act No. 27 of 1978) established the LAC. Its mission is to provide legal aid to all 'deserving persons' in the country. LAC operates 12 permanent legal offices across the country and works with over one thousand panel lawyers from regional bar associations to provide access to justice for every person in Sri Lanka.

²¹ UNHCR, *Global Focus 2016 Year-End Report Operation: Sri Lanka*, At: <https://bit.ly/2D4KH5O>.

5. Participation and accountability

Community listening sessions, groups developed through community committees on land rights issues, and UNHCR-led protection assessments make arrangements for hearing individuals who still lack documentation.

6. Results

Through continued advocacy and efforts to strengthen government structures and capacity, Sri Lanka is making progress towards redressing all outstanding land cases, and is giving particular attention to the needs of women and girls.

SUSTAINABILITY

On 25 August 2016 the Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs published a national policy on durable solutions for conflict-affected populations. The policy articulates equality before the law, and further states that implementation will be guided by principles of impartiality and equality without discrimination based on ethnicity, religion, caste, gender, age, year or region of displacement. It also commits to a comprehensive age, gender and diversity sensitive approach to the development and implementation of assistance interventions, in particular stating that displaced and displacement-affected women should be able to exercise the right to own property, have titles to land and property issued in their name or as equal partners, and to utilise and dispose of such property.²²

²² Ministry of Prison Reforms, Rehabilitation, Resettlement and Hindu Religious Affairs, National Policy on Durable Solutions for Conflict-Affected Displacement, At: <https://bit.ly/2pjK11r>

Lessons learned

- Women, girls, and FHH have begun to feel safer in their communities because they have housing (whether temporary or permanent). In some communities, WASH facilities are also provided.
- A shift in cultural norms has made it more acceptable for women in Northern Province to own land.
- What people and FHH most need now is access to decent and sustainable livelihoods in areas of return.
- Efforts to build government capacity will have a lasting impact on the quality of life of local populations, as well as the country as a whole, especially in areas that confront complex issues of land rights.

Tips

- Collect sex and age disaggregated data , specific to housing, land and property, and analyse and apply the data.
- Share practices with countries that are moving into developmental phases of emergency response and also with countries that are still in an emergency response.
- Highlight practices that promote durable solutions and build trust.
- Highlight practices that strengthen relationships with local governments, including by promoting cooperation and knowledge sharing. Strong relations with, and the conduct of local government, are critical to the achievement of gender equality.

For more information:

- UNHCR Sri Lanka email: lkaco@unhcr.org
- Website: <http://www.unhcr.org/sri-lanka.html>

SGBV COORDINATION: LINKS TO GOVERNMENT STRUCTURES IN SRI LANKA

POPULATION GROUP:

Internally displaced persons (IDPs) and refugee returnees.

PROJECT OBJECTIVE:

To build the capacity of community members, including police, hospitals, and community leaders, to support and provide legal redress for cases of alleged sexual and gender-based violence (SGBV).

IMPLEMENTING PARTNER:

Jaffna Social Action Centre (JSAC), Sri Lankan Government, Women and Child Bureau, civil services, and Sri Lankan Police.

1. Project overview

This project shows how gaps in terms of prevention and response capacity in regards to SGBV on the part of government can be bridged, how IDPs and refugee returnees who face SGBV can be supported, and the central role of gender equality programming. UNHCR and partners built links to government structures by handing over coordination of the SGBV Forum to official and other bodies, strengthening referral pathways, building the capacity of government SGBV response units, and strengthening the connection between federal and local services.

2. Context and needs

SGBV is among the key challenges people in Sri Lanka's Northern and Eastern provinces face. Though prevalent throughout the country, in these areas it was exacerbated by the civil war. Specific concerns include sexual abuse of children and women, rape, domestic violence, sexual assault, and harassment.

Resettlement of those displaced by the conflict began at the end of 2009, and since then the Government and humanitarian and development agencies have provided various forms of relief and recovery assistance to returned and resettled families. The response has shifted from an emergency mode during and immediately after active conflict, to a development and recovery phase.

When IDPs began to return to the northern districts of Sri Lanka, the Sri Lankan government, UN agencies, and international non-governmental organizations (INGOs) made efforts to reinforce and secure women's rights. Additionally, efforts were made to increase the public's awareness of violence against women and girls and its impact, while acting to prevent its occurrence.

Before the civil war, a number of official structures provided legal redress services to women and girls who suffered violence. These services were severely affected in conflict-affected areas because large parts of Northern Province were under separatist control. For 30 years, most services ceased to function.

After 2006, UNHCR no longer provided material assistance to IDPs and returnees. Instead, it began working with the government to reinstate services in identified areas.

At this time it was recognized that SGBV was underreported because those who reported violence, particularly sexual violence, were stigmatized. As in the case of land rights, UNHCR and partner agencies found that FHH were particularly exposed to abuse and exploitation, due to poverty, displacement, the loss of spouses and relatives, and the collapse or weakening of community and family protection mechanisms.

While government structures formally supported women, in practice they lacked the capacity to assist them. Displaced women had no means to access police departments to submit reports of violence or violations, and their isolation was worsened by lack of trust between the civilian population and the authorities. UNHCR's aims were therefore to build government capacity and to restore trust in public services.

SGBV data in Sri Lanka

- More than 60 per cent of women in Sri Lanka are victims of domestic violence.
- Commonly perpetrated forms of domestic violence include physical and sexual violence, threats and intimidation, emotional and social abuse, and economic deprivation.
- Nearly half of all pregnant women (44 per cent) are subjected to harassment.

Establishing a SGBV coordination structure

After the conflict ended, humanitarian programmes started to develop services to meet the needs of survivors, and also women and girls who were victims or at risk of violence. As time passed, work on SGBV gradually changed and shifted as the country moved from active conflict into, and then beyond, a post-conflict phase.

UNHCR played a leading role in coordinating SGBV prevention and response in the five districts of the Northern Province and also Trincomalee.²³ The main goal was to share information and make sure that all areas consistently received appropriate services of good quality. Activities included:

- Raising awareness on International Women's Day and '16 Days of Activism' events.²⁴
- Training all SGBV actors and building the capacity of government women development officers and child development officers. These officials held primary responsibility for meeting the needs of women and girls who experienced or were at risk of SGBV.
- Working with the justice department to increase access to justice and establish structures to enable women to seek legal redress.

At the end of the conflict, many UN agencies and other partners reduced their presence or left. Although UNHCR continued to lead the SGBV forum, it indicated that it would eventually withdraw from this role and in 2012 took steps to do so. However, the government, UN agencies, and the non-governmental organizations (NGOs) operating in the area acknowledged that no one actor was in a position to take over UNHCR's role in all the relevant districts. In 2013, therefore, they divided up the responsibility based on presence and available resources. Some districts were better placed than others in terms of the services they received and their sustainability.

The SGBV Forum today operates at Colombo level and is led by UNFPA. Its membership includes UN agencies, NGOs and INGOs as well as the Ministry of Women and Child Affairs (the primary Government counterpart). UNHCR remains a member of the Forum and supports joint interventions such as campaigns and information sharing.²⁵

The coordination structures that operated in the five districts of Northern Province included agencies that managed SGBV cases for women and girls. The Jaffna

²³ Coordination structures in Sri Lanka predated the UN cluster system. Although many sectors were 'clustered', for strategic reasons, protection was not one of them. UNICEF held child protection meetings and UNFPA chaired the GBV Forum, but these were not official sub-clusters. (In Northern districts and some districts in the East the GBV Forum may have acted informally as a sub-cluster.) UNFPA, UNICEF and UNHCR communicated information to the IDP Protection Working Group (the primary protection coordination forum) but also did so on an informal basis. In Batticaloa, coordination was not required because strong women's groups in the district were already coordinating services to those in need.

²⁴ Many awareness-raising activities were organized over these years, including street dramas and karate events.

²⁵ The SGBV Forums in Colombo and in the North are not well linked. The links were stronger when UNHCR was coordinating. Currently, organisations that have a field presence bring inputs to the Colombo meetings but there is no structured link with the field.

Social Action Centre (JSAC) gradually became a key partner of UNHCR. A community-based NGO, before 2001 it had primarily provided shelter in the IDP return areas in Northern Province. UNHCR invited JSAC to collaborate on community-based protection for women and girls. On the basis of observational assessments, the first programmes provided safe water and sanitation facilities, allowing women and girls to use latrines and collect water safely and with dignity. At this time, family separation and overcrowded living conditions were the cause of high rates of violence against women and girls.

Over time, JSAC focused more on SGBV awareness (prevention, protection and service provision), and legal redress. With UNHCR, it supported a safe house programme and was the lead agency in efforts to build the Government's capacity to reassume its service and protection responsibilities.

3. Process and activities

Released from its coordinating tasks, UNHCR partnered with other UN agencies to build the capacity of government in areas formerly administered by the LTTE. It focused on strengthening the capacity of women development officers, child development officers, the police, health centres, and other officials. This work was funded by UNIFEM. The ultimate aim was to transfer full responsibility for responding to the needs of women and girls to relevant government actors.

Linkages to other services

UNHCR and the government recognized that the public was insufficiently aware of services that addressed SGBV, including psychosocial and mental health services, police response services, and free legal aid. The population in Northern Province had lived under the LTTE for many years, did not trust the government, and did not know what services were provided or how these could be accessed. To address these challenges, UNHCR worked with district secretariats to inform the returnee community about key services and encourage their use (for example through the orientation visits described below).

Building capacity to respond to SGBV

UNHCR began assisting the Child and Women Development Units of the Ministry of Women and Child Affairs to increase women's access to their services. Units of Women Development Officers and Child Development Officers were formed and trained to handle cases safely and confidentially. Referral mechanisms were established to support services for survivors. Women and Child Desks were set up in police stations so that women and children could report acts of violence and seek redress in a private and secure space.

There was a specific need for Tamil-speaking women development officers and child development officers, and police officers. Initially, Tamil-speaking volunteers were recruited by NGOs and INGOs to engage their communities in SGBV related awareness raising activities and available services to women and girls, but this could only be a temporary solution. Though the Sri Lankan government publicly recognized the needs of women, in practice it lacked capacity and expertise both at local and ministerial levels. Few female police officers were available to record reports of violence safely and confidentially.

Women development officers and women police officers

Changing this situation, and strengthening the services provided by women development officers and child development officers, was a vital component of transferring responsibility to the government. Women police officers were trained to take on case management and specific positions were created to support survivors and women and children at risk. Women and children at risk were helped to access the system and receive the support they needed and wanted. A safe and confidential space was established in each police station, where women could confidentially report incidents and seek redress.

In police stations in Northern Province (and further afield), police officers now provide guidance to women and girls and the wider community on how to keep safe. They are available to listen to the problems of women and children and provide solutions. Tamil-speaking female police officers have been trained and are now more numerous.



Afghan and Pakistani youth participating in a 2017 World Refugee Day painting contest. © UNHCR/Ahsan Ali

Health and mental health services

Trained counsellors in community support centres provide support to survivors at the village level. The centres are linked to mental health professionals and local hospitals. Doctors provide further training and counsellors have access to case managers who are knowledgeable about women's rights and laws on sexual offences and can inform survivors of their rights and the legal services available to them.

Hospitals also provide clinical treatment for rape, and 'help desks' have been established for women who go directly to hospitals rather than the police. These desks can direct survivors to other services they might need, including counselling services and the police should they decide to report their assault. Hospital staff accompany survivors through the medical process and link them to case management support through women development officers.

Orientation visits

UNHCR gradually developed orientation visits after the conflict. They are organized to enable returnee communities to see for themselves how the courts, police stations and other government structures work. The aim is to increase public trust and understanding of official institutions. Returnees can speak to officials, find out what services they provide, and how to access them. With further assistance, communities can direct survivors and those at risk to appropriate services. Finally, the visits give communities a space in which they can identify and highlight their needs.

“ Information on domestic violence made me see that many women suffer from violence. I gained knowledge to address this issue and I will share the knowledge with my village people”

Community member attending an orientation visit



Heavy monsoon rains triggered flooding in lower parts of Sindh and northern parts of Punjab. To date, the Government of Pakistan reports that more than 5.3 million people have been affected, Over 200 people have lost their lives, over 4.2 million acres of land flooded and 1.59 million acres of crops destroyed. © UNHCR/Sam Phelps

Legal Aid Commission (LAC) staff attend orientation visits to inform the participants that legal aid is available to everyone, especially women who seek legal redress for land claims and SGBV crimes.²⁶ Lawyers provide their services free of charge and also refer SGBV survivors for counselling and further advice where required.

4. Partners and resources

On this issue, JSAC, the Government of Sri Lanka, UN agencies, and other civil society organisations and NGOs successfully made the switch from humanitarian to development programming. The involvement of many actors was critical to their ability to address the needs of PoC.

²⁶ See the case study on housing, land, and property in Sri Lanka.

²⁷ Ministry of Women and Children Affairs, *Policy Framework and National Plan of Action to Address SGBV in Sri Lanka, 2016-2020*. At: <https://bit.ly/2D5XFQO>.

5. Participation and accountability

The agencies involved organized a wide range of participatory events, including orientation visits, which informed refugee returnees and IDPs and strengthened the capacity of government structures.

At local level, community organisations were invited to share their experiences and challenges. Meetings were held regularly in villages to discuss community-based services to prevent and reduce SGBV and meet other needs of the community. Two major outcomes were that the project provided for a better system of referrals, and contributed to raising awareness in communities about the services available to them. Civil society groups were also linked into community policing structures at village level, with the participation of women, strengthening community-based protection. Women and girls also played a direct role in shaping the capacity and focus of the programme.

6. Results

After years of conflict and recovery, issues of SGBV against women and girls are now being addressed at the highest policy level in Sri Lanka.

- The Ministry of Women and Child Affairs has developed a policy framework and a National Plan of Action to address SGBV in Sri Lanka.
- The National Plan of Action supports 'a violence free life for women and children'. Its underlying principle is 'zero tolerance of sexual and gender-based violence in Sri Lanka'.
- Its approach is rights-based; it affirms that SGBV is a violation of human rights.
- Preparation of the policy framework and action plan was participatory and consultative. Nine ministries were actively involved in the process.
- Civil society groups, NGOs, INGOs, trades unions, private companies, UN agencies, and researchers and experts were also actively involved.²⁷

NATIONAL LAWS AND POLICY FRAMEWORKS

At national level

- The Constitution of Sri Lanka specifically prohibits sex-based discrimination [Articles 12 (2) and 12 (3)] and establishes the foundation of a policy framework for SGBV by affirming equality before the law and equal protection of the law.
- The Women's Charter adopted by the Government in 1993 guarantees equality and equal protection of the law and prohibits sex-based discrimination. It requires the state to prevent and respond to violence, procedurally and substantively.
- The National Plan of Action on women, submitted to Parliament in 2014, sets out a strategy to redress violence against women.
- The Population and Reproductive Health Policy (1998) contains provisions that address violence against women.

Other national commitments that include redress strategies on SGBV

The National Health Policy; National Policy on Youth; National Family Policy; Prevention of Domestic Violence Act (2005); Plan of Action supporting the Prevention of Domestic Violence Act; National Mental Health Policy; Policy on Anti-trafficking; National Action Plan for the Protection and Promotion of Human Rights; Guidelines for a Code on Sexual Harassment.

Ministry of Women and Children Affairs, Policy Framework and National Plan of Action to address SGBV in Sri Lanka, 2016-2020.

Lessons learned

- If properly built, humanitarian coordination structures can help to generate sustainable government structures. This requires a long-term focus that extends beyond emergency planning timetables.
- It is important to include mechanisms that allow community feedback on the services being provided.
- Long-term training is required to make government offices and personnel sensitive to SGBV cases and well equipped to address them.
- Government facilities, including hospitals and police stations, are often difficult for IDP and refugee returnee populations to access. Women's development officers also require transport support. This issue should be addressed in planning.

Tips

- Increase services that provide psycho-social support and case management support and improve access to them.
- Take a long-term view when planning the handover of services to government.
- Strengthen work with partners, specifically government counterparts.
- Aim to set a five-year horizon in order to increase continuity, encourage coherent programming, and potentially attract additional buy-in from donors.
- Help desks and other services for women and girls should not publicly announce that they handle SGBV cases as it could expose those that access them to some risk. These services can instead use alternative signage such as 'women-friendly services', or 'services for women and girls'.

For more information:

- UNHCR Sri Lanka email: lkaco@unhcr.org
- Website: <http://www.unhcr.org/sri-lanka.html>

LIVELIHOODS AND COMMUNITY-BASED PROTECTION IN MALAYSIA

POPULATION GROUP:

Refugees.

PROJECT OBJECTIVE:

To strengthen community efforts to prevent and respond to sexual and gender-based violence (SGBV) by providing livelihood opportunities, increasing skills, and strengthening communities.

IMPLEMENTING PARTNERS:

Various community-based organizations.²⁸

²⁸ These included: the Alliance of Chin Refugees, the ELHAM Project (Middle Eastern, Central and West Asian, and African refugees), Ing Raw (which operates under the women's group of the Kachin Refugee Committee), Kaoprise (Mon refugee women's group), Mang Tha (Chin refugee women's group), Paw Ghee (Karen refugee women's group), Chin Women's Organization, Rohingya Society Malaysia (RSM), Rohingya Women Development Network (RWDN), and a women's support group in Ipoh, Perak.

1. Project overview

This project combines several initiatives that assist women to access safe livelihoods with action to prevent, respond to and raise awareness of SGBV, while strengthening community-based structures. Two major components are the Social Protection Fund, a programme to enhance community-based protection through funding small and quick impact projects,²⁹ and the Safe from the Start initiative, a joint US government-UNHCR partnership to prevent and respond to SGBV. UNHCR recognizes that refugees are often exposed to SGBV in their daily lives: solutions should be available that enable them to work and learn and meet their everyday needs without having to defend themselves from harassment and violence.

2. Context and needs

The Malaysian Government recognizes the work that UNHCR does to protect and assist refugees and recognises the presence of refugees in the country, but it has not signed the 1951 Refugee Convention. In addition, no legal or administrative frameworks are in place to address the refugee situation.³⁰ Malaysia has ratified the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), and has in place a Domestic Violence Act (1994) and Child Act (2001) to protect the rights of women and girls. The Penal Code also includes provisions to protect the rights of women and girls, but these have not been extended to refugee women and girls because they lack legal status as refugees. This means that refugees, and more particularly refugee women, have no lawful means to earn a living or support themselves and their families. Their children are not permitted to join the national school system, and they face daily challenges to secure accessible and affordable health care. Many are forced into the informal economy where they face discrimination and exploitation.

²⁹ For more, see section 3 below on The Social Protection Fund.

³⁰ Section 55 of the Malaysian Immigration Act permits the Minister of Home Affairs to exempt any person from any of its provisions. The Minister therefore has authority and discretion to regularize the stay of asylum-seekers and refugees.

This situation deepens the profound sense of insecurity and dislocation that refugees experience after forced displacement. It also prevents refugees from making a meaningful contribution to Malaysia during their exile.

In this context, refugee women and girls face a numerous obstacles and risks, including: gender discrimination, a heightened risk of SGBV, lack of freedom of movement, and limited opportunities to learn skills and earn income. In addition, due to restrictive social norms, women are discouraged from participating in community leadership structures and are largely excluded from social and political engagement.

Preventing and responding to SGBV among refugees in Malaysia is made difficult because:

- Laws that provide redress are only partially implemented.
- Communities are not sensitive to the violence that women and girls experience.
- Few service providers and resources are available to survivors of SGBV and those at risk of it.
- Refugee women have limited access to state services.
- Refugee women are subject to harmful traditional practices.

In response to this situation, UNHCR's SGBV Unit in Malaysia developed a five-year plan (2016-2020) to prevent and respond to SGBV. It focuses on:

- **Partnerships:** UNHCR works with stakeholders to mobilize resources for SGBV prevention and response activities.
- **Mainstreaming:** Through strategic outreach initiatives, UNHCR mainstreams SGBV awareness, prevention and response in all sectors (including the health, education, livelihoods and legal sectors, and its work with community groups).
- **Building capacity:** UNHCR strengthens community-based structures that can implement and sustain community referral mechanisms to respond to SGBV.

OCCURRENCE OF SGBV BY COMMUNITY

Violence by members of the host community

Many refugee women are subject to sexual harassment and assault when they attempt to exercise their rights, especially in the workplace. The Government of Malaysia does not recognize refugees and survivors, who therefore find it difficult to access legal protection mechanisms and often remain silent out of fear.

Violence at home

Refugee women face deep-rooted patriarchal attitudes, social norms, and practices that stereotype and discriminate against them. Some of these justify and normalize violence in the home. Furthermore, domestic violence, psychological abuse and sexual violence are found to be prevalent.

Violence in the refugee community

Living in crowded conditions, sometimes with many men and few women in small flats, refugee women are at greater risk of SGBV by members of their community.

In 2017, UNHCR and its partners conducted 594 SGBV case management related assessments. In 2016, 559 persons benefited from SGBV outreach sessions in communities around Kuala Lumpur. UNHCR has worked to strengthen community-based protection with over 20 partner organizations.³¹ Refugees from Myanmar (in particular the Rohingya population) make up the majority of refugees in Malaysia, and they are considered to be among the most vulnerable. In response, UNHCR ran a study to assess their specific risks. This established a baseline around which a protection strategy could be built.

³¹ UNHCR Malaysia, *Sexual and Gender-based violence (SGBV) - Factsheet* (December 2017).

LIVELIHOOD CHALLENGES FOR THE ROHINGYA INCLUDE JOB-RELATED INJURY, POLICE HARASSMENT, AND LACK OF JOB SECURITY

Baseline socio-economic study of Rohingya (2016), revealed:

- High levels of unemployment.
- 92 per cent of respondents reported they had no savings. 54 per cent had high debt.
- 41 per cent of Rohingya had no formal education. Most are employed in low-skilled work.
- Only 8 per cent of women are employed, compared to 85 per cent of men.

SGBV is believed to be common in the Rohingya community. In its *Child Marriage Report (2015)*, UNHCR reported 103 child marriages among Rohingya who had been registered by UNHCR. According to UNHCR's 2017 *SGBV Statistics*, 43 per cent of reported SGBV incidents in Malaysia were domestic in nature, and Rohingya were associated with 66 per cent of all the domestic violence reported. A nationwide participatory assessment of the Rohingya population in 2016 further concluded that the incidence of SGBV is likely to be underreported and may be much higher. This underreporting stems from a lack of awareness of SGBV, limited community reporting or support mechanisms, and lack of access to legal remedies and state run services.

Due to their legal status, refugee women can only work in the informal sector. As such, they are at a high risk of arrest, detention, and deportation, as well as an increased risk and exposure to exploitation and violence.³² To address these risks, and to prevent and respond to SGBV, in 2015, UNHCR initiated a pilot programme to help displaced women find livelihoods. The current programme, including the 2017 Safe from the Start project, is a continuation of that pilot.

3. Process and activities

The Social Protection Fund

The Social Protection Fund (SPF) is a community-based project, supported by UNHCR. Launched in Malaysia in 2009, it has evolved over time, but from 2009 to 2014 its primary objective was enhanced community protection. Originally, it had two objectives: (1) to build community capacity, and (2) to enhance self-reliance by providing livelihoods through cash-based assistance to organized groups.³³ The SPF supports projects run by community-based organizations (CBOs) and self-help groups (SHGs). Groups identify community needs and submit proposals to UNHCR;³⁴ a steering committee reviews the proposals and selects the most feasible and sustainable; funding agreements are then signed; all projects are subject to appropriate monitoring and evaluation. Some of the SPF projects were also implemented in collaboration with UNHCR partners, for example Theatrefugee. The group presented 'We are Human' (2016-2017) and 'Impossible Love' (2017-2018), showcasing peaceful co-existence initiatives and refugee talent. The SPF provides initial assistance to quick impact projects, such as trainings, community farming, and heritage projects, and supports the longer-term programmes of Safe from the Start, which focus on preventing SGBV.³⁵

³² Global Focus UNHCR Operations Worldwide Malaysia. At: <https://bit.ly/2pg7nXh>.

³³ In 2014 a consultant evaluated the achievements of the programme. See Sharma, Nidhi, *Impact Assessment - Refugees' Social Protection Programme 2010-2013* (2014, UNHCR Malaysia).

³⁴ A CBO is an organization with at least 100 members, who elect the officers or governing board. A SHG is a group of at least five women who voluntarily come together to assist and support the community.

³⁵ For more on the Safe from the Start initiative, see: <https://bit.ly/2PJoMmg>

KEY POINTS FROM A 2014 IMPACT ASSESSMENT OF THE SPF

The assessment established a baseline and made recommendations to the SPF on its future programming. The main conclusions were that:

- The fund effectively addressed its initial purpose to build community-based protection mechanisms.
- Its bottom-up approach empowered women and women's groups.
- Its cash-based assistance "was an effective mechanism to infuse energy and action into the self-initiated activities of the refugees".
- While cash grants were small, as were the projects, they nevertheless helped to build resilience and stronger community structures. Effectiveness was measured using a framework developed to evaluate community structures.
- This positive outcome should be balanced against the project's low financial impact. The latter makes the programme less sustainable.

The SPF impact assessment made clear that there was value in community action groups, but also that a stronger network was required to transform lives and in particular improve livelihood opportunities. Concurrently, a new influx of Rohingya refugees settled in Kuala Lumpur, and the focus of work shifted to meet their needs. Their arrival further underlined the need for livelihood programmes that would protect women and girls. It was at this point (July 2015) that Safe from the Start was launched.

In the project's first year, UNHCR partnered with Chin refugees from Myanmar. In 2016, the programme expanded to include refugees from Myanmar's Rohingya and Zomi communities. Since October 2017, the project has been serving eight refugee groups from Myanmar, Afghanistan, Syria, and Iraq.

The project has a two pronged approach. It strengthens the capacity of women's groups by enabling them to generate sustainable income

through the artisanal sector. Women's groups with an established product line receive business development advice. Less developed groups receive training to build their capacity and cohesion. The SGBV programme aims to strengthen the community's capacity to prevent and respond to SGBV by improving SGBV response mechanisms and awareness of SGBV services.

Livelihoods programming component

The livelihoods programme provides vulnerable refugee women with a source of income by providing artisan skills training and access to markets. Artisans produce high-quality handmade products, many of which are sold by online retailers and at local craft markets in Kuala Lumpur.³⁶ Artisans use the income to support their families and reduce their vulnerability.

The programme has three stages. It (1) builds a cohesive group, (2) orients and prepares groups for market-based activities, and (3) develops production and market linkages. See Figure 3 below.

Consultation and building cohesive groups

Modifications are made regularly to the project to take account of community inputs and the different needs of the women who use its services, participate in training, or join the livelihoods programme.

Community consultations usually take place in focus groups. These:

- Assess the baseline socio-economic status of women in the group.
- Examine how well the business structure and operations are working.
- Enumerate and analyse challenges the group faces.
- Gauge the interest of others in the community.
- Evaluate the group's skill level, and how skills are being developed.
- Begin to discuss project implementation and referral for more guidance.

³⁶ For several links to online retail outlets, see: <https://szewomenofhope.com>, <http://msri.org.my/v5/>, and <https://www.facebook.com/tanma.federation/>.

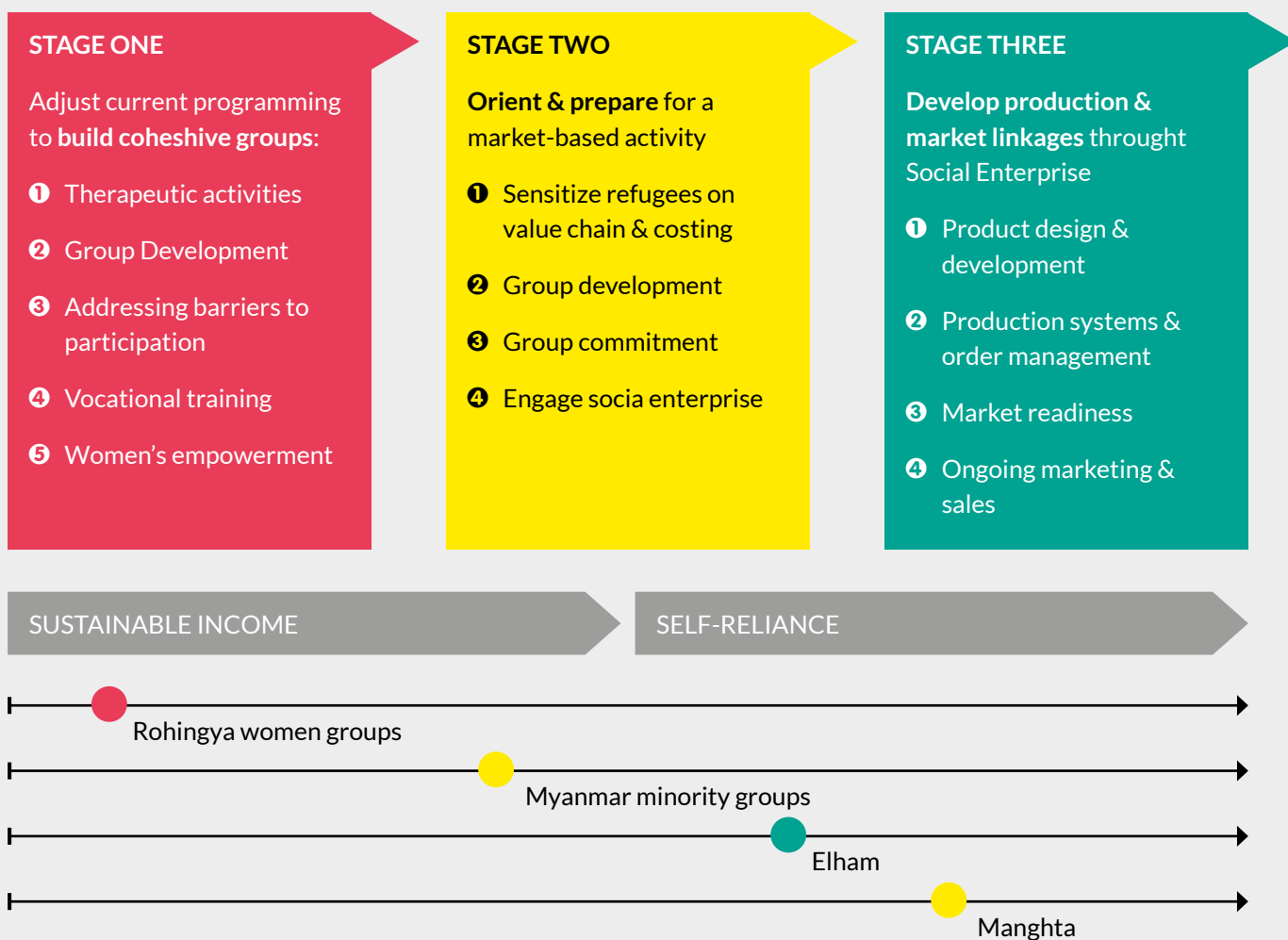


Figure 3: Artisan livelihood programme model.

Training groups for market-based activities

Training in leadership and skills development considers: (1) professional development and communication skills; (2) project management; (3) functional literacy; (4) vocational skills; (5) business skills; (6) product development and marketing; (7) production systems and order management; and (8) sales and marketing support.

Design value chain consultant

The project hired an artisan value chain consultant to define and develop a specific product range for two refugee artisan groups. Through this consultancy, specific products were designed and new techniques taught. The consultant also helped to make existing product lines more marketable to specific social enterprises.

Local social enterprises

Safe from the Start uses the MADE51 sustainability model, which incorporates sustainability and self-sufficiency components. The model emphasizes that partnership with a social enterprise is critical to the longevity and sustainability of livelihoods. In consultation with the artisan value chain consultant, the project therefore developed terms of reference for local social enterprises (LSE); and in 2017 the Malaysia Livelihoods Unit engaged two LSEs, Earth Heir Sdn Bhd and Hello Sze Enterprise, to assist CBOs with business development. Eight community groups were involved.

MADE51. MARKET ACCESS, DESIGN AND EMPOWERMENT OF REFUGEE ARTISANS

Many refugees have specialized artisanal skills. By building business acumen, partnering with social enterprises, and linking with retail brands and buyers, UNHCR can connect refugee-made artisan products with international markets where they are in demand.

MADE51 will showcase the product collection through branding and a marketing platform, widen sales opportunities, and offer new market access for refugee artisans and their supporting social enterprises. The main aim is to improve livelihood opportunities.

International non-governmental organizations

Safe from the Start has engaged Same Skies, an international non-governmental organization (INGO) to run Stage 1 of the artisan programme for a Rohingya women's support group in Ipoh.³⁷

SGBV prevention, mitigation, and response

Response services and awareness-raising are critical components of SGBV programming. The project's SGBV work is coordinated and monitored by a Senior Protection Assistant, ensuring that links to service providers are made and referral pathways developed and used appropriately.

Training and capacity building

Communities are assisted in several ways to develop their ability to prevent and mitigate SGBV. One is through training of trainers.

TRAINING OF TRAINERS (TOT)

Training modules have been delivered on: gender inequality; social inequality; child protection; domestic violence; basic counselling skills; marital mediation; standard operating procedures (SOP) of SGBV units; women's rights; human rights; sexual and reproductive health; refugee rights; the Code of Conduct; and SGBV reporting mechanisms and referral pathways.

Trainees include members of refugee community from the different CBOs who have been identified as community influencers. Once trained, they receive further training in how to disseminate information, raise awareness of SGBV risks, and provide information on available support structures.

Shelter staff also receive training, for example in SGBV case management and how to give psychosocial support to survivors of violence.

Preparation and distribution of information, education and communication (IEC) materials

Community influencers and service providers have several IEC materials at their disposal and will be trained in how to present them.

IEC materials take two forms:

SGBV brochures. UNHCR brochures, listing referral pathways, have been translated into Burmese.

SGBV video. A video will be jointly developed with community representatives and used to raise awareness. It is likely to discuss the definition of SGBV and types of SGBV, and will provide hotline numbers. It may include information on the community transitional home, and core referral pathways for legal, health, psychosocial, and livelihood information and advice.

³⁷ The project is at an early stage and has not yet started business development activities.



Sri Lanka / Returned IDPs / Veerakathy Thanikasalam's wife Nageshwari. The entire family was displaced in the last phase of the war and after staying in a government camp have finally returned home. The UNHCR shelter grant has been used to set up this small shop. Oddusudan, Mullaitivu district, North East Sri Lanka. © UNHCR/Devaka Seneviratne

Development of a community Code of Conduct, referral pathways, case management, and transitional shelter standard operating procedures

The community Code of Conduct and SOPs for community-based case management were developed to ensure that all referrals made by community social workers and influencers, including shelter referrals, are carried out in a safe and ethical manner. The package includes simplified referral forms, reporting mechanisms, and information management systems. Crucially, it takes a survivor-centred approach, including protocols on case management, confidentiality, and psychosocial support.

Transitional safe shelters

One CBO operates a transitional shelter for SGBV survivors and their children. While housed at the shelter, survivors receive counselling and have access to additional response services. They can also participate in artisan trainings and SGBV awareness-raising. The case management system incorporates appropriate referrals and additional support to address psychosocial, legal, and health needs, and provides accompaniment and livelihood support. When discharged from the shelter, survivors receive a one-off financial grant to facilitate their reintegration.

Two trained shelter staff provide case management and psychosocial support to survivors. More shelters are to be opened in 2018, also managed by UNHCR partners. Strong links with community groups are planned so that the shelter initiative can be replicated and scaled up. In January 2018, Safe from the Start piloted the establishment of a community-led transitional home to meet a recognized need of SGBV survivors for safe temporary housing. The new home offers its residents case management and psychosocial services, and it helps survivors of SGBV to re-integrate into the community.

Case management

UNHCR and the International Catholic Migration Commission (ICMC) work together on case management. Together, they have developed and rolled out SGBV SOPs to help the capacity-building efforts of other partners in the community. Additionally, to improve the services that are currently offered, they are jointly monitoring and analyzing gaps in services, as well as new and unmet needs of survivors. Information for this exercise will be collected through interviews, home visits, and shelter visits.

Gender-Based Violence Information Management System (GBVIMS)

UNHCR has taken the lead in data coordination to guarantee the security of SGBV-related data that are collected, stored, analysed or shared by partners who manage cases. Techniques for safely managing data were included in case management and GBVIMS training in 2017.

4. Partners and resources

UNHCR has partnered with many CBOs and SHGs for both the SPF and the Safe from the Start project.

The pilot for Safe from the Start was awarded to Mang Tha and the Alliance of Chin Refugees through Innovation Challenge Ideas. Their project focused on building sustainable income, reducing the risk of SGBV, and improving responses to SGBV survivors. Continued support in 2016 enabled the project to extend its activities. The success of Safe from the Start in the Chin community strengthened Mang Tha, and its good practices will now be replicated in other communities, specifically in Rohingya, Middle Eastern and North African groups.

5. Participation and accountability

The entire programme responds to the needs and concerns of women from the refugee community. With guidance from UNHCR staff, groups of women have been able to discuss what their communities need, want, and deserve and collaboratively build stronger and more resilient communities in the face of many challenges.

Participation and accountability to beneficiaries were achieved in several ways:

Livelihood programming

- Focus group discussions (FGD's) led to context specific livelihood training.
- Refugees from a range of ethnic groups and countries were included in the FGD's. The Rohingya, Myanmar minority groups, Elham, and Mang Tha have very different social structures and cultures.

- Artisan groups are refugee-led, which ensures that participation and accountability are built into the programme. Women's groups are guided by the programme but ultimately make their own business and financial decisions.

SGBV programming

- A collective effort was made to monitor and understand gaps in services and the needs of survivors, through interviews, home visits, and shelter visits.
- The project's community-based case management SOPs are inclusive because they were written by and for the community.
- The safe shelter programme includes unconditional cash transfers to survivors.
- Community influencers chosen by the community are comprehensively trained and bring the training back to their communities.

INNOVATIVE PRACTICE. COMMUNITY-LED SGBV PREVENTION AND RESPONSE

Across this project, self-selected refugees became community leaders in SGBV prevention and response. In 2017, 30 Rohingya refugees received training over a period of 16 days to become SGBV community influencers. Since completing the training, they have led SGBV awareness sessions in various locations, impacting 790 people.



Nur Bahar (in blue UNHCR bib), is a community outreach volunteer providing women with counselling and access to services at Kutupalong camp. © UNHCR/Roger Arnold

6. Results

Expanding the access of women to safe livelihoods has improved protection outcomes. More women are aware of SGBV; more women are economically self-supporting; and more women are organized - working together, sharing information and providing support to each other and their communities. As a result, their communities are more able to define, mitigate and address risks to women and girls.

These programmes have permitted and encouraged refugee women to build stronger communities, given them a space to meet and collaborate, and offered specific support that protects women and girls who are at risk of violence. Impact is not always easy to measure, especially impact on SGBV. However, the grassroots approach taken by the SPF project certainly created deeper and more meaningful communication with communities and strengthened the connection between livelihoods and SGBV protection. Effective ways were found to identify the most vulnerable groups while encouraging and supporting CBOs to be more active in addressing the needs of women and girls in the community.

With respect to livelihoods, many groups have moved closer to sustainability and many groups have earned an income while doing so. While the projects do not earn enough for group members to completely support their households, women are more resilient, are doing what they want and choose, and are economically more independent.³⁸

25 SGBV survivors

and their children have received accommodation and SGBV support at the transitional shelter.

82 refugee women

are earning income as artisans. 60 work for their community organizations and 22 are self-employed.

80 per cent

increase in product sales between 2015 and 2016.

³⁸ A small number of survivors access the transitional shelter and livelihoods programmes, but these projects were intended to be small. The shelter was almost always full.

Lessons learned

- CBOs are a key entry point into displaced communities in Malaysia.
- Having links to social enterprises is highly attractive to CBO partners. UNHCR assistance in this area is of great value to them.
- Many of the women in refugee groups resettle elsewhere, find permanent work, have demanding childcare responsibilities, or leave their groups for other reasons. This attrition affects the speed with which CBOs acquire competitive livelihood skills and experience.
- The relatively short-term funding of these projects disrupts the groups, because it reduces momentum and continuity.
- Assessments suggest that project income was not an important factor for the women. They considered what they earned as supplementary income. Most households were struggling to find primary financial resources.
- Programmes like SFS that create livelihood opportunities need time to produce sustainable results, especially when they also address gender equality and empowerment.
- For women refugees in Malaysia, income-generating activities are bound to be limited because, since their status is not recognized, they cannot obtain formal employment. Impact and effectiveness evaluations should take this into account.
- SGBV programmes, such as the transitional shelter projects, make a very positive impact on the lives of those who benefit from them. They are small by design and are often considered a last resort for women who face violence.
- Organizations that facilitate training and capacity building need to better understand the needs of intended participants. Many women find it difficult to cover transport costs and cannot hand off their childcare responsibilities.

Tips

- Provide human resource and financial management training because the quality of CBO staff is critical to the quality and sustainability of their projects.
- Collect information on what women and FHH need in order to survive and become self-reliant.
- Design livelihood projects to generate an income for households from the start.
- Include targets, objectives and indicators that measure incremental change. Design programmes with long horizons, even when they are funded for one to two years.
- Assess the relevance of economic indicators when evaluating livelihood programmes in countries where refugees have no right to work.
- Use risk analysis tools in livelihood projects to ensure they are safe and inclusive. For example, the Cohort Livelihoods and Risk Analysis (CLARA) can inform programme design, monitor implementation and outcomes, ensure interventions have no negative unintended consequences, and identify corrections that may be needed.
- Invest over the long term in these projects and in CBOs so that their businesses can become self-sustaining.
- Advocate for inclusion of refugees in existing development projects.
- Refer to the Minimum Criteria for Livelihoods Programming when you decide (for example, in a country office) whether to establish a livelihoods programme or livelihoods unit.³⁹

For more information:

- UNHCR Malaysia email: mlsru@unhcr.org
- Website: <http://www.unhcr.org/malaysia.html>

³⁹ More specifically, refer to the Minimum Criteria for Livelihoods Programming when you adopt a self-reliance perspective, which is defined as 'the ability of people, households, or communities to meet their basic needs and to enjoy social and economic rights in a sustainable and dignified way'. The livelihood programmes described do not necessarily meet basic needs but are moving in that direction. On this understanding, a realistic and feasible approach should be taken, especially in the first years of a programme.

THE IDP REGISTRATION AND NATIONAL IDENTIFICATION PROGRAMME FOR INTERNALLY DISPLACED WOMEN AND FEMALE-HEADED HOUSEHOLDS IN PAKISTAN

POPULATION GROUP:

Internally displaced persons (IDPs) and IDP returnees.

PROJECT OBJECTIVE:

To ensure that IDPs, in particular returnee women, have access to legal and civil documentation, increasing their ability to fully access their human rights.

IMPLEMENTING PARTNERS:

Centre for Excellence in Rural Development (CERD), UN Women, UNHCR, UNFPA.

1. Project overview

This project prioritizes internally displaced women and female-headed households (FHH) and provides them with identity documents, which they need to access basic services and resources such as food and cash-based assistance. By assisting unregistered internally displaced women,⁴⁰ the project promotes gender equality, decreases the vulnerability of women, and provides more equal access to services and resources.

2. Context and needs

In the last ten years, the north western areas of Khyber Pakhtunkhwa (KP) and the Federally Administered Tribal Areas (FATA)⁴¹ have experienced large-scale displacement due to the activities of armed groups and subsequent military operations. Displacement and return have often coincided. Between January and September 2016, 76,190 families (of whom about 12,950 or 17% were FHH) returned to FATA. It was expected that most of the 114,828 families, including 99,829 children (of whom 48% were girls) still displaced in host areas would return by the end of 2016. In fact, a small number chose not to do so, due to security concerns in areas of return and resettlement.

As of 21 September 2017, 262,623 families had returned to FATA. 32,455 families (of whom 14% were FHH) returned in 2017; 42,225 families were still displaced.⁴²

⁴⁰ To receive humanitarian assistance, all persons are required to have registered as an IDP and to possess a Computerized National Identity Card (CNIC) issued by Pakistan's National Database and Registration Authority (NADRA). The project therefore focused first on registration, then the delivery of CNICs. The unregistered women in this project were women who are de facto IDPs because they were forcibly displaced but were not registered as IDPs (because of security constraints, for example, or obstruction by tribal leaders). In Pakistan, all assistance to IDPs, in particular cash and food assistance, is subject to these two conditions.

⁴¹ FATA has been renamed to Newly Merged Districts (NMD).

⁴² OCHA – Pakistan, *Humanitarian Snapshot: Pakistan, FATA Return* (15-21 September 2017). At: <https://bit.ly/2xlojjD>



Philippines / Super Typhoon Haiyan / A staff of a local non-government organization, Initiatives for Dialogue and Empowerment through Alternative Legal Services, Inc. (IDEALS Inc.), assists Necente Nuevas (right), 59, in filing her new civil documents in Opong village in the town of Tolosa, Leyte, central Philippines. © UNHCR/J.Maitem

A multi-sectoral assessment of FATA in 2016 revealed that women had major protection concerns.⁴³ Women said that their main concerns were:

- Personal safety.
- Restrictions on their movement by law enforcement officials.
- Lack of access to documentation.
- Exposure to harmful practices (including child marriage, harassment, killings, threats, abuse, and other forms of violence against women and girls).
- The exclusion from assistance of unregistered families and individuals, among whom were many women and FHH who lacked identity documents.

The Protection Cluster Strategy also documented that women and girls were exposed to many forms of violence, including sexual violence, early marriage, forced marriage, and deprivation of freedom of movement.⁴⁴ Women and girls, particularly from low-income families, were reportedly exposed to trafficking, though trafficking cases remain poorly documented. Women were also deprived of access to health services.

The 2016 multi-sectoral assessment found that upwards of one third of IDP women from FATA did not have a Computerised National Identity Card (CNIC) (whereas official figures suggest that 90% of the population of Pakistan possess one).⁴⁵ This finding was corroborated by a preliminary report in 2017 of the Transition Task Force (composed of the UN

⁴³ Inter Cluster, *Multi-Sectoral Assessment Report* (2016). The assessment methodology was based on a household survey and key informant (KI) interviews. A total of 2,674 households were interviewed (891 women and 1,783 men); the 245 KI interviews were with 38 women and 207 men. At: http://reliefweb.int/sites/reliefweb.int/files/resources/multi-cluster_assessment_of_idps_returnees_kpfata_201608.pdf.

⁴⁴ Pakistan Protection Cluster Strategy 2017-2019. At: <https://bit.ly/2QFBjZp>

⁴⁵ The figure is estimated because no official figure has been published. At: https://reliefweb.int/sites/reliefweb.int/files/resources/multi-cluster_assessment_of_idps_returnees_kpfata_201608.pdf.

Country Team, the World Bank, and the Humanitarian Country Team). The report stated:

30 per cent of female and 28 per cent male household members lack legal identity documents, whereas 34 per cent of female and 22 per cent of male members reported blocked identity documents. Men and women lacking identity documents face challenges in mobility, questioning from security authorities at the check points and problems accessing services, all violations of human rights. People with disabilities are particularly affected, since lack of identity documents undermines their ability to claim their special disability status entitling them to specific services.⁴⁶

Without a CNIC and UNHCR IDP registration, women cannot obtain a range of services, including but not limited to food, housing compensation, cash-based assistance, and livelihood opportunities. UNHCR found that women, and particularly FHH, were being excluded from food assistance and that about 16% of returnees were FHH. They included women whose husbands had died; a small number of women who were divorced; and (the majority) women in households whose male members were seasonal migrant workers in Pakistan or the Gulf.

In addition, individuals without identity documents are ineligible for housing compensation (a \$4,000 cash transfer to rebuild homes). In these cases, UNHCR provides legal assistance. Women, separated and unaccompanied children, elderly persons and persons with disabilities also face heightened protection risks and find it more difficult to obtain basic services. For women and children, the situation further increases their vulnerability to trafficking, violence, sexual and gender-based violence (SGBV), abuse, exploitation, self-harm, and psycho-social difficulties.⁴⁷

According to key informant interviews with IDPs, the main concerns of women, children, elderly persons, and persons with disabilities without family support, include:

- Difficulties of access to legal assistance and identity documents.

- Insecurity in areas of return and lack of freedom of movement.
- Lack of basic services, including health, education, clean water and shelter.
- Damage to housing, land, and property in conflict-affected areas.

The Humanitarian Strategic Plan (2017) prioritised the acute protection needs of persons of concern, especially with respect to prevention of and response to SGBV, civil documentation, mine action, housing, land and property rights, justice, and the rule of law.⁴⁸

Information gathered during research for the 2016 multi-sectoral assessment also guided the response activities detailed in this case study.

LITERACY

66 per cent of households were illiterate. Gender differences were stark: 93 per cent of FHH were illiterate, compared to 60 per cent of male-headed households (MHH).

HEALTH

In FATA, 34 per cent of the assessed population were unable to access health services. Women reported that security concerns and financial constraints were the principal reasons why they could not access health services.

EDUCATION

The education sector was badly damaged and around 70 per cent of girls and 40 per cent of boys were not enrolled in primary school. 15 per cent of FHH said protection issues were their main concern (compared with 2.5 per cent of MHH).

LIVELIHOODS

Household earnings from agriculture had fallen from 39 to 25 per cent, while day labour had increased. 11 per cent of households reported that at least one woman earned income. 40 per cent of households reported owning agricultural land (on average 2 acres). FHH owned on average half as much land as MHH.

⁴⁶ This report was still in draft but preliminary data on legal documentation was shared.

⁴⁷ Pakistan Protection Cluster Strategy 2017-2019. At: <https://bit.ly/2ph2xsB>.

⁴⁸ UNOCHA, *Humanitarian Strategic Plan – Pakistan 2017*, (January 2017).

The population identified the following immediate needs:

- Restoration of livelihood opportunities in areas of return.
- Revitalization of health services.
- Reconstruction of housing.
- Rehabilitation of the education sector.
- Provision of water and sanitation and promotion of hygiene.
- Rehabilitation of community infrastructures.
- Targeted nutritional support for children and pregnant and lactating women.

These immediate needs could not be addressed while significant proportions of the population remained unregistered as IDPs or IDP returnees. Women and FHH faced additional barriers, since they had less freedom of movement, significantly less land, extremely low literacy rates, and were subject to significant discrimination in every sector because of their gender.

Insecurity in hard-to-reach areas was a further overarching barrier to access (to all services) for displaced and returned populations. Most FHH have returned to remote villages that are hard to reach. It is therefore difficult both to locate those in need and to assist them when their needs are known.

3. Process and activities

When the government created CNICs to enable displaced persons to access services and resources, it assumed that everyone was registered and therefore was in a position to obtain a CNIC. This erroneous assumption increased the vulnerability of women and FHH.⁴⁹

A two-pronged approach was necessary because the women needed immediate assistance and it took longer than foreseen to obtain CNICs.

UNHCR DEVELOPED A TWO-PRONGED APPROACH

- (1) Obtain national identity cards for women and ultimately CNICs as well.
- (2) Simultaneously develop an interim assistance strategy to help women gain access to services they needed in the absence of documentation.

Access to documentation

Most people in FATA, notably women, do not hold birth certificates for themselves or their children, death certificates of family members (including husbands), or any other nationally recognized documents that are required to access national services in Pakistan. These vulnerable women became the focus of a legal programme to provide them with documentation.⁵⁰

The legal context was not simple.

- For specific types of assistance such as cash grants and food assistance, the government insisted that registered IDPs must also have a CNIC.
- Other forms of humanitarian assistance that were offered by humanitarian actors, such as shelter and livelihoods, were not conditional on possession of a CNIC.

⁴⁹ The government insisted that everyone had a CNIC and that all displaced persons were registered as IDPs. It required demonstration and complaints from local authorities to persuade the government to recognize unregistered IDPs. According to an official report by FDMA, currently some 170,000 families or more than one million people are IDPs, and of these 30 per cent do not have a national identity card. See *Protection Cluster Report* (August 2016) here: <https://bit.ly/2PJPVWg>; and *Humanitarian Strategic Plan – Pakistan 2017*, here: <https://bit.ly/2PLbN3z>

⁵⁰ Due to financial constraints, the project was able to reach only 10% of unregistered women.

- To receive those services people nevertheless had to register as IDPs with UNHCR.
- Every IDP, regardless of whether she had a CNIC card, could register with UNHCR as an IDP provided she could reach UNHCR's registration desk.

The programme therefore decided to promote livelihoods in order to be able to support the displaced population while CNICs were obtained for them. It focused especially on women and FHH, since the 2016 assessment had shown that they were more at risk and could access services less easily than men and MHH.

OBTAINING A CNIC

Obtaining a CNIC proved to be quite complex. Without advice and assistance, undocumented persons were unlikely to meet the financial and other conditions. For instance, the head of a FHH had to obtain:

- Step 1:** Her birth certificate.
- Step 2:** A death certificate of her husband.
- Step 3:** The birth certificates of each of her children.
- Step 4:** A widow certificate.

At each step, the woman was required to find two tribal male elders, many of whom were scattered and displaced; persuade them to write and sign a written statement; and have this attested by the political authorities. Tribal structures inherently discriminate against women because only men represent the village or community.

Some IDP women and their family members in FATA did manage to obtain CNICs, but only in specific circumstances.⁵¹ These included situations in which the family planned to work abroad (mostly in Gulf countries) or make a pilgrimage to Hajj and therefore needed a passport, or were enrolling a child in high school.

In partnership with CERD and in coordination with UN Women, UNHCR provided documentation by:

- Bringing all the women together at mobile registration clinics.
- Hiring field notaries who sat with their laptops and printers to assemble all the required documentation.
- Taking the documents to tribal elders for approval.
- Taking the documents for attestation to the relevant authorities.

The process could often take more than two months. For families in acute need, this was a very long time to wait for food assistance. In addition, many women had to travel significant distances to obtain advice or assistance, from hard-to-reach rural areas or through areas subject to insecurity or armed conflict.

4. Partners and resources

CERD was the implementing partner of UNHCR and UN Women. The organizations worked together to enable displaced women and girls to obtain civil documentation that would allow them to access services and protect their rights.

UN Women and UNHCR worked closely, sharing information but also responsibility for the beneficiaries. This proved to be an effective strategy. They shared data, discussed solutions, and planned how the government could be approached in the most effective manner.

UNHCR shared the data it held on registered IDPs who did not possess CNICs. This made it possible to identify and prioritize the most vulnerable people and those at the greatest protection risk. UN Women received the data and analysed it from a gender perspective. UNHCR's close relationship with the Government, in particular the FATA Disaster Management Authority and The National Database and Registration Authority (NADRA), enabled it to crosscheck the lists efficiently, and deliver food and cash assistance promptly to those in most need.

⁵¹ These documents are provided for a charge and to individual adults (not the household).

5. Participation and Accountability

Through complaint mechanisms and consultation with affected populations, women's voices were heard and their needs addressed. Women and FHHs without documentation were able to access humanitarian assistance after UNHCR and partners had identified the threat to protection that their lack of registration and identity documents represented.

A detailed assessment was made before the project started to identify and prioritize the most vulnerable returnee families. All project activities were implemented in close consultation with the local community through needs assessments. To reinforce participation and accountability, the project formed community-based protection committees, set up fixed and mobile grievance desks, and disseminated information using a variety of channels (including banners, flyers and radio broadcasts, and outreach protection monitoring teams).

To guarantee accountability to affected people, project staff received orientation on project activities and training on CNIC and legal document processing. Mobile grievance desks were established in communities in which the project was implemented. Radio messages about grievance mechanisms were broadcast, and a grievance phone number was circulated and printed on banners in the target areas. Complaints, including on housing compensation issues, were reported and referred to the relevant government department. The FATA Disaster Management Authority (FDMA) prepared a template, which enabled mobile grievance teams to collect and submit returnee grievances. The data were verified, then shared with FDMA, with feedback in each case. The FDMA's information technology section then reconciled cases with the cellular phone companies that delivered compensation. Where a beneficiary did not receive compensation, the cellular company re-sent the message to that person's mobile and shared the data with CERD. In this way, beneficiaries received feedback and corrective measures were taken.

6. Results

The project permitted women, notably FHH, to access their rights by registering as IDPs and receiving CNIC identification. A total of 3501 FHH have received legal and identity documents (CNIC) as a result of this initiative.

Lessons learned

- Gender equality was advanced in other ways, for example by giving women access to banking facilities. Certain banks were inaccessible to women because they could not enter them when men were present. To address this, women's banking days were established and, on two days each week, women can go to the bank to transfer or draw out money.
- Individual support, for example from the Representative of UN Women in Pakistan, was a key enabling factor in the success of this programme.

Tips

- This and similar projects should be funded to completion because many women continue to lack access to documentation. (The project was only able to reach 10% of unregistered women due to financial constraints.)
- Make additional services available to the women and girls who were targeted by this intervention because they remain vulnerable. Additional services could include SGBV case management and other legal services.

For more information:

- UNHCR Pakistan Email: pakis@unhcr.org
- Website: www.unhcrpk.org

KEEP IN MIND THAT

- ▶ Gender equality is not a measurement but a moving target whose progress we need to be able to track meaningfully. To advance gender equality, UNHCR runs many programmes to meet different needs and mitigate various risks, recognizing that to achieve gender equality we need to listen to those we seek to support, as well as monitor progress and report analytically. We also need to foster creativity and try new initiatives, all the while remaining focused on the overall impact we aim to achieve.
- ▶ It is important to remember that gender equality is intersectional. We cannot expect to achieve gender equality if women and girls are not empowered socially, politically and economically. Focusing on livelihoods without political empowerment will not create gender relations that are truly equitable.
- ▶ Overall, the meaningful implementation of a gender equality agenda requires programming that takes a long-term approach. Ensuring that gender equality is explicitly articulated in multi-year / multi-partner country strategies is therefore critical.
- ▶ Additionally, champions for gender equality are crucial. In each case study described in this report, one or several individuals championed the cause of gender equality and understood that, to change social behaviour, it is necessary to have a good understanding of power relations in the community.
- ▶ Operational staff need to be trained to contextualize programmes in the local environment, recognize the needs of women and girls, and enhance their capacities.
- ▶ Programmes must adapt to emergency environments and adjust from one phase of the response to another. It is vital to understand that the needs and capacities of persons of concern and especially women and girls can change over time. Responses must therefore be dynamic to incorporate positive changes and include course correctors when challenges are met.



Nepal. Earthquake aftermath. Temporary housing Pramila Gajurel, 25 years old holds at her makeshift home, a chicken hatchery, in Dhungana Village at Noalkot District in Nepal. Pramila gave birth her daughter Shreya just eight days before the earthquake. When the earthquake hit she thought she was unwell until she saw the trees and earth moving. She ran inside and picked up both her girls and made it out of the house just as it collapsed. Still recovering from the birth of her youngest it took Pramila more than one hour to get down off the mountain to a nearby village and safety. With no home to return to, she is currently living in a dirty chicken hatchery while her husband tries to build a temporary shelter to house them through the monsoon. © UNHCR/Diego Ibarra Sánchez

See these publications for additional promising practices related to gender equality

- UNHCR, *MENA Promising Practice Report* (UNHCR Gender Equality Unit, 2017), available at: <https://bit.ly/2lbSu5E>.
- UNHCR Bureau for the Americas, *Age, Gender and Diversity Good Practices in the Americas – One step further, the methodology behind the practice* (2015), available at: <https://bit.ly/2OwxV1i>.
- UNHCR, *Speaking for Ourselves: Hearing Refugee Voices – A Journey Towards Empowerment* (2014), available at: <https://bit.ly/2Nmoq8j>.
- UNHCR Bureau for the Americas, *Age, Gender and Diversity Best Practice Compilation* (2012), available at: <https://bit.ly/2xuOIQv>.
- UNHCR, *UNHCR's Dialogues with Refugee Women – Progress Report on Implementation of Recommendations* (2013), available at: <https://bit.ly/2OwyzvK>.

